

CITIZENS REDISTRICTING COMMISSION BUSINESS MEETING

JUNE 23, 2011

FRESNO, CALIFORNIA

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REPORTED BY: MIRANDA K. ANTHONY, CSR NO. 13453

1 COMMISSIONERS PRESENT:

2 Commissioner Aguirre

3 Commissioner Ancheta

4 Commissioner Barabba

5 Commissioner Blanco

6 Commissioner Dai

7 Commissioner DiGuilio

8 Commissioner Filkins Webber

9 Commissioner Forbes

10 Commissioner Galambos Malloy

11 Commissioner Parvenue

12 Commissioner Raya

13 Commissioner Ward

14 Commissioner Yao

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16 STAFF PRESENT:

17 Dan Claypool, Executive Director

18 Kirk Miller, Chief Counsel

19 Janeece Sargis, Administrative Assistant

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FRESNO, CALIFORNIA

THURSDAY, JUNE 23, 2011; 12:23 P.M.

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COMMISSIONER BLANCO: Good afternoon, it is afternoon.
It's June 23rd. This is a meeting of the Citizens
Redistricting Commission. We are meeting in Fresno,
California, at the University of California Fresno Center.
This is our business meeting. We will conduct our business
meeting until 5:00 o'clock. At which time we'll take a
one-hour break and we'll reconvene at 6:00 o'clock for a
public input hearing which will go from 6:00 to 9:00 o'clock.
At this point we will adjourn and we will have a closed -- oh,
roll call. Thank you.

MS. JANECE SARGIS: Aguirre?

COMMISSIONER AGUIRRE: Here.

MS. JANECE SARGIS: Ancheta?

COMMISSIONER ANCHETA: Here.

MS. JANECE SARGIS: Barabba?

COMMISSIONER BARABBA: Here.

MS. JANECE SARGIS: Blanco?

COMMISSIONER BLANCO: Here.

MS. JANECE SARGIS: Dai?

COMMISSIONER DAI: Here.

MS. JANECE SARGIS: DiGuilio?

COMMISSIONER DIGUILIO: Here.

1 MS. JANECE SARGIS: Filkins Webber?

2 Forbes?

3 COMMISSIONER FORBES: Here.

4 MS. JANECE SARGIS: Galambos Malloy?

5 COMMISSIONER GALAMBOS MALLOY: Here.

6 MS. JANECE SARGIS: Ontai?

7 Parvenue?

8 COMMISSIONER PARVENUE: Here.

9 MS. JANECE SARGIS: Raya?

10 COMMISSIONER RAYA: Here.

11 MS. JANECE SARGIS: Ward?

12 COMMISSIONER WARD: Here.

13 MS. JANECE SARGIS: Yao?

14 COMMISSIONER YAO: Here.

15 MS. JANECE SARGIS: Our quorum is present.

16 COMMISSIONER BLANCO: Thank you.

17 Let me explain to the public why we're late. I know that

18 this meeting had originally been noticed for 11:00 o'clock.

19 We found out, I guess, yesterday morning this facility did not

20 have any audio capacity so our team had to get here very early

21 and I think it took them over three hours to set up all our

22 audio and visual equipment.

23 Thank you very much, sirs.

24 And that's why we're getting a little bit of a late

25 start. They just finished setting up all of our equipment.

1 Let me just mention the order of the agenda for people
2 watching. We will have a closed session for an hour from
3 12:28 to 1:28. Then we will come back and have a -- our
4 Technical Advisory Committee will present three different
5 items; we will go through the work plan and deadlines and
6 maybe make some decisions about next steps for the work plan.
7 We will have a presentation by Commissioner Ancheta and
8 Commissioner Galambos Malloy on Voting Rights Act districts
9 and then we will have a discussion about the final report and
10 its preparation, the report that has to be submitted along
11 with the final maps.

12 After that we will have a new item for the Legal Advisory
13 Committee that will begin around 4:00, maybe 4:15 depending on
14 how our time goes, which will be a discussion and decision on
15 the issue of numbering our districts; the odd, even numbering
16 and what policy we want to follow in that regard and that will
17 be the last business item.

18 It's an aggressive agenda but we need to get through it.
19 At this point I'd like to hear public comment and after public
20 comment we will retire into closed litigation session.

21 MS. DEBORAH HOWARD: Welcome to Fresno. I don't live
22 here; I traveled the same route I think many of you did after
23 last night. What I just passed out is a joint letter from
24 eight or nine different organizations, including AARP, one of
25 my previous employers, the advancement project, California

1 Common Cause, California Chamber of Commerce, a current
2 client, California Forward, the Central Coast Alliance for
3 United and Sustainable Economy, the Green Lining Institute,
4 League of Women Voters and the Rose Institute for state and
5 local government at Claremont McKenna College.

6 I think, based on what Commissioner Blanco has outlined
7 in your agenda, this might be a little bit timely. It is a
8 collective assist, if you will, of us recognizing the groups
9 that have been tracking this very closely, watching you really
10 wrestle with how to use very limited resources of both time
11 and money, moving forward on the Voting Rights Act. And some
12 of you have heard me say in previous iterations, I was
13 under -- especially in group facilitation and group work it
14 was always useful to hang loose until rigor counted and I
15 think what this letter is telling you is rigor is becoming
16 really, really important and that as much work has gone into
17 your voting -- your thinking about the Voting Rights Act and
18 the work you've done to recruit Matthew Bereto. There's still
19 some angst out there that we're going to get this right.

20 So what we have done is outline what we think the role of
21 Q2 is in this role and Matthew Bereto, because we think that
22 there's a partnership there and Mr. Bereto doesn't have all
23 the answers, he has a very limited ability to identify what
24 the voting patterns are. But Q2 has a role in identifying
25 where that setting needs to take place.

1 What we've done and you'll see on pages two and three is
2 there's a grid of districts that are roughly comparable to
3 those districts that were put out by the C.R.C. for both
4 congress, assembly and senate. I'm a little bit cross-eyed,
5 putting this together as are a couple of interns from Common
6 Cause who worked on this over the last couple of days. But I
7 think what you can tell in that is that there are some
8 commonalities where it's pretty clear where you have
9 50 percent districts without much work. So it might influence
10 and inform the direction that you would give Mr. Bereto about
11 what would be most important.

12 And then on the last page we have a request, an urgent
13 request that when you release the second round of maps that
14 you also release the analysis and the standards that were used
15 to do that. Essentially, the grid that all of the outside
16 groups did 12 hours after you released the maps, we think that
17 that needs to come from the commission and that the data that
18 was used to inform those maps should be reported as well. And
19 I know that this is something that you all have pushed your
20 own legal counsel on, we agree that they need to give you
21 the -- to identify whether the specific districts meet the
22 represented thresholds for that.

23 So that's our thought, it really is offered with the
24 sincerest thanks for your sacrifices and commitments that
25 you've made over the last six months and they're not done yet.

1 So please feel free to call on any of us for additional
2 assistance and any questions.

3 COMMISSIONER BLANCO: Thank you.

4 MR. DAVID SALIVERRY: Good afternoon, Commissioners.
5 David Saliverry the C.C.A.G. On June 9th, the day before the
6 first drafts, the commission belatedly realized it did not
7 have the functional COI database; this is a startling failure.
8 Community interest testimony is the foundational stuff of
9 Propositions 11 and 20, California voted to put redistricting
10 into the hands of citizens through COI testimony. That the
11 commission has treated this precious citizen input cavalry is
12 deeply troubling.

13 Two days ago members of my team discovered the commission
14 had not posted the video of our May 21 public hearing in
15 Oakland. I just found out from staff the video has been
16 discovered and will be posted and -- but I didn't have time to
17 amend this.

18 We're confident that you will find and post our
19 testimony, but losing the input of 100 East Bay citizens for
20 weeks means the larger public could not access it or even have
21 known that we showed up.

22 The commission decided it couldn't afford transcripts for
23 public input hearing, yet spent 600,000 for mappers, 475,000
24 on per diem, so far, 300 on a C.R.V.A. attorney, et cetera.
25 Transcripts of input hearings at roughly \$100,000, that's our

1 estimate, would have been a repository of COI testimony that
2 allowed commissioners to remain fully aware of and guided by
3 citizen input. In the absence of this repository the public's
4 will has been marginalized. I have watched the line drawing
5 process and seen commissioners time and again confused about
6 who said what, when and where. The process has been chaotic
7 and linked to notable districts like the CD Yuba joining Santa
8 Rosa with Yuba City, the S.D./L.A.S.C.D. stretching from the
9 Grapevine to Malibu and the S.D. central coast, a 400 mile
10 matchup of Los Gatos at Yuletin.

11 Additionally, the commission has not developed a rational
12 process of drawing COI lines. I approached two commissioners
13 in the hallway at Burlingame at the Common Cause seminar to
14 ask what happens when COIs are in conflict; I got no answer.
15 A large part of the commission's work is technical and legal,
16 the population number and the VRA limit choices is only in the
17 balancing of COIs, that the commission's work is more art than
18 science, more politics than the rigid application of census
19 data and law and yet the commission seems to have given very
20 little preliminary thought on how to balance competing claims.
21 I'm glad to see here, by the way, today's agenda has an item
22 that seems to go in that direction.

23 You might have asked: What should conserve from prior
24 maps? The 2001 maps were heavily gerrymanded but the 1991
25 special master's maps were considered by most to be fair.

1 Should we have started with 1991 and incorporated what was
2 workable from 2001 as a foundation?

3 Two, can we reject COI testimony that looks like it
4 benefits a particular politician and smells like it was
5 brought to the commission by someone connected to that
6 politician?

7 Three, how can we achieve rough parity and spread the
8 pain equally? The VRA counsel has advised us to create
9 narratives, we will be reading them carefully and hope to find
10 ideas, rationales and carefully crafted judgments, not after
11 the fact losses that cover up and an unintelligible process.

12 And, finally, I believe the commission has fallen into a
13 regional Czar trap. It was not the intent of Propositions 11
14 and 20 to create 14 decision makers with control over a home
15 turf to which the other commissioners defer so that they can,
16 in turn, control their maps.

17 Graphically selected interest has led to areas that are
18 orphaned and areas that have gotten too much attention from
19 the commissioners. It has also led to maps that can reflect
20 one commissioner's ideas to the exclusion of community voices.
21 The need to bring COI data and decision -- the decision
22 process under control while working against regionalism is
23 urgent. Lawsuits will inevitably result if the process is not
24 drastically improved in the second draft.

25 Finally, I'd like to say kudos to the commissioner who

1 suggested saying the pledge of allegiance at each hearing.
2 The level of decorum has risen for which we are all very
3 thankful. Thank you.

4 COMMISSIONER BLANCO: Anymore public comment?

5 All right. Seeing none, we are going into closed
6 session. We will return at 25 of 2:00. Thank you.

7 (Whereupon, the commission went into
8 closed session.)

9 COMMISSIONER BLANCO: It is now 1:45 and, as promised,
10 the Citizens Redistricting commission is back in public
11 session.

12 And, Mr. Miller, can you start with the brief report out
13 from our session?

14 MR. KIRK MILLER: Yes, thank you.

15 In closed session the commission discussed threatened and
16 potential litigation associated with the final maps.

17 COMMISSIONER BLANCO: Thank you, Mr. Miller.

18 The next item we're moving into the technical advisory
19 committee portion of our agenda and the --

20 COMMISSIONER DAI: Should we have a motion?

21 COMMISSIONER BLANCO: Commissioner Yao, the vice chair, I
22 think, has a motion to make.

23 COMMISSIONER YAO: The issue before us is to -- attempt
24 to define a process for hiring a law firm in the defense of
25 our commission maps after we release it in mid-August, and I

1 would make a motion to propose that we appoint --

2 COMMISSIONER DAI: Commissioner Blanco and Commissioner
3 Forbes.

4 COMMISSIONER YAO: -- to work with our legal -- our
5 in-house legal counsel to come up with a process and bring it
6 back to the commission -- more than that.

7 COMMISSIONER DAI: Recommend -- to recommend.

8 COMMISSIONER YAO: Let me word it.

9 We want to authorize them to proceed to make it happen.
10 So it's more than just -- I'll let Commissioner Dai try to
11 reword the motion.

12 COMMISSIONER DAI: I move that we delegate authority to
13 commissioners Blanco and Forbes to work with our chief counsel
14 to recommend a law firm for post-map litigation to the full
15 commission.

16 COMMISSIONER BLANCO: Is there a second to that motion?

17 COMMISSIONER YAO: I will second that.

18 COMMISSIONER BLANCO: Do we need a roll call? Let's just
19 do public comment and then do a roll call vote.

20 MR. DAVID SALIVERRY: Commission, just not sure why
21 the -- you had the meeting in closed session. I would like to
22 get some clarity on that and I'll ask for that later of the
23 counsel. Thank you.

24 COMMISSIONER BLANCO: Okay. Let's do a roll call.

25 MS. JANECE SARGIS: Would you like me to restate the

1 motion?

2 COMMISSIONER BLANCO: Yes, please.

3 MS. JANECE SARGIS: Motion is commission will delegate
4 authority to Commissioner Blanco and Commissioner Forbes to
5 work with the chief counsel to recommend a law firm for
6 post-map litigation and bring that recommendation back to the
7 commission.

8 COMMISSIONER BLANCO: Any discussion on this?

9 All right. We'll have roll call.

10 MS. JANECE SARGIS: Commissioner Aguirre?

11 COMMISSIONER AGUIRRE: Yes.

12 MS. JANECE SARGIS: Ancheta?

13 COMMISSIONER ANCHETA: Yes.

14 MS. JANECE SARGIS: Barabba?

15 COMMISSIONER BARABBA: Yes.

16 MS. JANECE SARGIS: Blanco?

17 COMMISSIONER BLANCO: Yes.

18 MS. JANECE SARGIS: Dai?

19 COMMISSIONER DAI: Yes.

20 MS. JANECE SARGIS: DiGuilio?

21 COMMISSIONER DIGUILIO: Yes.

22 MS. JANECE SARGIS: Forbes?

23 COMMISSIONER FORBES: Yes.

24 MS. JANECE SARGIS: Galambos Malloy?

25 COMMISSIONER GALAMBOS MALLOY: Yes.

1 MS. JANEECE SARGIS: Parvenue?

2 COMMISSIONER PARVENUE: Yes.

3 MS. JANEECE SARGIS: Raya?

4 COMMISSIONER RAYA: Yes.

5 MS. JANEECE SARGIS: Ward?

6 COMMISSIONER WARD: Yes.

7 MS. JANEECE SARGIS: Yao?

8 COMMISSIONER YAO: Yes.

9 MS. JANEECE SARGIS: Motion passes. Thank you.

10 COMMISSIONER BLANCO: Moving on to our technical advisory

11 committee report. First we have our report back from

12 Commissioner DiGuilio on work plan and upcoming deadlines.

13 And just in general, you have several items you have in your

14 agenda. I'll give you the latitude to -- want to. We are

15 hoping to have this portion of our meeting go until -- the

16 entire technical until 4:00 o'clock. But we need to hear

17 presentation on VRA and discussion on the final report. So I

18 would say that we have an hour for this part of the meeting.

19 COMMISSIONER DIGUILIO: Okay. I think I'll defer the --

20 maybe we should start with the I.F.B. -- excuse me, recruiting

21 and hiring consultants and for that I think I'll turn it over

22 to Mr. Claypool and Commissioner Barabba and Commissioner

23 Forbes.

24 MR. DAN CLAYPOOL: We are -- at this point we are

25 unprepared for that because we're having copies made, I

1 apologize, and Raul was actually going to present it. We
2 thought we would go much later, so if we could shift that.

3 COMMISSIONER BLANCO: Absolutely, we will put that
4 item down later when we get the copies.

5 COMMISSIONER DIGUILIO: Excuse me, I had a little bit of
6 chocolate there in anticipation of having five minutes off.

7 So real quickly, I think what I'll do is go through --
8 let me start with number two, framework with for working with
9 line drawers. Let me mention very quickly the commission
10 access to data. As you know, I've been distributed reports
11 that we've had so far included the VAP and CVAP and total
12 population report; and, again, that's easier for commissioners
13 to access electronically simply because the spreadsheets are
14 so long when you print them out the formatting is a little
15 problematic. Another database that you have access to is a
16 splits report in terms of the city splits and you'll notice
17 there's a couple different formats -- excuse me, different
18 files for which you can do different searches in those
19 databases.

20 And the other one was just distributed after meeting with
21 our legal counsel's approval is the COI database and that is
22 in an Excel format for commissioners so you're able to do
23 sorting based on fields and it's put in a PDF format for the
24 public and that will be working with Q2 to have that updated
25 periodically, trying to see if we can do that based on a

1 certain amount of media -- three to five days, something like
2 that. It depends, to be honest, on how much the intensity of
3 the public comments are coming in. Our staff on our side, as
4 you know, has to log that all in and put it electronically and
5 send it to Q2 so there's interaction between our staff and Q2.

6 So in terms of those databases, I know for some
7 commissioners it's not the most ideal possibly to have to work
8 within these data sets, spreadsheets sometimes can strike fear
9 into ordinary citizens. But I think when you get in there
10 you'll find they're easier to maneuverer than you may think.
11 If you need help, we might be able to help each other out in
12 terms of sorting through those and again those will be
13 available to the public as well.

14 So before I move on to the calendar, does anyone have any
15 questions or concerns about databases?

16 COMMISSIONER AGUIRRE: Are those in the --

17 THE REPORTER: I can't hear you.

18 COMMISSIONER BLANCO: Excuse me -- our court reporter is
19 having problems. Can you slow down?

20 And do you have a list of everyone's names?

21 THE REPORTER: I do. Thank you.

22 COMMISSIONER BLANCO: I need to call on people so that
23 she knows who I'm calling on.

24 COMMISSIONER DIGUILIO: The question was whether those
25 were in a Google box.

1 No, they're in a drop box location that you have to --
2 those have been forwarded -- if the commission would like I
3 can try to re-forward some of those links in one format.
4 They're all in -- let's see, I think they're all in a drop box
5 location right now so that you can't go in there and maneuver
6 around but it's not on our documents. That also allows our Q2
7 to update those and drop box as particular to COI testimony.

8 COMMISSIONER BLANCO: So if I can just request that by
9 the time we -- the suggestion about forwarding it to folks
10 again, I think would be great. Now that you know what's in
11 there, maybe you'll take a second look at it.

12 COMMISSIONER DIGUILIO: One more note and this might come
13 up with the calendar. It's important that we as commissioners
14 become familiar with these, because you'll see in the calendar
15 a typed deadline. If we had a year we'd be able to do these
16 things differently but with the tech time deadline, it is
17 incumbent upon us to look at those.

18 COMMISSIONER BLANCO: Commissioner Yao and then
19 Commissioner Ward.

20 Okay. First Commissioner Ward and then Commissioner Yao.

21 COMMISSIONER WARD: Commissioner DiGuilio, I had a
22 question with this topic.

23 COMMISSIONER DIGUILIO: Which topic?

24 COMMISSIONER WARD: Framework for working with --

25 COMMISSIONER DIGUILIO: I think maybe it's on a database

1 -- is it on a database?

2 COMMISSIONER WARD: No, it's on framework.

3 COMMISSIONER DIGUILIO: I think using one for database.

4 Anymore issues about that first?

5 COMMISSIONER WARD: We're just wanting to get clarity on
6 the process for working with the line drawers. We've all been
7 tasked with specializing in certain areas of the state and
8 coming up with summaries and potential options for districts
9 and things like that, on a very short time frames and in the
10 process of doing that a number of questions come up that
11 require technical assistance or technical expertise.

12 And so I've went ahead and taken the initiative of
13 reaching out to my -- the region I've been assigned area
14 expert to try to get some of that supplemental information and
15 I'm being told that any request for information or, really,
16 any -- any correspondence with our technical consultants needs
17 to be routed through the technical subcommittee and I'm
18 wondering if that's something we can maybe discuss. Is that
19 something that is going to allow for us to meet the
20 requirements we've been asked to do, especially within the
21 time frame we've been asked to do them?

22 COMMISSIONER DIGUILIO: I think this is probably under
23 "C" work plan discussion No. 3. I think, to answer your
24 question, I think the idea with this, the pairing of
25 commissioners in terms of looking at the regional issues was

1 not so much that we could work with the technical team to work
2 out some options as much as simply a review of the maps as
3 they stand right now, the first draft maps; as well as looking
4 at the public comments, because as you all know there's
5 significant amounts of public comments and we're trying to do
6 our due diligence for all of us to look at each of those
7 public comments but what we're trying to ensure was that there
8 were specific commissioners really drilling down to connect
9 those comments, not just to look at them but connect them in
10 light of the maps. So I think in terms of what we're tasking
11 commissioners to do is provide that overall insight into some
12 of the assumptions that have been had in the past, we made
13 some assumptions about not crossing mountains or not crossing
14 landmarks or respecting certain things. One of those
15 assumptions that have gone into and those have been a part of
16 our discussion so far, and trying to merge that as well with
17 our comments that we received from the public in terms of
18 looking at options.

19 So I think to that extent I'm hesitant to think we would
20 need expertise from our mappers in terms of looking at options
21 as to what to do because that's really conversation the full
22 commission should have.

23 COMMISSIONER WARD: Okay. Would you rather I waited for
24 the comment till item section C, item 3?

25 COMMISSIONER BLANCO: I do think there's a question we

1 could answer "Yes" or "No" or give a preference, which is,
2 even as I understood the commissioner's question it's on data
3 itself should we be contacting Q2. And I guess the question
4 is what data do we need from Q2 that we don't have in the drop
5 box? Because if it's in the drop box, we should just use the
6 drop box.

7 I know they have expressed they are overwhelmed with
8 people calling them. So I do think we should clarify where
9 people can get their questions answered or refer to have that
10 handled and how Q2 prefers to have that handled.

11 COMMISSIONER DIGUILIO: I think this is a discussion we
12 had very early on in as a commission in terms of trying to
13 overwhelm our consultants was 14 different individual bosses
14 coming to them and asking for things, so maybe this is a good
15 point for discussion with everyone else.

16 The intention was we're all under a very tight timeline
17 and as commissioners we've been asked to spend a lot of extra
18 time on this and any help we could get of course moves the
19 process forward. One is a way to see if those questions are
20 really necessary to be answered if there's a way to streamline
21 those, not directly through our consultants, so that maybe
22 there's three or four people asking similar things and we can
23 find an answer as opposed to setting a time with the
24 consultants answering each person individually and that would
25 be one way to try to streamline the process. But the other

1 one is just kind of generally what's the purpose of us doing
2 this in terms of our ability to do the analysis versus getting
3 insight from the consultant.

4 COMMISSIONER DAI: So I think that before -- I think a
5 lot of these reports have only been put in the drop box
6 recently, just good to remind everybody what we have in the
7 drop box are -- might remember, way back when, we got profile
8 for every region for population and every city and place and
9 we also recently in drop box have splits reports for every
10 area. So you can see, you know, if in your region you have
11 splitting and will tell you and what's on how many on each
12 side and then -- and then it has all the VAP and CVAP
13 information too. So it's all there in the drop box now, so
14 you should have that data.

15 And I think the issue here is, you know, coming up with
16 options. I mean, we're not asking commissioners to do the
17 mapping, we're saying come up with suggestions. You should
18 have a general idea from the information that's provided in
19 these reports whether they're viable options that the public
20 is suggesting.

21 COMMISSIONER BLANCO: Are those the kind of information
22 you were looking for Commissioner or is there something else
23 that you were asking them for?

24 COMMISSIONER WARD: Thank you. I think it's just a
25 general understanding of process and I just didn't understand

1 that piece. Again, being tasked to look at a particular
2 region and come up with a fair summary and application of COI
3 testimony and things like that, there's abundance of questions
4 that come up with that; such as, groups that have submitted
5 equivalency files for that region. Maybe post first draft
6 map.

7 Have those been received? Have they been considered?
8 What -- we haven't received a summary of, fairly so, of why
9 this line was drawn the way it was. So there are certain
10 questions, although limited that might come up or last night
11 after the hearing I had a quick question to help and wasn't
12 able to receive an answer on that without being referred to
13 the subcommittee.

14 So I'm just wondering if at this point in the game with
15 the team approach that we're trying to take in accomplishing a
16 goal, if having a third person mailman, mail delivery person,
17 if you will, is an efficient way to get information to get the
18 job down.

19 COMMISSIONER BLANCO: Comments?

20 Commissioner Raya.

21 COMMISSIONER RAYA: I don't know if technical wants to
22 push this discussion or take charge of it somewhere within
23 your agenda, 'cause I think we're kind of losing sight of your
24 agenda. I'm hearing a description of a task that I don't
25 think I was assigned, or in way I don't think --

1 COMMISSIONER DIGUILIO: I think the issue is we're not
2 asking these pairings to come up with different -- to do the
3 visualizations, it's simply just to do a review of the data
4 not to solve the problems, but simply to give us an analysis
5 of some of the issues that are going on that have been raised.

6 As you mentioned, some of those equivalency files, things
7 that we received since the first draft map, how does that play
8 into all this? Because we as commissioners are still
9 responsible for looking at other areas outside our region, I
10 hope everyone understands that, that we are looking at every
11 single region, what we're trying to do is add one extra layer,
12 which is to have in-depth coverage by pairing of commissioners
13 that can reference things like public comments and look at
14 things in more in-depth level. Again, it's not to solve
15 issues or actually provide a "This is what we should do,"
16 because that is the position of the commission especially to
17 bring analysis of things to the table, that's all.

18 COMMISSIONER BLANCO: So if it's okay with you,
19 Commissioner Ward, I'm going to let Commissioner DiGuilio walk
20 through and ask her as she's walking us through it to
21 summarize what we're all supposed to be doing now and should
22 be in this conversation, when we're supposed to be done and
23 take us through the steps and that may help answer some of
24 these questions about what we're supposed to be doing in our
25 individual workgroups.

1 COMMISSIONER DIGUILIO: Well, I think this is something
2 that has been ongoing between the work plan and the chairs. I
3 worked with Commissioner Blanco in terms of utilizing tomorrow
4 efficiently to, again, try to get some progress made before we
5 actually get to the agendized line drawings and that we can
6 kind of get as much touch with these issues. So Commissioner
7 Blanco and Commissioner Filkins Webber at the time who was
8 chair along with Commissioner Ancheta, we talked about how to
9 approach this in terms of the strategy for looking at
10 congressional first as a way to focus our attention. And then
11 I believe Commissioner Yao is working on the strategy in how
12 to approach the 29th, I think it is our next business meeting,
13 so from that he'll be able to tell us how he'd like to focus
14 the discussion, so we as commissioners know what we should be
15 reviewing. Again, we're all responsible for this we should
16 all be looking at congressional for tomorrow, but this is kind
17 of a work in progress as we move through this. But the same
18 concept will apply with all the commissioners being
19 responsible for the maps but the pairing really drilling down
20 and getting different level of analysis.

21 COMMISSIONER BLANCO: Do you want to proceed about your

22 --

23 Commissioner Parvenue.

24 COMMISSIONER PARVENUE: How important is it for me to get
25 a hard written copy and make that available before

1 tomorrow's -- because I've been reviewing information that I'd
2 like to have a printout for distribution if possible, but I
3 don't think it's possible with the time involved.

4 COMMISSIONER BLANCO: Let me -- I'll also let
5 Commissioner Ancheta, Galambos Malloy and Raya weigh in, but
6 what I believe we all need from commissioners tomorrow from
7 the congressional session is I don't think you need to hand
8 out your written visualization, I'm not sure what it is you
9 have, I think it's -- I think what's most important is you
10 have it and be prepared to discuss it and describe it. If you
11 know that -- we made some copies today of some materials, but
12 I don't know how much time we've really got built in to do
13 that.

14 But I think that what's more important is that are the
15 concepts that lie behind it. And then we can work with the
16 mappers and I suspect that many of us have been looking at
17 similar areas and I think as long as you know what your
18 visualization represents I'm not sure we need to have a copy
19 of it. Is there -- is that fair to say that? Okay. All
20 right.

21 COMMISSIONER GALAMBOS MALLOY: The only thing I would add
22 is the purpose of the assignment was really to make sure that
23 we were all coming to the deliberations tomorrow regarding
24 congressional districts having done our best thinking and
25 having done our homework ahead of time reviewing the public

1 comments thinking through the issues we have heard and seen as
2 we worked with the visualization so that really is the purpose
3 of the assignment and that's not necessarily to have anything
4 for distribution to the commission or anybody else.

5 COMMISSIONER BLANCO: I want to emphasize for the
6 commissioners and for the public, what we're really trying to
7 do with this division of labor is getting through the public
8 comments. We're there at the hearings but we want to make
9 sure that we are on top of the written submissions and it's
10 easier to make assign a group of people to make sure they're
11 reading every submission and hopefully everybody can read
12 everything and we should, but we don't want to miss anything
13 in a written submission.

14 So this is a way to make sure whatever we're doing when
15 we're line drawing the maps actually takes into account the
16 written and as well as the verbal testimony.

17 Go ahead.

18 COMMISSIONER DIGUILIO: I think if, just to keep the
19 process moving along, Commissioner Ward, is that -- okay.
20 Then before we go on to more details about the work plan,
21 because I think some of those elements, actually, Commissioner
22 Ancheta will be discussing.

23 Let me jump back up to No. 2A, the review of calendar. I
24 put the Google doc of the proposed calendar for July because
25 after the commission in, I believe, Culver City, our

1 discussion had revolved around changing the second draft date
2 and then the corresponding calendar dates to be associated
3 with the last line drawing session. And then we were tasked
4 with working with staff to build in the business meetings
5 around that accordingly. So doing that we put that all
6 together and so the proposed C.R.C. calendar for July for
7 discussion and the drafted format.

8 There's a couple things I'd like to bring to your
9 attention because I think it will require some agreement from
10 the commission. One, the most significant one would be that
11 Commissioner Ancheta and I would like to propose that we move
12 the release of the second draft from the 12th to the 14th of
13 July originally.

14 As you know, when we had -- the commission voted to
15 approve that it was with the ability to move to the 14th and
16 let me explain to you why we had done that. We had felt the
17 last time when we were presented with the maps they were put
18 up the same day for the vote we really didn't have a chance to
19 discuss or look at them in depth as we were going through the
20 presentation, kind of a learning experience for all of us. So
21 what we had -- the thinking behind this was actually use the
22 12th and 13th for the presentation Q2 to go through each one
23 of these districts in a little more detail and look at them
24 and reflect and to take notes if we need to so when we go into
25 the next final line drawing session it's fresh and the first

1 time you see it all together. And with that, if we did that
2 it would allow us to vote on the second draft maps on the 14th
3 instead of the 12th, therefore coming to the 14th we could
4 prepare and having had a good understanding and not feeling
5 like we were surprised by something when it finally took it's
6 final form.

7 And just as a note, it would be one week to the day when
8 our original second draft map. So I feel this would build in
9 yet another layer for us to really get a good view before we
10 vote on this them. So that is the one aspect.

11 The other point to note would be the deadline for public
12 comments as we had originally thought we would put the public
13 comments deadline for June 24th, which is this Friday, and we
14 realize with a lot of feedback from the public as well that
15 that was happening before the close of the input sessions and
16 as a result we -- it was recommended that we move into the
17 28th, the same day as our last input hearing in Sacramento.
18 We've agreed to do that, as you saw the press release for
19 that. But as a result of that the trade off for moving the
20 deadline to that date there would not be the ability to have
21 all those public comments cataloged by our staff and sent to
22 Q2 and have them cataloged and sent back for summary to us by
23 the 1st, actually, two days later because they need to get
24 that to us the day before.

25 So the trade off in allowing for longer public comments

1 is that the official -- what we expect from Q2 in terms of a
2 summary report will not happen until the next line drawing
3 session on the 6th. That again reinforces to us as
4 commissioners that we need to be responsible to go into that
5 public -- that COI testimony.

6 There is one, by the way, there is one document that's
7 COI testimony for input hearings and one document publically
8 submitted. So make sure you look at both of those when you're
9 looking the COI databases.

10 So the tradeoff in allowing for the extension of the
11 deadline for the public comments for the second draft map is
12 that we as commissioners need to be prepared --

13 THE REPORTER: Could you slow down a little bit? I'm
14 sorry to interrupt.

15 COMMISSIONER BLANCO: We're not in a hurry.

16 COMMISSIONER DIGUILIO: I'm just used to talking fast.
17 With four kids you got to be fast, got to get your words in
18 before they do.

19 COMMISSIONER BLANCO: You've got our full attention.

20 COMMISSIONER DIGUILIO: All right.

21 So then the other deadline, then, would be the -- for the
22 final maps would be July 19th -- I'm sorry if I keep saying
23 June. It's July 19th and that would be only five days after
24 the release of the second draft maps. But there's --
25 unfortunately, because of our tight turn around from the

1 second draft maps to the final line drawing, there's just not
2 a lot of options, five days isn't that much. But, again,
3 because there will not be the ability for Q2 to turn around
4 and for our staff to catalog all those in Q2 and summarize
5 them.

6 You'll note on the map it's ongoing commission review of
7 public comments, it will be incumbent upon us, again, to
8 review those public comments as a way to try to incorporate
9 those is into the line drawing sessions.

10 So I think those were the three things that were probably
11 the most, I'd say, significant. I'd also maybe like to see if
12 there's any comments from commissioners in terms of the
13 business meetings that we have associated with those. In July
14 we had two line drawing sessions, July 7th and 8th, taking
15 place and we added one business meeting prior to that for us
16 to allow -- of course, these are agendized for both line
17 drawing and business, but the idea again being we could do
18 business meetings on July 6th.

19 Next segment we have would be, again, prior to the vote
20 on the second draft maps we added the dates of the 12th and
21 13th for the presentation. And then the last one would be on
22 the 21st and 22nd where the line drawing sessions will be done
23 live; that is, we will be seeing the changes taking place
24 right then. It will not be -- we give direction, Q2 goes back
25 and makes changes, we will be doing changes right on the spot.

1 We added one business meeting right on the spot to try to be
2 prepared for those line drawing sessions.

3 So looking at the calendar -- I'm sorry, one last one,
4 I'm sorry, the 26th and 27th of July, just prior to the final
5 map release and vote we added a few business meetings, I
6 anticipate they'll be quite a few things ongoing that we'll
7 need to be working on while reports and other things are
8 generated.

9 So if you look at those, if you feel like that's enough
10 business meetings for us, we try to balance the need for us as
11 a commission to do work with -- trying to manage everyone's
12 schedules as well. So if that looks reasonable.

13 COMMISSIONER BLANCO: Comments? And then I think if we
14 are going to move back the date to the 14th, we probably need
15 to vote.

16 COMMISSIONER DAI: So I would just say that, you know, we
17 have agendized all these meetings to include business, so if
18 there's one item we need to take care of, it might be half an
19 hour or an hour we need to take a vote we should be prepared
20 to do that.

21 COMMISSIONER BLANCO: Thank you.

22 COMMISSIONER DIGUILIO: And I should note, too, all of
23 these days we've asked to be agendized for us in case we need
24 them for some reason but the intention based on this calendar
25 is there will be days we're hoping to have off in order to

1 accommodate all the other work we're trying to do.

2 COMMISSIONER BLANCO: I would like to get a motion on the
3 July 14th date since we did vote for the 12th. If we're going
4 to change it I think we need to have a vote.

5 COMMISSIONER GALAMBOS MALLOY: I'd like to make a motion
6 we designate July 14th as the vote for our second draft maps,
7 including our formal release and press conference.

8 COMMISSIONER ANCHETA: Second.

9 COMMISSIONER BLANCO: Discussion.

10 COMMISSIONER YAO: In moving the date back to the 14th,
11 we're basically compressing our third draft cycle. So at this
12 point would two weeks from the release of the second draft to
13 the release of the third draft and the release of the third
14 draft they really can't be changed the way that we took
15 liberty with the second draft date. I need to basically
16 understand the intent and the objective of having three
17 cycles. The way we slip the second cycle date even though
18 it's a few days at a time we're basically making the third
19 draft just to be a clean up effort as compared to doing
20 anything -- any changes after the second release. If that's
21 the understanding that we have, I can certainly go along with
22 it. But if we envision to do something more than just simple
23 clean up then I think we're not going to have that ability to
24 utilize the third draft to do that.

25 COMMISSIONER BLANCO: Commissioner Galambos Malloy.

1 COMMISSIONER GALAMBOS MALLOY: My perspective on this is
2 I was initially resistant to moving the date to the 14th. I
3 think there's a lot of public anticipation for the second
4 draft and wanting to be conscious of that was really thinking
5 of July 12th as the best date. However, when I looked to our
6 first draft release, I think the argument could be made and
7 many members of public have made the argument that if we had
8 not created an artificial rush towards that first map release
9 we might have come out with a product that more thoughtfully
10 integrated some of the considerations that we are now spending
11 so much time on; it would have dramatically focused the
12 public's ability to weigh in. I think there's a number of
13 advantages to us just taking a couple of days to make sure
14 that we're getting it closer to right in round two than we did
15 in round one.

16 And personally it was also challenging as a commissioner
17 to first be viewing the physical maps and voting on them
18 within minutes after having seen them revealed, despite the
19 fact that they were based on the direction that I know that I
20 as a commissioner and we as a commission gave Q2, it would
21 have been really nice to sit with them and really review them
22 and feel that, you know, I owned them before we actually voted
23 them and moved into a press conference within an hour or two.

24 So for that reason I feel like those two days will be
25 time well spent and will result in more focused public comment

1 in that compressed third round.

2 COMMISSIONER BLANCO: Commissioner Ward -- I mean,
3 Commissioner Parvenue and then Commissioner --

4 COMMISSIONER PARVENUE: I concur completely with
5 Commissioner Galambos Malloy. During the first round I felt I
6 didn't have enough knowledge of the street designations and
7 not enough specificity, so -- especially in the urban areas.
8 There were cases I could not see exactly where those street
9 lines were. And with my expertise dealing with city council
10 districts and neighborhood councils, even there I didn't know
11 where those street splits were. With the resolution that was
12 a bit blurred, perhaps. I'd like to zoom in and have the
13 time, a few days, to contemplate these maps and determine
14 exactly where these lines are. In some cases China Town was
15 split, San Pedro, I could go on and on.

16 After reflecting upon the maps afterwards I said, oh,
17 gee, I didn't realize that, otherwise I would not have settled
18 with that visualization. so I do need to time to step out and
19 contemplate these maps before we proceed. I'd feel much more
20 comfortable with having at least a day to do that.

21 COMMISSIONER BLANCO: Commissioner Ward and then --

22 COMMISSIONER WARD: I had a question, I think, for
23 Commissioner Ancheta regarding the release of the section two
24 analysis. My understanding from the work plan is that should
25 be around July 7th; is that accurate?

1 COMMISSIONER ANCHETA: Are you referring to the polarized
2 voting analysis?

3 COMMISSIONER WARD: Thank you.

4 COMMISSIONER ANCHETA: I think the calendaring for this
5 is to try to have some pretty strong preliminary analysis but
6 not actual final analysis by the 30th so we'd have those in
7 time for our first line drawing sessions. That's the target
8 goal. I have to check with our law firm to see that they're
9 handling the expert on this. And that we would have
10 sufficient guidance at that point to say I think we can go
11 ahead with this to see there's polarized voting and then the
12 final reports would simply confirm what are the preliminary
13 findings. So, again, the July 7th, we get very firm data but
14 we wouldn't have to backtrack necessarily, that's the
15 anticipation.

16 COMMISSIONER BLANCO: I just wanted to comment as someone
17 who really was in favor of moving back our June 10th date
18 because I felt we were moving too fast. I want to echo what's
19 been said but in addition note that I think we need to do a
20 much, much better job on the senate maps and that may require
21 more of the blending concept and not just the automatic
22 nesting. I think we've heard overwhelmingly that the way in
23 which we did that quickly and sort of mechanically doesn't
24 capture, you know, larger communities of interest; in fact,
25 places, very desperate ones, together.

1 So I would remind us that we need to do I think really
2 engage in a thoughtful process for the senate maps that we
3 have never really done, frankly, and that's going to take some
4 time as well. And that's going to add to the -- to the
5 discussion part of the -- of the session. So I would be very
6 much in support of moving it back a couple of days.

7 Before we vote, public comment on the motion?

8 MS. DEBORAH HOWARD: Deborah Howard.

9 It's not so much a comment as a clarification. Were you
10 saying that July -- June 30th you expected to have the
11 preliminary feedback from Mr. Barrieto?

12 COMMISSIONER ANCHETA: Yes, that's correct.

13 THE WITNESS: And then.

14 COMMISSIONER BLANCO: We really can't answer your
15 questions this is for comment on the motion. I'm sorry.

16 MS. DEBORAH HOWARD: Then my comment might be I don't
17 know what discussions have taken place with Q2 about their
18 ability to move forward but I see the commission moving their
19 calendar back in response to a imprecise accommodation of the
20 directions you gave them previously and I wondered if that's
21 not a process problem as opposed to a timing problem. That
22 would be my comment.

23 COMMISSIONER BLANCO: Thank you.

24 We'll do a roll call.

25 MS. JANECE SARGIS: Would you like me to state the

1 motion?

2 COMMISSIONER BLANCO: Yes.

3 MS. JANECE SARGIS: Commission shall designate July 14th
4 as the vote for the second draft map, including the formal
5 release of the draft maps and the press conference.

6 Aguirre?

7 COMMISSIONER AGUIRRE: Yes.

8 MS. JANECE SARGIS: Ancheta?

9 COMMISSIONER ANCHETA: Yes.

10 MS. JANECE SARGIS: Barabba?

11 COMMISSIONER BARABBA: Yes.

12 MS. JANECE SARGIS: Blanco?

13 COMMISSIONER BLANCO: Yes.

14 MS. JANECE SARGIS: Dai?

15 COMMISSIONER DAI: Yes.

16 MS. JANECE SARGIS: DiGuilio?

17 COMMISSIONER DIGUILIO: Yes.

18 MS. JANECE SARGIS: Forbes?

19 COMMISSIONER FORBES: Yes.

20 MS. JANECE SARGIS: Galambos Malloy?

21 COMMISSIONER GALAMBOS MALLOY: Yes.

22 MS. JANECE SARGIS: Parvenue?

23 COMMISSIONER PARVENUE: Yes.

24 MS. JANECE SARGIS: Raya?

25 COMMISSIONER RAYA: Yes.

1 MS. JANEECE SARGIS: Ward?

2 COMMISSIONER WARD: Yes.

3 MS. JANEECE SARGIS: Yao?

4 COMMISSIONER YAO: No.

5 MS. JANEECE SARGIS: The motion passes.

6 COMMISSIONER DIGUILIO: I think with that, maybe we'll
7 continue on with the work plan discussion, I think for that
8 under C1, update on VRA review and district maps, I will turn
9 it over to Commissioner Ancheta.

10 COMMISSIONER BLANCO: Let me just say that -- are you --

11 COMMISSIONER DIGUILIO: I'm sorry, did we need anything
12 else with the calendar?

13 COMMISSIONER BLANCO: You're going to go back and later
14 talk about the report; correct?

15 COMMISSIONER DIGUILIO: Yes, that's part of the report.
16 So -- and by the way, just one last thing with the calendar,
17 again, this is the idea that helps commission, staff and the
18 public to kind of adjust their calendars accordingly, but we
19 have every day agendized in case we need it, just keep that in
20 mind while you're scheduling your life. What's left of your
21 life.

22 COMMISSIONER YAO: Specifically on June the 30th, we have
23 it agendized officially and what we're proposing is to have
24 that day off. From somebody that travels from Southern
25 California to Northern California going home for one day is

1 impractical as you have experienced going from Northern
2 California and Southern California and you have a day in
3 between. If that's the intent, I'm sure we can use a day's
4 break but if that's that is the intent then I will try to
5 adjust accordingly because at this time we have been planning
6 as if we were going to use that as a business day.

7 COMMISSIONER DIGUILIO: I think we plan to have it off
8 partly to get something in order and get ready for line
9 drawing and I think, again, the commissioners are -- the sense
10 I've gotten, we could all use a day just to sit and read a lot
11 of public comments. Again, because we moved the draft the
12 deadline for public comments and again really incumbent upon
13 us to review those public comments so I suggest staying in the
14 hotel in Sacramento and reading.

15 COMMISSIONER ANCHETA: That's not a day off, that's a
16 workday without a meeting.

17 COMMISSIONER BLANCO: I think that's right because we
18 will have just finished receiving the last big batch of
19 comments. So -- yeah. Maybe we should say "workday," not
20 "off."

21 COMMISSIONER DIGUILIO: There's no business meeting.

22 COMMISSIONER BLANCO: Non-meeting day. All right.

23 Anything else on this, Commissioner?

24 COMMISSIONER DIGUILIO: I think I'm good, unless anyone
25 else had comments.

1 COMMISSIONER PARVENUE: For those dates that we need a
2 venue, do we have any idea if it's going to be like --

3 COMMISSIONER DIGUILIO: Maybe I can turn it over to
4 Ms. Sargis.

5 MS. JANECE SARGIS: McGeorge has graciously donated the
6 entire month of July to us, except for one day where they're
7 having a BAR review, of course, at no cost.

8 COMMISSIONER BLANCO: That's fabulous and I would suggest
9 that maybe we can -- I can work with our director later to
10 send them a very, very, very wonderful thank you letter.

11 MR. DAN CLAYPOOL: We will.

12 COMMISSIONER BLANCO: We will send them a very gracious
13 letter with the seal of the commission, whatever that is.

14 COMMISSIONER DIGUILIO: Commissioner Ancheta, can I turn
15 it over to you?

16 COMMISSIONER ANCHETA: Sure. Well, actually, do you want
17 to do the VRA --

18 COMMISSIONER BLANCO: I have asked Commissioner Ancheta
19 and Commissioner Galambos Malloy to describe what they've been
20 doing but also to help us prepare for tomorrow's congressional
21 line drawing session in terms of Voting Rights Act
22 considerations.

23 COMMISSIONER ANCHETA: Let me sort of summarize what
24 we've been doing procedurally so public, one, also knows we're
25 complying with Bagley King and also we're trying to analyze

1 alternatives to our current draft, which would be VRA options.

2 As you might recall commissioners Galambos Malloy and
3 Barabba were put as a team. It turned out as we were looking
4 at the schedule we couldn't get them together until late, very
5 late, to figure that out. So what we decided to do was sort
6 of have a tag team approach that where only two people would
7 meet to look at particular options and there's never a meeting
8 of all three and we do try to serial communication by having
9 each team of two work on discrete types of maps. Obviously
10 the data are sort of in common, mappers focused on regions,
11 but we made sure in terms of not communicating within a group
12 of three they were fairly discrete teamwork so that's a
13 process point.

14 And also our goal is not to initially come up with
15 alternatives; although we did try to map out a few things
16 simply to weigh and assess how strong the ripple effects might
17 be in certain areas and particularly central L.A. And we will
18 tomorrow when Q2s present some visualizations, but, again,
19 they are very preliminary and ripples probably go farther than
20 we have gotten to at this point.

21 So just as a point of understanding where we're at
22 particularly in areas where we're looking at packing problems,
23 and I want to list -- state what we're looking at. Partly
24 those packing problems where we might seek to draw another
25 district, those always have really big ripple effects. There

1 are a couple places where maybe some cracking, some ripple
2 effects where they sort of stay isolated and you can work with
3 the map.

4 So as a procedural matter what we tried to do was look at
5 a number of different alternatives that have been submitted to
6 us. Now, we literally did run out of time to do a thorough
7 analysis, and as Commissioner Ward has highlighted, we haven't
8 done all the V.R.P. So to the extent we did a full section
9 two analysis, we haven't done it yet. So we're trying to put
10 all the pieces in place to make sure we're ready to go as we
11 put the second draft together.

12 Again, as a clarification, we're looking at maps that
13 we're proposing districts that were either proposed as section
14 two district; in other words, they would prevent vote dilution
15 by drawing them in a certain way. We also look at a set of
16 maps that, even though they weren't narratively describing
17 section two districts they look like they're drawn to be
18 section two district, look at the California Institute maps,
19 didn't really give us a good narrative, really. But they gave
20 us some districts that sort of looked like majority latino
21 districts so we took a look at those as well.

22 We spent most of the time probably looking at the MALDEF
23 and CAPAFR map, asserted those were section two districts in
24 terms of compliance, we thought those were probably the best
25 ones to look at; both in terms of saying their section two and

1 as well as potential litigation risk as we're moving forward.

2 So what we did, and we haven't finished yet, because
3 we're still looking at the L.A. -- the core L.A. County area
4 for assembly and senate districts, but we were able to go
5 through pretty much assembly, senate and congressional outside
6 the core of L.A. and then we were able to cover the
7 congressionals in the L.A. core, which includes San Fernando
8 Valley, San Bernardino Inland Empire, Pomona Valley, and,
9 again, the heart of L.A., for lack of a better term, where
10 there are multiple districts that could be drawn, and Orange
11 County as well, San Diego and Fresno too, to complete the
12 picture.

13 We also did a little bit of a look at section five, just
14 to make sure the mappers are doing okay in terms of
15 instruction. Still an issue around Monterey, which we'll
16 eliminate tomorrow, but it looks pretty good in terms of the
17 other counties.

18 What I think -- and the reason we're going to try to
19 present this more thoroughly tomorrow, because we'll have the
20 mappers here tomorrow, we can actually look at some
21 visualizations. I think it will be helpful to give a little
22 bit of a narrative, simply because those of you are sort of
23 teamed up to try to figure things out would like to know this
24 dimension as you're going forward. And, again, a lot of
25 things going on at the same time.

1 What may be section two may align perfectly with how
2 we're looking at community interest and city maintenance,
3 those kinds of things. Others might go, oh, if you're
4 thinking about having to do that, that really affects what
5 we're thinking about in our sort of assumptions and that's
6 still the nature of the piece right now.

7 So the main thing, just sort of highlight where we went
8 through the various areas asked then give you a sense of
9 what's going on.

10 If I could break it into three categories of how things
11 sort of ended up, there are a number of areas where the
12 districts are pretty closely aligned with alternatives. For
13 example, if you look at the proposed assembly Native Americans
14 in San Fernando Valley, everybody seems to have kind of the
15 same concentration in suggesting that's a potential section
16 two district, there are others that are similar.

17 There are a couple of areas where we would probably
18 recommend not trying to replicate or follow a particular
19 alternative largely because they're probably very serious
20 compactness issues with those alternative and there might be
21 some constitutional problems if we try to adopt them or
22 replicate them in some way. We might look at them as personal
23 guidance in terms of looking at particular communities and
24 alternatives but some of them, I think, are very problematic
25 at this point and counsel would agree on some of those.

1 And then there's a sort of third set where we might want
2 to say that looks like a pretty good way to do it. Well,
3 that's at least a way to start doing it, it may not be the
4 best way to do that and consistent with what we have as a
5 commission receiving in terms of public testimony which
6 alternative maps don't necessarily have, they have much more
7 data to work with, that we might want to try move in that
8 direction and reconcile the section two assertions with the
9 other types of data we have, which I think will lead to both
10 legally a safer set of maps as well as a better approach as to
11 how we look at the problem.

12 Having said all that, this is really tough, because as
13 we're looking, particularly, at the core of L.A. it's very
14 challenging to look at how you're trying, in essence, not to
15 pack people in. In the other parts of the state it's
16 typically more of a fragmentation; should these communities be
17 put together to make sure there's no vote dilutions, no
18 cracking. But again -- large Latino populations, very high
19 concentrations of Latinos; there are packing issues. And I
20 think as the commissioners have noted before, the percentages
21 in a lot of the districts we drew are quite high, and that's a
22 classic sort of issue that could be vote dilution where you
23 might be able to draw an additional district. Again, all the
24 factors coming into place, make sure all those factors are in
25 place. But if you have to have a percentage that could have

1 drawn a second district, you have to draw a second district.

2 So we worked through a fair amount of that on the
3 congressionals yesterday, we looked at sort of -- everywhere
4 there's a line -- yeah, that looks great, make a few tweaks.
5 Other areas where there might be assertion of, say, second or
6 third district where we only have one or two. The
7 recommendation would be to look at it but probably not follow
8 it and certainly not try to reproduce it because it's very,
9 very problematic. And, again, there's a lot of area where we
10 simply say, well, this may be a good option, let's decide
11 whether we want to do it or not.

12 That's sort of an overview. I can give some more
13 specific areas in terms of -- and commissioners Barabba and
14 Galambos Malloy can chime in. The way we divided it up is I
15 worked with Commissioner Barabba on a -- or we discussed a
16 number of things outside of L.A. core, we developed some of
17 the congressionals just to effect out -- we were sort of
18 figuring what happens if you try do four instead of three
19 following a certain pattern other people tried to do?
20 Significant ripple effects, and just to be honest, it's very
21 hard when you're trying to do that. But at least when you
22 start with that core it seems to work in the core. You seem
23 to unpack the districts but it has a lot of effects that go up
24 into the San Gabriel Valley, starts reaching into the Inland
25 Empire into other districts we're looking at and goes down

1 into Orange County as well.

2 So this will require some looking at very carefully and
3 also just for members of public we'll be posting some of these
4 this evening, these are not maps, these are not draft maps,
5 these are visualizations where we're trying to figure out is
6 this an option to pursue. And we can reject the option and
7 try to come up with another one. We didn't want to get that
8 specific, we did try to meet some realistic assumptions and
9 try to incorporate what the three of us thought were
10 appropriate COI and other sources of public input, but this is
11 all subject to discussion, obviously, so we wanted to get sort
12 of a start on that.

13 So any questions at this level?

14 COMMISSIONER BLANCO: Commissioner Aguirre.

15 COMMISSIONER AGUIRRE: So are these visualizations like
16 existing maps that you sketched on and will be looking at or
17 are those just comments related to a particular map we'll be
18 viewing?

19 COMMISSIONER ANCHETA: What we did, and we did this
20 mostly -- well, over the past two days, and this is really
21 mostly the core of L.A. because we wanted to see if you could
22 actually do it for -- one, could you do a core and make them
23 compact and comply with the Jingles requirements; and two, how
24 significant would the ripple be?

25 When you have one district in San Diego or two depending

1 on how you look at it they don't go as far. Look at it and
2 say, well, it's really close to what we already did and we can
3 make some adjustments or sort of go with what we got. So we
4 did visualizations with, quote, "easier ones," we did them
5 because we thought we had to figure out what will happen if we
6 do this.

7 And, again, there are multiple ways do it and I think
8 even within Commissioner Galambos Malloy was trying to look at
9 the effects moving westward from the core of L.A. what that
10 will look at --

11 COMMISSIONER GALAMBOS MALLOY: And south.

12 COMMISSIONER ANCHETA: And again there's different ways
13 you can go. There's not a single solution if you're trying to
14 create a majority of Latino district and comply with other
15 criteria at the same time, there are a couple options there.

16 COMMISSIONER GALAMBOS MALLOY: I think the second piece
17 of what we were trying to explore in looking at options for
18 the section two districts was looking at, again, what's left.
19 If you create the section two districts, are the surrounding
20 populations viable districts, based on the criteria that we're
21 constitutionally mandated to follow?

22 So, for example, with the four core VRA potential
23 districts in central L.A. then, you're able to look, go west
24 towards the coast, begin looking southwest toward kind of
25 Ranchos Palos Verdes, come back around to Long Beach, look at

1 the potential groupings and whether you still have areas that
2 are contiguous, that follow COIs, that make sense based on
3 what we've seen and heard to date.

4 And as Commissioner Ancheta has stated, there clearly are
5 ripple effects, but what I've come away with is that there are
6 option available to us. The numbers work out, the COIs, now
7 we have a very robust, I think, COI testimony based on our
8 last series of hearings and series of comments that we've
9 gotten written from Southern California and so I think we're
10 in a very good position to move into tomorrow's conversation
11 where you'll actually be able to visualize some of what this
12 may look like in terms of VRA section two and section five.

13 COMMISSIONER BLANCO: Questions?

14 COMMISSIONER WARD: I was just -- so I can be clear for
15 tomorrow. What data exactly was, I guess, considered in
16 creating the visualizations that might be posted tonight or
17 presented tomorrow? And then, also, was there any VRA review
18 by our VRA lawyers?

19 COMMISSIONER ANCHETA: So in answer to the first
20 question, again, we're relying on the census data so CVAP
21 data, primarily, concentrations, looking for maps were drawn
22 with certain layers to look at. You've seen before the color
23 intensity to look at the percentages of a particular minority
24 group. And, again, in terms of community of interest
25 testimony, we were relying on collective memory, for lack of a

1 better term; we didn't do a deep read of a COI database at
2 that point.

3 COMMISSIONER GALAMBOS MALLOY: I can say a little bit
4 more on this.

5 COMMISSIONER ANCHETA: I tried to refresh before we go
6 into it. One of our issues is trying to get all of the
7 information into your brain at the same time and couldn't --

8 COMMISSIONER GALAMBOS MALLOY: Well, the way at least we
9 moved through the Los Angeles area, for example, was literally
10 bringing all of the written -- written testimony that we have
11 gotten from our various hearings that we've had along with our
12 notes along with being able to search the public comments that
13 we've been getting in realtime, which have been posted to our
14 C.R.C. website. So it was a combination of reviewing the
15 public comments that we receive pre-maps and then also the
16 public comments that we've received post-maps; which I think
17 the post-map comments particularly related to the Los Angeles
18 region were much more focused and specific to be able to paint
19 this picture of kind of VRA and the surrounding areas. So
20 that was how we looked at the actual COI testimony in that
21 area.

22 COMMISSIONER ANCHETA: And to answer your second
23 question, Gibson Dunn was involved in the first time we looked
24 at certain maps. They felt that for efficiency sake they
25 would basically look at -- they'll look at the visualizations

1 tonight and also they'll be watching online in terms of all
2 the discussions tomorrow. And, again, since these are not
3 decisions, they're not necessarily specific recommendations,
4 sort of ways to go -- recommended possibilities. I think it
5 makes sense for them to sort of look in at the same stage
6 we're -- here's a set of options and, again, the full
7 commission will have to decide should we pursue it or not.

8 COMMISSIONER GALAMBOS MALLOY: Commissioner Ancheta, can
9 I just ask a clarification?

10 So then will Gibson Dunn be available by phone for us
11 tomorrow? Will they be providing us some written analysis in
12 advance of -- the presentation tomorrow morning? At what
13 point will they weigh in?

14 COMMISSIONER ANCHETA: I'll have to confirm that. I
15 don't think they'll be providing a written analysis as of
16 tomorrow, but I'll confirm how quickly they're going to give
17 me something.

18 COMMISSIONER BLANCO: Commission Parvenue and then
19 Commissioner Yao.

20 COMMISSIONER PARVENUE: Quick question for -- does your
21 review include all three, the assembly as well as the
22 congressional senate?

23 COMMISSIONER ANCHETA: We tried to cover all three, we
24 couldn't finish all three. We got through all the
25 congressionals, I think. So we can inform the discussion

1 tomorrow that was a priority. We're still trying to schedule
2 for Tuesday, I think, is what's going to work out, try to
3 finish up the core Los Angeles assembly and senate. We pretty
4 much have covered outside of L.A. all three sets, actually, we
5 haven't done Board of Equalization.

6 COMMISSIONER PARVENUE: And the second part of the
7 question is as follow up, Commissioner Yao and I have been in
8 charge of reviewing the Los Angeles area and we'd be curious,
9 I'm sure you would agree, curious to know what assembly
10 recommendations are provided to us coming up with a set of
11 recommendations that may not be applicable.

12 COMMISSIONER BLANCO: Can I say something about that? I
13 think the -- I would say go forth and look at your own -- you
14 know, you may have a different eye. A lot of this process was
15 also -- before we do this tomorrow where we sit down and try
16 to look at the congressional map with Q2, what I would
17 really -- knowing that we're going to do all of congress and
18 we really have to look hard at L.A., really what we need is
19 for people to take a really deep look at the public comments
20 for your particular areas that you were assigned, and I would
21 say come with your own eye because, you know, that's the whole
22 point of this process. I think the folks we assign to take a
23 look at the section two wanted to look at was a very narrow
24 slice, where the potential section two and then, of course,
25 ripple effects.

1 But I think to the extent -- I know that I personally
2 have been reviewing a lot of the public comments and I'm not
3 looking at section two, I'm looking at public comments about
4 many things, cities and other COIs and et cetera. So I don't
5 think you should stop what you're doing based on the fact
6 they're going to present us with their -- their concerns and
7 observations.

8 Commissioner Yao.

9 COMMISSIONER PARVENUE: I agree.

10 COMMISSIONER YAO: Again, following on Commissioner
11 Ward's question in looking, trying to forecast the process for
12 tomorrow's review, based on what you have gone through, does
13 it make sense to first look -- follow the three options that
14 you presented; No. 1 is look at those that are highly certain
15 that we should proceed, and then step No. 2 is reject those
16 that doesn't seem to make a lot of sense, and then third is
17 discuss those main type of position and proceed in that
18 manner, maybe that kind of shape our overall approach for
19 tomorrow's congressional map drawing session.

20 COMMISSIONER ANCHETA: I think it makes a lot of sense to
21 do it.

22 COMMISSIONER BLANCO: That's great. We can talk off line
23 just about how to exactly tee up the conversation tomorrow so
24 it's the most effective and efficient, if that's okay with
25 everybody.

1 Commissioner Barabba, do you have something you want to
2 say about this process and how you want to proceed tomorrow?

3 COMMISSIONER BARABBA: I found it interesting, at least
4 the issue of trying to keep the retrogression from occurring
5 that really got pretty complex when you thought about all the
6 other things we had to consider. And to avoid retrogression
7 in some of the districts, you really went way out of line to
8 go pick up some and I think that's an issue that we're going
9 to have to learn to live with and understand and decide how we
10 want to handle that, because to say no retrogression at all is
11 going to create some funny looking districts.

12 COMMISSIONER BLANCO: So when we do this tomorrow you
13 will point out, obviously, those areas where that's a big
14 problem.

15 COMMISSIONER BARABBA: There's one that I'm familiar
16 with, yes.

17 COMMISSIONER BLANCO: Yes, that we've gotten a lot of
18 public comment about, I know.

19 Do you have more on this -- go ahead.

20 COMMISSIONER ANCHETA: Just a matter of timing. I can
21 highlight a few things if it will help at all.

22 COMMISSIONER BLANCO: You mean now?

23 COMMISSIONER ANCHETA: If you're going to work tonight.

24 COMMISSIONER BLANCO: Yes, I think it would be helpful
25 for you to, as much as possible, give us some guidance for

1 what we need to do tonight to help further this conversation
2 tomorrow. So if you can give us areas that you want us to
3 look closely at, areas of concern, ripple areas, I think all
4 of that is helpful.

5 COMMISSIONER GALAMBOS MALLOY: So Commissioner Blanco,
6 how much time would you like us to take?

7 COMMISSIONER BLANCO: Commissioner DiGuilio, we have --
8 starting at 4:00 we're going to have the discussion on senate
9 numbering. All we have left is this and the report. So we
10 have an hour and ten minutes to discuss this and preparation
11 of the report that goes with the map. So we have time.

12 COMMISSIONER DIGUILIO: And I think the other two issues
13 on the agenda, I'm going to -- we can defer those,
14 Commissioner Ancheta, "D" and "E," unless there was something
15 you wanted to talk about, we can focus --

16 COMMISSIONER ANCHETA: Actually, I did want to talk about
17 "D," because -- 30 seconds about this. I have -- share the
18 pain, is one example.

19 COMMISSIONER BLANCO: Can we finish one item before we go
20 on to another?

21 COMMISSIONER ANCHETA: This is part of allocating time, I
22 think, is the point.

23 COMMISSIONER BLANCO: We do need time for this?

24 COMMISSIONER ANCHETA: I'd like to have some time for
25 this because it involves --

1 COMMISSIONER BLANCO: Okay. I'll make sure we do that.
2 Let's have 15 more minutes on this congressional discussion,
3 if that is okay with everybody. Is that okay?

4 Or do you need a little more time to highlight things we
5 should be working on tonight? Tell me what you need, this is
6 priority. Don't be polite.

7 COMMISSIONER GALAMBOS MALLOY: Fifteen minutes is fine
8 given that we don't actually have the visualizations in front
9 of us. So, again, this is a preview; I think it will take
10 shape more once you actually have the maps in front of you.
11 But 15 will be good to get us started.

12 COMMISSIONER BLANCO: So run us through the problem.

13 COMMISSIONER ANCHETA: Okay.

14 COMMISSIONER BLANCO: Go.

15 COMMISSIONER ANCHETA: Let me sort of start with the
16 easier stuff and get to the harder stuff. Okay. So we looked
17 at a number of different variations. So let me just focus on
18 the congressionals, I'll let some discussion of assembly bleed
19 in because where there are different options to try to create
20 an assembly district has an effect congressionals, as well.
21 If you're trying to be consistent. Now, if you want to treat
22 them differently, that's fine, but I'll mention some
23 particular cores; and, again, this is all outside of L.A.

24 In the Fresno area and, again, we're dealing with the
25 impact of section five districts -- Kings and Merced. We did

1 look at a couple options where there were section two
2 districts proposed. We have right now one that is very close
3 to 50 percent; I think if we tried we could probably get it
4 over 50 percent. We feel 49 is fine, close enough that's
5 fine, if you want to go over 50, you can probably do it. And
6 then we have another district around 41 percent.

7 There was an option pursued that suggested two section
8 two districts, serious compact issues on one of them.
9 Recommendation would be not to do that. We might want to
10 simply stick with ours.

11 Now, there are ways of looking at sub 50 percent
12 districts, we might want to look at those, but the
13 recommendation would not be to follow just one recommended
14 alternative because of compactness issues.

15 COMMISSIONER AGUIRRE: Could I ask a question about that?
16 The one that has the stronger CVAP, is that west Fresno?

17 COMMISSIONER ANCHETA: I don't have that in front of me.
18 I'm sorry. Once the visualization, I can give a more direct
19 answer, I have my skeletal notes right here.

20 COMMISSIONER BLANCO: Assembly or congressional?

21 COMMISSIONER ANCHETA: That's congressional. I'm
22 focusing on congressional.

23 But I'll simply mention where, for example, there's a
24 section two possible assembly district, if you're trying to
25 maintain that there's a congressional district that might

1 parallel that, but the percentages -- I'm simply going to
2 mention those, just so you know what's going on, because you
3 can choose not to do it or choose to do it in the same way.

4 The Orange County area, this is the Santa Ana, Anaheim
5 district or potential district. I think originally council
6 had suggested that perhaps this would not be a section two
7 district, I believe council is reconsidering that; and also
8 there's COI testimony regarding that particular area. That
9 would not rise to a 50 percent plus district on congressional
10 level. However, you could draw an assembly district on that
11 basis. So that's one of those where if you want to be
12 consistent you might want to do the same thing; but it doesn't
13 hit 50 percent but it's up there.

14 The San Diego congressional, this is sort of the core of
15 San Diego. This is one pretty closely aligned with a lot of
16 foundation, take a look at the margins maybe, incorporate some
17 COI testimony. But largely this is pretty good in terms of
18 COI district.

19 We have -- or something that's close in the
20 Ontario/Pomona area. This is one that has a little bit of a
21 spill over effect coming from the central core. Let me just
22 generally say this is where there's some interesting questions
23 about how you look at COI testimony assigned with the
24 population numbers. You can have maybe two section two
25 districts going in there or you can have one section two with

1 a high percentage of close to section two figure.

2 We should look -- there's a couple options that are going
3 to be on the screen and one may make more sense and sort of in
4 line with community interest and testimony, but depends on how
5 you want to put them together. There are a couple options in
6 terms of potential districts.

7 There was a district that MALDEF in particular was
8 suggesting as perhaps a third concentration has some
9 compactness issues. If you might recall there's an alignment
10 that would sort of run -- runs sort of north and south, has
11 quite a few arms and runs down to Paris, I think. Again, take
12 a look at it, but it's of questionable compactness.

13 San Fernando Valley, again, fairly consistent, I think
14 there's some variations regarding how you go east and west on
15 the core of eastern and western San Fernando Valley, but
16 largely that's there. That hasn't been too different or
17 controversial to our discussions or any testimony.

18 Those are it, other than the core of L.A. Now, do you
19 want to give some sort of a narrative of what we're looking
20 at? Right now we have what are, essentially, three
21 congressional districts that would be around majority Latino.
22 A number of suggestions went to floor, and we decided, well,
23 let's see if we can do this or try to be consistent with some
24 of the testimony.

25 We didn't see any major problems with compactness. There

1 were questions of whether the -- alternatives were not as
2 compact as you might not like but not necessarily out of
3 bounds and again none so consistent with what this commission
4 has heard in terms of public testimony. So we thought maybe
5 we should see if you could still draw one but a little more
6 consistent with that, but that's where we came up with four.
7 But a lot of interesting effects when you go around, and it --
8 we'll have to -- these are the ones you do have to see;
9 because, again, they ripple down toward Orange County, they
10 have significant effects going up toward the foothills of San
11 Diego mountains and then reaching over to Inland Empire
12 districts.

13 COMMISSIONER BARABBA: In some instances that actually
14 address some of the other COI testimony.

15 COMMISSIONER ANCHETA: Right.

16 And Commissioner Galambos Malloy can talk more about that
17 because she focused on some of the sort of western effects.

18 COMMISSIONER GALAMBOS MALLOY: Well, when you got outside
19 of these core VRA districts, potential core VRA districts and
20 started to go west, what we did then was look at the COI
21 testimony that we've received to look at basically the
22 population immediately surrounding and was there a way that we
23 could create districts that were consistent with the other
24 criteria. So it resulted in some reconfigurations of, for
25 example, that western, south western coastal district that we

1 had had; however, the revisions were actually consistent with
2 the COI testimony, much of the COI testimony that we actually
3 heard last time we were in Southern California, so it resulted
4 in the coastal district actually starting farther south, south
5 of the airport, in fact, and kind of continuing along south
6 from the airport and then going east and taking in some of
7 coastal Long Beach.

8 Then we had, just immediately north of that, when you
9 look at the airport area you were able to cluster some of the
10 communities, such as, Inglewood, had a lot of COI regarding
11 the potential for connecting Inglewood with the airport and
12 connecting those with various other COI -- Gardena for
13 example, when you went immediately east, then we had
14 population in Compton, Carson northwest Long Beach area and,
15 you know, population wise, the deviations were fairly close to
16 where we need to get and where we left off and didn't get into
17 as detailed of analysis when you got to eastern Long Beach
18 because then, essentially, we had a number of smaller Orange
19 County cities and portions of eastern Long Beach that then we
20 would need to look at how to potentially pair them. And if
21 you remember, we've gotten significant COI testimony about the
22 Orange County line, it's not all 100 percent consistent;
23 right? There's testimony that there's actually some
24 similarities between eastern Long Beach and some of these
25 northern Orange County areas. There were concerns on part of

1 the smaller Orange County cities that we don't want to be
2 drowned out by Long Beach but if you think about the pairing
3 as you'll see it tomorrow, it might work. So I think there's
4 definitely some fine-tuning to do, but those are some of the
5 options I had regarding southwest L.A.

6 We also in looking at the San Fernando Valley area kind
7 of reconfiguring -- looking at the section two if you went
8 north of L.A. proper it resulted in us, essentially, taking
9 the Griffith Park area, and Griffith Park area then ends up
10 paired more towards the Glendale district, so you have kind of
11 a mountains, hills district that comes down from the San Diego
12 mountains and would include those portions.

13 So, again, lots of ripple effects. We really looked at
14 what populations make sense based on the COI we have based on
15 all the criteria we have. So I think there are a way of both
16 meeting our top criterion regarding population and regarding
17 VRA and also doing so in a way that is really responsive to
18 the COI testimony that we have received and to the cities and
19 county boundaries.

20 COMMISSIONER BLANCO: Questions?

21 Commissioner Yao.

22 COMMISSIONER ANCHETA: One more thing, this isn't
23 necessarily for congressional. As you recall, this is sort of
24 San Diego Imperial area which is we basically do a
25 congressional border type of district and then there's been

1 some -- quite a bit of public comment regarding Coachella
2 Valley, Imperial Valley linkage.

3 Again, on the congressional level that's not on the table
4 but at least on the assembly and senate levels. And, again,
5 it's not a perfectly clear case that this could be a section
6 two case, but given the definition of compactness under
7 Gingels, even those though they're fairly wide apart, really
8 nobody in between, you want to look at some of the voting
9 patterns, vote together.

10 So not strictly speaking a matter of great distance, but
11 a matter -- combination of distance plus commonality of
12 interest plus some voting district to determine whether they
13 actually do vote together. So just as a flag for those of you
14 working that area. And may not be an issue tomorrow, but
15 that's something that may come up as looking at an alternative
16 that could be a section two case. The commission does not
17 have to rely solely on section two in that particular instance
18 and may want to rely just on testimony.

19 COMMISSIONER BLANCO: Commissioner Yao.

20 COMMISSIONER YAO: Just summarizing what I heard,
21 probably two districts fairly close to definite; one probably
22 a no and about ten -- somewhere between eight and ten that we
23 need to have further discussion; is that a fair approximation?

24 COMMISSIONER GALAMBOS MALLOY: That's a fair summary.

25 COMMISSIONER ANCHETA: I wish it would have been easier,

1 but that's where we ended up.

2 COMMISSIONER BLANCO: Questions? All right.

3 I would just, before closing this I really -- I know I
4 sound like -- please really, now that you know where these
5 areas are that are the most difficult, please look at the
6 public testimony for those areas in preparation for tomorrow.
7 Okay. Break? Everybody, break time. Five minutes, please.

8 (Whereupon, a brief recess was taken.)

9 COMMISSIONER BLANCO: In the next 50 minutes we have two
10 items on the agenda. One will be a discussion of the final --
11 to begin a conversation how we're going to handle the
12 preparation of our final report for the maps.

13 And then the other item that will get 25 minutes will be
14 a discussion of the -- you have it -- process review
15 evaluation that's prepared by our director. So I'm going to
16 start with that item first and we have 25 minutes and then
17 we'll discuss the report. And then at 4:00 o'clock we're
18 going to go into discussion on the numbering of districts and
19 a decision that we will be -- discussion and making a
20 decision.

21 MR. DAN CLAYPOOL: What you have -- can you hear me? So
22 you have for the Inland review process, you have the
23 submission in front of you that was given to us by
24 Mr. McDonald. I will give a short introduction.

25 Mike McDonald is an associate professor with George Mason

1 State University, he has extensive experience in
2 redistricting, including consultant services to Arizona's 2000
3 Independent Redistricting commission and in a similar capacity
4 as we are requiring.

5 He's been an expert witness in redistricting cases and
6 provided racial voting block analysis with regard to the New
7 York Sanitarial redistricting plan in 2003. In addition, he's
8 an invited speaker to the National Conference of State
9 Legislators and also state governments, National Association
10 of Secretaries of State, National League of Women Voters,
11 among many other organizations.

12 So we went through, if you look at the evaluation team
13 procedure, and I don't want to rush you, but I only have 25
14 minutes so I want to make sure we're efficient.

15 COMMISSIONER BLANCO: We will give you some leeway, but
16 I'm trying to move it along. This item needs our full
17 attention, don't shortchange us.

18 MR. DAN CLAYPOOL: Probably, if we -- first of all, I
19 will say that there were -- Raul Villa Nueva, your business
20 manager, and Christina Schute, your senior analyst, went
21 through this evaluation. Mr. McDonald provided every document
22 that was required. He also provided a cost estimate that's
23 sealed, and that cost estimate is actually with Raul right now
24 as he's traveling here because he is the one that was going to
25 give this presentations. So we may have to wait to find out

1 how much he is going to charge. But given he is the only
2 individual who submitted a bid and knows he has a \$50,000 cap
3 to this, I would not expect it will exceed \$50,000.

4 So having said that, if you look through this, the
5 document I presented, he seems very well qualified to perform
6 any of the functions that we would ask him to perform. There
7 is within this evaluation there is a relationship in past
8 works between he and our line drawer. They've collaborated, I
9 believe, on several articles. But I wanted to point that out.

10 So -- Mr. Ward, I left you a copy Mr. McDonald's -- yeah,
11 submission and the evaluation.

12 So I don't want to -- I'm going to back up about five
13 minutes and let you look through these documents and if you
14 have any questions I'd like to answer them.

15 COMMISSIONER BLANCO: Also, the -- there were a couple
16 commissioners that helped put this together. I don't know if
17 they want to comment on this as well, just to prepare the
18 discussion for us. I would really invite them do so.

19 COMMISSIONER BARABBA: If you want to get a really quick
20 review, the evaluation team procedures, if you look at
21 starting at page eight where you have the reference from the
22 Arizona Redistricting commission and then that leads to the
23 work he did in -- at page 14, the work he did on the Union
24 Govern Advisory Redistricting commission. You can just see
25 from the -- you can see from the comments of the references

1 that the -- has a lot of experience and at least those two
2 references spoke very high of them.

3 COMMISSIONER DIGUILIO: Could I ask you to quickly
4 summarize how he was utilized in some of these?

5 COMMISSIONER BARABBA: It sounded like in one of them he
6 was really used as an all around person, because, as they
7 point out, even though he's not a lawyer, he was able to gain
8 a lot of legal discussions as well.

9 And in the case of Arizona, it's kind of hard to
10 summarize everything he's done in a short period of time, but
11 it sounds like he has considerable experience and as one of
12 the references indicated there's an expert out there -- if
13 there's a handful of experts out there he's one of them.

14 COMMISSIONER DIGUILIO: And maybe we'll have this
15 discussion, but based on your review, did you see any way he
16 will fit into what we're doing at this point or is that for
17 discussion for us, based on his experience.

18 COMMISSIONER BARABBA: He seems quite qualified --

19 COMMISSIONER BLANCO: I would just piggyback on the
20 question, I'm curious whether it was a similar project that he
21 was brought on to do in Arizona. You know, it sounds from the
22 reference projects that it was a post-map review. So I'm
23 curious if we've talked to him about what that was like and
24 how it would compare to what we have envisioned for our person
25 and maybe somebody can address that who worked on this.

1 COMMISSIONER BARABBA: I did not talk to him.

2 MR. DAN CLAYPOOL: This happened so quickly and from the
3 time we received the actual bids and the time we started the
4 review that only Raul and Christina Schute were involved in
5 those conversations; they may have talked with Mr. McDonald,
6 but I know they talked to both of his references; one of them
7 was the reference from the Arizona project. And you are
8 correct, Chair, it was after the maps were drawn they were
9 provided to him for review that would be similar to the review
10 that had been envisioned in the I.F.B.

11 COMMISSIONER BLANCO: Commissioner Parvenue.

12 COMMISSIONER PARVENUE: And there is a copy of his
13 evaluation and analysis available for our review as well from
14 the Arizona --

15 COMMISSIONER BLANCO: That's what this is?

16 MR. DAN CLAYPOOL: No, there's actually the analysis you
17 have in the second document, Commissioner Parvenue, was the
18 staff evaluation of what he had said.

19 COMMISSIONER PARVENUE: Okay. The actual product
20 delivered to Arizona?

21 MR. DAN CLAYPOOL: No. We only went to his reference in
22 Arizona to have a discussion as to whether or not his work was
23 sufficient and to get his qualification.

24 COMMISSIONER BARABBA: These comments are from the
25 references?

1 MR. DAN CLAYPOOL: Yes, they are.

2 COMMISSIONER BARABBA: Yeah.

3 COMMISSIONER BLANCO: So just to start off the
4 discussion, I mean, I -- I am tangentially familiar with
5 Mr. McDonald's work; he is a well-known person in this field,
6 very well known, and I think -- I mean, he is one of those
7 for -- well, I won't use that term. He is a person that
8 testifies often in redistricting cases as an expert witness.
9 Sometimes on Voting Rights Act issues and sometimes just on
10 traditional redistricting criteria.

11 So I don't have any concerns about his qualifications, I
12 really do think he's very qualified. My question is more for
13 all of us is: What do we -- I know what we put in the
14 I.F.B. but what do we really envision him doing? Because,
15 again, my concern all along is are we going to have somebody
16 sort of do a whole recommend a whole redo of our maps, or how
17 are we really going to utilize this to the best of our -- to
18 the best of our needs? What is it that we really want out of
19 this? That is how I would like to start a conversation and I
20 have Commissioner Barabba, Commissioner Ancheta, Commissioner
21 Raya.

22 COMMISSIONER BARABBA: This is on an as needed basis,
23 that was as the major issue we brought in our discussion. So
24 if we go through this exercise and we feel that everything we
25 asked for as we asked for it, then we will not have any need

1 for this gentleman. After we go through the process and
2 issues get raised, then he is our independent review process.

3 COMMISSIONER BLANCO: Commissioner Ancheta.

4 COMMISSIONER ANCHETA: I know Professor McDonald by his
5 reputation; I think he could do anything we need him to do.
6 But the core question is actually: What do we need him to do?

7 So, for example, I think he's done R.P.V. analysis, I
8 don't think we need somebody to replicate R.P.V. analysis.
9 I've been giving this a little bit of thought, I think if
10 we're going to put this in someplace it should come in right
11 before we do the second draft vote, I would think. I think
12 it's too late to get the final draft, I don't think it's going
13 to be any value to us if vote on the final ones. I'm not sure
14 exactly where to put them in, given our timeline. But I think
15 that's sort of the range of places it ought to go.

16 I'm sort of in the camp that it's not essential as long
17 as we're on top of things and we feel confident in our
18 consultants. But opinions differ on this, so I'm certainly
19 willing to hear other arguments on where it should go. But I
20 think if you're going to go forward with it, I think the scope
21 should be fairly narrow and versus task specific in terms of
22 outcomes and analysis and say go forth, do it, and it's got to
23 be done very quickly within a timeline.

24 COMMISSIONER BLANCO: I'm going to call on Commissioner
25 Raya but I want to sort of elucidate; one is this is really

1 our person, and second that we would come out of today also
2 saying that at what point do we decide to -- yeah, when is as
3 needed at what point? Because I think we need to know that
4 today. When are we doing to decide the as needed? So I would
5 like to sort of focus on those two issues in the following
6 comments.

7 So I have Commissioner Raya and then Commissioner Yao.

8 COMMISSIONER RAYA: I'm sorry, my comment came ahead of
9 your instructions, but I'm going to make it anyway.

10 COMMISSIONER BLANCO: That's okay.

11 COMMISSIONER RAYA: Obviously, reading through this
12 pretty quickly, skimming it, I guess, but if we go ahead with
13 this and with this person, I just feel very strongly that
14 there has to be a very clearly defined focus, just looking at
15 his experience. He has been a map drawer and he has done --
16 analyzed the competitiveness of districts. So, you know, I
17 would want to make sure we're not -- when you say he's
18 somebody who can do it all, I don't want him do it all and I
19 don't want him do what other people are doing or doing
20 something that is not, for example, competitiveness, not at
21 all related at all to our instructions.

22 COMMISSIONER BLANCO: Commissioner Yao.

23 COMMISSIONER YAO: This question is really for staff.
24 Based on Commissioner Ancheta's comment and indicating are we
25 going to use this person, it's going to have to be on his

1 result or analysis has to be in time to impact our second
2 draft release; so that basically limit it pretty much the next
3 three to four weeks? What is this candidate's time
4 availability for the next three to four weeks? Can he devote
5 whatever time necessary to complete whatever time assignment
6 we're going to give to him?

7 MR. DAN CLAYPOOL: I can only answer that by saying that
8 he understands our timeline and he understands what he's
9 supposed to do and he's submitted this bid, so I would surmise
10 that he would be available to do the work that we've done.
11 But until we talk to him, I can't give you an absolute answer
12 to that question.

13 COMMISSIONER BLANCO: Commissioner Forbes and then
14 Commissioner Dai.

15 COMMISSIONER FORBES: I think he's clearly qualified,
16 that's question No. 1. With regard to what to have him do,
17 would we want him to review the district as we propose them
18 and against the COI, is he another independent set of eyes to
19 look at the COI and data, the numerical data, and say, yes, in
20 fact, this district matches the COI testimony. So we don't
21 have a situation where, for whatever reason, inadvertent or
22 otherwise, we are very selective of our COI testimony and say
23 we're going to ignore those 90 comments and look at these four
24 comments to justify our district. He's going to say, that's
25 what you did, and you might want to consider looking at the

1 COI testimony again in light of the whole -- it's just a
2 mechanism to check us as an independent person, not in the
3 pressure of sitting here at the table at the dais, that would
4 be what I would see for him to do.

5 COMMISSIONER BLANCO: Commissioner Dai.

6 COMMISSIONER DAI: I think that's an interesting idea, I
7 would just caution against using quantity versus quality in
8 terms of --

9 COMMISSIONER FORBES: That's judgment he has to make.

10 COMMISSIONER DAI: Having said that, I have skimmed
11 through his C.V. here too and obviously he seems like our guy,
12 he seems very, very qualified and has done everything from
13 mapping to legal analysis.

14 So, you know, one thought is, you know, I think that
15 we're all kind of anxious to get it right on the Voting Rights
16 Act districts and I just wonder if he might be an extra
17 resource to kind of review what our tentative decisions are
18 and just kind of combining it with Commissioner Forbes'
19 thought on the COI, which is what I think what Commissioner
20 Galambos Malloy was trying to do in light of section five and
21 two, were we also able to respect COI and the other districts
22 around those and is there any way we can tweak them slightly
23 to both comply with the Voting Rights Act as well as the COI
24 around the surrounding districts?

25 COMMISSIONER BLANCO: Commissioner Ward, I know this was

1 a big area of concern for you, maybe you can talk a little bit
2 what you have in mind for this person.

3 COMMISSIONER WARD: Thank you, Chair.

4 I presented a proposal for what I saw in line process
5 review at a previous meeting and the commission had a
6 different vision for that. I don't have a vision for it on a
7 call in. I never saw it as a person that would give an
8 opinion or draw lines, I thought that was something that I
9 agreed with Vince is something that could delay and cause
10 issues; I saw it more as a peer review process evaluator to
11 help us streamline, things like we're doing now, section two
12 things, a lot like devised two-man teams to do, I saw this as
13 an opportunity to have somebody come in and has experience and
14 kind of do those processes. But at this point I think we've
15 moved past that and I don't have any input on it at this
16 point. Thank you.

17 COMMISSIONER BLANCO: I am willing to, now that everybody
18 has looked at this since this is an important decision and an
19 expensive decision, we can mull it over and come back to
20 tomorrow for discussion on what we really want this person to
21 do. I don't want to rush this.

22 Commissioner Barabba.

23 COMMISSIONER BARABBA: I'm not sure we can specify in
24 advance what we want this person to do because the primary
25 reason for getting the -- our was we didn't want to find we

1 had a problem and then go find the person, that would not have
2 work. We wanted to have the person identified and then if an
3 issue, if an issue, arises then we've got access to the right
4 kind of person. And he seems to me sufficiently generally
5 experienced in redistricting that if we run into a problem he
6 may be the person we look for.

7 COMMISSIONER BLANCO: Commissioner DiGuilio, and I think
8 that's right and we should talk about what Commissioner
9 Ancheta raised at what point, if there is an as needed, it can
10 make a difference to have somebody. I think we should try to
11 put a little bit of a timing on it.

12 COMMISSIONER DIGUILIO: I would just agree with
13 Commissioner Blanco saying it would be nice to have an evening
14 to review this a little bit more in depth. And I like this, I
15 think he brings a wealth of experience from what initially
16 what I see, and there may be an opportunity if we identify
17 something along the way where we can plug this individual in.
18 Realistically looking at if we'd like to have something done
19 before the second draft maps, we're looking at about two and a
20 half weeks. So I think we should keep that in mind as a
21 commission when we're thinking about how we might -- well,
22 that if there is an issue that arises where we will need to
23 utilize him on an as needed basis, that this person should be
24 aware it could be a day's notice kind of thing because --
25 within this time frame.

1 COMMISSIONER BLANCO: Commissioner Barabba.

2 COMMISSIONER BARABBA: I would say, for example, when we
3 review these visualizations we're going to see tomorrow,
4 somebody might say, I'd really like to have this checked out,
5 and we have this person available. And that's assuming we see
6 that and feel the need to do that.

7 COMMISSIONER BLANCO: Okay.

8 COMMISSIONER DIGUILIO: Part of my concern -- well, the
9 issue is what this person will need in order to make a
10 judgment. Will they be able to look at something and say, oh,
11 that looks like right or wrong? They're going to need to look
12 at data, some type of -- have to know what our decisions have
13 been up to this point.

14 Again, this is just where my concern falls into the
15 amount of time. We could turn to him and say give us your
16 opinion, but I'm sure he'll turn around and say I need a few
17 days to get the information.

18 COMMISSIONER BARABBA: If you look into his experience,
19 he was part of the group that the region on the statewide
20 database so my guess is he would know where to get the
21 information.

22 COMMISSIONER BLANCO: Commissioner Yao.

23 COMMISSIONER YAO: Question for staff: Is there -- I
24 know we have to look at this bid and I know we're going to see
25 that sometime soon. Is there a cost to the commission if we

1 do not assign him any task?

2 MR. DAN CLAYPOOL: No. That was the reason we structured
3 it the way it was. You don't give him a task, we owe him no
4 money.

5 COMMISSIONER YAO: So at this point let me try to put a
6 motion on the floor saying that we -- since this is an effort
7 that we have initiated and since there is no cost to the
8 commission that if we decided not to issue a task and since
9 this could be a potential solution if we run into an emergency
10 situation where we do need a little bit of help, I would move
11 we accept Dr. Michael McDonald's -- or grant the contract to
12 Dr. Michael McDonald pending the approval or pending the
13 acceptable financial terms.

14 COMMISSIONER FORBES: Second.

15 COMMISSIONER BLANCO: Discussion?

16 Commissioner Raya.

17 COMMISSIONER RAYA: I find it difficult to vote yes
18 without having any idea what he might be asked to do. So I
19 will have to vote no as the motion stands.

20 COMMISSIONER BLANCO: Commissioner Ancheta.

21 COMMISSIONER ANCHETA: I have no problem
22 preliminising[Sic] -- I'd like to have a little more time to
23 look at this.

24 COMMISSIONER BLANCO: I agree. That's my inclination as
25 well. This is too important to just sort of do this like this

1 on the fly. I really do think that.

2 I would urge everybody -- I'll put this back on tomorrow,
3 look at both our staff review as well as his materials that he
4 submitted and then also really, really give some thought to
5 where we would utilize this person and at what point and we'll
6 trail this -- we'll carry this over till tomorrow.

7 COMMISSIONER YAO: Point of order, it's been motioned and
8 second. I think we need to put that motion to bed before we
9 can excuse it.

10 COMMISSIONER DIGUILIO: Can we ask you to withdraw?

11 COMMISSIONER BLANCO: Can we table the motion and pick it
12 up tomorrow? You're the maker of the motion.

13 COMMISSIONER YAO: I will do so. We'll table the motion
14 until tomorrow.

15 COMMISSIONER BLANCO: Mr. Claypool.

16 MR. DAN CLAYPOOL: I just wanted to give the commission a
17 little sense of the timeline on this. And one extra day will
18 not affect your timeline, but once we actually accept this
19 person, if we do accept that, then there's a five-day waiting
20 period at which point he can begin working after that. So we
21 have that five-day period to consider.

22 COMMISSIONER BLANCO: That's helpful.

23 COMMISSIONER DIGUILIO: May I ask, Mr. Claypool, is this
24 individual, is he aware of our timeline? Is he available?

25 MR. DAN CLAYPOOL: As I mentioned earlier, he knows -- we

1 haven't actually spoken with him because how quickly we had to
2 be here today with this, but we knows we have an August 15th
3 deadline, I'm certain he's aware of our time frame and the
4 only way we'll know about his availability is to talk to him
5 if we accept him as our contractor and he is -- availability
6 isn't there, then all we've wasted is the time in motion
7 because we simply won't task him.

8 COMMISSIONER BLANCO: So as Chair this is what I'd like,
9 I'm going to put this over until as late as possible in
10 tomorrow's business meeting to give you time to contact
11 Mr. McDonald and ask him, let's assume that for this to be
12 useful, whatever it is, I don't even know that we will
13 contract with him and give him some work, that it's going to
14 be in the next two weeks. We should just make that
15 assumption. And if you can report back to us on his
16 availability in the next three weeks, let's say, full-time
17 availability over the next three weeks that would be very
18 helpful for -- to be able to have a decision for tomorrow.

19 MR. DAN CLAYPOOL: I'll make that call. And I'm just
20 going to tell him to do virtually anything you would task him
21 to do within the realm of the I.F.B.

22 COMMISSIONER BLANCO: Tell him our deadlines, where we're
23 at and see his availability and don't make any promises.

24 So the motion has been withdrawn and we'll pick this up
25 tomorrow and put it towards the end of the agenda, Vice Chair,

1 so we can have the time to hear back. All right.

2 We're on time. We have -- we have 22 minutes before
3 we -- I know some of you think I'm disorganized, but I'm
4 really not. We have 22 minutes left for our conversation on
5 how we're going to proceed with the preparation of a report to
6 company our maps and I'm going to ask Commissioner DiGuilio to
7 start that conversation, or is it Commissioner Ancheta?

8 Commissioner Ancheta.

9 COMMISSIONER ANCHETA: So as you know we're
10 constitutionally required to produce a final report that
11 accompanies the maps that are submitted to the Secretary of
12 State. We have committed internally, if we're still sticking
13 with it, to produce a draft report with the second draft maps.
14 But at this point we haven't had any discussion on the
15 contents and we've had some clear assignments of duties to our
16 consultants in terms of preparing parts of the report, major
17 parts of the report, in fact; but we don't have at this point
18 a clear set of responsibilities for commissioners and who's
19 putting it all together and more specific timelines.

20 Certainly we have to put a very thorough report together
21 and certainly if there are any dissenting opinion, we should
22 comment on those as well and make any final report. And we do
23 want to provide as much information both statistical and
24 narrative justification both on the Voting Rights Act as well
25 as other criteria on all the maps and all the districts. So

1 it's quite a lot to do.

2 One initial question might be: What do we want to do for
3 the first draft? The first draft of our report, I should say.
4 Call it the "draft report." Won't refer to it as first or
5 second, just draft report.

6 We had set an internal deadline of basically being put
7 out at the same time as the second draft map, I don't know if
8 that's the best way to do it depending on what you want to go
9 into the draft. It's certainly possible to put statistical
10 analysis, some early narrative language, I think we should put
11 some narrative language on our assumptions and justifications,
12 it should be put out as a draft. Timing, I think, is
13 important, if you really want to accompany the first, rather
14 the draft maps. A lot has to be done in advance and it does
15 put extra pressure on our consultants to actually produce
16 things in parallel with the production of the maps themselves.

17 We can try to delay it a couple days. The public, of
18 course, probably won't mind a day or two, but if we push it
19 back too far they'll wonder what are you waiting for. Should
20 get it out soon. This is sort of tentative work plan summary
21 I've been circulating, I put a couple days afterward; that's
22 fully open to discussion at this point.

23 Another question, again, is we are not required to
24 produce a final report, really, until we submit it to the
25 Secretary of State. So that does give us a separate timeline,

1 if we want to do that, again, the 28th of July is our deadline
2 to post them and basically finalize the maps, you know, you
3 might go a little further if we have to, but only in an
4 emergency beyond the 28th. We're not required by our internal
5 guidelines by the constitution to publish a final report on
6 the 28th of July, we may want to give ourselves a little more
7 time, I think that makes a lot of sense but not push it too
8 far, you know, the final deadline.

9 We had some initial thoughts -- Commissioner DiGuilio and
10 I had some initial thoughts on the timeline and try to put
11 together a working team that would include a couple, sort of
12 two people, basically, in terms of a core editing team that
13 could work in coordinating the pieces that have to go. Again
14 Q2 has to generate statistical reports, some COI testimony and
15 public input, gives a Voting Rights Act narrative, as well.
16 Whenever you produce a final report, it's got to sound like a
17 single report and not just a bunch of pieces so there's a
18 significant amount of editing and just sort of the master
19 narrative has to flow well, and that's a lot of work. That's
20 a lot of work.

21 So this is our first discussion, really, of this topic.
22 So I'm saying we have to figure out a couple of these
23 questions as we're moving forward.

24 COMMISSIONER BLANCO: Comments? Questions?

25 COMMISSIONER YAO: Does anybody have an idea as to what

1 the final report is like in some very, very global terms; like
2 how many pages? Like what are some of the previous report
3 look like? What do some of the similar report look like? Not
4 looking for details, but trying to get --

5 COMMISSIONER ANCHETA: Excellent question.

6 One can draw on examples from a lot of different sources,
7 probably not the best example is what the legislation did the
8 last time around, because it didn't give you much at all, it
9 gave you sort of maybe a little bit of commuter reports and
10 said, here's the maps, for the most part.

11 A better example might be the 1991 redistricting or the
12 supreme court and their special masters put their own report
13 together. I haven't had a chance personally, maybe others
14 have, to look at some other states; Arizona might be an
15 example that we might look at. I have no idea, actually.
16 Haven't had a chance to look at some local ones. Obviously
17 want enough depth to make sure that we are covering all our
18 basic assumptions and justifications. I don't think we are
19 overly highlighted in particular on each district. We
20 certainly want all the numbers.

21 You know, there are some examples, we have pretty good
22 formats that appeared in some of the drafts, rather
23 submissions that are quite nice to look at in terms of
24 statistics and individual maps.

25 I don't know. There's a lot of ways we can go. I think

1 we have to balance thoroughness with realistic timelines and
2 ability to actually put these reports together. But I think
3 you want to err on something more clear than less.

4 COMMISSIONER BLANCO: Commission Forbes.

5 COMMISSIONER FORBES: What I was looking for I haven't
6 found it yet, there the supreme court footnote in a 1991 case,
7 1992 about the math use document did set out a format. And
8 since it is from the state supreme court I would run as close
9 to that as possible.

10 Also, before we get too detailed, I would like to have a
11 discussion or at least a consideration that whatever we put
12 out as a formal document, the you more you put out the more
13 others have as a target to criticize as the maps. I would
14 certainly want to comply with what's in accordance instead of
15 is acceptable, but I would caution about doing much more than
16 that.

17 COMMISSIONER BLANCO: Just -- I think we should look at
18 that supreme court case. A couple thoughts I've had is that
19 obviously -- not "obviously."

20 One thing I think would make sense is to track the
21 criteria. You know, that it presents an obvious and natural
22 way to present the information. You know? So I think it
23 should contain a commentary as to the different criteria and
24 even since the criteria are prioritized.

25 So I think that there is -- and that's my only caution

1 about the 19 -- about the supreme court case format is that it
2 was operating with a different legal framework for the
3 redistricting. So it might not be completely applicable to
4 the criteria -- you know, to the format for Prop 11 and Prop
5 20.

6 I agree that it's a fine line between really explaining
7 why we did what we did, and how we -- I think, more than that,
8 why we followed the law and providing detailed information,
9 which is really not -- may not be necessary. So I think there
10 is a bit of a balancing act in this report.

11 I think it would be helpful to look at other states and
12 what I'm thinking is maybe one of the next steps we can take
13 is assign -- I don't know if we want to do it with counsel our
14 chief counsel, I think that might make sense for -- to look at
15 a couple of different models, given states that have different
16 types of redistricting processes to get us a sense along with
17 the supreme court case and maybe report back -- we can still
18 have a discussion, I think now, about who we might task on who
19 wants to work on this on the commission, the deadlines, but at
20 least maybe you can give us a summary and some ideas about how
21 we should proceed with the report.

22 Commissioner Aguirre, is that --

23 MR. KIRK MILLER: Sure.

24 COMMISSIONER AGUIRRE: My only suggestion would be based
25 on what we have already done and some of the challenges and

1 tasks we've already confronted and based on the fact that we
2 have a work plan, I don't think it would be difficult to come
3 up with an outline like a chapter outline that, perhaps, we
4 could ask our general counsel as a way to discussing the scope
5 of the report and how intense we would want to go with each
6 particular section that would include all the elements we've
7 been talking about; include an introduction, the commission
8 how it was selected, those kinds of things, the criteria that
9 was set out, how we did the public review process, how
10 extensive that was, all of the associated tables, the line
11 drawing itself, all of those elements then in one
12 comprehensive outline that what I think serve us very well in
13 terms of having a very good discussion. Absent -- I think
14 absent an outline, it's a little bit too abstract for us to
15 kind of -- you know, have an open discussion.

16 COMMISSIONER BLANCO: I have two people in the cue;
17 Commissioner DiGuilio -- yeah, no -- DiGuilio and then
18 Commissioner Forbes. But I'm going to ask, and then Galambos
19 Malloy.

20 But I'm going to ask Mr. Miller first to give us his
21 thoughts.

22 MR. KIRK MILLER: Thank you.

23 I think this is actually coming together quite well in
24 your discussion and very similar to what we've been thinking
25 about. I saw it as kind of a three-part proposal, if you

1 will.

2 First, very much as Commissioner Aguirre just described,
3 which would be in a sense the public relations part, speaking
4 to a broad audience of Californians about how you went about
5 it and what the criteria were just as you described.

6 Part two would be the V.R.E. report that addresses those
7 issues. And then the third part, I think, would be more like
8 what Commissioner Ancheta and Commissioner Forbes are talking
9 about in terms of what the supreme court has accepted as a
10 description of individual districts. And something like that
11 I think would be a pretty solid package for the maps.

12 COMMISSIONER BLANCO: Okay. So I have -- was it
13 Commissioner Dai? DiGuilio, Forbes --

14 COMMISSIONER DIGUILIO: You need more than -- I just
15 simply say I think all of these points that are being made
16 about the types and the format and different options that we
17 have, I think Commissioner Ancheta and I realize there's a lot
18 of nuances about these reports we need to put on paper and see
19 what these options are, so that's what led us to the idea of
20 having a working group that would be tasked with putting these
21 options together and working with Mr. Miller and coming back
22 to the commission with a structure of how this would move
23 forward and what elements would be needed and where those
24 elements would be coming from, from our consultants, the
25 commission, all those things. So that's again to reinforce

1 the need to have individual commissioners work on this and
2 it's a tight deadline, once again, so we need --

3 COMMISSIONER BLANCO: Commissioner Forbes.

4 COMMISSIONER FORBES: I found the citation, Legislature
5 V. Reinecke, "R-E-I-N-E-C-K-E," 10 Cal. 3d, "3D," 10Cal3d.396,
6 actually.

7 COMMISSIONER BLANCO: That's the numbering piece as well
8 --

9 COMMISSIONER ANCHETA: Mr. Miller can provide a copy.

10 COMMISSIONER FORBES: Actually --

11 MR. KIRK MILLER: Actually, I carry it with me.

12 If it's useful to the commission we might be able to copy
13 it for you to see in particular -- there is an addendum that
14 has an examining of such a report to that case.

15 COMMISSIONER BLANCO: Commission Galambos Malloy.

16 COMMISSIONER GALAMBOS MALLOY: Based on the conversation,
17 it feels to me that having -- authorizing some delegated
18 authority here just to get the ball rolling would be useful
19 and in my mind it should have our representation from public
20 information from technical and likely from legal as well. Is
21 that along the lines of what you had been thinking, those of
22 you who have kind of leading the charge?

23 COMMISSIONER ANCHETA: Yes, the Bagley-Keene question. I
24 think we're trying to get that representation. I was leaning
25 toward public info and having Mr. Miller help with the legal

1 part but there are accommodations.

2 COMMISSIONER DIGUILIO: I think, just to get the ball
3 rolling and this is open for any commissioners who are
4 interested. I think originally Commissioner Ancheta and I
5 were thinking through this in terms of skills of editing and
6 kind of reports and as well as seeing the bigger picture and
7 party affiliation and technical and public information, thrown
8 out initially by Commissioner Dai and Commissioner Barabba.
9 But, again, if the other commissioners are interested in
10 doing that this is the time to discuss it. But some of the
11 reasons for party affiliation, different committee work and
12 experience in terms of kind of overseeing these large reports.

13 COMMISSIONER BLANCO: Commissioner Yao.

14 COMMISSIONER YAO: I think writing a report we shouldn't
15 get Bagley-Keene involved because we're not trying to make any
16 decision, we're not trying to come up with any new data,
17 basically report just compilation of all the existing data
18 that is available that has been generated over the last many,
19 many months. So I don't think having two or more people
20 working on a report should be interpreted as a Bagley-Keene
21 affair.

22 COMMISSIONER BLANCO: Counsel, can you say something
23 about that?

24 MR. KIRK MILLER: Well, I'm struggling a bit with what
25 rule the commission is seeking to have in the actual

1 preparation of the report and particularly at this stage.
2 Another way to approach it would be with clear directions to
3 consultants to prepare the different sections for your review.
4 I am concerned about both the do-ability of this very
5 complicated report as an add on to preparing the maps and the
6 remainder of the meetings as a commission task as well as how
7 we would structure it to feel comfortable with Bagley-Keene.

8 COMMISSIONER BLANCO: I really -- I concur. I think --
9 I'm not ruling out that commissioners should participate, but
10 I am concerned about adding this to the task when we are --
11 either do it afterwards or we are adding it to our task while
12 we're drawing the maps and that does concern me.

13 I had always envisioned that chief counsel would take the
14 lead on the report and make assignments on the reports as
15 needed to our technical team work with VRA lawyers to get
16 their component of the report, et cetera. But this is the way
17 and perhaps with our director the two of you would coordinate
18 the report and that might mean calling on individual
19 commissioners to do different things, but the responsibility
20 would reside primarily first with staff to make it all come
21 together and working with commissioners. So I -- that's how I
22 envisioned this, but I'd like to hear more.

23 COMMISSIONER DIGUILIO: Let me clarify my earlier
24 statement. It wasn't that commissioners would be doing this
25 work, by any means; we have staff and wonderful staff to help

1 us with this. It was simply a delay and have some oversight.
2 So I think partly is, again, take time line that we could work
3 with staff as to what they're developing and what they're
4 putting together so we can have some of that -- some
5 involvement from commissioners that know what we're looking
6 for and how that's coming together, so that we can prevent
7 that staff comes back to us review, back and forth, we can
8 simplify and streamline the process so it's not so much the
9 commissioners doing it at all, it's the oversight of the
10 process involved. That's all it was.

11 COMMISSIONER BLANCO: Commissioner Dai.

12 COMMISSIONER DAI: Yeah. And when Commissioner DiGuilio
13 volunteered me I was thinking that's what it was, I was not
14 assuming we would write the report. I do see that as a staff
15 function and, obviously, our consultants have very important
16 contributions, you know, major pieces of it.

17 I do want to put forth the concrete suggestion, which is
18 what should actually accompany the second draft maps. What's
19 kind of acceptable. The first draft, you know, we didn't put
20 out a lot of information partially because we anticipated the
21 maps would change, perhaps significantly. I think by the time
22 the second drafts are out we're going to be closer, probably
23 very close, to what the final maps look like; there'll
24 probably still be room for tweaks and improvements. But at
25 that point I would guess that we could, you know, minimally

1 put out basic statistics, those are reports that could be
2 generated by our mappers and we have to put out what
3 Mr. Miller called the P.R. part. I think it would be
4 reasonable to put high level narrative out that accompanied
5 the maps and maybe talk about each of the criteria and et
6 cetera.

7 But I don't really think much more than that is something
8 more than that we can do in that time frame. So I think
9 something fairly minimalist still with the second draft
10 reports relying on what our technical team can produce and
11 with a little bit of a high level narrative, and really
12 focusing our time after we release the final draft maps,
13 there's a 14-day comment period, might be time really utilized
14 well to put forth that -- pull the final report together in
15 detail.

16 COMMISSIONER BLANCO: So before we go onto the discussion
17 on what will accompany the second draft maps I want to make
18 sure if we have agreement that this will be the work of chief
19 counsel with executive director and then I think maybe the --
20 then I think there are two options; either to work with the
21 leads for the different communities or to have people
22 actually -- you know, volunteer to assist on the different
23 parts that staff might need input on.

24 So I'm open to suggestions but I would like to see staff.

25 Any ideas about the second half of who they should work

1 with?

2 COMMISSIONER DIGUILIO: I'll give my lead as technical to
3 somebody else, if they'd like.

4 COMMISSIONER BLANCO: Commissioner Yao.

5 COMMISSIONER YAO: I think we need to be -- to at least
6 have a good concept as to who -- what this final report is.
7 It really is our communication vehicle to all the voters of
8 Prop 11, Prop 20 as to how we have accomplished this task.
9 Okay? Not only in explaining the maps as well as our
10 performance during the whole process. I think we all recover
11 a big part of it in terms of doing a lot of P.R. and on and
12 on.

13 I kind of looked at this final report as similar to the
14 second phase of the application each of us filled out in the
15 application to the commission, or in my past history having to
16 submit a proposal to somebody in term of receiving a project
17 or receiving a solicitation of a project or a grant. You
18 basically have to tell a very thorough and complete story from
19 the beginning to the very end covering every aspect of what we
20 think the reader would want to know. And if we simply put a
21 report together to compile sections of data it's going to read
22 just like that, somewhat like a dictionary.

23 But if we want to tell a good story and this is really
24 our opportunity to tell the story as to what we have done,
25 what we have tried, and how successful we are. I really find

1 it -- I really find it necessary for all of us involved and
2 not just one or two people working with staff and working with
3 consultants, the page count is important because in every page
4 not only just edit the information but you also edit the way
5 that you flow the information, how page one ties in with page
6 ten and on and on. So it's a process that's going to involve
7 all of us because we all have to be part of that story. So we
8 simply want a report to meets the requirement of publishing a
9 report along with the final map. I think we can do that.

10 But if we want to see this final report as something more
11 than that, then I -- then I think that we have to put a lot of
12 personal sweat into this process. And as I mentioned earlier,
13 I think -- I think the work associated with creating this
14 report is outside of the Bagley-Keene requirement of open
15 meeting and in an open process of making decision because
16 there are no decision that involved with documenting and
17 telling the story of this final report. And if we have to
18 adhere to this Bagley-Keene requirements, I think the best we
19 can do is put together a technical report and so be it because
20 we can't possibly write a meaningful report in an open session
21 before the camera because we just don't have enough time do
22 that.

23 So I think we need to basically address the issue as what
24 kind of final report do we want to write, who are the people
25 that are going to be reading it, and how are we going to

1 communicate with them?

2 COMMISSIONER BLANCO: So we're running out of time here.

3 I just want to say that I guess I have a difference of
4 opinion, slight difference of opinion. I think, yes, the
5 public is the audience but also a big audience for this report
6 is the court. Our audience for this report is the court that
7 has to uphold our maps, and that's why I feel strongly that
8 chief counsel has to be involved. You know, it may be that
9 the narrative introductory part of the report which discusses
10 our process will include our hearings and the number of public
11 comments and all that will also double as a good report for
12 the public, but I think great parts of this will be technical
13 and should address how we -- should be our document that shows
14 and demonstrates that we followed the criteria and the order
15 that we were supposed to and our maps conform with the
16 constitutional requirements. And I think -- so I believe
17 that's, perhaps for me, maybe it's a lawyer -- maybe a higher
18 audience here for this report.

19 Commissioner Dai.

20 COMMISSIONER DAI: I agree with Commissioner Blanco. I
21 don't think we should conflate the final report that's
22 required with our final maps that really needs to meet the
23 legal muster versus the story as Commissioner Yao's talking
24 about to the public. I don't think we should conflate the
25 two. We want it as a message to the public and it's not going

1 to be 200 pages because the public is not going to read
2 something that is 200 pages. And the other is the report that
3 is probably going to have pretty detailed information about
4 how we went about creating these maps and comments on
5 districts and whole section on VRA districts. You know, the
6 vast majority of the public is not going to read that and that
7 is not the audience for the report. So I don't think we
8 should confuse these two things, they're two different items.

9 COMMISSIONER BLANCO: And perhaps we can work with
10 Mr. Wilcox to be drafting a parallel report that is a
11 different kind of report which is our, you know, sort of --
12 the other story for the public.

13 Commissioner Ancheta, how do you want to proceed with
14 this?

15 COMMISSIONER ANCHETA: Well, we have a couple of options.

16 On the last point, certainly a good tight executive
17 summary that is designed more for the public consumption and
18 detailed one, that is fairly customary in a lot of the public
19 reports we see, that certainly makes a lot of sense.

20 I guess the question is again, Commissioner DiGuilio, I
21 don't disagree with the real core direction we're moving in,
22 but the question did become do we want a couple commissioners
23 moving this process along so at the next business meeting we
24 have something a little more flushed out or just want to
25 delegate it all to staff by having them develop some outlines

1 and specifics that we have to think about. That's probably
2 where I want to move at this point. I don't feel strong
3 either way. The original idea was Mr. Miller and Mr. Claypool
4 as well and of course work with the consultants to make sure
5 those pieces are firm.

6 COMMISSIONER BLANCO: Any preference, Mr. Claypool, and
7 Mr. Miller?

8 MR. DAN CLAYPOOL: Actually, I do. And just keeping on
9 the same two commissioners, it is very important we have a
10 close tie with the work group on this because we had two of
11 the most key components to the information we're going to have
12 for this report are coming from Q2 and our VRA attorneys. So
13 I just see that linkage as being critical. We need to have
14 both sets of information, we need to have it quickly;
15 otherwise, we fall behind on the information we need to have
16 ready.

17 MR. KIRK MILLER: I would encourage the commission to
18 really save the final report for the final report as opposed
19 to undertaking an interim final report for the second draft --
20 we could focus on a more robust press release, for example,
21 that really gets the message out without trying to replicate
22 what that final report would look like and encourage you to go
23 that direction.

24 COMMISSIONER BLANCO: Mr. Ancheta's kind of -- looks like
25 he wants to say something.

1 COMMISSIONER ANCHETA: Just a question of who's going to
2 stay on top of this.

3 Commissioner DiGuilio and I can push it forward since
4 we're on top of the work plan or we can delegate it to two
5 other people which it complicates when we delegate, but we're
6 pretty swamped too.

7 COMMISSIONER DIGUILIO: I think the issue is we have no
8 problem -- I don't think Commissioner Ancheta and I have any
9 problem working with the VRA and technical consultants to get
10 the materials needed for that; I think that's just one element
11 of the report, though. I think, you know, how all the other
12 aspects in terms of how integrate with legal issues and the
13 structure and how much narrative we're going to do and all
14 those other elements --

15 COMMISSIONER BLANCO: Can I make a suggestion?

16 Commissioner Dai, you're name's still floated. How about
17 you work with Mr. Miller to come up with an outline and
18 figure out what we need; what are the parts, who should do
19 them -- project management. And you do that with Mr. Miller
20 and then, you know, you have a plan that tells us how we tap
21 into technical or into the VRA part or how, you know, Q2? But
22 come up with a workable plan. How does that sound?

23 COMMISSIONER DAI: I'd love to task Commissioner Barabba
24 to do that with me as well.

25 COMMISSIONER BLANCO: I see him slinking over there.

1 COMMISSIONER DAI: So I think Commissioner Barabba and I
2 would be happy to do that.

3 COMMISSIONER BLANCO: Is that meetable[Sic] to
4 commissioners?

5 So decision here, Commissioner Dai and Commissioner
6 Barabba will work with Mr. Miller in coming up with the
7 concept, the draft and figuring out how to manage this project
8 and will report back to us -- when? Tomorrow? Next business
9 meeting? Okay. All right. Thank you.

10 We can take a few minutes here. We have the remainder of
11 the time to discuss the numbering, I was hoping that
12 Commissioner Filkins Webber -- she should be here any minute,
13 unless there's a delay. I don't have my phone on, I don't
14 know if she's called.

15 COMMISSIONER DIGUILIO: Could we maybe take a minute? I
16 think Commissioner Ancheta might have one thing that might
17 take one minute, the Share the Pain concept.

18 COMMISSIONER BLANCO: Yes. You had a brief item. That's
19 great. Thank you.

20 COMMISSIONER ANCHETA: I think Share the Pain is one
21 example, but I think it's an issue where we have to be very
22 thoughtful of others as we moving forward to the second draft
23 maps. Because Share the Pain, an example of a principle that
24 we have adopted, not a formal principle, not a constitutional
25 principle but we're using it. And it's one of a number of

1 principles that we've been using that aren't in the
2 constitution.

3 So, for example, we have a federalism principle we often
4 adopt or have been adopting to look at differences between
5 congress and state. We have a border district or something
6 like military bases where we might do that different; that's
7 nowhere to be seen in the constitution.

8 We have a way of looking at linking communities of
9 interest that isn't strictly in the constitution. We have
10 maintaining the integrity of a local community of interest but
11 we often, as the public likes to do, link big areas;
12 foothills, coastal, et cetera, et cetera. That's not in the
13 constitution either.

14 There are others, there's sort of the aesthetic
15 principle, we like to avoid fingers and draw nice clean lines.
16 That's related to compactness but it's not in the
17 constitution.

18 The concern I have, and this is particularly related to
19 Share the Pain but applies to others, where we get the
20 ordering wrong. And the concern I have, particularly about
21 Share the Pain and other principles, and this also applies to
22 our rank principle, our rank criteria as well is we often take
23 shortcuts or forget about the higher linking.

24 So, for example, Share the Pain might be a way of sort of
25 fair equitable regarding tough decisions on particular

1 districts but it may short-circuit our actually trying to fix
2 city splits. We have nested where we haven't looked at
3 divisions along communities of interest, we have compromised I
4 think Voting Rights Act compliance to maintain other criteria.

5 So this is an example of where I think we have to be very
6 careful about what we are doing because we have again -- all
7 of these, I think, are reasonable, I think they're not subject
8 to any kind of constitutional challenge Share the Pain in its
9 application, I'm not sure if it might not be rule suspect, but
10 I think in principle it's not an arbitrary one but could be
11 applied arbitrarily. So we have to be careful about what
12 we're using as both formal and informal criteria. And, again,
13 there's numerous examples of where we have, I think, and I
14 think largely because on the first draft we didn't have time
15 do a complete job where we may have elevated criteria over
16 others. And I'm not the biggest fan of Share the Pain, I
17 understand that a lot of folks feel it's a good way to go. I
18 prefer a consistency principle; I think if you want to split a
19 city, split it across all districts so people know what
20 they're doing. That's my opinion, but neither of those
21 opinions are in the constitution, either.

22 So when we apply what might be called an extra
23 constitutional principle we're not on a safe ground, and as
24 long as it's legitimate and nonarbitrary, nondiscriminatory, I
25 think we're okay in terms of somebody challenging us legally.

1 But when we mix the criteria up we are vulnerable to not
2 comply with the state constitution and the federal
3 constitution.

4 So I wanted to bring it up because I think we want to be
5 very careful now that we're getting down to the second draft
6 stage about doing that. And, again, with Share the Pain, I'm
7 not entirely clear when it applies. It's one of the reasons I
8 feel there's vulnerability here; it comes in sometimes, it's
9 not a consistent with my principle. I feel more comfortable,
10 for example, with the federalism principle, you can justify
11 the border district or a military district on a federal level.
12 I have a better handle on that. Share the Pain, I never got a
13 clear sense of when it kicks in and when it doesn't kick in.
14 I use that as an example, but it's part of a more general
15 concern I have -- formal and informal.

16 COMMISSIONER BLANCO: Well, I'll say something, both
17 about this Share the Pain concept and some of the other things
18 that we've kind of tried to sort of policy or principles that
19 we've applied on that we've kind of designed ourselves as a
20 way to almost function as tiebreakers or, you know, dealing
21 with differing where we have almost equal testimony on both
22 sides and we're trying to decide how to go.

23 I think this is where we end up using some of these
24 principles we've developed that are not necessarily enumerated
25 and I am -- like Commissioner Ancheta, have never -- I've

1 always felt uncomfortable with the Share the Pain concept
2 precisely because it is -- could be said to be to not be used
3 consistently throughout the state. What pain? The pain of
4 being -- some people are saying I want to be in this assembly
5 and I want to be in this congress and they say we'll put you
6 in this assembly and not in the congress. There could be some
7 other kind of consequence, that it's not about a district it
8 might be somebody that says, you know, coastal versus inland
9 and in other words there's all kinds of ways that people are
10 not in agreement with something that we're doing and some of
11 them, we've looked more at the ones where we're dealing with
12 putting you in a district here and putting you in a district
13 there, but there could be other ways where people have felt we
14 have not done what they wanted and we haven't been as clear in
15 those areas about sharing or not sharing the pain. I always
16 worry about something that has too much of a discretionary
17 element like that. Like Commissioner Ancheta, I think some of
18 the things like military basis, the border, things like
19 particularly congressional districts where people say there's
20 something in this area that I need to go federal
21 representatives about, it's important that I have a
22 representative that is what we set on.

23 Some of those are about the concept of representation.
24 The Share the Pain for me is not necessarily a concept of
25 linked to trying to design districts that are most reflective

1 of where you try to have the voters will reflected in their
2 representation. So it feels like actually a little bit away
3 from the concept that we try and draw districts where
4 communities of interest and social economic communities are
5 able to be grouped together because they have a better voice
6 for those interests and they can augment and amplify their
7 voice. The Share the Pain sort of takes you away from that
8 concept. And I think the other ones, to me are the core
9 concepts where we might have to make decisions are about does
10 this -- if this is this subcommunity, what maximizes the best
11 representation for it and that's sort of how I look at these
12 discretionary decisions.

13 Commissioner Dai.

14 COMMISSIONER DAI: Yeah. So I think this was something I
15 was hoping each of the commissioner teams were doing, is
16 really maybe trying to make explicit what our assumptions were
17 in drawing the existing maps, the first draft maps, and -- so
18 that we can examine them. Because there were assumptions we
19 made and some cases we were very good about talking about what
20 those were and others there were implicit assumptions that
21 would be very helpful to make that explicit and then revisit
22 it because maybe, you know, looking at it, it may not hold up
23 under closer examination. And then it turns out we can relax
24 that constraint and that might give us more freedom in drawing
25 these districts.

1 In terms of the Share the Pain principle, I think the
2 challenge is that we've seen in many cases where, for example,
3 with nesting where insult is done to a particular community of
4 interest and gets doubled, you know, in the senate. So I see
5 that, really, as a principle that allows us to balance
6 conflicting COI testimony because the challenges that you
7 don't just have one COI in every area; you have very complex
8 situation where you have multiple overlapping communities of
9 interest and, you know, my concern is if we don't adopt some
10 kind of principle like Share the Pain that we end up favoring
11 one particular community at the expense of other communities.

12 So I saw the Share the Pain as an attempt to try to
13 balance the needs of all Californians. One of the things I've
14 said to people, when people come and testify before us and as
15 Commissioner Aguirre said, they have the luxury of making
16 their community the center of the universe and we don't; we
17 have to look at all of California and we have to make sure
18 every Californian has a political voice. So I really see the
19 Share the Pain as a way that we can try to accomplish that and
20 certainly the federalism principle is a way we can say, well,
21 which district do we prioritize a certain community of
22 interest?

23 And, you know, if we -- and we've had this in our
24 questions, our clarification questions with the public. We've
25 asked, you know, we have to split someone, and do you have a

1 preference and which district you would like to be kept whole
2 in because there are some issues that might be more important
3 at the assembly level, might be more important in a
4 congressional district.

5 So I think that -- I think that's a challenge. I think
6 that we get into a situation -- one of the things I was trying
7 to do in the regions that I've been assigned to is to look at
8 where are situations where we've observed and protected really
9 a certain community in all four maps?

10 I think that's fine if we're able to do that and there's
11 no conflicting testimony. That's great, that's really easy
12 for us to do that. But in a situation where we do have
13 conflicting testimony, which is most of the places that we've
14 looked at, then, you know, what do you do? You pick one -- to
15 me, that seems more arbitrary than anything else.

16 COMMISSIONER BLANCO: This is a nice philosophical
17 discussion, but what I would take away from it is maybe
18 Commissioner Ancheta's point which is when we are using
19 implied assumptions, let's not let them override the stated
20 prioritized criteria. And so let's be mindful when we get to
21 one of those situations where we're trying to untangle a
22 complicated decision, that we don't use a concept that may
23 feel more comfortable but overrides the criteria. And I'm
24 going to give Commissioner Yao a final word and then I want to
25 take a five-minute break and go into our final discussion and

1 decision.

2 COMMISSIONER YAO: I think we need to go further than
3 that. I think we use the concept of Share the Pain as a way
4 to make decisions during the draft map where we need further
5 information and where we have a little more time and on and
6 on.

7 The Share the Pain concept is in direct contradiction of
8 doing things consistently. In other words, if you made a
9 decision to -- because it's necessary to split a certain
10 community, a certain street, a certain neighborhood, and on
11 and on, you can't use another concept to say that, well, I'm
12 going to do it differently in a similar situation. So I think
13 we need to reject this concept of sharing the pain after --
14 from this point on and try to correct any situation where we
15 have lean in that direction just so that we can do things
16 consistently. I think doing things consistent -- doing things
17 in a consistent manner is something that's either directly or
18 by implication that we have to do.

19 COMMISSIONER BLANCO: Before we take the break I'm going
20 to give Mr. Miller one more chore which is to maybe enumerate
21 about whether we are -- this creates a vulnerability in terms
22 of inconsistency, you know, when somebody wants to take issue
23 with our maps whether what we think is a fair way of dealing
24 with competing interest, in fact, exposes us to some notion of
25 inconsistency. So that would be really helpful.

1 MR. KIRK MILLER: Do you know when you'd like to revisit
2 that topic?

3 COMMISSIONER GALAMBOS MALLOY: I think, if it's possible,
4 I would say it would be useful before we go into our
5 congressional deliberations tomorrow because it will impact
6 how we think about different COIs.

7 COMMISSIONER BLANCO: Tonight's homework.

8 MR. KIRK MILLER: I'll be glad to discuss with the
9 commission when we next meet.

10 COMMISSIONER BLANCO: Okay. Thank you. Five minutes and
11 then let's go on to Mr. Miller's presentation on the numbering
12 of the districts.

13 (Whereupon, a brief recess was taken.)

14 COMMISSIONER BLANCO: Commissioners, please take your
15 seats.

16 We have discussion that Mr. Miller's going to lead us
17 through on the numbering of the districts, the odd/even issue.
18 We need to decide today, so even though we had planned to go
19 to till 5:00, because we're running late, we're going to go
20 until 5:15 or until we finish this conversation I'm not
21 letting you out of here till we take a vote. So let's go.

22 MR. KIRK MILLER: There are two issues for the commission
23 to decide today. One is within the very narrow parameters
24 that the constitution gives you, how to number the maps. And
25 two, when the maps should receive a number for the public.

1 Now, I'm going to read this because it's so short and I'm
2 going to abbreviate what's here. Here's what it says:

3 "Districts shall be numbered consecutively commencing at
4 the northern boundary of the state and ending at the southern
5 boundary."

6 Were you able to hear me? That's all it says.

7 Now, we know that this is nonetheless of extreme
8 importance to incumbents, candidates and to people who live in
9 these districts so we got to start in the north. All right.

10 Choices would be simply to choose either, let's say, Del
11 Norte or Siskyou which pretty much covers the entire Oregon
12 border from the ocean to the neighboring state, I guess that's
13 Idaho. You can start and I think you need to make a decision,
14 do you want to start at the coast or do you want to start at
15 this inland district numbering north to south, and then you
16 can go across the state all the way down, of course, to
17 Mexico. That's one way to do it. It's pretty random, but
18 it's entirely consistent with the constitution.

19 I understand Commissioner Yao has come up with an idea
20 that I think is also worth considering. You don't change the
21 north/south, of course, but the suggestion is, as it was
22 explained to me was to try to match any new district with its
23 old number to the extent that 50 percent could it be of the
24 geography, of the land mass, or of the population, either way,
25 matches the old district.

1 There's nothing improper, and you can do it this way,
2 which would be similar, you could simply overlay the old
3 districts on top of the new and make a best effort to match
4 the old with the new. Doing that, particularly as it relates
5 to the senate, would cause the least disruption for people
6 vis-a-vis who their likely representative is and try to
7 maximize the number of districts where the election occurs for
8 that district on the regular schedule, if you will.

9 Do keep in mind that there's nothing different about this
10 challenge this time as compared to any redistricting
11 previously. There's nothing about our process that makes it
12 either easier or more difficult.

13 So those are just some options, and there may be others,
14 as long as we abide by this very general high level
15 requirement of north to south. So that's point one.

16 Point two, might as well just cover them at the same time
17 is when to number them. Again, it doesn't speak to this. I'm
18 going to make a suggestion for the commission to consider that
19 you wait for the final maps to put numbers on them. And this
20 would be the reason why: We're going to get plenty of input
21 without it. Attaching them might change the nature of the
22 input received, such as that it becomes more driven by
23 elected -- current electives, current incumbents who we cannot
24 legally consider and that input might be masked, if you will,
25 under other criteria when, in fact, it's driven by politics in

1 a different way.

2 Now, that's just for consideration and, you know, think
3 of your own experience in receiving input and whether that's a
4 concern or not. I suppose the other side of the coin would
5 be, in fairness, you might get some useful input on how
6 districts are numbered and then end up changing those as part
7 of the process. The risk and -- it is inevitable, would
8 then -- might then be the allegation that that was done to
9 accommodate an incumbent, which, of course, is precluded by
10 the constitution.

11 So I guess at the end of the day we can say this has the
12 same kinds of challenges that all the other aspects of the job
13 do, a balancing competing interest within a modest framework
14 of rules.

15 COMMISSIONER BLANCO: Do you have a recommendation?

16 MR. KIRK MILLER: I believe that it makes sense to try to
17 capture the existing districts as they relate to the new
18 districts to the extent that it is feasible.

19 Now, one thing you can do on this is request Q2 to look
20 at it and report back. Do they line up well enough to try to
21 make that effort worthwhile, and see if there's a benefit to
22 that. And if not, then I guess what I would do is this:
23 Check -- I didn't check before coming whether district one is
24 in Del Norte or in Siskyou but I would leave it the same and
25 then start using the current district one, which we know we're

1 going to be able to find on these maps because it's in an
2 unpopulated area.

3 COMMISSIONER BLANCO: So you have two alternative
4 recommendations; one, if there really was a lot of overlap, go
5 with Yao model, the Yao plan. Or if it turns out that our
6 districts look so different that that's not really worthwhile,
7 just take the numbering as it exists now; I think it goes
8 west/east, I think, I'm not positive, and just keep that
9 number -- use the same system of numbering and that way at
10 least there's another form of consistency there.

11 Are those the two things in front of us?

12 MR. KIRK MILLER: Exactly.

13 COMMISSIONER BLANCO: Okay. All right. All right. Let
14 me get my cue. Be honest and tell me who had their hand up
15 over there. Connie. All right.

16 Who else has their hand up?

17 COMMISSIONER DAI: I did.

18 COMMISSIONER BARABBA: I was ahead of Cynthia.

19 COMMISSIONER BLANCO: Did you have your hand up, Jodi?
20 Okay.

21 Commissioner Galambos Malloy, Commissioner Barabba and
22 Commissioner Dai.

23 COMMISSIONER GALAMBOS MALLOY: A comment in both points
24 and thank you, Mr. Miller, for the work that went into this
25 initial analysis.

1 From the earlier times when this topic has come up before
2 the commission, I don't know that we ever made a formal motion
3 on it, but it seemed like there was consensus that we wanted
4 to do the least harm and that whatever of the options that
5 minimizes the issue of deferral is really what we would
6 gravitate towards. And so along those lines I am intrigued by
7 the Yao method, I think I would be interested in directing Q2
8 to do some analysis of what would actually cause the least
9 harm and least amount of disruption for the voters. And then
10 use that to inform the decision that we would make.

11 On the second point regarding when to do the numbering, I
12 just wanted to remind the commission and acknowledge that I
13 think we had decided that on our second draft maps that we
14 would provide the numbering system and then allow the public
15 an opportunity to weigh in on that. I think the points that
16 Mr. Miller raises regarding, I think, the unintended
17 consequences of releasing a number scheme in that second draft
18 are significant enough that this is making me rethink whether
19 that is, in fact, the best strategy.

20 And I think, clearly, we do have the opportunity to
21 change whether we want to do that in the second round. I
22 think that what we really need as feedback on the maps and we
23 can always solicit as we solicit feedback on the second draft
24 maps more general comments or guidance, direction around
25 how -- what numbering scheme we might use without having

1 something tangible to respond to.

2 And I'll leave it at that for now. I'm interested to
3 hear what my fellow commissioners think on these two issues.

4 COMMISSIONER BLANCO: Commissioners Barabba.

5 COMMISSIONER BARABBA: Depending on how we number -- it's
6 conceivable that an area could be without an elected official
7 if we created a district and that person, the incumbent,
8 didn't live there. Has that been dealt with before?

9 MR. KIRK MILLER: Yes, it has. Although that person is
10 still the elected representative until the next election.

11 COMMISSIONER BARABBA: Thank you.

12 COMMISSIONER BLANCO: Commission Dai.

13 COMMISSIONER DAI: Yeah, I also like the Yao model. I
14 think that would be a relatively easy thing for Q2 to do an
15 analysis of the district and three of the old districts should
16 be relatively easy to figure out, you know, what percentage
17 for odd versus even before and choose the one that defers the
18 fewest number of people.

19 I think if we develop a general principle like that,
20 which is we want to minimize the harm, I actually don't think
21 we're going to have a lot of objection to that kind of
22 numbering scheme.

23 So -- so I would move that we go forward with that and
24 unless there is an issue with Q2 being able do that analysis
25 in time for the second maps, I would move that we just go

1 ahead and put numbers on the second draft maps, which is what
2 we had originally committed to because I think it's naive to
3 think that our processes already have not been affected by
4 elected officials. I think we've seen evidence of that, may
5 not be appearing in person but certainly their constituents
6 have. So taking that into consideration already, so I don't
7 think that's going to make that much difference.

8 COMMISSIONER BLANCO: Other commissioners? Commissioner
9 Filkins Webber, Commissioner Ancheta.

10 COMMISSIONER FILKINS WEBBER: I agree, as well, with
11 Commissioner Yao's suggestion but I do think we may need to,
12 following up on Commissioner Dai's suggestion, actually set
13 aside a time to look at this. Because I, in particular, just
14 as an example because I did pull it up, you know, Riverside
15 County may have more senate districts and I think that there
16 might be some other areas as well. And these numbers are --
17 which I never looked at until just right now are all over the
18 place; you go from the coast to the inland, and you might be
19 significantly impacting certain areas. So I think -- even
20 though we might decide to do an overlay, we might need to
21 agendize an actual discussion in looking at the numbers if we
22 ask Q2 to put something together, and relook at the population
23 that may be impacted by assigning a given number because I can
24 see that there might very well be areas -- it's not
25 necessarily just an area of changing a number but actually

1 areas that are having added districts, especially given the
2 population growth if Riverside, you're going to significantly
3 impact quite a number of people. So we definitely can't just
4 look at it as overlay, we really need to look at those
5 significant populations that will be assigned probably a new
6 number and what effect it will have on that population and we
7 talked about overlay.

8 COMMISSIONER BLANCO: Commissioner Ancheta.

9 COMMISSIONER ANCHETA: Just on a couple points, I agreed
10 that we should, as we have committed to do, number them for
11 the second draft. I'm not so concerned about who's going to
12 comment on it. In fact, looking at the constitution, and I
13 think incumbents might just want to weigh in on this because
14 it doesn't say we have to number -- can't draw them. That's
15 very strict construction, I'm not a strict constructionist
16 usually, but one can interpret that in terms of trying to
17 develop testimony. So anyway, I think we might hear from
18 incumbents directly or from their staff on this issue.

19 I would like Q2 to work on this, they can produce
20 deferral it's pretty strict -- it's actually pretty easy for
21 them to generate a report. I'm not sure how much Commissioner
22 Yao's model might require extra time, might not, it's not a
23 lot of work to do. So I support getting the report from Q2
24 regarding the various impacts based on direct deferrals and
25 the alternative models suggested.

1 COMMISSIONER BLANCO: Does anybody disagree with the
2 notion of a policy that minimizes deferral based on a report
3 by Q2? Okay. So that's our first decision that we will try
4 to do the numbering with the policy of minimizing the number
5 of people impacted by the deferral issue. Okay.

6 Is it on this? Yes, Commissioner Parvenue.

7 COMMISSIONER PARVENUE: Ten years ago, I think, as a
8 benchmark, I think the deferral rate was about 5,000. Should
9 we aim to be somewhere in that area using that as a benchmark
10 or to be there or less? Is it possible for us to do better
11 than that? Or -- we don't know yet, of course, but at least
12 establish a range where we should --

13 COMMISSIONER BLANCO: I -- well, I'd like to hear from
14 other commissioners on that.

15 Commissioner Dai.

16 COMMISSIONER DAI: I think that our districts in many
17 cases are different from existing ones, so I think it's going
18 to be very hard to predict and try to compare it to a map that
19 was -- I don't know that that's a useful metric. I think
20 we're going to have deferrals and try to minimize them.

21 I just also wanted to clarify for the commission and also
22 the viewing public, it's not about your number, it's about
23 whether it's odd or even. So if you're even and you change to
24 even, it doesn't change anything. I don't know a lot of
25 constituents who are particularly wedded to a number, I think

1 they care whether it's odd or even, so just clarify.

2 COMMISSIONER BLANCO: I just really want to underscore
3 what Mr. Miller pointed out that this has nothing to do with
4 our new constitutional criteria, this is something that
5 happens every ten years and so to the extent that people are
6 going to be dissatisfied, they're dissatisfied every time this
7 happens, not because we're adopting some new criteria for the
8 first time. So that will -- and we'll talk about who will
9 convey this to -- will the technical committee ask for Q2 to
10 run this analysis for us?

11 COMMISSIONER DIGUILIO: I went ahead and put that note
12 down in terms of referral report and then the Yao -- call it
13 the Yao model. So you'd like both of those?

14 COMMISSIONER BLANCO: Yeah, let's do --

15 COMMISSIONER DIGUILIO: I missed the beginning part of
16 the conversation so I'll check --

17 COMMISSIONER BLANCO: I don't think they're unrelated.
18 They're the same.

19 COMMISSIONER DAI: They're the same.

20 COMMISSIONER BLANCO: In other words, which system of
21 numbering maintains the largest number of people, same
22 concept?

23 COMMISSIONER DIGUILIO: I'll check with them.

24 COMMISSIONER BLANCO: Now, on the issue of whether we
25 should number -- stick to our decision of numbering the

1 districts on this next set of maps or not, I've heard a couple
2 comments but we need to decide whether we stick with that date
3 or not. I just want to start by saying I am a little -- I am
4 kind of persuaded by Mr. Miller's argument that I would like
5 to get as much quality about the content of these districts,
6 get that -- a lot of testimony about that on this next round
7 and not have a lot of noise, including the way that the
8 newspapers articles talk about this, people get all caught up;
9 and so and so is going to this and that and who's going to
10 he -- and that becomes the way that the new maps get reported
11 rather than discussions about the community's interest, or the
12 issues, you know, about whether we've respected this boundary
13 or not, it gets caught up in this other conversation. So I
14 have a preference but I'd like to hear from other folks on
15 this.

16 Commissioner Barabba and Commissioner Raya.

17 COMMISSIONER BARABBA: Commissioner Raya was first.

18 COMMISSIONER BLANCO: Okay.

19 COMMISSIONER RAYA: Yeah, this -- we have heard a lot of
20 comment in public testimony and all testimony directed to
21 the -- or about the incumbent and people framing their
22 arguments in the context of who their current representative
23 is. So I'm not sure that would really change, but I do think
24 there could be an element of confusion because we've even
25 heard that in the hearings people say I'm talking about my

1 District 8024, whatever it is, and then there's sort of a
2 scramble to say, what is that? And if we -- something, 8024
3 is now a new thing over here somewhere, I can just -- it's you
4 know, going to be more difficult to sort through testimony. I
5 don't know, it could go either way.

6 COMMISSIONER BLANCO: Commissioner Barabba.

7 COMMISSIONER BARABBA: My concern is that there's going
8 to be a lot of movement of the maps over the next several
9 weeks and asking Q2 to deal with a moving map is going to be
10 harder in that. And we're going to have a hard time drawing
11 the maps in the next two weeks and adding yet another level of
12 discussion, I think it could be a distraction and I also think
13 that it would be -- we'd be hearing a lot more about
14 individuals than we are districts.

15 COMMISSIONER BLANCO: Commissioner DiGuilio.

16 COMMISSIONER DIGUILIO: That's my testimony.

17 COMMISSIONER BLANCO: Commissioner Forbes.

18 COMMISSIONER FORBES: That's my concern, too. I don't
19 think we need to create a bunch of political noise, which is
20 what we'd end up with. I think rather focus on the maps
21 themselves and the numbers will take care of themselves.

22 COMMISSIONER BLANCO: Commissioner Ancheta, Commissioner
23 Dai and then Commissioner Yao.

24 COMMISSIONER ANCHETA: The problem I have with waiting to
25 do the numbering to the end is that you basically preclude any

1 public commentary on the numbering. So people say what they
2 want to do now, but unless they have something to respond to
3 we won't comment. So if you basically wait until the end
4 there is no opportunity to comment, and I think that is not in
5 keeping with the spirit of the whole process at this point.

6 COMMISSIONER DAI: I would agree with Commissioner
7 Ancheta. And I also think that the political noise is going
8 to happen no matter what we do. And, again, since we've
9 already adopted this principle of minimizing deferrals, you
10 know, that's going to be the response, we minimize deferrals.
11 You may still want your representative or whatever, but that's
12 not something we can consider. I don't think it will actually
13 make that much of a difference, and I think giving people a
14 number that they can refer to the district when they make
15 comments will be a lot easier.

16 COMMISSIONER BLANCO: Commissioner Yao.

17 COMMISSIONER YAO: It's been said.

18 COMMISSIONER BLANCO: Which one? A lot of things have
19 been said.

20 COMMISSIONER YAO: Cynthia said my view. Thank you.

21 COMMISSIONER BLANCO: Okay. Let me just do a little
22 quick show of hands, how many people want to stay with the
23 current commitment to release the next set of maps with
24 numbers on them? Can somebody tell me from over there?

25 MS. JANECE SARGIS: Six.

1 COMMISSIONER BLANCO: Come on, you guys, raise your hand,
2 don't be tentative.

3 MS. JANECE SARGIS: Six.

4 COMMISSIONER GALAMBOS MALLOY: Commissioner, I know
5 you're trying to kind of take the pole, I just want to say I
6 think I'm somewhere in the middle. I'm interested in
7 Commissioner Dai's initial suggestion which is having some
8 very clear policy statement about what our approach will be
9 for dealing with the numbering, but I am not necessarily as
10 wedded to having the numbering scheme attached to the maps
11 that will come out on July 14th. I would be interested in
12 public comment and reaction to the policy concept and then we
13 could go through the exercise of applying it afterwards.

14 COMMISSIONER BLANCO: And that's where I am as well. And
15 I know that we have had a lot of surrogates show up, but you
16 know advocating for their electeds and that's fine.

17 But I really do think that because we've got -- we've
18 ungerrymandered so many districts and got so many new
19 districts, this could be the story that takes over. Really
20 what I would hope would be a conversation about the districts
21 themselves and what they look like, and I just -- I don't
22 think it precludes people from commenting if we let them
23 comment on the notion of the policy that we're going to
24 propose, and they can testify about that policy as well and
25 they won't be testifying about their particular district and

1 how the policy was applied or who lost out and who didn't,
2 they'll be talking about the policy.

3 So I like Commissioner Galambos Malloy's approach which
4 is people can comment on the policy we've adopted but they
5 don't have to get into, you know, this, that -- I'd like to
6 get rid of the political noise at this point and stick to
7 comments about the maps.

8 So can I have -- if we have a motion, it has to be to
9 change, because we do have a decision to release the numbers
10 with the next set of maps. So the motion would have to be to
11 push it back to the final set.

12 COMMISSIONER GALAMBOS MALLOY: So I'd like to make a
13 motion that we -- for the second set of draft maps which will
14 be released on July 14 that instead of releasing numbered maps
15 that we will release a policy statement regarding our approach
16 in numbering districts in numbering the final maps.

17 COMMISSIONER BLANCO: Do I have a second?

18 COMMISSIONER FORBES: Second.

19 COMMISSIONER BLANCO: That is second by commission
20 Aguirre.

21 More discussion? Commissioner Dai.

22 COMMISSIONER DAI: This will be my final appeal. I think
23 it's good to release the policy statement. I do think that
24 we've had people referring to their districts as numbers
25 anyway, which is confusing, because we often don't know what

1 they're referring to. I think if we release the number we'll
2 know at least what they're referring to and that will actually
3 help the quality of our testimony rather than detract from it.
4 So I don't think the political noise -- I think the political
5 noise is going to be there regardless of what we do.

6 COMMISSIONER BLANCO: Commissioner Filkins Webber.
7 Commissioner DiGuilio and then I'm going to ask for public
8 comment and then we're going to vote.

9 COMMISSIONER FILKINS WEBBER: I concur, the political
10 noise already exists, as far as politicians identifying
11 districts they may run in regardless of the number. I also
12 concur with Commissioner Ancheta's point, which is we're not
13 providing sufficient opportunity for them to provide public
14 comment on the numbering. I feel we have gotten significant
15 public input on all kinds of issues from the beginning of this
16 process and if something comes up that might very well be
17 significant, if something that we overlooked I would like
18 sufficient time for us to work on that before we get to the
19 final draft.

20 So this will give us an opportunity from hearing from the
21 public about the numbers that are proposed and I, again, I
22 think we have to live with the, you know, political revelings
23 we're going to hear either way. The point in that we have an
24 open transparent process and would very much like to hear from
25 the public on the issues as clearly as possible. So I would

1 concur to have the numbers on the second draft maps.

2 COMMISSIONER BLANCO: Can I ask you, Commissioner Filkins
3 Webber, what do you think people would be commenting if not
4 about their elected, what would they be saying about the
5 number?

6 COMMISSIONER FILKINS WEBBER: There have been quite a
7 number of individuals who have provided us technical details.
8 I think we've had some members of the public that have given
9 us city split details, given us a lot of technical information
10 and I think what we're going to get is an analysis of actual
11 population deferral and I think with the numbers and the
12 increase in population that we had in certain areas, it's
13 going to significantly impact a number of voters, especially
14 where the largest increase of population has incurred.

15 So if by chance we're looking at the entire state, we
16 might very well have individuals that might be able to point
17 out issues in particular areas that may not have been, you
18 know, on the top of our mind or may have gotten overlooked in
19 the process. So I really feel we've had good technical
20 expertise from some members of the public that have really
21 analyzed this issue and could probably aid in our decision
22 making in that regard.

23 COMMISSIONER BLANCO: Thanks.

24 Commissioner DiGuilio.

25 COMMISSIONER DIGUILIO: I guess I'm looking at the same

1 issue on the other side of the coin as Commissioner Filkins
2 Webber. If we do the analysis ahead of time, then we will
3 kind of make a decision as to what is the appropriate way to
4 number that minimizes the harm. So we will invent that
5 already so we're just applying our own policies to these maps.
6 So whether we do it in the second draft or the last one, I
7 don't see a significant amount of change that will be taking
8 place. Even to get COI testimony on our numbering system, I
9 don't see how we'll be changing it. I feel since the second
10 drafts are in some ways kind of our best guess that we're
11 doing this right with a little bit of nuances, but it's pretty
12 much what we're going to be releasing in a lot of ways with
13 some element of changing it on a very small scale, why not put
14 the numbers on because it's not as if -- I feel like if
15 there's going to be a lot of chatter, let the chatter happen
16 then, then when we're done with our final maps the chatter's
17 done, we move on. It's kind of like -- I look at this like it
18 may be a bitter pill for people to swallow; here it is, take
19 your medicine, and now we have to move on and keep the process
20 moving forward. I just don't see how deferring -- somehow
21 deferring this pain serves a process better for anybody.

22 COMMISSIONER BLANCO: Okay. I'm going to take public
23 comment on this. Any member of the public that wants to
24 comment on this issue, the precise issue that we're commenting
25 on is the change of date.

1 COMMISSIONER GALAMBOS MALLOY: For the numbering.

2 COMMISSIONER BLANCO: For the numbering of the districts,
3 that's the issue, that's the motion that has to be commented
4 on.

5 MS. DEBORAH HOWARD: Well, I would precisely say I would
6 not support not releasing -- I don't know how to answer that
7 question.

8 I would urge you to release the numbers as you had
9 indicated previously for some of the reasons that you have
10 mentioned already in that it will allow opportunity for the
11 public. There is already political chatter, you're not going
12 to end that, but I also think that not all deferrals are
13 equal. I understand that possible defers of section five and
14 section two districts count more than others and it could be
15 an issue with the justice department and I think having that
16 out early is better than having it out late. So I think you
17 should stick to your guns and release it when you had
18 indicated. Thank you.

19 COMMISSIONER BLANCO: Thank you.

20 Anymore public comment on this issue?

21 I think Commissioner Galambos Malloy has a point.

22 COMMISSIONER GALAMBOS MALLOY: Yes. I greatly
23 appreciated the conversation and I do think it would behoove
24 our commission to build more time rather than less to deal
25 with issues that may arise and I do -- in thinking of this

1 past week when we had -- in looking at the work plan suggested
2 that we actually shift our date for the final public comment
3 to influence the second round of draft maps to the 24th, and
4 really what a difficulty this was for the public who has had a
5 very clear time line to work with for many months and the idea
6 of changing that. So I think because of all those factors we
7 should do our best attempt to go ahead and number the draft
8 that's coming out. So I would like to withdraw my motion,
9 unless somebody would like to make a motion, otherwise.

10 COMMISSIONER BLANCO: Does somebody want to make the
11 motion to withhold the numbering until our final set of maps?

12 Hearing no motion, we stick with our date. And we will
13 adjourn until 6:00 o'clock at which time we will commence our
14 public input hearing.

15 -oOo-

16 (Whereupon, the meeting concluded at 5:09 p.m.)

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1 STATE OF CALIFORNIA)
) ss.
 2 COUNTY OF FRESNO)

3

4 I, MIRANDA ANTHONY, CSR NO. 13453, in and for the
 5 state of California, do hereby certify:

6 That the foregoing proceedings were taken before
 7 me at the time and place herein set forth; that any
 8 witnesses in the foregoing proceedings, prior to
 9 testifying, were duly sworn; that a record of the
 10 proceedings was made by me using machine shorthand which
 11 was thereafter transcribed under my direction; that the
 12 foregoing transcript is a true record of the testimony
 13 given.

14 Further, that if the foregoing pertains to the
 15 original transcript of a deposition in a Federal Case,
 16 before completion of the proceedings, review of the
 17 transcript [] was [] was not requested.

18 I further certify that I am neither financially
 19 interested in the action nor a relative or employee of any
 20 attorney or party to this action.

21 IN WITNESS WHEREOF, I have this date subscribed
 22 my name.

23 Dated: _____

24

25

MIRANDA ANTHONY
 CSR NO. 13453