#### BEFORE THE

# CALIFORNIA CITIZENS REDISTRICTING COMMISSION

In the Matter of

Full Commission Business Meeting

University of the Pacific, McGeorge School of Law

Classroom C

3200 Fifth Avenue

Sacramento, California

VOLUME II

Wednesday, June 29, 2011

1:00 P.M.

Reported by: Kent Odell

#### **APPEARANCES**

# Commissioners Present

Peter Yao, Chairperson

Cynthia Dai, Vice Chairperson

Angelo Ancheta

Gabino T. Aguirre

Vincent Barabba

Maria Blanco

Michelle Di Guilio

Stanley Forbes

Connie Galambos Malloy

Lilbert "Gil" Ontai

Michael Ward

# Commissioners Absent

M. Andre Parvenu

Jeanne Raya

Jodie Filkins Webber

#### Staff Present

Dan Claypool, Executive Director

Kirk Miller, Legal Counsel

Janeece Sargis, Administrative Assistant

Raul Villanueva, Business Manager

Deborah Davis, Budget Officer

#### APPEARANCES (CONT.)

# Staff Absent

Rob Wilcox, Communications Director

# Also Present

Tamina Alon, Q2 Data & Research, LLC

George Brown, VRA Attorney, Gibson, Dunn & Crutcher

Jamie Clark, Q2 Data & Research, LLC

Karin Mac Donald, Q2 Data & Research, LLC

# Public Comment

Trudy Schafer, League of Women Voters of California
Rick Gonzales, Mexican American Concilio of Yolo County
Eugene Lee, Asian Pacific American Legal Center, L.A.

Tom Hiltachk, CA Institute for Jobs, Economy, and Education

Astrud Garcia, NOLEO Educational Fund

Jim Wright, San Jose

Debra Howard, CalChamber Cal Institute

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- 1 2 JUNE 29, 2011 1:08 P.M. 3 CHAIRPERSON YAO: We have a quorum in the room, 4 so let's proceed onto the next region. Commissioner Dai? 5 VICE CHAIRPERSON DAI: Yeah, actually I would 6 like to make sure we give Commissioners Ancheta and 7 Barraba a chance to talk about the public Comment from 8 Region 8 and the problem spots that we're going to try to 9 have Q2 resolve for us now that we've decided, at least 10 made an initial assumption, that we're going to go with 11 this Section 5 Monterey District, which affects 12 everything north of it. So, with that, who would like to 13 do the overview for -- okay, Commissioner Ancheta. 14 COMMISSIONER ANCHETA: I can go over some of that 15 and, obviously, some of the Comments apply across 16 different types of maps; for example, there is a lot of 17 Comment here, for example, on the Senate maps, which I'll 18 simply highlight, some of the over-arching trends. 19 We do have some Concerns, again, about 20 particularly the Communities of interest, or Common 21 interests across some of the City boundaries. We've 22 already touched on the Berryessa, Milpitas, Fremont
- 23 interests. The San Jose hearing, we did get a little bit 24 of additional testimony regarding some of the smaller
- 25 neighborhoods, Evergreen which has a high Vietnamese

- 1 population same as the Little Saigon, or the Commercial
- 2 area, as well in San Jose, quite a lot of testimony about
- 3 East San Jose and the Alum Rock area. Not entirely Clear
- 4 guidance about which way you should go, although this
- 5 Clearly was an interest in trying to save the downtown,
- 6 but Certainly trying to maintain the integrity of Latino
- 7 population there.
- 8 In Southern Santa Clara County there has been
- 9 trying to maintain as much as possible that southern
- 10 Cluster of Cities, Morgan Hill, Gilroy, San Martin,
- 11 again, we're violating that in terms of the Section 5
- 12 District, but I think we have to do that in order to
- 13 Comply with Section 5. There are some testimony around
- 14 trying to maintain sort of the farm worker interests that
- 15 go into the southern part of starting with the southern
- 16 part of Santa Clara County, going into Salinas and
- 17 Watsonville.
- 18 We've had some responsive testimony from sort of
- 19 the Santa Cruz area regarding and, again, this is being
- 20 affected by how we're now looking at the Section 5
- 21 Congressional District -- about joint interests between
- 22 sort of Santa Cruz and if you're going northward,
- 23 basically, into some of the Silicon Valley, whether that
- 24 is an appropriate place to go. Our options, I think,
- 25 were limited having to do that, but there has been some

- 1 Concern about that.
- 2 And then, not on this level of maps, but a lot of
- 3 Commentary regarding the Monterey Merced nesting of the
- 4 Senate Districts.
- 5 VICE CHAIRPERSON DAI: Let's stick to
- 6 Congressional right now.
- 7 COMMISSIONER ANCHETA: Right. But this was the
- 8 general flow, a lot of Commentary on that one, which
- 9 tended to dwarf a lot of the other more recent
- 10 Commentary. Commissioner Barraba can add to that.
- 11 COMMISSIONER BARRABA: I concur; the conversation
- 12 was primarily focused on the Senate side because it was
- 13 that intrusion. And we heard on both sides of the
- 14 mountain.
- 15 VICE CHAIRPERSON DAI: I would add that Silicon
- 16 Valley COI, they finally actually gave us a map, so they
- 17 talked about the Golden Triangle; there may be some
- 18 implications since we also have very strong testimony
- 19 about East San Jose and downtown, so I don't know if it's
- 20 possible to kind of look at that Combination.
- 21 COMMISSIONER ANCHETA: Thank you. I skipped over
- 22 that in my notes. The Silicon Valley Community, which I
- 23 think we've gotten some testimony regarding sort of the
- 24 breadth of the area, it is a large area, but it does help
- 25 in looking at trying to link some of the Cities or

- 1 maintain Certain Cities such as Cupertino, Sunnyvale,
- 2 Santa Clara, trying to keep those together as much as
- 3 possible.
- 4 VICE CHAIRPERSON DAI: Personally, it was
- 5 interesting to me that they left out Fremont and Newark
- 6 from that.
- 7 COMMISSIONER ANCHETA: I think that's most of the
- 8 basic assumptions there because Section 5 has been
- 9 driving a lot of our thinking in this region.
- 10 VICE CHAIRPERSON DAI: Okay, let me open it up to
- 11 the full Commission. Is there anyone else who has any
- 12 other further Comment, any other hot spots that we missed
- 13 based on public testimony for Region 8, San Jose, Santa
- 14 Clara area? Santa Cruz? Okay, so in terms of direction,
- 15 let's try to be Clear, the new --
- 16 COMMISSIONER DI GIORGIO: I just want to Clarify.
- 17 So, those are kind of the summary. I'm just kind of
- 18 Curious if Commissioner Barraba or Commissioner Ancheta
- 19 had looked at the implications for that Section 5 and if
- 20 they want to give us a brief -- or maybe our Mapper, how
- 21 that would generally impact these areas, just for those
- 22 of us who haven't looked at it that Closely.
- COMMISSIONER ANCHETA: Yeah, I think Tamina Can
- 24 highlight some because, again, we really only sort of
- 25 settled on something yesterday regarding that option,

- 1 we're now sort of trying to pursue the initial starting
- 2 point, maybe she Can talk about some of the implications
- 3 as you go northward and the effects up through Alameda
- 4 County, as well.
- 5 COMMISSIONER BARRABA: Then there's a Concern
- 6 with Merced, then you're having to go east or south
- 7 relative to the Merced District.
- 8 VICE CHAIRPERSON DAI: Not for Congress. Okay,
- 9 so Tamina, Congress. Do you want to Comment? And we're
- 10 going with this latest Section 5 District. What are the
- 11 implications?
- MS. ALON: Okay, well, we explored two different
- 13 options. If we go with the Monterey District which takes
- 14 Gilroy, basically what happens is that you get about
- 15 4,700 people who are pushed up into the SNMSC District,
- 16 so the South San Mateo District, and so the question is
- 17 how you want to balance that. So, in one option, what we
- 18 did is we pushed that population northward and so that
- 19 rippled kind of up through the Peninsula, and then you go
- 20 over the Bay. And that would be an option if we do not
- 21 want to affect anything that was going on, or minimally
- 22 affects what was going on, elsewhere. But there is
- 23 another option, which is to take that town, the Tater
- 24 [phon.] District, which is over by 47,000, and the
- 25 adjacent district, which is the Santa Clara District,

- 1 which is under 47,000 -- about 44,000 and just balance
- 2 the two of those. The problem you run into there is that
- 3 you will have to split Cupertino or Santa Clara. We
- 4 talked about moving Saratoga into the San Mateo District,
- 5 but it is still not enough population, so we would have
- 6 to take a little slice off of Santa Clara, or from
- 7 Cupertino.
- 8 VICE CHAIRPERSON DAI: Okay, any thoughts or
- 9 Comments?
- 10 COMMISSIONER BLANCO: No, I just was trying to
- 11 review my notes from the San Jose meeting about the
- 12 Congressional District and I guess we -- how much have we
- 13 split Santa Clara in this on our existing map?
- 14 VICE CHAIRPERSON DAI: Tamina?
- MS. ALON: I'm sorry?
- 16 COMMISSIONER BLANCO: How many times have we
- 17 split Santa Clara County in our existing Congressional
- 18 Map?
- MS. ALON: I believe it was split three times and
- 20 now that we are adding that Gilroy finger in there, then
- 21 that splits it four times.
- 22 COMMISSIONER BLANCO: All right. I just
- 23 remembered that and I have another Comment that says that
- 24 the San Jose seat should be more in San Jose proper, that
- 25 that should really be sort of the Core of the district

- 1 should be in San Jose, that it's the only seat in
- 2 Northern California that Could even ostensibly have
- 3 Latino be an influence district, depending on how it's
- 4 Configured more or less Centered in, you know, which way
- 5 the district goes within Santa Clara. So, that was one
- 6 set of Comments. And I don't know if the folks that
- 7 looked at this looked at this, as well as the fact that
- 8 we had San Jose State University split in two.
- 9 COMMISSIONER DI GUILIO: So, Commissioner Blanco,
- 10 in terms of would you help me out with the reference
- 11 point? Were you saying that you'd like to see so
- 12 you're saying maybe we Could adjust the split in San Jose
- 13 a little bit, too, and maybe to make the other City split
- 14 not be a City split, but incorporated? If that's the
- 15 Case, the Center of San Jose, you are saying, would like
- 16 to go kind of the north as a San Jose-based district? Or
- 17 the San Jose-based district would go to the south? Yeah,
- 18 that area right there that is being highlighted.
- 19 COMMISSIONER BLANCO: My understanding of the
- 20 testimony, some of you were there, as well, is that they
- 21 would want it to go more north? Is that correct? To
- 22 pick up more of San Jose? Did I understand that, or is
- 23 that not what they were saying?
- 24 COMMISSIONER ANCHETA: Well, I don't think it was
- 25 entirely Clear because we did -- or I posed the question

- 1 regarding if you were starting sort of with Alum Rock
- 2 with the east side and how you might want to pair up and,
- 3 again, some were willing to go north and sort of look at
- 4 the Berryessa Fremont linkage, others Certainly wanting
- 5 to go into the downtown area. And then, Tamina, maybe
- 6 you Can -- because part of this, Tamina was working on
- 7 these just late yesterday to even get this option
- 8 together, so we didn't quite figure out, once you went
- 9 with that option, what were the ripples.
- 10 COMMISSIONER DI GUILIO: I guess part of this is
- 11 like, if a City like San Jose, there is a split, so we
- 12 had this discussion earlier about we've had this idea of
- 13 like a 50-50 split in a City, but the idea is really, if
- 14 we're going to do something like a 70-30, where to allow
- 15 for the City to have a little more of itself in one
- 16 district than the other, instead of being split as a
- 17 small part in two districts, where would it go? Is that
- 18 what I'm hearing Commissioner Blanco say?
- 19 COMMISSIONER BLANCO: Right.
- 20 COMMISSIONER ANCHETA: The population of San Jose
- 21 is slightly under a million based on Census figures, I
- 22 think it's 965,000 or thereabouts, and also we're dealing
- 23 with 703,000, so you've got to knock off around 250,000
- 24 people. And, again, maybe Tamina Can Chime in if she's
- 25 thought about that sort of question regarding on the

- 1 SANJO district, how much of that is Core San Jose vs.
- 2 going into Fremont. And, again, I'm not sure if this --
- 3 COMMISSIONER BLANCO: Right. These were the folks
- 4 who were saying they would go south instead of going
- 5 north into, you know, and that that would go more towards
- 6 making the City of San Jose a more hub of a Congressional
- 7 District, instead of the northern part of Santa Clara. I
- 8 think that was the thinking.
- 9 VICE CHAIRPERSON DAI: So I would Comment that we
- 10 had some conflicting COI in this area in terms of the
- 11 West Valley Cities, which I believe included Santa Clara,
- 12 and then, of Course, the Silicon Valley COI, and then
- 13 that overlaps with the East San Jose plus downtown COI,
- 14 so I think we have a number of choices here, options that
- 15 we should allow our Mapper to see which ones, and how
- 16 many of these COIs Can be kept together to avoid splits,
- 17 but the Silicon Valley folks actually started it at the
- 18 County line, which, like I said, was an interesting thing
- 19 for me to see since I know there are a lot of tech
- 20 Companies in Fremont, but they Clearly saw Silicon Valley
- 21 as more Centered around San Jose.
- 22 COMMISSIONER BLANCO: So I guess my instruction
- 23 would be to try and Center it more around San Jose and
- 24 like Commissioner Di Guilio was saying, if you think
- 25 about where the splits would be, that would try and keep

- 1 we know what we heard about East San Jose, but there
- 2 was a lot of testimony about that the Downtown and East
- 3 San Jose sort of form a nucleus of a Community in that
- 4 region and that, whether it was in the Assembly or in the
- 5 Congress, that that's a population that has a long
- 6 history. There was a lot of testimony about that. And I
- 7 think, for Congress that meant for them sort of going in
- 8 a different direction with the Congress.
- 9 So, again, it's conflicting, so I think we need
- 10 to let the Mappers have every option available. I think
- 11 there was also testimony in the first round of hearings
- 12 about Almaden Valley and the Hills, I mean, so there were
- 13 definitely some natural splits in San Jose, there was the
- 14 Cambria Park area, they were okay with going, you know,
- 15 if the Peninsula, so I think, Tamina, just to remember
- 16 all of those smaller areas within San Jose, too, if we
- 17 Can try to -- if we have to split, we do it around those
- 18 areas where they were okay with going in a different
- 19 direction.
- 20 CHAIRPERSON YAO: So are we okay with giving a
- 21 direction saying do not split downtown with East San
- 22 Jose?
- COMMISSIONER BLANCO: Yes, that for sure in the
- 24 Congressional that those be kept together.
- 25 CHAIRPERSON YAO: That is the direction, all

- 1 right.
- 2 COMMISSIONER BLANCO: And then look at how to
- 3 move the district, whether it would move north or south
- 4 in terms of its Core and where it would be divided.
- 5 VICE CHAIRPERSON DAI: Yeah, I mean, I think
- 6 mostly they didn't want to be split, and so that's small,
- 7 I think, within the Congressional, but there is also the
- 8 Evergreen area that we split three times, which is a very
- 9 small area, so we want to try to protect that. Any other
- 10 COIs that we would like her to try to explore keeping
- 11 whole?
- 12 COMMISSIONER GALAMBOS MALLOY: I think that
- 13 Commissioner Ancheta had mentioned the connection between
- 14 Evergreen and Little Saigon neighborhoods, so that was --
- 15 VICE CHAIRPERSON DAI: Yeah, they're right next
- 16 to each other, I think.
- 17 COMMISSIONER GALAMBOS MALLOY: So that was a COI
- 18 to preserve together?
- 19 VICE CHAIRPERSON DAI: I also just want to note
- 20 that Commissioner Galambos Malloy and I noted an implicit
- 21 assumption that we tried to make explicit was that, if
- 22 you notice, we have not Crossed the Bay, so I just want
- 23 to note it for the record that we have not gone over
- 24 east-west bridges. We have received testimony that it's
- 25 essentially okay to go over a little bit on north-south.

- 1 In some Cases we got testimony that is not only okay,
- 2 it's typical, like the Carquinez, the Carquinez is
- 3 something they're totally okay going over the bridge, as
- 4 well as, I think, the Benicia Martinez Bridge. But we
- 5 have not received any testimony that it's okay to Cross
- 6 the Bay Bridge or San Mateo Bridge, so I just want to
- 7 throw that out there in Case anyone wants to relax that
- 8 assumption.
- 9 COMMISSIONER DI GUILIO: So what we've been
- 10 working on, operating on, then, is that we haven't
- 11 because we haven't really got a COI testimony. But how
- 12 would we balance that if, again, this is the indirect way
- 13 of addressing problems, we may not have had a direct COI
- 14 testimony that gives us permission to, or really even to
- 15 say not to, either way, but if we're trying to fix these
- 16 other problems where we have received testimony, then it
- 17 kind of presents the option for us. So are we saying
- 18 that, as a Commission, we give permission to Q2 to
- 19 explore those options so we Can at least see what happens
- 20 in order to fix these other ones that are directly
- 21 related to COI?
- VICE CHAIRPERSON DAI: Thoughts? I mean, I
- 23 personally am kind of in favor of giving Tamina many
- 24 degrees of freedom as possible, given how many natural
- 25 Constraints there are in the Bay Area.

- 1 MS. ALON: Can I just jump in with my thoughts on
- 2 that?
- 3 VICE CHAIRPERSON DAI: Please.
- 4 MS. ALON: So, some of the downtown area or just
- 5 that whole area that we wanted to keep together, we
- 6 explored in the AD district yesterday and, so, looking at
- 7 what it looks like in Congress right now, what you'd be
- 8 doing is putting Fremont back together, but then
- 9 splitting up either Oakland pretty much in half, or
- 10 Cutting through the kind of Lamorinda to San Ramon
- 11 Corridor and splitting that up, and then those will have
- 12 ripple effects going up, as well.
- 13 VICE CHAIRPERSON DAI: Commissioner Galambos
- 14 Malloy?
- 15 COMMISSIONER GALAMBOS MALLOY: Can I ask you to
- 16 repeat it one more time? You said you would split
- 17 Oakland in half, but just go through the whole Chain,
- 18 please, again.
- MS. ALON: Sure. So, pretty much you would be
- 20 moving this SANJO District down, and then you Create that
- 21 as kind of the Center of that area, and so then that
- 22 would pull your districts, and so that would split up
- 23 either your two options basically would be to go up the
- 24 Bay and split Oakland, or to go up the inland and
- 25 probably split like right in the middle of the Lamorinda

- 1 down the San Ramon Corridor, and kind of Cut that in
- 2 half. So, I would suggest looking a little bit northward
- 3 and seeing if you want to disturb all of that, or if
- 4 there are any of those things that you want to keep
- 5 intact because this will dramatically Change the map.
- 6 COMMISSIONER DI GUILIO: I just want to make sure
- 7 that we're looking at the right places, either over there
- 8 in Oakland, or to the east of Oakland in the San Ramon
- 9 East --
- 10 VICE CHAIRPERSON DAI: Lamorinda area.
- 11 COMMISSIONER DI GUILIO: Lamorinda. So it's
- 12 either going to be that the split will be in the Oakland
- 13 part, or in the --
- 14 COMMISSIONER BLANCO: Can you tell us where the
- 15 Oakland split is and exactly where would Lamorinda go,
- 16 and where would the rest of Contra Costa go?
- MS. ALON: I have no idea.
- 18 VICE CHAIRPERSON DAI: I mean, Oakland has a
- 19 Couple of natural breaks, I think, and it is a large
- 20 City.
- 21 COMMISSIONER GALAMBOS MALLOY: I mean, at this
- 22 point, I feel like, Tamina, if you're not able to tell us
- 23 right now where exactly the splits would be, I would
- 24 prefer to give you latitude to Come back to us with
- 25 options. I'm sure there are Configurations of both of

- 1 those options I would be very concerned about; there may
- 2 be others which do less harm and might actually work from
- 3 a regional perspective. So, I'd say go forth and explore
- 4 it.
- 5 COMMISSIONER DI GUILIO: Can we just maybe point
- 6 Tamina to the fact that I think we have discussed where
- 7 splits in both of those areas Could occur. We've talked
- 8 about a split in the past of where it might be acceptable
- 9 to Oakland. I think Commissioner Galambos Malloy
- 10 mentioned that. I know we've also had discussions in the
- 11 whole tri-City up into Lamorinda San Ramon Valley that I
- 12 think maybe even for Senate there are some splits that
- 13 naturally occur in there that we might be able to mirror
- 14 that, as well. So, again, it's giving Ms. Alon the
- 15 opportunity to give us options that we Could look at.
- 16 COMMISSIONER BLANCO: And that's why I was asking
- 17 sort of where because I know we got, early on in the
- 18 first round, when we were looking at the Lamorinda area
- 19 and we heard a lot of testimony. We got testimony that
- 20 said that -- we got a lot of testimony, obviously, about
- 21 the whole Livermore, you know, sort of the East Contra
- 22 Costa, but we got people from Lamorinda which is right
- 23 over the hills, saying that -- there were people saying
- 24 that's more like, you know, the hills of Oakland than it
- 25 is like East Contra Costa, that's why I was sort of

- 1 wondering where the split because I don't think it's out
- 2 of the question that that Lamorinda area, which is right
- 3 through the tunnel and right there, if that's what we're
- 4 looking at, we did have a lot of people split on that
- 5 issue.
- 6 VICE CHAIRPERSON DAI: There was COI testimony on
- 7 that.
- 8 COMMISSIONER BLANCO: Yeah.
- 9 VICE CHAIRPERSON DAI: And then I just want to
- 10 point out, I don't remember if we mentioned this before,
- 11 this is the grab over the hills that we talked about and
- 12 I know Tamina is really reluctant to do it, but the grab
- 13 of San Pablo and El Cerrito over the hills, that that was
- 14 not ideal at all, so we Could try to address that.
- MS. CLARK: I have one Comment on addressing
- 16 that, if I may. It is that, presumably, this Yolo-Solano
- 17 District would Come and grab those, in which Case it
- 18 would be greatly over-populated. And I'm just not sure
- 19 where it would make up the population from as far as the
- 20 surrounding districts go.
- 21 VICE CHAIRPERSON DAI: Can we look because I
- 22 think the fungible area is right there, the top of the
- 23 Contra Costa District, not the west part, but the
- 24 northern part, is where we got a lot of testimony
- 25 supporting going across those bridges, so Certainly

- 1 Hercules and Pinole, which we have in our Current
- 2 versions of the maps. There was also testimony about
- 3 Benicia having a relationship with Martinez, Concord, and
- 4 Pleasant Hill, so that's another option. I think one of
- 5 the issues there is you've got to be Careful not to Cut
- 6 off the Bridge going along the fore there, but --
- 7 MS. CLARK: I don't believe that the population
- 8 exchange would be equal between Benicia and this El
- 9 Sobrante San Pablo area.
- 10 COMMISSIONER BLANCO: It definitely won't be.
- 11 MS. CLARK: So, then, would the direction be to
- 12 split Vallejo?
- 13 COMMISSIONER BLANCO: You know, El Cerrito in
- 14 that area is Contra Costa, you know, people think of it
- 15 as the Bay Area, but technically it's Contra Costa
- 16 County, so, in some ways it is kind of -- I don't think
- 17 it's Crazy for it to be, you know, having a house in El
- 18 Cerrito and being registered, you know, my districts now
- 19 are in Contra Costa, it is part of Contra Costa County,
- 20 it's not Alameda.
- 21 VICE CHAIRPERSON DAI: It's less egregious than
- 22 some other things, perhaps.
- COMMISSIONER BLANCO: Yes, so it's not out of the
- 24 question at all.
- COMMISSIONER GALAMBOS MALLOY: We have had some

- 1 Concern from the public regarding the splitting of
- 2 Richmond, San Pablo, and El Cerrito into separate
- 3 districts, that these are all fairly small Cities. They
- 4 operate as much of a unit, you know, people live in one,
- 5 go to school in another, work in another, and so if you
- 6 Could -- I'm not sure that we went through that on our
- 7 first round of lists, but that's what --
- 8 VICE CHAIRPERSON DAI: Are you talking about
- 9 swinging over the north instead of going across over the
- 10 hills, to swing over the north instead?
- 11 COMMISSIONER GALAMBOS MALLOY: Uh huh.
- MS. CLARK: So that move would split Oakland.
- VICE CHAIRPERSON DAI: Which might be okay.
- MS. ALON: Can I Comment on the numbers here,
- 15 too?
- VICE CHAIRPERSON DAI: Sure.
- 17 MS. ALON: So, if we're looking at a direction to
- 18 make kind of a San Jose-based district, the majority of
- 19 it being San Jose, that would be moving out kind of
- 20 Fremont Newark area, and that's about 140,000 people.
- 21 And so, because of San Jose where it's located, it's
- 22 going to affect both sides of the Peninsula and East Bay
- 23 by a significant ripple, so 140,000. So this isn't going
- 24 to be like, "take this little City and split this little
- 25 City," this is significant movement, so you definitely

- 1 will go over the bridge, you're going to Create a
- 2 district which is San Francisco, Marin, and part of
- 3 Sonoma, you will have split Oakland, you will probably
- 4 split a Couple of the other COIs in the middle here, but
- 5 because it is such a significant shift, I don't even
- 6 think that I Could anticipate the mass kind of ripple
- 7 it's going to have.
- 8 VICE CHAIRPERSON DAI: And you're saying that's
- 9 all Coming from trying to make a San Jose Centered
- 10 district?
- MS. ALON: Uh, yes.
- 12 VICE CHAIRPERSON DAI: So let's not be so adamant
- 13 about that, then? And see if she Could fix some of the
- 14 other ones?
- 15 COMMISSIONER BLANCO: Yeah.
- 17 sounds like the ripple effects are significant, but,
- 18 again, we're trying to maximize the number of COIs we Can
- 19 keep together, so some of these are going to be
- 20 Compatible and some are not, and we just want to
- 21 understand what the ramifications are. Commissioner Di
- 22 Guilio.
- 23 COMMISSIONER DI GUILIO: I think this goes to the
- 24 issue of the San Jose split and maybe even Oakland. I
- 25 think one of the things we're trying to do is not try --

- 1 in these situations we have to be willing to break
- 2 Cities, and I think we have to be willing to break big
- 3 Cities because, generally speaking, a lot of times these
- 4 smaller periphery Cities are the ones that are left on
- 5 the edge, and they're taking a disproportionate brunt of
- 6 what's happening to keep these large urban Centers as the
- 7 dominant part of the district, so I think we have to give
- 8 the latitude for our Mappers to not have so much of the
- 9 burden be borne by these smaller Communities, even if
- 10 that means instead of a whole San Jose District -- and I
- 11 don't think that's what Commissioner Blanco was saying --
- 12 COMMISSIONER BLANCO: No.
- 13 COMMISSIONER DI GUILIO: -- but what Can we do to
- 14 make the split as equitable in a large City and balance
- 15 that with not splitting these smaller ones, so it's not
- 16 going to be taking 140,000 people, that we Can
- 17 accommodate that kind of population shift. So I think
- 18 our Mappers Can deal with that if we give them the
- 19 general direction.
- 20 COMMISSIONER BLANCO: Right, and I think along
- 21 those lines, I do think there's a point at which we Can't
- 22 take the big City populations and split a big City in
- 23 four and use it to feed everything on the periphery.
- 24 VICE CHAIRPERSON DAI: So we want to minimize the
- 25 splits, in general, but in many Cases I think we've

- 1 concluded as a Commission that the splits in the large
- 2 City, it's more likely we Can find a logical split in a
- 3 large City, whereas if you have a really small Community,
- 4 there is often no logical split because they're small
- 5 already, and if we're about fair representation, we don't
- 6 want to further marginalize Communities already
- 7 marginalized because they don't have very many people.
- 8 So, with that, is the general direction -- do you feel
- 9 like you have enough degrees of freedom here to show us
- 10 something?
- 11 COMMISSIONER BLANCO: Can somebody summarize what
- 12 we just did on this area?
- MS. ALON: I'm sorry, so --
- 14 COMMISSIONER BLANCO: What was the main thing we
- 15 were trying to accomplish with this region based on our
- 16 team's instructions?
- 17 VICE CHAIRPERSON DAI: Does the team want to try
- 18 that? Or Can I? Well, I was going to say that we've
- 19 identified a number of hot spot areas there, some very
- 20 small Communities we would like to keep whole, so those
- 21 include Evergreen, Little Saigon area, East San Jose with
- 22 downtown --
- 23 COMMISSIONER BLANCO: San Jose State.
- 24 VICE CHAIRPERSON DAI: And San Jose State, we
- 25 inadvertently split them, so these are small areas that

- 1 we think we Can kind of push around. We have
- 2 acknowledged and we tried to look at a Congressional
- 3 District with the tri-Cities area and I think we are in
- 4 agreement that it has too many painful side effects and I
- 5 will note for the record, as I have before, that they are
- 6 together in the Senate and I think the Compromise is too
- 7 difficult to try to do that. In Congressional, we
- 8 acknowledge a split in the Gilroy, San Martin, Morgan
- 9 Hill area, it Can't be avoided, we want to be Compliant
- 10 with Section 5 and, again, we've noted a number of --
- 11 we'd like to try to keep Richmond whole, we've noted a
- 12 number of other kind of not ideal situations but that are
- 13 somewhat --
- 14 COMMISSIONER BLANCO: Have we united San Leandro?
- 15 VICE CHAIRPERSON DAI: San Leandro is split in
- 16 the Current version?
- 17 COMMISSIONER BLANCO: Yes, we got a lot of
- 18 testimony about that.
- 19 VICE CHAIRPERSON DAI: So let's try to keep San
- 20 Leandro and Richmond whole because they're relatively
- 21 small Communities and --
- MS. ALON: If I Could just make a Comment about
- 23 Richmond?
- 24 VICE CHAIRPERSON DAI: Please.
- 25 MS. ALON: It's that Richmond itself is about

- 1 103,000, but it is not necessarily a Contiguous City and
- 2 there are a lot of smaller and unincorporated areas
- 3 within it, and so it actually gets much larger than just
- 4 the 103,000, which is why it got split.
- 5 COMMISSIONER BLANCO: So did you split the Annex?
- 6 MS. ALON: Yeah, so I tried to Cut along the
- 7 Annex as much as possible, but what the City of Richmond
- 8 Considers to be the City, I quess, there are a lot of
- 9 little neighborhoods which it doesn't Consider to be the
- 10 City, which have significant population, but are not
- 11 within that 103,000.
- 12 COMMISSIONER GALAMBOS MALLOY: I think the
- 13 Challenging part about that, again, to go back to the
- 14 purpose of what we're trying to do here is that
- 15 unincorporated areas, from a land use planning
- 16 perspective and a political power perspective,
- 17 unincorporated areas really Carry the brunt of lack of
- 18 services, just low priority in terms of how planning and
- 19 policy function, and so I understand geographically that
- 20 might work, but I would really like to try and see if we
- 21 Could unite the unincorporated and incorporated areas
- 22 because I feel like, otherwise, we're going to leave them
- 23 really out in No Man's Land, even though it's not a ton
- 24 of people, it has a very significant impact.
- 25 COMMISSIONER BLANCO: And just knowing this area

- 1 very very well, I Can tell you that the Richmond Annex,
- 2 most people think it is El Cerrito anyway, so you Could
- 3 put it in with El Cerrito.
- 4 VICE CHAIRPERSON DAI: That's helpful.
- 5 COMMISSIONER BLANCO: I mean, it is. I mean,
- 6 it's just right there, it's much Closer to El Cerrito
- 7 than it is to Richmond.
- 8 VICE CHAIRPERSON DAI: It looks Contiguous to El
- 9 Cerrito.
- 10 COMMISSIONER BLANCO: It is. So that's just a
- 11 thought.
- MS. ALON: If it's a choice between splitting
- 13 Richmond and splitting Oakland?
- 14 COMMISSIONER GALAMBOS MALLOY: Split Oakland.
- 15 COMMISSIONER BLANCO: Yeah.
- 16 COMMISSIONER GALAMBOS MALLOY: And I say that as
- 17 the Oakland resident here, but I say that because I
- 18 think, as a Commissioner, what we're trying to do is
- 19 enfranchise the maximum number of Citizens possible and
- 20 the impact that a split has on a small City vs. that a
- 21 split has on a larger City is drastically different. So,
- 22 I would say look at a responsible split for Oakland, but
- 23 look at a split for Oakland before you look at one for
- 24 Richmond.
- MS. ALON: Okay.

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1	VICE CHAIRPERSON DAI: Commissioner Ancheta.
2	COMMISSIONER BLANCO: I would agree with that.
3	COMMISSIONER ANCHETA: Yeah. I will only pose it
4	if we're done with this part of the Bay Area.
5	VICE CHAIRPERSON DAI: Are we done? Oh, and
6	then, again, I would look at the West Valley, look at the
7	kind of area around Stanford, you know, you may have to
8	split them, try not to split Cities when you do and
9	COMMISSIONER BLANCO: What are we going to do
10	about the whole Oakley, Brentwood, and Antioch situation?
11	VICE CHAIRPERSON DAI: Well, we are going to go
12	to the Central Valley next, so thank you for making that
13	segue. But I think Commissioner Ancheta has one final
14	Comment before.
15	COMMISSIONER ANCHETA: Yeah, before we leave the
16	Bay Area, I just wanted a question for Commissioners Dai
17	and Galambos Malloy regarding San Francisco. And this
18	may be more relevant on the Assembly District, so you Can
19	postpone it for later, but one is, are you recommending
20	any modifications to the first draft?
21	VICE CHAIRPERSON DAI: We gave permission to
22	Cross the bridge, if necessary, to try to maximize -
23	because we got testimony kind of both ways, we got
24	testimony again, some of it indirect in the sense that

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they left Marin out when they talked about the Coast,

25

- 1 we've also gotten testimony just, I think, yesterday
- 2 about pushing the line down into San Francisco, we've
- 3 also -- there's also a Clear split in Marin between the
- 4 very urban suburban areas and the rural areas, so there
- 5 are some natural splits, so we understand the population
- 6 shift is basically going in a "U" around the Peninsula
- 7 and up because it's bounded at the bottom by our Merced
- 8 District, so I think we want to give Tamina the
- 9 flexibility.
- 10 COMMISSIONER ANCHETA: So, the question I had
- 11 about San Francisco, then, specifically which I think
- 12 applies to a Couple other places is if you were looking
- 13 at testimony we received regarding GLBT neighborhoods,
- 14 and again, this may not be as relevant on the
- 15 Congressional level, but I think at the Assembly level,
- 16 there's some conflicting lines of testimony which --
- 17 VICE CHAIRPERSON DAI: We're going to have to
- 18 make a Compromise there. Let's wait for the AD's on that
- 19 one.
- 20 COMMISSIONER ANCHETA: But, just generally, so
- 21 for LGBT Committees, we are taking those to be
- 22 Communities of interest.
- VICE CHAIRPERSON DAI: Uh huh.
- 24 COMMISSIONER ANCHETA: Okay.
- VICE CHAIRPERSON DAI: Yeah, I mean, it's

- 1 definitely true in San Francisco.
- 2 COMMISSIONER ANCHETA: Yeah, and again, I think
- 3 they meet the -- well, I'm not sure if this is an
- 4 underlying economic Commonality, but I think there's an
- 5 argument there for it, Certainly. With those neighbors
- 6 in San Francisco, I'm a little Concerned about other
- 7 assertions in other parts of the state that we've been
- 8 presented.
- 9 VICE CHAIRPERSON DAI: For San Francisco, I
- 10 think, it's definitely true, some of the Communities are
- 11 much smaller as we saw from all the maps from Equality
- 12 California, so, I mean, to the degree we Can keep them
- 13 whole, I think it's relatively easy elsewhere.
- 14 CHAIRPERSON YAO: I want to make sure that we do
- 15 have concurrence on crossing the Golden Gate Bridge
- 16 because the discussion very early on from Marin is they
- 17 know their Legislator is going to Come from San Francisco
- 18 and they don't feel that they Can represent them. So,
- 19 Crossing the Golden Gate population is going to impact
- 20 Marin based on that particular testimony, so I know that
- 21 the direction has been given or suggested to Cross the
- 22 Golden Gate, I just want to make sure that the Commission
- 23 Can accept that.
- 24 COMMISSIONER BLANCO: Well, I'm willing to look
- 25 at a visualization, I'm not willing to say that that's

- 1 the way I'm going to go.
- 2 VICE CHAIRPERSON DAI: Yeah, I think we need to
- 3 see what the impact is and it may be a result of keeping
- 4 the other Communities of interest whole further south, so
- 5 I think we want to give Tamina the flexibility to show us
- 6 what the ripple effects are. Now that we've kind of
- 7 decided on Monterey, that Changes a lot of things.
- 8 CHAIRPERSON YAO: Okay. I think we have a
- 9 Consensus on that, all right, thanks.
- 10 VICE CHAIRPERSON DAI: Okay, so we're only 10
- 11 minutes behind. We are now going to move -- I just want
- 12 to make sure Q2 is okay. Tamina, do you think you have
- 13 enough latitude here to play with some options?
- MS. ALON: Yes.
- 15 VICE CHAIRPERSON DAI: Excellent. Now we're going
- 16 to move into the Central Valley where we have a number of
- 17 Section 5 and Section 2 districts.
- 18 MS. CLARK: Great. So, I want to take a look, if
- 19 it's okay with the Commission, at the Section 5 Districts
- 20 first, and then we Can move on to the Foothills and
- 21 Sacramento Area south.
- 22 COMMISSIONER DI GUILIO: Do you want me to set it
- 23 up with kind of the direction we gave you, first, Jamie?
- 24 Or does that --
- MS. CLARK: Yes, please.

- 1 COMMISSIONER DI GUILIO: Okay, just to Clarify
- 2 for the Commission and the record that Commissioner
- 3 Aguirre and I had -- this is an area that Jamie will go
- 4 into, it's got the two Section 5 Counties of Kings and
- 5 Merced, so basically our assumptions with this in the
- 6 past Commissions is that Section 5 issues -- oh, I'm
- 7 sorry, and I should just say very quickly what Ms. Sargis
- 8 is passing around is the Section 5 information on
- 9 benchmarks and registration data. As you recall, in
- 10 Culver City, I believe, from the legal Committee, Q2 was
- 11 asked to provide all the statistical data related to the
- 12 Section 5 Districts. We had this information they gave
- 13 to us prior to the Fresno meeting, but between Fresno and
- 14 Stockton, it never got distributed, so that kind of fell
- 15 through the Cracks for Legal and Technical in terms of
- 16 distributing that. So this is for your reference as we
- 17 talk about Section 5 Counties.
- 18 So let me just very quickly run through some of
- 19 the assumptions basically in regards to Section 5 and
- 20 other VRA issues in this area, they are kind of set based
- 21 on what the recommendations we're getting. The
- 22 assumption was that the western mountain range in the
- 23 valley is a barrier and that we haven't Crossed it up
- 24 until this point, that's kind of from that four Corners
- 25 area of Kern, Ventura, Santa Barbara, San Luis Obispo,

- 1 up, that's that mountain range, that the Tehachapi
- 2 Mountains between Kern County and L.A. County is a
- 3 barrier that we have tried not to Cross, as well, and
- 4 that the geographic Constraints of the Valley vs. the
- 5 Foothills on the eastern side is, I'd say, a soft barrier
- 6 because we had conflicting COI testimony that sometimes
- 7 said foothills are separate and valleys, the flatlanders
- 8 and the foothills, but there have been times when we've
- 9 been given permission to cross over.
- 10 The other assumption that we've been operating from
- 11 is that, as you saw in the Region 9, is that the Tahoe
- 12 Basin was to be kept whole. So, the general permissions
- 13 that we had provided for our Mappers were, first of all,
- 14 of Course, to keep the integrity of the Section 5
- 15 Districts. We also had incorporated the permissions that
- 16 were given by Commissioner Dai and Commissioner Filkins
- 17 Webber, permission to put Mono and even Inyo into the
- 18 Foothills linked districts, there's no very much
- 19 population, I think 14,000 or 18,000, so given them
- 20 permission to work with those.
- In the Tulare District, on the bottom, some of
- 22 the things related to the Congressional was there is a
- 23 small bit on the very bottom that punches down into
- 24 Lancaster, which does break that Tehachapi, kind of the
- 25 southern boundary, there is a small little bit of section

- 1 in Lancaster that is split off from Palmdale, so to try
- 2 to see if there is a way to push that back up and give
- 3 Lancaster back into the Antelope Valley Santa Clarita
- 4 district. There is also a small little section on the
- 5 top of that, which is in the Fresno County, this is where
- 6 Fresno County, I think Tamina, that little bit that goes
- 7 from Tulare right up into Fresno, they have five
- 8 Congressional districts in Fresno, and that looked like
- 9 the most logical place to punch that back out, trying to
- 10 push population to at least get it down to four
- 11 Congressional Districts. Jamie will probably tell us
- 12 whether they're able to do that or not.
- 13 The other general permission was to keep Tahoe
- 14 Basin intact, but put the population back into their home
- 15 Counties. I think we saw that again in our earlier
- 16 discussion. The other issue was the long Foothill
- 17 District that we have, to see if there is a way to have
- 18 smaller Foothills sections. Part of these options were
- 19 to include linking some of the valley and the foothill
- 20 Communities, again, there was conflicting COI about when
- 21 we Can do this, but the issue with the kind of the locks
- 22 was Section 5 on the south part of the San Joaquin
- 23 Valley, there is limited options to Consider linking the
- 24 Foothills with the valley, with the exception of maybe
- 25 the Fresno District, but, again, the Kings District and

- 1 then the Merced South District just, you don't have much
- 2 population left in the southern part of the Foothills
- 3 District from which you Can pull other -- if you were to
- 4 split the Foothills District, there's just not a lot on
- 5 the south to gain population, so I think that's something
- 6 that maybe Jamie again will address, but the idea was to
- 7 give them permission to look into options.
- 8 The COI testimony that we've heard is, once you
- 9 get past the Merced Congressional District, there's more
- 10 options to link the valley with the Foothills. There was
- 11 some testimony both from -- a lot from Tuolumne, but some
- 12 as well from Calaveras, to give them permission to link
- 13 with Stanislaus County, but again, if you Cut that off,
- 14 you isolate the southern part of the Foothill Districts,
- 15 and whether or not you Can get enough population is
- 16 really questionable. Let's see, the other thing was, oh,
- 17 the other aspect was if you Could link Stanislaus with
- 18 the Foothills, then it releases the San Joaquin County
- 19 small bit right there that Jamie is highlighting on the
- 20 southern part of San Joaquin, you Could do kind of a
- 21 population shift of pulling that line down and being more
- 22 whole in San Joaquin County, and maybe addressing that
- 23 Antioch Brentwood Oakley area that Commissioner Blanco
- 24 just mentioned, that Could be kind of a push and pull,
- 25 but the exchanges are really hard because, if it goes

- 1 into the if you add population in the Central Valley,
- 2 the push has to Come up and around, really, and then it's
- 3 just -- I'd like to see what the Mappers really did with
- 4 that, but basically those were the parameters. Those
- 5 were the assumptions we were under, the issues we tried
- 6 to recognize, and then the general permissions that we
- 7 gave to the Mappers.
- 8 CHAIRPERSON YAO: Just an administrative matter.
- 9 Is this handout posted on the website?
- MS. SARGIS: If not, it will be very shortly.
- 11 CHAIRPERSON YAO: All right.
- 12 COMMISSIONER DI GUILIO: It was sent last week,
- 13 so it might already be up there, but we Can Check to make
- 14 sure.
- 15 VICE CHAIRPERSON DAI: So with that, Jamie, do
- 16 you want to run us through the Section 5 first and then
- 17 Section 2?
- 18 MS. CLARK: Yes. So, up on screen right now is
- 19 the Merced Section 5 District. It hasn't Changed since
- 20 you last saw it. There it is. Okay, and moving on to
- 21 Kings --
- 22 COMMISSIONER DI GUILIO: And Jamie, all of our
- 23 numbers were good with these, Correct?
- MS. CLARK: All the LVAPs are good.
- 25 COMMISSIONER DI GIULIO: LVAPs, yes.

- 1 MS. CLARK: And this is the Kings Section 5
- 2 District, it's also the same as last time you saw it.
- 3 Okay, if we move on to the Foothills District, right now
- 4 there is conflicting testimony from the Commission,
- 5 adding Mono and Inyo would definitely lengthen the
- 6 Foothills District, and there's been a lot of COI
- 7 testimony saying that people in that region don't
- 8 necessarily want it to be that long. Another move in
- 9 this Foothills District that is conflicting with other
- 10 direction is this move of putting the Lake Tahoe Basin
- 11 back with Placer and El Dorado County, that would move
- 12 this little Chunk here in Fresno County south, however,
- 13 that would probably have to Come out on this end into
- 14 Lancaster more.
- 15 VICE CHAIRPERSON DAI: Would it make Lancaster
- 16 whole?
- 17 MS. CLARK: I don't believe so, no. No.
- 18 VICE CHAIRPERSON DAI: Okay. So, to Clarify, the
- 19 instruction on Inyo and Mono -- it's Mono and Inyo -- you
- 20 know, it was an option for you to take this.
- MS. CLARK: Okay.
- 22 COMMISSIONER DI GUILIO: Jamie, just reverse
- 23 that, if you were to push the line from -- if you were to
- 24 take Lancaster out, how far would it push that small
- 25 little section into Fresno? In other words, there are

- 1 two districts in Fresno right now, Tulare and Foothill.
- MS. CLARK: Yes, and this East Fresno Area.
- 3 COMMISSIONER DI GUILIO: But Can you incorporate
- 4 all the County of -- instead of taking out the little
- 5 one, Can you make the whole eastern part of Fresno one?
- 6 If you take the line with Lan -- I know that's throwing
- 7 it into Nicole [phon.] and L.A., but --
- 8 MS. CLARK: I don't know. Definitely, that small
- 9 area of Lancaster is much more densely populated than
- 10 this area in Fresno County. I believe that this doesn't
- 11 have very high population, so likely that Could push it
- 12 up and I Can explore that, but I haven't like actually
- 13 moved the lines.
- 14 COMMISSIONER DI GUILIO: Maybe you Could go into
- 15 Fresno, then even up into Madera to grab those two
- 16 portions.
- 17 COMMISSIONER BLANCO: We had testimony when we
- 18 were in Fresno, several people talked about that those
- 19 Foothills, in a sense, are two, that there were parts of
- 20 the Foothills, I heard this especially in regards to
- 21 Madera, many people spoke to this, that the western part
- 22 of those Foothills of Madera were much more similar to
- 23 the Cities and to the valley, and that seemed to be a
- 24 strong sentiment. So I don't know if that helps with
- 25 anything, but I'm just saying that if that were --

- 1 COMMISSIONER DI GUILIO: Madera is the one part
- 2 in the CD that is split, but that's because it is linked
- 3 with Merced, so in this Case, it's Section 5, so this is
- 4 again where you have these boundaries where it's a set
- 5 district right there, so you're really looking at what
- 6 kind of populations you Can do on the southern part.
- 7 COMMISSIONER BLANCO: Okay.
- 8 COMMISSIONER DI GUILIO: So I think we've really
- 9 looked into that.
- 10 VICE CHAIRPERSON DAI: And just to Clarify for
- 11 everyone on the Commission, so we know this incarnation
- 12 of the Merced Section 5 works. Were there others that
- 13 you explored that would have moved anything around that
- 14 don't retrogress?
- MS. CLARK: It Can't go into Fresno County
- 16 because Kings needs that to meet its benchmark, which is
- 17 pretty high. I think the other option that I presented
- 18 to the Commission is the Stockton finger.
- 19 VICE CHAIRPERSON DAI: Okay. We know the answer
- 20 to that one, right? So this is the preferred option and
- 21 it does not retrogress. So assume that is an immovable
- 22 puzzle piece right there, this Merced.
- 23 COMMISSIONER BLANCO: I also have a note about
- 24 Squaw Valley getting put back into Fresno. Does anybody
- 25 remember that?

- 1 VICE CHAIRPERSON DAI: I vaguely remember that.
- 2 COMMISSIONER BLANCO: And that that would help
- 3 reduce the split from five to four parts.
- 4 COMMISSIONER DI GUILIO: I think that's that
- 5 part, that's the hump that we're trying to -
- 6 COMMISSIONER BLANCO: Is that Squaw Valley?
- 7 That's it?
- 8 COMMISSIONER DI GUILIO: Yeah.
- 9 VICE CHAIRPERSON DAI: Commissioner Ancheta had a
- 10 Comment.
- 11 COMMISSIONER ANCHETA: Yeah, there were a Couple
- 12 of things. We did look at some alternative proposals for
- 13 this area and the MALDEF map, for example, has two
- 14 Section 2 districts in here. With that map, their
- 15 proposal is that they don't go quite so high on the
- 16 Merced Latino VAP, and it's right at the edge, and
- 17 there's a very serious Compactness question, particularly
- 18 the one that goes into Fresno is very -- you Can show it,
- 19 Jamie, if you want to, it's MALDEF 20, but it really
- 20 strains to be hitting the 50 percent mark, to put it
- 21 lightly. However, the one in Kings, and I think that's
- 22 maybe the more important issue for our purposes, is that
- 23 the Kings District that we've drawn is one surely non-
- 24 retrogressive, but it's right at the tipping point in
- 25 terms of being a Section 2 District, I think it's 49.

- 1 something, and I know Jamie hadn't really looked at this
- 2 quite yet, but there were some implications. I think it
- 3 just, even to get that half a percentage point would be a
- 4 little Challenging. And maybe she Can highlight some of
- 5 the things she's looked at.
- 6 MS. CLARK: I think that to tip the LCVAP to 50
- 7 percent, we would -- we Can't take anymore population, or
- 8 we Can't boost the LCVAP by using anymore of this area in
- 9 Bakersfield, which ideally would be where it would be
- 10 from, in my opinion, and here we Could potentially swap
- 11 some population if we were splitting the City of Tulare,
- 12 or the City of Visalia, in which Case this district, this
- 13 has North Fresno, and then Tulare, Visalia, the more
- 14 metropolitan areas in Fresno and Tulare County would mean
- 15 I guess this probably would Come down further into this
- 16 99 Corridor and there would be a finger here in Tulare
- 17 County, into Visalia, or the City of Tulare.
- 18 COMMISSIONER DI GUILIO: And that's to reach a
- 19 higher percentage for potential Section 2?
- MS. CLARK: Yes.
- 21 VICE CHAIRPERSON DAI: So is that similar to what
- 22 we heard from the Fresno Redistricting Coalition? I
- 23 think this was a Senate map, though. Does anyone else
- 24 remember? I think these were all in the Senate. We had
- 25 some testimony --

- 1 COMMISSIONER BLANCO: Those were all Senate, but
- 2 we did have some testimony about Kings, about that it
- 3 Could potentially be a Section 2, I'm trying to find it.
- 4 But it didn't specify where, the testimony.
- 5 COMMISSIONER AGUIRRE: Do we know how much
- 6 population it would take to push it all?
- 7 MS. CLARK: It depends on where you take the
- 8 population from. I think the highest density areas of
- 9 LCVAP that are not shown -- or that are not already
- 10 included in this visualization are probably in northern
- 11 or in the City of Tulare, or maybe this very northern
- 12 Tulare County, however, it's not really viable to grab
- 13 any of that population because it would really be
- 14 splitting this district and isolating these populations
- 15 from each other, which Could be problematic. So, yeah,
- 16 it just depends on where we're trying to grab from and
- 17 how slender of a finger we're looking at.
- 18 COMMISSIONER AGUIRRE: Now, do I see that Arvin
- 19 is split? I'm not sure what size Arvin is, but I think
- 20 it's split and it's pretty Close to being almost 100
- 21 percent Latino, I think. So you see that little square
- 22 there?
- VICE CHAIRPERSON DAI: Yeah, we don't want to
- 24 split that.
- 25 COMMISSIONER DI GUILIO: I think we provided that

- 1 to Jamie to fix that split. Or Commissioner Aguirre had
- 2 pointed that out to us.
- 3 COMMISSIONER BLANCO: And Gabino, I don't know if
- 4 this is this area, but I'm looking at the notes and we
- 5 had had testimony about the fact that there's a lot of
- 6 unincorporated Colonias on the east side of Kings.
- 7 COMMISSIONER AGUIRRE: Yes, yes. And probably by
- 8 looking at some of the Census tracts, you might be able
- 9 to pick up enough population, that's why I asked about
- 10 how much you might need. Primarily, that's a very heavy
- 11 farm worker area with farm labor Camps, as well.
- MS. CLARK: This is a zero population City split,
- 13 there's no population in this little square.
- 14 COMMISSIONER AGUIRRE: Okay.
- 15 VICE CHAIRPERSON DAI: Can we give Jamie the
- 16 general direction to try to find that half percent?
- 17 Commissioner Ancheta, do you have a Comment?
- 18 COMMISSIONER ANCHETA: Yeah, I think she should
- 19 try it and see what we Come up with. I think it's going
- 20 to be hard, but I think we should look at it.
- 21 COMMISSIONER DI GUILIO: I quess that's a
- 22 question I have on the legal side is, if we're Close,
- 23 what is Close? I mean, I'm trying to remember what Mr.
- 24 Brown had said about what is acceptable, how much above,
- 25 how much below, is kind of within the realm of --

- 1 VICE CHAIRPERSON DAI: Again, if it's below, it's
- 2 below, you know?
- 3 COMMISSIONER DI GUILIO: Just try to find it, see
- 4 if you Can boost it if you Can.
- 5 COMMISSIONER ANCHETA: We don't really know the
- 6 answer to this question, and I think it will Come out
- 7 when Cases -- hopefully not us -- but when they get
- 8 litigated, because this is really the first time CVAP is
- 9 available at this point in time. CVAP was never
- 10 available this early, but it was also based on Census
- 11 data as opposed to an ACS survey data. So, you know, it
- 12 may be in the future that the Courts say 48 percent is a
- 13 functional majority based just on CVAP.
- 14 VICE CHAIRPERSON DAI: But based on LVAP, 65
- 15 percent, that would be -
- 16 COMMISSIONER ANCHETA: That falls within sort of
- 17 the realm of what Courts often look at, so that's, you
- 18 know --
- 19 COMMISSIONER BLANCO: And I would just add that I
- 20 think this area, as Commissioner Aguirre has pointed out,
- 21 something to the naked eye might look strange here, but
- 22 these are -- there is a Community of interest -- we've
- 23 had two kinds of testimony about this area as a whole,
- 24 one that the valley has a valley identity apart from the
- 25 little Communities within it, that the business of the

- 1 agriculture, the nature. And then, with that, we've had
- 2 all the testimony about the farm worker Communities that
- 3 migrate, that move from City to City, and so I think when
- 4 you're in this area, that there are things that -- it
- 5 sort of reminds me a little bit of the Anaheim Santa Ana
- 6 discussion we were having, that things that may look very
- 7 separate on a map are in reality from everything we've
- 8 heard about people there really very closely connected in
- 9 terms of people's work, lifestyle, you know, history,
- 10 etc., so I think it's an area where I would -- I know
- 11 maybe you've already worked on this, but where it really
- 12 does behoove us to try and see if there's a way to get
- 13 over 50.
- 14 VICE CHAIRPERSON DAI: So try to get over 50,
- 15 don't go to extreme measures, is that a fair -
- MS. CLARK: Okay, so I'm going to repeat the
- 17 direction back, to try to get over 50 percent LVAP --
- 18 VICE CHAIRPERSON DAI: LCVAP.
- 19 MS. CLARK: -- LCVAP by Creating a finger into
- 20 Tulare County.
- 21 VICE CHAIRPERSON DAI: Is that the only place we
- 22 really think we Can get it?
- MS. CLARK: Yes.
- 24 VICE CHAIRPERSON DAI: Okay.
- COMMISSIONER BLANCO: Yeah, let's look at it.

- 1 COMMISSIONER DI GUILIO: Let's look at it.
- 2 VICE CHAIRPERSON DAI: Although I think from the
- 3 LVAP numbers, we're probably on relatively solid it's
- 4 hard to say, the Courts have been inconsistent, but it's
- 5 a borderline Section 2.
- 6 COMMISSIONER DI GUILIO: Can I ask the Mappers,
- 7 like how drastic of a finger are you talking about? What
- 8 does that do -- maybe not just the finger, but what does
- 9 it do to the other districts around there?
- 10 MS. CLARK: So the finger into Tulare County
- 11 would be into the City of Visalia, probably the north end
- 12 of the City of Visalia, or into Tulare County, and the
- 13 population switch Could not Come from Kings County
- 14 because it would either have to be made up right here
- 15 along the 99 Corridor, or some of the southeast
- 16 Bakersfield Metro area COI would have to be split, or
- 17 move out so that the balance would be in that Case
- 18 between this Tulare District, the Fresno District, and
- 19 Kings.
- 20 COMMISSIONER DI GUILIO: And what's the COI in
- 21 Bakersfield that you would have to be splitting?
- MS. CLARK: This area, the Arvin, Weedpatch,
- 23 Lamont, and then the City of Bakersfield, so it's the
- 24 farming Communities in this area.
- 25 COMMISSIONER DI GUILIO: So that would be the

- 1 tradeoff, you'd have to split that area, which we've
- 2 heard a lot of testimony from, in order to grab the
- 3 finger?
- 4 MS. CLARK: Uh huh. But the population might not
- 5 have to be that great, depending on the density of the
- 6 area that is the finger.
- 7 VICE CHAIRPERSON DAI: Try it.
- 8 COMMISSIONER BLANCO: And I think we should try
- 9 it and then to remember what Mr. Brown said this morning
- 10 when we were talking about a similar situation up in San
- 11 Bernardino. He said that the Core issue is what is the
- 12 better Choice for maximizing representation and that's
- 13 the Choice to go with. And so, if we're splitting a
- 14 Community of interest there that has no ability to really
- 15 affect representation, and what you're doing that for is
- 16 to actually Create a better Choice, that that's how he
- 17 would interpret Section 2.
- 18 VICE CHAIRPERSON DAI: Okay.
- 19 MS. CLARK: Okay, let's move on to the Sacramento
- 20 Metro Area and then work our way south.
- 21 VICE CHAIRPERSON DAI: Oh, sorry, you were
- 22 supposed to do the other -- was there another Fresno
- 23 Section 2? Not in Congress.
- MS. CLARK: Exactly. Yeah, these are the
- 25 districts.

- 1 VICE CHAIRPERSON DAI: As I recall, people liked
- 2 their Sacramento Congressional District?
- 3 COMMISSIONER FORBES: Yeah, there may have been a
- 4 little bit of movement along the eastern side for
- 5 neighborhoods and things like that, and I forget if it
- 6 was the Assembly or Congressional, but like the mid-
- 7 Center, Sac State, those need to be in the District as
- 8 opposed to in the County district.
- 9 MS. CLARK: Are you saying that those need to be
- 10 in the Sacramento City District?
- 11 COMMISSIONER FORBES: Correct. They may already
- 12 be in, but there is a little bit along that eastern edge,
- 13 I think there was some Comment on that.
- 14 COMMISSIONER DI GUILIO: Can I ask a question
- 15 about -- this goes back to what we had done with the Lake
- 16 Tahoe and if that affects the Sacramento Districts, if
- 17 we, based on what Commissioner Forbes was saying, where
- 18 you take that out of that population of the north Coast
- 19 and mountain Cap and you push it into El Dorado, how does
- 20 that affect either Sacramento or the Foothill Mountains?
- 21 Can that be done?
- MS. CLARK: If the Commission wants there to be a
- 23 line here around Sacramento County, then it will affect
- 24 the south end of the Foothills District.
- 25 COMMISSIONER DI GUILIO: Okay, I'm just wondering

- 1 if, based on the earlier direction we gave you where we
- 2 had the Del Norte area that Came up over Siskiyou and
- 3 down, did we include Plumas or we just -
- 4 VICE CHAIRPERSON DAI: Yes, we did.
- 5 COMMISSIONER FORBES: Plumas was potentially in.
- 6 COMMISSIONER DI GUILIO: So then we had the
- 7 Center part of the valley, which was Tehama down, I'm
- 8 assuming it's Glenn, Butte, etc., all those, and then so
- 9 now you have that population Center, that 50,000 of
- 10 Tahoe, and where that gets placed, if it gets placed into
- 11 the Placer El Dorado, how does that affect the eastern
- 12 boundary of Sacramento? Maybe you haven't had a chance
- 13 to kind of fully play with those numbers, I was just
- 14 wondering if that Can be incorporated.
- MS. CLARK: Yeah, when I've been sort of moving
- 16 lines around, I haven't really been moving any of this
- 17 population into like the Sacramento Metro area.
- 18 COMMISSIONER DI GUILIO: Okay, thank you. I just
- 19 wanted to Check and see if there was a tradeoff we should
- 20 be aware of.
- MS. CLARK: Okay, and then --
- 22 COMMISSIONER FORBES: Let me just make one
- 23 Comment, I do want us to note that, in fact, West
- 24 Sacramento is included in Sacramento, so Yolo County is
- 25 split by this, and I think that's Consistent with what we

- 1 heard last night for the most part, but I just want to
- 2 point that out.
- MS. CLARK: Okay. And again, this is the South
- 4 Yolo and Solano District. Based on previous direction,
- 5 this district would be affected by American Canyon moving
- 6 into Napa County. Is there other direction that the
- 7 Commission would like to give?
- 8 VICE CHAIRPERSON DAI: Does it help if we give
- 9 you flexibility on that Solano, I think you already have
- 10 that flexibility to move that area, if necessary, for
- 11 population for the north Coast. Any other Comments?
- 12 COMMISSIONER FORBES: No, I think it's just a
- 13 matter of moving people around to get the numbers to work
- 14 right.
- VICE CHAIRPERSON DAI: Right, so I think that
- 16 whole area there is a little bit fungible, so rearrange
- 17 them.
- 18 MS. CLARK: Okay, and so then that bring us to
- 19 the San Joaquin -
- 20 COMMISSIONER DI GUILIO: I'm sorry, real fast
- 21 before we move out of Sacramento, I'm just Curious, I'm
- 22 trying to remember, we had some testimony about it was
- 23 Tahoe Park that was in Sacramento, is that part of that
- 24 kind of little finger?
- 25 COMMISSIONER FORBES: That's the -- it was a

- 1 little bit of Oak Park being split and that's what I was
- 2 referring to about having to work on the eastern edge.
- 3 COMMISSIONER DI GUILIO: I think there was some
- 4 testimony, and I haven't had a chance to relate it to
- 5 where those Communities fall, but I guess they're trying
- 6 to incorporate all of Elk Grove, but maybe we Can just
- 7 have them look at some of that testimony from last night
- 8 to be reflective, I Can't even recall really at this
- 9 point if it was CDs or SDs.
- 10 VICE CHAIRPERSON DAI: Commissioner Forbes, do
- 11 you have a better --
- 12 COMMISSIONER FORBES: No. I forgot my Thomas
- 13 Guide.
- 14 VICE CHAIRPERSON DAI: Yeah, there was a
- 15 discussion about Tahoe Park, there was a discussion about
- 16 Oak Park being split, so if it's split, please see if you
- 17 Can fix that. But, again, we know this is Congress,
- 18 someone is going to get split, so I think we just need to
- 19 remind all of our viewing public we have a deviation of
- 20 one person for Congressional Districts, not only some
- 21 Community is going to get split, probably many
- 22 Communities will be split.
- MS. CLARK: Okay, so here is the Northern San
- 24 Joaquin and Eastern Contra Costa County District. The
- 25 direction that the Commission just gave Tamina of perhaps

- 1 this Yolo Solano District moving south, it will affect
- 2 this part of the district in East Contra Costa County.
- 3 If this line is moved this way, then this line will also
- 4 be moved east.
- 5 COMMISSIONER DI GUILIO: I think if that line
- 6 from Contra Costa moves -- if the Contra Costa-based
- 7 district absorbs Antioch and Brentwood, that's more
- 8 logical than putting that Antioch Brentwood up into
- 9 Solano. So that would be, of Course, my first
- 10 preference. The other one would be to try not -- those
- 11 are all -- Antioch, Oakley, Brentwood are all really
- 12 sister Communities, so I would be Curious to see if you
- 13 had to push that line, if it had to split those. I think
- 14 we should explore all our options, but that would just be
- 15 an area of Concern.
- 16 VICE CHAIRPERSON DAI: And we did receive
- 17 testimony that that's something they Could live with,
- 18 being attached to San Joaquin.
- 19 MS. CLARK: Okay. In which Case, this district
- 20 of Northern San Joaquin would be under-populated.
- 21 Presumably, the next move would be to move this line
- 22 south to try and absorb as much of Tracy, Manteca, and
- 23 Escalon as possible.
- 24 COMMISSIONER DI GUILIO: And that was where the
- 25 population -- we have had some COI testimony that if you

- 1 push the line south to incorporate more of San Joaquin
- 2 County, you would have to go Stanislaus into the
- 3 Foothills, which again there was testimony that said,
- 4 once you get a little further north with Tuolumne and
- 5 Calaveras, there is some linkage because they Come down
- 6 into that area for the real urban shopping, so to speak.
- 7 But, it's balancing that connection that gives us
- 8 permission with what happens if you slice the southern
- 9 part of the Foothills with population, so again, we gave
- 10 permission for the general direction to look into those
- 11 as options and see if it's possible with balancing the
- 12 population.
- VICE CHAIRPERSON DAI: Any other hot spots we
- 14 missed or any other suggestions for Jamie to take a look
- 15 at? So we'll note here that the Sierra Nevada is
- 16 Currently not breached, but, again, Commissioner Filkins
- 17 Webber and I, who were looking further south in Region 2,
- 18 there were also Complaints about how long the San
- 19 Bernardino District was going up all the way into Mono,
- 20 and Mono as an area actually is mountainous, it's much
- 21 Closer to Yosemite than it is to San Bernardino, and a
- 22 good part of Indio is forestland, too, so that was the
- 23 reason we gave Jamie permission to take it if it helps
- 24 because there are roads going there --
- 25 COMMISSIONER FORBES: I'll just make the obvious

- 1 Comment that there actually aren't any roads between Inyo
- 2 going west.
- 3 VICE CHAIRPERSON DAI: Correct, but there is the
- 4 395 going between Inyo and Mono.
- 5 COMMISSIONER FORBES: Going north and south, and
- 6 Tioga Pass is only open about four or five months a year,
- 7 so for more than half the year, you Cannot get from the
- 8 Foothills to that area.
- 9 VICE CHAIRPERSON DAI: It's an isolated area,
- 10 it's a mountain Community of 14,000 people in the entire
- 11 County of Mono. So, only if it helps.
- MS. CLARK: Okay. And, again, just to repeat the
- 13 San Joaquin County direction, if that County is under-
- 14 populated by the Yolo Solano move south, then the
- 15 direction is to move the southern boundary further south
- 16 to take up as much of Tracy, Manteca, Escalon, basically
- 17 the rest of San Joaquin County, as possible.
- VICE CHAIRPERSON DAI: Yes.
- MS. CLARK: Okay.
- 20 COMMISSIONER DI GUILIO: And if you had to make a
- 21 Choice with that, I would say to absorb some of the
- 22 Cities like Tracy and Lathrop, and then Manteca, Rippon,
- 23 and kind of tend to go more with Stanislaus so there is
- 24 kind of a priority of who to absorb first, I would say.
- MS. CLARK: So southwest, moving to the east.

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- 1 COMMISSIONER DI GUILIO: Probably would be a good
- 2 way to go.
- 3 MS. CLARK: Okay, thank you. That is --
- 4 VICE CHAIRPERSON DAI: It for the valley?
- 5 MS. CLARK: -- it for the valley. I'd like to
- 6 move on to San Luis Obispo, Santa Barbara, and Ventura
- 7 Counties?
- 8 VICE CHAIRPERSON DAI: Yeah, just one final
- 9 Comment, which if we end up with extra population, it
- 10 might make Lancaster more whole, you know, we're not
- 11 happy about that extra piece of L.A. County that got put
- 12 there, but that's just what happens when we swirl around
- 13 the mountains.
- MS. CLARK: Okay. So this is the first draft
- 15 district for the San Luis Obispo, Santa Barbara, and
- 16 Western Ventura area. This Ojai Valley is not included
- 17 in the Santa Barbara, San Luis Obispo County District,
- 18 and for a population that is a little bit of the western
- 19 edge of the City of Ventura, I believe it is somewhere
- 20 around a 2,000 to 7,000 person split.
- 21 VICE CHAIRPERSON DAI: Okay, I believe our
- 22 spokespeople for this region is Commissioner Aguirre and
- 23 Commissioner Ward.
- 24 COMMISSIONER AGUIRRE: Sure. Similar to the
- 25 Central Valley, of Course, these two Congressional

- 1 Districts are driven by the hard line at Monterey County
- 2 line, which is Monterey, of Course, being a Section 5.
- 3 So, the area itself of San Luis Obispo and Santa Barbara
- 4 has an inland Component and a Coastal Component.
- 5 Essentially there are two Congressional districts that
- 6 span from the Monterey County line down to the Los
- 7 Angeles -- almost the Los Angeles County line. So,
- 8 because of the requirements of Section 5 Monterey, there
- 9 is not much you Can do, you're bordered on the left by
- 10 the ocean, on the right-hand side there's the Coastal
- 11 range. I think we've tried not to breach that range,
- 12 although it's been done before. So, my only concerns
- 13 would be, and I think Jamie Can help us with this, was
- 14 the splitting of Ventura City, I'm not sure whether that
- 15 split is along Highway 33, west of Highway 33 is the
- 16 Ventura Avenue Community which is low income, multi-
- 17 ethnic Community of Whites, Blacks and Latinos,
- 18 primarily, and some Mixtecos, also, so I'm not sure
- 19 whether it splits that Community. If it does, it's a
- 20 Concern.
- 21 COMMISSIONER DI GUILIO: Commissioner Aguirre,
- 22 Can I ask you a question in giving direction, too, and I
- 23 put this in the original notes when we had started,
- 24 because this is a Congressional District, and being a lot
- 25 of issues that deal with the Coastal -- and this is a

- 1 Santa Barbara and Coastal district, there's two issues I
- 2 see that might be able to be remedied if we looked at a
- 3 different way. One is we have that Ojai Valley split up
- 4 there, I think we heard that testimony -
- 5 VICE CHAIRPERSON DAI: We split a little part of
- 6 it.
- 7 COMMISSIONER DI GUILIO: Yeah that part is
- 8 being put into Santa Barbara when, really, it should be
- 9 Connected, so maybe to move that line up, which would
- 10 require even adding more population into Ventura, but my
- 11 suggestion is, instead of breaching the avenue
- 12 population, instead is to take that line along the Coast,
- 13 down Pierpont, and it's basically skirt the Coast.
- 14 There's a Community there that is kind of along the
- 15 Coast, so take the line and instead of going up the 33
- 16 there, and run it down along the Coast because a lot of
- 17 those Communities are used to dealing with Coastal
- 18 issues. It's a part of the City of Ventura, so you are
- 19 splitting you're still having to split the City, but
- 20 it's more logical that you go along the Coastal route and
- 21 have that as a part of Santa Barbara, and stay away from
- 22 the ethnically diverse area that you're saying on the
- 23 Avenue that is there, and also it would take away from
- 24 the Ojai Valley where we heard the COI testimony was very
- 25 strong and Oxnard, that said it doesn't look like there's

- 1 people there, but they're linked with Ojai, so don't
- 2 split them.
- 3 COMMISSIONER AGUIRRE: Yeah, probably going down
- 4 101 to Seward Avenue, down Harbor to the Marina would
- 5 probably be a good way to go.
- 6 COMMISSIONER DI GUILIO: It would just be a -- if
- 7 you're just looking at 7,000, maybe 10,000 more,
- 8 whatever, if you take Ojai, it wouldn't be a long stretch
- 9 at all, it would be more, I think, the integrity of the
- 10 split in Ventura would be more realistic for the Federal
- 11 issues.
- 12 VICE CHAIRPERSON DAI: So the instruction would
- 13 be to keep the Ojai Valley really whole this time so the
- 14 unincorporated area is around there and to run down the
- 15 Coast instead with the Ventura split.
- 16 COMMISSIONER AGUIRRE: And then, also, try to
- 17 keep the Ventura Avenue Community together.
- 18 VICE CHAIRPERSON DAI: Okay, moving on to the
- 19 district below.
- 20 COMMISSIONER AGUIRRE: The other one generally is
- 21 generally the same thing. We've heard some testimony
- 22 about the concerns regarding Moore Park, Simi Valley,
- 23 being with Santa Clarita and/or the San Fernando Valley,
- 24 but we've also heard COI testimony that says that they do
- 25 not -- would prefer not to be with West Ventura, that

- 1 they have more in Common, shopping, entertainment, etc.,
- 2 with the San Fernando Valley and, of Course, I think
- 3 there is a mutual like between the Santa Claritans [sic]
- 4 and the Simi Vallians [sic] that we've heard. So, for
- 5 me, I think that that is good as it is.
- 6 COMMISSIONER DI GUILIO: Can I -- one of the
- 7 issues that I have here, and I'm not sure how this
- 8 transition would happen between Jamie and Nicole, but
- 9 generally I think this is a good district, with the
- 10 exception that Malibu and even Agoura Hills is in there.
- 11 I'll tell you, Malibu is not going north at all. I think
- 12 we really have to find a way to push that back down. I
- 13 don't think we Can go into the San Fernando, I think
- 14 that's -- Correct me if I'm wrong -- there's maybe some
- 15 VRA issues in San Fernando, but they should go -- Malibu
- 16 and even you Could argue Agoura Hills and the eastern
- 17 side of Westlake Village on the County line needs to be
- 18 pushed into the Coastal area down south and east, and I
- 19 don't know if that allows you to pick up maybe Moore Park
- 20 or Simi, I mean --
- VICE CHAIRPERSON DAI: Yeah, Moore Park would go
- 22 back in, right? Because Moore Park is 34,000.
- COMMISSIONER DI GUILIO: Yeah, and I know Moore
- 24 Park and Simi would like to be associated with the
- 25 eastern part more so than with the western, but this is

- 1 Congressional and the numbers aren't going to let you
- 2 split off like that --
- 3 COMMISSIONER AGUIRRE: Yeah.
- 4 COMMISSIONER DI GUILIO: -- so I think to some
- 5 degree you have to remedy that Malibu, Agoura Hills thing
- 6 and try and trade-off something with maybe Moore Park.
- 7 COMMISSIONER AGUIRRE: Yeah, and because of all
- 8 the agriculture around Moore Park, it makes sense if they
- 9 Could probably be incorporated within the general Ventura
- 10 County area.
- 11 COMMISSIONER BLANCO: Just a question for the
- 12 folks looking at this. We have lots and lots and lots
- 13 and lots of public testimony about this area around the
- 14 Agoura Hills, Calabasas, you know, being kept together
- 15 and in a Certain place, I mean, lots. And I know this is
- 16 what you're talking about, but I'm just trying to get
- 17 Clear, how would that work with some Changes here? Is
- 18 there some Clean swap? Because we do have a lot of
- 19 testimony about the -
- 20 COMMISSIONER DI GUILIO: You're saying Agoura
- 21 Hills, Calabasas, Topanga, even, are three different
- 22 districts, Correct?
- COMMISSIONER BLANCO: Yeah, we've got a lot of
- 24 testimony about those being Connected and that we've
- 25 separated them, and that they're actually Connected to

- 1 Malibu, and you know, that whole area there we've got a
- 2 lot of testimony. And I'm just --
- 3 COMMISSIONER DI GUILIO: Particularly for Federal
- 4 issues as being around the Santa Monica Mountains, so
- 5 this would be particularly important around Santa Monica.
- 6 COMMISSIONER BLANCO: Yeah, and we heard it in
- 7 the first round, too, so it's not like I would say, of
- 8 a lot of the testimony that we had, this is one of the
- 9 most Consistent is this area there down with Topanga and
- 10 with Malibu, and like I say, I don't know if that allows
- 11 us to do something in that East Ventura area of not, but
- 12 I think we should look at it.
- COMMISSIONER DI GUILIO: Yeah, and I think maybe
- 14 Nicole and Jamie will have to work on this exchange, it's
- 15 always been a tough one between L.A. and Ventura County,
- 16 but I think you're right, I think there's significant
- 17 issues there and we really have to try and fix that. The
- 18 push might go up and around, or something, I'm not sure,
- 19 but there has to be an exchange somehow there. We have
- 20 to look at it as an option.
- VICE CHAIRPERSON DAI: So swap Malibu and Agoura
- 22 Hills for Moore Park?
- 23 COMMISSIONER DI GUILIO: And put Calabasas -- I
- 24 would go a step further, and Commissioner Blanco, and say
- 25 try and keep Agoura Hills, Calabasas, Topanga, and Malibu

- 1 together.
- 2 COMMISSIONER BLANCO: Correct.
- 3 COMMISSIONER DI GUILIO: I mean, that's really
- 4 the testimony we've heard from the beginning,
- 5 particularly around the Santa Monica Mountains and at the
- 6 Congressional level.
- 7 COMMISSIONER BLANCO: Yeah, often we heard that,
- 8 yeah.
- 9 VICE CHAIRPERSON DAI: Clarify?
- 10 MS. CLARK: Okay, just to repeat back, to swap
- 11 out Agoura Hills and Malibu for Moore Park, and then also
- 12 to try and keep Agoura Hills, Calabasas, Topanga and
- 13 Malibu together in one Congressional District.
- 14 COMMISSIONER DI GUILIO: And it's not necessarily
- 15 a strict Agoura Hills, Malibu, swap for Moore Park,
- 16 that's what we're giving you as a general idea, but if
- 17 you have to do more, like do another split or tell us the
- 18 consequences of that, but build upon that as the first
- 19 premise.
- 20 MS. CLARK: Is it okay to keep Westlake Village
- 21 with this Ventura-based district?
- 22 COMMISSIONER DI GUILIO: Westlake Village is
- 23 split on the County line, actually, the City of Westlake
- 24 Village is split between the Counties, so I think --
- 25 VICE CHAIRPERSON DAI: We've got a lot of choices

- 1 with Westlake. It Could go either way. You could split
- 2 it, you Could put it all in Ventura, and you could put it
- 3 all in L.A.
- 4 CHAIRPERSON YAO: Is there any interest in trying
- 5 to tie Malibu with the Santa Monica because of the school
- 6 district? I think that was a --
- 7 VICE CHAIRPERSON DAI: Let's not go into L.A.
- 8 CHAIRPERSON YAO: Well, we're talking about
- 9 Malibu, so --
- 10 VICE CHAIRPERSON DAI: We are, but Nicole is not
- 11 here, so....
- 12 COMMISSIONER DI GUILIO: I think you have some
- 13 boundaries, we've all heard the boundaries of San
- 14 Fernando Valley, right, there's geographic boundaries and
- 15 COI testimony for the boundaries, so, really, if what
- 16 we're doing is telling them to put those together,
- 17 Commissioner Yao, yes, that would probably automatically
- 18 mean it's going to go more toward along the Coast in
- 19 Santa Monica, but that's for them maybe to Come back
- 20 together and let us know what it is.
- 21 COMMISSIONER FORBES: Is this what I heard from
- 22 you, Cynthia, that if Agoura Hills, Calabasas, Topanga,
- 23 and Malibu Could all go into Ventura District, and that
- 24 finger Could be expanded? I mean, is that -- as long as
- 25 those four Cities are together, do we Care which district

- 1 it's in? In other words, we expand the Moore Park, Simi
- 2 Valley blue zone in order to get Topanga, Calabasas,
- 3 Agoura Hills, and Malibu into the same district, which
- 4 would happen to be the Ventura one.
- 5 VICE CHAIRPERSON DAI: I think we've not heard
- 6 any testimony linking Malibu to Ventura County. We have
- 7 heard testimony linking Westlake and Agoura Hills to
- 8 Ventura, so just the northern border there for L.A.
- 9 County, but we have not heard any -
- 10 COMMISSIONER FORBES: No, I know that, I -
- 11 COMMISSIONER DI GUILIO: I think, Commissioner
- 12 Forbes, the problem you're going to have if you link I
- 13 see what you're trying to do, is to kind of have a north-
- 14 south district, starting in Simi, going down, but I think
- 15 the problem, as we heard in Oxnard, was that there was a
- 16 Clear indication, it's not quite as bad as the Malibu to
- 17 Santa Clarita, but that it's the same concept that the
- 18 inland wants to be inland and the Coast wants to be
- 19 Coast, and this would be for Simi Valley and Malibu just
- 20 like it would be for Malibu and Santa Clarita.
- 21 COMMISSIONER FORBES: Except we did hear a lot of
- 22 testimony that they want to surround those mountains.
- COMMISSIONER DI GUILIO: But the mountains stop
- 24 at Agoura Hills, it's a whole other valley once you go
- 25 down into Thousand Oaks and you go into another one.

- 1 COMMISSIONER FORBES: Oh, I understand that.
- 2 COMMISSIONER DI GUILIO: Yeah, you go into
- 3 another one with Simi Valley, so....
- 4 COMMISSIONER BLANCO: I mean, the way they
- 5 describe it is that it's the Santa Monica mountain beach
- 6 Community in a sense.
- 7 VICE CHAIRPERSON DAI: Yes. Clear as mud? Okay,
- 8 so I think we're done, then, with Congress?
- 9 MS. CLARK: Yes.
- 10 VICE CHAIRPERSON DAI: Okay, so we look forward
- 11 to some interesting options back from you folks, so
- 12 hopefully you have enough latitude to push and pull us
- 13 around. So, it is just shy of 2:30.
- 14 COMMISSIONER DI GUILIO: Commissioner Dai, I'm
- 15 sorry, do we want to go into any since we have them until
- 16 3:00? The option was to talk about some -
- 17 VICE CHAIRPERSON DAI: ADs.
- 18 COMMISSIONER DI GUILIO: -- ADs, okay.
- 19 VICE CHAIRPERSON DAI: Right. So just checking
- 20 with Q2. Shall we start on ADs? Just go as far as we
- 21 Can?
- MS. CLARK: Okay, one second, we have to switch
- 23 gears.
- VICE CHAIRPERSON DAI: And we'll go ahead and
- 25 start with the northern tip of California again.

- 1 COMMISSIONER FORBES: Let me know when you want
- 2 me to start.
- 3 VICE CHAIRPERSON DAI: Let's pull up the map.
- 4 You Can go ahead and start talking through any
- 5 assumptions if you like.
- 6 COMMISSIONER FORBES: Okay, well, I mean, I don't
- 7 think the assumptions are anything different from what
- 8 they were, it's a big open area with not very many
- 9 people. That's the assumption, and we're bordered by
- 10 Nevada, Oregon, and the ocean. I think there are three
- 11 issues, one of which we heard a lot about last night, one
- 12 was to keep Siskiyou County together, another one that
- 13 was proposed was to shift Butte and Shasta, but to
- 14 exchange them on the theory that Butte is much more
- 15 agricultural than Shasta was, and put Shasta in with the
- 16 mountain Cap. That was not even population exchange. On
- 17 the other hand, you Could take -- if we want to put
- 18 Tahoe, again, into Placer and El Dorado County, that
- 19 makes you lose 50,000 people and so that would affect how
- 20 the Butte and Shasta would exchange out. So, those are
- 21 two issues.
- Then, we heard a good bit, guess what, about
- 23 Davis, or about Yolo County, to be precise. Now, my
- 24 perception, and you guys Can disagree with me, that there
- 25 really were two issues going on, one was whether or not

- 1 Davis or Yolo County should be Connected to -- we Can
- 2 Call it Davis, that's who was there last night -- with
- 3 Solano County. But the other issue was whether or not
- 4 Yolo County should be kept whole because they didn't want
- 5 to be Cut up into nine pieces. To me, the primary issue
- 6 for most people last night was that Yolo County be kept
- 7 whole, and when I say that, it always has the footnote
- 8 that West Sacramento is always with Sacramento. I mean,
- 9 some people talked about West Sacramento as being part of
- 10 Yolo County, but I think a lot of people understood it as
- 11 not being really part of Yolo County. So, I was thinking
- 12 about this, one visualization that I wanted to have
- 13 developed to see whether it would be possible is directed
- 14 toward keeping Yolo County whole, but it does separate
- 15 Yolo County from Solano. And what that would amount to
- 16 would be to it's like a four-way wheel,
- 17 counterclockwise. You take Lodi, Galt, and Elk Grove,
- 18 and put those into what we have down there as the SAC
- 19 District, you take population out of that, and you put it
- 20 into the El Dorado District, and you take that population
- 21 and put it into the West Sacramento District, which then
- 22 allows you to perhaps pick up Woodland and Yolo County.
- 23 Or the other way to go about it is to put Woodland,
- 24 Winters, and Davis into the West Sacramento District, so
- 25 it's Yolo County plus a strip along Northern Sacramento

- 1 County would be a way to Create it exactly, so you have
- 2 all of Yolo County together except for West Sac and you
- 3 put it up into there, and then you move the population
- 4 around and I think you may be able to pick up Lodi and
- 5 Galt, as well. So that was just a thought. That would be
- 6 one way of keeping Yolo County together.
- 7 VICE CHAIRPERSON DAI: Go ahead.
- 8 MS. CLARK: I have a visualization, it isn't all
- 9 of Yolo County together, but it is Lodi to Galt along
- 10 this 99 Corridor with this area of East Sacramento
- 11 County, and then have it with Davis with the rest of Yolo
- 12 County. Would you like to see it?
- 13 COMMISSIONER FORBES: I would.
- 14 VICE CHAIRPERSON DAI: Yeah.
- 15 CHAIRPERSON YAO: I wasn't concentrating on the
- 16 Congressional District on Yolo County. Did we split Yolo
- 17 County in the Congressional District?
- 18 COMMISSIONER FORBES: Yes, it is split. West
- 19 Sacramento is Cut out, although it's not a bad district
- 20 because Woodland and Davis are in the same district and
- 21 they go down the I-80.
- VICE CHAIRPERSON DAI: Yeah, we didn't have any
- 23 Complaints about Congress.
- COMMISSIONER DI GUILIO: Jamie, Can I ask, is
- 25 there any way, I mean, I think with Lodi, poor Lodi, and

- 1 Galt, for that matter, too, it's just I've tried so many
- 2 ways to get Lodi, but if Lodi Can't be with San Joaquin
- 3 County, I think the next logical Choice, and particularly
- 4 for Galt, as we heard, would be linking it with Elk
- 5 Grove, and it doesn't look like that's even possible
- 6 here, it's being put in with the Foothill District, which
- 7 is -- it's not probably as bad as going with Solano, but
- 8 it's not far behind.
- 9 COMMISSIONER FORBES: I don't think that's -- is
- 10 that what we're seeing here? Lodi is going into the El
- 11 Dorado District.
- 12 COMMISSIONER DI GUILIO: That's what I'm saying,
- 13 well, I mean El Dorado --
- 14 COMMISSIONER FORBES: But that's not Foothill.
- 15 COMMISSIONER DI GUILIO: Well, I'm sorry, well,
- 16 it's --
- 17 COMMISSIONER FORBES: That's Sacramento County.
- 18 COMMISSIONER DI GUILIO: But I didn't know, Could
- 19 it go with Elk Grove? Maybe that's my -
- 20 MS. CLARK: It Can. I think that it Can go with
- 21 Elk Grove, and it would just be splitting off the
- 22 Southern Sacramento Florin Vineyard.
- COMMISSIONER DI GUILIO: Well, does that match
- 24 with the COI testimony? Because I know we've had a lot
- 25 on the South Sacramento COI testimony, as well, too.

- 1 MS. CLARK: Right. It's a tradeoff of the COIs
- 2 between Lodi through Elk Grove, and then the South
- 3 Sacramento Elk Grove.
- 4 COMMISSIONER FORBES: I mean, Elk Grove with Galt
- 5 and Lodi is a better Configuration for a Lodi, Galt and
- 6 Elk Grove, but it does break up I think it's the Hmong
- 7 Community that you find in the Florin area and it's
- 8 absolutely a tradeoff.
- 9 COMMISSIONER DI GUILIO: It splits them? Or it
- 10 doesn't put them where they --
- 11 COMMISSIONER FORBES: No, it's going to split
- 12 them off, it's liable to split them because that triangle
- 13 that Comes out and says "Vineyard," that would have to go
- 14 to the east if you're going to bring Lodi and Galt into
- 15 the light green.
- 16 MS. CLARK: I Can look at it further and we Can
- 17 see exactly where the split is.
- 18 COMMISSIONER FORBES: But I think that's better
- 19 than it was.
- 20 COMMISSIONER DI GUILIO: Yeah, it's better than
- 21 it was in some ways, but Lodi and Galt going all the way
- 22 up with an eastern part of the City of Sacramento, when
- 23 you have much more links with Elk Grove on the south part
- 24 of Sacramento, so that option is available and I think we
- 25 should at least -

- 1 COMMISSIONER FORBES: I mean, Elk Grove is a much
- 2 better Choice, except for that Configuration.
- 3 COMMISSIONER DI GUILIO: So that would also split
- 4 Antioch and Oakley down there, as well, I see in the Yolo
- 5 part.
- 6 COMMISSIONER FORBES: This is the visualization
- 7 I'd like to sort of pursue further next week because it
- 8 does address the Yolo County issue.
- 9 VICE CHAIRPERSON DAI: Okay, it addresses the
- 10 Yolo County issue at the expense of Antioch, Oakley, and
- 11 Brentwood, although it puts Antioch with Contra Costa,
- 12 which they would -- Antioch and Brentwood with Contra
- 13 Costa, which makes them happy, except that they're not
- 14 with Oakley.
- 15 COMMISSIONER FORBES: And I would hesitate to get
- 16 too nervous about that at this point because we've talked
- 17 about putting Siskiyou County back together, we've talked
- 18 about moving the Lake Tahoe District outside, so I'm not
- 19 sure just where the lines are going to move on the
- 20 northern part.
- VICE CHAIRPERSON DAI: Good point.
- 22 COMMISSIONER FORBES: So I think let them explore
- 23 that and let's see what happens.
- 24 VICE CHAIRPERSON DAI: Any other thoughts for the
- 25 ADs in this area from any other Commissioner?

- 1 MS. CLARK: I have one more set of visualizations
- 2 for this area. In trying to get Lodi with Stockton, the
- 3 Cities of Tracy and Lodi are both split, but if you would
- 4 like to see it, I Can show you. Or if you think that
- 5 it's an automatic no go, then we Can move on.
- 6 COMMISSIONER DI GUILIO: What was that again?
- 7 MS. CLARK: I have a visualization that, in
- 8 trying to get Lodi in with Stockton, splits Tracy and
- 9 Lodi.
- 10 COMMISSIONER DI GUILIO: I say let's look at it,
- 11 I mean, I don't know if we want to spend time with it,
- 12 the only other aspect which maybe we'll get to later,
- 13 because we're still looking at Region 9 to some degree is
- 14 the option of taking Eastern Stanislaus County and again
- 15 pushing it into the mountains. If that's possible, then
- 16 you don't have to do this finagling down there between
- 17 Tracy, Lodi, Lodi with Sacramento. If there is any way
- 18 to put Eastern Stanislaus in with the Foothills.
- 19 VICE CHAIRPERSON DAI: I think that is a
- 20 reasonable option based on the testimony we heard.
- 21 MS. CLARK: Would the City of Modesto go in with
- 22 the Foothills?
- COMMISSIONER DI GUILIO: That would be my hardest
- 24 aspect with that because it's an urban area, but I think,
- 25 as we heard in the COI testimony, there are people from

- 1 those Counties in the Foothills that do Come down to
- 2 Modesto, that's their link to some degree, so -- yeah.
- 3 COMMISSIONER FORBES: One thought I would have
- 4 about moving into the Foothills District is I would be
- 5 Cautious about Crossing Highway 49 because that is the
- 6 spine of that district.
- 7 COMMISSIONER DI GUILIO: I guess it depends. I'd
- 8 like to see the visualization of how much of the Foothill
- 9 Eastern Stanislaus County -- I don't want it to be a
- 10 whole Foothill and then one appendage that goes into
- 11 Eastern Stanislaus, but there Could be some, depending on
- 12 what happens with that Foothills District, which we've
- 13 given them some directions, again, to look at splitting
- 14 that, what happens there.
- 15 COMMISSIONER BLANCO: Just a Couple things, one,
- 16 I think I'd be a little Concerned about putting the City
- 17 of Modesto in the Foothills. It's so much -- it's really
- 18 a valley City and it has Communities in there and -- I
- 19 know the area fairly well -- that have very little to do
- 20 with the Foothills. I'd have concerns about that. The
- 21 other thing is, just looking at my notes, for the ADs we
- 22 talked about Lathrop was a big source of Concern, that it
- 23 was --
- 24 VICE CHAIRPERSON DAI: Left out.
- 25 COMMISSIONER BLANCO: -- left out.

- 1 COMMISSIONER DI GUILIO: It's a population thing
- 2 again, too.
- 3 COMMISSIONER BLANCO: Yeah, I'm just reading off
- 4 the things that Came up and Lathrop Came up several times
- 5 with people saying, you know --
- 6 COMMISSIONER DI GUIIO: Can I just show you one
- 7 thing to address Commissioner Blanco? If you zoom out a
- 8 little bit, Jamie, the only way that I would see linking
- 9 the eastern part of Stanislaus, you have Merced right
- 10 underneath it, right, that's your locked puzzle piece;
- 11 there is that part, remember we talked about Madera
- 12 County? So right now, the City of Madera is in a similar
- 13 position, the City of Madera, the western part, is in the
- 14 Foothill, so the other option is to grab basically having
- 15 the City of Madera and the City of Modesto in the same
- 16 district, which would be two urban areas in the valley,
- 17 Connected to the Foothills. Because, right now,
- 18 basically the City of Madera is with the whole long -
- 19 this is that whole long Foothills, so their urban boat is
- 20 being diluted with the Foothills, but if you split it,
- 21 you have two urban Centers with Modesto and Madera
- 22 matched with Foothills, I mean, I'm just showing that is
- 23 some of the Consideration that we've been working with on
- 24 the permissions we gave to the line drawers. You
- 25 basically are jumping over Merced through the Foothills,

- 1 but you're trying to keep the two valley Communities
- 2 together.
- 3 COMMISSIONER BLANCO: Yeah, I just don't see
- 4 Modesto as a Foothill City, it has so many -- you know, a
- 5 lot of people that live there work in the valley.
- 6 There's all of that stuff.
- 7 COMMISSIONER DI GUILIO: Oh, I totally agree with
- 8 you on that, it's just trying to rectify the City of
- 9 Madera being in the same situation, being a valley
- 10 Community, it's in the Foothills, so, you know, these are
- 11 the balancing acts that we have to make along the way.
- 12 VICE CHAIRPERSON DAI: I think the Compensating
- 13 thing is we did get a lot of testimony about keeping
- 14 Madera whole.
- 15 COMMISSIONER DI GUILIO: Correct, we did.
- 16 COMMISSIONER BARRABA: The only other point I
- 17 would make on the suggestion by Commissioner Di Guilio is
- 18 that, though it is split by Merced County, I believe
- 19 that's a pretty good highway that would connect those two
- 20 Cities, it's not that long of a ride as far as Continuity
- 21 between them.
- 22 COMMISSIONER DI GUILIO: Between Modesto and
- 23 Merced -- I mean, Madera?
- 24 COMMISSIONER BARRABA: Yeah.
- 25 COMMISSIONER BLANCO: I think if we were to do

- 1 that, I would want to look, you know, as we know now,
- 2 throughout the state, Modesto is the "Tale of Two
- 3 Cities," it really is. And so maybe there is a split in
- 4 Modesto and --
- 5 VICE CHAIRPERSON DAI: There is a split now, is
- 6 there not?
- 7 COMMISSIONER BLANCO: Right, but I'm saying there
- 8 may be a way, just like with Merced, that there's the
- 9 eastern part of the City that's more Foothills than the
- 10 part of the Cities that are more valley.
- 11 COMMISSIONER DI GUILIO: Well, the agricultural
- 12 part of Stanislaus is the western part; the eastern part
- 13 is kind of leftover railroad and the gateway to the
- 14 Foothills, so there is some aspect of that. I think it's
- 15 worth noting that, because of its connection to Section 5
- 16 and the 80 and SD, Modesto is split, but in the CD,
- 17 Stanislaus is whole, so this is where Modesto takes the
- 18 brunt of Section 5 is in the AD/SD, but in the CD, it
- 19 doesn't, so....
- 20 COMMISSIONER BLANCO: Yeah.
- 21 MS. CLARK: Would you like to see the
- 22 visualization trying to get Lodi into the Stockton
- 23 District?
- 24 VICE CHAIRPERSON DAI: Sure.
- MS. CLARK: Okay, so basically in this

- 1 visualization, I did split the City of Modesto a little
- 2 bit more. I went into the City of Modesto more, I should
- 3 say, from Merced just to balance out the population, but
- 4 it does still meet the benchmark for LVAP. And then sort
- 5 of, I started with trying to pull Lodi in, and then
- 6 balance out the Stockton District and the Stanislaus
- 7 District, and basically this is what happened. Oh, I'm
- 8 sorry, Tracy is not split, Manteca is split. So Tracy
- 9 ended up moving south to Stanislaus, or joining with
- 10 Eastern Stanislaus County. This border for Stanislaus
- 11 County used to go up here and take all of this eastern
- 12 San Joaquin County, but that moved down to balance
- 13 everything out and basically now, in this Configuration,
- 14 Tracy is not with Stockton and the majority of Lodi is
- 15 also not with Stockton.
- 16 COMMISSIONER DI GUILIO: So you've taken -- so
- 17 you still Couldn't put Lodi with Stockton with this?
- MS. CLARK: Right, yeah.
- 19 COMMISSIONER DI GUILIO: So right there, Lodi is
- 20 still with Solano County?
- 21 MS. CLARK: The majority of Lodi is still with
- 22 Solano County, yeah.
- COMMISSIONER DI GUILIO: Nah. Thanks for working
- 24 on it!
- VICE CHAIRPERSON DAI: Again, we want to see the

- 1 options, so this is an option, we rejected it. It didn't
- 2 improve things enough. It does seem that we have some
- 3 flexibility even with the Merced District, the Section 5.
- 4 These were over the benchmark a smidgeon.
- 5 MS. CLARK: A small amount of flexibility, yes.
- 6 VICE CHAIRPERSON DAI: I think this is the
- 7 district we got a lot of kudos for in Cutting Turlock
- 8 out?
- 9 COMMISSIONER DI GUILIO: We had to split
- 10 Stanislaus, there were people that actually told us we
- 11 did a good job with the split.
- 12 VICE CHAIRPERSON DAI: Any other options that we
- 13 would like Q2 to explore?
- MS. CLARK: If maybe we Can move back to the
- 15 Sacramento County area, in this visualization also,
- 16 Citrus Heights is whole, but based on the COI testimony
- 17 we heard yesterday, in the wrong district. There was
- 18 testimony about moving -
- 19 VICE CHAIRPERSON DAI: El Dorado Hills.
- 20 MS. CLARK: -- right, switching the population
- 21 for El Dorado Hills. This actually, I believe, Could
- 22 work. I think that the population of Citrus Heights that
- 23 is included Currently with Placer County is within 1,000
- 24 people of the total population of El Dorado Hills. Just
- 25 to the east right here of El Dorado Hills is the town of

- 1 Cameron Park. I believe that that's like 15,000 to
- 2 20,000 people, which assumably [sic] would be moved in --
- 3 I guess I would like direction for whether that would be
- 4 moved into the Foothills District, ideally.
- 5 COMMISSIONER FORBES: That's okay.
- 6 MS. CLARK: Or, whether I Could try maybe with
- 7 some other of this area of the Metro Sacramento --
- 8 COMMISSIONER FORBES: Cameron Park is a Foothill
- 9 as you go up Highway 50.
- 10 VICE CHAIRPERSON DAI: So would the Folsom Dam
- 11 area, would that still be maintained if we moved El
- 12 Dorado Hill?
- 13 MS. CLARK: Yes. That would affect the Foothill
- 14 District by adding approximately 70,000 more people to
- 15 this Foothill District, which, if the Commission is
- 16 interested in exploring breaking it up, at least the
- 17 northern area, the Foothill District Could make it more
- 18 viable.
- 19 VICE CHAIRPERSON DAI: By 70,000 people.
- 20 MS. CLARK: Yes, the southern end of the
- 21 Foothills District, I'm Confused.
- 22 COMMISSIONER FORBES: Now, again, where is that
- 23 70,000 Coming from?
- 24 MS. CLARK: The Lake Tahoe Basin and Cameron
- 25 Park.

- 1 COMMISSIONER FORBES: Okay, right. And that's
- 2 good and I appreciate you bringing up the Carmichael, I
- 3 just had forgotten it. Thank you.
- 4 COMMISSIONER BLANCO: So Can we summarize what we
- 5 are doing in this district before we move on? What we're
- 6 fixing?
- 7 COMMISSIONER FORBES: Do you want me to
- 8 summarize? Okay, what we just talked about is that we
- 9 would make the City of Carmichael whole --
- MS. CLARK: Citrus Heights.
- 11 COMMISSIONER FORBES: Citrus Heights, sorry. And
- 12 we'd make it up out of the El Dorado Hills, Cameron Park
- 13 area.
- 14 COMMISSIONER BLANCO: But, I mean, the whole map.
- 15 COMMISSIONER FORBES: Oh, the whole map, okay -
- 16 COMMISSIONER BLANCO: That we just did because
- 17 we're about to move on, right?
- 18 VICE CHAIRPERSON DAI: Well, we're going to move
- 19 south.
- 20 COMMISSIONER FORBES: We talked about the Tahoe
- 21 region, going back to its respective Counties, then we're
- 22 going to get a visualization as they have there, which
- 23 brings Lodi and Galt into the Eastern Sacramento County,
- 24 but we're also going to see whether we Can put it into
- 25 the Elk Grove what's the tradeoff for having Galt and

- 1 Lodi go with Elk Grove, and then get rid of having that
- 2 green triangle there Cut off and bring that into the El
- 3 Dorado District. I guess we'll have to Change the name
- 4 if El Dorado is going there.
- 5 VICE CHAIRPERSON DAI: "East Sac."
- 6 COMMISSIONER FORBES: Yeah, "East Sac." I think
- 7 that was the summary of it.
- 8 COMMISSIONER DI GUILIO: Commissioner Dai, is
- 9 your prerogative after this to go down into the valley?
- 10 Are we going to look a little Closer at the northern part
- 11 ADs in terms of I think there are some issues reflected
- 12 with some of the Coastal districts and the split of
- 13 Siskiyou that reflected in the CDs, so I didn't know if
- 14 we were going to go back there and revisit, or if we're
- 15 going to go down into the Central Valley.
- VICE CHAIRPERSON DAI: Yeah, if there are issues
- 17 in the north, we should finish up with the north.
- 18 COMMISSIONER DI GUILIO: That's what I thought,
- 19 okay.
- VICE CHAIRPERSON DAI: So, okay. So let's go
- 21 north. I think we had some suggestions from the public
- 22 for this, too, that involves swapping Yuba out.
- 23 COMMISSIONER DI GUILIO: And I think the issue
- 24 kind of -- maybe if I Could say, the issue kind of starts
- 25 on the Coast again. We've gone down into Sonoma or

- 1 haven't we gone down into Sonoma? It's that same issue
- 2 again of starting in Sonoma and the split, gone all the
- 3 way up to Mendocino, which is partly required, the split,
- 4 and Siskiyou, so it's maybe rotating population again up
- 5 the Coast and over, which would allow us to maybe address
- 6 the Butte Shasta switch, as well. I was wondering if
- 7 that's a logical place to start with this.
- 8 COMMISSIONER FORBES: It is, pull it up a little
- 9 bit so that we've got the Siskiyou, and then see what you
- 10 need to do once you've swapped out Butte for Shasta.
- 11 VICE CHAIRPERSON DAI: Right, and then there's
- 12 the Santa Rosa out of Sonoma problem.
- 13 COMMISSIONER FORBES: Right, and I didn't address
- 14 Santa Rosa because that didn't extend into the valley.
- 15 COMMISSIONER DI GUILIO: Right, it goes all the
- 16 way to Santa Rosa.
- 17 VICE CHAIRPERSON DAI: Yeah, so that's -
- 18 COMMISSIONER DI GUILIO: Yeah, well, actually
- 19 it's Cut out, it's in the southern part, but it's where
- 20 it goes all the way down into Sonoma and splits at the
- 21 Santa Rosa area.
- 22 COMMISSIONER FORBES: Was Napa County mine?
- COMMISSIONER DI GUILIO: So I guess I'm saying
- 24 maybe we should pull, similar to our CD --
- 25 VICE CHAIRPERSON DAI: Do something similar to

- 1 Congress, look at rotating it over the top.
- 2 COMMISSIONER FORBES: Well, I think if you're
- 3 going to talk about the Napa County, is that Region 8 or
- 4 9?
- 5 COMMISSIONER DAI: Region 8.
- 6 COMMISSIONER FORBES: Yeah, okay. That wasn't
- 7 mine.
- 8 VICE CHAIRPERSON DAI: Right.
- 9 COMMISSIONER FORBES: But my Comment is the Santa
- 10 Rosa finger just doesn't work, I mean --
- 11 VICE CHAIRPERSON DAI: No, it doesn't work for
- 12 the Santa Rosins, it just doesn't --
- 13 COMMISSIONER FORBES: I mean, that looks like
- 14 what we've been hired to fix kind of thing.
- VICE CHAIRPERSON DAI: So I think all of the
- 16 direction we gave you for Congress, I mean, you Can try
- 17 some of those same things, we're working with a different
- 18 unit now, so might be able to pull it up more.
- MS. CLARK: Right. And addressing this proposed
- 20 switch of Butte and Shasta, adding this western part of
- 21 Siskiyou back with the Mountain Cap really is not going
- 22 to alleviate that much of that; all this total population
- 23 is being 6,000 and 7,000.
- 24 VICE CHAIRPERSON DAI: No.
- 25 COMMISSIONER FORBES: No.

- 1 COMMISSIONER DI GUILIO: Well, I think we need to
- 2 give them some direction, though, whether we want to have
- 3 a district in AD that's similar to -- where do we start?
- 4 Mendocino and go up to Trinity and Humboldt, Del Norte,
- 5 and then over? And then what happens? Do we go up and
- 6 around and avoid Shasta, and then go Shasta down?
- 7 COMMISSIONER FORBES: I think we go across the
- 8 top into Modoc and Come down into Lassen and then see
- 9 where we are population wise. I think your next Choice
- 10 would be to Come down to Plumas.
- 11 COMMISSIONER DI GUILIO: And keep Shasta in the
- 12 Valley?
- 13 COMMISSIONER FORBES: And keep Shasta in the
- 14 valley, and then begin to peel off of Shasta for
- 15 population.
- VICE CHAIRPERSON DAI: So peel off at the north?
- 17 COMMISSIONER FORBES: Yeah, Come down because,
- 18 again, the idea is to keep the mountains together and --
- 19 VICE CHAIRPERSON DAI: So north of Redding?
- 20 COMMISSIONER FORBES: North of Redding, exactly.
- 21 That would all be mountains.
- MS. CLARK: Could I repeat back the direction?
- COMMISSIONER FORBES: Okay.
- MS. CLARK: So that would be, for this northern
- 25 Coastal district, starting at Mendocino, then moving

- 1 north, and from there moving east?
- 2 COMMISSIONER FORBES: Correct, and further east.
- 3 MS. CLARK: Right, further east. And then --
- 4 COMMISSIONER FORBES: Then take Lassen and
- 5 Plumas.
- 6 MS. CLARK: Take Lassen and Plumas with this
- 7 mountain or with this north Coast district.
- 8 COMMISSIONER FORBES: Uh huh.
- 9 MS. CLARK: Is that from going around Shasta or
- 10 incorporating Shasta?
- 11 COMMISSIONER FORBES: No, it goes around Shasta,
- 12 except to the extent you need Shasta population to get to
- 13 your number.
- MS. CLARK: Okay, so after moving around Shasta,
- 15 then begin to incorporate population from Shasta?
- VICE CHAIRPERSON DAI: Mountain areas.
- 17 COMMISSIONER FORBES: Right, starting north to
- 18 south.
- 19 COMMISSIONER BLANCO: If I may speak heresy, if
- 20 you look at the old Assembly District maps, it's
- 21 something very similar to what we're describing here.
- VICE CHAIRPERSON DAI: The old Assembly maps
- 23 weren't that bad!
- COMMISSIONER BLANCO: I mean, they're very
- 25 similar to what we just -- I'm saying, as a guidance,

- 1 they're very similar.
- 2 COMMISSIONER BARRABA: Although I thought the
- 3 testimony was that people up north thought they were not
- 4 as well represented because they went much further down
- 5 into Sacramento.
- 6 VICE CHAIRPERSON DAI: Right, and we're avoiding
- 7 that.
- 8 COMMISSIONER BLANCO: Right, I'm just saying in
- 9 terms of the groupings that are sort of, you know,
- 10 Siskiyou, Modoc, Shasta, those are very similar.
- 11 VICE CHAIRPERSON DAI: And we had someone testify
- 12 from Siskiyou last night, saying they felt more
- 13 similarity to Modoc and Lassen.
- 14 COMMISSIONER FORBES: And you would expect that
- 15 because there hasn't been much population Change up there
- 16 and so you'd expect them to be similar.
- 17 COMMISSIONER DI GUILIO: So, Can I take a
- 18 different route with that, Commissioner Forbes and say --
- 19 COMMISSIONER FORBES: Sure.
- 20 COMMISSOIENR DI GUILIO: -- that's the general
- 21 direction for that district; what would you like to see
- 22 -- what are your Core parts for the Central Valley part
- 23 that, if Jamie has to go into that Shasta area, south,
- 24 what part of that would you like to keep linked?
- 25 COMMISSIONER FORBES: From my point of view, I

- 1 would just Come south on Shasta as far as you needed to
- 2 go, and then you would start the Central Valley District
- 3 wherever that ended up, and Come down through Tehama and
- 4 Glenn and Colusa and Butte.
- 5 COMMISSIONER DI GUILIO: That's my point, so
- 6 you'd like to see the Colusa, Glenn, Butte stay kind of
- 7 together and Shasta population pulled from the Shasta
- 8 instead?
- 9 COMMISSIONER FORBES: Exactly because, again,
- 10 north of Redding is mountains.
- 11 MS. CLARK: So the direction is, then, not go
- 12 further -- not include Redding or go south from Redding
- 13 and Shasta County as far as the mountain Cap district
- 14 goes?
- 15 COMMISSIONER FORBES: Yeah, I think at this
- 16 point. I mean, if we see something next week that
- 17 requires something different, but at this point, I would
- 18 stop there.
- 19 VICE CHAIRPERSON DAI: Okay.
- 20 COMMISSIONER BLANCO: And does that fix the
- 21 finger?
- VICE CHAIRPERSON DAI: Do you think that will fix
- 23 the finger?
- MS. CLARK: What finger? Oh, the Santa Rosa
- 25 finger. Well, if we begin this north Coast district at

- 1 Mendocino and go north, depending on what happens with
- 2 this Yuba district, and depending on, I guess, direction
- 3 from the Commission about whether Lake and Napa -- I
- 4 guess what to do with this population. I have a feeling
- 5 there Could be some extra population that might entail
- 6 Crossing the bridge.
- 7 VICE CHAIRPERSON DAI: South or north?
- 8 MS. CLARK: I'm not exactly sure how the
- 9 population would shake out, but presumably just these
- 10 four Counties isolated are not perfect Assembly
- 11 Districts.
- 12 COMMISSIONER FORBES: I think you Could probably
- 13 move north, I mean, split Sonoma a little bit, rather
- 14 than go across the Golden Gate. I mean, you have to
- 15 split something and I think splitting Sonoma is better
- 16 than going across the Golden Gate, personally.
- 17 VICE CHAIRPERSON DAI: I would agree and I would
- 18 say the only thing we're trying to do is put Santa Rosa
- 19 back into Sonoma.
- 20 COMMISSIONER BLANCO: Right, and Currently -
- VICE CHAIRPERSON DAI: Or part of Sonoma.
- 22 COMMISSIONER BLANCO: Currently, Sonoma is split
- 23 into three Assembly Districts, one is in Napa, one is in
- 24 Sonoma, and one is in Marin, so....
- VICE CHAIRPERSON DAI: Right, so if we Could

- 1 reduce that split, that would be good. Split them only
- 2 once. Does that help?
- 3 MS. CLARK: Yes.
- 4 VICE CHAIRPERSON DAI: Okay, any other Comments
- 5 about Yolo Solano? Do you want to zoom in on that area a
- 6 little bit more? I think we talked about most of that
- 7 already. Do we have the issue with the American Canyon
- 8 in this one, as well?
- 9 CHAIRPERSON YAO: Before we get out the Yolo, we
- 10 started a Conversation in terms of keeping Yolo whole,
- 11 have we accomplished that?
- 12 VICE CHAIRPERSON DAI: Mostly.
- 13 COMMISSIONER FORBES: Yeah, the option here does,
- 14 except for West Sacramento, we stayed in Sacramento.
- MS. CLARK: Yeah, I think that move of taking
- 16 population from Shasta and moving that north will also
- 17 eventually move this Yolo County, this will go north,
- 18 too. So, ideally, that Can be whole with the exception
- 19 of West Sacramento County if that is Commission
- 20 direction.
- 21 VICE CHAIRPERSON DAI: Uh huh. Okay, do you have
- 22 enough for Northern California? It's five to three. Do
- 23 you want to try to do another?
- 24 MS. CLARK: I think that we Can quickly move on
- 25 to the Section 5 Counties and then San Luis Obispo to

- 1 Ventura.
- 2 VICE CHAIRPERSON DAI: Okay.
- 3 MS. CLARK: Okay.
- 4 CHAIRPERSON YAO: Can we accomplish that in five
- 5 minutes?
- 6 VICE CHAIRPERSON DAI: They Can stay a little bit
- 7 later.
- 8 MS. CLARK: Okay, so again, these Section 5
- 9 Districts are the same as last time you saw them and both
- 10 of them meet the LVAP benchmark.
- 11 VICE CHAIRPERSON DAI: And they have a little bit
- 12 of wiggle room, right?
- MS. CLARK: Merced has some wiggle room, it's 1.5
- 14 percentages.
- VICE CHAIRPERSON DAI: Over?
- MS. CLARK: Right, over. Oh, yes, and this is
- 17 our potential Section 2 district, West Fresno County also
- 18 hasn't Changed since you last saw it. We did hear some
- 19 COI testimony about including this small area just south
- 20 of Sunnyside and that's a viable Change.
- 21 VICE CHAIRPERSON DAI: Should we give them
- 22 direction to fix that?
- 23 CHAIRERSON YAO: Yes.
- 24 VICE CHAIRPERSON DAI: Thank you.
- MS. CLARK: And this is -

- 1 COMMISSIONER BLANCO: Could we just stop on
- 2 Merced? This is the one where we do have a retrogression
- 3 with Asian and Black CVAP. Is that not the Case?
- 4 VICE CHAIRPERSON DAI: I think it's mild, yeah.
- 5 It's the Stockton finger issue.
- 6 COMMISSIONER BLANCO: So we need to discuss that.
- 7 VICE CHAIRPERSON DAI: So I think we have
- 8 discussed it already. The advice of Counsel was to
- 9 document the reasons why. Among the reasons are that the
- 10 Stockton finger was Created not to benefit Asian voters,
- 11 but for gerrymandering purposes. We did have testimony
- 12 in Stockton from several members of the API Community
- 13 indicating they wanted to be part of the San Joaquin
- 14 District, so we'll just include that in our document.
- 15 COMMISSIONER YAO: I thought the direction from
- 16 the Counsel is to make the numbers.
- 17 COMMISSIONER BLANCO: That's what I just heard
- 18 today.
- 19 VICE CHAIRPERSON DAI: Right, but with the
- 20 emphasis on the L.
- 21 COMMISSIONER BLANCO: No.
- 22 CHAIRPERSON YAO: No.
- 23 COMMISSIONER BLANCO: He was asked and he didn't
- 24 make a distinction.
- VICE CHAIRPERSON DAI: Okay. So, to Clarify, we

- 1 actually talked about this on the Call yesterday, and
- 2 again, this is the point, the differentiation he made
- 3 with Monterey and the Stockton finger is, with Monterey,
- 4 if the only justification we had for drawing a different
- 5 district was to keep Certain Communities of interest,
- 6 Cities, and Counties whole, that is ranked Criteria 4 and
- 7 it falls below the Section 2 Criterion. In our Case, he
- 8 has made several presentations about that there's been no
- 9 history of the DOG prosecuting for small populations, and
- 10 that, since they didn't have a reasonable chance of
- 11 electing a representative of their Choice with the small
- 12 population in the first place, that that was something we
- 13 Could explain through the totality of circumstances, we
- 14 just have to document it.
- 15 COMMISSIONER BLANCO: Okay, let's just I'd like
- 16 to just double-Check it because I specifically asked and
- 17 I have his response and I asked him is this the Case for
- 18 the smaller groups, and he said that he was referring to
- 19 all of them. And so, you know, we Can go with this, but
- 20 I'd like to just hear back because that's why I had
- 21 asked.
- VICE CHAIRPERSON DAI: Yes.
- COMMISSIONER BLANCO: And then, you know, he said
- 24 meet the benchmark for all groups.
- 25 VICE CHAIRPERSON DAI: Right, that's the ideal

- 1 Case, but he had said in previous open sessions where
- 2 we've specifically asked about the Stockton finger that
- 3 -- Commissioner Ancheta, please.
- 4 COMMISSIONER ANCHETA: I think we should simply
- 5 Confirm that on Friday when he's here.
- 6 VICE CHAIRPERSON DAI: Yeah, let's go with that.
- 7 COMMISSIONER BLANCO: Right.
- 8 COMMISSIONER ANCHETA: Just a related point. I
- 9 have not done a thorough analysis, I don't know if
- 10 anybody has done a thorough analysis of some of the maps
- 11 that Came in last night, including what's Called the
- 12 "Unity" map presentation, but just FYI, there is a
- 13 proposal for two Section 2 Districts within this area,
- 14 one aligns with the Fresno one, and then there is another
- 15 one which looks like it's a Tulare Bakersfield District,
- 16 but I think we need to look at it, at this point, and
- 17 maybe just Q2, I think, has loaded it at least on one or
- 18 two Computers, so we may need to look at that a little
- 19 more Closely.
- 20 COMMISSIONER BLANCO: Oh, yeah, let's look at
- 21 that.
- 22 COMMISSIONER ANCHETA: We just haven't had the
- 23 time.
- 24 VICE CHAIRPERSON DAI: We Can look at it on
- 25 Friday? Or do you have it here?

- 1 MS. MAC DONALD: Nicole has it in the office.
- MS. CLARK: Nicole has it in the office.
- 3 VICE CHAIRPERSON DAI: So, later this week.
- 4 MS. CLARK: Yes.
- 5 VICE CHAIRPERSON DAI: Okay, our Tulare -- this
- 6 is VAP, Correct?
- 7 MS. CLARK: This is VAP.
- 8 VICE CHAIRPERSON DAI: So our Tulare District is
- 9 52 percent LVAP.
- 10 COMMISSIONER ANCHETA: And again, just to note,
- 11 this is the eyeball test, they look pretty Compact, so
- 12 unlike some other districts that I think we wouldn't have
- 13 a problem saying we shouldn't replicate them, these I
- 14 think we should take a Close look at.
- 15 VICE CHAIRPERSON DAI: Shall we give direction to
- 16 Q2 to look at the proposed Section 2 District for Tulare
- 17 as proposed by --
- 18 COMMISSIONER ANCHETA: Well, I quess it's the
- 19 AARCCAPA [phon.] for MALDEF, Unity Response Plan.
- 20 VICE CHAIRPERSON DAI: Okay.
- 21 CHAIRPERSON YAO: Now, George Brown this morning
- 22 did not identify the Tulare area as being a majority-
- 23 minority district, I mean, he only identified the Fresno.
- 24 VICE CHAIRPERSON DAI: He hadn't seen it yet.
- 25 COMMISSIONER ANCHETA: I don't think he's --

- 1 VICE CHAIRPERSON DAI: He hasn't seen it yet.
- 2 COMMISSIONER ANCHETA: He hasn't seen it either,
- 3 I think. Again, these just Came in last night on a CD,
- 4 so I think we're just now looking at them.
- 5 CHAIRPERSON YAO: All right.
- 6 MS. CLARK: Shall we move forward?
- 7 VICE CHAIRPERSON DAI: Yes.
- 8 MS. CLARK: Okay. So this is the Kings Assembly
- 9 District, Section 5. It's also the same as the last time
- 10 you saw it, does not retrogress for LVAP or any of the
- 11 other VAPs.
- 12 VICE CHAIRPERSON DAI: That one looks good.
- 13 Okay.
- MS. CLARK: Next is this Tulare County based
- 15 district. For population, it Comes down into Northern
- 16 Kern County and then, this County includes the remainder
- 17 of the City of Bakersfield, and this Ridgecrest area, as
- 18 well as this area along the border of San Luis Obispo,
- 19 Santa Barbara, Ventura. And, again, this portion is
- 20 taken out for population.
- 21 VICE CHAIRPERSON DAI: And that was identified as
- 22 a desert area, I believe.
- COMMISSIONER DI GUILIO: The High Desert.
- 24 VICE CHAIRPERSON DAI: The High Desert. So, I
- 25 don't know if you had a chance to look at the proposed

- 1 Tulare District? I'm imagining it would reach further
- 2 down into Kern?
- 3 MS. MAC DONALD: It's being uploaded for us right
- 4 now.
- 5 VICE CHAIRPERSON DAI: Okay. So that might
- 6 affect some things. So, any Comments on these areas?
- 7 Anything you would like Q2 to explore outside of looking
- 8 at that potentially additional Section 2 districts?
- 9 Okay, we will double-Check with Mr. Brown on Friday on
- 10 the Stockton finger to Clarify hopefully once and for
- 11 all.
- MS. CLARK: Okay, Can we move on to the San Luis
- 13 Obispo?
- 14 COMMISSIONER DI GUILIO: Actually, Can I ask
- 15 since we're here, Can I quickly see if we Can get some
- 16 direction to them on one other part in this? And, Jamie,
- 17 this goes back to the Conversation Commissioner Blanco
- 18 and I had in terms of the ADs, when it Comes to the
- 19 eastern part of Stanislaus and that western part of
- 20 Madera, so if you kind of pull out a little bit, you Can
- 21 see, there's a problem also -- I say problem -- one of
- 22 the issues we identified was the long Foothill District.
- 23 And then it gets even exacerbated when we do the nesting
- 24 as you recall, it ends up being all the way from Madera,
- 25 all the way up to, I forget, somewhere east of

- 1 Sacramento. So, one of the things I wanted to see if the
- 2 Commission agreed to was, again, the Concept of linking
- 3 the eastern part of Stanislaus with the -- so taking the
- 4 western part of Madera, the eastern part of Stanislaus,
- 5 and a sliver down the mountains, because population-wise,
- 6 I think the eastern part of Stanislaus is in the 300,000,
- 7 and in the portion of the urban, the Madera, it's
- 8 probably going to make up for that, and so that in the
- 9 first Assembly you kind of have those two valley-based
- 10 Communities in an Assembly District, linked by the
- 11 Foothills, and then you've have more the integrity of a
- 12 Foothill District for the Assembly, so then when you go
- 13 into the Senate and you try and next, you would have,
- 14 again, more of a Compact Southern part of the district,
- 15 that's the only way you're going to pull up population,
- 16 because the Fresno District you see is linked with the
- 17 Tulare right below it in the Senate for nesting because
- 18 of the Section 5 issues in the Senate down south, so kind
- 19 of the Tulare Fresno are linked, so that's why, when you
- 20 start in that blue part, the Foothill District gets so
- 21 long. So, if you Could kind of make it Compact in an AD,
- 22 and then, when you expand to the SD, it still stays more
- 23 in the southern part of the valley in Foothills rather
- 24 than extending all the way up to Sacramento. I'm not
- 25 sure if that makes sense what I'm saying right now. Does

- 1 that make sense, Jamie?
- 2 MS. CLARK: I think that makes sense and I have a
- 3 question as to where this remaining part of San Joaquin
- 4 County would go.
- 5 COMMISSIONER DI GUILIO: Well, I quess I'm
- 6 saying, if you do --
- 7 MS. CLARK: Would that go with a different
- 8 Foothills District?
- 9 COMMISSIONER DI GUILIO: Well, if you Cut off,
- 10 yeah, if you Cut off Stanislaus County, then you Could
- 11 kind of start the AD in Stockton -- that's a good
- 12 question. I guess I'm just looking at how to kind of
- 13 Correct the lower Foothill area and link those Modesto
- 14 and Madera together in terms of population, so what would
- 15 you do, then, for San Joaquin County? Then you would
- 16 have, I guess for the AD, you would have to split the
- 17 Stockton and eastern part of San Joaquin County to two,
- 18 right? You Could do that?
- MS. CLARK: Yes?
- VICE CHAIRPERSON DAI: Yes with hesitation?
- 21 MS. CLARK: I mean, I Could definitely look into
- 22 it and play around and see what would be possible.
- COMMISSIONER DI GUILIO: Yeah, I just would like
- 24 to see if there's an option because it would address the
- 25 issue not so much in the AD -- it would address Madera's,

- 1 the urban part of Madera, the western part of Madera
- 2 being linked with the Foothill District in the AD, and
- 3 that's probably more significant; but I think what
- 4 happens in the SD would be more of an impact of being
- 5 able to break that very long Foothill District, which we
- 6 heard a lot of COI, by basing population in the urban
- 7 part of Madera and Modesto and Stanislaus. That would be
- 8 your base for the southern part of the district.
- 9 MS. CLARK: Right. And just to say it again,
- 10 this western part of Madera County is part of this
- 11 Foothills District because it Can't go with Merced, it
- 12 would dilute the LVAP number for that district, it would
- 13 also dilute the LCVAP number for this potential Section 2
- 14 district in West Fresno, and the population is too great
- 15 to be added with the remainder of the City of Fresno,
- 16 which would Create a situation where Fresno was split
- 17 into three separate Assembly Districts.
- 18 COMMISSIONER DI GUILIO: So that was my
- 19 suggestion, that the only way to get Madera linked with
- 20 the population base, the Closest one is right now it's
- 21 linked with the long rural Foothill, the only way to get
- 22 it to be Connected more to the Valley floor, actually, is
- 23 to link up with Eastern Stanislaus County.
- MS. CLARK: I'll look into it.
- 25 VICE CHAIRPERSON DAI: I also wanted to Confirm

- 1 that you Can also, as in the Congressional, Consider
- 2 taking Mono or --
- 3 MS. CLARK: Thank you, that helps.
- 4 COMMISSIONER DI GUILIO: We'll take those 18,000
- 5 people.
- 6 VICE CHAIRPERSON DAI: Fourteen thousand.
- 7 COMMISSIONER DI GUILIO: Oh, sorry, 14,000 for
- 8 Mono and 18,000 for Inyo, sorry.
- 9 MS. CLARK: Should we move on to San Luis Obispo,
- 10 Santa Barbara, Ventura?
- 11 VICE CHAIRPERSON DAI: Yeah.
- 12 MS. CLARK: I do have some visualizations
- 13 prepared for this area that are a little bit different
- 14 than the first draft maps. So in this visualization,
- 15 there is still this hard line between San Luis Obispo and
- 16 Monterey Counties and this hard line between San Luis
- 17 Obispo and Kern County. San Luis Obispo is whole and it
- 18 still does take this northern part of Santa Barbara
- 19 County, however, there is a population switch here,
- 20 previously the line split the City of Lompoc and included
- 21 this area which is Buellton, Solvang, I included that
- 22 with San Luis Obispo, but I switched that population in
- 23 this Configuration. The City of Lompoc is whole and
- 24 Buellton, Solvang, this area, is south with Santa Barbara
- 25 Coastal district and these unincorporated areas for

- 1 population are also added.
- 2 COMMISSIONER DI GUILIO: Can I just ask one
- 3 question before we -- in terms of, I know we're going to
- 4 be looking at SD issues later on with Monterey, the
- 5 Section 5, if there are some Changes with ability to
- 6 split Merced and Monterey, will that affect -- will
- 7 Monterey need to go south?
- 8 MS. CLARK: Yes.
- 9 COMMISSIONER DI GUILIO: So this may Change
- 10 depending on if you break well, not for AD, it will be
- 11 -- never mind, I'm sorry, okay.
- 12 VICE CHAIRPERSON DAI: So there are no City
- 13 splits, then?
- MS. CLARK: There are no City splits.
- 15 COMMISSIONER AGUIRRE: All right.
- 16 VICE CHAIRPERSON DAI: I think that's an
- 17 improvement.
- 18 COMMISSIONER DI GUILIO: Good job, Commissioner
- 19 Aguirre.
- VICE CHAIRPERSON DAI: Okay, and on below it?
- 21 MS. CLARK: Okay, so again, the Change for the
- 22 Santa Barbara, West Ventura District is this population
- 23 switch between Lompoc and Buellton area. We zoom in a
- 24 little bit, one moment please, there we go, so again, all
- 25 of this Ojai area is intact, and there is also a switch

- 1 that has to do with this East Ventura area. We heard a
- 2 lot of testimony and I had some Commissioner requests to
- 3 keep the City of Oxnard whole and the City of Thousand
- 4 Oaks whole, and to keep them together. This
- 5 visualization does accomplish that. There are some big
- 6 Changes for this area. This 126 Corridor is intact,
- 7 however, they are not with Oxnard and Port Hueneme and El
- $8\,$  Rio. Thousand Oaks is whole as opposed to moving east
- 9 and going with L.A., it is included in this Eastern
- 10 Ventura and more Coastal district. The switch there is
- 11 that Simi Valley is now included with the eastern areas
- 12 for population, it did have to be split from Moore Park
- 13 and the Santa Rosa Valley. Also for population, the
- 14 Westlake Village is included with Thousand Oaks, Oxnard,
- 15 Camarillo.
- VICE CHAIRPERSON DAI: Comments?
- 17 COMMISSIONER AGUIRRE: So Westlake is made whole?
- 18 MS. CLARK: Yes, there are no City splits.
- 19 COMMISSIONER BLANCO: What does it do to that
- 20 whole area below that we were talking about, that
- 21 Calabasas, Agoura?
- MS. CLARK: I didn't balance this, this is
- 23 Nicole's region.
- COMMISSIONER BLANCO: Okay, so we don't know how
- 25 this impacts that area yet, right?

- 1 MS. CLARK: There was COI testimony that Simi
- 2 Valley Could go with Santa Clarita in the Assembly
- 3 Districts.
- 4 COMMISSIONER DI GUILIO: So, basically, before we
- 5 had a split in Oxnard and in Thousand Oaks, and Simi and
- 6 Moore Park went with the City of Ventura.
- 7 MS. CLARK: Right, they went with Ventura and
- 8 part of Thousand Oaks -- and Oak Park, I believe, went
- 9 east with L.A.
- 10 COMMISSIONER DI GUILIO: They actually went into
- 11 L.A., so this was that unity -- "unity" is the keyword
- 12 everyone is using for it -- this was the Oxnard, Thousand
- 13 Oaks unity proposal which eliminated a split for both of
- 14 those Communities, while keeping, let's say, the Santa
- 15 Clara Valley intact, Santa Paula Fillmore, linked with
- 16 Ventura and Ojai linked with Ventura, and it really just
- 17 -- the split then became Simi Valley and it was Santa
- 18 Clarita, so there was really -- the Eastern Ventura
- 19 County didn't have any of the Complaints we heard about
- 20 not wanting -- they didn't want to go with L.A. County,
- 21 but they approved the Santa Clarita. So it prevents that
- 22 link with L.A. County and the split is with Simi Valley
- 23 going to Santa Clarita. It's not a split, actually,
- 24 there's no split, it's simply the City goes with --
- 25 MS. CLARK: Right. This is similar to that map

- 1 and there are some differences. That map had Bell Canyon
- 2 with Ventura and I believe had Oak Park split. Yeah, it
- 3 is very similar.
- 4 VICE CHAIRPERSON DAI: It's similar, but not the
- 5 same.
- 6 COMMISSIONER BLANCO: Did you say it has Westlake
- 7 in it?
- 8 MS. CLARK: Westlake is with -- yes, is whole and
- 9 is with Thousand Oaks.
- 10 VICE CHAIRPERSON DAI: I think it's good.
- 11 COMMISSIONER BLANCO: It's great.
- 12 COMMISSIONER AGUIRRE: There was a question, I
- 13 think it was about Simi Valley, like 2,000 or 7,000
- 14 people. Did you fix that?
- MS. CLARK: Yes. Simi Valley is not split.
- 16 COMMISSIONER AGUIRRE: Yeah, all right.
- 17 COMMISSIONER DI GUILIO: And Can I ask just where
- 18 the split between Oxnard and Ventura is? What is the
- 19 demarcation between those two?
- 20 MS. CLARK: So basically this line runs right
- 21 between Ventura and Oxnard, neither of those Cities is
- 22 split.
- 23 COMMISSIONER DI GUILIO: What is that street? Do
- 24 you know?
- 25 COMMISSIONER AGUIRRE: That is the Santa Clara

- 1 River.
- 2 COMMISSIONER DI GUILIO: Oh, the Santa Clara
- 3 River, okay, thank you.
- 4 VICE CHAIRPERSON DAI: Any other Comments? We're
- 5 happy about this one, I think.
- 6 COMMISSIONER DI GUILIO: Oh, very good job.
- 7 VICE CHAIRPERSON DAI: Okay, good job, Jamie, we
- 8 like this one. Hopefully it doesn't frustrate Nicole too
- 9 much.
- MS. CLARK: No, I hope not too.
- 11 VICE CHAIRPERSON DAI: But I don't think it's too
- 12 far off from what we had running into L.A. before, so....
- 13 Okay, is that everything you wanted to handle today? It
- 14 is like 3:18. You already passed your witching hour
- 15 here.
- MS. CLARK: Gotta go.
- 17 VICE CHAIRPERSON DAI: Okay, so we will let our
- 18 Mappers go. I'll turn this back over to Chairman Yao.
- MS. CLARK: Thank you.
- 20 VICE CHAIRPERSON DAI: Thank you.
- 21 COMMISSIONER DI GUILIO: Any chance for a bio
- 22 break, too, just throw that out, Chairman?
- CHAIRPERSON YAO: Yes. Why don't we take a 10-
- 24 minute break and then we'll go into the business portion
- 25 of the meeting. I would like to propose a slight Change

- 1 in order in the business. We'll Come back at 3:30 and
- 2 start the business meeting.
- 3 (Recess at 3:20 p.m.)
- 4 (Reconvene at 3:32 p.m.)
- 5 CHAIRPERSON YAO: It's 3:30, we're going to
- 6 reconvene the Citizens Redistricting Commission. We just
- 7 finished the Mapping portion of our agenda and we're
- 8 going to proceed to the business portion of the agenda.
- 9 Anticipating that we may be losing a super
- 10 majority quorum, I'd like to tackle the business item
- 11 that requires all of us to be present to vote. So, are
- 12 we ready to discuss the recruiting and hiring of
- 13 Consultants? Basically, this has to do with the In-line
- 14 review of Consultants issue. Oh, Commissioner Di Guilio,
- 15 are you ready to tackle that portion of the agenda?
- 16 COMMISSIONER DI GUILIO: Oh, the In-line process
- 17 review?
- 18 CHAIRPERSON YAO: Right.
- 19 COMMISSIONER DI GUILIO: Yeah, I'm not sure if
- 20 the Commissioners who are involved with that would like
- 21 to discuss it, or if Mr. Claypool was anticipating giving
- 22 a presentation, but yeah, I will have to defer the In-
- 23 line. I don't know if Commissioner Barraba or
- 24 Commissioner Forbes?
- 25 COMMISSIONER BARRABA: I believe that we had

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- 1 reviewed all of that and we just didn't get a vote,
- 2 though. We had a big discussion on it the last time.
- 3 CHAIRPERSON YAO: Right.
- 4 COMMISSIONER BARRABA: And then we ran out of
- 5 time.
- 6 CHAIRPERSON YAO: Right.
- 7 COMMISSIONER BARRABA: So, unless Mr. Claypool
- 8 wants to do a quick review. Or Raoul.
- 9 COMMISSIONER DI GIULIO: Here Comes Raoul.
- 10 COMMISSIONER BARRABA: We have someone who really
- 11 knows it.
- 12 COMMISSIONER BLANCO: Who is presenting the item?
- 13 Oh, Raoul? Okay.
- 14 CHAIRPERSON YAO: Raoul, are you going to address
- 15 the item, the In-line review?
- MR. VILLANUEVA: Yes.
- 17 CHAIRPERSON YAO: Okay.
- MR. VILLANUEVA: I would be happy to.
- 19 CHAIRPERSON YAO: Please proceed.
- 20 MR. VILLANUEVA: I was in a discussion outside,
- 21 so if you Could let me know what part of the In-line
- 22 review you were interested in?
- COMMISSIONER BARRABA: We just pointed out that
- 24 we discussed it, I thought, recently, and really well at
- 25 the last meeting, but we didn't take action on it, and I

- 1 guess, unless anybody has any further questions, I don't
- 2 see why we Couldn't just move to the vote.
- 3 VICE CHAIRPERSON DAI: Since we didn't take
- 4 action, the bid wasn't opened.
- 5 CHAIRPERSON YAO: Right.
- 6 MR. VILLANEUVA: Right, you have to either accept
- 7 or reject the solicitation part of the bid, and if it's
- 8 accepted, then you open the Cost portion; if it's
- 9 rejected, the Cost portion remains Closed.
- 10 COMMISSIONER BLANCO: Okay, so --
- 11 CHAIRPERSON YAO: Commissioner Blanco.
- 12 COMMISSIONER BLANCO: Yeah, I wish Commissioner
- 13 Filkins Webber was here. I know that she has expressed
- 14 Concerns about the bid, about the person, the Consultant,
- 15 because we only have one bid. I don't know if she's sent
- 16 anything in. I've talked to Mr. Claypool about this.
- 17 She has a Concern about conflicts.
- 18 CHAIRPERSON YAO: I think she may have sent in a
- 19 statement for staff to read.
- 20 MR. MILLER: Commissioner Filkins Webber did sent
- 21 a statement with respect to the population deviation
- 22 issue, but I have not received a statement with respect
- 23 to this issue.
- 24 CHAIRPERSON YAO: Okay. Commissioner Ward.
- 25 COMMISSIONER WARD: Is Mr. Claypool available?

- 1 My understanding was that he had some information on this
- 2 that -
- 3 MR. VILLANEUVA: I had spoken with the bidder and
- 4 had him give a response in terms of the conflict and I'm
- 5 looking for it now.
- 6 CHAIRPERSON YAO: Okay, let me defer this topic
- 7 to the second item and so you have a chance to get your
- 8 thoughts together. Instead, why don't we address the
- 9 staffing issue with the Q2. Commissioner Galambos
- 10 Malloy.
- 11 COMMISSIONER GALAMBOS MALLOY: Sure, I'm so glad
- 12 that you asked. So, in regards to F&A, I think later
- 13 we'll Come back to the financials. The goal, as
- 14 Commissioner Yao I'm sure expressed, is to move through
- 15 the action items. I do have an update related to
- 16 staffing both on the part of the Commission and on the
- 17 part of Q2 in order to address the public Comments that
- 18 we're receiving.
- I think the good news that we should all be aware
- 20 of is that we've been wildly successful in eliciting
- 21 feedback from the part of the public, I think way beyond
- 22 our wildest dreams. I think the Challenge that has Come
- 23 to light is both on our Commission side and on Q2's side,
- 24 I think we low-balled the amount of staff Capacity it
- 25 would take in order to process all of that incoming data

- 1 in a timely and usable fashion. So, in order to address
- 2 this, you'll remember that during one of our recent
- 3 business meetings, we reviewed and approved the addition
- 4 of three staff members to Q2's team at no additional Cost
- 5 to the Commission, and today I'll be asking you to review
- 6 and approve another addition which I provided the resume
- 7 to you via email this morning, it's also been posted to
- 8 the CRC website. I believe the Candidate's name is Ms.
- 9 Heard. So, I will Come back to that point.
- 10 Let me explain to you a little bit of how we're
- 11 organizing things on the Commission side. So, Ms. Shoup
- 12 has been diligently on public Comment. Her Capacity
- 13 needs to be augmented. Some time back, we made a
- 14 decision as a Commission that we would be open to
- 15 receiving batched public Comments, which I think in some
- 16 ways made our lives easier for reading through Comments,
- 17 it wasn't necessarily the right format for Q2 to be able
- 18 to do individual records for each of these Comments as
- 19 they're Coming in on the database side. So, what we're
- 20 going to do in order to make sure that we have maintained
- 21 the integrity and consistency of our database is two
- 22 things, one, given that we are Closing -- and we just
- 23 Closed last night -- our final input hearing, we will be
- 24 reassigning our Rain Man, Lonn Leitch, from his previous
- 25 duties to a different configuration, where he will be 60

- 1 percent time to bringing us Current on the public
- 2 Comments that we have received since Draft 2, making sure
- 3 that all those Comments are at Q2 in the format they need
- 4 to be, and then we will also have the remaining 40
- 5 percent of his time to provide general assistance at our
- 6 meetings. Beyond that, he will not be assigned to
- 7 anything else until we have essentially Caught up to date
- 8 on where we're at with the public Comment.
- 9 We Considered doing a personnel services Contract
- 10 to bring someone on to do this, but the fact that Lonn is
- 11 already on staff, he Can start working on this
- 12 essentially tonight or tomorrow. It seemed like this was
- 13 the right move, he would be being under-utilized anyway,
- 14 given that the input hearings are over and he has the
- 15 skill set that we need.
- 16 The second piece of the equation is that we would
- 17 like to issue one personnel services Contract for a Mr.
- 18 Singh at a part-time position to start this Friday, July
- 19 1st. He would Continue on our staff through the end of
- 20 August and his primary responsibility would be saving the
- 21 individual email Comments we get as PDFs, in a format
- 22 that then Can be inputted and linked directly to each of
- 23 the database records on Q2's part. Under this
- 24 Configuration, Mr. Leach would be supervising Mr. Singh
- 25 directly. Of Course, everyone is under Mr. Claypool's

- 1 purview.
- I think, at this point, I would just refer you to
- 3 the email that I had sent earlier today with the resume
- 4 of Ms. Heard, and I would like to entertain two separate
- 5 motions, one motion would be to grant a personnel
- 6 services Contract for Mr. Singh, and the second would be
- 7 to approve the addition of Ms. Heard to Q2's staff. And
- 8 Mr. Claypool, if you have anything you'd like to add?
- 9 EXECUTIVE DIRECTOR CLAYPOOL: I think you have
- 10 summed it up, Commissioner. Thank you.
- 11 COMMISSIONER GALAMBOS MALLOY: Okay.
- 12 CHAIRPERSON YAO: I hear that as a motion. Is
- 13 there a second to this?
- 14 COMMISSIONER BARRABA: Second.
- 15 CHAIRPERSON YAO: A motion and second. Any
- 16 discussion? All right, if not -
- 17 COMMISSIONER GALAMBOS MALLOY: Just for Clarity,
- 18 I didn't realize what I was saying, I've been taken as a
- 19 motion, would you actually like me to make a motion, and
- 20 if so, I would probably make two separate motions.
- 21 CHAIRPERSON YAO: Please do.
- COMMISSIONER GALAMBOS MALLOY: Okay, the first
- 23 motion is, I would like to approve a personnel services
- 24 Contract to Mr. Ravi Singh to augment our public comment
- 25 processing capacity between now and the end of August.

- 1 COMMISSIONER BARRABA: Second.
- 2 CHAIRPERSON YAO: All right, it's been motioned
- 3 and seconded. Any Comments? Discussions? All right, if
- 4 not, then let me have the motion read first before I
- 5 solicit public Comments.
- 6 MS. SARGIS: The motion is to put in place a
- 7 personnel services Contract for Mr. Ravi Singh to augment
- $8\,$  the public Comments process through the end of August.
- 9 CHAIRPERSON YAO: Okay, any members of the public
- 10 who would like to Comment on this motion before us?
- 11 Seeing none, any further clarification, questions, or
- 12 discussion? If not, let's do a roll Call, please.
- MS. SARGIS: Commissioner Aguirre Yes;
- 14 Commissioner Ancheta Yes; Commissioner Blanco Yes;
- 15 Commissioner Dai Yes; Commissioner Raya [Not
- 16 Present]; Commissioner Di Guilio Yes; Commissioner
- 17 Forbes Yes; Commissioner Galambos Malloy Yes;
- 18 Commissioner Barraba Yes; Commissioner Ontai Yes;
- 19 Commissioner Ward Yes; Commissioner Yao Yes.
- The motion passes.
- 21 CHAIRPERSON YAO: Thank you.
- 22 COMMISSIONER GALAMBOS MALLOY: The second motion,
- 23 I would like to move that we approve the addition of Ms.
- 24 Heard to augment Q2 staff at no additional Cost to the
- 25 Commission.

- 1 COMMISSIONER BARRABA: Second.
- 2 CHAIRPERSON YAO: Questions, Comments from the
- 3 Commission?
- 4 VICE CHAIRPERSON DAI: Have we verified that this
- 5 is at no additional Cost?
- 6 COMMISSIONER GALAMBOS MALLOY: Well, Ms. Mac
- 7 Donald is right here. I think we Could easily do that.
- 8 And just to Clarify, I think some individual
- 9 Commissioners have asked me to Clarify what the full team
- 10 is, we do have a small army of people both on CRC side
- 11 and on Q2 side to deal with the deluge of public
- 12 Comments, so we have on the Q2 side, Bonnie Glaser is the
- 13 head of the team, we have the three individuals that we
- 14 had approved in a recent business meeting. We also have
- 15 Kyle who was with us here earlier taking notes, and then
- 16 Ms. Heard. Her exclusive task would be to aid with
- 17 Coding.
- 18 VICE CHAIRPERSON DAI: Yes, there was some
- 19 Confusion about this.
- 20 MS. MAC DONALD: There is also our two mapping
- 21 data assistants that have been working on it, basically
- 22 everybody has been working on it because this is
- 23 Completely it was just not to be expected what kind of
- 24 volume we would get, so, I mean, I Can go backwards,
- 25 thank you for bringing this up, this is not something

- 1 that we Can just eat as Q2. What we Can do is, it was
- 2 actually never our intention to process any of the
- 3 written Comment, and due to an error, actually, in the
- 4 proposal, there was one line in there that says that Ms.
- 5 Glaser will be taking Care of written, as well as oral
- 6 Comments that Come in to the CRC in whatever which way,
- 7 and obviously one person Cannot do this, so we have had
- 8 to add staff to solely work on written Comment. And that
- 9 is not something that we included in our bid, so
- 10 basically this is not something that was part of our
- 11 fixed price budget. So I have not been able to actually
- 12 get a resolution about how this is going to be handled.
- 13 I understand that Cost overruns and unanticipated
- 14 workloads, obviously, are a very fair negotiating point,
- 15 and due to the fact that I've also been working pretty
- 16 much 18-hour days, I have not been able to actually go to
- 17 DGS and figure out how to deal with this. I understand
- 18 that there is actually a small business liaison that
- 19 should be working with CRC that should be helping with
- 20 this particular issue, but I have not been able to
- 21 actually get to that person.
- 22 COMMISSIONER GALAMBOS MALLOY: So, based on this
- 23 aspect of the vote, I am wondering if Ms. Mac Donald and
- 24 the Commission, if you would be amenable to us actually
- 25 tabling this motion under Friday to allow us to work out

- 1 some of the potential Cost implications and Contract
- 2 issues related to this before we move forward with this
- 3 motion.
- 4 VICE CHAIRPERSON DAI: We Could take it up first
- 5 thing on Friday.
- 6 MS. MAC DONALD: Could I just ask, we really we
- 7 have deadlines on Friday and on Saturday, and I
- 8 understand fully well that there is a risk in us
- 9 basically just doing the work before the finances have
- 10 been worked out. I mean, I have made some efforts to try
- 11 and get some of this resolved as you now know, but have
- 12 not gotten a resolution. I really think I need to have
- 13 this person added because the Comments are not going to
- 14 stop and you are going to need to see them, so we have to
- 15 add them. So if you perhaps would feel Comfortable just
- 16 approving the resume so that she Can get started, and I
- 17 know this is backwards, but, you know, what Can we do?
- 18 This is just a Crazy timeframe.
- 19 COMMISSIONER GALAMBOS MALLOY: Okay, so based on
- 20 this, let me throw out a Couple of ideas. One is that,
- 21 as we did with the last three additions to the Q2 team,
- 22 we Consider the Candidate, Ms. Heard, based on her
- 23 Statement of Qualifications, and approve her as an
- 24 addition to the team, separate from Cost implications,
- 25 and then we will need to Come back to the full Commission

- 1 and we do have some time allotted for Finance and
- 2 Administration on Friday, so Come back with a more robust
- 3 discussion of any potential adjustments to Q2's Contract
- 4 at that time.
- 5 CHAIRPERSON YAO: Commissioner Blanco.
- 6 COMMISSIONER BLANCO: So the Candidate looks
- 7 fine. I would like to know whether this means just
- 8 whether we're talking about making sure that everything
- 9 is Compiled and put into the database, or whether we're
- 10 also adding Capacity to produce reports quickly for the
- 11 Commission as we move forward, you know. I want to know
- 12 what is the Capacity that we're adding because I know a
- 13 lot of us are reading, so if this is just putting them
- 14 into the database, that just means we read the database,
- 15 so I'm just trying to get Clear what are we gaining in
- 16 terms of Capacity?
- MS. MAC DONALD: May I address this? Yeah,
- 18 basically the people that you've been approving, they
- 19 basically are Coding to make sure that the database is
- 20 Complete, so what they are doing is they are taking the
- 21 public Comment as we get it from CRC staff, they're
- 22 reading the entire thing, and you know, sometimes it's a
- 23 page or a paragraph, sometimes it's eight or 10 pages.
- 24 COMMISSIONER BLANCO: Right.
- MS. MAC DONALD: They pull out the relevant

- 1 information which is essentially the COI testimony, you
- 2 know, any kind of specific geographic Comment, and so
- 3 forth. I mean, I think you've seen the database that was
- 4 sent from CRC, right, which is an Excel file to you that
- 5 was sent, that is searchable. What we also do is we link
- 6 the actual exhibit so the exhibit is, of Course, the
- 7 testimony. So we have a database where you Can just
- 8 click on the file name and then you go to the original.
- 9 So that is really important as we decided at the
- 10 beginning for potential litigation to make sure that we
- 11 have everything ready, and there's also a pretty
- 12 extensive error checking process. In terms of what kinds
- 13 of reports you would like to have run that you Cannot run
- 14 yourself with the Excel database, we have the Capacity to
- 15 do that, that was something that we always Costed for, so
- 16 that is part of the proposal; you should just let us know
- 17 and then we Can run them for you.
- 18 COMMISSIONER BLANCO: Thank you.
- 19 CHAIRPERSON YAO: Mr. Claypool?
- 20 EXECUTIVE DIRECTOR CLAYPOOL: Yes, I just want to
- 21 say, we have been working with Karin on ways to resolve
- 22 this, however, the biggest sticking point is we need all
- 23 the documentation given to us before we Can have a robust
- 24 Conversation about what we Can pay for. We don't have
- 25 any idea at this point what we're looking at insofar as

- 1 additional Costs. And without those, without the
- 2 documentation for it, we have no way of making a
- 3 decision.
- 4 MS. MAC DONALD: Well, that's of Course been one
- 5 of the problems, right? I mean, who knows? I mean, I
- 6 don't know how much is going to Come in. We Can get
- 7 these folders and we have one PDF that has like 500
- 8 Comments in it, you know, I don't know how much public
- 9 Comment we're going to get. I told Mr. Claypool what the
- 10 hourly rate is that we're paying people, basically, and
- 11 that's about what I Can do. I Can tell you how much was
- 12 spent on this so far, in addition to the budgeted person,
- 13 which is Bonnie.
- 14 COMMISSIONER GALAMBOS MALLOY: So, as Finance
- 15 lead, I will Continue to work with Ms. Mac Donald and Mr.
- 16 Claypool on this issue. If we are able to bring
- 17 something tangible back to you on Friday, we will make
- 18 every effort to do so and, if not, we will roll it over
- 19 into our next agendized business meeting.
- VICE CHAIRPERSON DAI: May I make a suggestion?
- 21 I think, in addition to an hourly rate, if you would give
- 22 us an average number of Comments that this person Can
- 23 Code, something that will give us a way to bound it, and
- 24 I think that is about the best that we Can do at this
- 25 point because, at the end we'll know how many Comments we

- 1 had and that will give us a range.
- 2 MS. MAC DONALD: Correct. We Can somewhat
- 3 average it, but just, again, you need to take into
- 4 Consideration that some of the Comments are really a
- 5 paragraph and some of them are 15 pages, so --
- 6 VICE CHAIRPERSON DAI: Right, I understand, but
- 7 the 15 pages are pretty rare, so I'm sure you Can Come up
- 8 with a very reasonable average.
- 9 MS. MAC DONALD: Yes. And we have it, actually.
- 10 CHAIRPERSON YAO: All right, let me try to
- 11 understand the motion that is before us.
- 12 COMMISSIONER GALAMBOS MALLOY: Would you like me
- 13 to restate it?
- 14 CHAIRPERSON YAO: Please restate it, yes.
- 15 COMMISSIONER GALAMBOS MALLOY: Okay. So this
- 16 might not be my exact words from the first time around,
- 17 but my motion was that we approve the addition of Ms.
- 18 Kathryn Heard to the Q2 team. She will be augmented
- 19 their Capacity to Code public Comment for purposes of the
- 20 CRC public Comment database. This is, at this point, of
- 21 no additional Cost to the Commission, any Costs are going
- 22 to be handled as a Completely separate matter. This is
- 23 adding Ms. Heard to the team and is what is going to be
- 24 enabling us to actually get the information we need on
- 25 the dates we need it, Coming up over the next week.

- 1 CHAIRMAN YAO: Do I hear a second?
- 2 COMMISSIONER BARRABA: Second.
- 3 CHAIRMAN YAO: Okay. Any further Comment or
- 4 discussion from the Commission?
- 5 COMMISSIONER BARRABA: Yeah. This is one of
- 6 those situation that, if we study it long enough, we
- 7 won't be able to do it, and my guess is, in the scheme of
- 8 things, it's not that large of an event. I understand we
- 9 have to follow the rules, but I think we need to move
- 10 ahead on this and not spend forever trying to figure out
- 11 how much it's going to Cost, and then we won't need it.
- 12 CHAIRPERSON YAO: Additional Comments? Seeing
- 13 none, Ms. Sargis, Can you read back the motion?
- 14 MS. SARGIS: The motion is that the Commission
- 15 shall approve Kathryn Heard as an addition to Q2 staff to
- 16 augment their Capacity to Code public Comments. This
- 17 addition of staff will be at no additional Cost to the
- 18 Commission.
- 19 CHAIRPERSON YAO: Thank you. Any public Comment
- 20 on this matter before us? All right, seeing none, please
- 21 do a roll Call.
- 22 MS. SARGIS: Commissioner Aguirre Yes;
- 23 Commissioner Ancheta Yes; Commissioner Blanco Yes;
- 24 Commissioner Dai Yes; Commissioner Di Guilio Yes;
- 25 Commissioner Forbes Yes; Commissioner Galambos Malloy -

- 1 Yes; Commissioner Barraba Yes; Commissioner Ontai -
- 2 Yes; Commissioner Ward Yes; Commissioner Yao Yes.
- 3 The motion passes.
- 4 CHAIRPERSON YAO: Thank you. All right, the next
- 5 matter, let's see if we Can we have all the information
- 6 that's available before us on the In-Process review?
- 7 COMMISSIONER DI GUILIO: Excuse me, Chairman Yao,
- 8 Could I ask a question? I just want to make sure, we've
- 9 Covered and then we've approved staff for Q2 to process
- 10 on their end, do we need anything for our end in terms of
- 11 -- before I move on to the In-Line Process Review, I want
- 12 to make sure that we have the ability for our staff
- 13 because, not only is Q2 having to deal with a lot of
- 14 extra Comments, our staff is, they're the first line
- 15 response in getting these Comments and Coding them, so I
- 16 want to make sure our staff -- we have that Covered, as
- 17 well.
- 18 COMMISSIONER GALAMBOS MALLOY: Yes. We had just
- 19 prior to addressing the Q2 issues, I believe we had
- 20 entertained the motion and passed the motion to grant a
- 21 personnel services Contract to a Mr. Singh, who is going
- 22 to be working with us on a short-term basis to deal with
- 23 helping Christina and others process public Comments
- 24 moving forward. The lead on getting us up to date on the
- 25 existing backlog is going to be Mr. Leach, so we are

- 1 reassigning him essentially post-input hearings, he would
- 2 have been under-utilized anyway, he is going to be the
- 3 lead to bring us up to date and he will also be the point
- 4 in terms of supervising Mr. Singh. I believe that is
- 5 what we agreed on in working with staff.
- 6 COMMISSIONER DI GUILIO: Thank you, I just wanted
- 7 to make sure that that was enough for them, as well, too.
- 8 EXECUTIVE DIRECTOR CLAYPOOL: Yes.
- 9 COMMISSIONER GALAMBOS MALLOY: We hope so. And
- 10 if not, you'll hear about it at the next business
- 11 meeting.
- 12 VICE CHAIRPERSON DAI: Which will be Friday.
- Commissioner Aguirre Yes; Commissioner Ancheta
- 14 Yes; Commissioner Blanco Yes; Commissioner Dai Yes;
- 15 Commissioner Raya [Not Present]; Commissioner Di Guilio
- 16 Yes; Commissioner Forbes Yes; Commissioner Galambos
- 17 Malloy Yes; Commissioner Barraba Yes; Commissioner
- 18 Ontai Yes; Commissioner Ward Yes; Commissioner Yao -
- 19 Yes.
- The motion passes.
- 21 CHAIRPERSON YAO: All right, let's go on to the
- 22 second matter of the In-Line Process Review. Mr.
- 23 Claypool.
- 24 EXECUTIVE DIRECTOR CLAYPOOL: I'm going to turn
- 25 this back over to Raoul and he'll go ahead and give you a

- 1 summation of the letter from Mr. McDonald.
- 2 MR. VILLANUEVA: Okay, the inquiry about
- 3 Professor McDonald about the conflicts, I asked him to go
- 4 ahead and prepare a statement, which he did, and emailed
- 5 it. And if I may, I'll go ahead and read it to you.
- 6 Okay, so you've received it? Okay, then I guess I'll
- 7 read it and turn it in to the record, as it were? "I
- 8 wish to thank the California Citizens Redistricting
- 9 Commission for Considering me for the role of reviewing
- 10 the Redistricting Plans that the Commission is
- 11 developing. Karin Mac Donald is responsible for drafting
- 12 the Redistricting Plan at the Commission's direction. I
- 13 have known Ms. Mac Donald for a little over 20 years
- 14 through her position at the Statewide Database located at
- 15 the University of California Berkeley. The Academic
- 16 Redistricting world is a sufficiently small Community
- 17 that most people will have interacted with one another,
- 18 given their Common interest in this narrow field. Ms.
- 19 Mac Donald and I are no exception as we share a mutual
- 20 interest in redistricting technology and public
- 21 involvement in the process. I have Co-authored two book
- 22 Chapters with Ms. Mac Donald, published in the 2005
- 23 edited volume entitled Party Lines: Competition,
- 24 Partisanship, and Congressional Redistricting. Ms. Mac
- 25 Donald also Currently serves as an Advisory Board member

- 1 of the Public Mapping Project, a project whose goal is to
- 2 leverage technology to involve the public in
- 3 redistricting, and which I Co-direct. I wish to assure
- 4 the Commissioners and all Californians that my
- 5 professional relationship with Ms. Mac Donald will not
- 6 affect my judgment of districts that the Commission may
- 7 ask me to review. The last decade, I served in a similar
- 8 review role in the Course of my service to the Arizona
- 9 Independent Redistricting Commission. Based on my prior
- 10 experience, I believe my task for the Commission would be
- 11 to review how districts may best serve the
- 12 representational needs of all Californians, not to render
- 13 a judgment regarding their merit based on the individual
- 14 drawing the redistricting plans. Ultimately, such a Map
- 15 Drawer serves as a vessel guided by the Commission. I
- 16 hope that I will be Called upon to aid the Commission to
- 17 Chart a good Course for their important work."
- 18 Commissioner Aquirre Yes; Commissioner Ancheta
- 19 Yes; Commissioner Blanco Yes; Commissioner Dai Yes;
- 20 Commissioner Raya [Not Present]; Commissioner Di Guilio
- 21 Yes; Commissioner Forbes Yes; Commissioner Galambos
- 22 Malloy Yes; Commissioner Barraba Yes; Commissioner
- 23 Ontai Yes; Commissioner Ward Yes; Commissioner Yao -
- 24 Yes.
- The motion passes.

- 1 CHAIRPERSON YAO: Any questions?
- 2 MR. MILLER: Mr. Chair, perhaps this is the time
- 3 to note that, during this discussion, Commissioner
- 4 Filkins Webber did send a note on the same subject and,
- 5 if this is a Convenient time, I'll read what she said.
- 6 CHAIRPERSON YAO: Please do.
- 7 MR. MILLER: Raoul sounds like a book on tape,
- 8 I'll try to do as well. She raises the following
- 9 conflict as a Concern about the use of this individual
- 10 and lists the following under conflicts: Chair of the
- 11 Fairfax County Democratic Committee of 2003 through 2004,
- 12 to obvious connection with advocacy groups regarding
- 13 providing software development for use by such groups,
- 14 and the overlapping grant of money from same foundation
- 15 to provide educational forums likely to advance these
- 16 groups, staff to [quote] "Democratic members of the New
- 17 Jersey Legislative Redistricting Commission in 2011,"
- 18 investigator with "Public Mapping Project" [end quote] at
- 19 the present time, [quote] "Worked with State advocates to
- 20 use software in Contra Costa County," next, advisor to
- 21 Governor Cuomo in 2011, next Consultant to Democratic
- 22 National Committee in 2010, and advisor to Illinois
- 23 Republican Party in 2009. Then, with respect to Karin
- 24 Mac Donald, she notes: "the relationship Cannot be an
- 25 objective, unbiased reviewer of Ms. Mac Donald's work;

- 1 this frustrates the entire process of the In-Line
- 2 Reviewer, thus no necessity to spend money simply to have
- 3 the Reviewer sign off on Ms. Mac Donald's work."
- 4 CHAIRPERSON YAO: Any additional Comments?
- 5 COMMISSIONER BARRABA: I think there was another
- 6 -- not in that letter, but as I recall his background, he
- 7 also served on the Nonpartisan Redistricting Committee of
- 8 the State of Virginia on behalf of a Republican Governor,
- 9 I believe. And we get back to the same issue, as he had
- 10 pointed out, there is a handful of these people out there
- 11 and they are likely to have been involved. Relative to
- 12 reviewing work and publishing things with Ms. Mac Donald,
- 13 that's something that goes on all the time, and most of
- 14 those publications are peer reviewed, as well. So, I
- 15 think that is probably an overstatement of Concern.
- 16 CHAIRPERSON YAO: Commissioner Ward.
- 17 COMMISSIONER WARD: My thoughts, in light of
- 18 Commissioner Filkins Webber's statement are trying to
- 19 understand what the role of the In-Line Process Reviewer
- 20 will be, and my only Concern is that I know, for me, this
- 21 was an important function because it served as a third-
- 22 party, if you will, person to kind of review the
- 23 processes, review the product Coming in, and offer maybe
- 24 an impartial view on something the Commission might Call
- 25 forward. Again, I'm still not Clear what exactly the

- 1 role the Commission envisions for this person, which is
- 2 probably problematic for this vote, but in light of the
- 3 nature of, I think, Commissioner Filkins Webber's
- 4 thought, I do think it would be difficult for this person
- 5 to perform any peer review function, at least, again, for
- 6 the public -- to add Confidence, I should say, to the
- 7 public perception of what we're doing.
- 8 CHAIRPERSON YAO: All right. Commissioner Dai.
- 9 VICE CHAIRPERSON DAI: Yeah, I mean, I think it
- 10 seems like we've fallen back into the old argument we've
- 11 had since the beginning of this Commission about whether
- 12 people Can have an affiliation and still have an ability
- 13 to be impartial. I'm hoping that the public has been
- 14 observing us for a while and I hope that people have been
- 15 able to see that Certainly I think this Commission has,
- 16 despite all of our individual affiliations, has had the
- 17 ability to not only work together well, but really to do
- 18 so with this partisan frame of reference. I do agree
- 19 that the fact that they've had a long term relationship
- 20 together is a little bit concerning, you know, and I
- 21 think the fact that this individual has worked both for
- 22 the Democratic Candidates and parties, as well as for
- 23 Republican, as well as non-partisan, I think we all agree
- 24 he has the skill sets that we need. So, really, it Comes
- 25 down to do we see a role for him right now that we feel

- 1 he can be a professional, and remain impartial. And I
- 2 have to admit, my own thought, and at this point in the
- 3 game, of having someone with his skills and background,
- 4 and he has a lot of relevant skills for what we're
- 5 looking at right now, given that we're in such a tight
- 6 time crunch, we are trying to get it right on the Section
- 7 2 and Section 5 Districts, looking for ways to improve
- 8 some of the districts that we have, I kind of saw this as
- 9 a potentially extra resource that might be able to
- 10 supplement some of the work that we're doing in that
- 11 area. So those were kind of my thoughts if we Chose to
- 12 open the bid.
- 13 CHAIRPERSON YAO: Commissioner Barraba.
- 14 COMMISSIONER BARRABA: Also, we Created a request
- 15 for a proposal which identified what the purpose was, we
- 16 sent it out, and he was the only one who replied, so it's
- 17 not that he was picked. There were other people who
- 18 Could have joined and they Chose not to, that's not our
- 19 problem.
- 20 CHAIRPERSON YAO: I think the narrow decision
- 21 we're trying to make today is whether we accept this bid
- 22 to the proposal that we issued, it's as simple as that.
- 23 That is the decision before us, and everything that
- 24 happens before, and everything that happens after this
- 25 decision, is a separate issue. In other words, before we

- 1 Can pass this In-Line review person to do any work, we
- 2 have to vote on the task, okay? So this doesn't
- 3 automatically assign work or spend any money, so if you
- 4 vote yes on it, then we would retain Mr. McDonald as our
- 5 In-Line Review Process person; if you vote no, then
- 6 that's it, okay, we have no one else to bid on this and
- 7 it's really too late to proceed any further with this
- 8 because of our In-Line schedule. So don't try to read
- 9 any less into the decision before us, is whether we
- 10 accept this bid per our proposal. Is that the nature of
- 11 the issue? Did I summarize it correctly?
- 12 VICE CHAIRPERSON DAI: Yeah. And another way to
- 13 look at it is, only if we accept the bid -- we accept
- 14 this response to our bid, do we get to actually look at
- 15 the Cost? And only after that point do we decide how we
- 16 want to utilize this person, if we want to incur any of
- 17 the hours, so you know, there are many points that we Can
- 18 stop along the way.
- 19 CHAIRPERSON YAO: So I would entertain a motion
- 20 just to Call the question as to whether we do or don't
- 21 want to accept the bid.
- 22 COMMISSIONER GALAMBOS MALLOY: I would like to
- 23 make a motion that we -- I'm sorry, did --
- 24 CHAIRPERSON YAO: Go ahead, Ms. Malloy.
- 25 COMMISSIONER GALAMBOS MALLOY: Okay. Again,

- 1 based on the Context that I think, much as when we're
- 2 doing the maps, we're saying let's keep our options open,
- 3 right? We've only got limited time and resources to get
- 4 to the finish line.
- 5 I'd like to make a motion that we entertain the
- 6 bid as submitted.
- 7 COMMISSIONER BARRABA: Second.
- 8 CHAIRPERSON YAO: Is there a second to that
- 9 motion?
- 10 COMMISSIONER BARRABA: Second.
- 11 CHAIRPERSON YAO: Okay. Any additional Comments?
- 12 Commissioner Ward.
- 13 COMMISSIONER WARD: Yeah, to Channel Commissioner
- 14 Raya from the last time this topic Came up, she, I
- 15 thought, made a really poignant point that it would be
- 16 difficult for her to vote to hire somebody for a
- 17 position, or a function, that we haven't even actually
- 18 defined, or a task that we haven't decided that we need.
- 19 And I think that's an important point to understand, that
- 20 we're hiring potentially someone, identifying someone for
- 21 basically, at this point, an unknown function.
- 22 CHAIRPERSON YAO: I do recall her Comment on this
- 23 matter before, yes.
- 24 COMMISSIONER WARD: So, I don't know if we Can
- 25 make a decision that this person is adequately suited to

- 1 fill the function when we don't even know exactly what
- 2 that is.
- 3 CHAIRPERSON YAO: Okay, it's been motion and
- 4 seconded. Additional Comments?
- 5 COMMISSIONER BARRABA: Yeah, I believe we
- 6 approved a request for a proposal which made very
- 7 explicit what we expected of this person when and if we
- 8 needed to hire them, so it's not a question of what we
- 9 think they're going to do or not do, we have a request
- 10 for a proposal. And he's the only one who replied.
- 11 CHAIRPERSON YAO: Commissioner Di Guilio.
- 12 COMMISSIONER DI GUILIO: I think my approach to
- 13 this situation is that I would like to keep my options
- 14 open, so I'm inclined to support this. Again, I don't
- 15 want to shut down any options right now. I think what I
- 16 would do is, again, support this now and look at it more
- 17 Closely if we do decide that we need it, for whatever
- 18 that issue is, and then I would look more critically at
- 19 whether this person is a fit, or whether any of those
- 20 conflicts would come into play. So that would be my
- 21 position on this.
- 22 CHAIRPERSON YAO: Any additional comments? All
- 23 right, Ms. Sargis, would you read back the motion?
- MS. SARGIS: The motion is that the Commission
- 25 shall entertain the bid for the In-Line Process Reviewer

- 1 submitted by Mr. Michael McDonald.
- 2 CHAIRPERSON YAO: Any Comments from the public.
- 3 Yes, Mr. Wright. Absolutely.
- 4 MR. WRIGHT: Commissioners, let me mention a
- 5 Couple thoughts here. First of all, you're looking to
- 6 Mr. McDonald to provide you with a blessing in regards to
- 7 Certain features of the maps that you will draw. You are
- 8 the first people that will provide a blessing to those
- 9 maps, you will approve them, okay? They are your maps.
- 10 Secondly, you send them to the DOJ. The Department of
- 11 Justice then says yay or nay, okay, and they are going to
- 12 bless your maps. Your VRA Attorney that you've hired is
- 13 very Carefully looking through what you're doing and he
- 14 will bless them. Getting additional blessing from Mr.
- 15 McDonald is Certainly worthwhile to the extent that it
- 16 adds to the body of approval that you're getting for the
- 17 final maps that you draw. Karin Mac Donald is not one of
- 18 your blessers, not one of your approvers; she and her
- 19 organization are working on your behalf according to your
- 20 direction, so I believe that Mr. McDonald and Ms. Mac
- 21 Donald are separate entities working to a different end
- 22 under your direction. So I would urge you to approve
- 23 this motion. Thank you.
- 24 CHAIRPERSON YAO: Anyone else interested in
- 25 addressing the Commission on this matter? If not -- yes.

- 1 MR. MILLER: Strictly speaking, this is just in
- 2 under the wire, but I do also have a note from
- 3 Commissioner Raya if you would like me to share that with
- 4 the Commission.
- 5 CHAIRPERSON YAO: Please do.
- 6 MR. MILLER: She says, "I have not been a strong
- 7 advocate of the review, but nonetheless Cannot agree that
- 8 whatever the task that is assigned, the fact of being
- 9 affiliated with Democrats should not be a disqualifier.
- 10 As Cynthia says, it goes with the territory. I see no
- 11 evidence he is susceptible to bias for any of the reasons
- 12 stated by Commissioner Filkins Webber. If the Commission
- 13 wants to retain him on merit, we should do so."
- 14 CHAIRPERSON YAO: Ms. Sargis, would you Call the
- 15 roll?
- 17 Commissioner Ancheta Yes; Commissioner Blanco Yes;
- 18 Commissioner Dai Yes; Commissioner Di Guilio Yes;
- 19 Commissioner Forbes Yes; Commissioner Galambos Malloy -
- 20 Yes; Commissioner Barraba Yes; Commissioner Ontai -
- 21 Aye; Commissioner Ward No; Commissioner Yao No.
- 22 Four Democrats, three Decline to State, two
- 23 Republicans. The motion fails.
- 24 CHAIRPERSON YAO: Okay, that matter has been put
- 25 to bed and I would say that, with the time limit before

- 1 us, we would Consider this issue to be finished, dead.
- 2 Okay? Thank you.
- 3 The next item I think we need to do a vote on is
- 4 the population deviation. Does somebody want to
- 5 summarize where we left off and where we need to go from
- 6 this point on?
- 7 COMMISSIONER FORBES: I think I had made a motion
- 8 which had been tabled, and the motion was to adopt a one
- 9 person deviation for purposes of the Maps.
- 10 VICE CHAIRPERSON DAI: A point of order, we had
- 11 already adopted that at one person.
- 12 CHAIRPERSON YAO: It did not pass based on my
- 13 recollection. Is that Correct?
- 14 COMMISSIONER FORBES: The motion to vote on it
- 15 did not pass.
- 16 CHAIRPERSON YAO: Did not pass. So we need -
- 17 COMMISSIONER DI GUILIO: There is a prior motion.
- 18 There is a prior motion for the Draft Maps, which is one
- 19 person.
- 20 VICE CHAIRPERSON DAI: So any motion should be to
- 21 Change that.
- 22 COMMISSIONER DI GUILIO: That was in Northridge,
- 23 Ms. Sargis, in terms of your --
- 24 CHAIRPERSON YAO: Is that the understanding of
- 25 the members of the Commission?

- 1 COMMISSIONER DI GUILIO: If Ms. Sargis Could
- 2 maybe read that? There were two, there was one for the
- 3 first draft map and there was one for the final. There
- 4 was not one for the second draft map.
- 5 CHAIRPERSON YAO: Ms. Sargis, Could you Confirm
- 6 that?
- 7 MS. SARGIS: I'm reading one from June 16<sup>th</sup> from
- 8 Culver City, this is for the Second Draft Maps: "Q2 shall
- 9 have the latitude to go up to one percent population
- 10 deviation to improve the ability to not retrogress.
- 11 Further, Q2 shall advise the Commission of any threshold
- 12 beyond that required to meet the benchmark." Were there
- 13 others that you wanted me to look up?
- 14 VICE CHAIRPERSON DAI: We passed that motion in
- 15 Culver City.
- MS. SARGIS: Yes, that was passed 10 to four.
- 17 CHAIRPERSON YAO: All right. Commissioner
- 18 Ancheta.
- 19 COMMISSIONER ANCHETA: Well, this is a related
- 20 matter. I don't think actually we passed any motion on
- 21 the final map regarding Congressional Districts. So that
- 22 actually needs -- it's a somewhat different question,
- 23 related, but it's a different one than we're Currently
- 24 facing. But we do need at some point to do that.
- 25 CHAIRPERSON YAO: Yeah, my personal recollection

- 1 is that we did not make the one percent decision on the
- 2 final maps, but Mr. Miller, is there anything you want to
- 3 add to this matter?
- 4 MR. MILLER: Yes. There was a motion on May 27<sup>th</sup>
- 5 in Northridge as follows: "Resolved, in the Case of
- 6 drawing the Final Maps, and for drawing State Districts,
- 7 the Commission shall direct Q2 to strive for districts
- 8 with a population deviation of zero percent; however,
- 9 when that is not possible, the deviation shall not be
- 10 more than one percent." The motion passed unanimously.
- 11 Well, what it says here is that, in the Case of drawing
- 12 the final maps and for drawing the State Districts, the
- 13 Commission shall direct you to strive for districts with
- 14 a population deviation of zero percent. Obviously, it
- 15 doesn't say they must be zero percent, but to strive for
- 16 zero percent --I don't mean to do the Color Commentary --
- 17 however, when that is not possible, the deviation shall
- 18 not be more than a total of one percent.
- 19 VICE CHAIRPERSON DAI: So, Commissioner Ancheta
- 20 is right, we do not appear to have passed a motion on the
- 21 Congressional, Mr. Miller?
- MR. MILLER: I think there's a little ambiguity
- 23 in the motion, actually, for the following reason. Let
- 24 me just read it again: "In the Case of drawing the final
- 25 maps," without qualification as to which maps those refer

- 1 to, "...and for drawing the State Districts, the Commission
- 2 shall address Q2...." So, I think there's Certain room to
- 3 Clarify what the intention of the Commission was with
- 4 that language.
- 5 CHAIRPERSON YAO: Commissioner Blanco.
- 6 COMMISSIONER BLANCO: If I recall, the reason,
- 7 even though we took that vote, that this ended up back on
- 8 the agenda, it flowed from the Conversation that we had
- 9 with Counsel about the Section 5 Districts. And
- 10 Commissioner Yao proposed to us the question that, what
- 11 would that mean for deviation if, in order to not
- 12 retrogress, we had to exceed and, so -- the agreed upon
- 13 deviation -- and I believe that's how we got to today's
- 14 discussion.
- 15 CHAIRPERSON YAO: A Couple of things we Can do,
- 16 number one is reaffirm what Counsel thinks, that we made
- 17 a decision on this topic on May 22<sup>nd</sup>, if that's the date,
- 18 and go with the one percent; or, the second option is be
- 19 declare that we did not make a one percent final
- 20 decision, or a decision on the final map, and address
- 21 this as an issue before us at this point in time.
- 22 VICE CHAIRPERSON DAI: I don't think we Can
- 23 declare, but we're Certainly welcome to Change our minds.
- 24 CHAIRPERSON YAO: Commissioner Di Guilio.
- 25 COMMISSIONER DI GUILIO: Can I suggest that maybe

- 1 we break it into two parts, one is what you're saying in
- 2 terms of revisiting, if there is an interesting in
- 3 revisiting the deviation, we Can put another motion
- 4 because, right now, it stands at one percent, that's one
- 5 issue; the other is just simply a clarification to make
- 6 it Cleaner about what we agree to for Congressional.
- 7 So I would suggest that maybe we tackle
- 8 Congressional first. To that, I make a motion to say
- 9 that, when we are drawing our maps that we will shoot for
- 10 the deviation of no more than one person in our
- 11 Congressional Maps.
- 12 CHAIRPERSON YAO: Would you like to make that a
- 13 motion?
- 14 COMMISSIONER BARRABA: Just that I second it.
- 15 CHAIRPERSON YAO: Okay, it's been motioned and
- 16 seconded. Any additional discussion? Ms. Sargis, would
- 17 you read back the motion?
- 18 COMMISSIONER DI GUILIO: Make me sound good.
- MS. SARGIS: I just need clarification, are you
- 20 talking about the second draft map or are you talking
- 21 about the --
- 22 COMMISSIONER DI GUILIO: I would say for the
- 23 second and the final for the following maps, they will be
- 24 Congressional Districts of no more than one person
- 25 deviation.

- 1 MS. SARGIS: So the motion is for drawing the
- 2 Second Draft Maps and for drawing the Final Maps, that --
- 3 oh, I'm sorry, I Can't read my writing, sorry -- oh, that
- 4 the Commission shall aim for no more than one person in
- 5 deviation.
- 6 CHAIRPERSON YAO: Commissioner Ancheta.
- 7 COMMISSIONER ANCHETA: One percent or one person?
- 8 MS. SARGIS: One person.
- 9 COMMISSIONER ANCHETA: So I have a question for
- 10 Counsel and I don't think -- you may not have this in
- 11 front of you, so I'll just quote from the Constitution.
- 12 So Article 21, Section 2(D)(1): "Districts shall Comply
- 13 with the United States Constitution. Congressional
- 14 Districts shall achieve population equality as nearly and
- 15 as is practicable, and Senatorial, Assembly, and State
- 16 Board of Equalization Districts shall have reasonably
- 17 equal population with other districts for the same
- 18 office, [Comma] except where deviation is required to
- 19 Comply with the Federal Voting Rights Act, or allowable
- 20 by law." The exception in there, does the exception
- 21 apply both to Congressional Districts and State
- 22 Districts? Or is it just to State Districts?
- MR. MILLER: I think you have to look to the
- 24 Federal Cases on Congressional Districts and my
- 25 recollection is that there is no wiggle room with respect

- 1 to Congressional Districts in the Federal Cases, that
- 2 where there is some room for deviation is with the State
- 3 Districts. You are perhaps better versed in that Federal
- 4 line of Cases regarding Congressional Districts, but that
- 5 is my recollection.
- 6 COMMISSIONER ANCHETA: So, this wasn't litigated
- 7 at the Federal level, for example, in 1991, the Supreme
- 8 Court approved a .25 percent deviation that the Special
- 9 Masters adopted, that wasn't Challenged, of Course, but
- 10 that went into effect. So I do agree that the Case law
- 11 generally says "get as Close to zero as best you Can,"
- 12 but it seems to me that the Courts have allowed some
- 13 exceptions, very narrow, again. So, for example, if you
- 14 needed a little bit more to Comply with the Voting Rights
- 15 Act, say, Section 5, that would be a sufficient
- 16 justification assuming there was no other way to do that.
- 17 That's different from sort of a general sort of, you
- 18 know, plus or minus one percent; I think we don't want to
- 19 do that. But I take it that the law does allow some
- 20 exception and, again, only if absolutely necessary to
- 21 deviate from zero. So, I would like to see that somehow
- 22 built in, either a reference to the Constitution itself,
- 23 or some actual language that notes that there is some
- 24 -- very little -- but, still, some room to allow some
- 25 deviation on the Congressional Districts.

- 1 COMMISSIONER YAO: Commissioner made the motion,
- 2 are you interested in adding that Condition to the motion
- 3 before us? The motion before is one person.
- 4 COMMISSIONER DI GUILIO: I guess a Couple things.
- 5 I'm not sure what the other Commissioners feel about
- 6 this, if that's what the law says we are supposed to do,
- 7 then I -- would it be, then, that we would take it into
- 8 Consideration on a case-by-case basis? Or how would that
- 9 be? I'm assuming you're saying that the only reason we
- 10 would deviate from one person would be just to meet the
- 11 Federal VRA issues? Or anything, in general?
- 12 COMMISSIONER ANCHETA: Well, again, if you're
- 13 relying on what the State Constitution says and, again, I
- 14 think Mr. Miller's interpretation doesn't necessarily
- 15 apply to the Congressional Districts, but I think if you
- 16 look at the Case Law, the Supreme Court has allowed some
- 17 exceptions from an absolute zero deviation, but it must
- 18 be a very good reason, and typically compliance with the
- 19 VRA is a very good reason. Again, if you Couldn't do it
- 20 any other way, a small deviation would typically be
- 21 upheld.
- COMMISSIONER DI GUILIO: Okay, so maybe let me
- 23 phrase it this way: would we be having more risk by
- 24 including that exception in this motion? Or would we be
- 25 having more risk by excluding that from this motion?

- 1 COMMISSIONER ANCHETA: I think it's safer to
- 2 refer to the Constitution in the language, generally,
- 3 that, again, we should aspire for a zero percent
- 4 population, except as allowed by State and Federal law.
- 5 And again, just really shoot for zero and then, for some
- 6 reason -- and this may not even Come up, frankly -- if
- 7 for some reason we have to somehow deviate a little bit
- 8 to hit the mark on a retrogression issue, that we look at
- 9 that and say, "Well, let's keep it at zero," or, "We'll
- 10 go for it."
- 11 COMMISSIONER DI GUILIO: This is what I'll do,
- 12 then, I would like to start the motion with saying that I
- 13 will take the exception into Consideration, to include it
- 14 in this motion, and if that's not acceptable to the
- 15 Commission, we Can try another route. So, I would say
- 16 that we would shoot for the zero percent deviation, which
- 17 is one person, except in the extreme Cases to meet the
- 18 requirements of the Constitution."
- 19 CHAIRPERSON YAO: Okay, motion and second.
- 20 Commissioner Aguirre.
- 21 COMMISSIONER AGUIRRE: Just a question and a
- 22 clarification that zero percent deviation is not the same
- 23 as one person.
- 24 COMMISSIONER DI GUILIO: I'm sorry, let me just
- 25 say "one person." Let me just take out the "zero," just

- 1 make it "one person deviation," to "one person
- 2 deviation."
- 3 VICE CHAIRPERSON DAI: Can I say something?
- 4 CHAIRPERSON YAO: Commissioner Yao.
- 5 VICE CHAIRPERSON DAI: It's hard to get the
- 6 Chair's attention here. I'm wondering, Commissioner
- 7 Ancheta, since you have an idea, very specific language,
- 8 whether you Could simply --
- 9 COMMISSIONER DI GUILIO: Okay, I'll withdraw
- 10 mine.
- 11 VICE CHAIRPERSON DAI: -- make the motion,
- 12 please?
- 13 COMMISSIONER ANCHETA: Well, I don't know -- I
- 14 hope this would be acceptable. I would propose that the
- 15 Commission adopt a policy which strives to reach a total
- 16 population deviation of the Congressional Districts of no
- 17 more than one person, except when necessary to Comply
- 18 with Federal or State Constitutional law. I'm sorry, let
- 19 me back up. Drop that "Constitutional" part. Sorry,
- 20 just Federal or State -- Federal law or State law.
- 21 MR. MILLER: If I might, what might be helpful is
- 22 to think in terms of, in Concept, what would permit that
- 23 very modest deviation to occur, and that takes us back to
- 24 objective Criteria Consistently applied, and those are
- 25 the ones we're talking about, making districts Compact,

- 1 not breaking up Cities, it's our Criteria, but applied
- 2 within a very narrow range in Congressional Districts.
- 3 COMMISSIONER ANCHETA: I mean, would you suggest,
- 4 then, again, referring specifically to the Voters First
- 5 Act in order to in other words, Article 21, Section
- 6 2 (D) (1)?
- 7 MR. MILLER: I think that is reasonable because
- 8 it Contains -- I believe those are the very factors that
- 9 you would have in mind if you permitted a deviation in
- 10 excess of numerical perfection among districts. Is that
- 11 Correct?
- 12 COMMISSIONER ANCHETA: I believe so. What I'm
- 13 trying to do is --
- 14 MR. MILLER: You know, if that's true, then I
- 15 think it's reasonable to reference what those Criteria
- 16 are in that manner.
- 17 COMMISSIONER DI GUILIO: But Can I say, a point
- 18 of difference, I think what I hear Commissioner Ancheta
- 19 saying is just refer Federal or State law, and the
- 20 parameters of Proposition 11 are much broader in terms of
- 21 would we have to break the population for COI? I
- 22 wouldn't go that far, I mean, I think it would be much
- 23 more narrow, the reasons why we would break a one person,
- 24 it would have to be very specific. And I would assume
- 25 that something like the Voting Rights Act would be the

- 1 reason to break that, not because we're trying to keep a
- 2 City whole. I'm just trying to make sure I know. I'm
- 3 assuming Commissioner Ancheta's motion is more narrow
- 4 than what you're proposing, that opens it up to a much
- 5 broader -- and that, I'm more Concerned about.
- 6 COMMISSIONER ANCHETA: Well, I think I did not
- 7 phrase it as well as I should have. I think it actually
- 8 opens it up, unintentionally, in terms of how I actually
- 9 phrased it, I think I opened it up too much. I will try
- 10 to amend it, but I want to have the points fleshed out
- 11 first.
- 12 CHAIRPERSON YAO: I think we need a motion and a
- 13 second before we Can go any further because the Current
- 14 motion has been withdrawn, so I need somebody to --
- 15 Commissioner Blanco.
- 16 COMMISSIONER BLANCO: I move that our
- 17 Congressional Districts strive for a deviation of no more
- 18 than one person, except as required by the Federal Voting
- 19 Rights Act.
- 20 COMMISSIONER DI GUILIO: I'll second that.
- 21 CHAIRPERSON YAO: It's been moved and seconded.
- 22 Additional Comments? All right, Ms. Sargis, are you
- 23 ready to --
- MS. SARGIS: Just to Clarify, this is for the
- 25 Second Draft Maps and the Final Maps, okay? So, for the

- 1 Second Draft Maps and the Final Maps, for drawing
- 2 Congressional Districts, the Commission will strive for
- 3 no more than one person deviation as required by the
- 4 Federal Voting Rights Act.
- 5 COMMISSIONER BLANCO: No, will strive for no more
- 6 than a one person deviation, unless required by the
- 7 Federal Voting Rights Act.
- 8 MS. SARGIS: Unless required by the Federal
- 9 Voting Rights Act. Would you like me to restate it
- 10 again?
- 11 CHAIRPERSON YAO: Please.
- MS. SARGIS: Okay, for the Second Draft Maps and
- 13 the Final Maps, for drawing Congressional Districts, the
- 14 Commission shall strive for no more than one person
- 15 deviation, unless required by the Federal Voting Rights
- 16 Act.
- 17 CHAIRPERSON YAO: Thank you. Comments by the
- 18 public. I'll Come back to the Commission. Comments by
- 19 the public.
- 20 COMMISSIONER BLANCO: I think we have a wording
- 21 amendment that I accept, which is to Comply with the
- 22 Federal Voting Rights Act. It's just Cleaner.
- 23 MS. SARGIS: Unless to Comply by the Federal
- 24 Voting Rights Act.
- 25 COMMISSIONER DI GUILIO: Comply with.

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- 1 COMMISSIONER BLANCO: The Federal Voting Rights
- 2 Act.
- 3 CHAIRPERSON YAO: Public Comments? Use that mic
- 4 right there.
- 5 JIM WRIGHT (San Jose): Just a small little
- 6 technical thing. You don't want a deviation of one
- 7 person, you want to have one person off the target.
- 8 Deviation of one person is like saying a majority is 50
- 9 percent plus one, which isn't quite true. And also, in
- 10 your hierarchy of how you're supposed to draw all the
- 11 lines, the one thing that exceeds or is higher than the
- 12 Voting Rights Act is population. So, if you follow the
- 13 statute that was passed by Proposition, you Can't deviate
- 14 based on the Voting Rights Act.
- 15 CHAIRPERSON YAO: Mr. Barraba.
- 16 COMMISSIONER BARRABA: My only question relates
- 17 to the Second Draft Maps. Given the timeframe that we're
- 18 under, I just don't know whether there would be enough
- 19 time for Q2 to get down to the one person deviation and
- 20 still meet the requirements that we have.
- 21 COMMISSIONER DI GUILIO: This is Congressional,
- 22 so they're already doing that.
- 23 CHAIRPERSON YAO: Yeah, this is Congressional
- 24 only.
- 25 COMMISSIONER BARRABA: But there are some

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- 1 districts right now that are more than one person, and if
- 2 they're running as fast as I think they're going to have
- 3 to run, if there's three people over, or four people
- 4 over, I mean, are we going to make them go back and find
- 5 those four people when we're trying to get these Draft
- 6 Maps out? So, I agree with it on the Final Maps, but I'm
- 7 not sure that you need that level at the Draft level.
- 8 COMMISSIONER BLANCO: I would accept that
- 9 amendment.
- 10 CHAIRPERSON YAO: Instead of Second Draft and
- 11 Final, scratch Second Draft and just Final. Who made the
- 12 second?
- MS. SARGIS: Commissioner Di Guilio.
- 14 COMMISSIONER DI GUILIO: I'll accept that.
- 15 CHAIRPERSON YAO: All right, let's do a roll
- 16 Call, please.
- MS. SARGIS: Commissioner Aguirre Yes;
- 18 Commissioner Ancheta Yes; Commissioner Barraba Yes;
- 19 Commissioner Blanco Yes; Commissioner Dai Yes;
- 20 Commissioner Di Guilio Yes; Commissioner Forbes Yes;
- 21 Commissioner Galambos Malloy Yes; Commissioner Ontai -
- 22 Yes; Commissioner Ward Yes; Commissioner Yao Yes.
- The motion passes.
- 24 CHAIRPERSON YAO: All right, let me just ask the
- 25 advisory Committees, are there any other items on the

- 1 agenda that require us to vote on.
- 2 COMMISSIONER DI GUILIO: I'm just wondering, have
- 3 we left the deviation issue? Is there no other
- 4 discussion on deviation for State Districts? Because
- 5 Currently it stands at one percent.
- 6 CHAIRPERSON YAO: Any interest in revisiting that
- 7 one percent? I think we tried last week and it would
- 8 fail, so we Can always revisit it at this point. Is
- 9 there any additional Consideration? Yes, Mr. Miller.
- 10 MR. MILLER: I did want at this point to note
- 11 again that Commissioner Filkins Webber has submitted a
- 12 statement on population deviation for the State Districts
- 13 and I Can provide that at a Convenient time.
- 14 CHAIRPERSON YAO: I would allow the reading of
- 15 that only if we have a motion on the floor. If not, then
- 16 it probably would not be appropriate. So, unless we have
- 17 a motion on the floor to revisit this one percent, I
- 18 think the previous decision based on my understanding
- 19 from what we had voted on is the guideline.
- 20 COMMISSIONER BARRABA: I might not know whether I
- 21 want to Change my mind unless I hear what she has to say,
- 22 so I don't understand why I Can't hear it now.
- COMMISSIONER DI GUILIO: Do you need a motion to
- 24 --
- 25 CHAIRPERSON YAO: All right, it is on the agenda

- 1 and the agenda reads Deviation for Assembly and Senate
- 2 Districts: Legal Discussion and Decisions. So, Mr.
- 3 Miller, Could you read the statement by Commissioner --
- 4 MR. MILLER: I'm sorry.
- 5 CHAIRPERSON YAO: Okay, go ahead.
- 6 MR. MILLER: The statement provided by
- 7 Commissioner Filkins Webber, population deviation. She
- 8 writes, "Equal population is our number one Criteria in
- 9 redistricting. Concerns regarding City and Community of
- 10 interest splits should be of less Concern than the right
- 11 of 38 million California Citizens to vote and have their
- 12 vote Carry equal weight with everyone else, yet this
- 13 Commission has disregarded this basic tenet of our
- 14 Governmental system and for what? Desire to have
- 15 flexibility in drawing the Draft Maps. Flexibility of
- 16 the CRC has led to votes in favor of population deviation
- 17 in excess of zero percent, which many members of the
- 18 public have Commented is unconstitutional. I agree. The
- 19 Commission's desire for flexibility is not a
- 20 Constitutional right worthy of protection over 38 million
- 21 voters' rights to vote and to have their votes weighed
- 22 equally. Every attorney serving this Commission has
- 23 advised us to strive for zero percent population
- 24 deviation at the State level; Anna Henderson stated such
- 25 at our business meetings in Los Angeles, Gibson, Dunn

- 1 implied such in their materials distributed at the L.A.
- 2 Business Meeting, and Kirk Miller alluded to such last
- 3 week in Stockton. Mr. Miller identified another
- 4 Compelling argument not yet raised before this Commission
- 5 and such is worthy of further discussion. The
- 6 Congressional Districts in most states have less
- 7 population than their Corresponding State Districts; even
- 8 in the second largest populated state in the U.S., Texas,
- 9 their State Districts are not larger than their
- 10 Congressional Districts. But in California, our Senate
- 11 Districts are larger than our Congressional ones. Can
- 12 anyone on this Commission Come up with a legally
- 13 justifiable argument why our Senate Districts with
- 14 331,349 people would be entitled to a Constitutionally
- 15 protected deviation of up to 93,000 people? Yet our
- 16 Congressional Districts require absolute equality where
- 17 the population of the district is only 702,000, 228,000
- 18 people less than our own Senate Districts. If the USSC
- 19 requires absolute..." -- I think that's United States
- 20 Supreme Court "...requires absolute equality in
- 21 California, Congressional Districts with a population of
- 22 702,000, is it logical to assume that either our State
- 23 Supreme Court or the United States Supreme Court will
- 24 find a population deviation greater than zero percent for
- 25 our 931,000 populated Senate District? I think not. Any

- 1 deviation greater than zero percent for our State
- 2 Districts will result in vote dilution for hundreds and
- 3 thousands of people in California. We have the
- 4 technology to achieve zero percent population deviation
- 5 in all districts. Why not use it? This Commission has
- 6 spent a Considerable amount of time, and will do so in
- 7 Coming weeks, on Claims of vote dilution of racial
- 8 minority groups. Why won't this Commission agree to a
- 9 zero percent population deviation to avoid vote dilution
- 10 for all the Citizens of California, regardless of race?
- 11 Our number one Criteria of equal population deserves its
- 12 Constitutional priority above all else. Please Consider
- 13 zero percent population deviation for California Assembly
- 14 Districts and California Senate Districts in our Second
- 15 Draft Maps and our Final Maps. Thank you. Commissioner
- 16 Jodie Filkins Webber."
- 17 CHAIRPERSON YAO: All right, I truly believe I
- 18 need some kind of motion before we Can Continue the
- 19 discussion on this matter since we have been advised that
- 20 our Current guideline is one percent total deviation.
- 21 Would anybody like to --
- COMMISSIONER DI GUILIO: Okay, I'll make a motion.
- 23 I'd like to make a motion that says let me see if I Can
- 24 -- I'm sorry, Ms. Sargis. I'd like to say that, for our
- 25 State Districts, we will strive for a zero percent

- 1 deviation, but that an equally applied -- let me back up,
- 2 I'm not going to say a motion yet -- what I'd like to
- 3 say, and if someone else wants to pick up on this,
- 4 because I need to think it through a little bit, is
- 5 generally I would like to strive for a low deviation, but
- 6 I think that there are certain circumstances based on the
- 7 law, not opinions of various legal counsels, that what
- 8 the law says -- and this is what we were trying to get to
- 9 in Stockton -- is what does the law allow us to do, and
- 10 it does allow us to go up to a higher percent deviation,
- 11 as I understand it, is that it actually Can allow you to
- 12 go up to 10 percent. To me, that's too much. But I
- 13 think in circumstances where you equally apply the
- 14 Criteria, you Can have the option to have you basically
- 15 have some options and that is legally allowable by the
- 16 Supreme Court. So, I would suggest that there are times
- 17 when we would be able to have up to a five percent
- 18 deviation, that that's what we've passed for these first
- 19 Draft Maps, I think what we've seen with our Mappers is
- 20 they've kept the deviation very low, and I'd like to just
- 21 be able to have, as a Commissioner, to be able to have my
- 22 options open. And this is Coming from someone who is
- 23 generally pretty Conservative about this, but I feel like
- 24 I don't want to tie my hands right now. That's where my
- 25 position is right now. And if that wants to be

- 1 translated into a motion, I'll let someone else do that.
- 2 CHAIRPERSON YAO: Commissioner Barraba.
- 3 COMMISSIONER BARRABA: It occurred to me, I was
- 4 thinking about the disenfranchisement, that you Could end
- 5 up with a situation where someone, because you want zero,
- 6 is moved into a district which is outside of their City,
- 7 or whatever it might be, and then their vote is probably
- 8 not likely to be as strong because they're in a district
- 9 where they're maybe the only person who has an interest
- 10 in the Community they were just taken out of. So, I'm
- 11 not sure that going to zero quarantees that everybody's
- 12 vote will be treated equally. I appreciate the intent of
- 13 our discussion, but I think by saying that you're going
- 14 to go for zero, we might find ourselves in some Cases
- 15 really putting some people in a position where their vote
- 16 is significantly diluted.
- 17 CHAIRPERSON YAO: Again, I think I need a motion
- 18 before we Can discuss this further. Anybody interested
- 19 in making a motion? All right, seeing none, I Consider
- 20 this matter -- Commissioner Ancheta.
- 21 COMMISSIONER ANCHETA: Let me put a motion on the
- 22 floor because I think the Current policy is not
- 23 Consistent with the State Constitution, as written,
- 24 because the State Constitution does allow an exception
- 25 for the Federal Voting Rights Act and our Current policy

- 1 does not allow that. So, for discussion purposes, and I
- 2 want to get a better sense of what the Comfort level is
- 3 amongst the Commissioners regarding percentages. But for
- 4 purposes of getting this on the table, I would move to
- 5 amend the Current policy as applied to State Districts to
- 6 allow an exception for compliance with the Federal Voting
- 7 Rights and, as allowed by law, Consistent with the Voters
- 8 First Act.
- 9 COMMISSIONER BARRABA: Second -- for discussion
- 10 purposes.
- 11 CHAIRPERSON YAO: Before we go any further, let
- 12 me see if I Can have Ms. Sargis --
- MS. SARGIS: I didn't get it, you'll have to -- I
- 14 got half of it.
- 15 COMMISSIONER ANCHETA: I'll restate what I think
- 16 -- I Can never repeat exactly what -- I Can't do that.
- 17 But the motion is to amend the Commission's Current
- 18 policy regarding State Districts so that it allows an
- 19 exception for deviations to Comply with the Federal
- 20 Voting Rights Act, and as allowable by law, [Comma] as
- 21 pursuant to the Voters First Act. You might want to read
- 22 that back because I may have missed a phrase in there,
- 23 but if you Could read back what I just gave you.
- MS. SARGIS: Okay, so the motion is to amend the
- 25 Commission's Current policy for State Districts to allow

- 1 for an exception for deviation, to Comply with the
- 2 Federal Voting Rights Act and, as allowable by law, as
- 3 pursuant to the Voters First Act.
- 4 COMMISSIONER ANCHETA: That's not very well
- 5 worded, but --
- 6 COMMISSIONER BLANCO: I second that motion.
- 7 COMMISSIONER ANCHETA: I think that's sufficient
- 8 to get the discussion on the table.
- 9 MS. SARGIS: The motion had already been
- 10 seconded.
- 11 COMMISSIONER ANCHETA: I will amend if needed.
- 12 CHAIRPERSON YAO: Ms. Sargis, Could you read it
- 13 and make sure we understand what we're voting on.
- 14 MS. SARGIS: The Commission shall amend their
- 15 Current policy for drawing State Districts to allow for
- 16 an exception for deviation, to Comply with the Federal
- 17 Voting Rights Act and, as allowed by law, as pursuant to
- 18 the Voters First Act.
- 19 COMMISSIONER ANCHETA: Yeah, that's not as well
- 20 worded as I would like, but for discussion purposes, we
- 21 Can have perfecting minutes later. I may withdraw based
- 22 on discussion, but I think it's fine for discussion
- 23 purposes.
- 24 CHAIRPERSON YAO: Ms. Blanco is next.
- 25 COMMISSIONER DI GIULIO: I just wanted a

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- 1 clarification. Are you including anything in there about
- 2 what the maximum allowable --
- 3 COMMISSIONER ANCHETA: No, not at this point I'm
- 4 not. I'm just putting something on the table because I
- 5 don't know, frankly, where folks are on numbers. So I'm
- 6 uncomfortable with that motion as it is Currently stated.
- 7 COMMISSIONER BLANCO: Right. And so, just to
- 8 discuss this, I think -- I appreciate Commissioner
- 9 Filkins Webber's perspective and, you know, we've talked
- 10 about it a lot on this Commission, and generally I agree.
- 11 I do think that the Act that was voted on by the voters
- 12 says specifically that for State Legislative Districts,
- 13 that there's a possible exception for the Voters Rights
- 14 Act, and I don't see where we have the authority to
- 15 Change that Constitutional mandate that's in Prop. 11, I
- 16 really don't. I think we Can have a discussion about
- 17 where the Cap is, or what we're Comfortable with, but I
- 18 don't think that we get to Change the Constitution. And
- 19 it says that, for purposes of the Voting Rights Act, that
- 20 we Can have a reasonable difference there. So, I'm
- 21 sticking with Prop. 11 and I think that the discussion
- 22 really is about what the maximum deviation is that we
- 23 feel Comfortable with and, really, the tricky question
- 24 about when do you apply it. And I think that's what Mr.
- 25 Miller tried to do at our meeting in Oxnard, I think it

- 1 was, where he laid out a three-prong test about what
- 2 would trigger the possibility of going over -- at that
- 3 point, we were talking about the one percent rule. And
- 4 that was an attempt to Come up with a test for when we
- 5 felt we needed it. Now we're saying, I think, that
- 6 rather than go with all the other situations, the only
- 7 situation that would warrant deviation would be the
- 8 Voting Rights Act, and so we still have to discuss
- 9 deviation from what -- from zero or what, for one, which
- 10 is what we had voted on earlier -- and, if so, to what
- 11 extent?
- 12 CHAIRPERSON YAO: Commissioner Forbes.
- 13 COMMISSIONER FORBES: My Concern is there are two
- 14 Constitutions, I don't believe Prop. 11 Can bind the U.S.
- 15 Constitution to a different level of deviation. And so,
- 16 my Concern, I haven't formulated my final opinion on
- 17 this, but my Concern is that I think whatever level, we
- 18 have to Comply with the U.S. Constitution, the California
- 19 Constitution is fine, you know, we'll survive the State
- 20 Supreme Court on that issue; but I think we have to
- 21 decide whether a level of deviation is going to Comply
- 22 with what the U.S. Constitution says, as this Current
- 23 Court would interpret it.
- 24 CHAIRPERSON YAO: Commissioner Barraba.
- 25 COMMISSIONER BARRABA: Yeah, I recall at least

- 1 the Supreme Court has indicated they look at Legislative
- 2 Districts differently than they do Congressional. Is
- 3 that correct, Mr. Miller?
- 4 MR. MILLER: Yes, they have to look at them
- 5 differently.
- 6 COMMISSIONER BLANCO: And they've allowed up to
- 7 10 percent. Is that correct?
- 8 MR. MILLER: They have allowed up to 10 percent.
- 9 I think that it's useful to put that in context, however.
- 10 COMMISSIONER BLANCO: I'm just saying that
- 11 there's no -- my point is that there's no hard number and
- 12 that, in fact, we're well below what the U.S. Supreme
- 13 Court has agreed on for State Legislative Districts.
- 14 COMMISSIONER FORBES: Let me argue on the other
- 15 side of that. Most states have, their Legislatures are
- 16 small in number, I mean, they represent a small number of
- 17 people, and I don't know what the average is, but it's
- 18 much much smaller than California. So let's say the
- 19 average were 40,000 people represented by a State
- 20 Legislator, a five percent deviation would amount to 200
- 21 people plus or minus, so a one percent deviation in a
- 22 district of 465,000 is 465 people. I mean, it's
- 23 significantly more than what the five percent would be on
- 24 a state with a smaller representation per district. And
- 25 so I would be quite cautious in approaching a deviation

- 1 number, you know, sort of on the theory that, well,
- 2 they've allowed five percent, because I don't think that
- 3 if you went before the Supreme Court and said that, "Oh,
- 4 by the way, five percent California represents plus or
- 5 minus 45,000 people in the state center." I don't think
- 6 they'd buy that in a heartbeat. So, I just would be very
- 7 cautious in saying the number to which we can deviate.
- 8 CHAIRPERSON YAO: Commissioner Ancheta.
- 9 COMMISSIONER ANCHETA: So, I mean, what animates
- 10 the Federal case law in this area is giving state and
- 11 local governments some leeway to rely on some of the
- 12 factors that they want to prioritize, so, for example,
- 13 and all of these have to be legitimate, non-
- 14 discriminatory reasons. So, for example, maintaining the
- 15 integrity of a city, or a county. You know, the court
- 16 upheld an 89 percent deviation for Wyoming because
- 17 Wyoming wanted to make sure that each county got a
- 18 representative in the State Legislature. There's no hard
- 19 and fast rule, the 10 percent rule has evolved to
- 20 something that has become a rule of thumb, but they
- 21 struck down -- I shouldn't say "struck down" -- they have
- 22 affirmed lower court decisions where the percentage was
- 23 below 10 percent because they were not based on
- 24 legitimate non-discriminatory reasons. Commissioner
- 25 Forbes reasoning is very sound, I think, and that

- 1 reflects some reasoning -- we've often heard about an
- 2 Attorney General opinion that has been cited by the
- 3 courts, that is the reasoning of that particular opinion,
- 4 that is one to two percent in California is much
- 5 different than one to two percent in a less populace
- 6 state. Nevertheless, I think it is important that we
- 7 recognize that there may be needs to pierce whatever
- 8 guideline we set; I think one percent may be too low, but
- 9 to whatever agreed upon number we reach, I think we have
- 10 to allow for some exceptions that allow us to comply with
- 11 our criteria as written in the Constitution of the State.
- 12 That is what the Federal Courts have allowed State
- 13 Governments to do, it isn't based on your own criteria,
- 14 we give you some room, that you're not dealing with
- 15 Congress which is a Federal body, you're dealing with
- 16 your own governmental units, you have some discretion.
- 17 Again, the underlying reasoning is you don't want to
- 18 dilute the votes of people who are in more populace
- 19 districts. And I think, again, we have to look both at
- 20 the absolute numbers, as well as the percentages, too,
- 21 because we're the most populace state in the Union, so
- 22 five or 10 percent is a lot of people, and I think that's
- 23 important as part of the discussion. But we know that,
- 24 when we have a tighter deviation, we split cities, we
- 25 split counties, we split neighborhoods, and we may

- 1 depending on the circumstances not be able to fully
- 2 comply with the Voting Rights Act as we need to do.
- 3 CHAIRPERSON YAO: Commissioner Dai.
- 4 VICE CHAIRPERSON DAI: Thank you. I think
- 5 Commissioner Ancheta's summary is good, I think
- 6 Commissioner Forbes is right, I mean, we're far larger
- 7 than the vast majority of the states in the Union, so our
- 8 absolute numbers end up being quite big when we start
- 9 looking at percentages. One idea that was introduced
- 10 before at one of our previous meetings, which I wonder if
- 11 it might be a reasonable compromise to kind of deal with
- 12 this, was the concept of average deviation because, if
- 13 you look at what our Mappers have been able to do,
- 14 they've been able to achieve very very low deviations for
- 15 the vast majority of districts. So, I think that we're
- 16 really looking at probably a couple of exceptions and,
- 17 again, I think that most of those exceptions will be for
- 18 Voting Rights Act compliance. And my concern is that the
- 19 Commission opens itself up to liability if we choose a
- 20 tighter than necessary deviation that basically doesn't
- 21 allow us to hit 50 percent, we get it 49, you know,
- 22 because of population deviation. Because, as
- 23 Commissioner Yao rightly pointed out, there's this
- 24 interplay between the population deviation and whether we
- 25 can hit the percentage or not, and we're already dealing

- 1 with, you know, a statistic that the Census Bureau
- 2 acknowledges is a poor statistic. So, I'm thinking we
- 3 might be able to deal with this by using an average
- 4 deviation because I think most of the districts will have
- 5 a very low deviation since we've said to strive for zero,
- 6 but there might be a few where we have to go over and
- 7 make sure that we give a fair shot to, you know, to a
- 8 Section 2 District. That's my thinking. I'm concerned
- 9 that we'll be attacked later for crowding out districts
- 10 essentially based on too tight of a standard that was
- 11 unnecessary according to the Supreme Court.
- 12 CHAIRPERSON YAO: All right, let me just make my
- 13 comment. First of all, Commissioner Forbes, one percent
- of 460,000 is about 4,600 people, so half a percent is
- 15 about 2,300 people, so it's still a very large number in
- 16 my opinion and I don't think our discussion here is
- 17 really what's right and what's wrong. We've been told
- 18 that we do have a window, but from a week or so ago in
- 19 Oxnard, I think we've been advised that if we stick to
- 20 the plus or minus half a percent, or one percent total
- 21 deviation, that's probably the level that we can avoid
- 22 most of the lawsuits. So, keep that in mind. Any
- 23 further discussion? Commissioner Ward.
- 24 COMMISSIONER WARD: I was just wondering if
- 25 General Counsel can help clarify for me, the public, and

- 1 my own thoughts were confused with this motion, if adding
- 2 that VRA clause to it in any way actually violates Prop.
- 3 11 as the Equal Population Standard is the first and
- 4 foremost criteria. And it seems to me that the motion
- 5 that we'd already passed allows for us to, under
- 6 exceptional circumstances, adjust as needed. So I'm
- 7 wondering what your opinion is on the updated motion and
- 8 its effect on, again, the ranked order criteria and if it
- 9 is broader than the motion that was already passed by the
- 10 Commission.
- 11 MR. MILLER: I don't believe that the motion
- 12 would violate the Voters First Act because of compliance
- 13 with the Voting Rights Act is baked into the number one
- 14 criteria, which is population equality. I think that was
- 15 a two-part question. The second part of the question as
- 16 I understand it would be what variation exists with
- 17 respect to the motion that was passed on May 27<sup>th</sup>, is that
- 18 correct? Let me just read that part of the motion. It
- 19 says, "However, when that is not possible, the deviation
- 20 shall not be more than one percent."
- 21 CHAIRPERSON YAO: All right, seeing --
- 22 COMMISSIONER ANCHETA: So just to clarify, one of
- 23 the reasons this motion is on the floor is, I think there
- 24 may be situations when you might need to go above one
- 25 percent in order to comply with the Voting Rights Act, so

- 1 it does create that exception. And, again, the point
- 2 being trying to be consistent with what criterion 1
- 3 actually says.
- 4 COMMISSIONER DI GUILIO: One quick because
- 5 criterion 1 doesn't say, when you say "equal population,"
- 6 it doesn't tell you what that number is, it's what the
- 7 courts have determined that to be -- I'm not a lawyer, I
- 8 just play one on the Commission -- I mean, this is where,
- 9 as a layperson, this is where I've been trying to look at
- 10 this issue and this was a discussion we had in Stockton
- 11 because, as a layperson who doesn't know the details of
- 12 the law, my understanding is what equal population is is
- 13 not for us to decide, it's what the court has allowed.
- 14 And the court hasn't -- from my understanding, it does
- 15 give us some wiggle room to be compliant with equal
- 16 population. So, that wiggle room is what I'm trying to
- 17 discuss, is what do we allow for the wiggle room and
- 18 still be compliant with equal population, and be
- 19 compliant with Voting Rights Act. So I think, again, you
- 20 look at the maps and what we've done so far has been a
- 21 very small deviation. I think what we're seeing when you
- 22 apply this, it's not just this theoretical discussion,
- 23 it's if the -- the first question is are we allowed to
- 24 have a higher deviation? And from what I understand is,
- 25 yes, we are allowed, whether we want to do that or not

- 1 is, of course, a point of discussion. But when I look at
- 2 the maps, I think, okay, we've kept a very low deviation,
- 3 but there could be some places where we could fix some
- 4 problems, including VRA issues and maybe some other ones
- 5 in terms of what Commissioner Barraba said with
- 6 disenfranchisement, and particularly the smaller
- 7 communities. And I personally would like to have the
- 8 chance, the opportunity, to have that discussion and have
- 9 the Commission vote on it. If the Commission doesn't
- 10 want to go to a higher deviation, then they won't accept
- 11 that iteration. But if we don't even have the allowance
- 12 for that, we will never even get to that discussion and I
- 13 think, then, we disenfranchise those communities.
- 14 CHAIRPERSON YAO: Commissioner Ward.
- 15 COMMISSIONER WARD: I think, just practically, it
- 16 just doesn't seem that we have time to fiddle around with
- 17 options on deviations. I mean, obviously, my
- 18 interpretation of the spirit of the Voters First Act was
- 19 to take the wiggle room out of redistricting. So, if we
- 20 can't define a ceiling percentage by which we're willing
- 21 to deviate at this point, I feel like this puts us behind
- 22 the ball because we are, then, in danger of coming out
- 23 with maps, and then having to vote on, or debate certain
- 24 districts and deviations from them, and prolong the
- 25 process. So the only caution I would offer, then, is if

- 1 the Commission's will is to continue with restating our
- 2 position on deviations, that we apply a ceiling to it.
- 3 CHAIRPERSON YAO: Commissioner Dai.
- 4 VICE CHAIRPERSON DAI: Yeah, again, we don't have
- 5 to restate anything, it's already on the record, the only
- 6 reason we would have to do it is to change what we have,
- 7 and what we have right now is one percent, so we do have
- 8 a ceiling, it's very very clear. And I'm not sure
- 9 everyone understood my point, so I just want to clarify
- 10 it and see if Commissioner Ancheta would be amenable or
- 11 have any thoughts on whether this resolves anything about
- 12 actually using the term "average deviation" instead
- 13 because then we'd have maybe very close to zero for 99
- 14 percent of the districts and then, if we have to deviate,
- 15 you know, more, maybe even as much as two percent in some
- 16 areas, the average deviation could still be under half a
- 17 percent because the vast majority of our districts have
- 18 extremely low deviation and I think we'll be able to
- 19 achieve that in the vast majority of cases. But, like I
- 20 said, my concern is opening the Commission up to legal
- 21 liability because essentially we'll have ended up -- and
- 22 I want to make sure everyone understands the mathematical
- 23 relationship between the population deviation and being
- 24 able to achieve a 50 percent CVAP because the tighter we
- 25 make that deviation, the less opportunity there is to see

- 1 if we can hit 50 percent and we're very close in a couple
- 2 of districts that are 49 percent, or 48.6 percent, and if
- 3 we were allowed to deviate some more, we might be able to
- 4 hit that 50 percent and potentially not be accused of
- 5 violating the Voting Rights Act because we set an
- 6 artificially low deviation that is not required by the
- 7 U.S. Constitution.
- 8 CHAIRPERSON YAO: Commissioner Blanco.
- 9 COMMISSIONER BLANCO: That is what I was going to
- 10 say.
- 11 CHAIRPERSON YAO: All right, let's have the
- 12 motion read one more time.
- 13 MS. SARGIS: The motion is to amend the
- 14 Commission's current policy for drawing State Districts
- 15 to make an exception for deviation to comply with the
- 16 Federal Voting Rights Act and is allowed by law, as
- 17 pursuant to the Voters First Act.
- 18 CHAIRPERSON YAO: Is that accurate?
- 19 VICE CHAIRPERSON DAI: So, Commissioner Ancheta
- 20 never answered my question, which is would you consider a
- 21 friendly amendment to change that to an average to
- 22 change it to an average deviation of one percent? I
- 23 don't know. I'm throwing that out there to recognize
- 24 that again, I'm an engineer -- so, mathematically, we
- 25 may still end up with an extremely low deviation. What

- 1 I'm proposing by putting the word "average" in there is
- 2 that gives us a little more swing and maybe the few
- 3 districts that we may have to make an exception for, we
- 4 don't even know if we have to, but, again, as
- 5 Commissioner Di Guilio said, if we don't even allow for
- 6 it, then we'll just never find out.
- 7 COMMISSIONER ANCHETA: Well, I guess the question
- 8 is what are you amending to the original the standing
- 9 policy? Because I -
- 10 VICE CHAIRPERSON DAI: The current policy is a
- 11 "total" deviation of one percent. So I was going to ask
- 12 whether using an "average" deviation helps the situation
- 13 given our expectations about what we've seen so far as
- 14 very very low deviations for the vast majority of the
- 15 districts. We are still not -- I mean, we told the
- 16 public this when we released the first Draft Maps that we
- 17 are not done with our VRA analysis, we are still in the
- 18 process of doing that. We saw a couple of districts
- 19 today, you know, where other groups have proposed Section
- 20 2 districts and ours is, you know, 1.5 percent below --
- 21 COMMISSIONER ANCHETA: Right, but your original
- 22 suggestion didn't give a number. Is your number average
- 23 deviation of one percent? Is that what you're
- 24 suggesting?
- 25 COMMISSIONER DI GUILIO: Can I just clarify what

- 1 his motion is?
- 2 CHAIRPERSON YAO: No, before you speak, let me
- 3 give staff counsel the opportunity to --
- 4 MR. MILLER: Maybe I could -- if you could
- 5 clarify for me -- if the average deviation is, let's say,
- 6 one percent or less, does that nonetheless provide an
- 7 opportunity for a higher deviation in one district and a
- 8 perfect deviation in the next one? I would just say I've
- 9 not seen a case that analyzes the issue in that manner, I
- 10 think a probable plaintiff would be able to focus on the
- 11 district that is higher than the average, and that that
- 12 could be a difficult case for the Commission to defend.
- VICE CHAIRPERSON DAI: Okay, so thank you for
- 14 that clarification. So, in other words, that doesn't
- 15 solve any problems? What I wanted to do was allow for a
- 16 little more swing for just probably a couple of
- 17 districts, and we don't even know if we have these
- 18 districts yet, but if we don't allow for looking at that,
- 19 we're never going to see them because Q2 will never
- 20 present them to us, so....
- 21 CHAIRPERSON YAO: Commissioner Di Guilio.
- 22 COMMISSIONER DI GUILIO: I'm just, before we vote
- 23 on the motion Ms. Sargis just read back, am I correct in
- 24 saying that Commissioner Ancheta's motion is not
- 25 attaching a number to it? It's simply saying that we -

- 1 so would the process be that we would then have another
- 2 motion that would set a number, a percentage?
- 3 CHAIRPERSON YAO: If that's the will of the
- 4 Commission. But his motion is to not put an upper limit
- 5 on it.
- 6 COMMISSIONER DI GUILIO: So we would be
- 7 nullifying that original motion, the one that we passed
- $8\,$  that has one percent, and this motion would be -
- 9 CHAIRPERSON YAO: Correct. If this motion fails,
- 10 then the --
- 11 COMMISSIONER DI GUILIO: That's what I'm trying
- 12 to clarify, I'm just trying to clarify what this motion
- 13 does.
- 14 CHAIRPERSON YAO: Right. If this motion passes,
- 15 then it nullifies the previous decision that we made with
- 16 regard to the one percent. If this motion passes, then
- 17 this Commission has the opportunity to either void that
- 18 one, or modify it to whatever upper limit that you're
- 19 interested in modifying it to. But that's outside the
- 20 scope of what we're discussing today. At this moment,
- 21 we're only addressing the motion that's on the floor
- 22 right now. Commissioner Barraba.
- COMMISSIONER BARRABA: If we vote no on this, we
- 24 go back to the one percent deviation.
- 25 CHAIRPERSON YAO: Correct.

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- 1 COMMISSIONER BARRABA: Thank you.
- 2 VICE CHAIRPERSON DAI: Could Commissioner Ancheta
- 3 clarify his intent?
- 4 COMMISSIONER ANCHETA: Yeah, no, this isn't an
- 5 amendment to the one percent rule; I'm not changing the
- 6 one percent. And if somebody wants to introduce a motion
- 7 to change it, that's fine, I'm not doing that at this
- 8 point because I still don't have a sense where people are
- 9 at on the number. But my point is that the Voters First
- 10 Act creates an exception, it's specifically in the law,
- 11 and it's in Criterion 1, it creates an exception to
- 12 comply with the Federal Voting Rights Act. It allows a
- 13 deviation. We don't have that built into our motion. We
- 14 could, in fact, run into a situation where you could do a
- 15 1.1 percent, or, in other words, it would pierce the set
- 16 total deviation and we would compromise our compliance
- 17 with the Federal Voting Rights in order to comply with
- 18 our own policy. That's what the intent of the motion is,
- 19 to allow the exception that exists within the
- 20 Constitution of the State of California.
- VICE CHAIRPERSON DAI: So is it fair to say that
- 22 you're trying to help us avoid that legal liability of
- 23 non-compliance with the Voting Rights Act?
- 24 COMMISSIONER ANCHETA: Correct. No, again, if
- 25 someone in a subsequent motion wants to amend the policy

- 1 to change the number, fine, I want to make sure that we
- 2 have that exception because I think, if we don't have
- 3 that exception, we're not complying with the Constitution
- 4 and we might violate the Federal Voting Rights Act at the
- 5 same time.
- 6 COMMISSIONER DI GUILIO: So, as I understand it,
- 7 if we vote for this, it's saying that we still agree with
- 8 the one percent maximum as it currently exists, with the
- 9 exception to -- you're just adding the exception to
- 10 comply with VRA issues.
- 11 CHAIRPERSON YAO: The motion needs to be restated
- 12 if that's the intent because that's not the way the
- 13 existing motion is read.
- 14 COMMISSIONER ANCHETA: I thought it said I'm
- 15 amending the current policy which is one percent -- well,
- 16 let Ms. Sargis read it back.
- 17 CHAIRPERSON YAO: All right, Ms. Sargis.
- 18 MS. SARGIS: The motion is to amend the
- 19 Commission's current policy for drawing State Districts
- 20 to make an exception for deviation to comply with the
- 21 Federal Voting Rights Act and, as allowed by law, as
- 22 pursuant to the Voters First Act.
- COMMISSIONER ANCHETA: Right, again, if there's
- 24 ambiguity in terms of what people are reading, my intent
- 25 here again is not to change the percentage, it is just to

- 1 create an exception that parallels the language of the
- 2 Voters First Act. Again, the reason I stated, we don't
- 3 have an exception now and we could run afoul of both the
- 4 State Constitution and the Federal Voting Rights Act.
- 5 CHAIRPERSON YAO: Commissioner Ward is next.
- 6 COMMISSIONER WARD: I was just wondering if the
- 7 General Counsel, I know you've provided an analysis of
- 8 the motion that was already passed by the Commission, and
- 9 you have not to date raised any concern or legal issues
- 10 in regards to Prop. 11 or exceptions for VRA, so I'm
- 11 wondering if you can give us an official position as to
- 12 whether or not the motion that has already passed by the
- 13 Commission does not allow for VRA exception, or if it in
- 14 any way violates the Prop. 11.
- MR. MILLER: Well, the existing motion allows for
- 16 deviations of up to one percent. And I believe that that
- 17 contemplates that that would be a sufficient number to
- 18 accommodate the Voting Rights Act. Now, it might cause
- 19 districts to take a form that people would prefer they
- 20 didn't, but that's the deviation that is provided for by
- 21 the existing motion.
- 22 COMMISSIONER WARD: So without changing the
- 23 percentage, there is no further clarification needed for
- 24 what's already standing as operating procedure, to be
- 25 able to adjust districts to comply with the Voting Rights

- 1 Act.
- 2 CHAIRPERSON YAO: Commissioner Blanco?
- 3 COMMISSIONER BLANCO: Well, I recall this
- 4 conversation quite well and we never built in the Voting
- 5 Rights Act exception to the one percent, we just said one
- 6 percent, period. So I beg to differ with counsel that we
- 7 built in the one percent for Voting Rights Act purposes,
- 8 we just said one percent.
- 9 VICE CHAIRPERSON DAI: Right.
- 10 COMMISSIONER BLANCO: We never had a discussion
- 11 about whether we would do it to accommodate Voting
- 12 Rights, and whether, if we didn't have a deviation, we
- 13 could put ourselves at liability when we would try and
- 14 draw districts and didn't because we didn't have the
- 15 leeway from zero, we never had that conversation. So, we
- 16 adopted it without this conversation, without this
- 17 exception.
- 18 CHAIRPERSON YAO: Any further comments?
- 19 COMMISSIONER ONTAI: I'll call for the motion.
- 20 CHAIRPERSON YAO: Any second to the call for the
- 21 motion? All right, there is no second, so --
- 22 COMMISSIONER BARRABA: Second.
- 23 CHAIRPERSON YAO: All right. I don't think I
- 24 need Ms. Sargis to read the call for the question. Any
- 25 public comment, interest in addressing the call for the

- 1 question? All right, seeing none, let's do a roll call
- 2 and the call for the question as to whether we want to
- 3 truncate the discussion and proceed with the voting.
- 4 MS. SARGIS: Commissioner Aguirre Yes;
- 5 Commissioner Ancheta Yes; Commissioner Barraba Yes;
- 6 Commissioner Blanco No; Commissioner Dai No, I'd like
- 7 to let Commissioner Ward speak; Commissioner Di Guilio -
- 8 No; Commissioner Forbes Yes; Commissioner Galambos
- 9 Malloy [Inaudible]; Commissioner Ontai Yes;
- 10 Commissioner Ward No; Commissioner Yao Yes.
- MS. SARGIS: Six to four, the motion fails.
- 12 CHAIRPERSON YAO: All right. Before I ask for
- 13 public comment, let me get Commissioner Ward, yes?
- 14 COMMISSIONER WARD: Thanks. I'm just trying to
- 15 understand, I was asking a question last time and I think
- 16 it came off as if I were making a statement. I was
- 17 asking a question. This motion that is on the floor
- 18 still seems to me that it's calling for a greater
- 19 deviation than one percent where necessary to comply with
- 20 the Voting Rights Act, so I'm asking, if what we're
- 21 suggesting is we do want to build in the flexibility to
- 22 have a higher than one percent deviation where required,
- 23 I'm asking if we're going to set a ceiling where it
- 24 somehow attached a limit to that besides a 10 percent
- 25 figure.

- 1 CHAIRPERSON YAO: Before you answer that
- 2 question, let me have Commissioner Blanco make her
- 3 comment.
- 4 COMMISSIONER BLANCO: This doesn't go directly to
- 5 your point, Commissioner Ward, but I think that with this
- 6 exception for the Voting Rights Act, we could do a couple
- 7 of things, we could actually strive for a zero deviation,
- 8 as Commissioner Filkins Webber has urged us to do, and I
- 9 think some of us would like to be at zero, and build in
- 10 an exception for the Voting Rights Act, and we could
- 11 discuss, then, separately what that number would be. But
- 12 I think that there's no reason -- for me, there's no
- 13 reason to stick to the one rather than zero if we're
- 14 building in Voting Rights Act compliance.
- 15 CHAIRPERSON YAO: Commissioner Ancheta.
- 16 COMMISSIONER ANCHETA: To address Commissioner
- 17 Ward's point, that's correct, the current motion doesn't
- 18 have a ceiling, so it's a point well taken. We only have
- 19 so many districts we're looking at, and I think we should
- 20 look at it on a case-by-case basis, again, and I would
- 21 like to go to zero on everything if we could, but again,
- 22 there may be some situations where in order to hit the 50
- 23 percent mark, we might need to go to 1.1, or something.
- 24 I don't know the exact figures, but I don't certainly
- 25 envision us going to 10 percent to hit that. I think

- 1 we're trying to be very close to the deviation limits,
- 2 but I feel we need to allow this exception largely
- 3 because it's in the Constitution that we have to create
- 4 an exception, or we have exceptions built in, and I don't
- 5 think we have that. Again, one percent, I'm concerned
- 6 that that's too low and it may in fact limit. Now, I
- 7 don't know for sure, and if it were higher, maybe we'd
- 8 have a little bit more to play with, but I really feel
- 9 uncomfortable at a one percent level given that we know
- 10 what some of the impacts have been regarding splits and
- 11 the challenges of hitting numbers. So, again, the intent
- 12 is not to sort of open the door wide open, to just let
- 13 anything come in, but to make sure it's a very carefully
- 14 measured exception.
- 15 CHAIRPERSON YAO: Additional comments or
- 16 questions from the Commission? Commissioner Dai.
- 17 VICE CHAIRPERSON DAI: Thank you. I mean, would
- 18 it be fair to say that one percent might be kind of
- 19 arbitrary, then? It's an arbitrary number, you know, it
- 20 would be cleaner, I think, to do what Commissioner Blanco
- 21 said, which is to strive for zero percent, and then put
- 22 that exception in. So, when we take it on a case-by-case
- 23 basis, we're only talking about a few districts here.
- 24 COMMISSIONER ANCHETA: I think the problem -- one
- 25 of the problems, of course, if you go to zero, as an

- 1 aspiration, it's fine. The Voting Rights Act
- 2 specifically in the Act, again, the underlying reasoning
- 3 of the courts allowing higher deviations in local and
- 4 state districting is that you may have something you want
- 5 to do, in other words, if you're trying to preserve
- 6 county or city lines, or have contiguous or compact
- 7 districts in order to do that, and again, those are
- 8 considered traditional non-discriminatory, legitimate
- 9 criteria, if you do that and apply it in a non-
- 10 discriminatory way, the courts allow that to happen, and
- 11 that's why the deviations are significantly higher. As a
- 12 policy matter, I think we can go as low as we want. We
- 13 can set it at zero, but if we do set it at zero, we don't
- 14 fulfill a lot of the other requirements that are out
- 15 there in terms of saying, "Well, we tried to avoid city
- 16 splits, but we set the deviation at zero, so we had to
- 17 split the city." That's the down side. But, again, my
- 18 motion really goes just basically to the Voting Rights
- 19 Act, it parrots the language in Criterion 1 -- which,
- 20 again, it doesn't mean I wouldn't support a higher
- 21 percentage, I want to make sure that this is built in.
- 22 If someone wants to amend the percentage, that's fine,
- 23 but my motion only goes to creating an exception that
- 24 parallels what is in the State Constitution.
- VICE CHAIRPERSON DAI: Okay, so it's still -- if

- 1 we vote for your motion, all it's doing is clarifying
- 2 that we will make exceptions if necessary for the Voting
- 3 Rights Act.
- 4 COMMISSIONER DI GUILIO: So, can I clarify that?
- 5 Again, so voting for this, as I understand it, I would be
- 6 inclined to vote for it because it's not changing the one
- 7 percent, it's simply giving us the ability to reduce our
- 8 risk for legal liability, to make sure that -- we don't
- 9 want to be sued because we didn't follow the criteria
- 10 that needed to be, so that would give us a little wiggle
- 11 room to do that. I still think the issue is on the table
- 12 for ultimately if we want to look at deviation where we
- 13 started this discussion earlier, but I think that's not
- 14 for today, but in terms of what Commissioner Ancheta is
- 15 doing, is simply trying to cover our legal liability in
- 16 terms of the one percent that we have as the current
- 17 ceiling. So, with that, I could vote for this, and I
- 18 would again maybe at some point down the road raise the
- 19 larger issue of what is the overall deviation. But I
- 20 don't see that happening today.
- 21 CHAIRPERSON YAO: Any additional comments before
- 22 I open it up to the public? All right, seeing none, I
- 23 invite the public. Commissioner Ward.
- 24 COMMISSIONER WARD: Just in light of Commissioner
- 25 Di Guilio's comments, I want to make sure I understand it

- 1 properly, that if I vote yes on the motion, the one
- 2 percent stands as it has already been decided, however,
- 3 we're opening an exception for greater than one percent
- 4 in light of VRA concerns, that's the change, correct?
- 5 COMMISSIONER ANCHETA: This is the part, we mix
- 6 up our deviation figures because what Commissioner Dai
- 7 has been mentioning is the average deviation, right,
- 8 which is what we look at when we look at individual
- 9 districts; however, the courts look at the total spread
- 10 at the end of the day, what is the highest populated,
- 11 what's the least populated, how big is that difference?
- 12 We don't typically do that when we're doing our own
- 13 analyses, we just kind of look at, well, is it .1 or .5,
- 14 etc., etc. At the end of the day, though, that's what we
- 15 have to look at. So, when we ask Q2, well, what's the
- 16 total deviation, and they says it's above one percent, we
- 17 need to know what happened. And, as a practical matter,
- 18 we will have to look at each district and say, well, how
- 19 far away is that -- as a matter of average, or simply
- 20 absolute -- how far is that from zero, and figure that
- 21 out.
- 22 COMMISSIONER DI GUILIO: So, Commissioner Ward,
- 23 does that answer your question about --
- 24 COMMISSIONER WARD: Thank you. It does.
- 25 COMMISSIONER DI GUILIO: Okay.

- 1 CHAIRPERSON YAO: Public comment, please, come on
- 2 up to the microphone.
- 3 MR. WRIGHT: Thank you. Jim Wright, a voter from
- 4 San Jose. Commissioner Ancheta, could I suggest that
- 5 your motion could be vastly simplified and most of this
- 6 discussion completely unnecessary? All you really need
- 7 to do is to rescind the one percent, everything else is
- 8 already in Constitutional law, State law, and everything
- 9 else.
- 10 CHAIRPERSON YAO: Thank you. Next.
- 11 MR. LEE: Good afternoon, Commissioners. I'm
- 12 Eugene Lee with the Asian Pacific American Legal Center.
- 13 I wanted to offer my comments on this and I think that
- 14 Commissioner Ancheta's motion is something that bears a
- 15 lot of consideration. I think that it properly gives
- 16 consideration to the question of how new language in the
- 17 Voters First Act should be interpreted, so my
- 18 understanding is that, before the Voters First Act, the
- 19 existing deviation that had been previously followed was
- 20 plus or minus one percent, and in no instance greater
- 21 than two percent. And that was based on State
- 22 Constitutional language, Supreme Court decisions in the
- 23 California Supreme Court, prior to the Voters First Act.
- 24 And the Voters First Act added new language saying that
- 25 Districts must be reasonably equal in size these are

- 1 for the State Legislative Districts -- must be reasonably
- 2 equal in size, except where necessary to comply with the
- 3 VRA, or otherwise allowable by law, and that's new
- 4 language. And the Commission is the agency charged with
- 5 implementing and interpreting this new language, and
- 6 generally under normal rules of statutory construction,
- 7 you try to give effect to all words in a statute or in
- 8 the Constitution, and I think to simply disregard that
- 9 language, "except where necessary to comply with the VRA,
- 10 or otherwise allowable by law," would go against normal
- 11 rules of statutory construction. But I think what
- 12 Commissioner Ancheta's motion tries to do is to give
- 13 proper effect to that new language in the State
- 14 Constitution.
- 15 CHAIRPERSON YAO: Thank you.
- MS. SCHAFER: Hello, Chairman Yao and
- 17 Commissioners. I'm Trudy Schafer representing the League
- 18 of Women Voters of California. And as a non-attorney,
- 19 but as someone who participated in the drafting of Prop.
- 20 11, I do feel actually that Mr. Lee has said pretty much
- 21 of what I needed to say. I've been listening to this
- 22 conversation almost on the verge of speaking to you, and
- 23 then thinking, no, I don't need to, because it's been a
- 24 very confusing discussion, to be honest. I would also
- 25 like to reiterate that I think the important thing for

- 1 me, as I've helped campaign for, put into practice what I
- 2 thought we meant by Section 1, "except for deviation as
- 3 required to comply with Federal Voting Rights Act, or
- 4 allowable by law," we did want to allow for the case law
- 5 that gives State level districts the ability to be less
- 6 than -- not as precise as zero percent deviation. Now,
- 7 part of what has disturbed me has been that I haven't
- 8 been clear on whether you had thought you should aim for
- 9 zero percent because you could ignore the "except as
- 10 allowable by law;" I believe you're saying that you want
- 11 to give special supremacy to the adherence to the Voting
- 12 Rights Act and what it will cause you to do. And because
- 13 we also have very carefully prioritized criteria and the
- 14 Voting Rights Act, short of this first number one, is the
- 15 next most important, obviously, then therefore the other
- 16 provisions allowable by law are lesser in priority. I
- 17 would not want you to ignore them. We have spoken both
- 18 orally and in written comments about the fact that, aside
- 19 from contiguity, the next thing is communities of
- 20 interest and cities and counties. So, I do believe that
- 21 you should keep in mind that there will be possible
- 22 deviations that would make these better maps because
- 23 you've also allowed for some deviation based on those.
- 24 But I certainly applaud anything you do that keeps the
- 25 Voting Rights Act as your first reason for deviation.

- 1 And then, of course, mostly I want to leave the message
- 2 that I think you should allow for deviation. I'm glad
- 3 you're not trying to do exact numbers, and whether you're
- 4 going to change the one percent or not, because I
- 5 certainly wouldn't know how to advise you on that, but
- 6 certainly I don't think anybody was expecting that we
- 7 would go to the kinds of the 10 percent that some case
- 8 law has allowed for. I don't know if that has improved
- 9 the situation for you, but I do think it's very important
- 10 that you read that whole final clause and that you keep
- 11 that in mind. Thank you.
- 12 CHAIRPERSON YAO: Thank you very much.
- MS. HOWARD: Hi. Debra Howard with the
- 14 CalChamber Cal Institute. I actually don't have an
- 15 issue, I actually want to echo something Ms. Schafer just
- 16 said, and that is that the way you make motions is very
- 17 challenging and, with all the legal degrees and Masters
- 18 degrees, and whatever, and wonderful staff, I really
- 19 think we should do this better for your sake because this
- 20 is now the fourth conversation I've tracked with
- 21 population deviation, and this is the highest
- 22 Constitutional criteria that you have to deal with, and
- 23 it just seems like you -- we all could do better. I
- 24 actually want to speak to the issue of whether you need
- 25 to have -- raise the issue of the one percent deviation.

- 1 Over the last two days, you have received at least two
- 2 statewide maps that have been fully vetted by people who
- 3 are redistricting competent, that are under the one
- 4 percent, and they believe legally sustainable under the
- 5 Voting Rights Act, so this is an interesting discussion,
- 6 I think it gives you some flexibility to think about it,
- 7 but I just urge you to be very conservative in how you
- 8 think this out because I think your challenge will be
- 9 first on voting population deviation and everything else
- 10 underneath that, and I know how hard it is to cut cities
- 11 and counties after you've just listened to eight weeks of
- 12 public testimony, but that is secondary.
- 13 CHAIRPERSON YAO: Thank you. All right, seeing
- 14 no one approaching the microphone, I know Commissioner
- 15 Dai wanted to make another -- no? Okay, any additional
- 16 statements? All right, let's call for the vote.
- MS. SARGIS: Can I get some clarification for the
- 18 record, that this motion would apply to both the Second
- 19 Draft map and the Final Map?
- 20 COMMISSIONER ANCHETA: Yes.
- 21 CHAIRPERSON YAO: Is that the understanding by
- 22 whoever seconded it?
- 23 COMMISSIONER BARRABA: Yes.
- 24 CHAIRPERSON YAO: Okay.
- MS. SARGIS: Commissioner Aguirre Yes.

- 1 COMMISSIONER DI GUILIO: Could she just read it
- 2 one more time? Would that be okay?
- 3 CHAIRPERSON YAO: Please read it one more time.
- 4 MS. SARGIS: This motion applies to both the
- 5 Second Draft Map and the Final Map, and the motion is to
- 6 amend the Commission's current policy for drawing State
- 7 Districts to make an exception for deviation to comply
- 8 with the Federal Voting Rights Act and as allowed by law,
- 9 as pursuant to the Voters First Act.
- 10 CHAIRPERSON YAO: Mr. Ancheta, is this accurate?
- 11 Are you totally satisfied with the motion?
- 12 VICE CHAIRPERSON YAO: Take out "as" just
- 13 "pursuant to the Voters -
- 14 COMMISSIONER ANCHETA: Remove the "as," it's bad
- 15 grammar, if that's okay. And put "as amended" at the end
- 16 of the Voters First Act because the Voters First Act was
- 17 amended by the Voters First Act for Congress.
- MS. SARGIS: Applying to the second Draft Map and
- 19 the Final Map, the motion is to amend the Commission's
- 20 current policy for drawing State Districts to make an
- 21 exception for deviation to comply with the Federal Voting
- 22 Rights Act and as allowed by law, pursuant to the Voters
- 23 First Act, as amended.
- 24 CHAIRPERSON YAO: Call the roll.
- 25 MS. SARGIS: Commissioner Aguirre Yes;

- 1 Commissioner Ancheta Yes; Commissioner Barraba Yes;
- 2 Commissioner Blanco Yes; Commissioner Dai Yes;
- 3 Commissioner Di Guilio Yes; Commissioner Forbes No;
- 4 Commissioner Galambos Malloy Yes; Commissioner Ontai -
- 5 Yes; Commissioner Ward No; Commissioner Yao No.
- 6 Eight to three, the motion fails.
- 7 CHAIRPERSON YAO: All right, so the existing
- 8 guideline of deviation of one percent stands. All right.
- 9 Let's go on to the next item on the agenda. Budget and
- 10 Finance. YTD Financials, including implications of
- 11 reduced number of input meetings. Ms. Deborah Davis, are
- 12 you ready to give us the report?
- MS. DAVIS: Yes, I am.
- 14 CHAIRPERSON YAO: All right. You have the mic.
- MS. DAVIS: Okay, I've just passed out several of
- 16 our presentation charts. The first one is the per diem
- 17 for the Commission and we've included dollars through all
- 18 documents that we have received to date, that's also true
- 19 for the travel. The third document covers the
- 20 expenditures through May.
- 21 CHAIRPERSON YAO: Let me ask a question on the
- 22 travel.
- MS. DAVIS: Yes.
- 24 CHAIRPERSON YAO: The per diem on a percentage
- 25 basis far exceeds the per diem for travel. Is there any

- 1 analysis associated with that? In other words, we spent
- 2 three-quarters of the per diem budget, but at the same
- 3 time, we only spent 27 percent of the travel budget. Is
- 4 there --
- 5 MS. DAVIS: It was the way that we calculated for
- 6 the travel, and not really knowing where people are
- 7 coming from, or what mode of transportation, or housing,
- 8 as for --
- 9 CHAIRPERSON YAO: Are we suggesting that we may
- 10 be under-running that particular budget?
- MS. DAVIS: Yes.
- 12 COMMISSIONER DI GUILIO: It's all the carpools
- 13 and cheap flights.
- MS. DAVIS: Correct. It has a big impact on the
- 15 way we initially set up the budget for travel for the
- 16 Commissioners.
- 17 CHAIRPERSON YAO: So if I interpret the actual
- 18 as being \$130, as close to 75 percent of the needed
- 19 budget, simply base it on the per diem, or are we
- 20 forecasting that we're going to exceed the per diem
- 21 budget at this point in time?
- MS. DAVIS: The \$130 for the travel is only
- 23 through what we've received in this chart, but there is
- 24 another chart that projects for 22 meetings for July and
- 25 August, it's not a part of the first two pages.

- 1 CHAIRPERSON YAO: Okay, continue.
- 2 MS. DAVIS: Okay. The third chart is the
- 3 Expenditure Chart. It also does not project for the
- 4 additional meetings starting July 1, but it does show the
- 5 salary and overtime, Line Drawer and VRA, as well as our
- 6 operating expenses. A point of clarification, on the
- 7 next page which shows your available balances by those
- 8 same categories, I have included an additional
- 9 expenditure line for both the per diem and the travel
- 10 that estimates for 22 additional meetings in July and
- 11 August.
- 12 COMMISSIONER DI GUILIO: And was that based on
- 13 the fact that we have agendized all of those just for our
- 14 insurance? Or is that the ones that we realistically are
- 15 looking at meeting?
- 16 MS. DAVIS: Realistically plus four. Okay, the
- 17 total amounts available, balances, we're still working on
- 18 our accruals, we're in the midst of year-end closing.
- 19 The only thing that is not included in here that could
- 20 affect the available balances are any of your travel and
- 21 per diem that we haven't received as of yesterday. And
- 22 then my last page is just the showing of our staff hours
- 23 through May. We'll have another update after the month
- 24 ends, I'll be able to do a projection to close out the
- 25 year, the Fiscal Year. Any questions?

- 1 COMMISSIONER DI GUILIO: Can I ask a question
- 2 just generally, overall? I mean, there are some areas
- 3 where we're low on our budget, there are some where it
- 4 looks like we're going to run over, I mean, and so
- 5 ultimately this shifting of money, just kind of, again,
- 6 not being a lawyer and not being a budget person either,
- 7 how does it look in terms of being able to maybe go over
- 8 some, under some, and shifting those around? Are we
- 9 okay?
- 10 MS. DAVIS: Yes. Just looking at the salary and
- 11 the paid overtime, every month I've had to adjust because
- 12 my target where my estimate, for overtime especially, was
- 13 not the case. As far as the per diem and the travel, the
- 14 per diem and travel is right on base of what we received
- 15 to date, and then the projection for the 22.
- 16 EXECUTIVE DIRECTOR CLAYPOOL: If I could just
- 17 add, too, we had originally been planning this towards
- 18 needing money to run over in case the budget wasn't
- 19 passed, now the budget has been passed, so we're within
- 20 -- our projection puts us within 12 percent of your
- 21 entire budget for a process that had never been done
- 22 before, so we're quite proud of ourselves. At the same
- 23 time, we have now, we will receive the \$400,000 which is
- 24 the augmentation that comes in for this year's budget,
- 25 and then we'll have the \$1.5 million that is provisional

- 1 language money that we can make requests for, so that
- 2 will come into play.
- 3 COMMISSIONER DI GUILIO: That will be in addition
- 4 to what is currently budgeted, or that's being
- 5 incorporated right now.
- 6 MS. DAVIS: In addition, effective July 1.
- 7 COMMISSIONER DI GUILIO: So the 12 percent that
- 8 we're running over won't actually be that if we get all
- 9 the other?
- MS. DAVIS: It's three-year money, so it's still
- 11 available to us.
- 12 CHAIRPERSON YAO: Commissioner Blanco.
- 13 COMMISSIONER BLANCO: Just a question. You may
- 14 have already answered this. Now that we took out the
- 15 next round of input meetings that were going to go after
- 16 the second Draft Maps, how will that affect our burn rate
- 17 in the sense, you know, right now we're like at 88
- 18 percent, but we were probably going at a certain rate,
- 19 but with taking out these input hearings, how does that
- 20 impact this?
- 21 EXECUTIVE DIRECTOR CLAYPOOL: It was a
- 22 subtraction and then an addition, so we subtracted them
- 23 out and added them back in as days here. Really, the
- 24 travel is the same because you're coming here instead of
- 25 the different venue, the venue cost didn't change because

- 1 Janeece and Christina and Lonn have managed to get
- 2 everyone to give you your venues, which was also a
- 3 significant savings of what we did. So, really, the only
- 4 place where there was any kind of direct effect at all
- 5 was in Videography, and we have worked with our
- 6 videographers and we're in the process of working out the
- 7 kind of stand-by costs for this month, so in essence, it
- 8 was pretty much just a wash.
- 9 COMMISSIONER BLANCO: Thank you.
- MS. DAVIS: Also, those additional costs that he
- 11 just spoke of are projected as part of our encumbrance,
- 12 so the additional transcriptions, the Videography, those
- 13 things that we have talked about are included in these
- 14 numbers.
- 15 CHAIRPERSON YAO: Any additional questions. All
- 16 right, seeing none, thank you very much. Appreciate it,
- 17 great report.
- 18 COMMISSIONER GALAMBOS MALLOY: Commissioner Yao,
- 19 I have one final item from F&A which is an update. I
- 20 wanted to remind the Commission and the viewing public
- 21 that, if and when we as a Commission end up in litigation
- 22 after August 15<sup>th</sup>, that, in fact, legislative funding must
- 23 be provided for the defense of our maps. Toward that
- 24 end, our Executive Director, Mr. Claypool, is entering
- 25 into conversations with Legislative staff to help us as a

- 1 Commission get a better sense of how and when as a
- 2 Commission we would transition into accessing funds for
- 3 that specific purpose. The Legislature, as always, has
- 4 been overwhelmingly gracious in trying to accommodate our
- 5 requests; of course, coming off of three all-night
- 6 sessions, they actually requested to defer what had been
- 7 a meeting of this week to next week, and also with the
- 8 hope that that allows them some time to do some research
- 9 on the questions that Mr. Claypool provided to them in
- 10 advance of that meeting. So, given that the
- 11 Legislature's schedule is just about as bad as ours, we
- 12 certainly extend our condolences, but I just wanted to
- 13 let the Commission know that that process was underway
- 14 and we hope to have an update in the very near future.
- 15 CHAIRPERSON YAO: Thank you.
- 16 EXECUTIVE DIRECTOR CLAYPOOL: If I might also add
- 17 to that, Commissioner, the Secretary of State actually
- 18 contacted us and asked for a meeting which we'll be
- 19 having tomorrow, and they're starting the process of
- 20 letting us know how we will certify the maps, how we need
- 21 to transport that information to them, so we'll have a
- 22 report for you on that next week.
- 23 CHAIRPERSON YAO: While we're on the Finance
- 24 topics, any other items on the agenda that we would like
- 25 to address?

- 1 COMMISSIONER GALAMBOS MALLOY: No, actually our
- 2 plan is that, on Friday, we will pick up Finance and
- 3 Administration, particularly focusing on outstanding
- 4 contract questions. I had been tasked at the Stockton
- 5 meeting, I believe it was, that there have been
- 6 Commissioners who wanted more information on the status
- 7 of our contract with Gibson, Dunn and Crutcher to ensure
- 8 that we were well positioned to get to the finish line,
- 9 so Commissioner Filkins Webber and I, with the support of
- 10 Mr. Miller, have been doing some research and should be
- 11 able to weigh-in on that issue, and we also will have Mr.
- 12 Brown with us on Friday in case there are any outstanding
- 13 questions that Commissioner Filkins Webber and I are not
- 14 able to speak to in our summary statement. I am also
- 15 going to be working with Ms. Mac Donald from Q2 to
- 16 identify if there are any immediate considerations
- 17 regarding augmentation to their existing contract or not,
- 18 given how crucial that information is to our budgeting,
- 19 moving forward. So we'll pick up with that on Friday.
- 20 CHAIRPERSON YAO: Thank you. I do have an
- 21 administrative item I need to announce, is this coming
- 22 Saturday, our July 2<sup>nd</sup> meeting, the starting time will be
- 23 10:00 a.m. as compared to 9:00 a.m., that's on the
- 24 agenda. We will correct the agenda posting before then,
- 25 but just to let you know ahead of time, specifically

- 1 we're not going to have somebody transcribing for us
- 2 available until 10:00 a.m., so that's Saturday, the 2<sup>nd</sup>.
- 3 COMMISSIONER GALAMBOS MALLOY: Could we ask
- 4 Commissioner Dai, who would be chairing that session to
- 5 just run us through the broad strokes on what those days
- 6 will look like?
- 7 VICE CHAIRPERSON DAI: Sure, I'd be happy to do
- 8 that. So, we are going to pick up a few business items
- 9 that are being deferred until Friday, so that includes
- 10 Finance and Administration, as well as Public
- 11 Information, as Commissioner Raya is not here today;
- 12 whatever is left over from Technical that might be
- 13 necessary to carry over -
- 14 COMMISSIONER DI GUILIO: Just real quick, are we
- 15 going to have any additional time to do technical today?
- 16 Or are you ending at 6:00?
- 17 VICE CHAIRPERSON DAI: We are going to do
- 18 whatever we can do today so that we can minimize the
- 19 amount of time that we have to take on Friday to do
- 20 business. So, there will be a couple of business items
- 21 that we will try to take up as quickly as possible.
- 22 Also, as we discussed this morning, George Brown will be
- 23 here from Gibson, Dunn & Crutcher to finish the
- 24 conversation on some of the Section 2 Districts in L.A.
- 25 County, and any other questions that we may have on the

- 1 Voting Rights Act, and compliance for the second draft.
- 2 And the focus on Friday will be Southern California, so
- 3 basically we're going to go through all of the Assembly
- 4 Districts. We need to -
- 5 COMMISSIONER DI GUILIO: I'm sorry, real fast,
- 6 finish the Congressional first, I believe?
- 7 VICE CHAIRPERSON DAI: That's right, we didn't
- 8 completely finish the Congressional, so we finish the
- 9 Congressionals, go through all the Assemblies, ideally go
- 10 through half of the Senates.
- 11 COMMISSIONER DI GUILIO: I think as many as you
- 12 can, I think finishing Congressional and doing ADs was
- 13 kind of the baseline?
- 14 VICE CHAIRPERSON DAI: Right. One of the things
- 15 we discussed with Q2, given that we only have these three
- 16 days for giving line drawing instruction, we agreed that
- 17 the preference is to go late, rather than going into July
- 18 4<sup>th</sup>, so some of these may be late sessions, so we're going
- 19 to try to frontload that if possible, but we are going to
- 20 be limited by the availability of our transcriptionist.
- 21 So --
- 22 COMMISSIONER DI GUILIO: And I will amend that to
- 23 say that, in talking with Q2, going late is reasonable, I
- 24 think, for all of us. We have an option to go up to 12
- 25 hours, but I think, as we saw before, at 12 hours, nobody

- 1 is very effective.
  2 VICE CHAIR
- 2 VICE CHAIRPERSON DAI: Right.
- 3 COMMISSIONER DI GUILIO: So I think we're
- 4 shooting for the 6:00 cutoff, or eight hours of working,
- 5 so that's another reason why we need to stick to the time
- 6 schedule that Commissioner Dai will have, and to be very
- 7 prepared and concise, and effective.
- 8 VICE CHAIRPERSON DAI: Right. So, I also wanted
- 9 to point out, because we will have Mr. Brown here with
- 10 us, we may take advantage of the opportunity to have
- 11 another closed session to talk about litigation. Did you
- 12 want to add something, Mr. Miller?
- MR. MILLER: Just very briefly, I wanted to
- 14 mention that fact that he feels that it's important to
- 15 follow-up on the nature of litigation we discussed about
- 16 last week, and I just wanted to make a note that Bagley-
- 17 Keene requires me to send you a couple of notices that
- 18 you haven't received before in a particular legal format,
- 19 and they'll be going out tonight. I just wanted you to
- 20 understand why you're getting them, it's a requirement
- 21 that we're fulfilling.
- 22 COMMISSIONER DI GUILIO: For what context?
- 23 VICE CHAIRPERON DAI: Litigation preparation.
- 24 COMMISSIONER DI GUILIO: Oh, okay, I'm sorry.
- VICE CHAIRPERSON DAI: Yeah, again, Bagley-Keene

- 1 doesn't really allow many exceptions for closed session,
- 2 but litigation is one of them. So, obviously we've heard
- 3 several threats of litigation during our public hearings,
- 4 so we need to start the preparations for that. So, I'm
- 5 thinking a couple hours of business, then going into line
- 6 drawing, it will almost certainly go late on Friday
- 7 because we will have a couple hours business on the front
- 8 end of that. And then, Saturday will be Northern
- 9 California back again, so we're going to finish the
- 10 Assembly Districts and all of the Senate, as well. And
- 11 then hopefully we'll start a discussion on the Board of
- 12 Equalization Districts, which hopefully won't be that
- 13 long. And then, finally, July 3<sup>rd</sup>, on Sunday, we will
- 14 finish whatever we have not finished. We'll have all the
- 15 Mappers here, Northern and Southern California, you know,
- 16 we may or may not have any visualizations to look at
- 17 depending on whether they've had any time to sleep and
- 18 work on things in between, so that's currently the plan
- 19 and, again, we're just going to -- obviously we'll try
- 20 not to go too late, but we need to finish getting all of
- 21 our line drawing instruction to them so they can just
- 22 crank away over the July 4<sup>th</sup> holiday, basically, and work
- 23 while we are off.
- 24 UNIDENTIIFED SPEAKER: [Inaudible].
- VICE CHAIRPERSON DAI: We know that.

- 1 CHAIRPERSON YAO: Understand. We cannot make any
- 2 decisions, but we can continue the information type of
- 3 exchange. Thank you.
- 4 The PRA requests, is there any additional
- 5 information you want to share with us?
- 6 MR. MILLER: Just one note. Just the most recent
- 7 one that came from the California Republican Party, I
- 8 believe, was copied to all Commissioners, and what I
- 9 would suggest in this regard is that we will be sending
- 10 you instructions about how to comply, if you will. We'll
- 11 have those to you by -- well, just in reviewing the
- 12 dates, we have 10 days simply to advise that we have or
- 13 don't have documents, we'll get that notice off, and then
- 14 we'll subsequently send instructions to the Commission
- 15 about how to comply and how to send your documents to us.
- 16 So, I just kind of put aside the fact that you got a copy
- 17 of this directly.
- 18 CHAIRPERSON YAO: Questions?
- 19 COMMISSIONER DI GUILIO: Would you add to that
- 20 the timeframe for which we have to get back to you on
- 21 this because, to be honest, getting three hours of sleep
- 22 at night, I don't want to lose one extra trying to comply
- 23 with something until I focus on the maps, to be honest,
- 24 and I also think we need to post these PRAs on the Web,
- 25 that's my -- because the public have to know the time

- 1 that goes into doing these, which I understand the need
- 2 for, but I need to have a timeframe for when we have to
- 3 get back and I think the public should know where our
- 4 time as Commissioners is going addressing these PRAs
- 5 instead of mapping.
- 6 MR. MILLER: The only express legal requirement
- 7 is that we respond by advising that we've received and we
- 8 either have or don't have documents within 10 days,
- 9 that's the hard requirement. After that, the law simply
- 10 says you have a reasonable time to respond and I think
- 11 that the workload that you have is factored into what is
- 12 reasonable and that is a substantial workload.
- 13 COMMISSIONER DI GUILIO: I appreciate that
- 14 timeframe, and you'll give some more details. And in
- 15 terms of the other issue, can we post these PRAs online?
- MR. MILLER: Yes, we can.
- 17 COMMISSIONER DI GUILIO: I think we should.
- 18 CHAIRPERSON YAO: All right, in terms of the
- 19 calendar for July 5<sup>th</sup>, based on my discussion with
- 20 Commissioner Dai and based on the availability of the
- 21 Mappers and the workload ahead of us, we decided to
- 22 cancel the meeting for July 5<sup>th</sup>. We'll, again, go full
- 23 speed ahead starting on July 6<sup>th</sup>, so that will allow us to
- 24 get home, turn around, and come back -- not within the
- 25 same day.

- 1 All right, I believe the only item I'd like to
- 2 try to finish today is the Technical Outreach Discussion
- 3 Topics. Commissioner Di Guilio.
- 4 COMMISSIONER DI GUILIO: I think, let me just
- 5 make this as quick as possible in terms of the things
- 6 that I'm familiar with. I think Commissioner Dai went
- 7 over some of the calendar issues, kind of the idea of
- 8 long days vs. extra days. I'll look at (c), the Micro-
- 9 calendar for directions to line drawers, again,
- 10 Commissioner Dai has outlined (i). July 6-8<sup>th</sup>, again, is
- 11 a reminder that the  $6^{th}$  is a business meeting day and the
- 12  $7^{\text{th}}$  and  $8^{\text{th}}$  will be, really, again, looking at the bigger
- 13 picture, what we're trying to do with these three and a
- 14 half days of line drawing, today and the upcoming three
- 15 days, is really to start looking at the big picture
- 16 issues in terms of any adjustments or options that we
- 17 need to consider to these maps. When we return on the  $7^{th}$
- 18 and 8<sup>th</sup>, it gives us a chance to see what the Mappers have
- 19 done and to make anymore adjustments as needed, but
- 20 knowing that will then provide them the time to turn
- 21 around and finalize our directions.
- And that will bring us back on July 12<sup>th</sup> and 13<sup>th</sup>,
- 23 these are the two days that we added in simply for us to
- 24 review to have more time to look at them maps that
- 25 they're presenting, it's not a chance for us to change

- 1 the maps at that point. It simply gives us time to
- 2 digest them and to discuss them and to -- I guess if
- 3 there are issues, then that pushes the vote, but the idea
- 4 for the 12<sup>th</sup> and 13<sup>th</sup> is more of a review for those maps,
- 5 so when we get to the  $14^{th}$ , we will be prepared to vote on
- 6 those, also having an opportunity as Commissioners and
- 7 the public to take a look at those, bring them home,
- 8 analyze them, so we feel more informed on our vote for
- 9 the second Draft Map.
- I just put in here on point (d), very quickly, I
- 11 think it's incumbent, again, for us to remember our roles
- 12 as we move past that second draft, is that we will be
- 13 responsible for ongoing Commissioner review of public
- 14 comments, again, the short time between the release of
- 15 the second draft map and our reconvening for the live
- 16 line drawing sessions. We have to be on top of it as
- 17 Commissioners and anticipate spending our time reviewing
- 18 those public comments, and in particularly in light of
- 19 what we've been focusing on, what will take place in this
- 20 final review is to set realistic expectations for
- 21 ourselves, the public, that these will just be the
- 22 smaller details that will be cleaning up, therefore,
- 23 Commissioners should be responsible for being able to go
- 24 into these files and really look at the details and be
- 25 prepared to talk about any recommendations. I know we

- 1 had some discussions already where we may know there are
- 2 communities that have been split, that haven't been taken
- 3 into consideration with our line drawers, so it's our
- 4 responsibility to go and look at those boundary details
- 5 and be prepared for our discussion on the  $20^{\rm th}$  and  $21^{\rm st}$ , I
- 6 believe, is our last line drawing session.
- 7 I think, with that, those are just some of the
- 8 kind of bigger picture look at our responsibilities. I
- 9 think at that point, I'll probably ask Commissioner
- 10 Ancheta to maybe discuss something about the narrative
- 11 reports and the VRA issues under 2(b) and I'll just say
- 12 very quickly, with regard to 2(b)(iii), this will be,
- 13 again, where Q2 will provide a reminder to us in terms of
- 14 the deadlines for us to submit comments about the
- 15 remaining CDs, SDs and ADs that they will be looking at
- 16 options because they can't get the comment the night
- 17 before and have us assume that that will be taken into
- 18 consideration, so there will be some deadlines that you
- 19 should be aware of that will be coming out soon. Okay,
- 20 with that, Commissioner Ancheta.
- 21 COMMISSIONER BLANCO: Question, so just for those
- 22 of us that are trying to schedule travel, so after the
- 23 14<sup>th</sup>, we'll be working independently on the details?
- 24 COMMISSIONER DI GUILIO: Correct.
- 25 COMMISSIONER BLANCO: And so we will leave

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- 1 Sacramento on the 14<sup>th</sup>?
- 2 COMMISSIONER DI GUILIO: Yes.
- 3 COMMISSIONER BLANCO: And then, when do we
- 4 return?
- 5 COMMISSIONER DI GUILIO: The business meeting is
- 6 -- I'm trying to look at the calendar right here. Ms.
- 7 Sargis, what is the business meeting -- the 20<sup>th</sup> is the
- 8 business meeting, so we return for the business meeting
- 9 on the  $20^{th}$  and then we would proceed with the live line
- 10 drawing sessions on the  $21^{st}$  and  $22^{nd}$ .
- 11 COMMISSIONER BLANCO: Thank you.
- 12 COMMISSIONER DI GUILIO: Uh huh.
- VICE CHAIRPERSON DAI: So, Commissioner Di
- 14 Guilio, at what point will Q2 be able to do the Deferral
- 15 Report and come up with the numbering for the districts?
- 16 Is that going to be done at the July 12<sup>th</sup>, 13<sup>th</sup>? Will it
- 17 be done by then?
- 18 COMMISSIONER DI GUILIO: I'm not sure if they've
- 19 gotten direction on that yet, I don't know if they've
- 20 been working with Mr. Miller.
- 21 VICE CHAIRPERSON DAI: They've gotten direction
- 22 to run a Deferral Report, yes.
- COMMISSIONER DI GUILIO: Oh, okay, that's right.
- 24 VICE CHAIRPERSON DAI: They absolutely have, it's
- 25 just that we haven't done the Senate Districts yet, but

- 1 once we've done them, they will be able to do that
- 2 report. I'm just wondering if we're going to see that by
- 3 the 12<sup>th</sup> and 13<sup>th</sup>, and have we made a decision on what kind
- 4 of other data to release with the second draft?
- 5 COMMISSIONER DI GUILIO: We have not had that
- 6 decision yet. I think part of that goes back to the
- 7 report. We initially had a draft report, a narrative
- 8 report that we were going to release at the same time. I
- 9 think it was the Commission's decision the last time we
- 10 met to not necessarily feel like we had to release that,
- 11 but I do think it might be helpful if we consider some
- 12 options for releasing some information. I'm not sure
- 13 what we want to do with that, but we haven't had that
- 14 full discussion. Do you have any suggestions that you'd
- 15 like to see released with that, since you're part of that
- 16 narrative report group?
- 17 VICE CHAIRPERSON DAI: Yeah, I mean, I think we
- 18 can provide some basic statistics and, you know,
- 19 unfortunately Commissioner Barraba and I have not had a
- 20 chance to meet yet on the outline, but we have received
- 21 something from Mr. Miller, so hopefully we can provide a
- 22 report on Friday.
- 23 COMMISSIONER DI GUILIO: Okay.
- 24 CHAIRPERSON YAO: So we need to schedule a
- 25 session to talk about the numbering of the Senate, right?

- 1 COMMISSIONER DI GUILIO: That was on today's
- 2 legal.
- 3 MR. MILLER: As I understood, I thought we had
- 4 completed our legal discussion about numbering.
- 5 CHAIRPERSON YAO: Yes, we have, but we got to see
- 6 numbers on the districts and look at them, right?
- 7 VICE CHAIRPERSON DAI: Yeah, that can't happen
- 8 today because we don't have the districts yet. So, the
- 9 question was really to Commissioner Di Guilio, could you
- 10 please talk with Q2 and verify whether they'll be able to
- 11 provide that by the 12<sup>th</sup> and 13<sup>th</sup>, because that is
- 12 something we will do during the session because they will
- 13 have a deferral report, and I think that can be
- 14 automatically generated.
- 15 COMMISSIONER DI GUILIO: With those maps, yes.
- VICE CHAIRPERSON DAI: Right. But, you know, we
- 17 can see the report, we have already made a policy to
- 18 minimize deferrals, we still have to number at the end of
- 19 that.
- 20 COMMISSIONER DI GUILIO: Correct.
- 21 COMMISSIONER ANCHETA: Well, I would think we
- 22 should be looking at the 7<sup>th</sup> and 8<sup>th</sup> dates for that
- 23 discussion, don't you think, rather than waiting? I
- 24 mean, I don't actually know how long we're going to take
- 25 to decide those questions, but it seems to me that if

- 1 we're really trying to sort of not do much of anything on
- 2 the  $11^{th}$  and  $12^{th}$  --
- 3 CHAIRERSON YAO: I tend to agree with you, I
- 4 think if we wait until the 12<sup>th</sup> or 13<sup>th</sup>, we may not be able
- 5 to meet the 14<sup>th</sup> deadline in terms of the -- and I think
- 6 we have made a decision to try to have numbered districts
- 7 with the second draft. Is that not correct?
- 8 VICE CHAIRPERSON DAI: We have. And the question
- 9 is really just when will we have this information ready
- 10 to review. I mean, I don't know that there's a lot of
- 11 decision making, there might be a couple districts where
- 12 it's a tie, but you know, we already passed a policy to
- 13 minimize deferrals, they'll run a report, and my
- 14 presumption is they will number it and then we can just
- 15 review it, but I just want to make sure we had time to
- 16 review it.
- 17 COMMISSIONER ANCHETA: We'll check in with 02 to
- 18 get an estimate for the amount of time required and what
- 19 might have to be discussed and, again, I think the target
- 20 would be the  $7^{\text{th}}$  or  $8^{\text{th}}$  to try to get that discussion
- 21 going.
- 22 CHAIRPERSON YAO: Okay.
- COMMISSIONER ANCHETA: Do you want to go into
- 24 some of these other points?
- 25 COMMISSIONER DI GUILIO: Yeah, I think whatever

- 1 is left that you'd like to take on.
- 2 COMMISSIONER ANCHETA: Well, this is an update on
- 3 the VRA review. We do have a lot of new maps to look at
- 4 tonight, I'm hoping to get to them, it's my wife's
- 5 birthday today, so I have to spend some time with my wife
- 6 tonight, so I'm going to do that, but I will try to work
- 7 on this a little bit. However, we are trying to schedule
- 8 -- and I know Commissioner Barraba and I are available, I
- 9 think Commissioner Galambos Malloy will also be available
- 10 on Thursday to go down to Q2. We've pretty much
- 11 completed some visualizations of this -- well, we've
- 12 completed visualizations of the core of L.A. County, what
- 13 we haven't quite done, I think, is what we did for the
- 14 Congressional, which was just sort of look at the
- 15 ripples, and I think Commissioners Barraba and Galambos
- 16 Malloy worked on those, I haven't really had a chance to
- 17 see what they did, but that needs to be completed, and
- 18 then the Senates need to be looked at on Thursday, as
- 19 well. And again, there are some new maps we need to take
- 20 a look at, I highlighted on earlier during our line
- 21 drawing discussions I think we should probably take a
- 22 close look at. There might be some others, but we'll
- 23 take another look at them. And hopefully we'll have some
- 24 stuff to look at on Friday, I think we will, and I think
- 25 we should be done with the Senates by Thursday evening,

- 1 as well. That's about it. The one thing I think we were
- 2 going to try and emphasize is we don't have as many
- 3 Commissioners here, but we're still trying to make sure
- 4 that the information flow to Q2 is manageable and, again,
- 5 the temptation is we want to sort of call up Q2 or call
- 6 up Gibson, Dunn, and I think it's important just to make
- 7 sure that we work the proper channels to make sure the
- 8 information is going in a coordinated way and we're not
- 9 having any Bagley-Keene problems. I think, just given
- 10 that we have a number of Commissioners missing right now,
- 11 we'll probably re-convey that in an email, as well.
- 12 CHAIRPERSON YAO: Okay, I believe I am finished
- 13 with the items on the business agenda. Is there anything
- 14 that I have missed that we need to discuss?
- 15 All right, at this point, let me open up the mic
- 16 into the public for any comments they wish to discuss
- 17 with this Commission. All right, seeing none, I want to
- 18 thank everybody for putting up with me for the last three
- 19 days, I am going to be very happy to turn the task over
- 20 to Commissioner Dai to chair the session starting this
- 21 coming Friday, so we'll be spending the weekend under her
- 22 leadership. So, again, thank you very much and we'll see
- 23 you Friday.
- 24 [Adjourned at 6:14 p.m.]

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