BEFORE THE
CALIFORNIA CITIZENS REDISTRICTING COMMISSION

In the Matter of
Full Commission Business Meeting

Long Beach City Council Chambers
Long Beach, California

Reported by:
Debra M. Aubert

Foothill Transcription Company, Inc.
2893 Sunrise Blvd., Suite 102
Rancho Cordova, CA 95742
(916) 443-7400
COMMISSIONERS PRESENT:
Maria Blanco
Gilbert R. “Gil” Ontai
Connie Galambos-Malloy
Michael Ward
Stanley Forbes
Cynthia Dai
Vincent Barabba
Michelle DiGuilio
Gabino T. Aguirre
Angelo Ancheta
Jodie Filkins-Webber
M. Andre Parvenu
Jeanne Raya

COMMISSIONERS ABSENT:
Peter Yao

STAFF PRESENT:
Dan Claypool, Executive Director
Kirk Miller, Legal Counsel
Rob Wilcox, Communications Director
Janeece Sargis, Commission Liaison

ALSO PRESENT:

PUBLIC COMMENT:
Diane Wallace

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PROCEEDINGS

CHAIRPERSON BARABBA: Welcome to the full commission meeting of the Citizens Redistricting Commission.

(Off the record)

COMMISSIONER DIGUILIO: Here.

COMMISSION LIASION SARGIS: Commissioner Forbes.

COMMISSIONER FORBES: Here.

COMMISSION LIASION SARGIS: Commissioner Galambos Malloy.

COMMISSIONER GALAMBOS MALLOY: Here.

COMMISSION LIASION SARGIS: Commissioner BARABBA.

Commissioner Parvenu.

COMMISSIONER PARVENU: Here.

COMMISSION LIASION SARGIS: Commissioner Raya.

COMMISSIONER RAYA: Here.

COMMISSION LIASION SARGIS: Commissioner Ward.

Commissioner Yao. There is a quorum present.

CHAIRPERSON BARABBA: Okay. I wanted to, for those of you who didn’t know it; Peter’s wife is having a medical procedure today. It’s nothing super major, but it was enough for him to want to be there. And I’m sure he’s watching this. He indicated he would be watching us on his TV set while this is going on, so we wish his wife and Peter the best of wishes on this occasion. And he
will be joining us probably this evening.

Is there any members of the public who want to
make a comment? Seeing no one coming forward, let’s then
start the meeting.

The format for today is going to be a little
different than what we’ve had in the past. We’re going
to be meeting as a full Commission, but, as you can tell
by the agenda, we have specific topics under the headline
of the various subcommittees that we have. The reason
we’re going to stay in the full Commission is because
some of those topics may lead to a request for a vote,
and then that way we’ll be in a position to have the
vote.

Are there any questions from the Commissioners?
All right. So, let’s get started then. And technical
and outreach discussion topics, I see Gayle is not here.
Does anyone know whether Gayle is planning on attending?

COMMISSIONER DIGUILIO: In talking with him, I
didn’t hear otherwise. I’m assuming he’ll be here,
though I think some of the discussion points for directly
related to outreach are more towards the end of the
agenda.

CHAIRPERSON BARABBA: Okay. So, we can get
started. All right. So, Michelle, you want to start it
off, then?
COMMISSIONER DIGUILIO: Okay. The first item for discussion is an update on the public access to redistricting information. As you recall, we had sent a list of options to the legislature about things that they could do or choose to fund or not to fund to -- to increase access to redistricting for the general public. And I think maybe Mr. Claypool could give us an update on that.

EXECUTIVE DIRECTOR CLAYPOOL: I have to apologize. I was conversing. Go ahead.

COMMISSIONER DIGUILIO: I think we’re just looking for a real brief overview of the update for the public access redistricting. I believe you sent us some information about the choice -- what the legislature had chosen to do, but maybe you could briefly refresh our memory.

EXECUTIVE DIRECTOR CLAYPOOL: I was clear up at guidebooks, so I have to apologize. I was going through (inaudible). We actually met with the legislative members of each of the four committees with the legislative branch and discussed the different options that we had presented to them. And their feeling was that the only option that they were going to avail themselves of would be the online option, either with ESRI, Maptitude or both, and then also, possibly, you
know, creating a link to the freeware services that are available.

Their feeling was on the rest of the options with the Regional Centers, they had discussed it with Karin and weren’t sure that the funding at this point would actually do any good because of how late it was in the process, and they had funded up pretty much with the Irvine Foundation. And they also thought that the Neighborhood House project, whereas it was very good, would be too expensive to run all the way through the nine Regions, and it was just not the time to be going to the Governor and requesting additional funds for that.

So, that was -- they were going to get back to us, and we left it with them that that it was then pretty much in their court, and they would report back to us when they had made a decision.

COMMISSIONER DIGUILIO: Okay. And while you’re on the spot here, we’re going to see about an update, excuse me, in the inline process scope of work and what’s gone on with that. And we’ll give you a few more minutes.

EXECUTIVE DIRECTOR CLAYPOOL: Certainly. Now, we sent that out to all of you, the scope of work, and we’re still waiting for any comments that you may wish to send back regarding that. Commissioner?
COMMISSIONER FILKINS-WEBBER: I had sent an e-mail, because I had a very difficult time reading the document. Because of the manner in which it was saved in Google, it had cut half of the document off. So, I did not have an opportunity to review it. I don’t know if you had any paper copies that you were going to provide, or if it’s still a work in progress. I’d like additional time, if I may, to review it, because I was not able to in its entirety.

EXECUTIVE DIRECTOR CLAYPOOL: And I have to apologize. I got your message and I thought that I had sent you back another e-mail, and I may not have. There was a lot of e-mails flying. But it is a work in progress. We were going to come out of this -- this meeting. We’ll get you a written copy during this in session so that you can take a look at it.

And then that -- the scope of work that you’re going to be looking at in that document is pretty much the heart of what you’re going to request. There are a couple of different options that I think this Commission needs to decide, and then it will affect how we write this scope of work. And then everything else that goes around it is pretty much standard boilerplate that will come out of the Office of Legal Services.

The two options that you need to start thinking
about, one was -- was actually suggested originally by Commissioner Barabba, and that option was to have multiple people to go out and request RFI’s for multiple disciplines, or the second option would be to look at one individual who might be able to give you the entire process, inline review, by themselves. We can -- In theory, I think we could go ahead and do both. We could request that people who believed that they could present the entire package provide one -- one bid, and for those individuals who thought that they were well qualified to present the entire -- or different sections of it, present their bids, and that would give you more of an option.

Now, the one thing that I have to say on the inline review process, and this is what we discussed also with the legislative group that we met with, and that was that right now if we would go out to -- we would go out and we would ask these individuals to submit their qualifications, and you would select those individuals or individual that you believed could do this process for you. If we look ahead, and the budget doesn’t look like it’s going to be -- going to pass, that money, that $75,000, along with some of the money that’s in the technical analysis part of our budget and several other places would be where we would reach to make sure that we
could balance on the $300,000 that we will come up short in order to make sure that we can operate all of the way through August 31st, which is, you know, that point at which you do your main job, which is to get these maps out.

So, the legislature understood that. There was some discussion as to whether or not in the group they believed there would be a budget prior to -- to our needing those funds. And, certainly, amongst the staffers there were no answers to that question. So, we were -- we are going to go out. We’re going to proceed. We’re going to ask for individuals to give us their qualifications, but we’re going to hold those funds until we know we can actually pay for all of your services.

CHAIRPERSON BARABBA: And I would add, this is one that is an and if needed application, so we’re not committing that we’re going to be doing this. We just want to have people in place if we believe we need it. Is that right?

EXECUTIVE DIRECTOR CLAYPOOL: You’re absolutely correct, and I wanted to make sure that we also understood that there was a further parameter.

CHAIRPERSON BARABBA: Yeah. And the other thing that was the reason I raised the question with Mr. Claypool was is that there was this requirement that
you had to have all this equipment and access to databases. And we might find ourselves looking for somebody who is an academic who has a specialized skill that he could just go to the Statewide database and do whatever analysis or review we might ask him to do. So, that’s why we -- I suggested we split that up. So, at least there is not that many places around that have the full capability to, in essence, do everything. So, that was the reason for that suggestion.

COMMISSIONER DIGUILIO: So, Mr. Claypool, do you have an idea of when you’d like to have the Commissioners review and get the feedback to you? Is there a deadline for that?

EXECUTIVE DIRECTOR CLAYPOOL: Yes. We’d like to have that review done by the end of this session, which should give us time enough to get the document to Commissioner Filkins-Webber, and make sure she has her opportunity to give us the input as well. We would also like, and I think this may be something that we can do right now, I’m not sure, but direction on whether you want us to search for a single entity, or whether you would like us to split that out, or whether you would like us to ask for qualifications of individuals to ask for succinct parts of the types of review that we might request.
COMMISSIONER BLANCO: Mr. Claypool?

EXECUTIVE DIRECTOR CLAYPOOL: Yes.

COMMISSIONER BLANCO: So, did you get to the point of thinking about what those disciplines might be?

EXECUTIVE DIRECTOR CLAYPOOL: As we wrote this statement of work, we were only thinking in terms of an individual who would take your specifications, look at the individual maps or segments of maps that you directed that person to, and that individual would then make a statement as to whether or not he or she thought that we had -- that your instructions had been correctly carried out, and then would make a qualitative statement, if necessary, as to how there might be a possible way to better that product. So, in our minds, it was always just one individual really just that would have map drawing skills similar to the skills that we find in the individuals who are doing our map drawing with Q2.

It was -- We hadn’t really thought in terms of how we would segment that out, because it seems like such a well-defined task. And so we hadn’t. Now, if you directed us to segment that out, we’d probably work with Q2 to get an idea of how we might find segmented tasks, but I don’t know that what you’re looking for really is a group of individuals, unless you have some idea of what -- how you might want to segment it. But for us, that’s
the extent that we had actually looked at it.

COMMISSIONER DIGUILIO: Is there a way to keep the scope -- excuse me -- the scope of work open to the point where -- pardon me -- where someone would be able to define if they wanted to split it up themselves?

EXECUTIVE DIRECTOR CLAYPOOL: Well, we could certainly, as we let this RFI, we could certainly ask individuals whether or not they would like to bid on, you know, a portion of it and describe, you know, give us the information on what portion of it they felt they might be qualified to provide. I mean, that -- but when we do that, we run into the problem of maybe someone saying, well, I can do this, this and this, and the rest of the entities saying, well, we can just do it all, and then you’d have to decide whether you would want to go with somebody who would do a portion of it and then find one of the other entities who -- to do the remainder. But we can -- we can segment that way, and we can present the responses to you.

CHAIRPERSON BARABBA: The dilemma I’ve had with this is that it presumes that one entity could do it all very, very well, and that as well as we might get from specialists who are -- would focus on a particular area, whether it be an ethnicity question or whatever, and our compactness. There is a lot of things that we could look
at. And -- and it’s hard -- my impression would be that there is probably a set of skills out there that individually might develop a better, more capability than just having one organization.

COMMISSIONER DAI: Commissioner Barabba, I tend to think that, I mean, unless there is a -- it costs us anything to do this, it seems like it makes sense to ask for both. I mean, ask for people who have best of breed kind of skills and see if we have enough to -- enough individuals that would cover the whole thing as well as folks who think they can bid on the entire process.

Wait, Maria.

COMMISSIONER BLANCO: The reason I ask the question is, unless we specify what we’re looking for, how can somebody say I don’t have that skill that’s called for? You know, I think -- So, in the process of drafting, I haven’t had a chance to look at it either. So, I don’t know if it has examples of what we’re looking for in the person. If it does, maybe that’s sufficient. Those very things that are outlined in the -- you know, in the, what are we calling this one? RFI? Yeah. In this RFI, maybe it’s, you know, explicitly there, but otherwise I don’t know how people know whether they have it or not.

COMMISSIONER DIGUILIO: So, could there be a way
for us, as Commissioners, to review this to possibly come
up with, if we are interested in breaking this out, to
come up with some specific areas. I’m thinking,
Commissioner Barabba, that we might be able to give them
an idea on there --

CHAIRPERSON BARABBA: Yeah.

COMMISSIONER DIGUILIO: -- maybe even more that
they could self-identify. Again, I understand
Mr. Claypool’s point. We don’t want to have a lot of
extra things coming up, but maybe we could keep our
options as open as possible, if we review this and then
provide that feedback to --

CHAIRPERSON BARABBA: You know, since it’s listed
as an as needed -- if needed, we may say, you know what,
we don’t need the whole thing reviewed. We need these
two items reviewed, and now we’ve got somebody tied up
and paid for the capability of reviewing the whole thing,
whereas we might want to deal with a specialist. So, it
sounds to me like we have a little homework to do as to
identify what those areas might be, and maybe what we
could ask the leads of the advisory committee is to take
a look at that and see if there is anything that you see
that -- that you would think might be listed as the kind
of specialty -- specialization that we need. Would that
be okay with the leads of the different committees? Of
all of them, I would think. They all apply, to some extent.

COMMISSIONER DIGUILIO: And do you have a timeframe? I think we won’t be able to discuss this issue again probably until the next set of meetings. So, we can -- that will be homework between now and the 5th. Yes.

CHAIRPERSON BARABBA: Yeah. If we could do that. Is it okay with everybody? All right. Let’s -- let’s (inaudible).

EXECUTIVE DIRECTOR CLAYPOOL: One short question. Could we have some kind of expectation for when we would want to have this individual or firm online? Is it by the first set of draft maps, the second one, or later on -- later in the process?

CHAIRPERSON BARABBA: I would think it would be the latter part of the process, because we’ve got a lot to learn even how to ask for what we want done.

EXECUTIVE DIRECTOR CLAYPOOL: All right. So, July, then?

CHAIRPERSON BARABBA: Yeah, probably, I would think.

EXECUTIVE DIRECTOR CLAYPOOL: Okay.

CHAIRPERSON BARABBA: Yeah, Andre.

COMMISSIONER PARVENU: (Inaudible) with the same
document, is the latest draft, statement of work, dated March the 7th? Mr. Claypool, that’s the document I’m looking at here where you indicate the scope of work and you use some of the same criteria that was used initially for our line drawers in terms of having two references and so forth with the scope. Is this the latest?

EXECUTIVE DIRECTOR CLAYPOOL: I -- You know, Commissioner, if I could look at that later with you, I can tell you that --

COMMISSIONER PARVENU: Okay.

EXECUTIVE DIRECTOR CLAYPOOL: -- we’ve sent out -- I don’t know if it were -- if it was just not updated on March 7th. March 7th seems a little old. I think --

COMMISSIONER PARVENU: That’s what I’m thinking.

EXECUTIVE DIRECTOR CLAYPOOL: -- we sent a couple of different sets, or at least one different -- on additional set out since that time.

COMMISSIONER PARVENU: Okay.

EXECUTIVE DIRECTOR CLAYPOOL: So, I can take a look at that with you and make sure, and, at the same time, we’ll print out a copy for you as well as for Commissioner Filkins, whoever, so that you have the, you know, time. And clearly, we have the time in this session for you to read it and give us a sense of how you feel about it.
I was also thinking about divisions, as you were talking and going to the leads, and I guess it makes a little sense when I start thinking about it that you may wish someone to only review the VRA components of the -- your instructions, or you may wish someone to look at only the communities of interest. So, if you’re thinking down those lines, then that would make sense.

COMMISSIONER DIGUILIO: Okay. So, with that, we will have some tasks. We’ll have some reminders for the leads of the advisory committees to look at this more closely and have some review of by individual Commissioners and the leads for the next meeting on May 5th.

Okay. The next item on the agenda is the guidelines for Commissioners at public input hearings. And, really, just to say, this issue really will be taken up in finance and administration. I think all of you had received the Code of Conduct. And just as a reminder, I think that at the end of our last meeting we had gotten into a debate and conversation about issues. And I think with the passion that we all feel about this topic and the intensity of all of our hearings, and, not to mention, probably a little tiredness at the end of four days, and I know I, for one, just always -- it’s always good for me in reviewing the Code of Conduct to remember
that we all, as a team, we owe the public, we owe our
staff, our consultants and each other the benefit of the
doubt and to breathe deeply. And I, for one, am one of
those that should take that advice.

So, I think with that, we’re just going to let --
just to mention that that is something that, again, that
will be taken up in finance and administration. And what
time is that meeting again? I’m trying to remember.

FEMALE: (Inaudible).

COMMISSIONER DIGUILIO: Oh, 3:20’ish. Okay. So,
on to the operations and structure of the input hearings.
The first topic is streamline process for input hearings,
and I believe Commissioner Barabba had sent around
something that he and Commissioner Dai had at least been
on the initial stages. I’m not sure if it’s been
updated, but I’ll go ahead and let Commissioner Barabba
discuss some of the streamlined template for the input
hearings.

CHAIRPERSON BARABBA: I’ll assume that everybody
received it. Is that a safe assumption? Okay. Well,
the whole intent here was is that as we get into the
later stages of these input meetings we know that groups
are getting larger and larger, and that we felt there was
a need to really see if we could move things along a
little better. And so, with the -- with the help of the
Vice-Chair and several others, we went through this and sent it out to several of the members to get feedback on it. And so, we’ll be happy to answer any questions you might have about the suggestions, but we would think this would be one way of expediting and making sure that everybody has a chance to speak at these meetings.

COMMISSIONER DAI: Would it be helpful if I just kind of walked everyone through?

COMMISSIONER DIGUILIO: And before you -- I have a question very quickly. Some of these things are maybe establishing some more definitive things that we’ve had in the past. Have we -- If we -- Is this something that you’d like to have approved, because then we would need to notify the public so they’re aware. Okay. Thank you.

COMMISSIONER DAI: So, one of the things that we will probably not have the luxury of in the future, as we’re expecting a lot of speakers, especially in the sequence of meetings and public input hearings, we will not be able to take, you know, a half an hour to get through our preliminaries. So, we put a target time here of 15 minutes, and that includes everything. So --

COMMISSIONER FILKINS–WEBBER: I’m sorry. I apologize to interrupt. Can you provide reference to the document that you’re referring to? I’m sorry. I have so many e-mails and --
COMMISSIONER DAI: Yes.

COMMISSIONER FILKINS–WEBBER: -- I don’t know that I saved it in Google docs. Because I wanted to follow along.

COMMISSIONER DAI: Yes. It was -- I believe it was called updated agenda, but it’s --

CHAIRPERSON BARABBA: Updated agenda.

COMMISSIONER DAI: But it’s actually, the title says streamlined template for CRC Public Input Hearings.

CHAIRPERSON BARABBA: Yeah, it came from me.

UNIDENTIFIED MALE SPEAKER: What’s the date? Do you know the date on that?

CHAIRPERSON BARABBA: I think it was yesterday.

COMMISSIONER DAI: Yesterday. Yesterday afternoon from Commissioner Barabba.

COMMISSIONER DIGUILIO: Yesterday at 3:06, suggested temple to provide sufficient time for citizens at input hearings, from -- coming from Vincent Barabba.

COMMISSIONER DAI: So, I’ll go ahead and talk everyone through it, and hopefully you’ll be able to pull it up. So, basically, we would like to try to get through everything in 15 minutes. So, when we’ve had introductions from Commissioners before, that has varied quite a bit in length, and so we just wanted to give some guidelines so that you can prepare an elevator pitch. We
suggest 30 seconds or less, and that should include just
the basics, your name, city or county you hail from, and
your profession. We thought we’d allow a little bit
longer for Commissioners who are from the area to say a
little bit more, so maybe a minute, but it would be ideal
if it’s even less, because if you multiply times 14, you
can see that’s going to eat up into our 15 minutes very
quickly. So, ideally we could get through the whole
Commission, even with some local Commissioners, in less
than 10 minutes.

Then we would go ahead and introduce the staff as
a group and do that quickly, introduce our Q2 Team,
again, quickly. And then the Chair will describe the
overall process of redistricting and our overall
schedule, and this will be an opportunity to introduce
the guidebook, which Mr. Wilcox and the Public
Information Advisory Committee has spent a lot of time
putting together and vetting and making sure the
information is accurate. So, rather than have people try
to recreate that, we would like to refer people to pages
in the guidebook so they can see the kind of information
that’s in it, and this will allow people to see more
detailed Commissioner bios, for example, as well as all
of the reference information about the populations for
the different types of districts, and the criteria in the
correct order.

So, rather than going through that, they will be able to look at it. We are also planning to post this on the walls so that anyone who comes in late and misses the introduction will be able to see the critical information that will be relevant to their testimony. There will be a quick reminder that the Commission is not allowed to consider partisan information. If a translator has been requested, which it has for every one of the meetings here in the Los Angeles Area that would be the time to introduce the translator. I know that we’ll want to have a little bit of discussion here about a policy around how we’re going to handle a translated testimony, so we’ll come back to this point.

And then next will be a quick run through our hearing procedures. And, again, this is designed to maximize the number of speakers, give everyone a chance to speak. Be respectful of the public, many of whom have driven hours to get to a public input hearing.

We’ve talked before about how to deal with people who represent organized groups or even smaller groups, such as a neighborhood, and there has been a concern expressed in the past that -- that, you know, it may be, perhaps, may dampen the enthusiasm of individual testimony when there is a long sequence of speakers from
a single organization. So, in keeping with our past
policies, we’d like to prioritize individuals and small
groups first. And this, of course, can only be done at
the beginning of the hearing. So, numbers will be handed
out at the door before the hearing starts in this
sequence, but at that it will be first come, first serve,
because we won’t be able to control it after that.

Commissioner Ancheta?

COMMISSIONER ANCHETA: So, a question. And I
agree with the intent on it, and I think it’s important
to try to do this, but I guess one question I would have
is, do you -- how do you determine what a group is versus
someone who has organized a bus load of individuals from
a particular area, they’re speaking in their individual
capacity? There is a lot of them, right? And, again, I
think -- not to, you know, just cut that or limit it in
major ways, but is that the group that we’re talking
about, or is that just a collection of individuals that
happen to be coming in together?

COMMISSIONER DAI: I personally think it’s a
collection of individuals. You know, I want to
distinguish between individuals who have been organized
and enabled by a group versus official representatives of
the group. And the reason is that we’ve set aside two
specific days for organized group to present their
testimony, and we’ve given them longer blocks of time, and we want to just ensure that that’s what happens. We cannot prevent them from testifying and taking advantage of our public input hearings as well, but, in that case, we want to give them a lower priority since they are getting special time.

COMMISSIONER ANCHETA: And so do we have, and, again, this is a little tricky, but, for example, I think in the -- was it the Merced hearing or the Hanford hearing, for example, there were a number of individuals who I think were probably aligned with the Asian American group Capafer (phonetic). That qualifies as sort of a group with multiple speakers. Is that sort of an example of what we’re envisioning?

COMMISSIONER DAI: Yeah. I would think so. And here we’ve suggested a limitation of no more than five speakers. You can imagine if there were 10 speakers and they each took -- it would take a long part of the hearing, and it might be very --

COMMISSIONER ANCHETA: Right.

COMMISSIONER DAI: -- annoying to others.

COMMISSIONER ANCHETA: Right. And that’s the contrast, for example, with -- I can’t remember which -- again, which hearing it was, but there was a large number of folks who were bussed together to come in, and, again,
I think largely that related in similar measures, because they’re from the same area, but I think did speak as individuals. So, I think that’s different.

CHAIRPERSON BARABBA: I think it was a group from Venture, as I recall.

COMMISSIONER ANCHETA: Right. Right.

COMMISSIONER DAI: Yeah. And I think that would be a collection of individuals who have been, you know, enabled and perhaps trained by a group, and I think we need to treat them as individuals. They may be individuals who may not have otherwise testified without that training. So, I would distinguish those, as opposed to official representatives, you know, of a group, which, as I said, they have special time. So --

COMMISSIONER ANCHETA: Okay.

COMMISSIONER DAI: -- that’s the rationale for this, and, again, this is up for discussion, so I just want to take everyone through it. And the thought was that here that we would remind any representatives of organized groups, if they have a sequence of speakers, that each speaker offer new information rather than saying the same thing, that that would be better for everyone and help keep the process moving along.

And then the final priority would be people who have already had their chance to speak and there is time
left over in the hearing, and they have new information
to offer, then they would be given an opportunity to
speak again, giving us the number that they had before so
it can be -- testimony can be captured together by Q2.
And the suggestion here that’s slightly different than
how we’ve done it in the past is that this would only be
offered if it is before 9:00 p.m. on a weeknight or
before five o’clock on a weekend. In other words, past
-- it is within the time of our originally scheduled
public input hearing. In other words, it would not
further extend the hearing beyond the hours as, you know,
with new speakers. So, that’s a suggestion to keep a
little control on the time and the wear and the tear on
the Commission.

CHAIRPERSON BARABBA: Well, there was also wear
and tear on the --

COMMISSIONER DAI: On the facility.

CHAIRPERSON BARABBA: -- audience, because there
was some --

COMMISSIONER DAI: And the audience.

CHAIRPERSON BARABBA: -- audience that wanted to
leave, and they just didn’t want to miss anything, you
know.

COMMISSIONER DAI: Right. And they didn’t feel
comfortable leaving while people were still testifying.
Another suggestion is that, in the past, we have allowed three to five minutes. The suggestion here, especially we are actually expecting fairly large crowds is just to make it three minutes across the board. We unfortunately cannot predict when, you know, someone -- a large group may come in the second hour, and we’ve already seen this in a previous hearing where people objected because some of the earlier speakers got a longer amount of time. So, I think, you know, again, if the bus load of people doesn’t come in and there is time left, then those speakers would have the opportunity to speak again, as long as it’s within our time.

And then reminders to submit handout materials to Commission Liaison Sargis, reminders that this is not the only opportunity to submit input, that we have the website and mail, fax, etcetera, reminders about our website and that it’s being live streamed, and then also pointing out some other resources that would help people draw maps. And, actually, we could probably refer to the guidebook on this as well, but they’re also links on our website, free resources to help draw maps that would aid us in understanding the testimony.

So, that’s a quick run through. There are a couple of policy changes implicit in here. I think we also want to talk about how to handle translation. Any
COMMISSIONER GALAMBOS-MALLOY: I really appreciate the thought that has gone into this, and I think it reflects what we’ve learned so far since we’ve been on the road. The only part of it that to me, I am struggling with goes back to how we deal with the organized groups. And, you know, in thinking through free speech, public process, obviously we have to have some parameters on how long people have to speak, but, for example, if a group showed up and they had, you know, 10 folks that were with them and each of their 10 folks had something significantly unique to say, I don’t know how I feel about limiting and saying, no, as an organized group you can only have five.

And my reason for saying that is I think that we did provide, again, for these group hearings, group input hearings, one in Northern California and one in Southern California. However, when you’re talking about local community members, there are still, you know, significant challenges towards organizing very local groups to be able to get to either one of those meetings and provide that same testimony. And so I agree, kind of in concept, that we need to have these guidelines, but, you know, thinking of them as suggested guidelines and knowing that
there may be sometimes where we deviate slightly from this, I just would be interested to hear what other Commissioners feel about this.

COMMISSIONER DIGUILIO: I was kind of along the same lines with Commissioner Galambos-Malloy to some degree that I am trying to balance the ability for an individual who just shows up to be able to have an opportunity to speak and not have to wait for an hour and a half to get through a large group, with the large groups’ right to be able to -- or the individuals in that group to be able to speak. I think if we make a policy to -- though I believe if we make a policy decision that says we’re going to ask you to limit a large group to three to five speakers, and that group knows ahead of time they would be wise to know who would like to speak, if they would like -- another option, maybe, is if for some reason they had seven or eight, maybe we could say the limit is three to five initially, then we would go back into the queue. If you would like to wait to the end, and it’s before the end we would allow you to finish up.

So, we’re not saying no, but we are saying a limit at a time, a block -- a block limit. And then you can move on and still include it later. But in consideration of everyone else, we may need to balance
the -- what’s the least of two options.

CHAIRPERSON BARABBA: Oh, excuse me.

COMMISSIONER RAYA: Yeah, I’m in the bleachers over here. You know, part of what we lost in not being able to do the whole ideal education portion of our work that we hope to do is that we weren’t able to give some guidelines to people on giving testimony, you know, farther along engage them in that process. And my suggestion would be because even with an effort to bring people back later, we know we’re going to run out of time. So, if we can give guidance to people, give us the highlights, the parts you don’t want us to miss, the stuff you want to hit us in the face with, and then submit the rest of it in writing or online, however, so that we’ll get the full picture, but we’ll definitely get what they think is the most important.

COMMISSIONER BLANCO: Yeah, I have concerns about the saying don’t speak on the same topic if you’re in the group, because at a lot of our hearings speakers talk about the same thing and make the same point, you know. We’ve heard that all over. Sometimes we have five speakers in a row say the exact same thing, even if they’re not from an organized group. So, that also feels strange to me to limit the small groups if you’re saying the same thing as anybody else. Because, you know,
sometimes that’s about numbers, and that’s democracy. And so I think we do -- I’m concerned about that. But I understand the spirit, but I think we have to figure it out some different way.

CHAIRPERSON BARABBA: The discussion around that was the -- was I think it was in Kern County where you fundamentally had four people come up and tell us the same thing. And the point that I felt was it’s not how many people say it, it’s how well it’s said and how meaningful it is. So, we had, in essence, four people telling us something we had already heard, and that might be depriving you later on when you get a bigger crowd, that’s going to deprive some people of saying anything at all. So, I think that -- Jodie?

COMMISSIONER FILKINS-WEBBER: I agree with Commissioner Blanco, primarily because if we -- I’d like to see the volume of people. It’s not -- it’s not that we’re taking away from the substance of what they have to say, and we recognize that they are saying the same thing. But say, for instance, we only had one speaker and we had an opposing view, and that was only one speaker, but, yet, there were five other people in the audience who heard this instruction and thought that they didn’t have an opportunity to speak. If we’re confronted with a situation where we have conflicting public data,
you know, or public, you know, input, if we had known
that there were five people or 10 people that had come to
a public hearing that were saying the same thing, to me
it gives greater weight to that, and I want to hear it,
even though it is repetition. Because I think that if we
do have to weigh that, I think it might weigh in favor
from just a single individual might have a contrary view
to a greater number of people speaking on the same thing.

So, although it is in the best interests of
everybody involved to get as many people speaking, but we
haven’t closed the time in which we’re, you know -- we
don’t cut -- we don’t shut the doors and say you’re not
going to speak. So, I really want to hear from as many
people, even if they are saying the same thing. I really
do, because it’s greater for me to weigh the impact of
those individuals in a given area, you know, opposed to
somebody who might just be speaking -- one person
speaking contrary to that.

CHAIRPERSON BARABBA: Okay. Connie.

COMMISSIONER GALAMBOS-MALLOY: I agree. I think
after the last couple of sessions, and doing our first
input hearings having a better sense of how Q2 is
actually inputting and managing the data, it’s going to
dramatically impact our ability to go back, because each
speaker is essentially its own record, and so we could
have them, you know, pull everybody who spoke on a particular topic or a particular boundary. And if we’ve limited so only one person has spoken on that particular item, again, we won’t have much to work with when we get to those tricky parts of our deliberation.

CHAIRPERSON BARABBA: I guess the only way we respond to these, we weren’t saying that if you had an issue that you shouldn’t be able to talk about that issue with more than one person. It’s just that if you had a fact that came up by one person, it’s a repeating of the same fact by the next person that was the kind of thing we were trying to -- we’re not saying you could not have other speakers. It’s just that you would want the speakers to add something to the discussion rather than repeat what the first person had said. And if that’s too complicated we can address it. Yes. I think who was next here? Gabino.

COMMISSIONER AGUIRRE: Thank you. Yeah. It is -- it’s muddy and it’s clumsy, but it’s public testimony, and everybody that comes here made the effort to come to address this. And some of the repetition that we’ve heard is keep my county whole, keep my county whole, keep my county whole. That’s fine. However, there is always nuanced kind of reasons for why they want to keep their county whole.
And in terms of the number of individuals that are representing a particular area, the politics of that area requires that people show up to say what they need to say. So, I’m kind of -- even though in the interest of time we may -- you know, we’re making the effort to try to categorize people so it runs a little bit more efficiently. But ultimately everybody that comes in the door has a right to speak.

So, whether we accommodate them early or we accommodate them late, you know, we’ve talked about the fact that even though we set a 6:00 to 9:00 window for input, then we also agreed early on that if we needed to go beyond that that we are all perfectly willing to hang around until the last speaker expressed himself or herself. So, I’m -- I recognize the effort in trying to be efficient, but when you’re dealing with the public, especially when you’re dealing with grassroots community, it just doesn’t fall that neatly, and we should not try to pigeon hole it as neatly as we’re trying to right now.

COMMISSIONER DIGUILIO: Maybe we could just say, for the sake in moving this process forward a little bit, could we suggest that there is some consideration of we would like to provide some guidelines for the public. So, simply an opportunity to give them some idea of maybe what would be most helpful for the Commission when they
provide the feedback. So, if we ask them to say, we may hear keep our county whole, keep our county whole, but one person says it’s based on my school districts, the next person says it’s based on transportation. I mean, those are the nuances we want to hear. I think that was what the facts that Commissioner Barabba was mentioning. So, if we kind of steer them by saying give us those elements, and then we could also ask them, you know, to say, in consideration of everyone -- I think if you set the bar high for the public they’ll respond. And say, in consideration of everyone else, if you have a large number of speakers, maybe you could consider limiting to a reasonable number, and then we would try to accommodate everyone because, of course, it’s open mic. But I think if we just provide these guidelines, and it’s not policy in terms of what you have to do, maybe that would help us. It would be a little more palatable in terms of giving guidance to the public.

COMMISSIONER AGUIRRE: Yeah. I think my concern was when you -- when we make the statement that we’re only going to listen to -- or we’re going to listen only to X number of representatives or X number of individuals on this topic that only is very limiting.

CHAIRPERSON BARABBA: Yes.

COMMISSIONER DAI: I kind of like the earlier
suggestion where we don’t limit the number of representatives, because it’s true. I mean, they might have chartered a bus and brought a lot of people. But I think the idea of breaking them up into blocks and letting individual speakers come in, if that can be managed, it might be complicated with the numbering system, but maybe we -- if we let blocks of up to five, and then let a block of individuals go and then bring them back.

COMMISSIONER BLANCO: Yeah. I think that’s about all we can do, because I don’t -- I don’t think we can even say here is what you are -- what we would prefer to hear, you know, the subtlety. This is what we all do when we write letters to our elected officials. People say, we want to send in 100 letters, you know, saying the exact same thing. That’s how people, you know, let their opinion be heard, and often they won’t have a subtlety. They just have one thing to say. Do this, do right on this issue like this.

So, I don’t think we can even sort of say only if you -- Try and add something new, because that’s still not, from my perspective, people could say the exact same thing, and that’s the value and that’s why they came, to say the same thing as somebody else, or, you know -- So, I think we might have to just figure out a structural way
to say, if you -- if you know, if you came with a group we’re going to try to, you know, sprinkle it so that, you know, whatever, but I don’t think we can even guide them on what they should say.

COMMISSIONER DAI: So, it sounds like -- I just want to see what we have agreement on. So, we have an agreement that we’ll try to sprinkle them in chunks, and that way we can encourage individuals who have traveled to not have to wait too long. I think would it be fair to say that we would encourage them to offer rich, different facts to help us, you know, gather the kind of testimony we need to establish a community of interest? But, I mean, we’re not going to stop them from saying what they’re going to say.

I kind of agree with Commissioner DiGiulio. I think if we encourage people, I mean, we’ve asked questions and we’ve gotten very good feedback. So, I think if we say this would be most helpful to the Commission if we could get additional facts. I mean, I heard keep my county whole, keep my county whole, keep my county whole, but I heard, you know, because of the hospital system, because of the routes of transportation, you know, because of the, you know, tourism industry.

So, I mean, I think that’s helpful, because eventually we’re going to have to justify communities of
interest. It’s probably less important for the counties, because that’s specified in the act, but for communities of interest, in particular, we’re going to need evidence. So, the more that they can give us that kind of information, I think it would be helpful. Is that encouragement? Okay. And are we all okay with the three minute limit and also only new speakers once it’s after 9:00 or after 5:00 so everyone gets a chance?

CHAIRPERSON BARABBA: Commissioner -- Gabino.

COMMISSIONER AGUIRRE: Yes, there is -- Yes, thank you for that summary. There is one other type of speaker that is going to be coming before us, and that is the individual who is not going to provide districting information, but, in fact, is going to comment on the operation of the Commission. For example, the individual that came and questioned why we had hired a particular consultant to do the VRA work for us. So, in essence, they get their three minutes just like everybody else. We can’t restrict their participation or their commentary in any way.

COMMISSIONER DAI: Good point.

COMMISSIONER BLANCO: Yeah. I mean, I don’t want to beat a dead horse. I know we need -- we are trying to streamline this, but, really, even the guidance, if we tell everybody, try to give us specifics that’s fine.
But I don’t think that if somebody is saying the same thing that you try and say make sure that you say something different. We have letters that have been submitted to us that say the identical thing for what a community of interest is.

COMMISSIONER DAI: Sure.

COMMISSIONER BLANCO: That’s just the way it goes. And so, I’m not sure that we can try and do that kind of guidance. I think you can just say at the beginning --

COMMISSIONER DAI: Yeah.

COMMISSIONER BLANCO: -- when you talk about stuff, try and give us as many specifics as possible and that’s really all you can do.

COMMISSIONER DAI: Okay. Sounds like we’re agreed on that. I did want to -- The other thing that I did want to talk about as a group and make sure we’re clear about is how to handle speakers who require translation services, and so maybe I know that there are various Commissioners who have opinions on this based on our experimentation in the last six hearings. So, Commissioner Filkins-Webber?

COMMISSIONER FILKINS-WEBBER: Thank you. I have worked with interpreters in every language as an attorney. I use them every other day, practically,
either in court or in a deposition. This is the first occasion in which I’ve had an opportunity to see them in their efforts to present testimony for an individual before us. There were two different ways in which it was done, and I believe that, and for the interests of the public and understanding the individual, in an effort for this Commission to have an accurate understanding of what that individual wishes to convey, I think we should have professional interpreters that are qualified and capable of doing simultaneous translation.

It’s the most efficient manner possible in which to utilize time effectively for the convenience of the other members of the public who wish to speak, but it also provides for accurate documentation of the individual’s testimony, because what we did see previously is a circumstance where somebody apparently took an individual outside, got the just of what the individual wished to speak about, and because of the -- the timeframe before that person got to speak, the individual, while standing there at the podium, added a lot more to the testimony that the interpreter wasn’t aware of when they had spoken to one another an hour before.

So, we did not -- we’ve captured the testimony, certainly, and we can go back and look at it and have it
translated appropriately, but my recommendation would be
is to also confirm with the translators that are present
or even before we hire them that they are comfortable
with doing simultaneous translation. There are
interpreters that do not feel qualified to do that, and
it could disrupt the process significantly. So, even
when you’re dealing with an interpreting company staff,
for instance, if you do make inquiry and you make
arrangements for interpreters, if this Commission so
decides to do simultaneous, you need to ask that the
individual who appears before us feels comfortable in
doing that in this setting. So, that’s all that I would
have to say on this issue.

COMMISSIONER DAI: Okay. So, preference of
simultaneous translation. That has implications for
time. I just want to through that out too.

COMMISSIONER BLANCO: I think we just have to
deal with the time. I agree with the simultaneous, and
you can lose, you know, content. I mean, you really
don’t want the interpreter testifying. You want the
individual to be testifying and the interpreter is really
just, you know -- Summaries are iffy. They then -- they
can be, you know, subjective by the interpreter.

So, I don’t know right now what our policy is on
are we hiring professional certified. One of the
problems, I know, when we’ve asked for volunteers, I share the concern that, you know, we’ve been lucky a couple of times, but the only reason that I even know that we’ve been lucky is because I understand. But if it were a language that I didn’t know, and we called on a volunteer, and nobody else on the Commission or in the room knew that language, we would have no way of knowing what the quality of that interpretation was. And so I think that we need to not only -- I would prefer simultaneous, and I think we have to have -- I don’t have a recommendation on this, that we have to make sure that they are somehow either certified or qualified so that we don’t -- we can’t just, you know, take volunteers.

COMMISSIONER DIGUILIO: Kind of along that same line, I just had a question in anticipation of some issues we may run into. Say if someone showed up when they had brought their own interpreter or their friend or their family member, and we didn’t -- weren’t aware that it was a Tagalog or something, you know, another language, will we accept that person to translate or do we ask the person to use their three minutes in their language and at a later date we’ll go back and translate? I mean, do we prefer to use someone who is there, or do we just say, give your testimony, we, at a later date, will translate it?
CHAIRPERSON ONTAI: Yeah. Similar question I wanted to ask. Suppose we have a member of the public that comes up and a family member is there willing to make that interpretation. Would we accept that? I mean, I would assume that would be an acceptable translation?

CHAIRPERSON BARABBA: Jodie?

COMMISSIONER FILKINS-WEBBER: I do believe that there may be circumstances in some of our more ethnically diverse areas where we may not have an interpreter available. So, I would certainly -- wouldn’t mind having, you know, a family member or a friend that came along, because it’s more likely that that individual came along for the specific purpose of interpreting. So, I, at that point, you know, then we would have some leniency on simultaneousness, because it is a difficult thing to do and you should probably be trained. But, you know, even if they just made a few -- said a few sentences, generally family members, in doing this in every practice, they’ll hear a few sentences and then they’ll interpret.

So, I would highly encourage that rather than waiting, you know, at a later date, because, again, we need to anticipate that that will come up under languages, maybe even particular dialects that we don’t have an interpreter for. So, I would highly encourage
that, and highly encourage some leniency and patience on
the part of the Commission for a family member or a
friend that’s willing to help out in that circumstance.

COMMISSIONER DAI: Okay. So, it sounds like
there is a consensus, simultaneous certified interpreter
whenever possible, and, of course, when the Commission
has been given notice then our staff can arrange for
that. Oh, sorry. Commissioner Raya?

COMMISSIONER RAYA: I have a question. Okay.
Question, because this -- in observing the instances
where we had, in Hanford, the simultaneous going on, are
we doubling the time? How are we --

CHAIRPERSON BARABBA: Yeah.

COMMISSIONER RAYA: -- accommodating that?
Second part of that is that we also, and I don’t recall
exactly where this was, we had a gentleman who had took
him longer to get his words out. Okay. I don’t know how
to describe that exactly, but and I was sitting there,
and I don’t remember who was handling the meeting, but I
was trying to mentally, you know, send a message like
don’t rush the clock, or maybe I was trying to tell
Janeece, don’t hit the clock, because clearly he needed
more time. So, I think that’s another issue where we
need to be sensitive to someone who has clearly has a
physical reason that they cannot meet that three minutes
and get their message out.

COMMISSIONER DAI: Would it be reasonable to say that basically we allow up to twice the time, unless, obviously, they’re going to be some circumstances and it’s the discretion of the Chair to make sure we can get the input that we need? But, as a general rule, it seems fair, if it’s simultaneous, that it would take twice as much time. Is that okay with everyone?

COMMISSIONER FILKINS–WEBBER: Simultaneous doesn’t take double the time, and that’s the whole point of doing it simultaneously. Because, for instance, the interpreter stands in front of the microphone so that the interpreter’s words are heard, the individual who is speaking stands to the side and their language -- I mean, their words are not necessarily picked up. And because it’s simultaneous it’s at the same time, and it’s within the three minutes. If you have a family member that’s doing, you know, that’s not doing it simultaneously, then obviously I would leave it to the discretion of the Chair under those circumstances to maybe give another minute, you know, for the assistance if it’s not at the same time. That’s what simultaneous means.

So, if we have a certified interpreter in a language that has been requested, and they’re providing it simultaneously, then I don’t think you need to double
the time. But if you have, again, anybody with a
disability or something of that nature, I would leave it
to the discretion of the Chair under those circumstances.

EXECUTIVE DIRECTOR CLAYPOOL: Just two points of
clarification. The first one, on the certification, we
work off of the State CMAS contracts, and so we’re
assuming because we’re working through them, they’re
requiring certification that these individuals are
certified, as they’re supposed to be. The individual in
San Luis Obispo was, in fact, a certified translator.

So, I wasn’t quite sure how that worked.

The second thing is, we have, as Janeece has
pointed out, on the translation we’ve been giving three
plus an extra minute.

CHAIRPERSON BARABBA: So, we just need the
Chair’s discretion depending on the situation and the
capabilities of the translator.

COMMISSIONER DAI: Yeah. Even in simultaneous
there is a delay. So, okay. All right. I think that
deals with most of the things that are actually, you
know, tweaks on our policies, unless anyone else has
something that we’d like to make sure to address here.

CHAIRPERSON BARABBA: Yeah. The only point I
would add is when we talked about this, obviously, there
is just no way of knowing how all this is going to work
out every time. So, we’re going to go through an interesting four or five days here testing this out. So, it seems to me at the end of this particular week we might want to come back and revisit the guidelines. And so, as you are seeing things, you know, keep notes, because I can only imagine that we can improve this, based on experience.

**EXECUTIVE DIRECTOR CLAYPOOL:** May I ask for staff that we just have a brief recap of exactly how we’re going to run this through, because we have had several groups that have asked us about the issue.

**COMMISSIONER DAI:** Okay. I will attempt to summarize, and anyone else feel free to jump in. So, first off, we are going to stick to three minute per speaker, and we’re going to prioritize individuals over groups at the original -- before the hearing starts. Groups with more than five speakers will be given a block of time for five speakers and then we’ll let a block of, shall we say, five individuals speak and then go back to the group? Does that seem reasonable? And what else is relevant? On the translation we’ll go with simultaneous where there -- Where they have not requested an official translator in time for the meeting, we certainly will accept a friend or relative or volunteer to get some translation at the time of testimony.
EXECUTIVE DIRECTOR CLAYPOOL: And then finally, following the start of the meeting, then it’s simply first come, first serve.

COMMISSIONER DAI: Again, if we know there is a group, we’re still going to try to put them in chunks of five.

EXECUTIVE DIRECTOR CLAYPOOL: All right.

COMMISSIONER DAI: And hopefully they’ll be courteous enough to tell us that. And then the other thing that’s a change is we will, as long as our hearing is officially open during the three hour period that’s been publicized, if there is time and there are no new speakers, we will give the opportunity to people who would like to add to their testimony. Commissioner Ancheta?

COMMISSIONER ANCHETA: Question, if we encounter a very large number of speakers, now much larger than we’ve previously experienced, and doing the math you do three minutes each it’s going to take us well past midnight, let’s say. We may not encounter that, but we might and that might happen in the next few days for all we know. I don’t have any particular suggestion. I mean, do we sort of say there is a number of speakers that we say we just can’t go beyond this because it’s -- we don’t go past midnight or -- And, again, this -- if we
go five past midnight I don’t have a problem with that,
but if we’re talking about doing the math, and we are
trying to stick to three minutes as the basic minimum --
I’m sorry, the basic maximum, rather, I don’t know where
we draw the line. But, again, this is sort of looking at
worst case scenarios, but it could happen at any number
of venues that we have a very large number of potential
speakers.

COMMISSIONER DAI: Well, I don’t know how other
Commissioners feel, but I think that part of our job is
listening to public testimony, and I think if people have
carried to give testimony that we should give them an
opportunity to speak, as long as it’s not the same
people, which is why we want to draw the line on new
speakers. But I think we might have some late nights.
You know, I think we can encourage people to be brief and
not take the full three minutes, but, you know, at some
point, unless we want to change that rule right now and
make it two minutes or make it one minute, I think if
people have been waiting for, you know, four hours to
speak and to deny them the right to speak at that point I
think would be --

COMMISSIONER ANCHETA: No, I agree, and I think
all of us are fully prepared to go well late into the
evening. I’m talking about, again, the very, very large
number that could, in fact, exceed what any of us actually might reasonably expect and that the public might reasonably expect as sort of reasonable hours for an evening public hearing or a Saturday or Sunday afternoon public hearing. But, again, we may not get to that level, but there are possibilities.

COMMISSIONER FORBES: One comment I would make on it is that I think if we’re going to look at a very large number that I think I would restrict it to two minutes, and then say at the end of the meeting if you want to continue speaking another minute you can do that. But, I mean, that’s how I would address a very large meeting. So, if they have more to say they can come back, but at least you get through the first wave of people. I think less than two minutes it doesn’t function, but that would be what I would do or suggest.

COMMISSIONER ANCHETA: And that’s -- Again, I’m just raising the question because the (inaudible) you sort of cutoff at a certain number of speakers or you, again, try to compress the time or some combination of that. But I think we may -- it’s a possibility that we may have to do that at some point.

COMMISSIONER DAI: Any suggestions on what number we should consider at the get go, you know, limiting it to two minutes?
COMMISSIONER ONTAI: Well, I’ll comment here. You know, I think, and I’ve been in -- a number of us have been in public meetings before and have chaired meetings in public arena. And the point is, it’s rare, that kind of large presentation, Commissioner Ancheta, it doesn’t happen that often but it does occasionally. It does. And when it does happen, you know, we’ve been prepared to stay up to 12, one o’clock, but that’s the business of getting the public’s input, and that’s a sacrifice, I think, we have to make.

COMMISSIONER ANCHETA: I would just do the straight math. You could do 60 people, give them three minutes and that’s three hours. If you got more than 60, then you have to adjust the time. But I think if it’s up to 60 you can just leave it and three and it will run over, but that’s okay.

COMMISSIONER DAI: Okay. That sounds like a good rule of thumb. If we have 60 before the meeting starts, we’re limiting it to two minutes. Okay? All right. And sometimes, you know, we have an audience but not everyone wants to speak, but if we have -- if we’ve given out 60 numbers then we’ll limit it to two minutes.

COMMISSIONER ONTAI: And generally people don’t want to wait until 12 o’clock, so they’ll leave anyway.

COMMISSIONER DAI: Any other thoughts? I mean,
CHAIRPERSON BARABBA: Commissioner?

EXECUTIVE DIRECTOR CLAYPOOL: Janeece has brought up a very good point, and I’ve forgotten about it and it’s only happened once, but it’s liable to happen again. At one meeting we had an individual come in after 9:00. You were still in discussions with the people who were there and they were taking extra turns, so we gave that person a number and admitted the testimony. Clearly, if we have dozens still to speak and we hit 9:00, we need to cut that time off, but do we need to just simply cut that time off at 9:00, regardless of the situation just to set that precedent.

COMMISSIONER FORBES: What time are you referring to? What time are you referring to? The three minutes or what --

EXECUTIVE DIRECTOR CLAYPOOL: Well, no, I’m actually just --

COMMISSIONER FORBES: You mean, handing out numbers?

EXECUTIVE DIRECTOR CLAYPOOL: Handing out numbers and allowing people to provide testimony.

COMMISSIONER FORBES: My inclination is if we post it 6:00 to 9:00, and it’s like voting. You might -- You know, if you’re in line you get to vote, but if you
show up late and you haven’t been in line you don’t get
to vote. So, I’d do the same thing. If you’re not there
by 9:00 -- If you’re there by nine o’clock and you get a
number you get to speak. If you’re there at 10 after
9:00 --

**EXECUTIVE DIRECTOR CLAYPOOL:** So, we handle
whatever groups might be standing in line to get a number
at 9:00, and then as soon as that quits --

**COMMISSIONER FORBES:** No, no. If they’re in line
they get a number.

**CHAIRPERSON BARABBA:** Yeah.

**EXECUTIVE DIRECTOR CLAYPOOL:** Right.

**COMMISSIONER FORBES:** But someone who shows up
after that doesn’t get a number.

**EXECUTIVE DIRECTOR CLAYPOOL:** When there is a
break, then that break --

**COMMISSIONER FORBES:** That’s it.

**EXECUTIVE DIRECTOR CLAYPOOL:** -- is it.

**COMMISSIONER FORBES:** That’s the way I’d do it,
anyway.

**CHAIRPERSON BARABBA:** It sounds reasonable.

Andre.

**COMMISSIONER PARVENU:** I just want to add that,
you know, it’s obvious this is a very fluid process, and
the Chair has to use his or her discretion at a certain
cutoff point. You have to take into consideration the venues too. We’ve been very -- many of our hosts have been very generous with us in terms of providing --

CHAIRPERSON BARABBA: Oh, yeah, that’s right.

COMMISSIONER PARVENU: -- security and other accommodations. So, at nine o’clock perhaps the Chair, he or she, may just want to poll the remaining members of the audience, encouraging those who have not spoken already who have waited throughout the earlier testimony by a show of hands, and then resort back to, as Commissioner Forbes said, that two minute rule.

COMMISSIONER FORBES: Chair, can I just, again --

CHAIRPERSON BARABBA: Yes.

COMMISSIONER FORBES: A question of staff, are all of our venues, or as many as we have set up so far, do they -- are they available until like midnight? I mean, do we know that? I mean, how many of these -- I mean, like I looked at the parking when we came in. The parking is free until 10:00 p.m. So, I just --

COMMISSION LIASION SARGIS: Lon is just reminding me that some of the venues do have the hard shutdown time.

COMMISSIONER FORBES: Yeah.

COMMISSION LIASION SARGIS: And I’m just trying to find out from him if that has -- if that applies to
any of the LA venues.

COMMISSIONER FORBES: Because that would clearly affect, you know, how much time people get to speak or what we’re going to do, you know.

CHAIRPERSON BARABBA: It would seem to me that before the -- when you’re making the arrangements you ought to find out what the conditions are, and if there is a time deadline for the facility we just -- then that becomes the rule. I mean, we don’t have much of a choice at that point.

COMMISSIONER DAI: Great. Anything else? I think this is as good as it’s going to get until we do our experiments this week.

COMMISSIONER DIGUILIO: Okay. So, thank you. In the spirit of the fluid process, and the ability to have a discussion here, I’d like to take an opportunity to revisit the structure and process of regional wrap ups that we had started at the end of Merced meeting. So, I think what we all kind of, if I may, we experienced is kind of we and our staff all -- our consultants kind of had an interesting first date. So, now we’ve had a chance to talk about things a little more.

Again, part of this was Q2 had just come on as it was mentioned in our meeting. We, as a Commission and as a Technical Advisory Committee, had not had an
opportunity to meet with me and to really flush out some
of the way the regional wrap ups were going to take place
and how that feedback was going to be given to the
Commissioners, so I think some of us felt a little maybe
cought off guard, and it didn’t help that we just
finished a meeting 15 minutes prior.

So, since then we’ve had a really -- an
opportunity to work with Q2, myself and the Technical
Advisory Committee, Commissioner Dai as the Vice-Chair.
And what I’d like to do is kind of go through what we
have, at least at this point, put together for four
aspects of the regional wrap up. One will be how the
wrap up will be done. The next one will be when the wrap
up will be given to the Commission. The third would be
what the Commission will do with that wrap up material,
and then where we will go -- the fourth one being where
we will go after the wrap up.

So, in essence, what we had tried to do was to --
and I would give out a template, but we’re still in the
process of working that out. In fact, we’re supposed to
kind of finalize those details later today with Karin and
Bonnie, but we were maybe have something more solid for
you two to look at tomorrow. And keeping in mind that
this is an ongoing process and we will revisit it after
we have this first wrap up.
So, some of the elements in terms of how the wrap up will be done, we had worked on deciding that what we will do is have a wrap up by region, which they’ll -- it will include which meeting locations we had. So, an example of Region 9, we had a meeting in Redding and a meeting in Marysville. So, what Q2 will include in that is the number of public speakers at each of that meeting, and this wrap up will also include any publicly submitted written comments in that region up until the last day of our meeting at that -- for that region. So, it would have been the last meeting up until Marysville -- excuse me -- for the last day before the wrap up for that segment will be taking place. So, we will have an idea of how many people spoke as well as how many people wrote in concerning that region.

We will also have a public cutoff date, and we will let the public know of that date in terms of having their input incorporated into that first wrap up, and, of course, letting them know that any comments submitted after that cutoff date will be incorporated into the next wrap up. But it just simply gives our consultants time to incorporate all that.

So, then what we decided to do was to -- Q2 will then provide a wrap up in terms of what publicly submitted proposals were out there. Instead of giving us
a blow by blow of all the testimony that we heard, and comparing our notes and saying, you know, was it -- was it valley fever or was it the water or was it the air, what they’ll do is they will -- in consolidating the information, they will pull out the publicly submitted proposals for how to draw a line or their suggestions for their counties, things along those lines. So, let’s take example of Region 9. One of them was to draw Northern California Districts from east to west.

What they will then do is take, in this case, maybe a pro-con approach in terms of summarizing the publicly submitted, publicly expressed testimony, what some of the positives would be for that proposal, and they would also provide a con for the publicly expressed negatives for that proposal, and then they will also add a technical note. So, let’s say there was a technical note in terms of, you know, there is a major mountains in these two areas, something that is just factual based. So, then we would have the opportunity to look at that, then maybe we would look at the next proposal being kind of keep the current -- let’s just say keep the current districts the way they are. So, again, you’d look at pros and cons, if there were any that were submitted by the public. If there were not, then it would not be included.
And what we found is, we did this, we realized not everything fits into a pro-con. Sometimes, let’s say in terms of when we went to Region 5, where a lot of the testimony from San Luis Obispo, Santa Barbara, Ventura County was simply keep my county whole. So, then we realized there might be something in terms -- we had prodded the speakers to give us ideas for splitting or combining your county, because the testimony was coming -- a lot of the testimony was coming strictly from keeping my county together.

So, then, Q2 would then provide the publicly submitted proposals for splitting accounting and the publicly submitted comments for combining counties, and then, again, any technical notes that might be irrelevant, the total county population or if there is a dividing line there would have been a suggestion where that might be. So, what they’re trying to do is have Q2 just submit just the facts for us, a discussion point so that at the end what would happen is -- And let me back up for a second. The idea being that Q2 will wrap all of this up at the conclusion of the end of the last meeting. We will then give them the opportunity to put these reports together, and it’s their responsibility to get it to us 24 hours before the start of the next regional meetings so that we, as Commissioners, can review that
material and be prepared to discuss the regional wrap up at the beginning of the next region.

So, the idea being this pattern we’re in now of discussing the prior Regions 9, 5 and 6 would take place at this meeting. The discussion of the regional wrap up for Region 4, LA, will happen on May 5th and 6th, because that will give Q2 time to compile all the data, as well as us as Commissioners to review all of that. Again, this would be the proposals, publicly submitted proposals only. Okay. So, before I -- that’s how the -- and that’s how the information will be given to us.

Now, and let me just make one more note, too, there may be a situation where in Region 5 we had kind of a hybrid of both. We had some people saying, keep my county whole. That was a publicly submitted proposal and we were able to get a splitting and a combining. But we also had people that gave specific ideas on how to combine on a -- maybe on a regional basis or on geographic barriers, so, then, they might be able to do pro and con. The idea with this is that there is not a perfect template, but what Q2 is going to try and do is to -- the main points is to provide the Commission with the publicly submitted proposals related to that region, and hopefully provide some of the balance in terms of what the public expressed in support or against those
proposals, and that would give us an opportunity to review that, to match it up with our notes, if we’d like to do that, but then also to provide us a discussion point as a group to see if we agree with those proposals, if they’re viable, what we’d like to do with them afterwards. So, I apologize for that long description, but let me just pause and see if there is any comments or questions.

CHAIRPERSON BARABBA: Jodie, then Angelo.

COMMISSIONER FILKINS-WEBBER: Given the volume of material that we’re going through, as well as it seems we get a lot of public comments right on the eve of hearings, and I know that we can probably work with this, but is it possible to ask Q2 to give us this summary maybe 48 hours before the meeting that we’re addressing the wrap up, rather than 24? But I know where it’s going to get tight sometimes.

COMMISSIONER DIGUILIO: Yeah.

COMMISSIONER FILKINS-WEBBER: But, I mean, for instance, because our next meeting would be Thursday, is it too much to ask for them to get us whatever the summary they’re going to give us on Tuesday for in preparation for the Thursday meeting, or is this a number that they came up with?

COMMISSIONER DIGUILIO: We originally had asked
48. I think they hedged on 24, because I think it’s simply -- particularly as we reach these larger areas, which we -- and particularly if we get a large number of public comments, and actually what we’re going to do -- So, let’s say Region 4 here, the cutoff for incorporating public comments, written comments would be Sunday, because that would just be -- give Q2 at least -- in this case it would give them only -- if we said Sunday and we asked for a turnaround on Tuesday, that’s only one day. I think we told them if it’s possible 48 hours would be preferable, but knowing that there are some large amounts of data that they’re trying to crunch for us that we should anticipate doing some reading. And maybe with the understanding that the first day of our meeting may be advisory committees, and so the wrap up may not happen until the second day. It might give us a little extra time, but I will certainly pass that on to them with the hopes that if they can accommodate that to please do so.

COMMISSIONER FILKINS-WEBBER: But it sounds like you already had that in mind and they -- they probably hesitated on doing 48.

COMMISSIONER DIGUILIO: Yeah. I think we -- COMMISSIONER FILKINS-WEBBER: Okay.

COMMISSIONER DIGUILIO: -- could request at their
earliest convenience, but I think 24, we said, is (inaudible).

COMMISSIONER FILKINS-WEBBER: If it’s been addressed, then --

COMMISSIONER DIGUILIO: Okay.

COMMISSIONER FILKINS-WEBBER: Thank you.

COMMISSIONER ANCHETA: Just go ahead?

CHAIRPERSON BARABBA: Yes.

COMMISSIONER ANCHETA: So, two questions. First, concerning the written submissions, e-mail or hard copy, functionally there is a cutoff date, because there will be a point where we say we’re done with public hearings and we cannot take -- At this point we have to stop and say, this is what we’ve got in terms of written guidelines. We haven’t necessarily given the public any kind of deadlines, although, again, if you’re sort of paying attention to it you can figure out, well, if they’re going to do it at this date I better get it in before then, but not everybody may be thinking along those lines.

So, I’m wondering if -- and it’s hard to -- obviously, you can’t do it retroactively to the ones we’ve already covered, but maybe as we’re moving forward we should consider just telling the public, well, you can, of course, send it in, you know, for a long period
of time, but if you really want to get it in by the regional wrap up and get it to our first cuts, as we’re just sort of moving forward, here is the deadline. And I think that that, again, if you’re looking at it closely you’ll sort of figure it out from the calendar, but I think it may be better to be more explicit. And, again, we’re not necessarily saying you can’t comment afterwards. It’s just if you want to get it in for the wrap up send it to us by this date. And I think we’d have to figure out, if we’re going to do that, how to get the previous hearings sort of get them in the queue so at least they’re able to get that information in.

CHAIRPERSON BARABBA: Mr. Claypool?

EXECUTIVE DIRECTOR CLAYPOOL: We currently sweep everything and send it forward, and those that missed the regions we’re still sending forward knowing that you’re going to have a second draft, and so that it would be inclusive into your conversation for the second draft, and then we will sweep them forward for the third draft. I think at some point you’re going to have to have a cutoff clearly on that third draft --

COMMISSIONER ANCHETA: Right.

EXECUTIVE DIRECTOR CLAYPOOL: -- but we have a plan in place to make sure that it’s moving forward. So, if they miss your wrap up this time, they’re still going
to be seen in your comments that you’ll consider on the
next time around.

COMMISSIONER ANCHETA: Yeah. And, again, I think
we will consider them. What I’m suggesting, though, is
we sort of try to formalize dates or publicize dates so
that the public will know if you want to get it in get it
in by this date. Otherwise, you’re going to have to go
to the next round. And then at a certain point we’re
done. Right? So, that’s it.

COMMISSIONER DIGUILIO: And I think to that
point, there is -- we will have kind of two cutoff dates
before we even do our first map. The first one would be
for the regional wrap up, and then now, let’s say, Region
9, who had the earliest meetings, they need to be able to
take into consideration everything we do before the first
map. So, the second cutoff would be an absolute cutoff
for any public comment on any region. And this is what
we have the discussion -- we will have a discussion as a
Commission, with input from Q2, maybe sometime in the
second or no later than third week of May so that all of
that information can be combined for our first draft maps
that are due of our discussion at the beginning of June.
But that, just so that the public knows that if you’re
one of the earlier regions, you can still submit and it’s
going to be included before that first draft, but for the
regional wrap ups there will be a cutoff date as well.

CHAIRPERSON BARABBA: And it might, in our next topic when we get into the public information, it might be good to make sure we get an announcement out, once we get these dates locked in, so we’re at least on record of having demonstrated that these are the dates. Connie first and then Ancheta.

COMMISSIONER ANCHETA: Okay.

COMMISSIONER GALAMBOS-MALLOY: I’m sorry. You had a part two question?

COMMISSIONER ANCHETA: I had a second question.

COMMISSIONER GALAMBOS-MALLOY: Please finish.

COMMISSIONER ANCHETA: But if it’s related to this one, go ahead.

COMMISSIONER GALAMBOS-MALLOY: No, mine is -- Feel free. Yeah.

COMMISSIONER ANCHETA: Okay. So, second question, and this goes specifically to questions around voting rights and compliance, but it sort of raises a question about how we deal with just sort of partial or incomplete information that we get by the point where we’re saying let’s go to the regional wrap up. But certainly in the context of the VRA, and because we’ve already been to two regions that have three of the four counties for Section 5 compliance, and we haven’t really
gotten very much, frankly, and we probably would like to
get some commentary, but there are also a lot of
demographic data that we need to look at, primarily to
figure some of these questions out, but we don’t really
have that much information coming from the public at this
point. Has that been thought about in terms of partial
information? Because we can, of course, move forward and
sort of sketch things out with what we’ve got, and that’s
fine, but there is an extra layer, and certainly with a
Section 5, and no doubt for the Section 2 compliance
issues we’re going to have to layer those demographic
data on top of everything else we’ve got going. But as
we’re sort of starting with a couple regions that do, in
fact, have VRA specific issues, how are we sort of --

COMMISSIONER DIGUILIO: I think --

COMMISSIONER ARCHETA: -- integrating those?

COMMISSIONER DIGUILIO: Yeah. And this is a good
point, because we had this discussion as well in terms of
what Q2’s responsibility will be to simply, at least
initially with these wrap ups, to provide us with what
the public had suggested for proposals. Some of those
may be viable. Some of those may not, in terms of, you
know, again, if someone just says keep my county whole,
of course it’s not going to be viable if your county is
100,000 people. I mean, there has to be some combining,
or let’s just say if it’s a million people you’re going
to have to do some splitting.

So, but the point is that Q2 will combine all
that to give us an idea of what the public has said, and
then the technical notes will allow for comments based on
maybe there is some VRA issues that need to be addressed
in regards to that proposal that’s been submitted, or
there may be some other considerations that we, as a
Commission, don’t need to spend an hour or two discussing
things if our technical consultants or legal consultants
can say, I will, you know, we’ll give you some
background, and that will solve any inconsistencies that
the proposal itself may have set up.

So, we’re trying to allow Q2 and probably our
legal consultants as well to provide some feedback to us
in these wrap ups that will help guide us in our
discussion as it relates to a specific proposal. Now,
we, as a Commission, may want to, you know, do so
hybrids, but we can discuss that later. So --

CHAIRPERSON BARABBA: Yeah. It would seem to me
that the comments we’re going to get on the VRA are going
to come after they see some of the maps.

COMMISSIONER DIGUILIO: Yeah.

COMMISSIONER ONTAI: Question. This is for
staff, Mr. Claypool. So, are our two consultants Q2 and
the VRA legal firm, are they fully on board now? Because
when I chaired it, we barely got them through the door.

EXECUTIVE DIRECTOR CLAYPOOL: Is the contract
with the VRA done?

CHIEF COUNSEL MILLER: The VRA attorneys have
provided a signed contract back to us. I’m not certain
if -- I think it has one more DGS review. I’m not sure
the State has signed it. But the real answer to your
question, the short answer would be, yes.

COMMISSIONER ONTAI: Good.

CHIEF COUNSEL MILLER: They’re fully engaged in
the work, and that’s what really matters.

COMMISSIONER ONTAI: Because the comments that
Commissioner DiGiulio just mentioned is important, but we
can only do that if we have those consultants on board.

EXECUTIVE DIRECTOR CLAYPOOL: And I’d like to
say, Commissioner, that when you affixed your signature
to that contract that the State considered that you had
obligated this Commission. So --

CHAIRPERSON BARABBA: You mean it wasn’t
personally?

COMMISSIONER GALAMBOS-MALLOY: Commissioner
DiGuilio, my questions regarding the feedback that we
have gotten outside of formal input hearings, and so if
my memory serves me correctly, even back before we were
fully seated as a Commission there would be the occasional public comment that would come in regarding -- and folks who would come in person even to give testimony about their district. So, wondered, has there already been a process established by which Q2 has gone and pooled that data from previous meetings leading up to the input hearings? And, also, moving forward, I’m assuming that our consultants are not watching every single public comment period that we have, and so what is our kind of process for either Commissioners or staff to be flagging those as they come up so that they can be entered in our data pool?

COMMISSIONER DIGUILIO: You know, it’s a very good question, and I can’t say as I would know the answer to it right now, because I do think that’s something we’ve been mentioning. But I will ask them. I think this last week has really been focused on this immediate task of what’s been necessary. But you’re right. That is a very good point that we need to have some mechanism in place, so I will talk to them and be able to report to you at the next meeting.

CHAIRPERSON BARABBA: Mr. Claypool, would that be picked up when you said you were sweeping previous comments forward? Would they, the early, early ones, be swept into that pile?
EXECUTIVE DIRECTOR CLAYPOOL: We had actually --
Mr. Wright, who has testified before you on many
casions, had brought up that there were comments as
early as January. And so I actually consider him almost
to be a definitive authority on those --

CHAIRPERSON BARABBA: Yes.

EXECUTIVE DIRECTOR CLAYPOOL: -- because he reads
them all. And so, we went back, and we have tried to
roll forward those comments to ensure that we picked them
up.

CHAIRPERSON BARABBA: Okay.

COMMISSIONER DIGUILIO: Okay. Is there any other
comments on this? Because I know we are -- we started a
little bit late, and I’d like to kind of maybe finish
this up. Oh, I’m sorry. Commissioner?

COMMISSIONER FILKINS-WEBBER: Just one other
question. You had said that when they put together -- Q2
puts together the consolidation that they’re going to add
technical notes, and then you said technical notes
regarding facts, in follow up to Angelo’s question as
well on what to do with partial information that we
receive in certain areas, will these technical notes be
factually related based on information that they have
gleaned from the -- you know, the data that they have, or
are there technical notes, as you’ve described it, going
to be inclusive of Q2’s opinion similar to what we saw in their document that they produced to us in Merced?

COMMISSIONER DIGUILIO: And maybe I -- it’s good the lawyer is calling me on the facts in my terminology. But I guess in terms of we wanted to provide an opportunity for them to add any technical aspects that maybe be relevant for our discussion. So, I would say a fact being if there is a -- keep my county whole, well, they would add, here is the county’s population. Period.

Now, there may be other situations where it’s not a fact. It may be something more of this is something the Commission may want to consider when reviewing this proposal. And I am not the expert, so I can’t think of every case, but maybe if there is -- someone -- the proposal was, keep Merced whole, a technical note may be just to flag it as a Section 5 county or, you know, I’m just trying to -- we were just trying to provide an opportunity to Q2 to give some input that might be -- that may be relevant for the Commission when they discuss the proposal that’s been publicly expressed. It wasn’t to bind us by anything but just to give them an opportunity to comment on it.

COMMISSIONER FILKINS-WEBBER: I know that it doesn’t necessarily bind us anything. I think that your description earlier about mountains or even population in
a given county, and then adding their expertise in
knowing that the population exceeds, you know, an
assembly district or something of that nature. I just
don’t -- I’m wondering where if there -- if it’s limited
to simply that information as a technical note, based on
the expertise that we have retained their services for,
that’s one thing.

What I saw in the document that we saw in Merced,
and, again, that was obviously prior to this discussion,
obviously prior to any guidelines, I just -- And maybe
we’ll just see how this works out, but I didn’t know if
there was any discussion of where you cross the line
between technical notes versus getting opinions from our
consultants.

COMMISSIONER DIGUILIO: And to answer that, just
briefly, Commissioner Ancheta may have something to build
upon this, but I think what we try to do is provide a
format so that we can just try and get some of the
summary of what the publicly expressed proposal options
are. The -- I think it then becomes the -- and this is
the next aspect that I had on the list in terms of number
three, what will the Commission do with this wrap up
material. It is up to us to discuss these proposals to
see if we agree that they’re viable, they’re not viable,
if there is a hybrid that would incorporate the public
comments or any other, let’s say, Voting Rights Act, the VRA issues that we are aware of that we need to deal with. So, the intention was for Q2 to simply provide us with the public comments, both written and from the input hearing, give us those proposals that the public has submitted, as well as the public’s response, the pros and cons, the splitting, the combining. And then we, as a Commission, will make those decisions. And if we need to have questions answered from Q2 or from our legal experts about those details, we can then incorporate that into our discussion. Does that answer your question a little bit?

COMMISSIONER FILKINS-WEBBER: Yes.

COMMISSIONER DIGUILIO: Okay.

CHAIRPERSON BARABBA: Okay. Angelo.

COMMISSIONER ANCHETA: Yeah. And just to reinforce the point, I think it might be useful, actually, to help clarify things that are in that technical section, just to sort of label what is fact or demographic data point versus a suggestion or an admonition. Think about this because you’ve got to make a decision down the line. And just a warning, you know. Be careful about this because you might have a VRA violation or what’s somebody is suggesting is going to really be very inconsistent with one of the criteria.
Think about it or, you know, think about the fact that there may be some third or fourth options that nobody talked about. But flag it, but I think indicate what they are saying by appropriately labeling. And so we know, well, this is, okay, demographic facts are one thing, but suggestions and opinions and, again, admonitions are another set of things.

COMMISSIONER DIGUILIO: And we do have technical consultants for a reason is because they do know this material. And I do think at some point we ask -- we will ask them to provide some insight. Whether the Commission chooses to agree with that or not is up for us as a discussion, but I do think we’re paying our consultants to provide us that insight. And so, as long as it’s one that’s not forcing us in a direction but simply allowing us for to incorporate in the discussion.

CHAIRPERSON BARABBA: Maria.

COMMISSIONER BLANCO: Yeah, I have, I guess, two points. Following up on your point, Michelle, I think we have to walk a fine line, but I didn’t -- I’m not paying all of this money for somebody to compile information. Like we could hire a data management firm to do that, frankly. I’m exaggerating a little, but so I do think that it’s important to have, you know, like caveat, hey, watch this. You know, if you do this, this county, you
know, then you don’t -- you might not be able to do this over here. That is what we’re paying money for. So, I do want to have insights about what different testimony, what it implies for something else. So, that’s what -- just my view of that.

I was wondering, in this wrap up, is there a place, a role at all for our VRA counsel or is that later? In other words, I started thinking about it when I was thinking about like caveats, right, and like but be careful here. If this is a wrap up, is it too premature to have a comment from our legal voting rights counsel about what these options might mean?

COMMISSIONER DIGUILIO: I think that’s a very good question. I think that’s one that we probably should hash out with our consultants and staff.

CHAIRPERSON BARABBA: Mr. Miller.

COMMISSIONER DIGUILIO: Unless -- Mr. Miller has wonderful insight on that.

CHIEF COUNSEL MILLER: Well, some practical ones. In our work plan it’s premature, if you will, in that Gibson Dunn won’t be present at each of the wrap up sessions that are calendared. Now, either Miriam Johnston or I do plan to be present at those sessions, but the -- I’ll call it the fundamental VRA counsel will come -- well, it comes in two ways. The first way, to be
candid, we haven’t perfected but we have to perfect, and that’s ongoing work following the input sessions with Q2 in the office so that Miriam or I can come back to you with legal counsel. So, that’s perhaps the best answer to your question as to where the legal advice will fit in on an ongoing basis through this process.

COMMISSIONER DIGUILIO: Can you repeat that, just so I get that straight?

CHIEF COUNSEL MILLER: Sure.

COMMISSIONER DIGUILIO: Thank you.

CHIEF COUNSEL MILLER: We believe we need to be meeting with Q2 on an ongoing basis across the summer to understand the input and to be talking with them about the development of maps in between commission meetings. And that is the way to be in a position to provide some advice to the Commission at these subsequent wrap up meetings on VRA issues. In addition to that, toward the end of the process we’ll have Gibson Dunn in the meetings here with you offering advice. So, there are two different ways that that occurs.

COMMISSIONER DIGUILIO: And I know we’re getting close, maybe, to a bio break, but I know that Commissioner Filkins-Webber has another comment, maybe, before we can wrap this part.

COMMISSIONER FILKINS-WEBBER: I actually have a
question. Again, it goes back to the technical notes and what we’re going to anticipate from Q2, and based in follow up to what Commissioner Ancheta had said. I certainly like his suggestion that they identify facts or geographic data. Where I think that I have a little difficulty and where the lines get a little bit blurred, and I also agree with Commissioner Blanco that we have hired these consultants to provide information and to analyze that information and provide warnings and insights where we’re going to get into trouble. But where I see and where I have a particular issue is where, for instance, Commissioner Ancheta had said highlighting a VRA violation. I don’t know, at least and this Commission can certainly chime in, but I don’t understand that it was this Commission’s intent to secure an opinion from Q2 as to where there potentially could be a VRA violation. I understand that Ms. Henderson is on their team, but as part of the legal advisory committee when we interviewed attorneys, and I thought that this Commission when they retained the services of Gibson Dunn that we were relying on the opinion of Gibson Dunn to advise us where there may very well be VRA violations, and not Ms. Henderson and Ms. MacDonald. They are providing us the technical information and providing us with watch outs and
population data and combining and analyzing that compilation of data. That’s what we’ve hired them for.

So, I just don’t know -- To me, I don’t know that we’ve seen it yet, and so my question is, does this Commission anticipate that they were expecting Q2 to provide watch outs and warnings for potential VRA violations or were you expecting our attorneys to provide the legal opinions that we see in that regard?

COMMISSIONER ANCHETA: Oh, and I didn’t mean to -- Maybe that was just a bad example. It just came to mind initially, but it’s a good point, I think. And I think what Mr. Miller has been suggesting or reporting on is the fact that Gibson Dunn and Q2 are, by design, working closely together. So, to the extent that Q2 is getting some advice in the process from Gibson Dunn about that kind of issue. And, again, bad example for me to --

COMMISSIONER FILKINS-WEBBER: But no. If they’re working that way together --

COMMISSIONER ANCHETA: Right. Right.

COMMISSIONER FILKINS-WEBBER: -- then if that’s part of their technical note I would love to see in paren, you know, upon advice of Gibson Dunn.

COMMISSIONER ANCHETA: Right. I think that’s --

COMMISSIONER FILKINS-WEBBER: That would be terrific. It would be terrific.
COMMISSIONER ANCHETA: -- what is going on, right?

COMMISSIONER FILKINS-WEBBER: Okay.

COMMISSIONER ANCHETA: I think.

CHIEF COUNSEL MILLER: I do want to respond to that. And first of all, I’d like to say Commissioner Filkins-Webber’s comments are correct in terms of a reasonable expectation, and that’s the point that I was trying to make about working together in between meetings. I think the best place to flag those things are actually before you get a map. But I don’t believe the process -- I’m just being very candid with you. I don’t believe that process has been yet perfected. I think it has to be, and I think that the Commission can be helpful in making that occur.

CHAIRPERSON BARABBA: I’ve been given a lot of advice just recently about if we don’t have bio break pretty soon we’re going to have real problems. So --

COMMISSIONER DIGUILIO: And so can I just say, to wrap that up, I would like to just say that can I assume that kind of this general framework with considerations that have been discussed, it will be an ongoing process, and I would hope that we, as a Commission, can bring this issue up, if it’s working we will continue with it, if we need to massage it -- But for now we’ll do that. And so,
maybe we could take a bio break and we can come back and have hopefully a quick discussion on what we’ll do with the wrap up once we receive it.

CHAIRPERSON BARABBA: Yeah.

COMMISSIONER DIGUILIO: If it’s format is acceptable. Okay.

CHAIRPERSON BARABBA: No later than five after 3:00.

(Off the Record)

CHAIRPERSON BARABBA: Let’s reconvene the Commission. That means all the conversations have to stop. All right. Michelle, are you --

COMMISSIONER DIGUILIO: Yes. I’m sorry.

COMMISSIONER DIGUILIO: -- ready to pick up?

COMMISSIONER DIGUILIO: Yes, sir. Okay. So, you know, being mindful, again, of time here, and following Commissioner Barabba’s lead, I just wanted to finish up this conversation a little bit on the wrap up, because, of course, this is something that we need to give some direction to Q2 here.

So, if we all are -- if it’s okay, if I heard correctly, where we -- it’s okay with the format that we have so far that we’ve been able to work out with Q2 in terms of trying to have them give us a summary, not of the meetings but of the publicly submitted proposals, and
then some of the pros and cons or the other options that
were submitted by the public in terms of how to deal with
these proposals, with the addition of technical notes
where applicable, and there would be a notice on there,
whether it was just simply a demographic information or
if it was something, let’s say, about Voting Rights Act,
and they would put a note that’s in consultation with
Gibson Dunn or something along there to give us an idea.
So, if we’re in agreement with that and that this
information would also be provided to us at a minimum of
24 hours in advance, and if the opportunity is 48 we
would appreciate that.

I did want to just make one other note with this
is that where possible they will also give us an idea of
when it’s a public comment? When it’s a proposal they
would say, proposed by X number -- X out of so many
public speakers or so many people out of the written
comments. So, we have an idea of, again, not to say that
we’re weighting these, but just simply to give us a
background of was it just one person that proposed this
or was it 101 people.

So, okay. So, if we’re okay with the format, at
least in this initial go around, we can tweak it later,
then I think the discussion is lead to what do we as a
Commission want to do with this wrap up, and how do we
want to discuss this with Q2. The idea being this was
formatted this way, so that would be a starting point for
us to discuss each one of the proposals, whether we
agree, we disagree with that proposal, the valid points,
and then hopefully with an idea that we could narrow it
down and give Q2 an idea of what proposals we think are
viable, what options are viable. It may not just be one.
It may not be two. It may be a handful, but, again, what
we feel is viable.

And then whether or not, this is the discussion
point we were starting last week, is whether or not we,
as a Commission, after we have decided which proposals
are viable options, if what we would like to do with
that. Would we simply like to say that’s it, this is
what we agree as a Commission are viable options, or
would we like to see a visual representation of those?
Would we like to see them run the numbers, so to speak?

We’ve been -- I, for one, was one of those early
on, too, that kind of had a knee jerk reaction to the
word map, the M word, because I feel as if mapping was
going to take place at a later date. But knowing,
understanding -- I think those who read Ms. MacDonald’s
note about just the concerns of the time constraints that
we have that if we wait for the full discussion in early
June we will be pushing ourselves up against a very tight
time deadline. So, the question is whether or not we want to, one, how we want to discuss the options, but, two, what we want to do with those, if there is some type of visual representation we’d like to have done.

COMMISSIONER DAI: If I could just make a follow on comment, since I and Commissioner had an opportunity to meet with Q2 to discuss this. And their suggestion is that we, as a group, could ask for what we think are viable alternatives that we would like to see, and have them do it right there for us interactively. For example, she pointed out very correctly in her note that perhaps Northern California might be the easiest one to start with since it’s bounded on three sides, and so there are a limited number of choices.

But if you can see it, then, you know, this will help all of the Commissioners who are, you know, considering one option or the other to understand if it addresses the concerns that we heard in public -- in the public testimony. For example, you know, in the North it was a question of whether rural representation was adequate or not was one of the concerns that were expressed. So, the question would be, if you were to look at one of these options, would it actually go too far south and essentially start encroaching into more urban and suburban areas. And you can’t really see that
unless they kind of put it up there and start looking at the numbers and say, well, you know, if we took the biggest district, you know, 900 some thousand people, how far down would it come?

So, they suggest doing that in the session so that we can visualize these things, and then that will get us to the point where it might actually make it clear which alternatives would be things that we would actually want them to actually go and do the hard work of actually creating the map and figuring out the exact populations and all of this. These are very rough approximations, but might help answer some of the questions, I think, in the Commissioners’ minds about whether these options are truly viable, no matter how vocal the support by the public.

CHAIRPERSON BARABBA: Jodie.

COMMISSIONER FILKINS-WEBBER: On that point, Commissioner Dai or Commissioner DiGiulio, oh, my goodness, sorry, did Q2 tell you where they might have any limitations on the options that we would ask them to do on the spot? So, I mean, we’ve got the computers and what type of data that we’re -- I noticed that in some of the materials there might have been some suggestion from them that there might be some delay, technical delay, but when we receive the information within 24 hours of the
wrap up, will we -- if I were to conceptualize some, you know, option that I would want to propose to them, are we going to be limited at all by technical problems, or is there any data that they told you that they wouldn’t be able to easily access when we’re asking them to do any proposal, you know, right in the session?

COMMISSIONER DAI: There might be a delay. For example, the one that they showed us of the Questa and Conejo grades, I mean, I think that took like 10 minutes to do, because they had to pick every block because it’s not an identified boundary. So --

COMMISSIONER FILKINS-WEBBER: I think I was driving at that time. Sorry. Can you pick another example?

COMMISSIONER DAI: So, most of like if you wanted to say, again, using the North as an example, one of the proposals from the public was an East/West District, and if we said, you know, draw East/West and capture 900,000 people and see where that line goes, you know, they could quickly -- you could see how quickly they did it on the map in terms of capturing entire counties. So, as long as it’s a rough approximation it can be fairly fast. What takes some time in the estimate in their memo was one to five hours per district. That’s like getting it down to the exact population and all that, and that’s
where we would have to, you know, maybe after we’ve seen some of these visualizations, if we’re ready, and we say we want you to investigate, you know, two or three directions and actually spend the time and go and figure out where the problems are, they would do that offline.

**CHAIRPERSON BARABBA:** And that’s one of the reasons that I sent out that little note on the -- It seemed to me we were confusing insightful maps with the final map. And so then the reason I call them alternatives is that it puts it in the right tone, I think, that says we haven’t decided on this, but this is a possibility that we want to look at. And based on how we look at the range of alternatives, that will give us insight on how to give them more specific questions that will eventually come up with a map that we could then discuss in far greater detail.

**COMMISSIONER DIGUILIO:** I think to answer Commissioner Filkins-Webber’s question, though, too, is it would be that the amount of time I think with this initial discussion with the wrap ups would be more of the general numbers, so around the 900,000 number for congressional. Just so that -- I’m sorry, excuse me. So that we would have an idea, but it wouldn’t be the specifics, because that would just take too long to get exact numbers when we’re doing the wrap up. Is that what
your question about whether it be specific or how long it would take to do a conceptual map? Was I wrong?

COMMISSIONER FILKINS-WEBBER: No. I guess I just wanted to know whether they advise you of any limitations if we were asking them to do something on the spot.

That’s all.

COMMISSIONER DIGUILIO: I think in that, too, there was a list of things that we can ask them. I’m digging around through all of my material. I think some of that material that Ms. MacDonald has sent too, there was some of the framework so that we could ask her some of the fields, if I’m just getting the terminology correct, that we could ask for her to run for us in that discussion. So --

COMMISSIONER FILKINS-WEBBER: But as I recall, I thought there was some fields that would take longer to run, as far as the upload.

COMMISSIONER DIGUILIO: Yeah.

COMMISSIONER FILKINS-WEBBER: So, that’s why I just didn’t know if we had a highlight of what will take longer.

COMMISSIONER DIGUILIO: I’ll ask, yeah.

COMMISSIONER FILKINS-WEBBER: That’s all. When we’re asking on the spot. If we decide that these wrap ups will allow us to see a visual --
COMMISSIONER DIGUILIO: Yes.

COMMISSIONER FILKINS-WEBBER: -- and we use the insight maps that Commissioner Barabba has suggested, if we wanted to go a little bit deeper, where might the line be crossed where they wouldn’t be able to do it right there on the spot?

CHAIRPERSON BARABBA: Yeah. And Commissioner, Jodie, I think we will learn how to do that as we go through this, because it doesn’t take long when you realize -- and they can tell us, now, this one is going to take a half hour, and we could then suggest that maybe we’ll let that one pass.

COMMISSIONER DIGUILIO: Okay. So, are there any other Commissioners that would like to have comment on this proposed -- what we will do with the wrap up material? Do people feel comfortable with both discussing the options and maybe -- I think in Region 9 being one of the simpler ones, there was maybe a handful, three four maybe at the most, based on what the public submitted. Of course, that will get a little more complicated --

CHAIRPERSON BARABBA: Yeah.

COMMISSIONER DIGUILIO: -- in some of these metropolitan areas, but the idea being that we could whittle some of those down to some that are maybe the
most viable in moving forward. Some are just people --

things that just might never happen. We’re not going to

have a proposal that says keep one county together if

it’s only -- keep it whole if it’s a million people. We

could discuss how to draw a line when incorporating those

communities of interest.

And, I’m sorry, I should note also, let me just

make one important note about communities of interest,

because at this point we’ve had a lot of testimony, the

proposals have been on a larger scale because of the

population numbers of these counties. We had a

discussion with Ms. MacDonald about how will she

represent the community of interest testimony as it

relates to a proposal. I think that will be something

that was kind of work in progress because some of the

elements of communities of interest will probably come

into play at a later date when we’re doing the fine

details with the lines in terms of don’t split our

community of interest, which is based on, again, I’m just

falling on a school district. That may not be a

discussion point at the early level in terms of what an

overall proposal is, but will be very important as we get

into the nuances of how to draw these lines.

So, just a note that Q2 does anticipate capturing

that information on communities of interest, but if she
were to report on every community of interest that was
presented, as opposed to a proposal that was presented,
it would make for a very long document. So, at this
point they’re trying to focus on the proposals, the
options to consider, but knowing that they are capturing
the community of interest testimony as well.

CHAIRPERSON BARABBA: Maria.

COMMISSIONER BLANCO: So going -- This takes me
back to the question I had originally about the -- where
the voting rights legal analysis fits in. If even at
this early -- you know, I know we won’t be -- I
understand what you’re saying that they can’t get into
all the detailed and various community of interest stuff
at this -- in a wrap up. We’ll have to, obviously, deal
with that later. But even in these sort of broader
options, will we -- will those options include in them
Voting Rights Act concerns and implications?

COMMISSIONER DIGUILIO: I think, first of all,
what we’ve asked Q2 to do is to simply summarize the
publicly submitted comments, whether it be in the
hearings or in writing in the context of it being the
proposals that are options for the Commission to
consider. I think that what we would ask them to do is
based on those proposals or the information they’re
collecting to run that past the Voting Rights Act
attorneys so that those things can be considered in light of that. But right now it’s going back to a little bit of maybe what Commissioner Filkins-Webber said is it’s not for them to tell -- to tell us what to do based on VRA issues, but maybe simply to point out areas of concern for us to include in our discussion. Am I answering that? Maybe I’m not.

COMMISSIONER BLANCO: No, no, you are, but I’m just trying to picture how it would happen. If we said, well, oh, yes, this is the input testimony so throw up this map for us and let’s see where the data falls and blah, blah, blah. And we go, we like that option. And then that option has a Voting Rights Act implication, and are we going to go down the road with an option --

COMMISSIONER DIGUILIO: Okay.

COMMISSIONER BLANCO: -- that’s got a problem?

COMMISSIONER DIGUILIO: That’s a good point. And Commissioner Aguirre had asked me this as well, too. I think before Q2 were to present any proposal to us, they would have vetted that through our VRA lawyers, because they’re -- Part of this is we don’t waste all of our time, anyone’s time. We want to have these issues -- There may be things that we haven’t considered. And there is a fine line, as we’ve been talking about, of any consultant telling us what to do versus giving us
information that we need to not only be efficient in our discussions but to also, you know, take all issues into consideration. So, we are mindful of that and trying to walk the fine balance to the best of our ability.

COMMISSIONER ONTAI: So, let me follow up on that. I think the real question is, do we have all of the information that this Commission needs when we look at these insight maps? And it should have the VRA attorney’s opinion if he feels, you know, there is an issue here that we need to look at. It should be all part of the package. I just can’t see otherwise how helpful -- any less helpful that’s going to be to have all that information before us.

COMMISSIONER DIGUILIO: And it will.

COMMISSIONER ONTAI: Yeah, I mean, but that’s got to be consistent. I’m getting the sense that we’re not quite sure it’s going to be there.

COMMISSIONER DIGUILIO: Well, and that’s part of the reason why there is a delay from prior -- As you remember, last time we had -- we ended up our regional meeting in Merced and jumped right into a wrap up, which we didn’t have time to digest it. It didn’t have time to be reviewed. So, now, under this proposal, is that they take all of the information, summarize it, put a proposal together, have it reviewed by legal -- our legal counsel
and the VRA attorneys, and then by the time it comes back to us we will know whether that proposal -- how viable it is or if there is issues that need to be considered, based on demographics or based on VRA issues. So, that’s -- If there was any misconception, it will be vetted before it comes back to us.

MR. MILLER: If I could just --

CHAIRPERSON BARABBA: Go ahead.

MR. MILLER: I believe you have stated that very well and correctly. I also think that is our expectation. I just add one point to it. I think it is the first time the Commission has expressed it quite that clearly, and finding a way of memorializing that is beneficial to the process.

COMMISSIONER DIGUILIO: So maybe we could say that our intention is to have that happen. Would that be accurate? And then we will work out the details between Q2 and Gibson Dunn?

MR. MILLER: Yes. And those shouldn’t be difficult, but the fact of the clarity of the direction is still quite useful.

COMMISSIONER DIGUILIO: And I do believe there was a question, too, because Q2 was presenting to us the proposals that were publicly submitted. There may be some other options that we, as a Commission, also feel
are viable that also have VRA implications that will not have had an opportunity -- They come out during the course of our conversation but have not had a chance to be vetted. So, that may be a consideration that we flag those to make sure we are on track.

Commissioner Aguirre asked whether our VRA attorneys will be at the wrap ups. We haven’t had that discussion yet, but it may be beneficial for them there if we do come up with something, but then, again, if we don’t we pay for that -- their time there. So, I think this is a question. I put it on my list to address that we have it, and hopefully I can report back to you about a decision on that, if that’s okay.

COMMISSIONER ANCHETA: One additional concern I have about the -- sort of the relative completeness at particular points where we’re doing the wrap ups is the data we would be getting at the end of May from Statewide and regional maps that could be quite informative, but doesn’t preclude us from folks who are going to do that, from giving us regional summaries. Maybe that’s a suggestion to the public to maybe think about that. But there is this issue that there may be quite a bit of data we’re going to get in those Statewide maps that we won’t have until that time.

So, again, and I have no problem with sort of
proceeding to get things started, but that’s a lot of
data I think that we’re going to be getting. And it’s
expected from quite a large number of groups at the end
of May. So, that’s something to also kind of factor in
as something we’ll have to look at as well.

COMMISSIONER DIGUILIO: Okay.

CHAIRPERSON BARABBA: Let me just comment that I
have been instructed that we’re going to have to close
down at five o’clock because otherwise the meeting won’t
be -- the room won’t be ready for a six o’clock meeting.
So, if we could keep moving along here at a rapid pace.

COMMISSIONER DIGUILIO: And I think if everyone
is good with this setup that we have right now, I think
it will be a little bit -- we’ll feel it out with this
first wrap up and see if everyone is comfortable with
that. But do I feel like we have consensus in terms of
how the Q2 -- they’re looking to us for a little
direction to see if this is a good format for them to
give us input. And, if so, then we will have a
discussion after they’ve given us this material, and be
able to maybe review those options or proposals. Is that
acceptable?

CHAIRPERSON BARABBA: Based on (inaudible).

COMMISSIONER DIGUILIO: Based on -- Okay. So,
with that, I think that takes care of this issue. Maybe
I think Commissioner Barabba has something to say about 4B, and we’ll keep this train moving.

COMMISSIONER DAI: 4C.

COMMISSIONER DIGUILIO: I’m sorry. 4C.

CHAIRPERSON BARABBA: It’s just pretty much what was in that -- Are you referring what was in the memo or the other one?

COMMISSIONER DIGUILIO: Yeah. I think this was in regards to --

COMMISSIONER DAI: We’re deferring until tomorrow.

COMMISSIONER DIGUILIO: Yeah, the one we’re referring until tomorrow.

CHAIRPERSON BARABBA: Yeah, this is going to be discussed tomorrow in more detail.

COMMISSIONER DIGUILIO: Okay. And then with that, let’s just put it to tomorrow. So, for 4G, the Instructions to Organized Groups Regarding Statewide Maps, again, this is we need to provide, in anticipation that we will have organized groups coming to the Commission to present data, we need to give them an idea of what we’re looking for, and to streamline the process, both for them and for us. And I think at this point, Commissioner Ancheta has been working very close on this issue. So, I’ll let him briefly discuss it.
COMMISSIONER ANCHETA: All right. As a reminder, we have -- I’m sorry. As a reminder we have two hearings scheduled, May 24th, and I think it’s been confirmed that at Laney College in Oakland, I think specific location to be posted, and then at Cal State Northridge on the 26th. So, what I did circulate via e-mail, and I think you should have copies, I think, in front of you, did everyone get copies?

CHAIRPERSON BARABBA: We do have copies.

COMMISSIONER ANCHETA: Okay. And this is posted on the website. So, this is a draft set of guidelines regarding submission of Statewide and Regional, or might be called multiple district plans, and it has three basic parts. First part is going through the various criteria listed in the Voters First Act and the Voters First Act for Congress, and identifying within each of the, as you all have come to know, all the various criteria, what we would be hoping to get, and in some places expecting to get from maps and accompanying reports that are submitted to the Commission.

And I should emphasize that one of the things we really are trying to stress with folks who are going to be submitting maps is to give us a, as much as possible, very detailed report, because with these hearings we’re not going to be able to listen very long for any
individual group, because we may have only 15, maybe up to 25 minutes, 30 minutes, and that’s about it. And it’s hard to get a lot of information about a Statewide map in a single session. So, the -- we’d still encourage them to provide very thorough and, you know, well documented reports.

So, the first part of the document is sort of going through each of the various criteria, the major, you know, the major six criteria that we’re familiar with, running through some very specific guidelines. Part of this is also not always requiring everything that we might like to see. We’d love to see all of this wonderful data around the VRA and all of these great reports. We can’t expect that. Right? But we are encouraging them, of course, to provide that kind of information. But where we do need specifics, for example, where exactly are your boundaries, what are the census blocks and census block groups that you’re using. We want to get that kind of information from them.

So, in terms of the first section, this was vetted with both Gibson Dunn and with Karin MacDonald of Q2. So, there are some areas where we might spend a little bit of time, maybe make a committee or at least have some discussion among the legal community around particular definitions. Because, although, again, Gibson
Dunn signed off on this, and this is where I sort of interpret areas of all of it, there is some room for different interpretations, particularly around how you rank, if you rank, you know, cities, counties, neighborhoods, communities of interest. Does one rank higher than another? Are they all treated the same? So, there are a couple areas where there might need to be a little discussion.

There is some areas where we haven’t necessarily given clear definitions in the past, but if you rely on sort of generally accepted definitions regarding, say, contiguous districts, nesting is pretty much defined by the -- by the statute. A little more detail on some of those elements, but, again, sort of eliciting where we’ve pretty much been agreeing on particular criteria.

The second part is a bit more technical, which is sort of the submission formats. This was run by Karin MacDonald in terms of, you know, what are the best formats for the files, what are known as block equivalency files to basically get one set of maps from one computer to the other. Her recommendation, actually, was not to require any printed maps or reports, that printing costs would actually quite high in terms of requiring multiple maps. They could certainly be submitted if they want to, but not requiring them.
And then the third part is a set of guidelines regarding presentations at public hearings, and I did take some liberties here just to suggest some time limitations and noticing requirements to the Commission in terms of whether you’re going to be presenting at a hearing and if you’re going to provide a PowerPoint presentation, how much advance notice should be given -- or when it should be given to us in advance of the meeting. Just to highlight, I was proposing here 25 minutes for a presentation, a maximum of 25 minutes, which would include questions and answers. If we need to reduce that time, because of the large numbers, to go maybe down to 15 minutes. You can go up or down on those figures if you want to.

But, and again, I don’t think we have a good sense right now how many groups are going to come in. So, that may be something else we might want to put out there. Like maybe, for example, maybe we want to have a much more longer notice period about whether you’re going to come in with maps to give us a sense. But, in any case, it’s trying to capture what I think are the basic points of information that the public will need to put these maps together and to come to and speak at the hearings. So, and again, it’s a draft. So, you know, certainly (inaudible).
CHAIRPERSON BARABBA: Well, in fact, you did a very thorough job. I thought it was quite good. I just have -- Mr. Claypool, have we gotten any feedback as to how many organizations have signed up to come?

EXECUTIVE DIRECTOR CLAYPOOL: We have not. I can check and see if Christina Ship has received any, but at this point I don’t believe we’ve had any sign up.

CHAIRPERSON BARABBA: Would it be possible to send a little note out to them that we would like to find out whether they’re coming or not?

EXECUTIVE DIRECTOR CLAYPOOL: Absolutely. We’ll send it out not only through our regular e-mail blast system, but we’ll also identify those individuals who participated in the meeting in Sacramento.

CHAIRPERSON BARABBA: Yeah. Okay. I think the earlier we’ve got an idea that that will help make us decide on --

COMMISSIONER ANCHETA: Yeah, and I think the one thing -- And I think in putting -- This is on the web now, so I think in putting this out, this sort of puts everybody on notice that this is what we’re thinking about. And, certainly, anything can be submitted well in advance of these hearings.

CHAIRPERSON BARABBA: Yeah.

COMMISSIONER ANCHETA: So, the maps can be
submitted, notices can be submitted, suggestions. So, I think once it’s sort of out there people will respond.

CHAIRPERSON BARABBA: Yeah. And the sense I got out of that meeting in Sacramento, that some of those groups will find this very helpful and very capable of meeting these requirements.

COMMISSIONER ONTAI: Question.

CHAIRPERSON BARABBA: Yeah.

COMMISSIONER ONTAI: This is very helpful, Angelo. Should this item number three maybe be on this be part of the guidebook that we’ve prepared?

COMMISSIONER ANCHETA: I think it’s fine having them separate. I mean, they both need to be posted on the web, probably on the same page. It’s helpful to people who are coming -- I mean, not everybody is going to be presenting this level of mapping.

CHAIRPERSON ONTAI: Sure.

COMMISSIONER ANCHETA: And most folks aren’t going to have software at this level, but you could merge it with the guidebook. I’d certainly want to keep it separate as a downloadable file on the website.

COMMISSIONER ONTAI: Okay. Well, it could be on both, right?

COMMISSIONER ANCHETA: Sure. Yeah.

COMMISSIONER ONTAI: But then the next question
would be, is it consistent with the guidebook?

COMMISSIONER ANCHETA: I think so. There are areas where there are -- there is more in here than is in the guidebook.

COMMISSIONER DAI: A lot more.

COMMISSIONER ANCHETA: So, for example, there is really nothing on the VRA and the guidebook. We don’t talk about contiguity at all. I think we mentioned a little bit about nesting, but now folks who are really working on this stuff know exactly what is going on. It’s not that they don’t know what these definitions mean. But, again, there are some specifics here regarding certain things like communities of interest and, again, the ordering of the criteria, which, again, I’m putting it out there as something we should just confirm or change. It’s up to us to figure that out. But pretty much where the guidebook itself has certain things it in, this is fully consistent with the guidebook.

COMMISSIONER ONTAI: Okay. So, just to confirm that, have you’ve seen this and it is consistent?

UNIDENTIFIED MALE SPEAKER: Yes.

COMMISSIONER ONTAI: Okay. Thank you.

CHAIRPERSON BARABBA: Maria.

COMMISSIONER BLANCO: So, kind of along those
lines, so my comments, I thought it was fabulous, by the way, Angelo, really thorough. In fact, I was like, is this too thorough? But, no, I think --

**COMMISSIONER ANCHETA:** Well, that’s -- Yeah.

And, again, it can be edited down, because the point was actually get a lot in there to make sure we cover ourselves.

**COMMISSIONER BLANCO:** Yeah, and so --

**CHAIRPERSON BARABBA:** It came from Professor Ancheta.

**COMMISSIONER BLANCO:** Yeah. Yes. This is how he tells people to write their papers. But and that is actually an observation. I’m not sure how strongly I feel about it, whether it’s too detailed.

**COMMISSIONER ANCHETA:** Yeah.

**COMMISSIONER BLANCO:** But in the section on the Voting Rights Act, I want to make two points. When you get into Section 2, and it says, “The Commission seeks to comply with Section 2 primarily by preventing vote dilution.” And then in the next paragraph it says, under federal case law, you know, “The creation of majority, minority districts is the remedy for minority vote dilution, and the Commission will attempt to draw majority, minority.” Both those qualifiers primarily and will attempt to kind of raise flags for me.
COMMISSIONER ANCHETA: Okay.

COMMISSIONER BLANCO: So, when I -- when we say primarily in the first one, it’s as if we were prioritizing the vote dilution over the creation of minority, majority districts, which we will attempt to draw. So, it reads like the main forum of voter to work we will do -- Section 2 work we will do is avoid dilution. And then later on it says, you know, we will attempt to draw majority, minority districts.

So, I’m not sure what your intent was, and it’s a little -- it looks -- I’m not sure I would agree with that if what you’re saying is we’re really going to look at -- the real way we’re going to look at the number 2 criteria on Voter Rights Act compliance is to make sure that nothing dilutes the vote, but we’re maybe going to attempt to deal with the creation of majority, minority districts. If those are the same thing to you, then I think we need to -- and if you mean different things by that, those two paragraphs, then I’m not sure I agree with the preference that one is given over prioritize and the other will merely attempt.

So, that’s one comment, which kind of leads me a little bit to Gil’s point about are we making sure we’re consistently talking about all these things across documents, across, you know, all our materials about what
we mean by the Voting Rights Act, about what we mean
we’re trying to do with the Voting Rights Act, etcetera.
So, on this section, I want to make sure that it’s what
our attorneys agree is what we’re trying to do, and that
we -- it’s consistent with any other materials where we
describe the -- what we’re doing with Voting Rights Act.

COMMISSIONER ANCHETA: Right. Well, let me say
that Gibson Dunn has edited this section. All right?
So, there have been -- This is language that they think
is fine. Right? So, because they haven’t made changes
to it, at least from an earlier draft from this week.
I’m not sure how much you want to --

COMMISSIONER BLANCO: And we can go to
(inaudible) with that.

COMMISSIONER ANCHETA: Yeah. Because I’m
concerned about the time aspect, too.

COMMISSIONER DIGUILIO: Yeah. May I suggest that
we defer it to the legal committee, and maybe after our
VRA training tomorrow, and then maybe a couple people can
finish this off for final approval?

COMMISSIONER ANCHETA: Yeah. And I would suggest
-- Again, this is a draft that I think needs some
tweaking, and I think Karin MacDonald, I think because of
not being able to give it 100 percent attention yesterday
would want to take another look at it, particularly on
the latter sections. I think as long as we can kind of go forward with it and then just get the Commission’s endorsement. Let’s get it ready and put it out soon, but, basically, in concept it’s fine and we’ll address some of these via committee and with a working team.

**COMMISSIONER DIGUILIO:** I think Jodie has a question, and then I want to say something about that.

**COMMISSIONER FILKINS-WEBBER:** Just for the Commission’s information, and I agree, we can work this out in committee, I had made one suggestion to Commissioner Ancheta, and I just wanted to make sure the Commission understands what my recommendation was. It’s just maybe another paragraph highlighting encouragement of these organized groups to provide necessary supporting documentation to support the data upon which they are basing their recommendations. So, for instance, if they are suggesting a majority, minority district, they’re obviously going to submit a map to that regard. And I had just suggested, maybe we add a couple of paragraphs of encouragement that they provide.

We do make reference to evidence, excuse me, requesting some evidence, but I think we want to go just one step further saying, in one sense, we really want to, you know, establish that these proposals are reliable. So, just one additional step asking and encourage them to
provide additional supporting data to support their recommendations. A little bit more than what we’re doing right in this document.

CHAIRPERSON BARABBA: And could we indicate that given the time pressure at the presentation that they don’t have to present their evidence. They can just have it in their final report, because it --

COMMISSIONER ANCHETA: Oh, yeah.

CHAIRPERSON BARABBA: Okay.

COMMISSIONER BLANCO: So, just, I know, lawyers can never help themselves on these things, but --

CHAIRPERSON BARABBA: And we’re becoming familiar with that.

COMMISSIONER BLANCO: I’m just a little concerned. I do have concerns about the way that it’s worded, and I’m a little concerned, I know the draft has gone up, that this will already indicate how we’re leaning in a way that I’m not sure that I would agree with. And so, in terms -- I mean, it’s a draft, but I just -- that’s one of the concerns I have, even in draft form.

COMMISSIONER DIGUILIO: Okay.

CHAIRPERSON BARABBA: Okay.

COMMISSIONER DIGUILIO: So, I think with that, if we agree that that can be -- the details can be delegated
to legal, we can move on, then, to I think one of the
last things we’ll have time for today, which would be 5A,
a Discussion of Input -- of the Input Hearing Calendar.
And I believe there were some Commissioners that would
like to discuss the consideration of expanding input
hearings to additional counties. And with that, I think
I’d like to have Commissioner Ontai maybe take the helm
on that discussion.

COMMISSIONER ONTAI: Thank you. As you probably
all know, we’ve been receiving e-mail requests from the
Northern parts of California and some requests from the
extreme Southern part, Imperial County. So, these two
areas have not been sites that we had visited on our
schedule. And so the question is, should we go back and
try to fit in, in our busy schedule, some method for us
to have some form of hearing, either in Humboldt County,
Del Norte --

CHAIRPERSON BARABBA: Del Norte.

COMMISSIONER ONTAI: Del Norte. Del Norte and
Imperial County and possibly others as well. And so I
think we can make something work, and I think the most
important thing is I would hope that all of us would feel
at the end of the process when it’s all over with that we
can feel safe in our thoughts that we did fully reach out
to all of the communities. And so that’s why I thought
we should have a discussion on it.

CHAIRPERSON BARABBA: Gil, are you suggesting that this be done earlier than any one of these to be decided meetings?

COMMISSIONER ONTAI: You mean a pre-map meeting?

CHAIRPERSON BARABBA: Yeah.

COMMISSIONER ONTAI: Yeah. Yeah, I think it’s legitimate to get their input on the same level that we’ve approached all the other counties.

CHAIRPERSON BARABBA: Okay.

COMMISSIONER DIGUILIO: And I’m not sure if this is viable, but in anticipation of this, the only -- in terms of at least going into the North Coastal Area, Eureka or whatnot, looking at our calendar, if it’s before the first map it really leaves May. And just to throw out for the discussion, I would think the only place really you could put like a meeting in Eureka would be on May 18th, which is prior to the start of the session which started with Auburn, Santa Rosa, Oakland, in a sense that -- And I don’t know the costs that are involved, but if we are going to be up in Sacramento Area for Auburn, if the Commissioners came up a day early to Sacramento, did a puddle jumper to Eureka on the 18th and came back and could continue without having to bump any other meetings. But other than that, I don’t know where
you’d fit in a Eureka. And for that matter even
Imperial. But that’s an option.

CHAIRPERSON BARABBA: The ride to Eureka from
Sacramento would be a long one, I would think.

COMMISSIONER FORBES: It’s -- yeah, it’s very
long. But I had a thought, and I’ve shared this with the
Executive Director, is that rather than truck the whole
Commission up to Arcada or wherever up there, or down to
Imperial, to send a delegation, if you will, of three
members, one of each of our groups. And so what we would
do -- And we’d actually also send the live streaming
folks with them. And what we do, the idea would be to
have two meetings in one day.

So, in other words, let’s say it’s a Saturday and
we have our normal meeting, which is 2:00 to 5:00. This
delegation would go to this community and they would hold
an input meeting. It would all be live streamed. The
rest of us, who are not at the meeting, would be in front
of the TV screen or in front of a computer screen so we
could watch the live streaming of it. And we could, you
know, how we’ve had a case where we’ve had one person
call in to be a part of a meeting, to have the 11 of us
noticed that we’re -- And we stay in Sacramento, for
example, if we’re going to Arcada. What that does, and
then when that is over, the other three -- those three
who went come back and the other 11 hold the regular scheduled meeting for that day.

What that does is, it allows us to at least show the flag, if you will, show that we are concerned about them. We all -- the entire Commission, we get an opportunity to hear what they had to say, and it would lower the cost substantially and would allow, as I said, to get two meetings in one day so we don’t have to add a day to the schedule. So, that was just structurally a way of doing it. Whether that would meet, you know, the Commission’s needs, I don’t know, but that would be a way of doing it inexpensively and getting two meetings in one day.

CHAIRPERSON BARABBA: And Stan did submit that to me, and I read that, and I wanted to ask Dan, how would that work?

EXECUTIVE DIRECTOR CLAYPOOL: Well, first of all, so many -- our budget is tightening, and so I have to tell you, just the thought of the additional costs of our live streaming just, you know, makes me nervous. So, you know, I’m confident we can get there, but we’re getting to that point where we’re starting to watch every penny.

What I would say is this, and it’s what I had originally stated to Commissioner Forbes, it works very, very well if we can get those venues to donate
everything. And so far we have had amazing results with our staff, and we commend them over and over again, in being able to get them venues to help us out quite a bit, and Long Beach is certainly no exception. So, if you want to do that, let us contact people and start working on the logistics, and let’s see what it costs you. If it doesn’t cost the Commission, you know -- Because at some point it will start costing you some type of technical consultant, because that will be the trade off in order to find the funds to do that.

So, if that’s what you want, let’s see what we can arrange and then come back. But we have to make that decision right now, because we have to notice it if you want it as early as May or very early June. We have to start noticing that now and seeing what’s possible.

COMMISSIONER DIGUILIO: The other question is had is, I mean, is it possible just to do an entire video conference kind of meeting instead, because that would cut down on the travel. And since it’s a video conference, it would be captured.

EXECUTIVE DIRECTOR CLAYPOOL: Well, if we can find -- For instance, and Arcada is a good point, or El Centro is a very good point, we’re going to find venues there that if people are as generous as many have been to us so far that we will really run ourselves only into the
need to get you there for an extended session, such as today, where we could have run Arcada from 1:00 until 5:00, and you could sit here and watch that screen and comment, and then vice versa, they could turn around up there and then you could run Long Beach here and they could chime in from there. There is that possibility.

I don’t -- I’m not as -- I know that the live streaming is preferable, but I also believe there is an extreme value to them meeting you. And so in that regard, the only thing that I would ask you to consider is rather than send three, possibly split and send maybe six, and to make sure that when you go to Arcada that you represent the diversity of this State so that we could get some of our Southern Commissioners up there, and, conversely, when we go out to El Centro that we have Northern Commissioners there.

CHAIRPERSON BARABBA: Michael?

COMMISSIONER WARD: Thanks. I don’t know how to turn it on. (Inaudible).

COMMISSIONER ONTAI: Turn it off.

COMMISSIONER WARD: Mute. Oh, thank you. I missed the briefing. Sorry. I appreciate that, Mr. Claypool. I think it’s important, too, that we capture and make sure that we’re accessible, and that all of California feels that their input and knows their
input is important to us, and it’s considered equally. The only question I have is understanding that we’ve kind of evaluated the cost of doing this. I’m kind of just wondering what it is that we gain considering that cost. We obviously have an extensive outreach that was well thought out, realizing that we can’t hit every single part of California.

And with the strains that are on staff already, and with our tight budget, and a lot of unknown to come that might certainly affect that or such what remains up, I’m just wondering what is the major gain being that whatever input that we will receive is certainly still able to reach the Commission and be considered in just the same fashion, especially if you start sending up delegations or doing webinars or teleconferences. It just seems like at that point it’s a big expense and a lot of staff for, it seems to me, limited gain. Although, again, I do agree that we want all of California to know that, you know, their input it equally as important, and we do need to hear from those areas. But, obviously, we can’t be in all of California at the same time. We don’t have the resources to do that. So, I’m just wondering if the gain is really worth the expense of staff and the expense of the Commission.

COMMISSIONER DIGUILIO: I’d like to follow up
with that. I’d like to us to see if we could have just a quick -- well, not quick, but a discussion on whether we should do these first. And we’ve heard from a number of people who have requested it, but beyond just people asking for it there must be a good justification. So, I’d like to follow up with that, before we decide on logistics, is to talk about whether we should do them or not and where.

COMMISSIONER FORBES: Well, I -- Oh, I’m sorry. Thanks. The one -- I am not familiar enough with the Southern California, the El Centro and Imperial Valley issues, so I can’t speak for that, but I think that the -- we’ve heard before that the Northern part of the State does feel slighted, and they have felt slighted not just in this Commission but just in generally because they’re so far away, and that’s just true. I think the advantage of going to Arcada, and I think Michael’s concerns are absolutely correct, is that if we are going to potentially change the Northern State Districts from a North South to an East West configuration in some fashion, if we’re going to consider that, that offering them an opportunity to weigh in on that issue face to face, I think, perhaps has some merit. That would be the (inaudible).

CHAIRPERSON BARABBA: The only comment I made,
I’ve heard a lot about that issue, and I’m not sure what else we would hear that we haven’t heard already, other than being physically there. And I understand the value of the public presence, but under the circumstances, I’m just not sure that Michael’s point, that the value gained for the money spent, I don’t think we’re going to learn anything we didn’t hear before, or have been hearing on a continuous basis.

COMMISSIONER DIGUILIO: Yeah, I would just add that we’ve gotten a lot of written testimony about that.

COMMISSIONER FILKINS-WEBBER: Commissioner Ontai, and I may have missed it through all of the numerous public comments, which I diligently read every one, and I am a little behind, maybe a few days based on the last volume we got last night, at midnight, by the way. Commissioner Ontai, did I miss a public comment? Where is the outpouring coming from for Imperial Valley and a consideration of El Centro? I am familiar with the area and have been there several times.

COMMISSIONER ONTAI: I think I -- It’s on, right? I think I received one, maybe two e-mail requests from residents from Imperial Valley.

COMMISSIONER FILKINS-WEBBER: I saw the one from Coachella, which is different from El Centro, but --

COMMISSIONER ONTAI: I can’t recall, but I did --
I think I did see a request from an e-mail saying that they would like to have a hearing in Imperial County. Now, there might be others. I haven’t read them all, but almost 99 percent of them, that one percent is probably the one that I missed. But I distinctly remember seeing at least one request for Imperial County. Now --

COMMISSIONER DIGUILIO: Imperial Valley?

COMMISSIONER ONTAI: Imperial Valley. Well, now I’ve got me confused. But, I mean, Commissioner Ward’s point is correct. I think if you look at Imperial County, if I recall, the total population there is under 50,000 people, which is small. But it has a significant growth over the last 10 years. But is that enough for us to warrant our time and resources to go there? I’m not sure.

CHAIRPERSON BARABBA: And Commissioner -- Jodie, is it a long ride from Imperial County to San Diego?

COMMISSIONER DIGUILIO: No.

COMMISSIONER FILKINS–WEBBER: Yes. Well, in looking at the calendar, I was looking at if we did have a significant number of people that were looking at Imperial County, we do have the Palm Springs meeting. Generally, anybody who is from Coachella, it’s not unusual for them to come up into Palm Springs. Where you get into a little bit of trouble is that if the requests
are coming from El Centro. And that is -- From San Diego you just go straight over on the 8. It is a long drive. It’s beautiful and you see the border of Mexico, or what border there is there. I think there is a little wall. But it is a little difficult. But that’s why practicality, and listening to Commissioner Ward’s suggestion, and maybe even taking a look at some of the numbers down there, you know, Brawley is the main center where the hospital is at.

And, to be honest, I haven’t looked at the recent population numbers down there. That’s why I was wondering, do we really have an outpouring of individuals who are interesting in holding a hearing there? Maybe if anybody is watching this and there are community groups that have connections down there, maybe we might need to table this so that we could get an idea, because I haven’t seen the public comments or the outpouring. That’s why I had made the inquiry, because it would be a tremendous expense to get down there, to travel down there if we’re really only going to get, you know, 10 people or 20 people to show up.

Because one thing that the public should take into consideration is that we certainly understand the request for public presentation of testimony, but that’s not to say that anybody’s testimony that’s presented in
written public comments that we’re reviewing day in and
day out is taken at any less value. So, if we cannot
make it to your area, that’s not to say that, your area
is not considered. I mean, we’re definitely reviewing
all of the community of interest testimony, and all the
public comments. And as this Commission has already
discussed earlier, we’re turning that all over to our
technical experts who are going to provide us
compilations, you know, when we do the wrap ups. So, no
area is going to go ignored whatsoever. We’ve looking at
everybody’s public comment.

COMMISSIONER DAI: I’d just like to echo
Commissioner Filkins-Webber’s comments, and also
Commissioner Ward. I mean, I think this Commission put a
lot of thought into our regional breakout of the State in
key areas within each of those regions where we felt it
was important to have a hearing, because of either
significant changes in the area, because it’s a major
population center, or, you know, the controversy about
the way the lines are currently drawn in certain areas.

So, I think that we need to be cautious about
just responding to people who want to have a hearing,
because, I mean, we are in a day and age when the
internet affords, you know, people to provide testimony
to us very cost effectively, and we are weighting that
equally with anything we hear presented in a public hearing. So, I, personally, unless I see something really compelling, and maybe it’s because I sit on the Finance Administrative Committee, I think our budget pressures are such that I think it would really have to give us new information that we somehow would not otherwise get for that region, I think, for us to significantly deviate from our current schedule. And I would suggest if we decide it’s really compelling that we consider replacing one of our current hearings in that same region.

COMMISSIONER DIGUILIO: Could I suggest that maybe we would prefer to think of the majority of requests, the vast majority has been from the North Coast, and I think that those individuals understand that we have heard them and we’ve taken this very seriously. And under different circumstances, more time, more resources, we may very well be able to take that opportunity to do that. But to definitely impart to that area to say that we are reading all those comments that come in, and we are taking them very seriously.

And just because, as Commissioner Dai had said is, just because we’re not there doesn’t mean it’s of any less value. So, we encourage those same individuals that are very adamant about us coming up there to let them
know to continue to let us -- to give us feedback, because those will be given equal weight, and that’s very important that if we do not make it up into that area physically we will hear their testimony.

COMMISSIONER ONTAI: Yeah, and I thought this was a very healthy discussion overall, because I do feel that the viewing public from these areas should understand why and how we made those decisions. So, I’m thankful for that. But we’re still dangling with the Northern part, so where are we with that?

CHAIRPERSON BARABBA: It sounded to me like we were saying we have -- the current plan is the current plan, and we’re not likely to expand it.

COMMISSIONER FORBES: That’s right. I think the virtue of this conversation has been, I mean, we have gotten a number of requests from the North Coast, and the virtue of this discussion is to let them know that we took their account seriously, we discussed it, and we, you know, for financial and time reasons we’re going to stay with the plan that we have, but that we did not ignore their request.

COMMISSIONER ONTAI: Great. Thank you.

CHAIRPERSON BARABBA: Okay. Yes.

COMMISSIONER BLANCO: And on the Imperial County, or what I would call the Imperial Valley issue, I’m a
little concerned. I agree completely with the cost and, you know, that kind of analysis. This is an area which may seem strange to believe, but in some ways people there feel as isolated as Del Norte. This is, if you know the area and you’ve worked there and you know that that’s a similar sense of constantly being left out. And, in fact, probably less vocal and organized than the North in terms of being able even to say, please come, you know, we need you. We want you to be here, and etcetera.

So, and they have had issues around redistricting in the past, serious ones that, you know, they weighed in on Prop 11 because of some of those concerns, etcetera. So, I think what we could do there is really maybe do a very deliberate outreach strategy about getting -- making sure we get soliciting input. And, you know, that’s the way we do it. We just do that deliberately, and we deliberately, when we release the first draft, we’re, you know, again, another deliberate round of making sure there is -- it’s received and that there is input. Because I do think that area shares a sense of isolation as Northern California.

**COMMISSIONER DIGUILIO:** So, could we maybe task the Public Information Advisory Committee to make it a point to send -- to hit that area in terms of letting
them know that we considered meeting there, that we are
listening to them, to do a special effort to reach out
before the maps and after the maps, because that might be
just realistically the best we can do.

CHAIRPERSON BARABBA: Okay.

COMMISSIONER PARVENU: Unless it’s absolutely
necessary that -- This is going back to the initial
cornerstone about the pre-map round, but we do have open
dates later in June that we may consider as a compromise.
But beforehand, before the maps are actually drawn, I
totally agree getting an extensive communication outreach
effort, newspapers, radios, just more extensive than what
we have done up to this point I think would be
appropriate to address them at the time being.

CHAIRPERSON BARABBA: All right. So, we’ve got
that covered. Okay? We’re not making any extra trips
before the maps.

COMMISSIONER DIGUILIO: Okay.

CHAIRPERSON BARABBA: So, I think we could delay
the discussion of policy for public events.

COMMISSIONER DIGUILIO: Defer it?

CHAIRPERSON BARABBA: Defer it to --

COMMISSIONER DIGUILIO: To the 5\textsuperscript{th}.

CHAIRPERSON BARABBA: -- to the 5\textsuperscript{th}. And then,
so, public -- We want to get an update from the Public
Information Commission (inaudible)?

MR. WILCOX: So, you all have received a couple days ago my update on what’s been happening with the communications plan and the public information efforts. I just want to hit a couple of highlights. Number one, on our website, we are having the five languages up, translated, professionally translated for our guide, and also our public input worksheet, and also next week you will see -- or at the end of this week and the beginning of next week we’ll see all hearing notices also in those five languages.

Of course, we’re continuing the outreach and publicizing all of the hearings, and, with all of the good work of the Commissioners doing interviews, I have drafted and will be sending to you new talking points that just talk more about, you know, what our process is now, the timeline and the next steps and the kinds of questions that I’ve been hearing that Commissioners have been getting in their interviews, and just kind of give you an overview to use that.

Also, our choral fellows who are with us for five weeks and are out there in the community, Foread (phonetic), Benamore (phonetic), and Andrew DeBlock, who you will meet tomorrow evening. They will be at the LA hearing, and they have been out there working with
community based organizations, churches, neighborhood
counsels, business organizations. They just started last
week, but they’ve been out there working all day and have
just really provided -- It’s incredible what they’ve been
able to do, and I want to thank them.

CHAIRPERSON BARABBA: Any questions of
Mr. Wilcox?

COMMISSIONER DAI: I just want to comment that
it’s been an amazing --

CHAIRPERSON BARABBA: Yes.

COMMISSIONER DAI: -- job that you’ve been doing.
I mean, just fantastic. I know that several of us have
been involved in this world wind of media events, and
it’s just been -- I really want to commend you.

MR. WILCOX: Well, I thank you, but I couldn’t
have done it without you, because I might set it up, but
you do the work. So --

CHAIRPERSON BARABBA: All right. So, we’ll get
into -- Is there anything else on this subject that we
need to talk about?

COMMISSIONER DIGUILIO: Update on the video?

COMMISSIONER WARD: Sure. Yeah. Chapman is
continuing to edit and put together the video. The hang
up has been sound. We anticipated a controlled
environment, so they brought professional sound, and for,
as you know, many Commissioners events, particularly,
were really great about working in some tough conditions,
but the equipment picks up everything. So, what we’ve
been left with is a product that’s got great quality
video, and through about half of it exceptional sound,
but it’s pieced together with some rough stuff. So,
they’re having to go through and put it through a number
of filters. It’s a very time consuming process, and it’s
just simply pushed us back because of the facility issues
we had that day.

So, I took the liberty of making a decision for
the Commission that it would be better to have a fully
professional product and a little late than one that is
pieced together with some choppy sound. So, we hope to
have that completed. There is a team of four -- five
people working on it presently, so we expect to hopefully
have all the filters and enhancements done by the end of
the week, and so that should put us at a post of early
next week.

CHAIRPERSON BARABBA: Any chance of any of us
sounding better than we actually do? Okay. So, we can
now move to the finance and administration?

COMMISSIONER DAI: So, Mr. Claypool, perhaps you
can give us an update on our million dollar budget
augmentation.
EXECUTIVE DIRECTOR CLAYPOOL: Absolutely. Did you receive the e-mail?

CHAIRPERSON BARABBA: Yes.

EXECUTIVE DIRECTOR CLAYPOOL: Okay. Then I’m happy to tell you that our final, final letter through finance was forwarded by the Director Ana Matosantos to the legislature saying that they have no objections and that they believe that we need the money as quickly as possible, and that it will be released to us. Now it’s up to the legislature to actually release the money, and we’ve heard from them earlier that there is no objection in the legislature. So, we start the 30 day clock from the time that the letter was distributed to us, which was today. We will get that letter to all of you.

This is, by the way, one of many letters that has gone out to -- on your behalf from not only your staff, but from the Department of Finance who have done a great, great job for us trying to find a route to the most sufficient and efficient funds that we could find. So, we anticipate that no later than the end of May we will have those funds and that we have plenty of funds to operate until then.

So, that’s the good news. And now we’re going to hand out the budget documents. That’s still good news. I don’t want to make it sound like we’re heading to bad
news.

**CHAIRPERSON BARABBA:** I was going to say. It’s all right to have two good newses.

**EXECUTIVE DIRECTOR CLAYPOOL:** It is. And so, I just have to say, with that amount of money, and the way that we have budgeted this operation, we can get this Commission to the final -- to the final outcome that you have to have. Now, what happens beyond September, or, actually, August 31st is -- you know, it just has to be with the budget, and we are all -- all of California is kind of captive to that process, but, for us, it gives us the operating funds we need.

What I’d like to do, these are all produced by Deborah Davis and Lisa Halterman, our fine budget staff. And I’m just going to run it in the order that you have it. To start with, as you can see, I’d just like you to get an idea of the staff hours. This was as of March 31st. You continue to see a significant amount of time in overtime non-paid, which is a big plus to the Commission. And that comes from all of your supervisory staff level individuals, such as your Director of Communications, your Chief Counsel, and your Office Manager, your Budget Officer. So, that helps us a lot. We try to work them as much as we possibly can. We like to think of them as cheap labor.
If you go to the next handout, this is Commissioner per diem. The important thing, you’re going to see that we are over by about 13 percent on business meetings as we start across. Really, some of that is a slight miscoding issue. I’m not too concerned with it. What we have now is you’re going to see the public input meeting category that we’re at seven percent on start to really pick up the bulk of all of these meetings. In fact, we probably won’t have any meeting again that isn’t a dual purpose meeting, and given that you can only collect 300 dollars for each day you work, regardless of whether it’s when we have a dual purpose, this is pretty much what we expected to see.

Some of the -- some of the budget overrun in the business meetings are just nuances that I think the Commission is going to address, and so I’ll save that for later. And then you look across. We have also, you know, used substantial amounts of our Commissioner prep. Again, I’m not overly concerned with this, but it is -- we do need to reaffirm what the policy is there, and we’ll discuss that later.

COMMISSIONER DIGUILIO: Before we go on, can I just ask --

EXECUTIVE DIRECTOR CLAYPOOL: Any questions?

COMMISSIONER DIGUILIO: -- a quick logistical
question?

EXECUTIVE DIRECTOR CLAYPOOL: Go ahead.

COMMISSIONER DIGUILIO: In regards to these -- as we do our per diem, when we have a joint business meeting and an input hearing, would you prefer for us just to say input hearing?

EXECUTIVE DIRECTOR CLAYPOOL: Yes.

COMMISSIONER DIGUILIO: For clarification.

EXECUTIVE DIRECTOR CLAYPOOL: And, in fact, yeah, that’s where we’re headed.

COMMISSIONER DIGUILIO: Okay.

EXECUTIVE DIRECTOR CLAYPOOL: That way we won’t come up short in one and way over in the other. So, that’s why we have -- as we shift over into input, all of yours should be going into that. And I’m assuming that everybody here received the coding that we’re going to use.

COMMISSIONER DIGUILIO: I don’t think -- No.

EXECUTIVE DIRECTOR CLAYPOOL: Okay. If not --

COMMISSIONER DIGUILIO: We’ll distribute it.

EXECUTIVE DIRECTOR CLAYPOOL: Yeah, we’ll go through it. But and it’s going to be simple. We don’t want this to be overly complicated.

Switching over to the next table, we have Commissioner travel. Again, we have done quite well
here. Now, I don’t know if that’s because many of you are holding the big surprise for us until the last. Hopefully not, so I’m going to take this opportunity to reiterate that we need to have all of you submit your TEC, your Travel Expense Claims, as soon and as often as you possibly can. If you follow the example of staff, we send ours in after every session or after every travel event that we had. So, the other day I traveled out to Berkeley to work with Q2 for the day, and then submitted one just for that day to make sure that it was just in and out of the way. If we do that and we stay current, we’re going to be fine.

COMMISSIONER DIGUILIO: And, again, the Commission has committed to do it within 15 days, so the sooner the better.

EXECUTIVE DIRECTOR CLAYPOOL: Any questions about Commissioner travel? Okay. We’re going to move over now to total expenditures, working on a 3.5 million dollar budget. You can see that as of this point we have only expended 13 percent of the funds allotted to us. Certainly, we are in that accelerating time and this is through March 2001, obviously. So, you’ve got April in there. But it is why I’m not overly concerned. Yes, I’m always harping about money, and I will continue to do that until the very last day, but I think we’re doing
very well as a Commission. You’re doing very well
policing yourselves, and that’s -- you’re to be
commended. Any questions about overall expenditures?
I would like to point out that we boosted
overtime, by the way. We switched some money into
overtime, because if we had taken the original projection
we were over it already, and we recognized that. And
we’ll be talking about where some of the money has
changed.
If you go to the next page and this is probably
the one that’s going to be the most mesmerizing and the
most complicated. Does everybody have the -- just the
spreadsheet?

CHAIRPERSON BARABBA: Yeah.

EXECUTIVE DIRECTOR CLAYPOOL: Okay. What we gave
to the Finance Administration Committee last time is the
first column -- or, actually, the second column that says
-- that ends in 3.8 million dollars. At one time we were
working against the possibility that we might have found
an additional 300,000 dollars that we could have used in
this budget before we hit August 31st. That didn’t
actually come to fruition. So, we had to come up with a
way to reduce down to the 3.5 million in order to bring
you in under budget with what we knew you would have
before August 31st.
If you look at the reduction in the asterisk column, that’s where the money started to get reduced. Now, we have the actual documentation that backs up each one of these -- each one of these columns. But, for instance, the most material, if you will look at it, is staff salary. What we’ve done there is we have reduced -- we have said that staff salary will be paid for through June 30th, and after that that the government will -- that the State will continue to honor paying staff salaries. And we’re encouraging staff to move their money over to -- or move their direct deposit over to Golden 1 Credit Union, which has traditionally honored staff salaries until the budget has been passed.

Now, that doesn’t mean that Department of Finance isn’t going to keep dipping into your budget and just ignore staff salaries. They’ll keep paying them, but we’ve also moved some of the money -- we have the possibility of moving some of the money out of the contract section. If you go down you’ll see that there is a 52,000 dollar reduction. That’s the second one that’s materially important to you. That 52,000 is coming directly out of your inline peer review process. So, we’ve only left 23,000 in that process for that. And that’s what I had said earlier, that if we run into trouble, then that’s where we’re going to dip.
If the Commission decides to go forward with the inline peer review process, then we will turn around and go into the pot of money that has technical consultants, and we will up the amount to the full 75,000 or the amount that we need for your inline review process, but we will have to reduce the other monies that we might have had for statisticians and so forth. This is a common process of moving money around within our budget. So, this isn’t something, by the way, that comes as any surprise whatsoever to the Department of Finance, because they’re constantly moving those monies around for us anyway. And so that’s why we have so many iterations of this document.

If you go to the third column that says changes, these are all internal changes that we’ve made. So, whereas we reduced our staff salaries by 225,000, in order to fund a different category for our retired annuitants, we went and added 20,000 back in and made these changes that you see in order to balance ourselves out to the 3.5 million. I promise you that we will never make any changes that go beyond 3.5 million, because, if they do, then whoever the current Chair is at that time has to pay the balance. So, we’re not going there. And so --

CHAIRPERSON BARABBA: I’ve just announced my
EXECUTIVE DIRECTOR CLAYPOOL: Does anyone have any questions about this? Okay. Now we have one more document to hand out. Do you have -- Did you already give it -- Okay. So, what you have right now is, if you can hand me one, is I’m going to say exactly what I asked Ms. Davis to put together, but it unfortunately missing one thing, and it is the totals for that -- for all Commissioner per diems. Although if you go by month, you can look at this and say, okay, we have the total Commissioner per diem over here, and so I have an idea of exactly how much we’ve expended, and which we know is 41 percent. But if you go to each one of those different categories you can see the minimums, the averages and the maximums for each of the categories for both Commissioner per diem and travel by month.

If you look at January you see that clearly no public input hearings. Your business meetings were ranging from some Commissioners who had yet to submit a TEC to others who had gone to a maximum of 3,300. Some of these expenses are -- you know, it’s because you’re serving as a Chair or Vice-Chair or you’re doing a video or you’re -- you know, or you’re going out and you’re doing any number of meetings, not only with media and with -- with our consultants. So, I wouldn’t read a lot
into these other than to take a look and you’ll get an
idea of about how things are getting charged by month.

If you go to February, again, we start picking up
media travel. I was curious as to how we got a $64.29
per diem, but I just realized that’s -- this is all just
the average and the way it’s dividing up. You start
seeing the Commissioner prep really pick up with a high
end of 4,200, and, again, a low end of zero. And then
moving on to March just the same thing. Now we’re
starting to -- we’ll start picking up input meetings, but
you can see that the business meetings are as high as
3,000, as low as zero, and, again, the Commissioner prep
as low as zero and as high as 4,800.

So, next time this will include totals so that
you can have an idea of the total amount that is in each
category, although you could go over to that other graph,
as I said, and pick it up there. But does anyone have
any questions?

COMMISSIONER GALAMBOS-MALLOY: I have some
comments that I would like to add into your overviews of
the per diem, which I really appreciate. I did find the
per diem codes, and they were stapled to -- I believe,
because I had already ripped them off, I think they were
stapled or -- No, maybe that was my own internal copy.
Okay. Well, we’ll make sure that you get your per diem
codes within the next 24 hours. That will be easy to accomplish.

What I wanted to reiterate for Commissioners, because we’re coming up on the end of the month, and with that, again, the turnaround time for getting our per diem requests in. Just to revisit what our policy actually is, and by the time we meet on May 5th I will have drafted some written guidelines. I apologize we weren’t able to turn that around in time for this meeting, but I do think it’s fairly simple and it is something that we have discussed before, so this is more of a review.

Utilizing the per diem codes, which you will be provided, and these codes match with the codes that you see listed that Ms. Davis is using to track our per diem, our policy is that any day in which you are engaging in Commission business for six hours or more that you are able to claim per diem for that day. We did agree as a Commission, given that we are citizen Commissioners and so many of these hours for our work on the Commission outside of meetings are actually happening in little pockets of time here and there, that you could accumulate hours over the course of many days, and once you accumulated six hours that you could submit for that day worth of per diem.

On days where we are spending 14, 16, 18, 20
hours worth of Commission work, you still can only put in for one day’s worth of per diem. I think we all know that. I’m not questioning whether folks have been on the same page about that. What I wanted to preview for you was that we are thinking to use a system much like what CPAs use, and use 15 minutes as the smallest time increment in which we would want you to track how you’re spending your time. So, if you have -- again, the purpose behind this is that --

COMMISSIONER DIGUILIO: For the attorneys, that will be easy.

COMMISSIONER GALAMBOS-MALLOY: -- you’re keeping notes. These notes enable Ms. Davis to give us the most accurate budget information that she can possibly give us so that your per diem form would simply use these codes and you’d say, you know, one hour MT, you know, two hours CP, which would be Commissioner prep. So, that’s the level of detail we’re trying to get to moving forward for your future submissions.

My suggestion would also be that we all consider whether we want to amend previous per diem requests that we have submitted. Not necessarily that your total per diem request would change, but, again, remember these are public documents. I think there is vast discrepancies in the level of detail that we’ve all been providing to our
staff. It doesn’t mean we don’t have the documentation at home, but, again, would your per diem form pass the sniff test for an investigative report, right? That’s the level of detail and thinking that we want to make sure that we have. And so, again, our staff is on call if there is any Commissioners who would like to provide a greater level of detail for previous months before things start moving so fast that we don’t remember. So, again, on May 5th we’ll have something in writing for your consideration, and I’ll work to make sure you get these codes in the next 24 hours.

CHAIRPERSON BARABBA: Is there a code for filling out forms?

COMMISSIONER DAI: Actually, as part of the finance and administration meeting on the 5th we’ll do a little training, because I think there may be some questions on what’s acceptable to claim. So, we’ll give some examples, and this may prompt some folks to want to amend their past forms. I will note that, you know, while not disputing any of the claims that have been made, there may be, like I said, misunderstanding on what’s reasonable to claim and what’s not. But some of these numbers are -- the maximums are actually surprising to me. So, I think that -- as are the minimums, although, certainly, the minimums may be due to not
turning in a form.

But, you know, we are citizen Commissioners, and so, again, back to passing the sniff test, you know, if you have a full time job, you know how many days is it reasonable to claim a per diem for something that we’re doing on the side? It’s fine if you have documentation for that, but, again, all of these forms are public. You should assume that there will be a public records request for this at some point, and do you have the documentation to back that up. So, there have been cases where, you know, there is so little detail that it’s very unclear how that time was spent. So, we just want you to start thinking about providing that detail so that when that investigative reporter comes then you’ll feel very comfortable with your form.

COMMISSIONER DIGUILIO: Could I just ask for -- I know one thing we had talked before was a reminder being sent by staff in terms of timelines when things are due. Maybe that’s not as productive. I was hoping that we could get finance and administration, not necessarily do a policy, but, again, something formal for staff that says -- I know I’ve sent stuff in, and then I just assume they have it. It’s kind of like that wedding present. If you don’t get a thank you, you never know if they really received it or not. You’re kind of out there in
limbo.

So, and maybe we could set some kind of framework that says if you -- unless you hear from staff they’ve received it, you’re up to date. I mean, kind of default to the minimum amount of extra work for them. So, that if there is a problem, if you’ve passed the 15 days or the 30 days and staff hasn’t gotten it, gotten your per diem or your travel requests, that they would contact you. Otherwise, you’re up to date. No news is good news. Would that be something acceptable? Does that make sense?

COMMISSIONER GALAMBOS-MALLOY: I’m happy to fold that into the drafting that I’m doing, because we will be having conversations with staff to make sure that what we’re suggesting is actually viable. So, let’s say I will come back to you on May 5th with some clarity on that.

COMMISSIONER DIGUILIO: Okay. And keeping in consideration the least amount of work for staff but some way to communicate to us whether we’re up to date. And, lastly, I just was -- I don’t know if this would be helpful, but I am curious. I think with those Commissioner prep numbers, particularly, I’m assuming a lot of those are due to when someone has a Chair, Vice-Chair role that if we could maybe -- And I don’t want to
add, again, too much work, but it might be helpful to have another line that says, Commissioner prep for those that have served in a month that were Chair or Vice-Chair, because you could get an idea of what the minimum and maximum are for every Commissioner who is not a Chair or Vice-Chair, and then what that is for Chair or Vice-Chair. And also in the sense that it would be helpful for the next Commission to know that if you are a Chair or Vice-Chair, these are the numbers and types of time you should be putting -- you might expect to put in.

COMMISSIONER GALAMBOS-MALLOY: Yeah, that’s a good point, and when I said some of them were surprising, some of them were not --

COMMISSIONER DIGUILIO: Yeah.

COMMISSIONER GALAMBOS-MALLOY: -- for folks who have served in that capacity. So --

COMMISSIONER DIGUILIO: And it would be nice --

COMMISSIONER GALAMBOS-MALLOY: -- it’s not surprising for someone; believe me, serving as Chair or Vice-Chair.

COMMISSIONER DIGUILIO: And I think it would help us to understand really, again, how much work the Chairs and Vice-Chairs -- So, maybe there would be a way to incorporate a line in there that pulls out the Chair or Vice-Chair for the month, and then the maximum for
everybody else who is not a Chair or Vice-Chair.

**EXECUTIVE DIRECTOR CLAYPOOL:** We start running into some real coding issues if we start doing that. For instance, it was one of the things that Janeece leaned over and said, you know, a lot of times we don’t know when you’re traveling. We know when you’re attending these meetings, but we don’t know when you’re going on media meetings. We don’t know when you’re doing -- There is so many things that we don’t know what you’re doing, and we rely on the coding and so forth. I think we can certainly work with Commissioner Galambos-Malloy to put in whatever reminder system we need to that will be beneficial, but it may only be just every couple of weeks saying, hey, don’t forget to send those in. Because other than these meetings, we draw a blank sometimes.

**COMMISSIONER DAI:** Yeah. And back to Commissioners can easily solve this problem. I mean, you can code it AM and then say interviews with the LA Times, blah, blah, blah. Just provide a little bit of detail knowing that this is a public document.

**COMMISSIONER DIGUILIO:** I think that maybe they’re referring to whether or not they should be sending reminders for us to submit it if we’re up to date. Is that what you were talking about? Whether we’re up to date?
EXECUTIVE DIRECTOR CLAYPOOL: Right. When I said, you know, reminders, we can certainly be -- you know, every week send out a reminder, don’t forget your TECs, but as far as reminding -- If we haven’t seen -- For instance, if we haven’t seen a TEC from somebody for a couple of weeks, is it because they haven’t traveled for a couple of weeks or is it because they haven’t -- you know, we don’t know, and we certainly don’t know how much time or effort they’ve made in those couple of weeks.

COMMISSIONER DIGUILIO: Well, for the bare minimum we would know -- we would all know that we’ve been partaking in these input hearings, and so if we haven’t received it within the cutoff or two weeks after that. The in between stuff, there is no way for staff to know. That would kind of be our personal responsibility, I guess. But the bare minimum would be for those events that we’re aware of that staff would be aware of.

COMMISSIONER GLAMBOS-MALLOY: You know, I could work -- I’ll work on a couple different options. I mean, I think there is a way that we could just systematize it so all of us are set up on Google calendar. We can set up auto reminders that fall a certain period of time after each tour that we do and that fall 15 days past the end of a month. So, I am sure there is a way of doing
this that is very low maintenance for staff, and I’ll continue working on this over the next week.

COMMISSIONER DAI: Just moving on to the staffing and personnel, we’re going to defer most of this. Everyone received a Commissioner Code of Conduct, and I was hoping we could actually adopt it. The suggestion was made that the official Code of Conduct actually be the second one that sounded more official, but I hope that you --

COMMISSIONER WARD: The non-poetry --

COMMISSIONER DAI: I hope you enjoyed the poetry anyway. Any thoughts or comments about that, or is that something people are ready to approve?

CHAIRPERSON BARABBA: Any questions on that one? If not, we can just take a raise of hands that we approve it. All in favor, raise your hand and say aye.

ALL: Aye.

CHAIRPERSON BARABBA: Opposed? Passed.

COMMISSIONER DAI: Okay. We’re going to go ahead and defer everything else to the 5th. I do want to note, I’m just going to do a quick update on our required sexual harassment and ethics training. I asked Ms. Shoop to give me an update on that. I remind the Commission that we committed to finish this by the end of the month, which is coming up in a few days. You should have
received a reminder if you are one of the folks who have not completed it. I am sad to say that only three of us have actually completed the sexual harassment training, which requires us to be online for two hours, and only four of us have completed the ethics training. So, we need to do a little better job with this. This is -- Our schedule is only going to get worse, so if you have some down time while we’re here, you might consider getting at least one of these done, because we actually are running out of time, particularly for the Commissioners who started in the first eight.

We only have six months to complete it, so we -- some of us are going to be hitting that deadline, and at some point we are going to be illegal as Commissioners. So, this is actually serious. It is required State training, so I urge the Commission to set aside the time and get that done, and I guess that will be coded appropriately on the form.

COMMISSIONER DIGUILIO: Okay. So, moving on --

COMMISSIONER ONTAI: I do have a question. So, how is this recorded to staff? You automatically get that information through the Cal Chamber?

EXECUTIVE DIRECTOR CLAYPOOL: Yes.

COMMISSIONER ONTAI: So, do we have to give you our --
EXECUTIVE DIRECTOR CLAYPOOL: They get the -- the certificates are sent to us.

COMMISSIONER ONTAI: Okay. So, we don’t have to give you our signature, with our signature on it?

COMMISSIONER DIGUILIO: For the ethics one you do.

COMMISSIONER ONTAI: Okay.

COMMISSIONER GALAMBOS-MALLOY: We were actually requested by Ms. Shoop that even though it is set to auto forward the certificates, if we could also forward the certificate that we’re sent just to make sure with the volume of e-mails that she’s getting that nothing slips through the cracks. So, you know, an extra two seconds to send that would be appreciated.

EXECUTIVE DIRECTOR CLAYPOOL: Sure.

CHAIRPERSON BARABBA: Yes, Jeanne?

COMMISSIONER RAYA: I just completed mine over the weekend, but just for people who haven’t done it; it’s really easy to go in and out. So, you don’t have to think. First I thought, oh, where am I going to find two hours, but if you just do a little bit here and a little bit there, it’s easy to go back and pick it up.

COMMISSIONER DIGUILIO: Was that for both or --

COMMISSIONER RAYA: Yeah.

COMMISSIONER DIGUILIO: For both. Okay.
CHAIRPERSON BARABBA: Okay. Anything else? Are you --

COMMISSIONER DIGUILIO: Done.

CHAIRPERSON BARABBA: You’re done. Good for you.

Now, the legal discussion topics, which have been moving at a rapid pace, Jodie, are you prepared to lead that discussion or --

COMMISSIONER FILKINS-WEBBER: Given the interests of time and in coordination with Commissioner Ancheta when we realized that, we’ll defer items two and three to May 5th. I think if we’re scheduled for advisory committees that day. I believe item number one, I would defer to Mr. Miller. I think that he had put that on there for meeting update, because, as I understand it, there has been some work and some meetings between Gibson Dunn and Crutcher and Q2 in order to coordinate their -- a better working relationship between the two of them, and to assist the Commission on how the two of them will work together. What can you tell us, Mr. Miller?

MR. MILLER: And there have been two meetings, one in San Francisco and one in Berkeley, that being the subject matter of the meetings. We are planning a third meeting, and hopefully early this coming week with the same theme. I believe Commissioner Dai and Commissioner Barabba will be able to join us for those meetings. We
hope that that is the case.

I think that the direction that you gave earlier today coming directly from the Commission regarding expectations outside of these meetings about the nature of the collaboration. It will be very helpful in the successful outcome of those meetings. That’s pretty much my report to date on that situation.

COMMISSIONER DAI: I love his brevity. Got to love his brevity.

COMMISSIONER FILKINS–WEBBER: Did anything come about in the meetings that either Gibson Dunn or Q2 would like the Commission to address? Are we at that point yet?

MR. MILLER: Well, yes, and I think that the direction that you provided is responsive to that request.

COMMISSIONER FILKINS–WEBBER: Thank you. Does anyone on the Commission have any questions regarding the meeting that had taken place?

COMMISSIONER ONTAI: Anything negative?

MR. MILLER: As I commented earlier, I don’t believe we’ve perfected the relationship between the two groups.

COMMISSIONER FILKINS–WEBBER: Any other questions real quick? Okay. As I said before, two and three are
deferred. Item, I guess, is supposed to be four, in consultation with Mr. Miller, who he has drafted an RFI for the Commission’s consideration of the potential consultant expert that we may wish to retain for racially polarized voting analysis. We have taken a proactive approach in this regard to have the document available, because it will be in our RFI format, and we have seen how that has worked previously and how time consuming it can be. So, if I -- Mr. Miller, did we pass that out to the Commission or you’ve all seen it in an e-mail?

MR. MILLER: We do have a copy of it, and just to make it a little easier for the Commission, I think it’s useful to focus on just, from my perspective; one portion of this would be Section 5 of the document. The document as a whole is very similar to what we’ve used for other consultants. Section 5 zeros in on the actual work that the person would be doing, and that’s why I would call your attention to that piece. No, the -- for the -- Let me see. That’s the (inaudible). Is there another stack there? Ah, nuts.

COMMISSIONER ANCHETA: For those of you who are online, I can send you an electronic copy, if you like.

MR. MILLER: I believe this is the one where I did not correctly attach the attachment last night and thought that I had a hard copy to make up for that, and
it’s not the case. But Commissioner Ancheta has a fix
for this, or you could just describe Section 5. It’s not
that --

COMMISSIONER FILKINS-WEBBER: Actually, let me
see if I can find it as well. I apologize for the delay.
Let me see if I -- Yeah, we should be able to.

COMMISSIONER ANCHETA: For those of you online,
did you get it yet?

COMMISSIONER ONTAI: I did not.

COMMISSIONER ANCHETA: It sent.

COMMISSIONER DIGUILIO: Yeah, I have it.

COMMISSIONER ANCHETA: Okay.

CHAIRPERSON BARABBA: Mr. Miller, are you
referring to Section 5 VRA or Section 5 in the format on
page 4?

MR. MILLER: The latter of the document itself.

CHAIRPERSON BARABBA: Okay.

MR. MILLER: And it’s just a paragraph that
describes the work that would be performed pursuant to
this agreement.

CHAIRPERSON BARABBA: Okay.

COMMISSIONER FILKINS-WEBBER: Mr. Miller, did you
change Section 5 after our conversation? If not, because
I think I’m looking at the older version.

MR. MILLER: I changed Section 3 where there was
a sense that it was defensive in the way it was stated, and I removed that portion to cure --

COMMISSIONER FILKINS–WEBBER: I reviewed that.
MR. MILLER: -- cured that.
COMMISSIONER FILKINS–WEBBER: Thank you. Okay.

COMMISSIONER ANCHETA: Do you have a copy yourself?

MR. MILLER: I’m afraid I don’t.

COMMISSIONER ANCHETA: Okay.

MR. MILLER: I thought that I had included that in my stack, but that’s not the case.

COMMISSIONER FILKINS–WEBBER: Well, go ahead and summarize it.

COMMISSIONER ANCHETA: I think you could summarize the work quickly.

MR. MILLER: Okay. Well, again, if you’ve got -- if you’re connected it’s on page -- Section 5, whoops, of the document.


COMMISSIONER ANCHETA: It’s page 4. Okay.

Sorry. If I could get it down here. Again, it’s fairly boilerplate language throughout the document, except for the statement of work. It gets a bit technical, but there are a number of well accepted statistical analyses that are performed with these kinds of studies, what I
would call homogeneous precinct analyses, various type of statistical regression analyses. Again, for those of you who are into those kinds of things, there -- But they are well accepted techniques, and certainly since the last 1990s there are sort of three major techniques that just about everybody looks at, for the most part.

There is some, you know, a little bit of debate within the academic community, because certainly for court cases pretty much all the experts on the plaintiff’s side will present this kind of analysis. There may be some competing analyses on the defense, but it’s fairly traditional and standard in terms of the types of analyses.

So, the scope of work is having someone who is, one, familiar with all these techniques, and, two, has some experience, and demonstrated experience in most, if not all, of them, and can, in addition to that, sort of look at various other sorts of data sources that might be relevant to VRA compliance, including, you know, survey research, historical stuff, other people’s studies that they can kind of sort of get a sense of what’s going on. They don’t have to actually know how to do it, but they can read it in an informed way.

Again, it’s basically the sort of set of qualifications you’d ask for an expert witness in a
lawsuit. And it’s actually what we’re looking for, because a lot of academics who actually do work on the VRA, both plaintiff and defense side, go out as expert witnesses. So --

MR. MILLER: While that was an excellent summary of Section 5, it occurred to me it didn’t really tell the story as well as I thought it was going to.

COMMISSIONER ARCHETA: Okay.

MR. MILLER: And what I mean by that is, not Mr. Ancheta’s description, but the section of the contract. We have discussed, that is Commissioner Ancheta and Commissioner Filkins-Webber, with VRA counsel whether or not they have reached a conclusion that this person will be needed. That’s been an open question, and you’ll have an opportunity to talk with them about that tomorrow. But the answer to that is, yes, they feel it is in the best interests of the Commission to obtain this person.

The other thing is this. The research, if you will, that’s involved is around information that’s already in the databank. It’s not like going out and doing new survey research to reach conclusions. And, third, well, it would be done not Statewide, but in areas of concern as they’re identified. And, lastly, those who are familiar with this inquiry believe we can find
academics to do the work. So, that kind of flushes out
the totality, along with the specifics, of the nature of
the work and the individual we would be looking for.

It was our hope, given the technical nature of
this and the fact that we can have the discussion
tomorrow, if you’d like, with VRA counsel, that the
Commission would be comfortable authorizing Commissioners
Ancheta and Filkins-Webber on the legal committee to move
forward with what I’ll call turnkey authority around the
form of the document and the selection of the individual.
The reason for that is, we are moving more rapidly toward
our deadline, and if we were to follow the procedures
that we’ve used for other consultants we’re concerned
we’d get very close to the mark before we have somebody
in place. So, that would be a way of both in keeping the
Commission informed and permitting a couple of people to
have responsibility for concluding the contracting
portion of this.

COMMISSIONER FILKINS-WEBBER: So moved.
COMMISSIONER ONTAI: Second, if you need one.
CHAIRPERSON BARABBA: Okay. Any discussion?
COMMISSIONER DAI: Make it so.
CHAIRPERSON BARABBA: Okay. Hearing no further
discussion, all in favor say aye.

ALL: Aye.
CHAIRPERSON BARABBA: All --

MR. MILLER: We’ll give you the language later.

COMMISSIONER DAI: It was to give Commissioners Ancheta and Filkins-Webber the authority to --

COMMISSIONER FILKINS-WEBBER: To do everything.

COMMISSIONER DAI: To clean up the RFI and make it so.

COMMISSIONER FILKINS-WEBBER: And to make sure you understand, that would include, if we do consider interviews of these individuals, also, the full delegated authority for selection of that individual, hiring and everything, and it would just came back to this Commission just for acquiescence in the decisions that have been made by legal.

CHAIRPERSON BARABBA: Yes.

MR. MILLER: And I think in the program, we still have to follow the constitutional requirements -- I’m sorry. We still have to follow the constitutional requirements or can that be delegated?

COMMISSIONER ANCHETA: Well, I think that we will have satisfied those when you bring your report back and the Commission endorses it with a super majority.

MR. MILLER: Okay. That’s fine.

CHAIRPERSON BARABBA: Okay.

MR. MILLER: That should be fine.
CHAIRPERSON BARABBA: Okay. We’ve got to --

COMMISSIONER FILKINS–WEBBER: That concludes --

and one other, Mr. Miller, on the agenda it has legal
opinion from Gibson Dunn. Is that something that we’re
referring? I don’t know what that was.

COMMISSIONER DAI: That was referring to the fact
they recommend that we go ahead and hire this person.

COMMISSIONER FILKINS–WEBBER: Oh, okay. I see.

Terrific. Then legal is done. Thank you.

CHAIRPERSON BARABBA: Way to go. Okay. So, if
there is no further comments from the Commission --

COMMISSIONER ONTAI: Over here. Janeece, where
is our red cups? Mr. Chair, we have a red cups speaker
here.

CHAIRPERSON BARABBA: Mr. Miller. Yes.

MR. MILLER: Thank you, Chair.

CHAIRPERSON BARABBA: Yes.

MR. MILLER: I just had one thing I wanted to
bring up under public information that I was going to
hold and only if time permitted, and since there is eight
minutes. I was thinking that we had talked before and
never came to resolution on whether or not we felt that
staff bios were something that we wanted to get posted
online on the website, and I just thought maybe we could
make a quick decision and direct staff to do that if we
agree that it’s the appropriate thing to do.

CHAIRPERSON BARABBA: Anybody got any
reservations? Field directed.

COMMISSIONER WARD: Yes, the staff has provided
me with their bios, which I am editing, and we’re also
putting an org chart, and we will have that online.

CHAIRPERSON BARABBA: Okay. Good. Mr. Miller
has just one brief, and then we want to leave -- save
some time for the public.

MR. MILLER: I’m sorry. I’m sorry for the
informal nature of our communication, but I wanted to let
you know, as part of the training tomorrow we’ll have a
discussion of proposed guidelines for the Commission to
approve to instruct the line drawer about preparation of
districts. And we’ve been working this across the week
in real time, which is why it’s coming in this way.

I believe I forwarded to you earlier today, by e-
mail, the preliminary draft of those instructions. Since
then, when they came to us early this morning they also
went to Q2. That was the first time that either of us
had seen the revised draft, just the second round. As a
result of some input that Karin MacDonald provided
earlier this morning, there is a further revised copy of
the proposed guidelines, which we’re going to undertake
to send to you this evening. They’ll be at the heart of
the discussion tomorrow, and I just wanted to alert you
to that and give you some context around what you’ll be
receiving. Thank you.

CHAIRPERSON BARABBA: All right. Are there any
members of the public who would like to make a comment?
Are there any members of the public who would like to
make a comment? Yes, would you come on down, please.

MS. WALLACE: Do I have turn on -- Oh, it’s on.

CHAIRPERSON BARABBA: There you go. You’re on.

MS. WALLACE: I’m Diane Wallace. I live in
Manhattan Beach here in Los Angeles County, for those of
you that aren’t from LA County. And out of interest of
full disclosure, Mr. Barabba and I have met when I worked
with Peter Ducker. So, I wanted to tell you that I
wanted to put a face to the people that started all of
this that got you sitting in those chairs.

I read about California Forward, and I think I
signed up on the day that it was established on the
internet and you could sign up and be -- and get
information. And I supported the Proposition, and I
followed the process in which you were all selected. And
so I want you do know that as a citizen I think this is a
very good idea. I’m sure some of you wonder why you
applied, but just know that there are people around the
State that appreciate the fact that you were willing to
do this in the first place, and we’re very grateful for your efforts on behalf of the State. We think you stand a good chance of doing a good job for our State. And I’ll be back later to tell you about my area of Los Angeles, which none of you are from. So, I’ll be back at 6:00.

CHAIRPERSON BARABBA: And my guess, if Peter was still around, he’d be pleased too.

MS. WALLACE: Peter would love this. Are you kidding? He would think it’s great. Thanks.

CHAIRPERSON BARABBA: Okay. Any other comments? Anyone else want to make a comment? If not, I think we’ll call this meeting to an end, and rejoin here at six o’clock for the public input meeting. Oh, and one other thing. A major event occurred today. One of our staff members got a little bit older. Happy birthday, Rob Wilcox.

COMMISSIONER DAI: And thank you for working on your birthday.

MR. WILCOX: Thank you.

(Meeting adjourned)
I, Debra Aubert, a duly designated transcriber, FOOTHILL TRANSCRIPTION COMPANY, INC., do hereby declare and certify under penalty of perjury that I have transcribed the audio recording which covers a total of pages numbered 1 - 160, and which recording was duly recorded at LONG BEACH, CALIFORNIA, in the matter of the CALIFORNIA REDISTRICTING COMMITTEE on APRIL 27, 2011, and that the foregoing pages constitute a true, complete, and accurate transcription of the aforementioned audio recording to the best of my ability.

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Dated May 31, 2011 at Sacramento County, California.

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