

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMITTEE (CRC)

In the matter of:
BUSINESS MEETING

WEDNESDAY, NOVEMBER 4, 2020

9:30 A.M.

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APPEARANCESCOMMISSIONERS

Neal Fornaciari, Chair
J. Kennedy, Vice-chair
Derric Taylor, Commissioner
Isra Ahmad, Commissioner
Linda Akutagawa, Commissioner
Jane Andersen, Commissioner
Alicia Fernandez, Commissioner
Antonio Le Mons, Commissioner
Sara Sadhwani, Commissioner
Patricia Sinay, Commissioner
Pedro Toledo, Commissioner
Angela Vazquez, Commissioner
Russell Yee, Commissioner

STAFF

Daniel Claypool, Executive Director
Marian Johnston, CRC Legal Counsel

Technical Contractors

Kristian Manoff, AV Technical Director/Comment Moderator

Also PresentPublic Comment

James Albert
Alejandra Ponce de Leon

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2 November 11, 2020

3 CHAIR FORNACIARI: Welcome, everyone, to the
4 November 4th through 6th meeting of the California
5 Citizens Redistricting Commission. I'm Neal Fornaciari.
6 I'm the chair for this three day meeting. Commissioner
7 Kennedy is vice chair. And we'll start with the role.

8 MS. JOHNSTON: Good morning, commissioners. Give me
9 a second here.

10 Commissioner Ahmad?

11 COMMISSIONER AHMAD: Here.

12 MS. JOHNSTON: Commissioner Akutagawa?

13 COMMISSIONER AKUTAGAWA: Here.

14 MS. JOHNSTON: Commissioner Anderson?

15 COMMISSIONER ANDERSON: Here.

16 MS. JOHNSTON: Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Here.

18 MS. JOHNSTON: Commissioner Fornaciari?

19 CHAIR FORNACIARI: Here.

20 MS. JOHNSTON: Commissioner Kennedy?

21 VICE CHAIR KENNEDY: Here.

22 MS. JOHNSTON: Commissioner Le Mons?

23 COMMISSIONER LE MONS: Here.

24 MS. JOHNSTON: Commissioner Sadwhani?

25 COMMISSIONER SADWHANI: Here.



1 MS. JOHNSTON: Commissioner Sinay?

2 COMMISSIONER SINAY: Here.

3 MS. JOHNSTON: Commissioner Taylor?

4 COMMISSIONER TAYLOR: Present.

5 MS. JOHNSTON: Commissioner Toledo.

6 CHAIR FORNACIARI: He has not joined us yet.

7 MS. JOHNSTON: No. Commissioner Turner?

8 COMMISSIONER TURNER: Morning. Here.

9 MS. JOHNSTON: Commissioner Vazquez?

10 COMMISSIONER VAZQUEZ: Here.

11 MS. JOHNSTON: And Commissioner Yee?

12 COMMISSIONER YEE: Here.

13 MS. JOHNSTON: Thank you.

14 CHAIR FORNACIARI: Do we have a quorum. Tell them
15 that we have a quorum.

16 MS. JOHNSTON: We have a quorum.

17 CHAIR FORNACIARI: Okay. Well, thank you very much.

18 MS. JOHNSTON: Thank you.

19 CHAIR FORNACIARI: We'll move on to agenda item
20 number 2, general announcements. I have a couple of
21 things. First of all, because of the way the meeting
22 ended last time, I don't think we had a chance to
23 properly thank Commissioner Akutagawa for her job
24 chairing the five days. And I think we should take a
25 minute and give her a round of applause. Thank you.



1 It is a ton of work --

2 COMMISSIONER AKUTAGAWA: Yes, thank you.

3 CHAIR FORNACIARI: -- as you'll all find out.

4 Preparation and execution is -- there's a lot behind it.

5 So a few more general announcements for the folks tuning

6 in. Agenda item 10 has been postponed until the meeting

7 next meeting to be held November 16 through the 18th.

8 Agenda Item 13, the general access presentations

9 will take place at 1:30 on Friday, and we have speakers

10 from the Partnership for the New Americans, the

11 Disability Rights, California and Empowering Pacific

12 Islander Communities. Again, so will be at 1:30 on

13 Friday.

14 I also wanted to note that there are a number of

15 written and public comments posted -- written public

16 comments posted on our website. And I want to thank the

17 individuals and organizations who took the time to

18 provide that feedback to us. We genuinely appreciate it

19 and are working to use your feedback to improve the

20 process.

21 And then finally, just a comment to my fellow

22 commissioners and the public regarding the meeting

23 handouts. You know, our goal certainly is to have

24 everything out by a couple of days ahead of the meetings

25 posted and out with this quick turnaround meeting. You



1 know, we were working on stuff up until late yesterday,
2 and I know things didn't go out until yesterday evening.
3 And so I will ask for your grace on that for us this time
4 around. Next time it should be better.

5 Whoops. Sorry about that. No one ever calls me. I
6 apologize.

7 But if anyone needs some time before a topic to go
8 through the pre-reads that they didn't have a chance to
9 look at, let me know. And we will make the time to give
10 everybody a chance to digest the pre-reads. So with that
11 we will go to public comment.

12 So if you, Katy, could read the directions please.

13 PUBLIC COMMENT MODERATOR: Yes, Chair.

14 In order to maximize transparency and public
15 participation in our process, the commissioners will be
16 taking public comment by phone. To call in, dial the
17 telephone number provided on the livestream feed. The
18 telephone number is 877-853-5247. When prompted, enter
19 the meeting ID number provided on the livestream feed.
20 It is 93489457215 for this week's meeting. When prompted
21 to enter a participant ID simply press the pound key.

22 When you have dialed in, you will be placed in a
23 queue from which a moderator will begin unmuting callers
24 to submit their comment. You will also hear an automatic
25 message to press star 9. Please do this to raise your



1 hand indicating you wish to comment.

2 When it is your turn to speak, the moderator will
3 unmute you and you will hear an automatic message that
4 says the host would like you to talk and press star 6 to
5 speak.

6 When you -- please make sure to mute your computer
7 or livestream audio to prevent any feedback or distortion
8 during your call.

9 Once you are waiting in the queue, be alert for when
10 it is your turn to speak. And again, please turn down
11 the livestream volume. These instructions are also
12 located on the website.

13 The Commission is taking public comment on -- is it
14 general public comment at this time? Okay.

15 We do have someone in the queue. If you'll press
16 star -- please state and spell your name for the court
17 reporter and then share your comment.

18 MR. ALBERT: Hi, everyone. My name is James Albert
19 and it's spelled J-A-M-E-S; last name Albert,
20 A-L-B-E-R-T.

21 CHAIR FORNACIARI: Go ahead.

22 PUBLIC COMMENT MODERATOR: Please, go ahead.

23 MR. ALBERT: Okay. Hi, everyone. My name is James
24 Albert. I'm a member of the League of Women Voters here
25 in the San Bernardino area. Just want to introduce



1 myself and make myself available to you all. I'm very
2 interested in how this process unfolds and being an
3 active participant through this entire process. Again,
4 I'm in the City of San Bernardino. I've been a 20-year
5 resident here and look forward to understanding how it
6 all works and again, being an informed constituent.

7 CHAIR FORNACIARI: Well, thank you for that. We
8 appreciate your interest in the process. Thank you.

9 PUBLIC COMMENT MODERATOR: And that was the only
10 person in the queue at this time.

11 CHAIR FORNACIARI: Okay. Well, we'll wait for
12 another minute or so. The instructions have finished on a
13 live feed, so we'll give them another minute or two.

14 Okay. Well, it doesn't look like anyone else has
15 joined the queue at this point. Thank you, Katy.

16 PUBLIC COMMENT MODERATOR: You're welcome.

17 CHAIR FORNACIARI: Okay. Well, we will be taking
18 public comment again after lunch and at the end of the
19 day, if you didn't get a chance to get in this morning.

20 So we'll go on to item 4. Oh, one more just sort of
21 general announcement. I'm going to propose that we have
22 our closed session today. After lunch, we'll come back
23 from lunch and take public comment and then then go into
24 closed session at that time, just to give everyone a
25 heads up.

1 So action item or item -- agenda item number 4,
2 Commissioner Updates. Item of interest to the
3 commission. I have one. I just want to let you all know
4 that I had a conversation with Lily Irvin-Vitela, who is
5 the director, and Melanie Sanchez Eastwood, who's the
6 deputy director of New Mexico First. They asked for
7 someone to come speak with them next Monday about our
8 outreach approach.

9 So we just had a pre-meeting there. They put
10 together a commission to kind of talk about
11 recommendations for redistricting in New Mexico. So I'll
12 be meeting with them Monday for a half hour or so, and I
13 will give you another update at our next meeting. But
14 they're really excited to hear what we're doing here and
15 what our approach is. So I just want to share that with
16 you all.

17 Does anyone else have an update that they'd like to
18 share? Commissioner Sinay, then Sadwhani.

19 COMMISSIONER SINAY: I met with Amy from
20 Philanthropy California just to do updates since they had
21 an RFP out for -- a request for proposal out to fund
22 regional organizations. The organizations don't know yet
23 who's gotten the funding, so they couldn't show that.
24 But there will be they are granting around 350,000. And
25 we talked about how their work and our team can



1 complement each other. Moving forward, kind of what's
2 their what -- where we were in our thinking and where
3 they are on their thinking and we being the full
4 commission. So it was a good conversation. I think
5 we'll get we'll get a lot of support working closely
6 together.

7 CHAIR FORNACIARI: Okay, great. Thank you.
8 Commissioner Sadwhani?

9 COMMISSIONER SADWHANI: Yes. Thank you. Good
10 morning, Commissioners. I actually wanted to respond to
11 one of the public comments that we received from the
12 black census and redistricting hub. First, thank you so
13 much for taking the time to write that extensive letter.
14 I know. I'm sure all of the commissioners really
15 appreciate it. Certainly I do. I actually think that it
16 was in response to some of the comments that I had made
17 that may have been somewhat mischaracterized. So I just
18 wanted to, you know, just to say that I had mentioned the
19 organization to uplift the good work that they are doing.

20 And a secondary comment was -- that I had made was
21 that given the broad array of organizations and folks and
22 communities that we want to speak with, we may need to
23 think about using videos, but it was not specifically
24 that we would need a video training from that
25 organization. So I just wanted to say that, you know, I

1 don't know if anyone from the organization that's
2 listening today, but certainly, you know, I just wanted
3 to clarify my intent of my comments and I so appreciated
4 the letter. While I'm not on the access committee and
5 I'll leave that for the access folks to it to figure out
6 who will who will be presenting. I certainly recognize
7 the historical perspective and need -- for the need for
8 the perspective of the black community as it relates to
9 the Voting Rights Act. And the Voting Rights Act, as we
10 know, was specifically put in place in 1965 in response
11 to the discrimination blacks faced in and their right to
12 vote.

13 And so we are you know, Commissioner, you and I are
14 working on developing both a briefing book for four
15 commissioners, as well as a series of trainings. So I
16 would look forward to reaching out to Mr. Woodson or
17 others from that organization to ensure that their voices
18 are included, at least on that side. And as mentioned,
19 the access speaks to that.

20 CHAIR FORNACIARI: Thank you. Any other?
21 Commissioner Vazquez?

22 COMMISSIONER VAZQUEZ: Yes. Thank you. Director
23 Claypool and I met with Sonia and we're getting her last
24 name now, forgive me, from the California Census
25 regarding our -- this commission's outreach and initial

1 engagement points with the census networks that we agreed
2 to be doing to try to get -- really as a means to tap
3 into the grassroots networks and the trusted messengers
4 within each of these groups, in each of the very vast and
5 diverse subregions and communities throughout the state.

6 And we had a very great conversation with her,
7 provided her additional context behind sort of our
8 outreach. I'm not sure how many of you have actually
9 made contact with either the census staff person assigned
10 to the region or the sort of the more community
11 representative for your particular regions.

12 But we had a good -- Director Claypool and I had a
13 great conversation with her. And my understanding is
14 that she was going to provide sort of a green light and
15 some additional information for us as a commission about
16 how the networks worked for the census so that that will
17 be incorporated into the presentation next week from the
18 California Census Director.

19 One thing that related to our meeting last week is
20 also one of the public comments. I think there's still
21 some confusion around the folks in the community about
22 what exactly the purpose was of the framework, I'm not --
23 the framework that we adopted a few weeks ago as a
24 mechanism for the Commission to begin our community
25 outreach and engagement in earnest, in light of the fact



1 that we are still not fully staffed, particularly on the
2 community engagement side.

3 So just wanted to reiterate to the public that the
4 framework that the Commission adopted two weeks ago in my
5 mind is a is a working and probably in all likelihood
6 temporary framework for the Commission to divide up some
7 of the initial community engagement workload, for lack of
8 a better term, so that we each have a better
9 understanding of exactly what it takes to do community
10 outreach on a level that happens for the census that
11 happened for get out to vote. These are things that not
12 all of the commissioners are deeply familiar with. And
13 so really, we have used this regional framework as a way
14 to jumpstart our own thinking and conversation.

15 But certainly, it is not it is not a framework or
16 division of labor or relationships that we are married to
17 beyond this initial fact finding and relationship
18 building purpose. And I think that was also an important
19 message to reiterate and communicate to Sonia at the
20 census and for our sort of census staffers that we will
21 be contacting or have contacted.

22 So again, just for the public, just wanted to let
23 you know that we understand and appreciate the feedback
24 we received that, you know, we know that these regions
25 are large and vast and contain many communities of



1 interest and sort of subregions that have different
2 interests and needs. And we respect that. And we really
3 part of why we want to engage these grassroots networks
4 is to understand and learn more about the vast diversity
5 contained across the state. So those are my comments on
6 Twitter.

7 CHAIR FORNACIARI: So I have a question for you. So
8 where we at with regard to the individual groups reaching
9 out? Are we to wait until next week or we carry on at
10 this point? We got the green light to go ahead?

11 COMMISSIONER SADWHANI: My understanding is we got
12 the green light to go ahead, although given even how much
13 workload these census stops are in terms of winding down
14 their actual work. The main -- scheduling for each of
15 their time to get an hour could be a bit challenging. So
16 I would say my understanding is we got the go ahead to
17 continue to schedule things. But those actual
18 conversations with the census staffers, the regional
19 staffers, may not actually happen until closer to the end
20 of the month, just given their workload.

21 CHAIR FORNACIARI: Okay. Commissioner Sinay?

22 COMMISSIONER SINAY: Just to add to that. I think
23 what's critical is to contact the CBO, contact if they're
24 still even hired; most of them, their contract ended at
25 the end of October. Those are the ones that have the

1 most -- they're the ones with the relationships they
2 receive the money to allocate it to us. But we
3 definitely have the green light to build on what the
4 census created. And we're being highly encouraged by the
5 census director.

6 The director of the census was a different person
7 than who Commissioner Vazquez and Director Claypool spoke
8 to. And you're all highly encouraged to really play with
9 the tool that Commissioner Ahmad sent to all of us.
10 They're looking for where that's going to be place, where
11 the homes are going to be for that. But that has a lot
12 of the information we need to understand each of the
13 regions and we'll learn more about it. But definitely,
14 you should be asking to have your own account and start
15 getting to know the regions.

16 CHAIR FORNACIARI: Commissioner Sinay, you used an
17 acronym, CBO?

18 COMMISSIONER SINAY: A community based organization,
19 so we sent you two leaders for each census. One was the
20 hired staff by the census.

21 CHAIR FORNACIARI: Right.

22 COMMISSIONER SINAY: And they're kind of the
23 contract manager. And then the other one was the
24 community based organization. They were the ones
25 managing the on the ground relationships.

1 CHAIR FORNACIARI: Okay. Very good. Thank you. I
2 just wanted to make sure I understood that and that that
3 our audience knew what CBO meant.

4 Commissioner Ahmad?

5 COMMISSIONER AHMAD: I just wanted to bounce off of
6 what Commissioner Sinay said. You said the tool that I
7 set. So I just want to make sure everyone is aware of
8 what that tool is, including the folks listening. It's
9 the statewide outreach and rapid deployment tool out of
10 the California Census 2020 office. It's a tool that is
11 used for census staff and planning for the outreach
12 efforts.

13 CHAIR FORNACIARI: Thank you. Commissioner
14 Akutagawa?

15 COMMISSIONER AKUTAGAWA: Thank you. Just for
16 further clarification. One, Commissioner Ahmad, would
17 you be able to rescind that link? And I don't know if
18 that should be put onto the commission's website.

19 And then secondly, just for clarification, in terms
20 of the community based organizations with the two
21 contexts, Commissioner Sinay, I think you're referring to
22 the document that says community and sector based
23 organizations. It's a document that was put out by the
24 California Census 2020 Group. Is that the -- I think
25 that's the document you're referring to?

1 COMMISSIONER SINAY: I believe so. I believe so. I
2 don't have front of me. But we had kind of simplified
3 it. So we gave you each kind of in our report two week,
4 two meetings ago, exactly the links. So I can look for
5 it.

6 COMMISSIONER AKUTAGAWA: Yes, that's where it's
7 from. But I just want to make sure that that's what
8 you're referring to. Okay. Thank you.

9 CHAIR FORNACIARI: Okay. Thank you. Commissioner
10 Toledo?

11 COMMISSIONER TOLEDO: Well, I just wanted to say
12 that in reaching out to the smaller nonprofits that are
13 the community based organizations doing the census work,
14 I have encountered quite a couple that where the staffer,
15 the on the ground staffers are no longer with the
16 organizations. And so that is an issue, especially in
17 the more rural and smaller communities. But even in
18 Morin County. So it's something just to think about it.
19 And so the sooner we do it, probably the better.

20 CHAIR FORNACIARI: Okay. Anyone else? Okay. Very
21 good. Thank you. We'll go on to item number 5, I
22 believe. It would be the executive director's report.

23 MR. CLAYPOOL: Good morning, everyone. First of
24 all, you're going to see me doing this a lot because we
25 are in a different building and I have to keep turning

1 the lights on behind us. We're actually in a different
2 room; we had to move to a center room because there's
3 construction going on all around our building. And
4 periodically you'll hear construction going on in the
5 bathrooms behind this room. So we will probably be here
6 at least through this set, and possibly through the next
7 one. So that's why the surroundings look different.

8 The first thing I'd like to talk about is the
9 individual that Commissioner Vazquez and I met with was
10 Sonia Logman-Harris. It's important that you remember
11 that, because if you're asked out in the field about who
12 you've spoken with, it is Logman, L-O-G-M-A-N dash
13 Harris, H-A-R-R-I-S. She is the personnel director for
14 them. And it was it was a delightful conversation. I'm
15 very impressed with the census and the people that they
16 hired.

17 She had asked for bios and I had gone on to our
18 website; we only have eight of your bios. And I believe
19 that the that the state auditor had asked the final six
20 for bios. So I'm going to just ask the final six; did
21 you give this your bios to the state auditor? Perfect.
22 Because I've also got an emphatic from Commissioner
23 Sinay. So we are -- I am -- I asked our contact over
24 there if she would forward them to us. I would also like
25 you if it's possible to provide a headshot.



1 I'd like to just get something on our website, even
2 though we're going to update it. But I'd like the public
3 to begin to be able to identify who you are and then
4 maybe we can upgrade the method for getting to your bios
5 there.

6 If I don't get a quick response from the state
7 auditor, I may ask the six of you who were selected
8 second to send them to me. And then we can also -- this
9 is kind of a two for one. We can then also send them the
10 link on to Ms. Logman-Harris so that she can, you know,
11 know who you are and be able to present you out to the
12 staff that you've been greenlighted to.

13 CHAIR FORNACIARI: So on that topic. You know, the
14 direction we were given from the state auditors for what
15 was to be included in our bios was kind of different than
16 what the bios for the 2010 Commission; and I kind of like
17 their format better. And so what I was hoping was we
18 could, you know, once we get our communications director
19 in place and our web group in place was maybe that we
20 could come up with a more consistent format for the --
21 consistent and effective format for our bios. I don't
22 know how others feel about that, but that was my
23 observation.

24 MR. CLAYPOOL: I believe that we're all in agreement
25 that many things on our website need to be upgraded and



1 perfected, and that will certainly be something that
2 should be on our communications directors list straight
3 away.

4 The only thing I'm asking to do is this interim
5 move, because she had shown an interest in being able to
6 present all the commission out to staff. And then when
7 we get Mr. Ceja on board, then we will be able to have
8 him start to do that. The -- yeah.

9 CHAIR FORNACIARI: Yep.

10 MR. CLAYPOOL: Okay.

11 CHAIR FORNACIARI: Very good.

12 MR. CLAYPOOL: So now we talk about staffing. And
13 the first thing we have an update on the deputy executive
14 director position. It is at finance and SEO still.
15 Raul's going to try to make an inquiry is where whether
16 it's definitely cleared finance. The hang up will be the
17 state comptroller's office and -- but we're still -- we
18 spoke yesterday with members of the Department of General
19 Services about some of the things that they're doing for
20 us and that came up; and we asked and they were checking
21 on it as well.

22 On the communications director, we have a report
23 date, I believe, but I will leave that -- I was told --

24 CHAIR FORNACIARI: We haven't reported out who that
25 is yet.



1 MR. CLAYPOOL: Okay.

2 CHAIR FORNACIARI: So I can do that next.

3 MR. CLAYPOOL: My fault. Okay, so that'll be
4 reported out.

5 CHAIR FORNACIARI: I'll do that in agenda item 6.

6 MR. CLAYPOOL: Okay. I apologize. So then we have
7 for our office tech, Ms. Cruise (phonetic), will report
8 1111. We already have Ms. Sheffield (phonetic) on board.
9 We will have our budget analyst, Ms. Pacheco, will be --
10 has been asked to report tomorrow so that we can start to
11 hand out some of the primary budget responsibilities.
12 And the hire for Mr. Alfonso (phonetic) at the IT
13 position, um, where we've solved a legal opinion
14 regarding a question about his coming on board, and now
15 we are sending him the paperwork to determine when he can
16 start with this. And that would be our in-house IT.

17 And finally, in closed session, I have one other
18 staff hiring decision that has to be made; and that would
19 be for our deputy administrator.

20 On the budget. I didn't -- I had intended to send
21 out a -- this week to try to complete the projected
22 budget all the way through the legal -- the possible
23 litigation to June 30th, 2022. I could not complete that
24 budget, and I will have it for you by the end of this
25 week so that you can review the projections before our



1 next meeting.

2 There are four things; I'd actually say three, but
3 there are four things that I need to pin down before I
4 can give you a fairly accurate estimation of the cost of
5 this. And what we're going to have to ask for in our
6 spring revision. The first thing is that we need to have
7 the benefits estimate for hired employees. It's around
8 30 percent, but I'd like to know exactly what it is. And
9 what that is, is it's whatever you are agreeing to pay
10 your staff, we have to add 30 percent above it to pay for
11 health insurance and all the benefits that are afforded
12 to state employees. The process for granting and re
13 granting outreach funds, I've sent a request to the
14 Department of Finance requesting two things. Both the
15 process, The State process, for making the grants and
16 tracking the use of the funds.

17 And also which allocations we may grant -- that we
18 can make grants from. Right now we know that -- we know
19 I've been told that the outreach allocation, which is \$2
20 million was intended to have some portion allocated in
21 grants. But I'm also asking whether or not the
22 unallocated portion could be used for granting funds.
23 And so we're waiting for that.

24 I also asked the Department of Finance for the
25 process for requesting the release of the allocated and



1 unallocated funds, and whether there are restrictions on
2 how the unallocated funds could be encumbered. This is
3 not only for grants, but this would be also using that
4 \$3.9 million for your contracts and for -- can it be also
5 allocated for staffing positions in outreach or staffing
6 positions that will be required to be put in place for
7 some of the contracts that we'll have. So I just need to
8 know what the parameters are on the allocation so that we
9 can divide that money into the areas where we know it's
10 going to need to go.

11 And then finally, I've asked whether the
12 separation -- whether there can be the separation of
13 staff into operational roles into two different
14 allocations. And that's what I previously discussed.
15 Can we have the outreach staff that we intend to have do
16 our outreach? Can those staff be put under the outreach
17 allocation, or do they have to be under the general
18 operational allocation, which is \$1,313,000.

19 So all those questions are with our contact at the
20 Department of Finance. They will get back to us probably
21 tomorrow or the next day. And then it will also answer
22 some of the questions that the Outreach and Engagement
23 subcommittee are waiting on in regard to the grant and
24 the regrating process. So questions?

25 CHAIR FORNACIARI: Commissioner Sinay?



1 COMMISSIONER SINAY: Can you clarify what is meant
2 by grants, just to make sure that we're all on the same
3 page on the definition of grants versus contracts and
4 stuff? So what does the state bureaucracy refer to when
5 saying grants; what does that mean?

6 MR. CLAYPOOL: So when I asked the question about
7 the \$2 million for outreach, I was told by a member of
8 the legislature actually working with their staff that
9 there was an intention that some of that money would be
10 used the same way that the Irvine money was used. And so
11 in my mind, it's the intention that they can give a grant
12 out to an organization and have them do work similar to
13 the way the Irvine Foundation did it.

14 As far as the State and how they see grants, I have
15 to wait for that site from the Department of Finance,
16 because it will tell me how we have to manage it and how
17 we have to determine whether or not we've received what
18 was intended when we gave the grant. But I believe the
19 -- just the straightforward answer is they intended to be
20 a supplant for the Irvine Foundation process.

21 Anything else? Okay. Contracting. We -- I'd like
22 to talk to you a little bit about where we're at with the
23 contracts. I laid out those rather onerous timelines
24 last week, and we talked about the VRA counsel, the VRA
25 consultant, the RPV consultant -- I'm sorry, Voting



1 Rights counsel, voting Rights Act consultant, the
2 racially polarized voting consultant, and the outside
3 counsel. As I understand it, all of these are going to
4 flow through the committee, the VRA, the Voting Rights
5 Act council committee -- subcommittee that we have right
6 now, and that would be Commissioners Sadhwani and Yee.

7 I had -- we are hoping to get you the statements of
8 work that were included in the contracts from the 2010
9 Commission, so that you can start working on making the
10 modifications. And I'd actually hoped that we would have
11 had them to you yesterday, but we're struggling with a
12 couple of other things.

13 While you're working with those statements of work
14 this week, Raul will be cleaning up -- will be cleaning
15 up the shells, if you will, the actual 30 page part that
16 goes with it that has all the boilerplates, so that we
17 can drop your statements of work into them and then have
18 the commission review the actual RFP so that we can
19 prepare to approve them and release them. So that's
20 where we're at right now with that part of the -- with
21 that part of the RFP process.

22 Later, we will be coming back with an RFP for the
23 process for all of your videography all the way through
24 the end of the process that 2022. But that's strictly
25 the in-house videography. Once we have the outreach



1 plan, then we will be able to put together the final
2 contract, which will be whatever videography is -- or
3 whatever needs actually are needed to run our outreach
4 and our public meetings. So those are the RFPs we have.
5 The only other one that's outstanding, of course, is in
6 the line drawer RFP, and that will be discussed later
7 today.

8 So commissioner Sadhwani and Yee, that seems like
9 an awful lot of work for you two. At this -- is there a
10 way that we can share the joy with other commissioners to
11 help with that? Or do you -- I mean, do you feel
12 comfortable with it or do you -- would you like to see if
13 we get some other commissioners to join in and help work
14 on those?

15 Commissioner Yee, Commissioner Sadhwani, whichever?

16 COMMISSIONER SADHWANI: (Indiscernible).

17 COMMISSIONER YEE: You know, it just depends on what
18 the statements of work look like as Raul is able to pull
19 them out. And you know, how ready they are. How much
20 work they're going to need to bring to, you know, up to
21 date for our use. But since we haven't seen them yet,
22 it's just hard to tell.

23 CHAIR FORNACIARI: Okay. Commissioner Sadhwani?

24 COMMISSIONER SADHWANI: Yeah. My sense is, I think
25 once we see those pieces from last time around we'll have

1 a better sense. From all of the conversations that we've
2 had thus far, I don't think that the issue was with how
3 the VRA -- how the RFP was written. I think there was
4 some issues with the line drawer one from 2010 that
5 needed to be addressed. But my sense was that the VRA
6 ones were actually, you know, did the job. And then I
7 think some of the decision making of the commission was
8 needed a little -- some greater information, perhaps, it
9 seems. But you know, my sense is that what was used in
10 2010 can be updated, hopefully relatively quickly, to
11 move this process.

12 CHAIR FORNACIARI: Okay. I just -- it seemed like a
13 lot. It could be a lot of work, and I just wanted to
14 check in with you all. If something changes, though,
15 please, you know, let us know.

16 I have Kennedy and then Akutagawa.

17 VICE CHAIR KENNEDY: Thank you, Chair. I just have
18 a quick question for the executive director. There's a
19 note on the timeline that we were looking at last time or
20 time before saying contracting requirements for legal
21 counsel differ from general contracting requirements.
22 And I'm wondering if we're applying those different
23 requirements to the VRA council as well. I mean, is that
24 a way that we can shorten the timeline on the VRA Council
25 is to use the same process that we're using for the quote

1 unquote, general outside Counsel? Thank you.

2 MS. JOHNSTON: Yes, it would be the same process.

3 MR. CLAYPOOL: There could be just one
4 consideration, and that's if you've identified who you
5 wish to have do it. Then we can use that mechanism. If
6 you're looking for individuals to give you a proposal
7 about how they would provide those services, then we
8 would use an RFP.

9 Now, a lot of this, it's the same thing is used in
10 an interagency agreement. If we know that we're going to
11 use a specific individual for a specific task, then we
12 can use that interagency agreement. And then it shortens
13 the process greatly. I believe with legal Counsel it
14 would be the same way. We would -- we could -- if we
15 knew who we wanted to use, then we could use that
16 process. But if we wanted different people to bring us,
17 say, for outside counsel, you want to see some proposals
18 on who they're going to offer up as the attorneys who
19 will handle the litigation for you and so on and so
20 forth, and you want to compare those plans. Then you're
21 going to need to use the RFP to get those proposals so
22 that you can match them. So it -- the use of that
23 shortened plan is primarily, I think for -- you know, has
24 that distinction. Is that the way it looks to you,
25 Commissioner Kennedy?



1 VICE CHAIR KENNEDY: Well, I'm looking at the
2 timeline. And the first element in the workstream for
3 engaging outside counsel for litigation says create the
4 RFP. So I'm still a bit confused. If that has to go
5 through an RFP but takes less time than non-counsel RFPs,
6 you know, is -- I'm still trying to figure out how the
7 Voting Rights Act counsel is different from outside
8 counsel for litigation if it's the contracting
9 requirements for legal counsel differ from general
10 contracting requirements.

11 MS. JOHNSTON: The difference would be as when they
12 would provide the work. And it could be the same law
13 firm. That remains to be seen. But VRA counsel is to
14 give you advice right now on how to comply with the
15 requirements. Litigation counsel is to have on standby
16 in case you are sued once the maps or before the maps
17 are -- so one is more directed advice to you and the
18 other is directed at handling litigation.

19 CHAIR FORNACIARI: Does that answer your question,
20 Commissioner Kennedy? Wasn't it more around contracting
21 and what the difference is in -- would there be a
22 different contracting mechanisms for the two?

23 VICE CHAIR KENNEDY: Right. I mean, I'm looking at
24 the timeline that the executive director distributed at
25 the recent meeting and seeing that the timeline for



1 engaging outside counsel for litigation is several weeks
2 shorter. I'm just wondering if that could be applied to
3 Voting Rights Act counsel as well.

4 MR. CLAYPOOL: I'm just -- I'm looking at the
5 timeline that we gave you. I will have to get back to
6 you on that, Commissioner. And I just -- I don't want to
7 speak any further, dig a hole any deeper than I am right
8 now between the two processes. I do know that for
9 attorneys there is a different criterion, and certainly
10 the voting rights act counsel is an attorney giving you
11 legal advice.

12 If we can shorten it, if that's possible, then
13 absolutely we will, because we're trying to shorten every
14 one of these timelines. But that will have to -- just
15 allow me to come back to you on that.

16 VICE CHAIR KENNEDY: Sure. No problem.

17 CHAIR FORNACIARI: Okay, Commissioner -- or did you
18 want to respond to that, Commissioner Sadhwani?

19 COMMISSIONER SADHWANI: Yes. You know, I can't
20 speak to the contracting procedures. I simply don't know
21 them very well. But one of the conversations that we
22 have had in terms of some of the lessons learned from
23 2010, was that the VRA counsel could be outside counsel.
24 It could be an attorney that we hire in-house, as well.
25 And I know when I had -- when Commissioner Yee and I had

1 talked with Director Claypool, one of the things that,
2 you know, I think that we have learned is that we want to
3 be able to be somewhat flexible in our process to make
4 sure that we get the right counsel. I think, you know,
5 from our conversations with Mr. Enscheda (ph.), as well
6 as the line drawer from 2010, it seems that the
7 counsel -- there was one counsel, right, who did both VRA
8 and outside litigation. And that that ultimately wasn't
9 the best scenario for the commission.

10 It may be the case that we could find someone who
11 could cover both of those roles as external counsel this
12 time and do so in a better manner. But my sense of -- in
13 terms of the conversation that Director Claypool and I
14 had, was to maintain as much flexibility so that we can
15 make the best choice possible for us. I hope that that
16 makes sense.

17 I don't know exactly what that means in terms of the
18 contracting piece, but my preference was to ensure that
19 we can get the broadest pool so that we can get solid VRA
20 counsel and solid external litigation counsel, as well.
21 And again, maybe that's one firm, but it could be
22 separate.

23 MR. CLAYPOOL: We had also discussed that it was
24 better to go out with two different approaches to try to
25 seek the best very VRA counsel possible, and the best

1 litigation firm. And knowing that some of them will say
2 we can do both and would possibly present their proposal
3 as this is who we would offer up for VRA counsel, and
4 this is the price for us.

5 And so it could be -- that was one of the
6 assumptions with Gibson Dunn was that by combining the
7 two, that there would be some type of cost savings in it,
8 although we do know that cost savings is the second
9 priority. The first priority is having the best possible
10 counsel for the best possible advice in that position.
11 So that's why you see two different counsels being
12 approached here. And I will get back to you. I've made
13 a note, Commissioner Kennedy, to make sure that I get
14 back to you on the timelines.

15 Commissioner Anderson?

16 CHAIR FORNACIARI: I believe, Commissioner -- I see
17 you, Commissioner Anderson, but Commissioner Akutagawa is
18 next.

19 COMMISSIONER AKUTAGAWA: Thank you. I guess
20 speaking of timelines, I do have a question for
21 Commissioner Sadhwani and Yee. I was glad that
22 Commissioner Fornaciari asked this question, because I --
23 when it was laid out, like all the consultants that you
24 would be having to manage. I hear what you're saying
25 about you need to see what the RFP and what it all is

1 going to entail. But I am, I guess, curious and maybe
2 potentially concerned about will there be an impact to
3 our timeline if after you review it, and since we don't
4 have all of the details yet that you have to be able to
5 look now, will that delay the process if at some point
6 after you have a chance to review it, you decide we do
7 need to break out this work a little bit more. Because
8 I'm just thinking about just how involved these
9 conversations around contracts have been with just one
10 person, much less four.

11 And so -- I mean, if you feel like you could do it,
12 I mean, that's just fine. I think I'm just trying to be
13 mindful of the timing, as well, too. And is it better to
14 try to just say, you know, let's just spread it out now
15 so that you'll have two groups of people simultaneously
16 working at it instead of, you know, the two of you kind
17 of trying to determine it and then deciding, okay, we do
18 need to break this up and then we're that much further
19 behind. And I'm not saying that you couldn't do it. I'm
20 just asking that question.

21 MR. CLAYPOOL: So I think we're getting a couple of
22 different things going on right here. Commissioner
23 Sadhwani and Commissioner Yee will be looking at the
24 statements of work. These are four or five pages, I
25 think, pretty much at a maximum per contract. And then



1 they will be going through, and a lot of -- and I think
2 there's a lot of truth to it. That we're going to be
3 asking an outside counsel to do virtually the same thing
4 this time as they did that time. To give you counsel
5 to -- you know, to give you the best direction and to
6 represent you.

7 Now, once we get past this and we -- and these RFPs
8 come back in and they have to be scored and they have to
9 be reviewed, and then they have to -- we have to make
10 those determinations at that point, Commissioner
11 Akutagawa, I believe that it would help to really split
12 it out and let different teams handle it.

13 But with regards to the statements of work, Raul and
14 I will be available to help you, you know, to be a guide
15 for that. But if we have five contracts, or if we have
16 five RFPs, we're probably talking about 20 to 22 pages of
17 reading. And then, you know, totaled. And they're going
18 to sound -- they're going to sound a lot alike as you go
19 through them. So that's -- if that's helpful, that's the
20 task at hand right now.

21 COMMISSIONER AKUTAGAWA: Just to follow up. It
22 sounds like they can be split up later on. Like for
23 right now, it can remain with the subcommittee, and then
24 later on split it out then. Okay. I mean, that makes
25 sense. I mean, it does seem to make sense that it would

1 all be under them. But at the same time, I do believe
2 that they have full time jobs, too. So I just want to be
3 conscious about that. And when I looked at that, I
4 thought, oh my gosh, that's a lot of work.

5 CHAIR FORNACIARI: It helps if I turn my mic on.
6 Commissioner Anderson?

7 COMMISSIONER ANDERSON: Thanks. I think I can help
8 out on this. I've been doing a lot of looking at the
9 contracts and types of contracts and things, and legal
10 services don't have -- actually, if you hang I'll switch
11 to this. Legal service contracts are not subject to
12 competitive bidding or advertising. You must be
13 authorized by the Attorney General, unless specifically
14 exempt by statute.

15 And so go back to where I can see everyone.
16 Basically, that's why, as I see it and I'll please -- the
17 subcommittee correct me if I'm wrong here, but there is
18 the outside counsel for litigation purposes. And we can
19 basically -- we have -- we did in the past do a do an
20 RFP, but it wasn't necessarily required as such. And
21 Raul can really speak to us more about this, because this
22 is his -- you know, he understands these particular what
23 you call it. But we want to be transparent and open.
24 But that's where the short window comes through -- comes
25 in, because legal services have different rules than the

1 regular RFPs and non IT services versus consulting
2 services.

3 And so there's two aspects here. There's the
4 helping us through litigation on the maps, and there's
5 the VRA. And those are - I'm believing --they're
6 actually like there's -- they're maybe they're going to
7 be the same, but chances are they are not. And that's
8 where we're coming into. So there are two scopes of work
9 for the different ones, but they're both going to be into
10 types of legal contracts, unless -- and that's where the
11 issue is, unless the VRA consultant is down as a
12 consultant. But it's legal services, so that's where we
13 need Raul to clarify.

14 And I think that's why it looks like there's the
15 six-week scenario in one, and the really short period on
16 the other. And so that -- if -- I think, Mr. Claypool,
17 going back talking to Raul is going to work all that out.
18 But the scope of work, you know, I feel quite comfortable
19 that both Commissioner Yee and Commissioner Sadhwani,
20 taking what they did last time, cleaning it up, will
21 certainly get that moved forward. And they're -- so I
22 think in this, it sounded like four different people.
23 But I think it's one firm, and another firm possibly, or
24 another guy or you know, person. I don't mean male or
25 female, they're just a person.



1 So I think we're all envisioning a little more than
2 is -- yes, they're five or six pages for each one. It's
3 going to take a lot of work, but it isn't an
4 unsurmountable amount of work, and I think we'll still
5 meet all time frames that we're concerned about here. So
6 I think that -- I hope that helped.

7 CHAIR FORNACIARI: Okay. I think Marian had
8 something to add, and then Commissioner Toledo.

9 MS. JOHNSTON: Just for the Commission's knowledge,
10 you are exempt from having to get Attorney General
11 approval. It's in your statute. And we got a letter to
12 that request for the 2010 commission.

13 CHAIR FORNACIARI: Commissioner Toledo?

14 COMMISSIONER TOLEDO: I just want to say I think it
15 makes perfect sense to have the committees work on the
16 scope of work, finalize the revised, and to have those
17 solidified. And then potentially have some kind of group
18 that finds the ideal contracting vehicle and the
19 smoothest works with staff on finding out that the most
20 efficient ways to get these contracts brought to
21 fruition. And so some kind of RFP group that isn't just
22 working on the legal contracts, all of those are
23 important, but all the other types of contracts that
24 might be coming through.

25 CHAIR FORNACIARI: Okay. Thank you, Commissioner

1 Toledo. Yes, Commissioner Anderson?

2 COMMISSIONER ANDERSON: I definitely have a lot to
3 say about that when we get to the -- you know, the line
4 drawing RFP. Because I'm essentially going to recommend
5 what sub-committee uses what form, because I just did all
6 that through the state contracting manual. So yeah,
7 there -- there's a lot to be -- certain ones. We've been
8 talking around about the particulars, and I can really
9 quickly make that concise and come to a head.

10 CHAIR FORNACIARI: Okay.

11 COMMISSIONER ANDERSON: I don't want to have that
12 conversation yet. I was waiting to have the conversation
13 when it was the line drawing time.

14 CHAIR FORNACIARI: Okay. Well, we will get there
15 soon. Did you -- did Marian -- you responded. Did you
16 have a comment, Director Claypool?

17 MR. CLAYPOOL: No, but thank you, Commissioner
18 Anderson. It was a very clear and concise statement
19 about how legal services can be procured. And -- but we
20 do first have to get these statements of work out. And
21 so we will have those to Commissioner Yee and
22 Commissioner Sadhwani very quickly.

23 CHAIR FORNACIARI: So Commissioner Toledo, I'm
24 sorry. It's a little bit hard to listen and try to, you
25 know, manage the meeting. And so was there an action you

1 were looking for me to take with your comment, or just
2 something for us to think about down the road?

3 COMMISSIONER TOLEDO: It was more of down the road.
4 We -- or later as we think through this. As Commissioner
5 Anderson, you know, speaks to the procurement work that
6 she's been thinking about. Perhaps we will -- we may
7 have an action later on. But for now, I'm -- just a
8 comment that I think the committees can do the scope of
9 work. I think that's appropriate. They're the most
10 knowledgeable and have the most intimate information.
11 And have been researching and thinking about the scope of
12 work the most. And then the more technical aspects of
13 the contracting process, and the procurement process, can
14 be done by a subcommittee that just focuses on figuring
15 out how to make that the most efficient, and just moves
16 that process out and makes it the most efficient as
17 possible.

18 CHAIR FORNACIARI: Okay. Yeah. Thank you. And if
19 you guys feel like I'm missing something, just stop me.

20 Any other comments or questions at this point?

21 Okay. Director Claypool?

22 MR. CLAYPOOL: Okay. So following along, yesterday
23 Raul, Marian, and I had a meeting with the Chief Counsel
24 for the Office of Legal Services, the Assistant Chief
25 Counsel, the Chief of the Department of General Services

1 Procurement Division, and two of her assistants. And our
2 conversation was to discuss our current CMAS (phonetic)
3 contract for our -- our interim contract for video
4 services, to discuss delegated authority.

5 And also, the IT procurement, your -- i.e., your
6 computers. We asked them for a dedicated contract for
7 our procurement services, expedited review and all of our
8 contracts, not just the ones that we were rolling through
9 right now, but the ones that we're proposing to push
10 forward.

11 And also, a defined path for our procurement needs.
12 The defined path, we've been getting bounced around
13 between two different organizations and DGS as far as
14 getting approval, because no one really knows how to
15 handle an organization that needs to move as quickly as
16 we need to move. And so the meeting was very good. We
17 received assurances that we would receive as expedited a
18 review as they can. And we told them -- we noted that
19 we're coming into the holidays, and they said that the
20 quicker we could get things to them, the better. And but
21 they were -- they acknowledged that we had a special
22 timeline. They gave us a point of contact, an individual
23 that Raul has been working with, and they were generally
24 helpful.

25 We were told that our -- that it will be a very



1 tough road on the delegated authority. The head of the
2 procurement division thought that there would be some
3 things that would -- that would stand in our way,
4 particularly putting together a procurement policy and
5 procedure manual that they require to be in place before
6 they will allow delegated authority. We believe that
7 that step is less onerous than they're portraying, and
8 we're going to continue to work towards obtaining that
9 authority before the main operations take off.

10 It's just at this point if this Commission doesn't
11 get delegated authority, it has to become a negotiated
12 agreement with the Legislature that the 2030 Commission
13 is exempt from any procurement oversight except for
14 possibly Office of Legal Services, and gets delegated
15 authority. It's just each time that we've done this,
16 it's been a stumbling block. We believe we can still
17 make it work this time, but like I said, Deputy Shell --
18 or Chief Shell, the head of the Procurement Division, was
19 just not -- she was a little pessimistic about it.

20 They also offered us several new services that the
21 Procurement Division provides, including a one-time
22 procurement option that they said could help alleviate
23 our need for quick procurements. And we're going to go
24 ahead and investigate using those as we move forward so
25 that we can get the things that we need -- office



1 supplies and so on and so forth.

2 And that is what we did between the three days
3 between the last meeting and this meeting. Are there any
4 questions for me?

5 CHAIR FORNACIARI: Commissioner Andersen?

6 COMMISSIONER ANDERSEN: Thank you. On the -- you
7 know, the delegated authority, the policies and
8 procedures, you know, we are working on that. How big of
9 a stumbling block is that? I.e., you know, do we need to
10 move that really forward or how much of the "policies and
11 procedures" manual do we need to have done?

12 MR. CLAYPOOL: It's actually a different -- it's a
13 Procurements Policy and Procedure manual. And it has to
14 be something that, you know, basically delineates what
15 our process will be for procurements, who's going to
16 oversee the -- who gets the two sets of authority to sign
17 for things, how we keep track of it.

18 So we looked at it, and it didn't look to be -- we
19 saw a manual that had put in there for just -- you know,
20 review this, this is what it should look like. It just
21 doesn't look like that much. So I'm not quite sure why
22 that would be as big a stumbling block, and that's why
23 we're continuing to pursue.

24 CHAIR FORNACIARI: Okay.

25 MR. CLAYPOOL: Thank you.



1 CHAIR FORNACIARI: Are we going to talk about the
2 org chart or not today?

3 MR. CLAYPOOL: Actually --

4 CHAIR FORNACIARI: I mean, is there a revised org
5 chart? It's just --

6 MR. CLAYPOOL: No. I will have to revise that org
7 chart to put in the permanent positions. I apologize. I
8 do not have that now. It will come out with the plan
9 that I'm going to send to the Commission at the end of
10 the week.

11 CHAIR FORNACIARI: Okay.

12 MR. CLAYPOOL: So.

13 CHAIR FORNACIARI: Okay. Thank you. So the next
14 agenda item is Communications Director
15 Introductions/Update. I want to check in with the team
16 responsible for hiring the communications director and
17 just make sure, are we ready to announce our
18 communications director?

19 COMMISSIONER VAZQUEZ: We have an official -- we
20 have a start date. I'm not sure what the protocol is. I
21 mean, our communications director -- did we want to issue
22 a press release? Did we want that to be this person's
23 first task? I'm (indiscernible) the name. We have a
24 start date, but --

25 CHAIR FORNACIARI: Okay. I just want to make sure



1 we're ready to announce that all the other candidates
2 have been notified and we're ready to go.

3 COMMISSIONER VAZQUEZ: Actually, that is a good
4 question. I know this committee has a question in to
5 Raul to see what, if any, communication -- if we have
6 closed the loop with the other candidates.

7 CHAIR FORNACIARI: Okay.

8 COMMISSIONER VAZQUEZ: So pending confirmation that
9 we have closed the loop with the other candidates, then
10 we are ready to announce the hire in whatever manner we
11 wish.

12 CHAIR FORNACIARI: Okay. We'll check in with Raul,
13 then, on break and come back.

14 So we introduced our chief counsel at the last
15 meeting. And she will be joining us on the 12th.

16 But counsel, update from Marian, please?

17 MS. JOHNSTON: I did not meet her when she came in
18 this last time. Director Claypool did, and she sounded
19 eager to start.

20 MS. CLAYPOOL: Very eager. And a delightful person,
21 so.

22 CHAIR FORNACIARI: Do we have a council update,
23 Marian?

24 MS. JOHNSTON: Well, we're going to talk about it in
25 closed session, but the Attorney General has agreed to

1 represent the Commission in the New York v. Trump
2 litigation before the Supreme Court. And we'll be
3 talking more about that in closed session.

4 CHAIR FORNACIARI: Okay. Well, very good news. So
5 for the public, we're able to join our amicus brief with
6 the Attorney General's brief. And I just want to thank
7 Marian and Commissioner Turner for helping make it so.
8 Okay.

9 Agenda Item 8 is update on the 2020 census.
10 Commissioner Ahmad?

11 COMMISSIONER AHMAD: No new updates.

12 CHAIR FORNACIARI: Okay. Wow. We are going to
13 rocket through this meeting. Agenda Item 9-A, Action on
14 Census. Commissioners Sadhwani and Toledo.

15 COMMISSIONER SADHWANI: We have no new updates and I
16 think we'll be discussing it more in closed session.

17 CHAIR FORNACIARI: Okay. Is there any other update
18 on the hiring of the executive director?

19 COMMISSIONER AHMAD: You all -- is that for myself
20 and Commissioner Fernandez?

21 CHAIR FORNACIARI: Yes.

22 COMMISSIONER AHMAD: Oh, okay. You all heard the
23 most recent update from Director Claypool just a few
24 minutes ago.

25 CHAIR FORNACIARI: Okay. And we have hired the

1 chief counsel, so that action is complete. Is there
2 anything Commissioners Andersen or Toledo want to add at
3 this point? Or can we cross that off the agenda?

4 COMMISSIONER ANDERSEN: I'll just say thank you very
5 much. It's been a pleasure working with Commissioner
6 Toledo, and I think you can take us off the list.

7 CHAIR FORNACIARI: Okay. Well, thank you. Thank
8 you. And I just will say now thanks to all the hiring
9 committees for all the hard work you've done. I'm a
10 little remiss in thanking everyone.

11 Okay. So we just had an update on the hiring of the
12 communications director. And so we'll check in with Raul
13 and see where things stand there. All right.

14 What time is it? We have twenty minutes.

15 Okay. So now, we're at the Finance Administration
16 Committee. And we have put together a handout to review.
17 Two policies and procedures that we propose to bring
18 forward for approval with a little bit of background in
19 that document, too.

20 So I just want to check in. At this point, has
21 everyone had a chance to read it through or not? I guess
22 my real question is, does anyone need a little bit of
23 time to read that through and be prepared for discussion
24 of those two policies? Everybody's good to go? Okay.
25 Let me open that up.

1 So just, you know, are there any questions about the
2 background? You know, I want to give you all, you know,
3 what the requirements are here. And basically, the
4 requirements are that we have a personnel communications
5 code of conduct -- or Commission code of conduct, staff
6 code of conduct, and records retention policies. Sort of
7 we de facto decided we're going to have a per diem
8 policy. And this is the list of other -- the complete
9 list of the policies the 2010 Commission had.

10 Commissioner Fernandez and I have reviewed -- are in
11 the process of reviewing the other policies. We made
12 some initial updates based on feedback that we've gotten
13 from the Commission. And as I mentioned in last meeting,
14 we'll be bringing the other required policies forward in
15 future meetings.

16 So is there any question on the background or where
17 we're headed with this?

18 Anything you want to add, Commissioner Fernandez?
19 Okay.

20 Well, why don't we start with the per diem policy
21 then. Is there any comments or feedback or changes that
22 anyone would like to see with the per diem policy that we
23 put together? Okay. Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: I just have -- on the very
25 last paragraph, where it says -- or the last line,

1 "Commission staff will be responsible for reviewing". We
2 probably need to put "for reviewing and processing all
3 per diem and travel".

4 CHAIR FORNACIARI: Okay.

5 COMMISSIONER FERNANDEZ: So I added it here.

6 CHAIR FORNACIARI: Okay. So you have that --

7 COMMISSIONER FERNANDEZ: I'm making notes, yeah.

8 CHAIR FORNACIARI: Okay. You're making notes?

9 COMMISSIONER FERNANDEZ: Uh-huh.

10 CHAIR FORNACIARI: Thank you so much for that.

11 Commissioner Sinay?

12 COMMISSIONER SINAY: On that same sentence, do we
13 need or want to put a time, like within 48 hours of
14 receiving it or by the 5th of the month or the 10th of
15 the month, or is that not needed? I'm just putting it
16 out there.

17 CHAIR FORNACIARI: Yeah, Director Claypool?

18 MR. CLAYPOOL: Yes. The short answer, Commissioner
19 Sinay, there should be a time limit. We still have --
20 we're still clearing out some requests for per diem
21 payments from the 2010 Commission that were forgotten,
22 lost or whatever. So a time limit should be placed on
23 this so that we can close out timely and that you -- and
24 that you get paid.

25 I'm not sure right now -- we say Commissioners are

1 to submit their per diem claims monthly. I think that's
2 a perfectly good timing. I guess staff could come back
3 to you and say we haven't seen your TEC, so you know, so
4 we can police that a little bit. Politely police it.
5 But yes, the sooner we get it in, always the better, so
6 we can stay current.

7 CHAIR FORNACIARI: So what about the turnaround time
8 on staff's part, I think was the question?

9 MR. CLAYPOOL: Oh, I'm --

10 CHAIR FORNACIARI: So what is a reasonable amount of
11 time for staff to turn the requests around and get them
12 submitted?

13 MR. CLAYPOOL: Well, we have to give staff a little
14 bit of time to review them and make sure if there are
15 questions, and it would go back. But they should roll
16 out within two weeks of when we get them. Let me talk
17 with Raul, but it shouldn't be any longer than that. I'm
18 just saying that because I want to make sure with Raul
19 because he's the one that's going to be rolling them
20 forward through our staff, so. Can I come back to you on
21 that one?

22 CHAIR FORNACIARI: Did you want -- did you want to
23 respond, Commissioner Sinay? And then I have
24 Commissioner Turner and Le Mons.

25 COMMISSIONER SINAY: I feel two weeks is a really

1 long time, because if you have to -- if it's two weeks
2 until staff submits it, and then it's another however
3 long the state takes, not a good, efficient system. But
4 that was just my --

5 CHAIR FORNACIARI: Okay.

6 COMMISSIONER SINAY: I'm just shocked at two weeks.
7 I'm used to a quicker turnaround,

8 CHAIR FORNACIARI: Yeah. I mean, I agree. I was
9 thinking more like a week at the most.

10 MR. CLAYPOOL: So I only -- I put two weeks out
11 there because I just wanted to make sure that we had some
12 leeway when I talked with Raul. We can make it a week.
13 I mean, we can turn it around --

14 COMMISSIONER SINAY: It feels like we have a huge
15 bureaucratic staff, so it should be done very quickly.
16 So I'm not getting why even a week would be -- you know,
17 it seems like this should be a priority for staff to get
18 the Commissioners payments and stuff done quickly. So
19 I'm just shocked that it would be that long.

20 MR. CLAYPOOL: Well, it is a priority. Part of what
21 I'm considering in this process, Commissioner Sinay, is
22 also coming back to Commissioners and saying, we need
23 this to be corrected or that corrected. So as long as we
24 could say that staff will turn it around in three days of
25 receipt, as long as we know that three doesn't start

1 until we have a TEC that can be submitted to the
2 Department of General Services so we can start the
3 process of getting you paid.

4 So I'm amenable to anything from three days to a
5 week, but it can't be less than three days. And that has
6 to be three working days. Three business days. It can't
7 include giving it to them on Friday and not seeing it go
8 out on Monday. So we can make it three days from the
9 time that we have a clean TEC, and we will work with
10 that. Does that sound fair? Okay. Three days.

11 CHAIR FORNACIARI: Commissioner Turner?

12 COMMISSIONER TURNER: Yeah. So actually, I'm not
13 good with it in three days. What I'd like to do is to
14 understand what the delay would be. I think the TEC,
15 from what I'm submitting, is a fairly simple document
16 with just a day count on it. And so what would help is
17 if there was understanding about what takes so long. So
18 this is something that, to me, should be automatic, that
19 should go out. And I love adding in whatever the time
20 period is from a clean TEC. Certainly, it would make
21 sense if something came in with missing information.
22 That's a different scenario altogether.

23 So whether it's three days or twenty-four hours or
24 forty-eight hours, the thing that I was going to say
25 before all of the other conversation ensued was just that

1 it would be helpful to know what the delay is for
2 something as simple -- that would appear -- without
3 knowing it, it seems like it should be submitted within
4 forty-eight hours of a clean TEC it goes back out. And
5 if that needs to be three days, I think just check that
6 and say, this is why that can't happen in three days.
7 But other than that, just pulling something out of the
8 air -- as long as we're asking for days, let it go back
9 out the same day. You see what I'm saying? Let's just
10 understand what the process is.

11 CHAIR FORNACIARI: Okay. So we'll check with Raul
12 at break then or -- does somebody have a comment? So you
13 have a response?

14 COMMISSIONER FERNANDEZ: Kind of a response. But
15 now that I'm reading this again when it's not 11 o'clock
16 at night, I'm realizing that it's titled the Per Diem
17 Policy, and we're kind of intermingling a per diem
18 policy, which is kind of what we see as our time sheet.
19 And then, we're also talking about travel expense
20 requests, which are two separate documents. So I believe
21 what Commissioner Turner's referring to is a per diem
22 where you just put your dates, you know, you put the one.
23 So a travel expense claim would be if there were some --
24 you know, some sort of expense that you incurred while
25 traveling. So those are actually two separate documents.

1 So I'm --

2 CHAIR FORNACIARI: Okay.

3 COMMISSIONER FERNANDEZ: I'm just wondering. The
4 per diem one should go smoother, I would think. The
5 travel expense, you know, they'd have to review that to
6 make sure -- you know, make sure the dates, the receipts,
7 whatever else is needed for that process. But we kind of
8 just added that at the end, the travel expense part. So
9 I don't know if --

10 CHAIR FORNACIARI: So we --

11 COMMISSIONER FERNANDEZ: Maybe we'll just clean that
12 up a little bit.

13 CHAIR FORNACIARI: We need to clean that up? Okay.

14 COMMISSIONER FERNANDEZ: Yeah. We can clean that up
15 a little.

16 CHAIR FORNACIARI: Okay.

17 COMMISSIONER FERNANDEZ: But I think within three
18 business days should be fine as long as it's the clean
19 one.

20 MR. CLAYPOOL: And thank you. When I was talking
21 about the review policy, I was thinking strictly about
22 the travel expense claims and things that require having
23 receipts and tracking when travel was occurring. Yes,
24 your actual per diem claims are pretty straight forward.
25 It's just the number of days you worked and there

1 shouldn't be any issue with moving them more quickly.
2 But I think it is a good idea if we go back to it and
3 resubmit this.

4 CHAIR FORNACIARI: So yeah, we'll clarify the
5 difference between the travel claims and look at timing
6 for those. Okay.

7 Commissioner Le Mons?

8 COMMISSIONER LE MONS: Did we establish a date that
9 we should get them in by so that -- I mean, we've kind of
10 left that open-ended. So why don't we have a date that
11 we need to process our information and get it in by.
12 Particularly the monthly form for, I think, all of it,
13 actually. So my recommendation would be that we have to
14 get it in by the 5th or -- it doesn't matter to me what
15 day, but a day.

16 CHAIR FORNACIARI: So we proposed within two weeks,
17 but I think what I'm hearing from you is pull that in a
18 little more --

19 COMMISSIONER LE MONS: Well --

20 CHAIR FORNACIARI: -- quickly.

21 COMMISSIONER LE MONS: -- it's not like we're not --
22 I'm not suggesting we're not going to get paid if we
23 don't get it in there, but I think having a targeted
24 date, like with most things when you have to submit,
25 there's usually a window, and then it can be more

1 systematized. Because there's fourteen of us. And if
2 we're all just entering them on different days throughout
3 the month for a two-week window. That's a lot to keep
4 track of, too. So that's three days for every person's
5 date, you know, kind of thing, so.

6 CHAIR FORNACIARI: Okay.

7 COMMISSIONER LE MONS: Something to think about.

8 CHAIR FORNACIARI: Okay. Thank you. And then I
9 have Commissioner Turner, then Commissioner Ahmad.

10 COMMISSIONER TURNER: Are you seeing Commissioner
11 Kennedy?

12 CHAIR FORNACIARI: I am not. Oh, he's -- was he
13 first?

14 COMMISSIONER TURNER: Yeah.

15 CHAIR FORNACIARI: Yeah. Commissioner Kennedy?

16 VICE CHAIR KENNEDY: Thank you. Just a minor
17 correction in the second paragraph. The citation is code
18 section 8253.6, but it looks like what we mean is 8253.5.

19 CHAIR FORNACIARI: Okay. Very good. Thank you.

20 Then I have Turner, and then Ahmad.

21 COMMISSIONER TURNER: Yeah. Just real quickly. I
22 was going to just support what Commissioner Le Mons said
23 of the size of our group since we do want this to move
24 quickly. And suggest that by the 5th of every month,
25 that we are also disciplined in getting in so that the

1 staff can move on with whatever their other duties are.
2 And they can count on that, by the 5th I'm going to
3 delegate time to get this taken care of and it'll be
4 done.

5 CHAIR FORNACIARI: Okay. Commissioner Ahmad?

6 COMMISSIONER AHMAD: Same on that. I completely
7 agree with setting a time and a date for ourselves as
8 well. Rent has the audacity to be due on the 1st. And
9 we have grace period until the 5th to get it in, so maybe
10 if we apply something similar to ourselves to get our
11 staff the necessary information they need in order to
12 process from their end as well.

13 CHAIR FORNACIARI: Okay. Very good. Did you have a
14 comment? Yes, Commissioner Fernandez, then Commissioner
15 Sinay.

16 COMMISSIONER FERNANDEZ: I mean, that's great. I
17 guess my other question is can we scan a copy in or do
18 you need an actual wet signature on these per diem?

19 MR. CLAYPOOL: We can scan them.

20 CHAIR FORNACIARI: There's actually -- on the per
21 diem you can do an electronic signature.

22 Commissioner Sinay, I believe?

23 COMMISSIONER SINAY: So I agree with the per diem to
24 get it -- you know, get your invoice in or your time
25 sheet in. What I've always found a little harder is the

1 travel. Especially when you're traveling a whole bunch
2 and you need to organize all the receipts. And
3 sometimes -- if we're working full time, taking that
4 hour -- because it can take that long -- and so I just --
5 I think we can try, but I think we really need -- I know
6 personally, I like to hold my receipts until I at least
7 had a hundred dollars or 300 dollars when I'm being
8 reimbursed versus sending a receipt in for 20 dollars or
9 30 dollars. And so is it -- are we okay if we choose to
10 hold on to it until we have more receipts?

11 CHAIR FORNACIARI: I've got Commissioner Fernandez,
12 then Commissioner Turner.

13 COMMISSIONER FERNANDEZ: I did ask Raul that
14 question --

15 CHAIR FORNACIARI: Oh, sorry.

16 COMMISSIONER FERNANDEZ: -- because I was wondering,
17 does it have to be done by month? Because that might be
18 how they track it. Or can you, like what you're
19 saying -- I mean, I only have one receipt for last month,
20 can I just combine it with the three for this month? And
21 I haven't gotten that information yet. So we'll follow-
22 up with Raul on that, and we'll get back to you.

23 CHAIR FORNACIARI: I have Commissioner Turner, then
24 Commissioner Le Mons.

25 COMMISSIONER TURNER: Yeah. My suggestion would be

1 that we stick to the 5th. We are disciplined. And if,
2 indeed, we have to -- because there's apps to help track
3 it -- I travel extensively and do the same thing -- and
4 can submit them and hold them. And if we're past the
5 5th, then we need to expect that it'll go into the next
6 month's. And maybe that's okay, too.

7 CHAIR FORNACIARI: Okay. Thank you. Commissioner
8 Le Mons, and then Commissioner Ahmad.

9 COMMISSIONER LE MONS: I support what Commissioner
10 Turner just suggested. Also, I was going to say, I know
11 we've asked the -- we've been really finicky about
12 wanting budget variances and things of this nature, and
13 this is one of the ways that you start to not have your
14 budget variances be accurate when you're holding onto
15 receipts or you're not submitting your time, and so we're
16 not able to track. So again, I'll put that out there and
17 reiterate a support for the comments that Commissioner
18 Turner just made with regard to our discipline.

19 CHAIR FORNACIARI: Thank you. Commissioner Ahmad?

20 COMMISSIONER AHMAD: Just a quick clarifying
21 question. The receipts for travel expenses, that's a
22 different policy, right?

23 CHAIR FORNACIARI: Well --

24 COMMISSIONER AHMAD: Or will be a different policy?

25 CHAIR FORNACIARI: Well, we kind of lumped them

1 together.

2 COMMISSIONER AHMAD: Okay.

3 CHAIR FORNACIARI: There wasn't a different travel
4 policy --

5 COMMISSIONER AHMAD: Got it.

6 CHAIR FORNACIARI: -- before.

7 COMMISSIONER AHMAD: Okay.

8 CHAIR FORNACIARI: Director Claypool?

9 MR. CLAYPOOL: No, but I think that there should be
10 two different policies because the TECs are just a -- you
11 know, travel and so forth is just a different animal. It
12 would be much easier for us to say on your time sheets,
13 the 5th, and then we can -- the 1st to the 5th -- and
14 follow-up on them with TECs. It's so much more difficult
15 for staff because we won't always know that you have
16 anything to submit. So that's going to be something that
17 you have to, you know, police yourself on.

18 And I think that Commissioner Turner's idea about,
19 if you don't have it in by the 5th, you just roll it over
20 to the next one, is probably a good suggestion. But
21 that's just my thought.

22 CHAIR FORNACIARI: Okay. Well, any other comments
23 at this point on this particular policy? I think at this
24 point, Commissioner Fernandez and I have some homework to
25 do. And we'll go back -- we'll put together two

1 policies, one for per diem and then one for travel
2 expenses, and take your input. And then we'll bring
3 those policies back to review.

4 We're up against a break at this point, and I can
5 imagine this next one may take more time. So it's --
6 let's see -- 10:57. So how about if we come back at --
7 let's just call it 11:15, okay.

8 (Whereupon, a recess was held from 10:57 a.m.
9 until 11:15 a.m.)

10 CHAIR FORNACIARI: Welcome back after the break. We
11 were going to continue with Agenda Item 9-E, and review
12 the Commissioner Code of Conduct. So this reflects a lot
13 of what was in the -- was currently in the policy manual
14 with some modifications that Commissioner Fernandez and I
15 and Director Claypool had some comments also. So I will
16 open it up to comments and thoughts from the rest of the
17 Commission. Okay. Wait. Where am I? Oh, there I am.
18 I was up in the top corner and now I'm down in the
19 bottom. I know. It's really hard.

20 Okay. So I get a resounding, everyone seems to be
21 okay with it. Commissioner Kennedy?

22 VICE CHAIR KENNEDY: Thank you, Chair. Just one
23 thing. On the Act Impartially bullet point, I would
24 actually like to propose adding members of the public
25 into that.

1 CHAIR FORNACIARI: Okay. And you're taking the
2 notes? Thank you.

3 Okay. I think that seems reasonable. Any other
4 comments or thoughts? Commissioner Yee?

5 COMMISSIONER YEE: I'm sorry, I don't have something
6 all written out, but I'm wondering if we should add
7 something about fiscal prudence? You know, handling the
8 taxpayers' monies with responsibility -- something to
9 that effect. I don't see anything here, I guess, on
10 that.

11 MS. JOHNSTON: Fiduciary responsibility?

12 CHAIR FORNACIARI: Fiduciary responsibility? Okay.
13 We could work -- I mean, so you don't have any idea for
14 text in mind at this point?

15 COMMISSIONER YEE: I'm sorry, I don't.

16 CHAIR FORNACIARI: Okay.

17 COMMISSIONER YEE: Fiduciary responsibility would
18 be excellent.

19 CHAIR FORNACIARI: Okay. Okay. We can definitely
20 do that.

21 Well, then, I assume, Marian, we need a motion to
22 adopt this then?

23 MS. JOHNSTON: Yes.

24 CHAIR FORNACIARI: Would someone like to make a
25 motion to adopt this with the suggested changes?

1 Director Claypool has a comment.

2 MR. CLAYPOOL: I was just wondering whether you
3 wanted to adopt it right now, or wait until you had
4 finished with the inclusion of the fiscal prudence line
5 item before you adopt it.

6 CHAIR FORNACIARI: Well, we can -- we can do that,
7 and bring it back, or we can -- we could take -- we could
8 approve it with that direction, and we can add a line
9 item that way. whatever the Commission would like.

10 MS. JOHNSON: Vasquez.

11 CHAIR FORNACIARI: I'm sorry. Oh, Commissioner
12 Vasquez? And then Turner.

13 COMMISSIONER VASQUEZ: Yeah, Chair, I'd like to make
14 a motion to adopt the policy with the suggested
15 amendments from Commissioner Yee.

16 CHAIR FORNACIARI: Okay.

17 And then Commissioner Turner?

18 COMMISSIONER TURNER: Yeah, I was actually going to
19 suggest that we receive verbiage before we write, but
20 before we accept it.

21 CHAIR FORNACIARI: Okay. And I'm sorry, you're
22 coming across a little faint, but I think what you said
23 is you'd like to hear -- you'd like to see the written
24 verbiage before you approve it?

25 COMMISSIONER TURNER: Absolutely.



1 CHAIR FORNACIARI: Okay. And I saw some nods on
2 that.

3 Okay. So does that -- okay. So can I get some
4 reaction? Can I get a thumbs up to us making the change,
5 or adding a line on fiscal prudence and then bringing it
6 back for approval? And we'll bring it back, along with
7 the per diem and the travel policy, and we'll approve all
8 those together? Can I see some -- okay.

9 Yes, Commissioner Yee?

10 COMMISSIONER YEE: And Commissioner Kennedy's --
11 Commissioner Kennedy's amendment as well.

12 CHAIR FORNACIARI: Yes. Yeah. Yep. And
13 Commissioner Kennedy's change.

14 MS. JOHNSTON: And you need to ask if Commissioner
15 Vasquez is willing to withdraw her motion.

16 CHAIR FORNACIARI: Are you willing to withdraw your
17 motion, Commissioner Vasquez, at this point?

18 COMMISSIONER VASQUEZ: Sure. I assumed that no
19 seconded it, so it didn't --

20 CHAIR FORNACIARI: Yeah.

21 COMMISSIONER VASQUEZ: For sure.

22 CHAIR FORNACIARI: Okay. Okay. Well, very good.
23 Then we'll make those changes and bring it back. I'm --
24 we had a jam-packed agenda for next time, but we'll
25 probably bring it back to the following meeting, along

1 with at least a couple other proposed.

2 MS. JOHNSTON: (Indiscernible).

3 CHAIR FORNACIARI: Oh, yeah. Okay. This -- okay,
4 we'll bring it back this meeting then. We'll leave that
5 agenda item open. Okay. Very good. All right. Wow.

6 MS. JOHNSTON: Sorry. Just want to get it done.

7 CHAIR FORNACIARI: Very efficient. I -- I'm a
8 hundred percent with you. So, yes, thank you.

9 Okay.

10 MS. JOHNSTON: Commissioner Turner has something.

11 CHAIR FORNACIARI: Okay. Commissioner Turner?

12 COMMISSIONER TURNER: I'm just wondering how
13 detailed it needed to be, or if we could just -- I just
14 wanted language instead of voting on something that's a
15 blank. And could we add something that just -- would it
16 cover for Commissioner Yee and the other Commissioners
17 just to say, "Every Commissioner shall act with fiscal
18 prudence when conducting Commission business", or you
19 know, just something simple like that and broad to have
20 it in there. Or are you -- are we working towards
21 something more detailed and towards a certain path?
22 Because if it's straight up forward, we can add it in and
23 then just vote and not have to postpone it.

24 MS. ANDERSON: Could she say that one more time?

25 CHAIR FORNACIARI: Can you say that one more time,



1 Commissioner Turner, please?

2 COMMISSIONER TURNER: Uh-huh. Yeah. So it's
3 already there, every Commissioner shall act with fiscal
4 prudence when conducting Commission business.

5 CHAIR FORNACIARI: Okay. Is that --
6 Commissioner Yee, can I check in? Does that catch
7 your --

8 COMMISSIONER YEE: I like that. I think it needs to
9 be a little stronger, though. So I like the fiduciary
10 idea, but it's not a word I've commonly used, so I'm
11 trying to think of the correct -- or a good phrasing for
12 that. Act in full fiduciary responsibility to the people
13 of California? Would that be a proper phrasing? Act in
14 full fiduciary responsibility?

15 CHAIR FORNACIARI: Commissioner Turner, and then
16 Commissioner Fernandez.

17 COMMISSIONER TURNER: Yes, that would be fine. I'm
18 wondering if when we swore in, was there words already
19 that said that we were going to act fiscally responsible
20 or we're going to be accountable to the people of
21 California or any of those words. Was the question, you
22 know, I want to send off for a long research or what have
23 you. And short of that, if that -- if you suggested
24 words are successful, I'm good with -- or as acceptable,
25 I'm good with those as well.

1 CHAIR FORNACIARI: Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: I just did a quick -- okay.
3 So every Commissioner shall be cognizant and aware of the
4 Commission's fiduciary responsibility when expending the
5 funds that have been appropriated for the Commission's
6 mission.

7 CHAIR FORNACIARI: Commissioner Le Mons?

8 COMMISSIONER LE MONS: Is that new language, or is
9 that the language that already exists?

10 CHAIR FORNACIARI: That's new.

11 COMMISSIONER LE MONS: Oh, sounds good.

12 CHAIR FORNACIARI: Does that sound okay?

13 Commissioner Anderson.

14 COMMISSIONER ANDERSEN: Sorry. Just one thing.
15 One, could you repeat it again? But also, two, Marian,
16 could you just jump in? Fiduciary duty is pretty self-
17 explanatory standard. Do you need to say for full
18 fiduciary? Is that almost like a double entendre, or I
19 mean not -- it's almost like double --

20 MS. JOHNSTON: I don't think it's necessary, but it
21 emphasizes it, if you wish to include it.

22 COMMISSIONER ANDERSEN: Yeah, but fiduciary. Could
23 you just give us a quick, you know, for people who aren't
24 really, you know, familiar, fiduciary duty has a legal
25 definition, correct? If you just --

1 MS. JOHNSTON: Yes. It means you're not thinking of
2 yourself, you're thinking of whoever it is you're acting
3 on behalf of.

4 COMMISSIONER ANDERSEN: Yeah. Okay. And that's --
5 and that's -- in terms of like people who run trusts,
6 things like that, that's the standard, you know, legal
7 sort of terminology. They are -- basically, they
8 essentially are the person of interest. So in terms of
9 that sort of a standard, I don't think we need -- think
10 we need that full.

11 But could you please repeat the -- your wording,
12 Felicia -- Alicia.

13 COMMISSIONER FERNANDEZ: Be cognizant and aware of
14 the Commission's fiduciary responsibility when expending
15 the funds that have been appropriated for the
16 Commission's mission. Again, we're trying to write this
17 for anyone, so that anyone that reviews it will know what
18 it means and doesn't have to do a Google search on what
19 fiduciary responsibility is legally.

20 CHAIR FORNACIARI: Does that satisfy your question,
21 Commissioner Andersen?

22 COMMISSIONER ANDERSEN: Sure.

23 CHAIR FORNACIARI: Commissioner Yee?

24 COMMISSIONER YEE: I'm thinking cognizant and aware
25 is good. But I mean, the point is to apply it, right, so

1 we're not just saying will apply. I mean, you can be
2 cognizant and aware but still make a different decision.

3 CHAIR FORNACIARI: Commissioners Sinay.

4 COMMISSIONER SINAY: I don't want to go too far into
5 this, but we do say up above, we're going to conduct
6 ourselves in a manner which reflects positively on the
7 Commission, their colleagues, and themselves. Maybe we
8 also put "which reflects positively on the State of
9 California, the Commission, their colleagues, and
10 themselves." But, I mean, I think throughout this, we
11 are told -- we are saying we're going to have integrity
12 and what that means -- fiscal responsibility, that means
13 respect, that means civil rights -- looking at civil
14 rights. I mean, it means a lot of those different
15 things.

16 So -- my experience has been, when you have a
17 document that's this long, people are going to pick and
18 choose which ones they're going to remember and which
19 ones they're not. It's better to have less, so people
20 remember versus more. So I don't think we have to get
21 too stuck on the words, because there is a lot here
22 that's already saying we're going to be fiscally
23 responsible.

24 CHAIR FORNACIARI: Okay. So do you -- did you --
25 Commissioner Fernandez, did you -- I noticed you were

1 thinking and writing, so did you --

2 COMMISSIONER FERNANDEZ: I was just looking at the
3 other ones to make sure they covered it. I mean, I
4 think -- was it Commissioner Turner? I can't remember.
5 It might have been Commissioner Turner mentioned the
6 oath. I mean, we did take an oath, and whether or not we
7 put fiduciary responsibility in there, that --
8 ultimately, that is our responsibility. That's what we
9 took an oath for. So we could not have the language. So
10 it's just whichever one you prefer, you -- after a while,
11 you could have probably 50 bullets. But at the end of
12 the day, it's the oath we all took.

13 CHAIR FORNACIARI: Okay. Commissioner Sinay.

14 COMMISSIONER SINAY: I wasn't saying not to put
15 fiscal. I see that there is a want to have that piece in
16 there, but not to get too caught up on the verb or that
17 piece. But --

18 CHAIR FORNACIARI: Well, were you -- Commissioner
19 Fernandez, did you -- were you able to adopt Commissioner
20 Yee's suggestion in there?

21 Commissioner Yee, can you restate your thought?

22 COMMISSIONER YEE: I was just thinking to be a
23 little stronger than cognizant and aware, to replace that
24 with something like apply, or you know, an active
25 commitment to actually do it, not just think about it.



1 CHAIR FORNACIARI: Go ahead.

2 COMMISSIONER FERNANDEZ: In that case, I actually --
3 I prefer Commissioner Turner's language when it was just
4 simple, "Act with fiscal prudence when conducting
5 Commission business." I think that covers it. I'm
6 trying to see how we can put act and apply with fiduciary
7 responsibility. And I think short and concise is usually
8 better than more.

9 CHAIR FORNACIARI: Commissioner Le Mons.

10 COMMISSIONER LE MONS: Yeah, I guess the longer this
11 conversation goes on, the more perplexed I'm becoming
12 about it, honestly. I concur with Commissioners
13 Fernandez and Turner, in terms of simple language to
14 reinforce that. But I'd go back to the oath. I think
15 that's part and parcel to the oath, so I don't know why
16 we are, again, investing all of this time in something
17 like this, when I don't even know what the concern really
18 is. So if that's not our intent and our being here --
19 I'm perplexed.

20 CHAIR FORNACIARI: How about we include -- propose
21 to include Commissioner Turner's proposed language and
22 approve the policy? Okay.

23 So would -- Commissioner Vasquez, would you like to
24 make a motion?

25 COMMISSIONER VASQUEZ: Thank you, Chair. Sure. I'd

1 like to -- well, I -- well, sorry. Commissioner Kennedy
2 had an amendment. Do we need language for that?

3 CHAIR FORNACIARI: Yeah, she --

4 COMMISSIONER VASQUEZ: Oh, did we --

5 CHAIR FORNACIARI: Commissioner Fernandez captured
6 the amendment.

7 COMMISSIONER VASQUEZ: Great. I wanted to make sure
8 it was captured. Thank you. So yes, I'd like to make a
9 motion to adopt the policies with the discussed -- the
10 discussed amendments.

11 COMMISSIONER LE MONS: Second.

12 CHAIR FORNACIARI: Was that Commissioner Le Mons?
13 Okay. So who's managing the voting now? Is that --

14 MS. JOHNSTON: Public comment.

15 CHAIR FORNACIARI: We have to -- oh, I'm sorry. We
16 have to take public comment.

17 Katy?

18 PUBLIC COMMENT MODERATOR: Chair, forgive me, what
19 are we taking public comment on?

20 CHAIR FORNACIARI: Taking public comment on the
21 motion to adopt The Code of Conduct.

22 PUBLIC COMMENT MODERATOR: Okay.

23 CHAIR FORNACIARI: Commissioner Code of Conduct.

24 PUBLIC COMMENT MODERATOR: In order to maximize
25 transparency and public participation in our process, the



1 Commissioners will be taking public comment by phone. To
2 call in, dial the telephone number provided on the
3 livestream feed. The telephone number is 877-853-5247.
4 When prompted, enter the meeting ID number provided on
5 the livestream feed. It is 93489457215 for this week's
6 meeting. When prompted to enter a participant ID number,
7 simply press the pound key.

8 Once you've dialed in, you'll be placed in a queue
9 from which a moderator will begin unmuting callers to
10 submit their comment. You will also hear an automatic
11 message to press star 9. Please do this to raise your
12 hand, indicating you wish to comment. When it is your
13 turn to speak, the moderator will unmute you, and you
14 will hear an automatic message that says, "The host
15 would like you to talk and to press star 6 to speak."

16 Please make sure to mute your computer or livestream
17 audio to prevent any feedback or distortion during your
18 call. Once you are waiting in the queue, be alert for
19 when it is your turn to speak. And again, please turn
20 down the livestream volume.

21 These instructions are located on the website. The
22 Commission is taking public comment on a motion to adopt
23 a --

24 CHAIR FORNACIARI: Commissioner Code of Conduct.

25 PUBLIC COMMENT MODERATOR: -- Commissioner Code of



1 Conduct -- I should have written that down. And there is
2 currently no one in the queue.

3 CHAIR FORNACIARI: Okay. Well, we will give it a
4 minute to catch up. Huh, I'm not showing a livestream.
5 I'm not --

6 Kristian, I'm not seeing the livestream on my
7 computer. Is that just me?

8 COMMISSIONER ANDERSEN: Chair, while we're waiting,
9 could I just say something?

10 CHAIR FORNACIARI: Yes. Commissioner Andersen?

11 COMMISSIONER ANDERSEN: (Unintelligible) it does
12 concern the oath actually says, "I," and your name, "do
13 solemnly swear or affirm that I will support and defend
14 the Constitutions of the United States and the State of
15 California against all enemies, foreign and domestic.
16 And I will bear true faith and allegiance to the
17 Constitutions of the United States and the State of
18 California. That I take this obligation freely, without
19 any mental reservation or purpose of evasion, and that I
20 will well and faithfully discharge the duties upon which
21 I'm about to enter." So it doesn't really say
22 specifically what types of duties, and I think it's okay
23 to put this extra line in. And I really like that
24 Commissioner Turner came up with nice, small, concise
25 wording. Thank you.

1 CHAIR FORNACIARI: Thank you. Yes.

2 PUBLIC COMMENT MODERATOR: The stream is up.

3 CHAIR FORNACIARI: I've got the -- I refreshed my
4 computer. I see the live feed, and it finished up just a
5 minute or so ago, so we'll wait another 30 seconds or so
6 to see if someone else calls in.

7 PUBLIC COMMENT MODERATOR: Okay.

8 CHAIR FORNACIARI: Okay. So I don't see that anyone
9 is in the queue at this point, so we will go ahead and
10 call the vote.

11 MS. JOHNSTON: Okay. Commissioner Ahmad?

12 COMMISSIONER AHMAD: Yes.

13 MS. JOHNSTON: Commissioner Akutagawa?

14 CHAIR FORNACIARI: I don't see Commissioner
15 Akutagawa. She may have had to step out.

16 MS. JOHNSTON: Okay. Commissioner Anderson?

17 COMMISSIONER ANDERSEN: Yes.

18 MS. JOHNSTON: Okay. Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 MS. JOHNSTON: Commissioner Fornaciari?

21 CHAIR FORNACIARI: Yes.

22 MS. JOHNSTON: Commissioner Kennedy?

23 VICE CHAIR KENNEDY: Yes.

24 MS. JOHNSTON: Commissioner Le Mons?

25 COMMISSIONER LE MONS: Yes.



1 MS. JOHNSTON: Commissioner Sadhwani?

2 COMMISSIONER SADHWANI: Yes.

3 MS. JOHNSTON: Did she say yes?

4 COMMISSIONER SADHWANI: Yes.

5 MS. JOHNSTON: Okay. Commissioner Sinay?

6 COMMISSIONER SINAY: Yes.

7 MS. JOHNSTON: Commissioner Taylor?

8 COMMISSIONER TAYLOR: Yes.

9 MS. JOHNSTON: Commissioner Toledo?

10 COMMISSIONER TOLEDO: Yes.

11 MS. JOHNSTON: Commissioner Turner?

12 COMMISSIONER TURNER: Yes.

13 MS. JOHNSTON: Commissioner Vazquez?

14 COMMISSIONER VASQUEZ: Yes.

15 MS. JOHNSTON: And Commissioner Lee -- Yee. Excuse
16 me.

17 COMMISSIONER YEE: Yes.

18 MS. JOHNSTON: Thank you. Commissioner Akutagawa?

19 Motion passes. Thank you.

20 CHAIR FORNACIARI: Okay. Thank you.

21 MS. JOHNSTON: You're welcome.

22 CHAIR FORNACIARI: And then Commissioner --

23 Thank you.

24 Commissioner Fernandez will make the changes to the
25 other two policies, and we'll bring those back on Friday



1 probably.

2 COMMISSIONER FERNANDEZ: You're welcome.

3 CHAIR FORNACIARI: Okay. At this point, we'll move
4 on to F, the Gantt Report.

5 VICE CHAIR KENNEDY: Thank you, Chair. We have
6 distributed, I believe, a new version of the Gantt chart,
7 which takes into account the executive director's
8 procurement timelines, as distributed in the previous
9 meeting. Also takes into account the 15th of August,
10 2021 Constitutional (audio interference) line. And so we
11 (audio interference) continue to be a living document.

12 The Executive Director has asked us to continue to
13 maintain and update this, which we will continue to do,
14 as we get more information. I've also added in things
15 like the timeline on the development of the Community of
16 Interest Input Tool as well as the month that would be
17 required by the statewide database to build the
18 redistricting database from the census redistricting data
19 that it will receive.

20 So you know, as we move forward, this is becoming
21 more and more detailed, more and more accurate, and
22 hopefully, will continue to serve as a useful tool for
23 all of us to understand what all is going on, or what
24 needs to be going on simultaneously in order to get us to
25 our objectives in time.



1 Commissioner Taylor, do you have anything to add?

2 And otherwise we're happy to take any questions.

3 COMMISSIONER TAYLOR: No, Joe, I concur. I agree
4 it's meant to be a living document bolstered by the input
5 from all the other commissioners. And the more we get,
6 the better. And as we -- and again, as we continue it's
7 more and more accurate. Thank you.

8 CHAIR FORNACIARI: Okay. Thank you for that. It
9 looks great. I appreciate the updates.

10 Do we have any other comments or questions from
11 other Commissioners on that?

12 Commissioner Sinay?

13 COMMISSIONER SINAY: Just for the public, as they're
14 looking at this. The information that's under Collect
15 Communities of Interest Input, right now, those are
16 placeholders, and we will have a specific plan so that
17 the community doesn't feel like they've missed something.
18 But the dates are in about the right range of when we
19 need it.

20 CHAIR FORNACIARI: Okay. Thank you for that.

21 Any other comments? Okay. Well, thank you.

22 We'll go on to G, the Line drawer's RFP. And that's
23 Commissioners Sadhwani and Anderson.

24 COMMISSIONER ANDERSEN: You know, on this one, I
25 would love to say that, you know, well, pull up that

1 document. And I apologize. I did not get the draft in
2 our -- in everyone's hands, basically, because there have
3 been many -- this has been the one that hits what kind of
4 contracts there are and the crossover of scope of work
5 from the Voting Rights Act and the COI tool, the
6 collecting of information.

7 And so first what I want to talk about is just in
8 types of the contracting part. And the reason why I'm
9 going to talk about this is because, as I mentioned
10 earlier, is that I sort of viewed this RFP as kind of the
11 guinea pig for the rest of our RFPs. And I think
12 that's -- that will really help us as an entire
13 Commission bring all those into focus and really move
14 them forward.

15 I spend a lot of time looking at the State
16 contracting manual and pulling all of our scopes of work
17 together from what the 2010 Commission did. They did an
18 IFB, which is an Invitation for Bid, and then modified
19 it.

20 And again, things did change, in terms of what the
21 procedures are and contract type of things are about
22 2000 -- well, 2005, then they sort of shifted again a
23 little bit. So it doesn't really pertain. And then I've
24 also compared what the State auditor put out, and that's
25 a little different too. And I've been -- we're looking



1 at -- Commissioner Sadhwani and I have been talking to
2 other line drawing professionals, and we've -- they've
3 been sharing examples of different RFPs that they have
4 actually worked with, in terms, which is really been
5 helpful. But it's been a lot of condensing and putting
6 things together.

7 And first, we definitely have to do a competitive
8 bid. And our three methods that we sort of were talking
9 about, and we might be sort of familiar with, is the
10 Invitation for Bid -- the -- and then RFP, Request for
11 Proposal. And you probably realize that there's a --
12 there's RFP1, RFP2. And those are actually considered
13 primary and secondary. And those are essentially the
14 three big ways that we'll do this contracting.

15 And we are actually, as I'm going to propose for
16 both the line drawing and -- I don't -- I apologize for
17 not saying this committee right, but is it the data
18 mining or the taking in information or whatever the name
19 of that --

20 CHAIR FORNACIARI: It's --

21 COMMISSIONER TURNER: Data Management. Data
22 Management.

23 CHAIR FORNACIARI: Data Management.

24 COMMISSIONER ANDERSEN: Thank you. Data management
25 group is a secondary RFP method. And the reason is, is I



1 was just going to quickly comparing them. The Invitation
2 to Bid is basically for -- obtain a simple, common
3 routine services that may require personal or mechanical
4 skills. You know, little direction used for performing
5 this work. That's clearly not what we're talking about.
6 The primary RFP or RFP1 is to obtain complex services,
7 which professional expertise is needed and may vary --
8 that's certainly true -- where different methods and
9 approaches may be applied during performance. You know,
10 and that sounds -- and that's where we've been sort of
11 going. However, the RFP2 is, the purpose, to obtain very
12 complex and/or unique services, in which professional
13 expertise and methods may vary greatly. Creative or
14 innovative approaches are needed. And that's exactly
15 what we're doing.

16 Basically, what we're trying to do for line drawing
17 purposes, you know, we're adding in a COI tool, we're
18 putting in other different pieces, and we're trying to
19 put it together. We want people to come up with this is
20 the best way to do it, because we know all the trouble
21 that we ran into in 2010, and we've heard other
22 commissions and other issues bring about this. So we
23 want to get people to come up with ideas that we can then
24 approve. And I know that the data management group,
25 they're talking about something completely new. So I



1 strongly recommend the RFP2 format as a -- considered a
2 method.

3 I gave that information to Raul and asked for, if
4 you could quickly basically put together essentially the
5 table of contents, you know, what that would involve.
6 And he almost immediately sent back a nice format, which
7 will help us enormously, because the place where you put
8 scope of work is typically broken down into three
9 different areas, and you have some up here and some over
10 there, and it was very, very scattered. Now I can work
11 with this in a much more concise manner. And -- which
12 will really flow things along.

13 Now back to the scope of work. What I'd like to
14 talk about briefly here is, and get the Commission's
15 input on, I've mentioned that there's crossover in the
16 line drawing and the VRA, working with that, and also
17 with the collecting information. Now, it's very simple
18 in our proposal, in terms of how we work with the VRA.
19 You just -- you can just say -- and we'll work with them.
20 What we're thinking of with the data management, I would
21 like the Commission to talk about, because last time the
22 "line drawer" did all of that. They took all that
23 information, and they created that information. They
24 actually educated the attorneys about the VRA, worked
25 with the VRA, and then did the drawing as well. So --



1 and it seems to me now that we're breaking part of that
2 out, and I'm really not quite sure what the intent of the
3 Commission is, which I need to understand a bit more, in
4 terms of putting our RFPs together. And I think that
5 will also help the other groups putting their RFPs
6 together, if we could have a discussion about this. So
7 with that in mind, I -- well, I don't know. Should I --
8 do you want -- do we want --

9 Commissioner Sadhwani, do you want to add to this
10 before we just ask general questions or? I think that
11 would probably be the best.

12 COMMISSIONER SADHWANI: Sure. I mean, I think --
13 the reality is that, yes, we do want a competitive bid
14 for the line drawer. The reality is there's not very
15 many of them. The 2010 line drawer was the firm, Q2,
16 which is headed by Karen McDonald, who also heads the
17 statewide database. The statewide database developed the
18 COI tool. They know it inside and out.

19 We will have a need to have some management system
20 to take in all of that data and information from the COI
21 tool, and then have -- in such a way that we all can
22 utilize it, understand it, search it when we need to.
23 But that also our line drawer can access it, right, and
24 can use it, in terms of like a GIS and mapping platform.

25 I think we want a very transparent process for sure,

1 right. But I think at the end of the day, what we're
2 looking at is, like, there's -- there are folks -- you
3 know, the statewide database folks are kind of -- they
4 know what they're doing with the COI tool. And I think
5 the question is, who's our line drawer going to be, and
6 how is -- how is all of this going to work? We want a
7 transparent process, but at the end of the day, right,
8 like, who's our line drawer realistically going to be? I
9 don't know. I can't answer that question, but I think
10 that we just need to think through all of those pieces,
11 because if it ends up being Q2 again, maybe or maybe not,
12 we need -- do we need the, you know, a separate
13 management system? I'm not sure. But I think that I --

14 And Commissioner Anderson, please feel free to jump
15 in here.

16 But that's kind of how my view of this process is,
17 is that we want to have competitive bids. We want it to
18 be transparent. But at the same time, we should also be
19 realistic about what -- where we may end up landing.

20 COMMISSIONER ANDERSEN: Well, yeah, yeah. The point
21 that I'm coming at is, is the idea of incorporating how
22 the line drawer uses the COI tool is very, essentially,
23 obvious. But that is not the only method as we're
24 collecting information. And we're collecting verbal
25 information. We're collecting, you know, hand drawings.

1 We're collecting general discussions. Many of the things
2 that our Outreach Committee has been talking to us about.
3 And we want to use all of those ideas. And they're
4 working on these different tools.

5 The idea though, is, is the -- that -- all that
6 information still needs to get translated into drawings.
7 And how that interaction happens, you know, i.e. how much
8 involvement do we need the line drawer -- basically,
9 okay, my belief is the more the line drawer it -- is able
10 to participate or to help out, that the two can work
11 sympathetically. But that depends. And how we write
12 that is very tricky, because they're not necessarily the
13 ones who run it, but they need to have it and make sure
14 it's all compatible. Like, you know, I've created a list
15 of essentially file types that the line drawers need to
16 be able to accept. Because I've been bouncing around
17 looking at the different types of products that different
18 tools put out, thinking -- trying to come -- put -- make
19 sure it's all, because a little bit more information is
20 sometimes required, specifically, if we're trying to look
21 at this competitively.

22 And so, that's why we need a little bit more
23 information to make sure that we're not delineating where
24 we don't -- where we don't want to be. And we don't want
25 to be overstepping at the same time. So that's, yeah.



1 And I see Commissioner Sinay is properly raising her
2 hand, so.

3 CHAIR FORNACIARI: So Commissioner Sinay?

4 COMMISSIONER SINAY: Thank you for acknowledging
5 that the Community of Interest tool is one tool of many.
6 I'm also -- so one -- I learned a new word this week, and
7 I'm going to share it, because it's such a cool word.
8 But as much as we can think of -- buying -- yeah, there
9 might be some technology that is technology agnostic,
10 which means it can take data from different sources. And
11 that's -- the reason we kind of split up the two is that
12 I'm not convinced that -- well, first of all, I'm
13 confused because Q2 is a separate entity than the data --
14 the statewide database, and we're talking about them as
15 if they're the same entity. And I think we need to be
16 very clear about keeping them separate, because that was
17 part of the confusion last time.

18 And last time, what we heard was Q2 had too much to
19 do and that the piece of -- looking at the data was too
20 much. And so this -- we're ten years forward, where
21 there's a lot more civic technology that we can use. And
22 that is not the strength of the statewide database or
23 Karen. I mean, when talking to them about the COI tool,
24 I'm not getting them -- getting the feeling that
25 they're -- that they understand civic technology, the

1 bigger piece.

2 I believe that the more experts we get that help us
3 move forward, the better it will be. And obviously,
4 they're all going to have to work with each other. And
5 if the line drawer can stay focused on the line drawing
6 and you know -- I definitely feel that we -- that that
7 was why I thought that we were really splitting up the
8 two different contracts was to make sure that we're
9 keeping focused.

10 I'm still trying to understand how a person can have
11 a full-time job and go after this bid, which is more than
12 a full-time job. And so I just would like us -- I think
13 that having two bids -- I mean, two different -- I'm
14 going back to what you all said about the council and how
15 much we want to try different ways, so that we can get
16 the best product and the best opportunities for us, the
17 best people. And this is product and people and all
18 that. And so that's why I continue to be a strong
19 advocate of making sure we keep them separate. And
20 someone can bid for both, but it'll give us an
21 opportunity to get some of those other people out there
22 that weren't around in 2010.

23 CHAIR FORNACIARI: So Commissioner Sadhwani, and
24 then Andersen. All right.

25 COMMISSIONER SADHWANI: Just very briefly. I want

1 to say -- I actually am in complete agreement with you,
2 Commissioner Sinay. It's not that I'm in disagreement
3 with you. I -- my only piece is that I think that, as we
4 move forward, one, how we write the RFP then matters,
5 right, in terms of really honing in on -- there's going
6 to be all these other people that you got to work with,
7 right. And ensuring that that's kind of a part of the
8 scope of the work, and I think, for us, as the
9 Commission, as well as our staff, we're going to have to
10 work pretty hard to make sure that all of these different
11 pieces are actually working together well, right? I
12 think that we can't assume that, right, like -- and I
13 don't -- I'm not suggesting that you were saying this. I
14 think I'm reiterating what you're saying -- is that,
15 like, there's going to be a lot of components to really
16 make sure that all of these different pieces and people
17 are talking with one another and actually working in
18 coordination together. And I just don't want to miss
19 that. And I think that the scope of work then has to
20 reflect that that is our desire, right. So that -- I
21 think that's my thought.

22 COMMISSIONER ANDERSEN: Right. If I can just go
23 ahead and add. That's exactly what we're talking about.
24 In terms of, yes, there's going to be -- and quite
25 frankly, you know, the line drawing people, they're not

1 just collecting all this information. They would rather
2 it be kind of organized and that they can then tap into
3 it. And that's what -- what I want to know is, though,
4 is where we don't want to get stuck is who is managing
5 information, where is that system, who accesses it --
6 that, and that's where that -- this is the type of stuff
7 that is about the RFP.

8 CHAIR FORNACIARI: So I have Commissioner Sinay, and
9 then Commissioner Ahmad.

10 COMMISSIONER SINAY: You've tapped into a question
11 that I actually had two meetings ago that I never asked,
12 but now I'm going -- and I think it kind of comes up when
13 you look at the staff chart. What we -- I was kind of
14 surprised when Commissioner Kennedy shared that staff had
15 asked us to continue to manage the Gantt Chart, because,
16 to me, that's project management, and that's where we
17 need staff to be. And so I think one of the key
18 questions is when you're looking at the staff, is the
19 project management of all these different contractors and
20 consultants, is it falling under the deputy executive
21 director, even though I know some of it will be somewhere
22 else?

23 But the Gantt chart, to me -- you know, my husband's
24 a project manager, so I see him with all his charts and
25 stuff. That really is where we need staff to be with us

1 and understand and those relationships and constantly
2 that's who they would go to to ask, you know, those
3 steps.

4 I think that's different than what you were saying,
5 Commissioner Anderson. Yes, we are going to tell them
6 what to do as a Commission, but the day-to-day managing
7 of is everybody getting done has to be done by someone
8 who's the project manager.

9 You were saying where is all this going to be
10 placed? And I think that is -- goes back into when we
11 put the RFP out for the civic technology and the data
12 manager, they will let -- they will come to us with some
13 of those solutions and some of the options we have for
14 cloud-based and whatnot. I don't think we need to know
15 all the answers yet.

16 CHAIR FORNACIARI: So Commissioner Ahmad.

17 COMMISSIONER AHMAD: Thank you, Chair. If it would
18 be helpful, I think this is a perfect segue way into
19 Commissioner Turner and I's update. And it's great
20 hearing from Commissioner Anderson and Sadhwani from what
21 they've been working on. This is the first time we're
22 hearing it, and now I'm seeing how the pieces fit
23 together.

24 So if you would allow that Chair, I would love to
25 start --

1 CHAIR FORNACIARI: Please.

2 COMMISSIONER AHMAD: -- providing that insight.

3 CHAIR FORNACIARI: Yeah, please.

4 COMMISSIONER AHMAD: Yeah, okay. So Commissioner
5 Turner and I have met several times to figure out what is
6 the charge of the data management subcommittee. And what
7 we have come up with, from the understanding of the
8 conversations we've had, is that we are tasked with going
9 out and searching the field. This term, "civic
10 technologies" has been used. I personally don't know
11 what that even means. And so we're charged with going
12 out and finding recommendations for the whole Commission
13 in terms of how we can manage the influx of data that we
14 will be receiving.

15 So I'm interested in what Commissioner Anderson has
16 written down on her list. But just briefly, we talked
17 about shape files from the Communities of Interest tool,
18 audio recordings from public comment that come through a
19 phone, written public comment, in-person public comment,
20 if that comes at some point. And there may be other
21 avenues that we have yet to see. And where can we find a
22 tool or a firm or an organization, some entity to help us
23 make sense of what we hope will be 40 million pieces of
24 information, because everyone in California will
25 participate. And what we can -- how we can use that

1 resource to translate all of that information into our
2 maps.

3 Now, the conversation Commissioner Turner and I had
4 with Marcy Harris, from PopVox, went really well. She
5 gave us some insights into what currently exists on the
6 field. She's connected us with some of -- some folks in
7 her networks, which we are scheduling meetings with for
8 some time next week. And I would just highlight the
9 biggest thing that I got from the conversation -- and
10 I'll turn it to Commissioner Turner for her thoughts as
11 well -- was the balance that we, as a Commission, have to
12 strike between the resources we have to manage our data
13 and the scrutiny that we will receive.

14 So we talked about some very opensource type of data
15 collection tools, like, for example, not suggesting it,
16 but for example, we could theoretically have a Google
17 form of some sort to collect data. That scrutiny that is
18 tied to that type of tool might include that it's not
19 secure enough. It's not X, Y, Z enough.

20 On the flip side, it did cross my mind we could use
21 Natural Language Processing, an AI tool to read through
22 all of the comments that will come in, to pullout
23 patterns, key words, et cetera. But the scrutiny that
24 could be tied to that is you, as a Commission, did not
25 read all of our comments. You relied on an AI tool to

1 translate that information, and what does that look like
2 in our maps and how does that reflect in our maps?

3 So Commissioner Turner and I are really jumping into
4 this exploration phase and trying to get in contact with
5 folks in the field who would have recommendations one way
6 or another. But ultimately, I think what we will be
7 bringing forth to us to discuss is how can we strike that
8 balance between whichever tool we land on and the
9 scrutiny that we will ultimately receive.

10 Given that information and the tie that this has to
11 the line drawing RFP, it's become so much, exponentially
12 clearer to me that the role of this external body that
13 will manage the data would be in assistance to the line
14 drawers, so that they can access that information
15 readily. That to say, it would be nice if we, as
16 commissioners, can have some sort of tool that, hey, I
17 remember a comment from Redding, California; let me just
18 search it up. That would be awesome, too. And figuring
19 out if that tool exists, if we need to build from
20 scratch, what the price points are for various avenues,
21 is something that Commissioner Turner and I are gathering
22 to bring back to the full Commission for recommendations
23 and discussion.

24 So Commissioner Turner, I don't know if you have
25 anything else to add.



1 COMMISSIONER TURNER: Not much at all. We are
2 thoroughly enjoying the conversations and getting excited
3 about what is possible. When you look at the massive
4 data input, the tools that are available, where we will
5 be able to parse out comments, pull out things, look at
6 word clouds, charts, all those different kinds of things.
7 So I think, collectively, Commissioner Ahmad and myself,
8 it's like, okay, we're excited now. Just listening one
9 way or the other.

10 What I still want to gain clarity, even in this
11 conversation, is where the line of delineation is
12 between -- on this Commission to ensure that we're on the
13 same page. I'm believing that we're out doing the
14 research, looking for individual, an organization, a firm
15 that'll be able to say, yes, we're going to take -- we
16 will have the ability to receive information from all of
17 the various sources, and this is what we'll be able to
18 provide. So that's what we're doing.

19 I'm not sure about the line drawers. I want them to
20 utilize what we find and be able to just draw lines from
21 it, not have them also try and come up with another tool
22 and another process to, you know, kind of sieve the
23 information through. And so that's the confirmation that
24 I'd like. And we can continue researching to determine
25 who is the best person, the best organization, and make a

1 recommendation from there.

2 CHAIR FORNACIARI: So I have Commissioner Kennedy,
3 then Commissioner Akutagawa. And then --

4 VICE CHAIR KENNEDY: Thank you, Chair.

5 CHAIR FORNACIARI: -- Andersen.

6 VICE CHAIR KENNEDY: Thank you, Chair.

7 I had put into the hopper through staff at some
8 point, and I'll just put this out there now. I -- in my
9 election-related reading, came across mention of an
10 organization called US Digital Response, and their web
11 page says, "US Digital Response connects experienced
12 volunteer technologists with public servants and
13 organizations responding to crisis. We're fast, and
14 we're free." Now, they also do have an election branch,
15 if you will, or group within the organization. So it's
16 not necessarily, you know, COVID crisis or natural
17 disaster crisis. I think they'd be willing to speak to
18 us.

19 The page goes on to say, "Founded by former U.S.
20 deputy chief technology officers and seasoned tech
21 industry veterans who led federal open data policies and
22 digital government strategy. USDR is a non-partisan
23 effort that connects expert volunteer technology teams to
24 public servants responding to crisis." So I'm just
25 suggesting that the -- maybe the digital -- the knowledge

1 management team, as I will call them, might be interested
2 in connecting with them and seeing, you know, what, if
3 anything, they could offer, and particularly, you know,
4 looking at the -- looking favorably at the free volunteer
5 technologists element, you know.

6 Maybe they'll be able to help us with this, and
7 maybe it won't cost us anything. Maybe they can't.
8 Maybe it would cost us something, but I would encourage
9 you to reach out to them and see what's possible.

10 COMMISSIONER TURNER: Absolutely.

11 CHAIR FORNACIARI: Commissioner Anderson?

12 No, I'm sorry, Akutagawa?

13 COMMISSIONER AKUTAGAWA: Thank you, Chair. So I
14 want to just sum up what I'm hearing. So I think there
15 are some different pockets of technology that I think
16 we're having to consider. So one is what I would call,
17 like, the overarching kind of mechanism by which we're
18 going to take in all of this information, sort through it
19 and figure out how we're going to be able to utilize the
20 data, the information that we're going to get from
21 various other technological tools. The COI tool that the
22 statewide database is creating, the civic technology
23 tools that Commissioner Sinay has talked about. And I
24 did just some quick research on it, and you know, it
25 could be as simple as -- and a lot of people are probably

1 familiar with Next -- the Nextdoor app, that that is a
2 form of a civic technology kind of app. So it's a
3 collector of information.

4 I think what Commissioner Kennedy was also talking
5 about is a similar collector of information that will be,
6 you know, funneled into the larger database -- or we're
7 using the word database, but the larger repository of how
8 all this information is being collected.

9 So I think, what I'm hearing is that I think what
10 Commissioner Ahmad and Commissioner Turner are working on
11 is the broader, like, repository. And then the civic
12 technology tools, which -- of which the COI tool is --
13 has its own separate subcommittee. And I don't know
14 whether it makes sense for that to then be brought in
15 under --

16 I'm not trying to make more work for us,
17 Commissioner Kennedy, but I --

18 I'm just thinking, I wonder if the civic technology
19 tools then should fit under or fall under the COI tool,
20 so that then, given that it's a -- you know, it's a
21 similar kind of, you know, channel, I'll call it a
22 channel, for which we're collecting information, that's
23 technology or digitally based, maybe that might make
24 sense.

25 With that said, I think I would just, and I'm not

1 saying that we would have to do this, but I think,
2 Commissioner Turner, I really appreciated what you were
3 saying. One thought. When I was doing kind of like my
4 little research on what -- you know, what this all means
5 when I was chairing the meetings, you know, companies,
6 like IBM, came up for, you know, in my research, you
7 know, big technology companies who have a variety of
8 tools. I'm not saying that we have to use IBM. But I am
9 thinking that it may be worthwhile, kind of along the
10 lines of what -- maybe taking what Commissioner Kennedy
11 just said, maybe talking to a company, like IBM, and to
12 say, hey, is this something you might be interested in
13 helping us with under their kind of public service
14 mandate that they might want to have; that it's a way
15 for, you know, us to get something that would be robust,
16 customized, but yet not break the bank. And so I thought
17 I would just throw that out there, you know, for
18 consideration.

19 I'm sure there are other companies that may also be
20 interested in doing so as well to, maybe. I don't know
21 if they're listening right now, so.

22 The other last thing that I want to mention, and I
23 think we're going to have a conversation around
24 cybersecurity later on today, I think we also need to
25 really think about how the security of the data that



1 we're receiving is going to be thought through. Because
2 I just recently heard about, you know, hospitals having
3 their data taken for ransom, and you know, people have
4 actually died, because they couldn't do certain kind of
5 things. So I immediately started thinking about, well,
6 who's going to want to hack us? But then again, what
7 we're doing can really disrupt democracy in a sense that
8 if we have our data taken for ransom, and then we can't
9 draw the proper line, then we're going to be kind of up a
10 creek a little bit, right. And so it got me thinking
11 about that security, that cybersecurity around the data
12 and the input that we're receiving is also going to be
13 important in ensuring that we'll be able to do what our,
14 you know, legally-mandated charge is, which is to submit
15 the maps by August 15. So I thought I'd just throw all
16 those out there.

17 CHAIR FORNACIARI: Okay. Thank you.

18 Commissioner Anderson.

19 COMMISSIONER ANDERSEN: Okay. Thank you, Chair. I
20 have a few things about everything's going on here. I --
21 we are trying to be creative and innovative and get
22 what's out there, you know, the latest, because we don't
23 want to be locked in, but we're not creating a whole new
24 thing. And this is --- I -- I'm -- I don't want us to be
25 like, oh, my God, there's so much data, and we're going

1 to be overwhelmed. I mean, the 2010 wasn't, you know.
2 There's lots and lots and lots of information. We're
3 just trying to put together the -- it's -- okay, I always
4 come back to it's contracting, right, and actually
5 contractors. You know, it's the -- who is in what role?
6 Who is the general? Who are all the subcontractors?
7 That's kind of how I'm seeing this. And basically, so
8 who is responsible for what and how they fit together.
9 That's a little bit more how I'm seeing it.

10 And in terms of -- it's a question of are, you know,
11 are we -- so you know, subbing this out to someone, or
12 we're bringing it in-house? And we are, ultimately, the
13 ones responsible for drawing the lines. And so like, I'm
14 coming down to, okay, we're going out to the meetings.
15 We have our people, our subcontractor with us who is the
16 data management type, to collect, you know, the verbal,
17 the -- you know, all this information. You know, like
18 the audio, like maybe taking pictures, however they're
19 bringing that in. They also have the COI tool.

20 Now, the COI tool's a tool. Who's actually using
21 it? Are we using it, you know, or is our line drawer
22 using it? And collect that information. Then -- and
23 that's what I'm talking about, in terms of, you know, I
24 see potentially the line drawer is that general who's
25 just making sure that everything we get ultimately puts



1 together so we can use it, or we are the general bringing
2 that stuff in. But we have to have the people connected
3 and understand it all the way along, because we can't end
4 up with -- like the line drawer is not just a draftsman.
5 Okay. They're not just a person who's, you know, who's
6 just pushed around on the computer, because, you know,
7 we're going to say, okay, now, can you work with us? You
8 know, we've seen -- in our training, we've seen how that
9 works.

10 They need to know a little bit more about what we're
11 doing to make sure that the information is going to be
12 consistent, but to tell us the pros and cons of it. This
13 is not they're doing it. They're just a really good
14 consultant. And we need to have -- you know, unless we
15 want to do -- you know, basically I keep on coming down
16 to are we using the COI tool, or who's using the COI
17 tool. You know, because this is another tool. When we
18 go to these meetings, who -- I mean, you know, are -- are
19 we just staffing it separately? These are the kind of
20 things I'm seeing. I mean, there are different ways to
21 do this, but we have to include that in our RFPs or not.

22 You know, in terms of, you know -- basically, the
23 reason I'm coming down to is because often the way you
24 put it together, how do we get people to -- so you can
25 compare dollars? Because -- I'm sorry. One thing on the

1 secondary RFP is it's not the way you -- it's a scoring
2 system. You actually have to create a scoring evaluation
3 system. And it's not necessarily -- price is part of the
4 score, but it's experience, the plan, that sort of thing
5 are higher -- they're higher percentages of the score.
6 It's different than -- a regular RFP is, essentially, if,
7 assuming that they're all responsive bidders, who's the
8 lowest? And for what we're doing on the creativity side,
9 we really need the -- the secondary. But we do have to
10 come up with a scoring criteria, so.

11 And in the evaluating cost, you need to have some
12 sort of mechanism that will work. And what has been
13 recommended, what they did previously is -- like it says,
14 okay, what's a cost per meeting? But we have completely
15 different types of meetings now. And we -- I don't think
16 we've completely gone through what that means for
17 different meetings. And that's kind of where I want us
18 to, like, think a little bit more about, you know, who is
19 doing what, how we're putting it together.

20 I mean, we can -- we can kind of rough this out and
21 then we'll bring it back, but I want -- I'm -- reason I'm
22 bringing this up is so people can actually go, oh, I see.
23 Well, so we just -- we, yeah. As long as they're working
24 together, and we put that statement in, that's enough.
25 We work that out in their -- in what they propose to us,

1 which is kind of where I'm going. Because I think the
2 consultants are going to have a better idea at how they
3 best can help us than we can come up with, because it's
4 their field, it's not our field. And then we can come
5 back with it, as it gets slightly modified. But these
6 are the ideas that I think we need to talk about. And
7 that's, you know --

8 This is sort of a bigger -- well, I meant to
9 condense this discussion, not expand it. And I think
10 I'm, hopefully, bringing you enough information that
11 people can get a much better idea and be more concise
12 about how they -- how they're going to fit this together.
13 I better stop there.

14 CHAIR FORNACIARI: Okay. I saw Commissioner Sinay.
15 Then I have a question, then Commissioner Fernandez, then
16 Yee. And Turner. Okay.

17 COMMISSIONER SINAY: Turner was before Yee.

18 CHAIR FORNACIARI: Okay.

19 COMMISSIONER SINAY: Thank you. So I'm more
20 confused than I was at the beginning, so I want to
21 clarify a few things.

22 Commissioner Akutagawa, what you said was exactly
23 the question that I was posing when we created the data
24 management subcommittee, is I wanted to understand --
25 I've kind of done a drawing -- there's going to be all

1 these inputs, you know, if we're going to use the old
2 word. You know, we're going to go back, Commissioner
3 Toledo, to that theory of change. So our inputs are
4 going to be a wide number of inputs. I always thought
5 that the COI tool, the Community of Interest tool, was a
6 tool that was going to be out in the public and everybody
7 was going to use it; it's not just ours. And so that's
8 just one way, but a lot of people aren't going to be
9 comfortable with that.

10 Also, we keep saying, you know, we kind of have to
11 blow up the old -- what happened last time and get away
12 from thinking of just hearings -- that there's going to
13 be public hearings -- but that we need to think about how
14 we're having different meetings to get the communities of
15 interest.

16 I do understand that for looking at the maps as we
17 draft them, we may need a different model. But to
18 actually get as much input as possible, we're going to
19 have to be more creative because of COVID. Even without
20 COVID, we would've needed a different way of doing it
21 than it was done last time.

22 So there's that input piece, which is what I refer
23 to as civic technology, because that's what other -- you
24 know, it's how do you use technology to engage
25 individuals? And technology can be -- computer

1 technology but can be other ways. But even if someone
2 sends us a drawing, we need to be able to translate that
3 drawing into useable data, and that's where the
4 technology piece comes in.

5 So last time I had asked, is the data management
6 team also looking at this input piece? Is that one
7 contract, or is that two separate pieces? I liked
8 Commissioner Akutagawa's idea of, hey, let's expand the
9 COI tool subcommittee to be kind of civic technology and
10 just think through how do we -- how do we do all these
11 inputs and what's that going to cost?

12 But I think we all need to be kind of on the same
13 page because last time I left with the expectation that
14 the data management group was also doing the civic
15 technology piece, so meaning the input, the collecting
16 all of it, analyzing it, and making it so we can all use
17 it for the line drawing. So I think that piece needs to
18 be really well thought out.

19 I would rather see staff kind of be the project
20 manager versus making the line drawer the project
21 manager, because then it's very difficult to manage a
22 consultant who's managing other people. And I thought
23 that was part of the reason why we hired the deputy
24 executive director, was kind of to help with that aspect
25 of it.

1 So my big -- one of my big areas that I think we
2 need to clarify is, one, that the COI tool is actually a
3 tool that's going to be out there for the public to use;
4 that was the whole purpose of it. The second piece that
5 I feel needs to be is the civic technology, the input, is
6 that falling under the data management group or not? You
7 know, should it go somewhere else? And third is the
8 project manager for this going to be staff or some other
9 entity?

10 CHAIR FORNACIARI: So Commissioner Sinay, let me ask
11 you a question, because I think you and I use the term
12 project manager differently. So I want to know what you
13 mean by project manager in the context of what you just
14 described as -- you know, we have -- you know, the way
15 you described it is we have data input folks, we have
16 data management folks, and maybe that's two separate
17 organizations, and somehow they work with the line
18 drawers in some way we define. And so are you defining
19 data management is the person that coordinates and
20 oversees these three entities and makes sure they're all
21 working together and defines what they're doing? Okay.

22 COMMISSIONER SINAY: No. So I was looking at the
23 project -- okay, there's three entity -- well, three -- I
24 don't want to call them entities. Well, they may be
25 three entities, but there's --

1 CHAIR FORNACIARI: Okay.

2 COMMISSIONER SINAY: -- three pieces. The input of
3 data, the different ways to collect the data.

4 CHAIR FORNACIARI: Um-hum.

5 COMMISSIONER SINAY: Where that data store --
6 translated, stored, analyzed, and then put in a form that
7 we can look for and all that.

8 CHAIR FORNACIARI: Um-hum.

9 COMMISSIONER SINAY: And then the line drawing.

10 CHAIR FORNACIARI: Um-hum.

11 COMMISSIONER SINAY: To me there are three different
12 types of contracts, but maybe they're not. Or if we --
13 the project manager is the one that says, hey, by August
14 15th we need this done, so this is what needs to happen.
15 Here's who's responsible, and is constantly looking at
16 the Gantt chart and making sure that all the moving
17 pieces are moving forward.

18 CHAIR FORNACIARI: Okay. Okay. That's the way I
19 look at it, too. I thought you were looking at it a
20 little differently. Okay. That's fine. We'll carry on.

21 I believe Fernandez was next.

22 And I got your hand, Commissioner Andersen.

23 Turner, were you -- I thought you were after
24 Fernandez, but are you before?

25 COMMISSIONER TURNER: I thought so, but --

1 CHAIR FORNACIARI: Okay. Go ahead, then,
2 Commissioner Turner.

3 COMMISSIONER TURNER: I was wanting to respond back
4 when Commissioner Andersen was speaking to make sure --
5 in my mind the work that we're trying to do is not to
6 have the line drawers pull information from the COI tool
7 separately. I feel that there's a problem in that in
8 that there would be a rating or ranking -- a higher
9 degree of preference or what have you. I believe whether
10 we use USDR, if we explore IBM or if we use one of the
11 individuals like Massive Data Technology -- any of the
12 groups -- wherever we land, I'm hopeful that they will
13 take -- be it handwritten drawings, verbal testimony,
14 something that was emailed in, sent in, written on a
15 napkin, and the COI tool -- they'll take all of that
16 information and through data mining -- through whatever
17 they want to use, I'm hopeful that they will then spit
18 the information out on the other end or make it
19 accessible for our line drawer then to say, we've
20 compiled all of this information. All of it is
21 important, all of it is necessary, and then begin to draw
22 lines. We have access to it; they have access to it.

23 Not that (indiscernible) they'll draw the lines, but
24 whatever, but the information is not that a line drawer
25 is going to just interact with the COI tool and now it'll

1 get separate information. I thought the intent of data
2 management and the subcommittee that we're working on is
3 for us to find an entity -- an organization -- that will
4 be able to pull in all of this information, understand
5 the value that it brings, and then have it in an
6 accessible format for us so that we'll then be able to
7 pull from it just as the line drawers and be able to go
8 back and say give me information from Redding, give me
9 information from. And we can then identify, yes, I got
10 this from Redding, as a matter of fact, this came in
11 written or this came in because of the COI tool or
12 whatever the case may be. So I just wanted to state that
13 out loud because that is the -- that's what I'm operating
14 from.

15 CHAIR FORNACIARI: Okay. So I have Fernandez, Yee,
16 Andersen, and Kennedy, and then Le Mons. You're going to
17 pass? Okay. Commissioner Yee?

18 COMMISSIONER YEE: Yes. So I'm looking at the four-
19 page memo that former Commissioner Ancheta sent out, and
20 he addresses, you know, this exactly, and you know what
21 happened in 2010. And there's recommendations for us.
22 One thing that he makes clear is the difference between
23 public inputs and then nontestimonial inputs. So the
24 public inputs, you know, for us will be COI tool info,
25 testimony that comes whether through Zoom or in person or

1 whatever, public comments, so on, public inputs. And the
2 problem in 2010 was that came in -- that was all
3 considered, but the tabulation and analysis fell short.

4 And so my understanding is that the subcommittee --
5 the data management subcommittee, primarily looking at
6 how do we do a better job this time of analyzing public
7 inputs, right. Including COI tool, public testimony and
8 so forth, and then presenting that to us in some form
9 that we can discuss and use to direct the line drawer,
10 right. To create options.

11 The nontestimonial input fell short in 2010. You
12 know, that's the kind of research we do, you know,
13 talking to local governments and looking at maps
14 ourselves and researching what would have been
15 historically considered neighborhoods and things like
16 that.

17 Actually, I have a question for Director Claypool.
18 I'm wondering -- you know, so we do research, but inputs
19 have to be presented in a public setting, correct? So if
20 I go home and I research, okay, well, what is considered,
21 you know, the Tenderloin in San Francisco and has that
22 changed over time, and you know what are the boundaries,
23 but I can't -- I can't use that info unless I've
24 presented it and it's been discussed in public -- you
25 know, in a public forum here. Is that how it works then?

1 I mean, is that one of the problems that that kind of
2 research fell short in 2010 because, I mean, that just
3 takes time and scheduled meetings. Okay, this meeting
4 we're going to discuss San Francisco and do your homework
5 and then we're going to discuss that in public. Is that
6 how it should work?

7 CHAIR FORNACIARI: Yeah. Go.

8 MR. CLAYPOOL: In the previous iteration you
9 would've gone back into a public meeting and asked your
10 line drawer, who would've been there, what is this
11 district? Is this the Tenderloin? What is considered
12 the Tenderloin? And there it would've been introduced
13 into the public conversation. That was how the different
14 commissioners came back and made those types of
15 statements so that the public could consider it.

16 COMMISSIONER YEE: Okay. So but that would not
17 be -- that would not be fodder for the data management
18 contractor to work with. I mean, that would just be part
19 of our ongoing process.

20 MR. CLAYPOOL: Why not? Because you've entered it
21 in at a public comment. Your data manager is going to be
22 bringing -- you know, your comments -- the things that
23 you say to one another are equally as important as what
24 the -- you're digesting the public statements and now
25 you're giving your thoughts on it. Those thoughts should

1 be incorporated into that public record, it seems to me.

2 COMMISSIONER YEE: Right. Well, I should restate

3 it. So I guess that is the question we're discussing.

4 What inputs do we want our data manager to take?

5 Clearly, the public comments, the COI tool info, you

6 know, that and so forth, but you know, what about

7 nontestimonial inputs and so forth? I guess that's what

8 we're discussing.

9 MR. CLAYPOOL: Well, to reiterate, though. You'll

10 be in a meeting and you're going to go back and forth

11 with the iterations on maps and you're going to say, can

12 you add -- what if we add this or what if we add that?

13 Each one of those iterations should be something that

14 your data manager is capturing. And so at some point,

15 you might want to say to the data manager, you know, how

16 many times did we go over the Tenderloin in San

17 Francisco; I mean, what were our thoughts? They should

18 be able to bring that back up for you so that you can

19 examine what your thoughts were and then compare them to

20 the public testimony you're getting.

21 I just think that anything that's said in public,

22 whether you say it or the public says it, should be

23 something that enters into the conversation when you draw

24 the lines.

25 COMMISSIONER YEE: I see. Thank you.



1 CHAIR FORNACIARI: So let's see. I have
2 Commissioner Andersen, then Kennedy, then Le Mons.

3 COMMISSIONER ANDERSEN: Thank you, all the
4 Commissioners. This is really good information, because
5 I really see where everyone's going with this.

6 And Commissioner Turner, I totally agree with what
7 you're saying. That's how I see this happening.

8 Commissioner Sinay, the idea of the -- you know, are
9 there three pieces of the data management. I actually
10 see it as two, because I believe I'm seeing this data
11 management as they're collecting -- the tools would be to
12 collect it all and house it all. Because, you know,
13 like, you don't collect stuff and put it somewhere else,
14 because you've basically -- once you create information,
15 it then becomes (audio interference) that you sort
16 through and (indiscernible). So I would assume --
17 they're not like, here's this, and we'll give it over to
18 IBM or something. It's like that's sort of what they do.
19 It's kind of like -- you know, well, like I say, we've
20 been talking about the line drawers. You know, the maps
21 that they're working on, that's in their purview or
22 essentially it is on their servers. And ultimately,
23 then, where do we take this that we all use it? You
24 know, is it still with their server? Is it with
25 actually -- do we have a large server, you know, CRC?

1 But that's something that they would propose to us.

2 But I see that as they are collecting all the
3 information. And the COI tool -- I'm sorry if I miss --
4 that was misinterpreted. The COI tool is definitely out
5 there for everyone to use. But at particular meetings,
6 people will also come up, and if they want to then put it
7 into -- use that format, we should have someone who could
8 easily do that for them. Because then that's a way to
9 capture it. You know, if they feel comfortable. Now, if
10 they'd rather just talk, but if they, say, hey, well, do
11 you want to draw your map? And they say, yeah, sort of a
12 step accomplished.

13 Because ultimately, we want to go to get information
14 that we can use it and sort through. But in terms of
15 ranking these -- no, no, it's never my intention in terms
16 of is one area -- is one more valid than another? That's
17 our job. I don't see any consultant saying, you know,
18 oh, we're going to pick some things out of this. No.
19 They're going to present all of it to us, and then we
20 are -- you know, as we draw the lines -- the consultant
21 gives us the information, and we have the ability to rank
22 it and decide what we want to use. Because when we come
23 down to who draws what, that's us, you know. And that's
24 not someone else doing that job. We want to have all the
25 criteria because, you know, a lot of people they still

1 don't quite understand the criteria that's involved,
2 particularly on the Voting Rights Act, and compactness,
3 quite frankly.

4 And so that's in our purview. That's, I feel, our
5 responsibility. We just want to get all the information
6 such that we can evaluate it. So I don't mean to have
7 anyone, you know, one person charging the other.

8 And when I talked about management, I did not
9 mean -- we ultimately, or our staff, is ultimately
10 keeping us all on track. This is just in terms of
11 coordination, you know, like, yes, so I can access -- the
12 line drawer can access the information from the data
13 management to be able to -- it's compatible is what I'm
14 talking about in terms of managing, not ultimately who's
15 in charge. And that's, I think, it's a much smoother
16 connection than I might have been portraying, what I'm
17 getting information from.

18 I think I actually have a lot of information here to
19 be able to put the RFP together for you know, bringing
20 forward for the line drawer. And I'm hoping that this
21 conversation has also helped all the other subcommittees,
22 make it a little bit more clearer, and as you start
23 putting things on paper, how do we -- I think this is a
24 Marian question -- we just need to bring it to each other
25 because we can't -- the subcommittees can't talk to each

1 other. So can we just submit -- if we have a real need
2 for information, can we -- I mean, can we just request
3 information about something to you and you can forward
4 it, or what -- how can we -- how do we do this?

5 MS. JOHNSTON: You can do it in writing or orally at
6 a meeting, whichever you prefer to do, and it would be
7 distributed to everybody if it's submitted in writing.

8 COMMISSIONER ANDERSEN: Okay. All right. Okay.
9 Because if anyone as they're -- and any of the
10 subcommittees -- have issues of making sure it's
11 compatible or something, please, you know, forward that
12 to the line drawing and vice versa. So thank you.

13 CHAIR FORNACIARI: I have Kennedy, then Le Mons,
14 then Akutagawa, then Director Claypool.

15 VICE CHAIR KENNEDY: Thank you, Chair. I'm going to
16 suggest -- I used earlier the phrasing knowledge
17 management. And I think that I would like to propose
18 that we rename the subcommittee either information
19 management or even knowledge management, because data
20 man -- I mean, data, you know, gather a lot of data to
21 generate information, you gather a lot of information to
22 generate knowledge, and I think we're trying to get, you
23 know, to the knowledge point, not just the data point.

24 If anyone's interested and has any time, there's a
25 phenomenal book on all of this. It's called Information

1 Ecology by Thomas Davenport, who's like the leading
2 thinker in this whole field. The subtitle is "Mastering
3 the Information and Knowledge Environment". But you
4 know, I think we need to take a holistic approach to this
5 and not focus so much on individual independent pieces
6 without understanding how they all fit together and get
7 us to our ultimate purpose. Thank you.

8 CHAIR FORNACIARI: Thank you. Just a reminder. We
9 have, I believe, five minutes until we're scheduled to
10 take our lunch break, or our hour-and-a-half is up.

11 So Commissioner Le Mons.

12 COMMISSIONER LE MONS: I want to thank everyone for
13 the discussion. I think it's moved us closer to being on
14 the same page around a lot of these pieces that we've
15 discussed in different ways. I was actually going to ask
16 a question of the subcommittee, both Commissioners
17 Andersen and Sadhwani, but I believe Commissioner
18 Andersen answered it. And that was if they had enough
19 information based on this conversation to move forward
20 with drafting the scope of work or RFP, or if there were
21 outstanding elements that they still felt existed; if
22 they could focus us, or focus the remainder of the
23 discussion to make sure that we walk away from this
24 discussion with them being equipped with the things that
25 they need to move it forward.

1 CHAIR FORNACIARI: Thank you, Commissioner Le Mons.
2 Commissioner Akutagawa.

3 COMMISSIONER AKUTAGAWA: I was just going to make a
4 suggestion that -- to the data management committee that
5 perhaps part of the -- as you think about and look at the
6 contractors that you might consider, that you also
7 include them housing the cybersecurity responsibility for
8 the data as well, too. Because I think that that's most
9 likely something that they would be able to do.
10 Something someone said just got me thinking about that,
11 but I think that could be part of the cybersecurity
12 discussion later.

13 One other thing that I just wanted to comment on in
14 terms of what Commissioner Kennedy said, I would
15 encourage -- between information management and knowledge
16 management, I would encourage more information
17 management. Because I think knowledge management has its
18 own implications and its own field. And I would not want
19 to have anybody confused by using a term that, if they're
20 lacking some of the context of the conversation that we
21 had, they may think that it has a different kind of role.
22 But I think if you use a more expansive term like
23 information management, I think that that would still
24 serve the purpose of you know, using the kind of the
25 technology, but it's not just limited to technology, and

1 it may be a little bit more clearer for some folks. So
2 just wanted to add that.

3 CHAIR FORNACIARI: Okay. Thank you. I like that
4 suggestion, too.

5 Director Claypool.

6 MR. CLAYPOOL: Just a couple of points to respond to
7 something that Commissioner Andersen has said about if
8 somebody came in and they wanted to use the COI tool
9 during a public meeting. I had the expectation that your
10 line drawer would be always at your meetings. That they
11 would be the person that's kind of the director of -- if
12 I'm standing there and trying to tell you where my
13 neighborhood is, that your line drawer would be there, as
14 they did in 2010, and show a screen and say, okay. And
15 they would outline it and they would capture that
16 iteration for your management people. So we need to make
17 sure the line drawer knows that they have that full
18 spectrum of responsibilities to not only be there for
19 your line drawing, but to be there for your public
20 meetings and to assist the public there.

21 And then the second one is ownership of the data.
22 We need to make sure everybody understands that the
23 Commission owns everything that comes out of this
24 process. And so if you've got that in there already,
25 then we're set. Thank you very much.

1 CHAIR FORNACIARI: So I just want to go back to
2 Commissioner Sinay's comment earlier and then -- because
3 I mean, I'm a visual kind of learner and thinker. And
4 I'm hoping I could ask Commissioner Sinay to draw a
5 picture of what she's thinking. Could she? Okay.
6 Beautiful.

7 Do you think you could draw a picture and share it
8 with us so that we can all kind of visually see what
9 you're thinking? Because I feel like that's the
10 visual -- or the idea that I had in my mind, but I'd like
11 to see it, then I think that would help us all get on the
12 same page on all of the pieces of this.

13 COMMISSIONER SINAY: Shall I do that at lunchtime?

14 CHAIR FORNACIARI: Well, if you can. But you know,
15 if you could -- if you can, that would be awesome. But
16 you know if you could get back to us in the next day or
17 so, that would be great.

18 COMMISSIONER SINAY: Hopefully, it makes sense, but
19 yes. I guess I'm a visual learner too.

20 CHAIR FORNACIARI: Okay. Well, I really appreciate
21 that. Thank you. Thank you so much.

22 Okay, with that, I think we'll break for lunch.
23 It's 12:40- -- am I -- yeah, that's right, it's
24 lunchtime. Okay. 12:45. So we'll be back at 1:45.
25 Thank you, all.

1 (Whereupon, a recess was held from 12:45 p.m.
2 until 1:45 p.m.)

3 CHAIR FORNACIARI: Well, thank you. Welcome back to
4 the Citizens Redistricting Commission meeting. At this
5 point, we are going to open it up for public comment.

6 So Katy, if you could read the directions for us
7 again?

8 PUBLIC COMMENT MODERATOR: In order to maximize
9 transparency and public participation in our process, the
10 Commissioners will be taking public comment by phone. To
11 call in, dial the telephone number provided on the
12 livestream feed. The telephone number is 877-853-5247.
13 When prompted, enter the meeting ID number provided on
14 the livestream feed. It is 93489457215 for this week's
15 meeting. When prompted to enter a participant ID, simply
16 press pound.

17 Once you have dialed in, you will be placed in a
18 queue from which a moderator will begin unmuting callers
19 to submit their comment. You will also hear an automatic
20 message to press star 9. Please, do this to raise your
21 hand, indicating you wish to comment.

22 When it is your turn to speak, the moderator will
23 unmute you and you will hear an automatic message that
24 says, "The host would like you to talk" and to press star
25 6 to speak.



1 Please make sure to mute your computer or livestream
2 audio to prevent any feedback or distortion during your
3 call. Once you are waiting in the queue, be alert for
4 when it is your turn to speak. And again, please turn
5 down the livestream volume.

6 These instructions are also located on the website.

7 The Commission is taking public comment on general
8 topics at this time.

9 There is no one currently in the queue.

10 CHAIR FORNACIARI: Thanks, Katy. Just looking to
11 see when the directions finish up.

12 (Pause)

13 PUBLIC COMMENT MODERATOR: We do have someone in the
14 queue.

15 CHAIR FORNACIARI: Okay. Great.

16 PUBLIC COMMENT MODERATOR: If you would please state
17 and spell your name for the court reporter and then share
18 your comment.

19 MS. PONCE DE LEON: Hi. Good afternoon. My name is
20 Alejandra Ponce de Leon. A-L-E-J-A-N-D-R-A P-O-N-C-E D-E
21 L-E-O-N. I'm calling with Advancement Project
22 California, and I'm calling on behalf of the
23 Redistricting Alliance. First, we'd like to commend you
24 all on the work and time you have dedicated to engaging
25 and learning from a variety of stakeholders to inform



1 your community outreach plans. We look forward to
2 learning along with you about the particular challenges
3 to and best practices for engaging African refugee
4 communities, Pacific Islander communities and people with
5 disabilities this week.

6 We urge you to continue prioritizing your direct
7 engagement in your meetings with other panelists that can
8 provide you with a richer understanding of the nuances,
9 challenges, and recommendations to better engage diverse
10 communities. In particular, we urge you to create time
11 in your upcoming meetings to directly hear from the
12 California Black Census and Redistricting Hub and the
13 California Native Vote Project to reach a deeper
14 understanding of their needs, barriers to their
15 participation, and best practices for engagement to fully
16 incorporate it in your outreach and engagement plans.

17 Both of these communities hold sizeable portions of
18 our state's population, and also in particular regions.
19 And have historically faced and continue to face grave
20 disparities when it comes to health, policing, household
21 income, education and participation in our democracy,
22 among other areas.

23 We recognize that there are other urgent matters
24 that need to be addressed and you are trying your best to
25 balance everything, given the time limitations and



1 bureaucratic processes you need to navigate. And we also
2 understand where Commissioner Sadhwani is coming from and
3 offering a suggestion to use the training videos.

4 However, the process and time you invest now to engage
5 with a variety of committee stakeholders during your
6 meetings will only strengthen and maximize your efforts
7 for outreach and engagement moving forward and make the
8 biggest difference in reaching your goals for public
9 participation and regional representation. Take the time
10 and you will go farther in your efforts. Thank you for
11 your time. Have a good day.

12 CHAIR FORNACIARI: Thank so much for your feedback
13 and your continued support for the Commission. We
14 appreciate that. Thank you.

15 MS. PONCE DE LEON: Thank you.

16 PUBLIC COMMENT MODERATOR: That was the only person
17 in our queue at this time.

18 CHAIR FORNACIARI: Okay. So it's been about three
19 minutes since the instructions finished. So I think that
20 folks have had adequate time to join in if they were
21 going to. So at this point, we're going to move to close
22 session.

23 And let's see. It's 10 to 2. I guess, that clocks
24 off. I'm going to say we'll be back at 3:30. So I think
25 that should be adequate time. So we'll head off to close

1 session now and return at 3:30. So thank you all.

2 (Whereupon, a recess was held from 1:50 p.m.
3 until 3:30 p.m.)

4 CHAIR FORNACIARI: Well, welcome back to this
5 session of our Citizen Redistricting Commission meeting.
6 Just brief report out from our closed session. We had
7 discussions on the issues in the agenda and just
8 conversations about those issues. And we did decide to
9 join the Attorney General for their amicus brief. So we
10 are working to draft a letter to send to the Attorney
11 General to join that brief in the Trump v. New York case.

12 So back to our agenda. We left off with Item G. I
13 think we finished with that item. I just want to make
14 sure that Commissioner Andersen, Commissioner Sadhwani,
15 you've got what you need to move forward? Okay. Thank
16 you. Okay.

17 So then we're on to letter H, VRA Compliance.
18 Commissioners Sadhwani and Yee.

19 COMMISSIONER SADHWANI: Sure. You know, we've
20 already discussed, you know, the VRA request for multiple
21 RFPs. So there's not a whole lot more to update.
22 Commissioner Yee and I continue to work on identifying
23 and having conversations around training and putting
24 together a training and a briefing book for Commissioners
25 that is still in progress. We're actually going to meet

1 and discuss more about that tomorrow.

2 So I don't know if, Commissioner Yee, if you have
3 additional things to mention.

4 I should note, I believe that it was placed in the
5 meeting handouts. MALDEF had provided us with a number
6 of documents that they had put together in coalition, I
7 believe with Common Cause and one other organization, I
8 believe. And I will get you the name of that. It should
9 be printed on those handouts.

10 Those are very helpful documents that they shared
11 with us. So we wanted to make sure that all the
12 Commissioners had access to them, as well as the public.
13 They have informed us that they're actually going to be
14 putting together specific documents that are very
15 specific to California redistricting process and would be
16 happy to share those with us in the future.

17 CHAIR FORNACIARI: So for our listeners, MALDEF
18 means?

19 COMMISSIONER SADHWANI: Oh, the Mexican-American
20 Legal Defense and Education Fund, I believe. But don't
21 quote me on it.

22 CHAIR FORNACIARI: Okay.

23 COMMISSIONER SADHWANI: That's what I believe.

24 CHAIR FORNACIARI: All right, very good. Thank you.
25 Commissioner Yee.



1 COMMISSIONER YEE: And the third organization was
2 State Voices. I'm kind of curious, you know, with the
3 VRA training, I don't know if Commissioner Sadhwani and I
4 have a strong sense of how much Commissioners want.
5 Like, you know, are we starting from zero? And you know,
6 of course, we've had some training in our early meetings.
7 But you know, there's quite a lot of materials out there,
8 you know. Do we need to go through jingles again from
9 scratch, you know, or -- I don't know. We don't have a
10 firm sense of that. I wonder if there's any -- if anyone
11 has any thoughts about that?

12 COMMISSIONER SADHWANI: I'll just also throw out
13 there. I reached out to several commissioners, given
14 advice from council. I did not go over contacting eight
15 commissioners. But you know, I think what we're thinking
16 about thus far is, you know, a training that would
17 include, first, a training that would help us think more
18 so about what do we need to know in terms of hiring a VRA
19 council and outside litigation. So what is it about the
20 litigation process that we need to know more about.

21 And then based on -- and I shared this I think
22 previously, the briefing book ideas, kind of to take --
23 there is as, Commissioner Yee, you said, there's a lot of
24 information out there. There's books that have been
25 written about the VRA and the decades that it has been

1 around. It's a lot of material for everybody to consume.
2 So what we're trying to do is work with Justin Levitt,
3 who has provided some of this training previously to
4 identify a list of both like political scientists, as
5 well as legal scholars, who can put together one to two
6 page briefs on various topics related to the VRA that we
7 feel like are essential knowledge. And that could kind
8 of be a starting point.

9 And then, we can add on to that with additional
10 trainings, particularly looking around -- looking at, how
11 do we think about VRA compliance? So when we go out to
12 do our line drawing, what are the on the ground scenario
13 kinds of things that we need to be thinking about?

14 And so I think to Commissioner Yee's point, if you
15 have additional thoughts or a sense of how much training,
16 or actually, I don't feel like I need that much, that
17 would be would helpful feedback for us.

18 CHAIR FORNACIARI: I think Commissioner Sinay had
19 her hand up.

20 COMMISSIONER SINAY: You answered my question. And
21 one of my -- I guess the other piece to me on VRA is, are
22 we looking at VRA and the other piece, the voter -- okay.
23 I'll find the right terminology and get back to you.

24 CHAIR FORNACIARI: Racially Polarized Voting?

25 COMMISSIONER YEE: Basic clause --

1 COMMISSIONER SINAY: Yes, thank you. Are we looking
2 at both of those pieces because, you know, they're
3 different. And so we need to be -- first of all, we need
4 to be able to say it quickly. But second of all, you
5 know, I think it's important to get trained on both.

6 MS. JOHNSTON: Well, Racially Polarized Voting is
7 part of the Voting Rights Act, section 2. And the reason
8 to monitor for that is that, if you don't take into
9 account, Racially Polarized Voting, you might be setting
10 yourself up for a VRA lawsuit.

11 COMMISSIONER SADHWANI: Yes, exactly. And so the --
12 yes. To answer your question, we are most certainly
13 thinking about trainings on Racially Polarized Voting.
14 Some of that might also -- we might also hold back on
15 that. So my thought is, we can do the briefing book,
16 kind of one or two-pagers on Racially Polarized Voting of
17 what it is and how is it used in both in redistricting,
18 as well as in litigation around the VRA.

19 And then, I think as we actually hire a VRA --
20 excuse me -- an RPV, a Racially Polarized Voting analyst,
21 they can also help do additional training for us -- or I
22 mean, I can do it too. But I think whoever we hire could
23 provide additional support in terms of that training. So
24 yes, absolutely.

25 COMMISSIONER SINAY: And I guess for me, part of

1 that training is understanding unity mapping and
2 understanding how to look at coalition, you know. How do
3 we -- a quote came up the other day and I've been keeping
4 it close because I feel like it keeps coming up. It's
5 kind of who and what is credible? And I feel like we
6 bring -- we say that often in different ways. But we
7 need -- at some point, I think we also need some
8 training. And I don't think it necessarily falls under
9 VRA. But as we're being -- going out into the public,
10 and really getting some understanding on, you know, who
11 is -- you know, how to know when someone is being
12 authentic and not, and what information -- you know, the
13 who and the what.

14 COMMISSIONER SADHWANI: If I could respond. You
15 know, one of the suggestions of Justin Levitt -- and I
16 think that some of this will come down to time and
17 availability of various scholars and such things. But
18 one of his thoughts was to get multiple people to submit
19 briefs of some our topics. Different scholars might take
20 different approaches to various segments of the VRA.

21 And so to the extent possible, I think that -- and I
22 don't want to speak for Commissioner Yee -- but I think
23 we are very open to the idea of having multiple. And I
24 think we're just trying to balance -- like, we want this
25 to be useful, right, and helpful, and fairly short

1 nuggets, right, so that it's digestible. And yet at the
2 same time, if there's disagreements about what one
3 scholar might interpret, you know, some aspect of the
4 law, then it might be helpful to get more than one voice.
5 So we're trying to balance all of those things. But I
6 think that's definitely a point well taken for the VRA
7 training but also more broadly for other aspects.

8 CHAIR FORNACIARI: You know, for me personally, I
9 definitely like the kind of idea of, you know, what does
10 it look like to take the VRA into consideration when
11 we're actually drawing lines and kind of walk us through
12 that consideration.

13 COMMISSIONER SADHWANI: I want to respond when
14 people talk, so I apologize. But I agree with you. And
15 I think there's like region level, right. So okay, when
16 we're going to the central valley, what do we need to
17 think about? But also at a planning level, as we prepare
18 ourselves to go out and begin our process, in what way do
19 we want the VRA to -- VRA compliance to influence our
20 plan, right? Are there certain regions that we want to
21 visit first in light of the VRA, okay? And that will be
22 different from 2010 because the VRA is different since
23 2010.

24 CHAIR FORNACIARI: Well, do you think we should
25 consider -- is it section 5 that was removed? Or I mean,

1 do you think that we should still kind of take that into
2 account in case it comes back, kind of thing? Or I
3 mean -- anyway.

4 COMMISSIONER YEE: Yes, yes.

5 COMMISSIONER SADHWANI: I mean, yes. I personally
6 do. But I think that that's where it would helpful to
7 get, you know, some additional advice from others who
8 have been thinking about these kinds of issues far longer
9 than I have. But --

10 COMMISSIONER YEE: And it hangs in the balance with
11 the election results still out, you know.

12 CHAIR FORNACIARI: Yeah, yeah.

13 I have Andersen and Kennedy.

14 COMMISSIONER ANDERSEN: Thank you. Mine is a little
15 bit more -- not quite on this point. Although, I think
16 the intent -- you go with the intent of section 5,
17 regardless of the wording. Because that actually, I
18 think is a better way to look at it. But that's the
19 other thing.

20 What I wanted to say is the idea of -- well, two
21 items. The idea of how do we apply it. We've
22 contemplating (sic) in these briefings then, maybe doing
23 quick workshop or something to give us a taste of that.
24 Is that part of the training?

25 Okay. I see a nod. Okay, cool.

1 And then, the other one that I actually want to go
2 back to is, I didn't know what the MALDEF, the handouts
3 that were going to the public were coming from and when
4 that was being talked about. And I really appreciate all
5 that information. However, there are a few things that
6 are confusing in there, which weren't quite correct,
7 specifically about compact. And we've been trained on
8 how different people have different ideas about what the
9 term, you know, compact literally means as far as
10 redistricting. And it is slightly different in different
11 states.

12 And unfortunately, what is written there is not
13 quite correct the interpretation. You know, where -- you
14 know, you want to be. It is a nice shape. The reason
15 I'm saying this is for just the general public. It's not
16 just a nice shape. That doesn't not mean compact. It's,
17 where are the populations and where are you going to get
18 the populations?

19 And I'm just going to leave it at that because we'll
20 get into the specifics. But I want to say, compact does
21 not mean a little square or a box. That's not the
22 definition of compact. Thank you.

23 CHAIR FORNACIARI: Thanks.

24 Commissioner Kennedy.

25 VICE CHAIR KENNEDY: Thank you, Chair.



1 Just as far as a suggestion, I think it would be
2 interesting and something different for us. If you
3 found, for example, a video of a Moot court case, dealing
4 with the VRA that we could watch. And I went through a
5 Moot court exercise when I did an international
6 disability law course in Ireland several years ago. And
7 the Moot court part of it was an amazing experience. And
8 I'm not saying we have to do one. But if we at least had
9 the opportunity to see one and see how it was argued, not
10 just the outcome but the actual argument, that that might
11 be an interesting exercise for us.

12 CHAIR FORNACIARI: Other thoughts, questions?

13 Commissioner Vasquez.

14 COMMISSIONER VASQUEZ: Yes. Thank you, Chair.

15 I also like that I know we're going to -- well, I
16 guess I'm not sure if we're going to review them later or
17 not. But the MALDEF handouts were helpful in putting
18 stuff together that I don't -- that I think we've had
19 like pits a piece of training on. But it's nice to have
20 like in one place.

21 And Commissioner Andersen, we can maybe talk offline
22 about it. But I felt like their remarks on compactness
23 were accurate, because they talk about basically, that
24 compactness is the default unless we have exceptions to
25 those; that we can't just draw like lines willy-nilly

1 without justifications, particularly around VRA or other
2 considerations.

3 COMMISSIONER SADHWANI: If I could just respond.
4 Yes, I need to look more close here exactly at the piece
5 that was raised around compactness. But they did stress
6 that these are meant for kind of a national audience.
7 And they are creating ones more specifically to
8 California and would be happy to share them with us when
9 they're ready. It might be somewhat different.

10 CHAIR FORNACIARI: Okay, very good. Thank you.

11 Okay. If there's nothing else, we'll move on then
12 to Outreach and Engagement.

13 COMMISSIONER SINAY: Nothing new to report.

14 CHAIR FORNACIARI: Okay. So we talked about it this
15 morning, though, just to carry on with our interactions
16 with the teams. Okay, very good.

17 COI tool, Kennedy and Akutagawa.

18 MS. JOHNSTON: Commissioner Akutagawa?

19 COMMISSIONER AKUTAGAWA: To be honest, I do not have
20 anything to report. I believe that the next deadline
21 that we have for the COI tool will actually take place on
22 the November 16th to the 18th meeting. And so we are
23 free. However, I do want to warn you that, I believe
24 that the statewide database folks will be joining us for
25 the next time. Because they will be -- similar to the

1 last meeting, they will want to hear directly from all of
2 us on the language choices that we will be making in
3 terms of what translations we'll be hoping to see in
4 terms of the communities of interest tool that the
5 statewide database is creating.

6 Commissioner Kennedy, is there anything else you
7 might want to add on top of that?

8 VICE CHAIR KENNEDY: The only thing that I would say
9 is, if we want to take five minutes and just get a sense
10 of where folks are on the language issue. I've scheduled
11 a certain amount of time for discussion on the 16th, but
12 it would certainly would be helpful to know whether we
13 are going to need more time or less time to reach a
14 consensus on what languages we would like to see the
15 Communities of Interest tool available in.

16 CHAIR FORNACIARI: Commissioner Sinay?

17 COMMISSIONER SINAY: I think it's hard for me
18 personally to respond to that without knowing what your
19 recommendation is. I know that you've spent time and
20 have -- and will be presenting recommendations. And so
21 my not saying -- well, I guess I am saying something.
22 But the quiet you're hearing is not because we don't
23 think it's important. But I think we're looking for
24 guidance from the -- from you all and from the language
25 access group to move forward.

1 VICE CHAIR KENNEDY: And really, that would be
2 another item, which is, you know, inviting the language
3 access subcommittee to join us in facilitating that
4 discussion. I mean, I think there's -- my sense is there
5 is certainly support for going with, quote/unquote, the
6 base twelve languages required by state law, plus
7 American Sign Language, plus audio instructions for the
8 blind.

9 We may want to go farther than that, particularly
10 after hearing presentations from some of our stakeholders
11 over the last couple of weeks. So Commissioner Akutagawa
12 and I will continue to discuss this.

13 And then, once we get to the 16th, we hope that the
14 language access committee has also continued to discuss
15 this among the two of them. And we can -- well, I guess,
16 Commissioner Akutagawa can make sure that happens. And
17 then, we facilitate that discussion on the 16th with
18 statewide database colleagues present.

19 CHAIR FORNACIARI: Commissioner Akutagawa.

20 COMMISSIONER AKUTAGAWA: If I can also perhaps ask
21 if we could move the discussion on the 16th, that's our
22 first day, to either the 17th or 18th. Commissioner
23 Fernandez and I do have plans to bring in one more panel,
24 if we can. And not necessarily in light of but it was
25 already planned. I think the comments -- the public

1 comments that we've gotten has reinforced what we were
2 already intending. But our hope is that we would have
3 speakers from the Native American and African American
4 community. We're also considering others. But at this
5 point, I don't necessarily want to say which ones.

6 But perhaps if we could have a conversation after
7 that last panel. And we could try to have that one on
8 the -- perhaps on the 16th. Then, we could have the
9 statewide database conversation and the languages for the
10 Communities of Interest tool either on the 17th or 18th.

11 VICE CHAIR KENNEDY: I'll see what I can do.

12 CHAIR FORNACIARI: Okay. And it's good that your
13 dogs have chimed in. We appreciate that.

14 Any other thoughts or comments on this topic?
15 Commissioner Sinay.

16 COMMISSIONER SINAY: I just wanted to reiterate,
17 it'd be great if you all came with, actually,
18 recommendations or a straw, you know, instead of the --
19 you know, starting from nothing. But based on your
20 research, you present something, and then, we work on
21 that -- off of that.

22 CHAIR FORNACIARI: Yeah. I think that's a great
23 suggestion. Helpful if we have a place to start. Okay.
24 Very good.

25 Troubleshooting, Commissioner Le Mons and Andersen.

1 COMMISSIONER ANDERSEN: Well, we have something to
2 report. I must confess that I sort of missed that we --
3 since it's two weeks, I forgot that we had put this on
4 the agenda. I sort of thought it already happened. This
5 is about computers.

6 And what had happened on the computers is, we came
7 up with a -- which we presented actually on the 5th, that
8 October 5th to 7th meeting, about the criteria that we
9 needed in our laptops to be able to fully access the GIS
10 systems and the computers of the redistricting software.
11 And that came from both Raul, and the statewide database.
12 And Chair Fornaciari actually helped trace all that down.

13 We gave that to Raul. And he came up with -- also
14 with a list of the time frame involved getting this. And
15 that's part of the procurement. He came up with two very
16 tedious, very small print, long lists, of possibly
17 computers that were already put together and the state
18 had deals with. I had gone through those and picked a
19 laptop, which was the best price, and covered what we
20 have.

21 It sort of more than covered what we have. But
22 because we need to have a good graphics card, this was
23 the best. It was the cheapest way to do this. And I
24 forwarded that information to Raul. I don't know the
25 time frame or how this goes. I do have this information.

1 It's actually a Dell. It's from the state lists. And
2 rather than give you all the particulars but I can
3 certainly post this later, I don't know if these items
4 are actually still available.

5 So this is the criteria. This is the one we picked
6 that covers everything. It basically does have -- it's
7 an i7. It does have the -- it has 32 gigabytes. We only
8 needed the 16, but again, that wasn't the option. It
9 does have the 512 gigabyte per hard drive.

10 And it has an NADIVIA Quarto Pro, a 4 gigabyte
11 graphics card. It is the 15.6 inch. It does have a
12 webcam included. Turns out, it also is light weight.
13 It's 4.16 pounds. 20-hour battery life, which you know,
14 is important.

15 My only concern is that, it is 1,300 dollars --
16 1,358. And I was (indiscernible) going, you know, can we
17 get it cheaper? Not really, no. And so this is the one
18 that I would recommend. And as I said, I'd like -- if we
19 could say, let's go with this, barring that it isn't
20 there, we'd have to make a slight modification, that's
21 why I would like to make that proposal, that we could as
22 an action item.

23 CHAIR FORNACIARI: Well, I think you had many of the
24 Commissioners as its lightweight. I saw you smiling. I
25 saw Commissioner Turner and Vasquez support that idea

1 very much.

2 I mean, we want to get these new computers. We kind
3 of have an idea of what we want. I mean, what action do
4 we need to take? Do we have to make a vote or do we just
5 ask you buy them for us?

6 MR. CLAYPOOL: This is procurement. I think you can
7 just direct us to buy it for us -- for you and then, we
8 should go.

9 And as far as the additional amount, Commissioner
10 Andersen, it's commendable that we would worry about the
11 extra cost. But right now, we just need to get those
12 computers. So if that's what you want us to do, thumbs
13 up and we're there.

14 CHAIR FORNACIARI: So thumbs up or where are we at
15 here? Do we want to take a vote or we good?

16 COMMISSIONER ANDERSEN: Want more discussion,
17 questions, anything?

18 CHAIR FORNACIARI: More discussion? I think for the
19 most part, we're getting thumbs up. I think more yes
20 than not. Okay, nods, more thumbs. Okay, thumbs, thumbs
21 everywhere. All right. I think then -- yeah.

22 We'd like to have you all go ahead and get those
23 computers.

24 MR. CLAYPOOL: Commissioner Andersen, would you just
25 send that across the exact thing that you want to both

1 Raul and I and then, we'll get -- we'll move it.

2 COMMISSIONER ANDERSEN: Yes. I actually did send
3 that to Raul. I believe you were included on it but I'm
4 not sure. I'll check.

5 MR. CLAYPOOL: I saw the list. Was there only that
6 model on there or were there more?

7 COMMISSIONER ANDERSEN: I did send another email
8 that had the model number and then the little blurb about
9 it, and what it actually was.

10 MR. CLAYPOOL: Okay. So as long as we're not --
11 there's only one.

12 COMMISSIONER ANDERSEN: Yeah. No, no, no, no. I
13 picked only one.

14 MR. CLAYPOOL: Okay. Then we're good.

15 COMMISSIONER ANDERSEN: I will make sure that you're
16 included on that one.

17 MR. CLAYPOOL: Thank you very much.

18 CHAIR FORNACIARI: Commissioner Sinay.

19 COMMISSIONER SINAY: You gave us an update on the
20 phones but now I don't know where we were on our phones.

21 CHAIR FORNACIARI: Oh, yeah. That was on my list.

22 Do you know where we're at with the phones?

23 MR. CLAYPOOL: I know that during the break, we
24 have -- during the break next week, we have AT&T in here
25 wiring. But I don't know about the personal phones.

1 I'll have to get back to you on that. And I can go and
2 check with Raul and send out an email to all of you in
3 about fifteen minutes.

4 CHAIR FORNACIARI: Okay, well --

5 MR. CLAYPOOL: So -- yeah.

6 CHAIR FORNACIARI: Thank you. All right. Okay.
7 Anything else from the troubleshooting committee? Nope?
8 Okay.

9 All right. We'll move on to the Lessons Learned
10 committee.

11 VICE CHAIR KENNEDY: Commissioner Ahmad.

12 COMMISSIONER AHMAD: I have nothing new to report.

13 CHAIR FORNACIARI: Thank you.

14 VICE CHAIR KENNEDY: And as always, just keep ideas
15 flowing into us, please.

16 CHAIR FORNACIARI: Yeah. Okay, thank you.

17 So we have three additional subcommittees who aren't
18 on the list here; the language and access subcommittee?
19 Where are we? Do you all have a -- yeah, go ahead.

20 COMMISSIONER FERNANDEZ: Actually we have the
21 presentations on Friday at 1:45. And then Commissioner
22 Akutagawa already talked about what we're planning for
23 the next meeting. And then I think that will be it for
24 us. I don't know if Commissioner Akutagawa has something
25 too.

1 CHAIR FORNACIARI: Right. And just to be clear,
2 it's at 1:30.

3 COMMISSIONER FERNANDEZ: Is it 1:30? Yes.

4 CHAIR FORNACIARI: And then we have another
5 presentation at 3 so.

6 COMMISSIONER FERNANDEZ: Um-hum.

7 CHAIR FORNACIARI: Commissioner Akutagawa? Okay.

8 COMMISSIONER AKUTAGAWA: That was it.

9 CHAIR FORNACIARI: Okay. Beautiful. Okay.
10 And then is there anything more from the information
11 management team?

12 COMMISSIONER TURNER: We have a couple of --
13 Commissioner Ahmad and I have a couple of meetings
14 scheduled next week as well. And so I don't know if you
15 want to talk about it here or in the discussion of future
16 agenda items, but we'll have more to report out on
17 probably the week of the 16th if not -- yeah, maybe that
18 week because of the RFP part we'll want to be able to
19 share something then.

20 CHAIR FORNACIARI: Okay. Very good.

21 Commissioner Sinay had a question.

22 COMMISSIONER SINAY: I just wanted to check. Do we
23 have clarity if we're looking at the civic tool piece as
24 part of the information management, or you'll come back
25 to us when you're looking at the RFP to know if that's

1 falling under the Information Management subcommittee or
2 the COI tool, if we're going to expand the COI tool to be
3 civic technology.

4 COMMISSIONER TURNER: I am okay with it.
5 Commissioner Kennedy?

6 VICE CHAIR KENNEDY: I'm sorry. I was looking at
7 something else about the next agenda. I don't have
8 strong feelings one way or another on that.

9 CHAIR FORNACIARI: So Commissioner Ahmad, then
10 Commissioner Akutagawa.

11 COMMISSIONER AHMAD: I just want to ask clarifying
12 questions, Chair, of Commissioner Sinay.

13 When you're saying -- do you mean Data Management
14 subcommittee or is there another committee that --
15 subcommittee that you're referring to?

16 COMMISSIONER SINAY: Yes. I thought that Data
17 Management subcommittee was changed to Information
18 subcommittee, so I apologize.

19 CHAIR FORNACIARI: That was the suggestion earlier
20 today. And that's actually what I called you guys. So I
21 should have just stuck with data management. So --

22 COMMISSIONER AHMAD: Okay.

23 CHAIR FORNACIARI: -- that's kind of -- let me kind
24 of chime in.

25 That's kind of why I was talking about the picture

1 earlier today, Commissioner Sinay, because I think the
2 way you described it, if I can use -- wave my hands to
3 draw a picture, is that there's one like bubble here
4 that's input to the --

5 COMMISSIONER SINAY: I did draw that picture if you
6 want me to share.

7 CHAIR FORNACIARI: Well, I -- let me --

8 COMMISSIONER SINAY: Okay.

9 CHAIR FORNACIARI: -- well, let me explain what I
10 was thinking. There was one bubble that's input, right.
11 So the COI tool is input. There's other -- all kinds of
12 other inputs, right. So it's one bubble.

13 Then there's another bubble that's data management.
14 So that's how do we manage so the -- so the input comes
15 into the input bubble, it goes to the data management
16 bubble, and that bubble manages the data. And then
17 there's -- somehow it's a -- there's a connection with
18 the line drawer in some 3D, two-dimensional, three Venn
19 diagram kind of space.

20 And so I think -- so in that context, I think what
21 you're asking is are all the input pieces going to be
22 managed by one subcommittee and then all the -- the data
23 management piece is going to be managed by another
24 subcommittee; is that the essence of your question?

25 COMMISSIONER SINAY: The essence of my question is I

1 just don't want to lose the civic technology piece
2 because it's easy to say we're going to accept videos and
3 we're going to separate written and we're going to accept
4 this, but if we don't have the tools that can actually
5 accept all of that and can translate it -- and I do
6 see -- it's not just data management or a holding piece,
7 but it's a data translation too.

8 CHAIR FORNACIARI: Right.

9 COMMISSIONER SINAY: So on the outside, it -- the
10 data becomes accessible on the other -- and outside the
11 middle. So I just -- I guess my fear is if no one owns
12 it, it's -- we're going to be scrambling at the last
13 minute to get this input -- collect this input.

14 CHAIR FORNACIARI: So -- and I just want to make
15 sure I understand. When you say "civic technology",
16 you're talking about different modalities to input
17 information to us?

18 COMMISSIONER SINAY: Yes.

19 CHAIR FORNACIARI: So that that's the kind of
20 catchall for all the different ways that information can
21 be input to the Commission.

22 COMMISSIONER SINAY: Exactly.

23 CHAIR FORNACIARI: Okay. And Commissioner Ahmad.

24 COMMISSIONER AHMAD: Correct me if I'm wrong,
25 Commissioner Turner, but I thought that's what we were

1 doing.

2 COMMISSIONER TURNER: Exactly. That's what I was
3 waiting to see. That's what -- so yes, I think you're
4 not wrong. At least you and I are on the same page. And
5 when it was just described now as almost two different
6 holding places is not at all what I see. I -- the civic
7 technology piece, if that's what you want to call it, the
8 center hub, spoke, the center for the spokes, whichever
9 way you want to look at it, we're looking at technology,
10 an organization that would understand that we're going to
11 receive information a lot of different ways, including
12 the COI tool.

13 And what they will do in turn is to be able to house
14 that information and then have it available to us so that
15 we're able to massage it in whatever way we need to to
16 get the information out of it.

17 CHAIR FORNACIARI: Okay. So I had a different
18 model, but I understand where we're at now. It sounds
19 like you're all on the same page. And I will get on that
20 page.

21 And Commissioner Akutagawa, and then Commissioner
22 Sadhwani.

23 COMMISSIONER AKUTAGAWA: Yeah, I think I'm in a
24 little bit of a different place. And so I just quickly
25 drew something. So I don't know if you all can see this.

1 So what I'm envisioning here is that the data -- the --
2 this information data management piece is the repository.
3 The line drawer will access the information, so they're
4 off to the side here.

5 We will have oversight. And whoever we delegate to
6 actually do that, that actual day-to-day oversight, we
7 could determine that with Director Claypool, perhaps.

8 But to me, the COI tool, the civic technology and
9 all the other various forms of public input are just
10 that, they're inputs into the -- into this kind of
11 repository. And I'm fine if the -- if Commissioner
12 Turner and Ahmad want to take on the civic tech.
13 That's totally fine with me.

14 I think I was just -- this morning when I was
15 describing what I was envisioning, this is what I was
16 envisioning in terms of how I saw civic technology is
17 another form of input into the commission. It's a --
18 it's another tool. The COI tool is just one tool, but
19 the civic technology provides another tool. And then our
20 public inputs, like the hearings and things like that, is
21 another input mechanism.

22 UNIDENTIFIED SPEAKER: Chair, can we stay here a
23 minute? Because I want to understand what Commissioner
24 Akutagawa's doing with your diagram. I think part of the
25 confusion for me is that when we say "civic technology",

1 I'm not looking that -- I'm -- I'm look -- what -- and
2 you used the terminology "the repository", I'm seeing
3 civic technology as the repository.

4 COMMISSIONER AKUTAGAWA: Yeah, but all of that
5 information that goes in via the civic technology still
6 has to go into another place to make sense of it, unless
7 you're using -- because the -- what I read about civic
8 technology is that is a tool. And so the question is,
9 how is the information from the COI tool, the civic
10 technology tool, and also the public inputs, and the
11 various forms, whether it's handwritten, maps, and other
12 public testimony, how is that all going to be captured
13 and put into one place.

14 So even the technology -- the civic technology
15 information has to go somewhere. We can't -- unless
16 it's -- unless it's going to be the repository of all
17 these other pieces.

18 COMMISSIONER TURNER: That's what we'll have to do
19 more research concerning. Civic technology is a field
20 of -- I'm understanding it as a field of study, a body of
21 work and not a separate one tool.

22 CHAIR FORNACIARI: So Commissioner Sinay, then
23 Commissioner Ahmad.

24 COMMISSIONER SINAY: There was others before me --

25 CHAIR FORNACIARI: Okay.

1 COMMISSIONER SINAY: -- Commissioner Sadhwani and a
2 bunch of others.

3 CHAIR FORNACIARI: Oh, I'm sorry. Yeah, okay. I'm
4 sorry. Okay.

5 I got Commissioner Sadhwani. I have Commissioner
6 Yee, Le Mons, Achmad (sic). Okay.

7 Go ahead, Commissioner Sadhwani. Sorry. And then
8 Kennedy. Thank you.

9 COMMISSIONER SADHWANI: No problem. On my end,
10 everything's actually frozen, so I'm having a hard time
11 seeing everyone as well.

12 But I was just going to add two points. First, when
13 I was thinking originally about civic technology, I saw
14 it actually as two sides to it. One is that repository
15 sort of backhand, how do we gather and hold everything
16 and the host of issues that go along with that, and being
17 able to call it up from all of these different
18 endpoint -- input points.

19 But also as an outreach strategy. So what are the
20 ways in which we can utilize technology, particularly
21 during COVID, to further outreach and engage communities,
22 right. So maybe that's -- we're going to start text
23 messaging people. Maybe that's like having a chat
24 feature on our website.

25 Maybe -- I don't know what all of those things might

1 be, but I was thinking civic technology is those two
2 stages, one in which there's an outreach component of how
3 do we better engage with communities in 2010 -- 2020 in
4 comparison to 2010, and particularly during COVID. And
5 then the repository piece.

6 My second point -- and if that's not our
7 understanding, I'm okay to shut up and get out of
8 the picture and I'll leave it to both the outreach and
9 the data management or information management or whatever
10 we want to call it committee.

11 My second point, though, was that I think that we
12 may very soon need to address our model of meetings. So
13 right now we're using subcommittees of two. And that
14 makes sense in terms of getting work done because we can
15 actually talk to one another.

16 But what I'm hearing here, as well as in like the
17 VRA line drawing committee as well, is that there's --
18 that there's so much overlap that we might actually
19 want -- maybe we keep the subcommittees, but we have a
20 larger group that's kind of thinking both about the
21 outreach and this data management piece. And I get it,
22 that that's harder because we would have to meet in a
23 public session, which just has agenda-setting issues.

24 But I -- my understanding is I think that that is
25 actually what the 2010 Commission did. And that perhaps

1 we can just put some time towards that before we start a
2 meeting, right. The first half of our day is an outreach
3 meeting and a legal meeting and the -- and an admin
4 meeting or something like that. And then we all come
5 back to the full group.

6 Because I think that as we develop more and more
7 subcommittees, there's these overlaps. And I just feel
8 like we're -- I want to make sure that we're working
9 jointly and not working against one another or anything
10 like that.

11 CHAIR FORNACIARI: Okay. I think Commissioner Yee
12 was next.

13 COMMISSIONER YEE: Yeah, I have one point and two
14 questions.

15 One point, so Commissioner Akutagawa, thank you for
16 your diagram.

17 I think there's one more leg to add, which is the
18 non-testimony inputs. Yeah. So that was part of our
19 research.

20 Okay. Two questions. One question is, I mean,
21 civic technology, we've already deployed some of it,
22 haven't we? I mean, the website right now, creaky as it
23 is, that's civic technology. That's where our documents
24 are kept. That's where people are posting some public
25 comments and things. There's actually a mapping link

1 there, which is obsolete, but -- and we should take down
2 for now. But in theory, someone could submit a map right
3 now. So we've already -- and these Zoom meetings, of
4 course, are civic technology.

5 So beyond that seems to be a bucket for other
6 technologies we might employ. Who knows? We could use
7 Twitter or whatever. But we've already started using
8 some.

9 The other point is on your diagram, Commissioner
10 Akutagawa, you have the line drawer interacting with the
11 data management. Shouldn't that be -- I mean, the line
12 drawer should only work through us as the Commission,
13 right? The line drawer doesn't log -- draw lines
14 independent from us under any conditions, right. So I
15 would think that the line drawer should be higher in your
16 picture and with a back and forth arrows to us, not data
17 management I think, right?

18 COMMISSIONER AKUTAGAWA: I was just thinking more
19 like they would just access to information, not
20 necessarily a reporting like org chart kind of way.

21 CHAIR FORNACIARI: Yeah. Okay. I had Commissioner
22 Le Mons, then Ahmad, Kennedy, and Sinay.

23 Did I get the order wrong here?

24 Okay. Commissioner Le Mons.

25 COMMISSIONER LE MONS: Yeah. I just wanted to say

1 that I think we should try to maybe keep it high level.
2 The inputs -- I like -- the input concept makes sense.
3 And what I thought the subcommittee -- the Data
4 subcommittee was doing was looking for some kind of
5 organization, individual group that can manage all of the
6 data that we have coming in period. And so it doesn't
7 really matter ultimately the sources, other than the
8 diversity of the sources in terms of this organization's
9 ability to be equipped to manage all of that information,
10 which is -- seemed to me that this morning you guys had a
11 good grasp of that. And I don't think any of this
12 conversation changes what your charge is. And I think
13 we're getting caught up in semantics of what's called
14 what.

15 I think at the same time, we also still have our
16 communications director and our outreach staff that need
17 to be a part of some of these things. And I just don't
18 really understand why we're trying to get so far ahead of
19 that whole responsibility of these people that we're
20 hiring to put to work with putting not only executing an
21 outreach plan, but being a big part of the development,
22 because we're also hiring expertise.

23 So I just want to put that out there, remind us. I
24 don't think that there is any confusion about what the
25 subcommittee is doing. I think we're getting -- tripping



1 over -- I just said I --

2 I want to give you solace, Commissioners Sinay, that
3 civic engagement and civic technology is not going to get
4 left out. So that's the wire that got tripped to send us
5 spinning off into this whole long conversation that just
6 doesn't feel like it's necessary right now. It won't --
7 it's been raised. We'll make sure that we keep an eye to
8 it. But that doesn't change what that subcommittee is
9 charged to do and they're going to continue doing and
10 going to bring that information back. So I just wanted
11 to put that I think we're good.

12 CHAIR FORNACIARI: Okay. I see Commissioner Sinay.
13 I had Ahmad and Kennedy first.

14 Did you -- did you -- okay.

15 And then Turner.

16 Okay. Ahmad, Commissioner Ahmad.

17 COMMISSIONER AHMAD: Mine is super quick. And I'll
18 just pose this to the whole group and whoever wants to
19 answer it can answer it. As I said earlier this morning,
20 I have no idea what civic technology means. And I would
21 like for someone to define it and us to come to an
22 agreement on what that means. Because to me, I am
23 thinking it means something very different than what the
24 conversation has been leading to. So I'll just leave it
25 at that. Thank you.

1 CHAIR FORNACIARI: Okay. Commissioner Kennedy, and
2 then Commissioner Sinay.

3 VICE CHAIR KENNEDY: Thank you, Chair. And I don't
4 want to prolong things, but I'm hoping that this can
5 contribute to everybody converging.

6 If we call this, "repository and knowledge base",
7 because we need to redistrict on the basis of not just
8 the statewide database, but a knowledge base. And so
9 there are going to be various channels of input into the
10 redistricting knowledge base. There are going to be
11 various uses made of the redistricting knowledge base.
12 But the repository itself, I think, could usefully be
13 conceived of as a redistricting knowledge base.

14 CHAIR FORNACIARI: Okay. Commissioner Sinay.

15 COMMISSIONER SINAY: I didn't mean to send us on a
16 rabbit hole, but based on the research that I've done on
17 civic technology, we cannot think about this later and
18 then try to back into it. It is something we need to be
19 very intentional about.

20 Civic technology is not a database. And that's
21 where a lot of things get lost. I'm working right now on
22 community information exchanges in Orange County and San
23 Diego, and everyone gets caught up on the platform.
24 It's how you use technology to engage people.

25 And as much as we're using Zoom, it is not the tool

1 that I will hope we continue to use. We need people to
2 come and think with us that are from the technology
3 field, that are innovative, and that can bring us further
4 than the rest of the community on some of these.

5 So civic technology includes using social media in
6 new ways. It includes creating apps. It includes
7 creating the COI tool and other things. And there's
8 different input we're getting.

9 But we can't back into this because it takes time
10 and money to create these and to make sure all of that is
11 feeding into this. That is why I keep coming back to
12 does someone have this. Because at first, we had it on
13 the outreach committee and then it was said, no, we got
14 it over here. And Commissioner Sadhwani and I had backed
15 off and shared all our information on civic technology.
16 We had been going out and collecting some of this. And
17 Commissioner Vazquez and I were thinking it all through.

18 I don't want us to come to even further along in
19 November when it should have been written into this RFP
20 that we're looking at November 16th. So I'm sorry if it
21 felt like I was being tripped up and stuff. It's just
22 knowing what civic technology is and how much thinking
23 has to be done.

24 If you create tools unintentionally they will not be
25 used and that was money wasted. And so that is why I am

1 sorry to take this time and to come back to it, because a
2 lot of times we don't close the loop and the loop was not
3 closed on this one.

4 CHAIR FORNACIARI: So Commissioner Turner was next.
5 And then I wanted to know if that answered Commissioner
6 Ahmad's question.

7 But Commissioner Turner. And then --

8 COMMISSIONER TURNER: Yeah. The thing that I wanted
9 to say, what was helpful to hear -- I was clear --
10 I thought I was clear earlier today. Got a little
11 confused, muddled as far as the intent. And not even
12 necessarily confused, just different than what I thought
13 for a minute.

14 But what was helpful in hearing that right now is
15 because as we're still researching and talking to
16 different groups, we need to know what it is exactly
17 we're asking them to do.

18 And so the piece, Commissioner Sadhwani, when you
19 said there's two parts of the repository to hold
20 everything.

21 And then Commissioner Kennedy, you're suggesting
22 even calling it a knowledge basis instead of repository,
23 whatever. That's one piece of it.

24 Plus a piece that says and also an outreach strategy
25 to further engage. I was not -- I had not talked about

1 the piece that we were doing in the data management or
2 information management as far as also an outreach tool.
3 And so that, then, makes sense to me where we keep having
4 conversations about splitting it out. And so I get that
5 now, and just kind of will wait to see which direction we
6 go with it.

7 But I was still on a place where instead of us
8 having to look through a whole bunch of handwritten maps,
9 wade through a bunch of spoken verbal information
10 receipt, now look to the COI tool, I was thinking in
11 terms of responsible technology, civic technology is how
12 I was thinking of it. A place where people would --
13 where an organization -- an institution would already do
14 something similar to bring in massive amounts of
15 information and then make it available where others can
16 make sense of it and be able to use it. So that's --
17 that was the limits of what I was trying to research
18 about.

19 CHAIR FORNACIARI: Okay. I have Commissioner
20 Akutagawa, then Commissioner Le Mons.

21 COMMISSIONER AKUTAGAWA: If I can, I'd like to just
22 read from an article that I think might be helpful in
23 creating some -- maybe some more clarity and might help
24 answer Commissioner Ahmad's question as well, too.

25 So I will say this is from within an article. I'll

1 send the link later so that it can also be posted to the
2 website. It's from Citizens Lab. It does seem like a
3 legitimate resource. And what they do cite is first, the
4 definition -- the Wikipedia definition, which defines
5 civic technology as a technology that enables engagement,
6 participation, or enhances the relationship between the
7 people and government by enhancing citizen communications
8 and public decision. And it aims to develop engagement
9 and to encourage citizens to act for the public good,
10 which is what I think we are trying to do.

11 This particular website -- or this article from
12 Citizens Lab, one of the things that I like about it is
13 it talks about what's the difference between civic tech
14 and government, gov tech. And civic tech they speak
15 about it.

16 And Commissioner Sinay, I think this is in alignment
17 with what you're saying. Civic tech shows citizens as
18 the beneficiary. It's community centric. And it's about
19 engagement. Versus government tech, or gov tech, is
20 government is the customer. It's operation centric. And
21 it's about efficiency.

22 So I think there's room for both in a sense of what
23 we're talking about. I am perfectly fine if it -- the
24 civic tech portion stays with the outreach committee
25 because it is an engagement tool. But the engagement



1 tool is also an input tool is how I still see it.

2 And separate from that, there is this other larger,
3 which is, I think, different than what civic technology
4 is intended to do. I think we still need to look for a
5 provider that can bring all these different reams of
6 information that we're talking about into a place where
7 it could be sorted, it could be analyzed, and it could be
8 mined for the kind of information that I think we as the
9 Commission are looking for in terms of the inputs that we
10 need to draw the lines.

11 And I'll send the -- I'll send the link to --

12 Yeah, and I'll -- Commissioner Claypool, I'll send
13 it over to you so that it could be shared with the rest
14 of the commissioners and also on the website.

15 CHAIR FORNACIARI: I have Commissioner Le Mons, then
16 Commissioner Vazquez, and then Commissioner Anderson.

17 COMMISSIONER LE MONS: Thanks for that, Commissioner
18 Akutagawa.

19 Yeah, I -- when I think of civic technologies, I
20 think of it more conceptually. And I think I akin it to
21 community participatory research is probably another
22 model which shifts the focus of the -- which the efforts
23 coming from the place of the beneficiary then the person
24 seeking to get the information.

25 I still don't think that that changes what that --

1 the Data subcommittee's charge is. Our big challenge is
2 no matter what -- so I'll start by saying I still feel
3 like we don't have an outreach plan. And not that we
4 should have one, but we're still in the process of
5 developing that.

6 And the things that Commissioner Sinay is raising
7 will be central to that. And I don't think there's
8 anything that the subcommittee is doing -- the Data
9 subcommittee that's doing that's going to be problematic
10 for that. They are looking for, if I understand
11 correctly, before there was a lot of information
12 gathered, not in all the ways that we're even considering
13 at all. I mean, we're being very, very innovative in how
14 we want to collect information.

15 But even with the more narrow collection approach
16 from the previous commission, one of the challenges was
17 the ability to process all of the information that was
18 coming in. So these various ways that we're going to
19 collect information are going to be diverse. And what
20 we're going to be left with is making sure that we're
21 choosing, ultimately, tools and inputs that we're going
22 to be able to actually process and have them be useful,
23 even if something falls within the civic technology
24 concept. If we can't translate that information to make
25 it useful to our line drawing, we would -- I would

1 surmise that we would say, well, that particular thing we
2 are not going to do.

3 So we want to make sure that the things that we
4 ultimately choose to do in terms of the collection we can
5 afford to do in terms of have it be useful, because we
6 can translate that information into usable information
7 toward our line drawing.

8 So what the subcommittee -- the Data subcommittee is
9 doing is trying to find robust enough organizations that
10 are used to managing, collecting, packaging large amounts
11 of data that come from different places. And that could
12 be social media. It could be text. It could be any of
13 these things.

14 So I think what I was cautions that we didn't --
15 really didn't need to define those specific channels or
16 even get caught up in the model itself. If we're holding
17 space where that's going to be the model -- the civic --
18 the civic engagement model is going to be -- civic
19 technology's model is going to be the model by which our
20 outreach is informed, these are the community
21 conversations we should be having with our staff and our
22 experts that we are hiring to do this work. We're doing
23 some of the groundwork, but I was cautioning that we
24 should be doing all of the work.

25 Otherwise, all we need to hire are boots on the



1 ground. We don't need to pay big money for expertise if
2 we're not going to utilize it. That's my concern. Talk
3 about being fiscally responsible.

4 CHAIR FORNACIARI: So I have Commissioner Vazquez,
5 and then Anderson.

6 COMMISSIONER VAZQUEZ: Most of my comments have
7 already been made. I'll just say that I do think it's
8 better to define this right now, because I do think we've
9 failed to close the loop on some of these bigger
10 if squishier concepts so that our subcommittees have some
11 direction, if not to do the work of our staff, but to
12 know what the scope of their charge is.

13 CHAIR FORNACIARI: So when you say define "this"?

14 COMMISSIONER VAZQUEZ: Sorry. Define civic
15 technology, at least to the extent that it is helpful for
16 the subcommittee. So in this case, it's helpful for the
17 Community Outreach Committee to know what exactly
18 Commissioners Turner and Achmed (sic) are thinking
19 through and what we need to continue to hold space for in
20 the outreach committee.

21 CHAIR FORNACIARI: So the -- I'll ask then the four
22 of you, I mean, do you think it would -- it seems to me
23 be valuable for the four of you to get together and spend
24 some time ensuring that everyone's on the same page? I
25 mean, six of six.

1 Commissioner Sinay, you said six? Who am I missing?

2 COMMISSIONER SINAY: The COI tool folks.

3 CHAIR FORNACIARI: The COI --

4 COMMISSIONER SINAY: Because they're --

5 CHAIR FORNACIARI: -- tool folks, okay.

6 COMMISSIONER SINAY: -- they've been taking part in
7 this --

8 CHAIR FORNACIARI: Okay.

9 COMMISSIONER SINAY: -- too.

10 CHAIR FORNACIARI: Okay.

11 COMMISSIONER VAZQUEZ: Yeah. So I mean, perhaps --
12 I mean, perhaps maybe we do need a -- maybe we do need to
13 notice conversation for the six of us to hash this out in
14 a couple of weeks, at least to the extent possible over a
15 couple of hours. That way, at least the six of us with
16 potential overlapping concepts and charges are
17 swimming in the same direction.

18 CHAIR FORNACIARI: Okay. I have -- holy cow. Okay.
19 I have Anderson. I have -- then I have Le Mons, then I
20 have Marian, and then I have Commissioner Sinay.

21 COMMISSIONER ANDERSON: Thank you, Chair. Yeah,
22 this is -- this is exactly why what I started earlier
23 today. Because the confusion of who's doing what and
24 what they all mean.

25 And now I understand when -- there are two

1 components of the data management, the civic technology.
2 One is a total outreach tool. The other is what do you
3 do with the information. And I believe what is going on
4 here is they are not completely separate things.

5 Most of these groups that the data management or the
6 information management group is going to come up against
7 with is that people are trying to do this, i.e., get
8 all this information from everyone out there in all the
9 different ways knowing that they have to be able to use
10 it at some point.

11 So it is not a, I'm just going to go out and this is
12 the way to reach people. That's nice. What do you do
13 with that information? Because that's the problem we all
14 have. We've all done that. We got all this information
15 and didn't know what to do with it.

16 Now there are better ways to get more contact and
17 outreach. But then you still have to be able to do
18 something with the data. But that's not two separate
19 things. These are people who are doing this.

20 And in looking at the line drawing in the
21 redistricting, there are people who are looking at how to
22 get the information for line drawing. They're doing this
23 as well. So -- and that's the overlap that I'm talking
24 about in terms of the line drawing.

25 Because like I say, just for going back to our

1 example, all this information and how to try to reach --
2 not so much how to try to reach people, but -- because
3 that had been established -- but how do you get the
4 information, how do you collect it, what do you do with
5 it so we can all use it ended up being totally on the
6 line drawer. And they didn't really want to do that.
7 And it wasn't necessarily what they did. But there are
8 people who that is what they do. And it isn't --- and
9 then there are all these separate people.

10 It isn't like, okay, you just go out and reach
11 people. It's you reach people and get the information.
12 And I believe that is what from my -- this morning,
13 that's what I thought was it's clear as a bell, it's the
14 double part of what Commissioner Ahmad and Commissioner
15 Turner were doing.

16 And now I'm understanding, well, not really. They
17 weren't sure it was the -- really the outreach part. and
18 it's the crossover that I'm concerned about, because even
19 when you're talking about how let's have these six people
20 together, I see if you don't have the line drawer in
21 there, then it might not communicate. You might have all
22 this great information and you think it's okay, but our
23 line drawer is like, if you'd only done it like this,
24 then I could just go bang, collect it all and use it. So
25 you need to have this connection with -- so it's all

1 translatable.

2 And I believe that the technology people are much
3 more aware of how this flows together. And because
4 they're -- they are using these to try to outreach in
5 technological ways. We're already -- and it's already in
6 the back of their mind that they have to collect the
7 information. So I think that as Commissioner Le Mons
8 said, we need to define this.

9 But I think what we need to do in our RFPs is allow
10 for the overlap of it. And when our communications
11 person comes on, he is actually going to help us in terms
12 of, ah, now can we just sort of rearrange this a little
13 bit because this is going to be the outreach.

14 And I believe the more research that the data group
15 does and looks at, they're going to come up with ideas
16 that this will all be one thing. It won't be you're
17 getting stuff from one area, you're getting stuff from
18 one area, we put it all into a big management thing, and
19 then we need this huge machine to collect it all and then
20 we can all pull out of it. It's part and parcel of what
21 the job is going to be.

22 And I think it's because that's the way technology
23 works. Like you don't just create -- like when you're --
24 when you're -- the COI tool, for example, it isn't just a
25 way to bring things in, it's -- and it has a result out.



1 And so I believe that that is what's going on with the
2 civic technology.

3 And so I think we should essentially don't take it
4 out of anyone's charge, but include it in everyone's
5 charge, if that makes sense. It isn't like the sub --
6 the COI does this, the data management only do that. I
7 think we need to say it's going to overlap. And then
8 you'll realize as you -- as we get into it, that then you
9 say, okay, now I can back off that.

10 But I don't think we should be backing off of
11 anything, because as Commissioner Sinay was saying,
12 things are going to get lost. And that's not what we
13 want to do. But I think by if we try to divide it out
14 now, we'll hurt ourselves. It's going to be not as
15 efficient as when we contact people who are this is their
16 field, they're going to be able to tell us, great, we can
17 do all of this for you as a consultant.

18 Now that they're doing it for us, I should say,
19 they're gathering -- they're helping us gather because
20 the tools are there and the collection of it is there.
21 So I think if we just kind of keep on going, I don't
22 think we need to define it right now except on every --
23 don't take it off on anyone's charge.

24 CHAIR FORNACIARI: Okay. Thank you.

25 Commissioner Le Mons.



1 COMMISSIONER LE MONS: I just want to say, if that
2 group gets together, I said before, I want to be a part
3 of it, so it would be seven people. When I mentioned it
4 before, I know people were like, oh, how are we going to
5 do that, it's only two.

6 I've been waiting for our people who are really
7 going to shepherd this and we're informing it, we're
8 giving vision and all of that research, and we're
9 prepping them and getting them ready. But please don't
10 pull the trigger and not invite me to be a part of it.

11 CHAIR FORNACIARI: Okay. Thank you.

12 Mariann.

13 MS. JOHNSTON: I just wanted to be sure you knew
14 that since --

15 CHAIR FORNACIARI: I think your --

16 MS. JOHNSTON: -- you already --

17 CHAIR FORNACIARI: -- mic's off. Is your mic --

18 MS. JOHNSTON: It is?

19 CHAIR FORNACIARI: Oh, oh --

20 MS. JOHNSTON: Thank you.

21 CHAIR FORNACIARI: Okay.

22 MS. JOHNSTON: I remember this time. You can always
23 have subcommittee meetings during a regularly-noticed
24 meeting without giving special notice for the
25 subcommittee. So if you want to form this ad hoc meeting

1 of the different subcommittees even tomorrow, if you're
2 going to have extra time, that would be perfectly
3 appropriate and legal to do. Because since the
4 subcommittees are already noticed as part of the main
5 meeting, they also can meet during the meeting.

6 CHAIR FORNACIARI: Okay. And that was going to be
7 my question.

8 Commissioner Sinay.

9 COMMISSIONER SINAY: Two things. One is the only
10 reason that this has taken on some urgency was just
11 because, as we discussed last meeting, it was the RFP.
12 And we just want to make sure that it is in the different
13 RFPs and that we have that clarity that I think we have
14 now so that we get the right information. Because, yes,
15 the technology industry gets what we're trying to do, but
16 they need to know that that is part of what we want. If
17 not, we're stuck where we were last time where we're
18 asking people to do things that weren't in the original
19 RFP.

20 Commissioner Le Mons, I would like to hear a little
21 bit more why you feel -- you've inserted yourself kind of
22 into the outreach, which is great, but why when we first
23 started this and we had that space and nobody came in the
24 second, Angela stepped in -- I mean, sorry, Commissioner
25 Vasquez stepped in when we were looking for someone who

1 was from a different party, and now -- and it would have
2 been great to start from there. But now it feels like a
3 lot of thinking and a lot of work has come into this, and
4 now, not -- I can only use the word inserted. And I just
5 want to understand so that we can work really well
6 together.

7 COMMISSIONER LE MONS: You know what, based on what
8 you just said, I withdraw my -- I made it very clear when
9 I said it the last time why I wanted to be involved. So
10 I don't understand what you're confused by. But it's
11 been very apparent to me that you and your colleague
12 aren't interested in my involvement. So to me, it's
13 neither here nor there why I didn't do it first. The
14 fact that I'm interested in contributing my expertise now
15 should be enough.

16 But I tell you what, I'm going to withdraw it.

17 COMMISSIONER SINAY: I'm sorry that's how you felt.
18 I was just trying to understand how to better incorporate
19 all of us. We've all kind of conquered and divided at
20 this point. And I was just trying to better understand
21 how to use your expertise and how to move forward.

22 COMMISSIONER LE MONS: Well, that's not the
23 impression I've gotten.

24 CHAIR FORNACIARI: Okay. All right.

25 Well, let's see, at this point, I mean, so

1 Commissioner Sinay, you just said that you felt like --
2 you felt that folks kind of understood that this all
3 needs to be part of the RFPs and that you're comfortable
4 at this point that folks understand what we need,
5 what needs to be in the RFPs.

6 I just want to check in with the folks from the
7 other teams putting the RFPs together. If you all feel
8 you're in a place of comfort at this point with what
9 we've been talking about and ready to go ahead, or if you
10 might want to see about getting together when we have
11 some -- some -- a little bit of time during this meeting.

12 So I'll start with the data management team.

13 COMMISSIONER AHMAD: At this point, I'm fine with
14 just Commissioner Turner and I bouncing this conversation
15 back between us. I don't think there's anything to
16 discuss unless there's an RFP in front of us that we all
17 want to rip apart and give our input for. So at this
18 point, I am -- I'm good to go.

19 CHAIR FORNACIARI: Okay. And then I'll go with the
20 COI tool team.

21 VICE CHAIR KENNEDY: I think I'm good.

22 Commissioner Akutagawa?

23 COMMISSIONER AKUTAGAWA: Yeah. Same here.

24 CHAIR FORNACIARI: Okay. So we'll be moving
25 forward, then, with the teams putting RFPs together



1 with this definition of civil technologies in mind. And
2 then as we review the RFPs, we'll keep in mind that we
3 need to incorporate this piece going forward.

4 Okay. Let's see, there was one last subcommittee
5 that we haven't -- that's on the list, but it's
6 the cybersecurity subcommittee, and we've had a number of
7 conversations about that already. So I don't think
8 there's anything more to add on that note.

9 So we'll see. So what do we have left on our agenda
10 at this point? We've got item 13 that's going to take
11 place at 1:30 on Friday. We've got our item 14 that's a
12 discussion and agreement on ground rules for working
13 together and procedures for meeting management. And then
14 the discussion of future agenda dates and public comment.

15 I feel like we can be pretty focused on that
16 and just take this all up beginning Friday morning.

17 So I'll let -- and we'll bring back the TEC and per
18 diem on Friday morning.

19 I was hoping item 14 could -- we could focus on that
20 in about an hour. But I think we have plenty of time
21 Friday morning to work through the things that we need to
22 work through and then in the afternoon with the speakers.

23 Does that sound like an okay plan, we'll take
24 tomorrow off? Can I get some thumbs up?

25 Commissioner Kennedy has a comment.



1 VICE CHAIR KENNEDY: Just before we break for the
2 day, if any of the subcommittees needs more -- or
3 anticipates that you may need more than five minutes in
4 the next meeting, if you could let me know so that I can
5 adjust my planned timings, I would appreciate it. Thank
6 you.

7 CHAIR FORNACIARI: Commissioner Anderson?

8 COMMISSIONER ANDERSON: How do we let you know?
9 Just tell you now or email?

10 VICE CHAIR KENNEDY: Now is good.

11 COMMISSIONER ANDERSON: Well, if we're bringing the
12 RFP to discussion, then certainly in line drawing needs a
13 bit more time than five minutes.

14 COMMISSIONER Yee: The RA will have four RFPs so
15 that's going to be more than five minutes.

16 CHAIR FORNACIARI: Commissioner Le Mons?

17 COMMISSIONER LE MONS: I think at some point we do
18 need to schedule the meeting that I suggested in our
19 previous meeting that we need to schedule. I was
20 completely put off by Commissioner Sinay's comments today
21 about me inserting myself in something that I think is
22 the work of all of us. And to have me raise my hand to
23 support something and have it questioned is unacceptable
24 as far as I'm concerned.

25 And a lot of the other comments that were made in



1 the previous meeting about men in gender and all of this
2 stuff, there's a subtext going on here that I'm
3 completely uncomfortable with. And I'm not going to
4 pretend like it doesn't exist. And I think we need to
5 get to the bottom of it before we get too far down the
6 road, because it's going to be disruptive and
7 unproductive.

8 CHAIR FORNACIARI: That was going to be a social
9 hour. Do you have a proposals when you'd like --
10 when we'd like to have that? Would you like to try to --
11 I mean, do you want to try to have it tomorrow or do we
12 want to kind of let things settle a little bit,
13 Commissioner Le Mons?

14 COMMISSIONER LE MONS: No, I don't want to do it
15 tomorrow. I just don't think it should go on the back
16 burner. And if there's other people that -- maybe I'm
17 the only one feeling this, so if there are other
18 commissioners that -- because it's not on me. I raised
19 it. We come up with something we're going to do.
20 Commissioner Sinay, as a matter of fact, thought it
21 wasn't something we could do in the series of that
22 meeting; that it couldn't be done that week.

23 So now we're into the next week. It's not brought
24 up. We'll be gone for two weeks. So she was the one
25 that actually asked to move it to a different time. So I

1 don't think it should be put on me to be determining when
2 it should happen.

3 CHAIR FORNACIARI: I just want to check in to see
4 what -- when you thought.

5 Okay. Well, I'm the chair right now. So I will
6 take it upon myself to see about scheduling something for
7 us next week when we have an open week. Would we like to
8 do something maybe in an evening? Couple of hours in the
9 evening?

10 Commissioner Sadhwani?

11 COMMISSIONER SADHWANI: I was just going to offer
12 that I think there's certainly a lot of intergroup
13 dynamics in this -- on this commission. I'm certainly
14 open to having a more social hour or moment in which we
15 can have some conversations. But of course, that
16 conversation needs to not include any conversation about
17 the business or work of the Commission.

18 I might just -- I don't have any one or any group in
19 mind, but I do think that there are folks out there who
20 offer facilitated conversations and trainings, because I
21 think that these are tough conversations to have. And I
22 mean, I think that the level of hostility here is
23 palpable. I mean, I think it's -- we're at that level,
24 and I think having a facilitated conversation might help
25 us work together.

1 We're not -- I don't think there are only gender
2 considerations here. We're all very different people.
3 These are -- as we were asked in the -- in our
4 interviews, these are hyper partisan times. There's --
5 I think -- I don't know what all the issues may or may
6 not be, but I think having someone help facilitate that
7 conversation might be helpful.

8 CHAIR FORNACIARI: Do you have someone in mind that
9 you could -- you -- that you know that could help?

10 COMMISSIONER SADHWANI: I don't. I could look
11 around for that. I don't know if other Commissioners
12 have -- know of folks that do this kind of work.

13 CHAIR FORNACIARI: So I have Commissioner Sinay.
14 Did you want to say something? And then Commissioner
15 Turner.

16 COMMISSIONER SINAY: Yeah. It might be some may --
17 Commissioner Le Mons may consider it biased if I bring it
18 forward, but I do -- I can say that Commissioner Di --
19 former Commissioner Di, this is the work she does. And
20 she did offer a while back to come in and work with us if
21 we were interested, especially since she understands the
22 dynamics of the Commission's work.

23 CHAIR FORNACIARI: I have Commissioner Turner, and
24 then Mary.

25 COMMISSIONER TURNER: Thank you, Chair. You

1 mentioned next week. I was just going to offer Monday,
2 Tuesday, or Thursday works good for me next week in the
3 evening if that's what we want to do.

4 I think it's always beneficial to have a facilitator
5 that comes in. But I also think just given the
6 opportunity and the latitude to be able to just
7 emphatically state this is the things that -- this is how
8 I like to be engaged with. Just being able to talk, I
9 think, will solve it.

10 So I don't -- I'm hoping that we don't prolong it.
11 I think there is a danger in continuing an issue.
12 Anything that has cropped up I think should be dealt with
13 quicker instead of later. And even in the cooling off
14 period and all of that, I'm not so much a fan of that all
15 the time. It's like you know what, we all have a job to
16 do, let's just express what we need. And I think we've
17 agreed that we'll try to comply. But it's the
18 understanding that we need to make sure we have.

19 I want to know who you are. I want to know what
20 exactly it is you need. And I'll provide that to the
21 extent that it doesn't cross a value that I have. And
22 then that's what the conversation is all about. And then
23 we'll understand where I'm coming from.

24 So I'm definitely for the social time to be able to
25 just talk for sure. If indeed someone is readily

1 available sooner rather than later, for sure let them
2 come in. I don't think we should 100 percent rely on
3 them. Sometimes people coming in from the outside, they
4 have to facilitate in such a way that's either so
5 stringent or it doesn't necessarily touch on the issues
6 that are -- that's before us right now. Sometimes that's
7 good when there's not an issue, it kind of can serve as a
8 road map.

9 But if there is an issue, let's not go to some other
10 made up scenario that may or may not help. Let's deal
11 with whatever issues that are here. And I hope everyone
12 comes prepared to not be offended, but to be able to
13 state and hear what the issues are and I think we'll
14 serve each other well.

15 CHAIR FORNACIARI: Thank you, Commissioner Turner.
16 Marian.

17 MS. JOHNSTON: There's a fine line between getting
18 to know each other and getting to understand each other
19 better and bringing in a facilitator to help you do your
20 work as commissioners better. And I really would urge
21 you to stay on the personal and getting to know each
22 other side of it, if you're not going to be doing it in a
23 regularly-noticed open meeting.

24 I think if you go to the extent of having a
25 facilitator come in and making it that organized, it

1 probably does make it commission business.

2 CHAIR FORNACIARI: Okay. Other thoughts? It seems
3 like Monday, Tuesday, Thursday evening might work for at
4 least Commissioner Turner. Other thoughts, feelings on
5 this topic or when might be good?

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: I agree that it -- the
8 sooner the better. And I know Commissioner Le Mons
9 doesn't want to do it tomorrow, but I was -- I would vote
10 to do it tomorrow or -- just so that we can talk about it
11 and --

12 But I understand if you don't want to.

13 Monday does not work for me personally.

14 Evening does not work.

15 CHAIR FORNACIARI: Okay. How about Tuesday or
16 Thursday? Those okay? No?

17 Commissioner Ahmad.

18 COMMISSIONER AHMAD: Might I suggest Friday before
19 our regularly scheduled time to meet? Lunchtime --
20 sorry, lunchtime. Sorry. Friday lunch. I was thinking
21 about the presentation at 1:30, but Friday lunch? My
22 schedule's flexible. I'll make time for whenever we need
23 to do this.

24 CHAIR FORNACIARI: Okay.

25 COMMISSIONER AKUTAGAWA: I have a meeting already

1 scheduled for the lunch time.

2 CHAIR FORNACIARI: Any other --

3 COMMISSIONER AKUTAGAWA: Just go ahead and have it.

4 I --

5 CHAIR FORNACIARI: Okay. --

6 COMMISSIONER AKUTAGAWA: -- thought I'd just --

7 CHAIR FORNACIARI: Okay. Any other thoughts, times,
8 ideas about moving -- getting together and talk?

9 UNIDENTIFIED SPEAKER: Chair?

10 CHAIR FORNACIARI: Yes. Did -- Commissioner --

11 UNIDENTIFIED SPEAKER: Are we intentionally avoiding
12 Saturday?

13 CHAIR FORNACIARI: No. I'm not intentionally
14 avoiding Saturday. I just thought next week we
15 were open. And I also thought evenings might be good.
16 But for me, I'm open.

17 UNIDENTIFIED SPEAKER: Yeah. And I'm open as well.
18 I think that everyone should be there. And if we're just
19 looking at those five days, if possibly a Saturday
20 evening, a Sunday afternoon, we can get everyone
21 together. And sooner rather than later; I think it will
22 serve us well. Thank you.

23 CHAIR FORNACIARI: Okay. Any other thoughts or
24 input?

25 Commissioner Yee.

1 COMMISSIONER YEE: Well, I guess this fine line
2 that Marian has brought up. I mean, and it just -- I see
3 her point and it makes me nervous to go ahead with an
4 unnoticed, official meeting, which I can't imagine that
5 we can avoid talking about commission business. That's
6 what we have in common right now. So as much as it would
7 be nice otherwise, it seems really problematic to me.

8 CHAIR FORNACIARI: Well, I think one of the things
9 that we haven't done at all is spent any time really
10 getting to know each other in a semi-structured way,
11 sharing our backgrounds, our experiences, our family
12 information, any of those kinds of things that would be
13 just absolutely kind of the norm for a group like us.
14 When we got together at the beginning, the kind of
15 conversations we would have had over lunch, over breaks,
16 that kind of thing.

17 And those kinds of conversations are completely fair
18 game to have outside of a noticed meeting. And I think
19 that -- I mean to start there, I think would be fair.

20 Commissioner Turner.

21 COMMISSIONER TURNER: Yes. But I wanted to say two
22 things. Number one, we have had our raised hand that
23 was, what's the word, activated for us but I don't think
24 it necessarily is working. I know Commissioner Vazquez
25 and I have raised our hands on the system a couple of

1 times, and --

2 CHAIR FORNACIARI: Okay.

3 COMMISSIONER TURNER: -- I think the court --
4 someone keeps just taking it off for us because it's not
5 being recognized. So I just want to bring back to the
6 rest of everyone's attention it is there, whether it's
7 going to be helpful or not.

8 I think Marian's counsel was a good one, and it made
9 sense to me as it relates to bringing in an outside
10 facilitator. But I hold the line there. I think we can
11 have a conversation, and I still do support us having a
12 conversation that we can discuss and not have to point at
13 any permission, activity, or business, but one that would
14 allow us to be able to talk about where we're coming
15 from.

16 I think there's probably a number of us that's led
17 sessions, been a part of sessions, et cetera, and we can
18 take turns in doing that, whatever that looks like. And
19 as far as we get, we can at least get as far and maybe to
20 the point of saying, oh man, we need somebody else,
21 let's do something different.

22 Or we can just have the conversation and discover,
23 you know what, what we need is this conversation and
24 we're fine and it'll solve it. And to the extent that we
25 can get that scheduled, I think it will -- we'll benefit

1 from it greatly.

2 CHAIR FORNACIARI: Okay. I appreciate that,
3 Commissioner Turner. Thank you.

4 All right. I'm going to propose Tuesday evening.
5 Can't? Can anyone -- I mean, how about Thursday evening?
6 Does that work? Does Thursday evening, is it a killer
7 for anybody else, Thursday evening or thumbs up?

8 Commissioner Vasquez. And it's frankly
9 chairperson's error that your raised hands aren't
10 working, because I thought they were raised from before.
11 I'm sorry.

12 UNIDENTIFIED SPEAKER: And I can't tell if it's
13 activated, either. I was quick -- I was doing it and --
14 yeah, I don't know, we'll figure it out.

15 CHAIR FORNACIARI: Okay.

16 UNIDENTIFIED SPEAKER: I just was curious, is it --
17 are you saying this Thursday as in tomorrow or next week?

18 CHAIR FORNACIARI: No. I was saying next Thursday.

19 UNIDENTIFIED SPEAKER: Next Thursday. That's fine.

20 UNIDENTIFIED SPEAKER: And that -- I understand that
21 the Commission has a Zoom account now, so it would not be
22 done with the video or -- or --

23 CHAIR FORNACIARI: Right.

24 UNIDENTIFIED SPEAKER: -- open, whatever. It would
25 just be --

1 CHAIR FORNACIARI: Be done with the Commission's --

2 UNIDENTIFIED SPEAKER: -- the other.

3 CHAIR FORNACIARI: -- Zoom account.

4 And then I think Commissioner Akutagawa had her hand
5 raised.

6 COMMISSIONER AKUTAGAWA: Commissioner Vasquez asked
7 the question I wanted to ask.

8 CHAIR FORNACIARI: Okay. Okay. Yeah. So next --
9 next Thursday from 6 to 8. All right?

10 UNIDENTIFIED SPEAKER: Chair, would you like me to
11 set that Zoom up (audio interference)?

12 CHAIR FORNACIARI: If you would.

13 Commissioner Kennedy?

14 VICE CHAIR KENNEDY: I won't be with you until 6:30.

15 CHAIR FORNACIARI: Okay. But you'll be able to make
16 it. So that'll be good, all right. Otherwise.

17 Okay. So Director Claypool is going to set that up
18 for us. And we will have that conversation then. So I
19 appreciate all of your thoughts on this and your input.

20 And so with that, unless there's anything else, I'm
21 going to adjourn this meeting until 9:30 Friday. What?
22 Okay.

23 DIRECTOR CLAYPOOL: I have the update for the cell
24 phones. We have twenty-one cell phones ordered. We're
25 expecting them next week and we're waiting on --

1 CHAIR FORNACIARI: Oh.

2 DIRECTOR CLAYPOOL: -- confirmation for the
3 delivery.

4 CHAIR FORNACIARI: Sorry. Yeah.

5 DIRECTOR CLAYPOOL: That was in response to you,
6 Commissioner Sinay.

7 CHAIR FORNACIARI: Okay. All right.

8 I'm sorry. Just one second. We need to do public
9 comment before we adjourn -- before we recess.

10 PUBLIC COMMENT MODERATOR: I can help you with that
11 Chair.

12 CHAIR FORNACIARI: Okay. Thank you.

13 PUBLIC COMMENT MODERATOR: In order to maximize
14 transparency and public participation in the process, the
15 Commissioners will be taking public comment by phone. To
16 call in, dial the telephone number provided on the
17 livestream feed. The telephone number is 877-853-5247.
18 When prompted, enter the meeting ID number provided on
19 the livestream feed. The meeting number is 93489457215
20 for this meeting. When prompted to enter a participant
21 ID simply press pound.

22 Once you've dialed in, you'll be placed in a queue,
23 from which a moderator will begin unmuting callers to
24 submit their comment. You'll also hear an automatic
25 message to press star 9. Please do this to raise your



1 hand indicating you wish to comment.

2 When it's your turn to speak, the moderator will
3 unmute you, and you'll hear an automatic message that
4 says, "The host would like you to talk". Press star 6 to
5 speak. Please make sure to mute your computer or
6 livestream audio to prevent any feedback or distortion
7 during your call.

8 Once you are waiting in the queue, be alert for when
9 it's your turn to speak. And again, please turn down the
10 livestream volume.

11 These instructions are also located on the website.

12 The Commission is taking public comment on general
13 items at this time.

14 There are currently no callers in the queue, Chair.

15 CHAIR FORNACIARI: Okay. The -- I'm looking at the
16 livestream and it hasn't -- the instructions haven't
17 finished.

18 I'm sorry, and I missed, Director Claypool, I was
19 thinking of something else and I didn't quite hear what
20 you had to say about the phone?

21 DIRECTOR CLAYPOOL: So there are twenty-one cell
22 phones on order. They're expected next week. We're
23 waiting for the confirmation of delivery. And so that's
24 the update.

25 CHAIR FORNACIARI: Okay. Thank you.



1 Okay. It just the public instruction just finished
2 up. So I'm going to wait a minute and a half after that
3 to ensure that the public has time to dial in.

4 Commissioner Akutagawa?

5 COMMISSIONER AKUTAGAWA: While we wait, Commissioner
6 Kennedy, if I could request an hour to an hour fifteen
7 for the panel.

8 And then we'll also need to allow for time for the
9 statewide database to also come and join us and
10 potentially have a conversation around the languages that
11 we'll be using for the Communities of Interest tool as
12 well, too. And I'm not sure how long that -- to be
13 honest, I don't know how to estimate how long that
14 conversation could be. I would be open to input. Maybe
15 if we can keep it to thirty minutes? I don't know.
16 Twenty?

17 VICE CHAIR KENNEDY: When you mention -- when you
18 are talking about the panel, you're talking about the
19 panel under item 11, global access issues?

20 COMMISSIONER AKUTAGAWA: Yes, that's correct.

21 VICE CHAIR KENNEDY: Yeah. And you said how long
22 for that?

23 COMMISSIONER AKUTAGAWA: I think if we can estimate
24 about an hour. And if it's possible to maybe fudge a
25 little bit, just in case, hour and fifteen. But we'll

1 try to finish up within the hour.

2 VICE CHAIR KENNEDY: Thank you.

3 COMMISSIONER AKUTAGAWA: Thank you.

4 CHAIR FORNACIARI: Commissioners -- sorry.
5 Commissioner Sinay?

6 COMMISSIONER SINAY: Oh, I was just -- I was just
7 going to answer Commissioner Akutagawa. I think if you
8 have a recommendation for us, we -- you've done a lot of
9 research and I'm sure it will -- it -- it -- can go by.
10 Because it's language access for the COI, but as well
11 we'll use that for the rest, correct?

12 COMMISSIONER AKUTAGAWA: Yes, to a degree. It --
13 that's where the intersections do come into play. The
14 obvious ones are the ones that are already mandated by
15 the Secretary of State. But I think we were also trying
16 to understand if we need to make other -- to take into
17 account other languages that we may not have thought were
18 obvious then.

19 So that's why these panels have been, I think,
20 helpful. And Commissioner Fernandez and I will talk
21 about that.

22 And then I believe what I'll need to do is then
23 speak with Commissioner Kennedy around the COI -- the
24 impact on the COI tool.

25 CHAIR FORNACIARI: Okay. So it's been more than

1 three minutes and we have no callers in the queue. So if
2 there's nothing else at this point, we will recess until
3 Friday morning at 9:30.

4 (Recessed)

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CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, of the videoconference recording of the proceedings provided by the California Citizens Redistricting Commission.

Trelinda Wilson

May 27, 2022

TRELINDA WILSON, CDLT-148

DATE

