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STATE OF CALIFORNIA  
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:  
CRC BUSINESS MEETING

MONDAY, NOVEMBER 16, 2020  
9:30 a.m.

Transcription by:  
eScribers, LLC



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**APPEARANCES**

COMMISSIONERS

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

STAFF

Daniel Claypool, Executive Director  
Kary Marshall, Chief Counsel  
Marian Johnston, CRC Legal Counsel  
Fredy Ceja, Communications Director  
Wanda Sheffield, Office Technician

TECHNICAL CONTRACTORS

Kristian Manoff, AV Technical Director/Comment Moderator

LINE DRAWING TEAM

Jaime Clark, Q2 Data & Research, LLC

PRESENTER

Diane Griffiths, General Counsel, Office of Senate  
President Pro Tem

**Also Present**

Public Comment

Helen Hutchison, League of Women Voters of California  
Julia Marks, Asian Americans Advancing Justice - Asian  
Law Caucus  
Jeanine Erikat, Partnership for the Advancement of  
New Americans (PANA)

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P R O C E E D I N G S

1  
2 November 16, 2020

9:30 a.m.

3 CHAIR KENNEDY: Thank you. Good morning, everyone.

4 Welcome to our meeting starting 16 November.

5 I'd like to ask Wanda to call the roll, please.

6 MS. SHEFFIELD: Good morning, Commissioners.

7 Commissioner Ahmad.

8 COMMISSIONER AHMAD: Here.

9 MS. SHEFFIELD: Commissioner Akutagawa. Okay, no?

10 Commissioner Andersen.

11 COMMISSIONER ANDERSEN: Here.

12 MS. SHEFFIELD: Commissioner Fernandez.

13 COMMISSIONER FERNANDEZ: Here.

14 MS. SHEFFIELD: Commissioner Fornaciari.

15 COMMISSIONER FORNACIARI: Here.

16 MS. SHEFFIELD: Commissioner Kennedy.

17 CHAIR KENNEDY: Here.

18 MS. SHEFFIELD: Commissioner Le Mons. Okay.

19 Commissioner Sadhwani.

20 COMMISSIONER SADHWANI: Here.

21 MS. SHEFFIELD: Commissioner Sinay.

22 COMMISSIONER SINAY: Here.

23 MS. SHEFFIELD: Commissioner Taylor.

24 COMMISSIONER TAYLOR: Present.

25 MS. SHEFFIELD: Thank you. Commissioner Toledo.

1 No.

2 Commissioner Turner.

3 COMMISSIONER TURNER: Here.

4 MS. SHEFFIELD: Commissioner Vasquez.

5 COMMISSIONER VASQUEZ: Here.

6 MS. SHEFFIELD: And Commissioner Yee.

7 COMMISSIONER YEE: Here.

8 MS. SHEFFIELD: Thank you.

9 CHAIR KENNEDY: Thank you. We will, as usual, open  
10 for public comment at this point. Jesse, could you read  
11 the instructions, please.

12 PUBLIC COMMENT MODERATOR: In order to maximize  
13 transparency and public participation in our process, the  
14 Commissioners will be taking public comment by phone.

15 To call in, dial the telephone number provided on  
16 the livestream feed. The telephone number is 877-853-  
17 5247. When prompted, enter the meeting ID number  
18 provided on the livestream feed. It is 91505532099 for  
19 this week's meeting. When prompted to enter a  
20 participant ID, simply press pound.

21 Once you have dialed in, you'll be placed in a queue  
22 from which a moderator will begin unmuting callers to  
23 submit their comment. You will also hear an automated  
24 message to press star 9. Please do this to raise your  
25 hand indicating you wish to comment.



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

5           Please make sure to mute your computer or livestream  
6 audio to prevent any feedback or distortion during your  
7 call. Once you are waiting in the queue, be alert for  
8 when it is your turn to speak and, again, please turn  
9 down the livestream volume.

10          These instructions are also located on the website.

11          The Commission is currently taking general public  
12 comment at this time.

13          CHAIR KENNEDY: Thank you, Jesse. While we wait for  
14 the livestream to catch up, are there any general  
15 announcements? Director Claypool.

16          MR. CLAYPOOL: I have none from here. The  
17 presentations are going forward as scheduled, and we are  
18 moving forward with trying to figure out how much of the  
19 budget is going to be available without requesting it. I  
20 will talk more about that during the Executive Director  
21 Report.

22          CHAIR KENNEDY: Very good. Thank you. Any  
23 Commissioner updates?

24          Commissioner Fornaciari.

25          COMMISSIONER FORNACIARI: Yeah. On Monday, this

1 past Monday, I attended a meeting of the New Mexico  
2 organization, New Mexico First, that's working to develop  
3 some recommendations for the legislature on  
4 redistricting.

5       So they wanted to know mostly about, you know, our  
6 approach to outreach, and you know, what the last  
7 commission did, what we're planning on doing. So I just  
8 gave them an update. It was pretty interesting. They  
9 had a lot of questions about our process and the whole  
10 gambit of what we do from the selection process to, you  
11 know, whatever rules around -- you know, what we're  
12 supposed to be looking at when we redistrict.

13       So in New Mexico, they do taken into consideration  
14 the incumbent's home address when they redistricted in  
15 the past, and they specifically tried to make sure that  
16 no two incumbents got stuck in the same district last  
17 time. And so it was an interesting conversation I had  
18 with one of their state senators about that we are  
19 strictly forbidden from looking at that.

20       But in general, it went really well, and it's quite  
21 an enthusiastic group. At this point they're just going  
22 to make recommendations to the legislature for this time  
23 around, but they're hoping to put forth maybe a -- you  
24 know, a proposition to come up with a commission. That's  
25 all.

1 CHAIR KENNEDY: So New Mexico First is a citizens  
2 group that's pushing for this?

3 COMMISSIONER FORNACIARI: So New Mexico First is a  
4 nonprofit organization that looks at issues related to  
5 the state across, you know, across various areas, and  
6 they just took this on, this redistricting issue on.

7 Apparently there was a bill before the legislature  
8 for them to set up a redistricting commission, but it  
9 didn't pass. So they were given some funding and took a  
10 lead in putting together these -- a big panel. It  
11 includes, you know, folks from Common Cause, League of  
12 Women Voters, members of the Assembly and Senate in the  
13 state and other various, you know, interested parties.

14 CHAIR KENNEDY: One of the -- one of the things that  
15 has occurred to me is we may be reaching a critical mass  
16 where it might be useful to have a national association  
17 on citizen redistricting.

18 COMMISSIONER FORNACIARI: Interesting idea, yeah.

19 CHAIR KENNEDY: The Michigan group is up and  
20 running. Virginia is in the process of getting their new  
21 body together after the vote passed a few weeks ago,  
22 so --

23 MS. JOHNSTON: And Arizona has one.

24 CHAIR KENNEDY: Arizona. So I think it could be  
25 very interesting to set up an association, not just a



1 formally established body, but also incorporating groups  
2 or individuals who are working towards putting citizen  
3 redistricting in place.

4 COMMISSIONER FORNACIARI: Yeah, that's a great idea.

5 CHAIR KENNEDY: Jesse, do we have anyone in queue?

6 PUBLIC COMMENT MODERATOR: We do, Chair.

7 CHAIR KENNEDY: Okay. Could you invite them?

8 PUBLIC COMMENT MODERATOR: Good morning, caller.

9 Could you please state and spell your name for the  
10 record, please?

11 MS. HUTCHISON: I'm Helen Hutchison, H-E-L-E-N,  
12 H-U-T-C-H-I-S-O-N. I'm representing the League of Women  
13 Voters of California this morning, and I want to thank  
14 you for the opportunity to speak.

15 The Commission is considering the possibility of  
16 direct grants to groups to do outreach and engagement.  
17 We feel this is not a wise choice, and I'd like to share  
18 with you about why we believe that.

19 In 2010, the Irvine Foundation made a decision to  
20 invest in the future of California government by  
21 committing a significant amount of money to educating and  
22 empowering the people of the state about the new  
23 redistricting process and how we could all be involved.

24 Irvine brought together a coalition of voting  
25 rights, minority language, and good government entities.

1 This coalition included the League of Women Voters of  
2 California.

3 The foundation was clear about what they wanted and  
4 how the grants would be decided. We were tasked with  
5 creating a unified body of materials which would in plain  
6 language explain the redistricting process, why  
7 communities should care, and how they could become  
8 involved in shaping the maps.

9 The coalition accomplished the goals set by the  
10 foundation in large part because an independent entity  
11 set very clear goals, assembled the coalition that it  
12 believed could meet these goals and made sure that the  
13 goals were met.

14 Giving direct grants to the groups is not in the  
15 best interest of either the Commission or the individual  
16 groups. If you were to pick and choose who to fund, it  
17 would certainly raise the question of favoritism on the  
18 Commission's part. And it would place the groups  
19 receiving the grants in a difficult position as well.  
20 Would we be free to speak out on perceived problems, and  
21 what would be the perception of groups who received  
22 grants and then also submit maps?

23 We support the idea of the Commission giving the  
24 grant to an independent entity which could then function  
25 as the Irvine Foundation did in 2010, to accomplish a

1 similar goal. But we hope that you would not pursue the  
2 idea of direct grants.

3 To be effective and efficient, the outreach groups  
4 need a single organization separate from the Commission  
5 and the Commission staff to provide uniform guidance for  
6 and coordination with the other organizations performing  
7 outreach. This will lead to optimum public outreach, and  
8 therefore, the best possible community input to the  
9 Commission.

10 Thank you very much.

11 CHAIR KENNEDY: Thank you, Ms. Hutchison. Jesse,  
12 are there other callers?

13 PUBLIC COMMENT MODERATOR: There are currently no  
14 more callers in the queue, Chair.

15 CHAIR KENNEDY: Okay. I wanted to take a moment to  
16 go over the agenda, and first of all, apologize. There  
17 seems to have been a mix-up somewhere along the way. The  
18 copy of the final agenda that I have in front of me shows  
19 the presentation on 2020 California Complete Count  
20 Campaign as occurring at 10 a.m. tomorrow morning, which  
21 is correct. That is what we have been communicating all  
22 along with the Complete Count Team. Somehow a version of  
23 the agenda showing 10 o'clock this morning ended up on  
24 the website. So again, we apologize for that.

25 For today at 10 o'clock we are going to take up the

1 issue of language access for the Communities of Interest  
2 Tool. We will have colleagues from the Statewide  
3 Database and the legislature with us for that discussion.

4 Commissioner Akutagawa and I have had a number of  
5 discussions during the course of the week and going back  
6 and forth with information. We're still awaiting one or  
7 two small bits of information, but we had promised  
8 Statewide Database that we would give them a final  
9 response regarding the languages that we wanted to see  
10 supported by the Communities of Interest Tool during the  
11 course of this meeting.

12 So that is scheduled at 10 o'clock. I do anticipate  
13 that we will have an opportunity for public comment close  
14 to 11 o'clock. Then coming back from break at 11:15, the  
15 executive director will give his report. That is likely  
16 to take us through lunch. After lunch there would be an  
17 opportunity for public comment, so that would be  
18 approximately 1:45.

19 At 2 o'clock, our chief counsel is now with us as  
20 well as our interim counsel, Marian Johnston, so we look  
21 forward to hearing from them. After that we will have a  
22 brief closed session on cybersecurity, and then we should  
23 be back by 3:30.

24 Our communications director is also with us  
25 beginning today. We want to give him some time to

1 introduce himself and for a brief exchange.

2       And then the last item on the agenda for today is to  
3 discuss future agenda items. That is scheduled for today  
4 because the next meeting begins two weeks from tomorrow.  
5 So if we want to make any changes to that agenda, we need  
6 to get those into the agenda and get that posted tomorrow  
7 at the latest.

8       So that is a review of the agenda for today. I will  
9 plan to review tomorrow's agenda at the beginning of the  
10 day. My hope is that we can be out of -- we can conclude  
11 by 5 p.m. at the latest, but I don't want to be carrying  
12 items over from one day to the next. The agenda has  
13 cleared a little bit over the last few days, but we don't  
14 want to end up on Wednesday afternoon with items still  
15 pending. So hope you will all bear with me, and I think  
16 we can get through this in the course of the day today.

17       Any other comments, or announcements, or thoughts  
18 from Commissioners at this point?

19       MS. JOHNSTON: Commissioner Sinay has her hand up.

20       CHAIR KENNEDY: Commissioner Sinay.

21       COMMISSIONER SINAY: Just a couple of things on the  
22 agenda. A, I did get a panicked call this morning from  
23 the census folks. They were not aware that it was  
24 tomorrow. They were very -- they were ready for today.  
25 So I think there's still some clarity that needs to be

1 done on the staff side on organizing with our community,  
2 because those are key critical partners for us, and so  
3 you know, people having to rush at the last minute to get  
4 ready and all that. It's just not fair. So let's do a  
5 better job of that.

6 Second of all -- I don't want to hear what happened,  
7 I just -- I just want you all to know is that's how it  
8 was perceived by the community, and we need to do a  
9 better job.

10 Second of all, I'd like the community to know that  
11 on agenda item number 10, the C has been postponed and we  
12 have said it several times in public and we've asked for  
13 it to be removed from the agenda, and it's been postponed  
14 just because we had a lot on the agenda for today. So  
15 please take that off the agenda.

16 And finally, I want to apologize to the community  
17 for not having all the items put up -- posted early. The  
18 plan -- a lot of the things were created on time and were  
19 forwarded on. Unfortunately, it didn't make it up on the  
20 website. Hopefully, they will soon so that you all have  
21 the time to review and discuss, because I know that's  
22 been promised as well.

23 CHAIR KENNEDY: Director Claypool.

24 MR. CLAYPOOL: Yes. I just wanted to clarify. We  
25 did have the Census Bureau folks come back to us with the

1 invitation we sent them that was clearly marked for  
2 tomorrow at 10, so they were understanding. Thank you.

3 CHAIR KENNEDY: Any other comments or thoughts at  
4 this point?

5 MS. JOHNSTON: Commissioner Sadhwani has her hand  
6 up. Commissioner Sadhwani has her hand up.

7 CHAIR KENNEDY: Thank you. Commissioner Sadhwani,  
8 I'm not seeing you on my screen.

9 COMMISSIONER SADHWANI: No problem. Thank you so  
10 much.

11 Two things. Just in terms of agenda, yes, for the  
12 VRA subcommittee we will be giving a report back. There  
13 was a memo as well as two statements of work for review.  
14 I don't see those as meeting handouts. So hopefully,  
15 those can get put onto the website.

16 In terms of just general announcements, and you  
17 know, general info, yesterday I had the opportunity to  
18 speak with the League of Women Voters from their Mount  
19 Baldy chapter. I was invited. That chapter kind of  
20 covers the area of the Claremont Colleges where I work.  
21 And so they had very kindly invited me to speak actually  
22 about my research and elections. And then when they  
23 found out I was also on the Commission, of course they  
24 wanted to talk a little bit about that.

25 So just as a report back I wanted to let you all

1 know, I believe they recorded the session and are  
2 planning to post it on the YouTube channel.

3 CHAIR KENNEDY: Excellent. Jesse, do we have any  
4 further public comment in line?

5 PUBLIC COMMENT MODERATOR: There are currently no  
6 callers in the queue, Chair.

7 CHAIR KENNEDY: Very good. Okay. Let me then go  
8 ahead and just give a brief introduction to the topic  
9 that we are going to be discussing with our colleagues  
10 from the Statewide Database.

11 The Communities of Interest Tool that is being  
12 developed by the Statewide Database, we want that to be  
13 as accessible as possible to populations throughout the  
14 state. And one of the issues that we have been asked to  
15 consider as the -- first, as the Communities of Interest  
16 Tool Subcommittee and subsequently as the full  
17 Commission, is the issue of language support. We started  
18 out -- Commissioner Akutagawa and I are the Communities  
19 of Interest Tool Subcommittee.

20 We started out by looking at some of the legal  
21 requirements as far as elections, which don't necessarily  
22 apply automatically to redistricting, but we took it as a  
23 starting point, looking at the languages that are  
24 required to be supported under the -- under what used to  
25 be Section 203, the Voting Rights Act. We looked at



1 those languages that are required to be supported under  
2 Section 14201 of the State's -- I guess it's the --  
3 Marian, is it the Elections Code?

4 MS. JOHNSTON: That requires the access, yes, as  
5 well as the -- it's the --

6 CHAIR KENNEDY: Thank you. And in our discussions  
7 with the Statewide Database, we were made aware that  
8 those Section 14201 requirements really are talking about  
9 translations of the ballot and don't really go beyond  
10 that. But we took it, still, as a useful indicator of  
11 the languages that we might consider supporting.

12 We also looked at the Secretary of State's website  
13 to see what languages were mentioned there on the  
14 website. We looked at the census language support, and  
15 we looked at documents from the State court system.

16 So we feel like we've made a solid effort to survey  
17 the language requirements that elections, courts, and the  
18 census have used as their base. And so now we want to  
19 broaden that discussion to the full Commission.

20 I see Ms. Griffiths has joined us. Do we have  
21 others with us yet from the Statewide Database?

22 MS. JOHNSTON: Jaime is here.

23 CHAIR KENNEDY: Good morning, Jaime.

24 MS. CLARK: Good morning, Commissioners. Yes, we  
25 have Diane Griffiths from the legislature and Joel Yang

1 should also be joining, presumably maybe a little closer  
2 to 10.

3 CHAIR KENNEDY: Okay. We had only one public  
4 comment, so I wanted to go ahead and introduce the  
5 topics, so by the time we hit 10 o'clock we're already to  
6 launch into the discussion.

7 Commissioner Akutagawa, do you have anything  
8 further, particularly anything to report on your outreach  
9 to some of the community groups?

10 COMMISSIONER AKUTAGAWA: So excuse me, I will say  
11 that I have talked to a couple of the other community  
12 leaders in a couple other communities that are from  
13 communities in which the languages that we are looking at  
14 for the COI tool, and the feedback that I have gotten is  
15 that there is high need in these two other communities  
16 because they are linguistically isolated, and/or  
17 linguistically limited as well, too.

18 So I think as Commissioner Kennedy has said, we did  
19 look at a number of sources, but based on our discussions  
20 with the Statewide Database, specifically Jaime and Karin  
21 from the Statewide Database, we did -- or we will be  
22 coming forward with a specific set of recommendations  
23 based on what has been already produced by the census.

24 There's just a couple of the languages that we are  
25 looking to see whether or not it makes sense to include

1 them. We're trying to balance cost with also the need,  
2 and so while it's easy to say, yes, we should do it, I  
3 think we're just trying to also be thoughtful about the  
4 broader impact -- not so much the broader impact. That's  
5 the wrong word. I think how widespread, I guess, maybe.  
6 I don't know. Jaime maybe might be able to help me on  
7 the right word for that, but it's really trying to  
8 balance cost and also ensuring that, you know, the  
9 addition of the additional languages will reach a broad  
10 swath of the California residents.

11 MS. CLARK: Thank you, Commissioner Akutagawa. Yes,  
12 so when we made our budget for redistricting access two  
13 years ago we were looking at what the last Commission  
14 did, and we were anticipating an expansion on the  
15 languages that were provided -- that the Commission's  
16 materials were provided during the last redistricting.

17 And also just to give a little bit of insight, our  
18 translation budget is not just for the COI tool, but also  
19 for translation of materials that would be available at  
20 redistricting access centers.

21 And yeah, so we met with the subcommittee last week,  
22 looked at all of these resources that Commissioners  
23 Kennedy and Akutagawa mentioned. And looking at what the  
24 census did, that covers over ninety-one percent of  
25 California's population with limited English proficiency,

1 and ninety-five percent of LA County's population with  
2 limited English proficiency.

3 And we are -- as we learn more about the cost  
4 associated with implementing all of the languages and any  
5 potential technical issues that we need to consider as  
6 we're incorporating additional languages, then we'll  
7 continue to collaborate with the subcommittee on the  
8 extent to which we can incorporate additional languages  
9 and what those languages should be based on what  
10 Commissioner Akutagawa just outlined.

11 CHAIR KENNEDY: I have also reached out to the  
12 Registrar of Voters in both San Diego County and Del  
13 Norte County. Those are the two counties that are listed  
14 under Section 203 as having requirement to support Native  
15 American languages.

16 The response from the Registrar in San Diego County  
17 was that the language that they are required to support  
18 is not a written language, and not only is it not a  
19 written language; it is barely a spoken language. The  
20 tribe is working to revive the language, but they have  
21 said to the Registrar that they do not need any materials  
22 translated, any written materials translated, and so we  
23 are going to follow -- we are recommending that we follow  
24 the lead of the Registrar of Voters in San Diego County.

25 The Registrar in Del Norte I would imagine is still

1 busy with counting and preparing to certify, so I haven't  
2 heard back. Jaime, you look like you might have heard  
3 back.

4 MS. CLARK: Yes. Thank you. And actually, Karin  
5 spoke with the Registrar of Voters for Del Norte County  
6 this morning. There are two tribes in Del Norte that  
7 would be covered, and the ROV there worked closely with  
8 tribal leaders to find out what's most helpful in terms  
9 of access to elections there. And they have determined  
10 that translations are not necessary. Ballots are not  
11 translated for general elections or for tribal elections  
12 in Del Norte County, as tribal members speak English.

13 It sounds like the tribes do appreciate outreach to  
14 them specifically, so sort of a takeaway from that was  
15 that make sure they're on the contact list when the CRC  
16 holds hearings in that area with special or specific  
17 invitation extended to those tribal members.

18 COMMISSIONER AKUTAGAWA: And just for clarity, if I  
19 can also say, so Commissioner Fernandez and I are  
20 specifically working on language access, and so what  
21 we're talking about and what we're proposing in terms of  
22 the specific languages for today is specific to the COI  
23 tool. Commissioner Fernandez and I are still working on  
24 our recommendations for public input meetings and also  
25 outreach and engagement, so we have a broader mandate in

1 terms of the work that we're doing.

2 But what we're talking about today is specific to  
3 the COI tool because there is a deadline that we need to  
4 meet for the Statewide Database to be able to start the  
5 translation work that is very specific to the COI tool,  
6 so I also want to just be clear about that.

7 And then just so that everybody knows, I know that  
8 you may be wondering what specific languages are we  
9 talking about. Commissioner Kennedy and I have been  
10 going back and forth. He did some great analysis work  
11 and put together a nice chart. I just don't know if it  
12 did get sent out yet. If you want, I can just share a  
13 screen, or Commissioner Kennedy, if you would prefer to  
14 share your screen to show the languages that we are  
15 recommending to use for the COI tool. And then I see  
16 that Commissioner Sinay also has her hand up too.

17 CHAIR KENNEDY: Okay. Commissioner Sinay.

18 COMMISSIONER SINAY: Sorry, I didn't want to -- on  
19 the -- on the tribes, the census -- the person that does  
20 the census in San Diego, the staff person, she was  
21 assigned all tribe outreach as well, tribal outreach, and  
22 so that might be someone to reach out to just to see what  
23 she learned, and I can make that introduction. She and I  
24 have worked together for a long time. But that might be  
25 great for that tribal piece. Sorry.

1           CHAIR KENNEDY: Thanks. I have also reached out to  
2 one of my contacts. In 2016 I had a group of Mexican  
3 election observers that I organized an election day  
4 program for. One of our stops was with -- at the polling  
5 place on the Morongo Band of Mission Indians Reservation  
6 near the casino just off the 10. And I've kept in touch  
7 with this individual since then. She is actually the  
8 chair of the Native American Issues Caucus in the  
9 Democratic party, so I have emailed her and called. I  
10 haven't heard back from her yet, but I'm certainly hoping  
11 to, and you know, hoping that she can assist with  
12 contacts with Native American populations throughout the  
13 state.

14           COMMISSIONER SINAY: I just wanted to clarify. I  
15 realize I wasn't clear. She's for the State of  
16 California, so she can help with the tribes throughout  
17 the state. I'm sorry, I knew I said San Diego and I  
18 didn't want --

19           CHAIR KENNEDY: No, that was clear to me, but you  
20 know, hopefully with more hands on deck we'll be able to  
21 ensure that we are reaching all of the Native American  
22 populations in the state.

23           Commissioner Akutagawa, if you could share your  
24 screen, since I'm chairing I'm trying to keep an eye on  
25 the gallery view in front of me and see who might have

1 their hand up at any given time. But if you could go  
2 ahead and share your screen with that table, that would  
3 be great.

4 COMMISSIONER AKUTAGAWA: So Commissioner Kennedy,  
5 maybe you can go ahead and explain it to everybody.

6 CHAIR KENNEDY: Okay. So the columns are the  
7 sources for the mandates, if you will. They're not all  
8 mandates. I mean, the courts column, for instance, is  
9 the ten most requested languages -- and it might not add  
10 up to ten. I guess it's nine on there. American Sign  
11 Language was the other language that was listed in the  
12 court documents. That is a discussion that we need to  
13 have. Do we want to provide user guides in American Sign  
14 Language or is a written guide in plain English adequate  
15 for the population that might otherwise be seeking  
16 support in American Sign Language?

17 So Section 203, as I mentioned, of the Voters Rights  
18 Act -- Voting Rights Act, I believe it's been renumbered  
19 but it's commonly known as Section 203. California has a  
20 statewide mandate in Spanish, and then the other mandates  
21 are in a more limited number of localities within the  
22 state. That's probably the shortest list of all, seven  
23 languages there.

24 Section 14201 of the California Elections Code,  
25 again, this has to do with translation of the ballot



1 only, not necessarily any other written materials,  
2 although we are aware that there are registrars that  
3 provide written materials in these and sometimes in  
4 additional languages. But these are the top languages in  
5 that list. It goes on quite a bit further, but we were  
6 looking for languages that, you know, were on some of  
7 these other lists as well, and looking at where there was  
8 a significant drop off in the number of precincts where  
9 various languages were required to be supported. So  
10 that's the list that we came up with there.

11 Secretary of State website, again, if you go to the  
12 Secretary of State website and click on translated  
13 materials, these are the languages that show up there  
14 with some of the materials in those languages.

15 The court documents, there were two different  
16 documents and I believe from different years, so that's  
17 why the asterisk. Farsi, Persian, actually I think  
18 supplanted Tagalog in the more recent document, if I'm  
19 not mistaken.

20 The census, these are the twelve most used non-  
21 English languages in California. They have a separate  
22 list for the country as a whole, but this was the list  
23 for California.

24 And then the partners column refers to that  
25 eighteen-page document with recommendations from a long

1 list of community partners, and part of that document  
2 included language support. You'll notice that the twelve  
3 languages there correspond exactly to the languages used  
4 by the census. I will say that if you look under Chinese  
5 you see Mandarin and Cantonese, so while those are  
6 counted in some documents as one language, Chinese, there  
7 are actually two, Mandarin and Cantonese.

8       There's also an issue of simplified script versus  
9 traditional script, and we have not come forth with any  
10 particular recommendation as far as the script, I don't  
11 believe, but we do believe that there is a move for both  
12 Mandarin and Cantonese, so in fact, the twelve languages  
13 are thirteen languages.

14       COMMISSIONER AKUTAGAWA: Also, I'll just mention  
15 that at the beginning I did mention that we're trying  
16 to -- this was part of the discussion that we had with  
17 Jaime and Karin at Statewide Database. There are two  
18 other languages that we are -- we did discuss and that  
19 we're having some debate about whether or not they can or  
20 should be included.

21       If you take a look at this chart, you'll see that  
22 the Secretary of State website or the Secretary of State  
23 requires as part of the election materials the inclusion  
24 of materials in additional languages, specifically Hindi  
25 and Thai. Based on the conversation that we had, it was

1 determined or it was agreed upon by the community  
2 partners that Hindi, there was enough of an English  
3 proficiency in the South Asian population that Hindi was  
4 one that was not necessary to include as part of the  
5 translated materials for the census. However, if you  
6 also look at the Secretary of State required list, Thai  
7 is a required language but it was not included as part of  
8 the translated materials by the census.

9 I did reach out to a contact in the Thai community  
10 and part of the feedback that we did get is that this is  
11 a community that even though is perhaps not as extensive  
12 throughout the state or significant in LA County and it  
13 is significantly linguistically isolated, and so this is  
14 additional information that we got after we had -- that  
15 Commissioner Kennedy and I had, but the Statewide  
16 Database team is aware of the feedback.

17 The other language that we are also -- have concerns  
18 and are considering and we're trying to get some  
19 additional feedback on is Hmong because there is a  
20 significant need for language translation in the Hmong  
21 community, particularly based on the number of precincts  
22 that had requested Hmong translation, and so even though  
23 it is not a required language by the Secretary of State,  
24 it is one that we are very conscious that may need  
25 additional language assistance, and we are also -- I've

1 reach out to community contacts to also try to see if we  
2 could get a sense of what the level of language --  
3 linguistic isolation or limit is in the Hmong community  
4 throughout California.

5 And so those are two that are still pending in terms  
6 of our discussions with the Statewide Database.

7 CHAIR KENNEDY: Commissioner Sinay.

8 COMMISSIONER SINAY: Awesome work, you all. This is  
9 really helpful.

10 A couple of questions. When we had the women from  
11 PANA, they talked about the African language in San Diego  
12 that was used the most. And I'm trying to look it up,  
13 but I can't remember exactly what that language was. And  
14 so I wanted just to put that out there that we were told  
15 that there was a specific language that they were using.

16 But my question was, you know, in their  
17 presentation, as well, and in my relations with a lot of  
18 Africans, they do speak multiple languages, and so you  
19 know, does Arabic cover a lot of the African refugee and  
20 immigrant community? Do they speak their, you know,  
21 country language as well as Arabic or not, or is that  
22 just for those countries that are Muslim? I just want to  
23 make sure that we are being inclusive, because that's a  
24 large refugee community.

25 And on Hmong, my understanding was that a lot of the

1 community is, at least, you know, when the first wave of  
2 refugees came were illiterate. It's not a written  
3 language in their own country, so it wasn't a written --  
4 yeah, so they're working on having it to be a written  
5 language.

6 And so what are we -- how are we going to address  
7 some of those challenges that we have that some community  
8 literacy even in their own language isn't strong, and  
9 that includes, you know, some African, and you know, just  
10 in general?

11 CHAIR KENNEDY: Thanks for that. Yeah. There may  
12 be a need in some of these to have instructions in an  
13 audio format rather than a written format. You know,  
14 Somali is not on this list. I don't have all of the data  
15 in front of me. You know, having lived in Sudan, even  
16 the South Sudanese, at least of a certain age -- well, of  
17 a more advanced age they were schooled in English, then  
18 there was a cohort that was schooled in Arabic, and now  
19 that South Sudan is independent, the schooling is most  
20 likely in English.

21 But you know, we're always going to face some number  
22 of issues, and as Commissioner Akutagawa pointed out, we  
23 have, you know, we have to be sensitive to the budget  
24 realities. We would like to cover all 200 languages  
25 spoken in California, but the reality of the situation is

1 that we would not be able to come close to that. And so  
2 you know, as Commissioner Akutagawa has pointed out, the  
3 "twelve" languages, or thirteen if we split up Mandarin  
4 and Cantonese, are estimated to reach ninety-some percent  
5 of the limited English proficient population in the state  
6 and ninety-five percent in LA County.

7 Commissioner Yee and then Commissioner Akutagawa.

8 COMMISSIONER YEE: I think Commissioner Akutagawa  
9 was first.

10 VICE CHAIR LE MONS: Actually, you were.

11 COMMISSIONER YEE: Oh, okay. So just to clarify in  
12 Chinese, so Mandarin versus Cantonese, those are the two  
13 largest spoken versions of Chinese. There are many other  
14 dialects, of course, also. In written Chinese, it would  
15 be simplified versus traditional, and Mandarin you find  
16 in both simplified and traditional, traditional mostly  
17 among folks from Taiwan. And that's confusing, too,  
18 because as a census category Taiwanese is now separate  
19 from Chinese.

20 To make it even more complicated, most Taiwanese  
21 also speak a further dialect, Taiwanese, which is  
22 typically written in traditional Chinese.

23 So the distinction here listed Mandarin, Cantonese  
24 is mostly for spoken, then Mandarin you will find in  
25 those two versions, simplified and traditional.

1 Cantonese is almost always -- is always found in  
2 traditional script. So just to clarify, or maybe not.

3 CHAIR KENNEDY: No, that's very helpful. Thank you  
4 so much for that. Commissioner Akutagawa.

5 COMMISSIONER AKUTAGAWA: So Commissioner Sinay, what  
6 you said definitely was on my mind. I think being on the  
7 Language Access Subcommittee too, Commissioner Fernandez  
8 and I are very much looking at all of the other various  
9 languages, especially from the presenters that we heard  
10 from, and it was intentional in bringing in those  
11 communities, because while they may not rise to the top  
12 of making it to the Secretary of State's, you know, list  
13 of languages that are required to be translated, we very  
14 much also heard that to be inclusive we need to -- we  
15 need to provide some mechanism by which we'll be able to  
16 ensure access to what we're doing in the languages of  
17 these various communities.

18 And I think what's still up for discussion is how  
19 we'll be able to do that. Some of the recommendations  
20 that we got we're working through some of the different  
21 community-based organizations.

22 We have -- she and I have also had conversations  
23 about, you know, whether or not it's a direct-access  
24 grant versus, like, finding, like, an intermediary that  
25 would then, you know, distribute out the grants.

1           And so those are things that are still yet to be  
2 discussed. And we've started discussing it, but nothing  
3 has actually come to an actual place where we are ready  
4 to make a recommendation.

5           With that said, I think, again, I want to also just  
6 remind everybody that what we're talking about is  
7 specific to the COI tool, and that our intent is, again,  
8 thinking about the balance between what -- now that we  
9 have some better idea what the -- what the Statewide  
10 Database budget is like and what is possible, we're  
11 working within some constraints and have had to make some  
12 choices.

13           With that said, I think when it comes to, like, the  
14 public input meetings and the other kinds of outreach and  
15 education materials, I think Commissioner Fernandez and I  
16 are also looking for ways in which we'll be able to be  
17 much more inclusive and expansive to all of the various  
18 other communities.

19           But based on what we would call the data, what  
20 Commissioner Kennedy and I are presenting from a COI Tool  
21 Subcommittee recommendation is languages based on what  
22 the VRA, what the Secretary of State requires, and then  
23 the 14201 list is additional languages that are  
24 accommodations based on regions that the Secretary of  
25 State is requiring.



1           And then we were also provided with the additional  
2 list of languages that the 2020 California Census chose  
3 to translate their materials into, which the list, or the  
4 spreadsheet, or the chart -- the table that Commissioner  
5 Kennedy created, gives us a very helpful at-a-glance view  
6 of where the intersecting languages are, where some of  
7 them show up on some lists and not on other lists.

8           And as he had also noted, the partners are those  
9 community partners that had sent us a public comment  
10 about two weeks ago suggesting, you know, their  
11 recommendations for language access, the twelve languages  
12 that are aligned with the census languages.

13           But as I had mentioned, the Statewide Database team  
14 and Commissioner Kennedy and I had also had an additional  
15 conversation about Hmong and Thai because they do show up  
16 on the Secretary of State list and I think that that's  
17 going to be further conversation, I figure, between the  
18 Statewide Database and the subcommittee, but we are  
19 trying to be mindful of what the costs are, but we also  
20 want to be as inclusive as possible, and so we would  
21 welcome also input from the other Commissioners on what  
22 we have presented to you today.

23           VICE CHAIR LE MONS:   Commissioner Vasquez.  No  
24 more?  Okay.

25           COMMISSIONER VASQUEZ:  Yeah.

1 VICE CHAIR LE MONS: Okay.

2 CHAIR KENNEDY: Let me go ahead and say that in our  
3 discussion with the Statewide Database the other day, it  
4 was clear that while they had planned on a certain number  
5 of languages, especially if we take a decision to request  
6 support in Thai and Hmong, that the likely outcome of  
7 that would be that we would be asked to find the funding  
8 to be able to support those two languages. We might be  
9 asked to support some of the twelve, but, certainly,  
10 anything beyond the twelve, the likely outcome would be  
11 that we would be asked to find funding to support those.

12 Commissioner Sinay.

13 COMMISSIONER SINAY: Twelve or thirteen? I'm sorry.

14 CHAIR KENNEDY: Yeah. Twelve, entre aspas, you  
15 know.

16 COMMISSIONER SINAY: Yeah, quote, unquote. I just  
17 want to make sure because it's a little confusing, but  
18 I've got you.

19 CHAIR KENNEDY: Yeah, it is confusing. And  
20 Commissioner Yee, your assistance is very much  
21 appreciated. That will certainly help us consider how we  
22 address Mandarin and Cantonese.

23 Commissioner Le Mons.

24 VICE CHAIR LE MONS: So my question is based on the  
25 chart that's presented, is there an actual recommendation

1 being made, or is this just for us to understand what's  
2 led us to this discussion?

3 CHAIR KENNEDY: We're still waiting on, I think, one  
4 bit of information which is feedback regarding Hmong.  
5 But otherwise, the recommendation is all of these down to  
6 Cambodian, skipping Hindi because we were informed that  
7 the requirement for Hindi was based on faulty  
8 information, but including Russian. So basically, the  
9 ones that were recommended for use by the census and the  
10 partners, plus at this point Thai, and we're just waiting  
11 for a bit of feedback to see if we recommend Hmong as  
12 well.

13 VICE CHAIR LE MONS: Can I make a recommendation  
14 that we add another column to the right of the partner  
15 column that says what the recommendation is, and then  
16 highlight the boxes that are going to be recommended.  
17 And then that way we have our research, we have what  
18 we're recommending all in the same document, and of  
19 course, I would imagine that would come after you guys  
20 have come to get the additional information regarding  
21 Hmong or any other outstanding languages that you're  
22 looking at.

23 CHAIR KENNEDY: Yeah. We're not looking at others  
24 at this point.

25 Commissioner Akutagawa.

1           COMMISSIONER AKUTAGAWA: Just for the sake of what  
2 Commissioner Le Mons said, what we could do is we could  
3 collapse census and the partners since they're  
4 essentially the same. The partners are using the census,  
5 the list on the partners -- on the census.

6           I will just make a comment, though, in terms of the  
7 Hmong community. I think, Commissioner Sinay, you know,  
8 you're right. It was not traditionally a written  
9 language, but it is now, and unfortunately based on what  
10 I know and just having some preliminary conversations  
11 with some that have done some work with the Hmong  
12 community, I suspect -- I'm pretty certain that we're  
13 going to get feedback that the Hmong community is pretty  
14 linguistically isolated, based just on my experience.

15           And so I think that given just the numbers of  
16 election precincts in which Hmong translated materials  
17 were requested, it was pretty significant. I would also  
18 say that we may -- we should probably be looking at Thai  
19 and Hmong together in addition to the other twelve  
20 languages.

21           CHAIR KENNEDY: Commissioner Le Mons and then  
22 Commissioner Sinay.

23           VICE CHAIR LE MONS: I just wanted to ask that the  
24 partner column remain, like not be collapsed with the  
25 census. I understand they are duplication, but I think

1 it's good to see that delineation, so that would just be  
2 my recommendation.

3 CHAIR KENNEDY: Commissioner Sinay.

4 COMMISSIONER SINAY: I agree. I think it's  
5 important for the partners to see that we've included  
6 them and that it's separate.

7 But I also -- I think for us to be able -- I'm  
8 guessing this is going to come back to us at some point  
9 in this meeting to do the final vote, you know, if we  
10 hear back around the Hmong and the Thai. Could we know  
11 the cost, because we keep saying there will be an  
12 additional cost if we add more languages, and it's kind  
13 of not fair to ask us to vote for something if we don't  
14 know what the cost is.

15 CHAIR KENNEDY: So I would --

16 UNIDENTIFIED SPEAKER: I think on that -- Statewide  
17 Database --

18 MS. CLARK: Yes, thank you. We are still assessing  
19 the cost associated with each language, and we anticipate  
20 that different languages might have different costs  
21 associated with translation.

22 We're also looking at the cost associated with  
23 implementing the languages in the tools themselves, and  
24 considering that there might be some technical issues  
25 around making text that is translated into different

1 languages fit everywhere in the tool that there is text.

2 So that's certainly one of the considerations as well.

3 CHAIR KENNEDY: Commissioner Andersen and then

4 Commissioner Le Mons.

5 COMMISSIONER ANDERSEN: Thank you. This was going  
6 back to the idea that Commissioner Sinay had brought up  
7 about our partners who presented, and I believe she was  
8 looking for the language that the African immigrants were  
9 bringing up. And I actually came up with that. There  
10 were two, the Amharic, which is often considered Somali.  
11 The other was Swahili. And I'm just wondering if -- I  
12 know you've been evaluating these. You know, if that's  
13 the issue of linguistic isolation and/or numbers was the  
14 reason why one of those is not included in this. If you  
15 could give us more information on that, please.

16 CHAIR KENNEDY: Commissioner Akutagawa.

17 COMMISSIONER AKUTAGAWA: So I thought the languages  
18 were actually Somali and Swahili, and then Amharic is an  
19 Ethiopian language; it's not a Somali language.

20 What we wanted to do is to try to be as, I guess,  
21 data driven as possible, so that's why we were looking at  
22 the VRA list, the Secretary of State list, and then the  
23 census list. I suspect -- oh, and then also we looked at  
24 the state courts, the California State Courts, and we  
25 looked at the top ten most requested interpreted

1 languages in the state courts.

2       And while languages like Somali, or Swahili, or  
3 Amharic, even some of the other languages that we'll be  
4 hearing about and that we've heard about may not be  
5 rising up on those lists, on that one, Commissioner  
6 Fernandez and I are also very mindful of the fact that we  
7 want to try to create accessibility for, like, the black  
8 immigrant and refugee populations, and then also, like,  
9 for example, the Pacific Islander populations where they  
10 spoke about Marshallese, Tongan, and Samoan as being the  
11 top three languages in which there was, you know,  
12 language translation -- significant language translation  
13 needs.

14       But in terms of the population numbers relative to  
15 the need, you don't see it show up on some of these other  
16 lists, so we wanted to be as, I think, just data driven  
17 in this way so that then if anybody should question, what  
18 we can point to is specific sources as to why certain  
19 languages are having to be selected given the -- you  
20 know, the kind of budgetary balances that we're also  
21 consciously trying to be mindful of as well, too.

22       And I think we -- I think if we had our way, you  
23 know, both Commissioner Kennedy and I, and also  
24 Commissioner Fernandez and I, I think we would try to  
25 cover all the languages so that we can make it as

1 accessible as possible. We also do realize that --

2       And I think some of our community presenters were  
3 also mindful of that and they did say that part of the  
4 recommendations of that, they realize that it's not going  
5 to be possible to provide translations in every single  
6 language, but that they stand ready to also be partners  
7 to help provide that kind of accessibility, and I think  
8 that's where Commissioner Fernandez and I are going to be  
9 looking at in terms of how do we best be able to do that  
10 working with partners who not only have that language  
11 expertise, but also have that important level of trust  
12 with those communities.

13       So it's not just being able to provide the  
14 translation, but also being able to do so, you know, from  
15 a trusted source that they feel like this information is  
16 something that is okay for them to be participating in.  
17 And that's what I think we're taking away from. At least  
18 that's what I think, speaking for Commissioner Fernandez  
19 and I, I think that's what we're taking away from the  
20 presentations that we've heard so far.

21       CHAIR KENNEDY: Commissioner Le Mons.

22       VICE CHAIR LE MONS: So my question is for Jaime.  
23 So before I ask my question, I want to say what I think I  
24 understand. That, A, this discussion is focused on the  
25 COI tool and there's a budget available to do X number of



1 languages. It sounds like our subcommittee has already  
2 worked with Jaime on this list that we are looking at,  
3 and the potential addition of Hmong is coverable by that  
4 budget with maybe some extra resources to look at,  
5 additional languages which would require those to be  
6 scoped out based on the language, because there's  
7 probably some variable between the cost to add additional  
8 languages, if that's even possible. So I'm hoping to  
9 hear if that is a fair representation.

10       Secondly, this is not the end of the discussion  
11 about language access, that we have other mechanisms by  
12 which we are going to be addressing some of the other  
13 important populations that have been raised up. But it's  
14 not in context with this particular discussion which is  
15 about where we're moving forward with the COI tool and  
16 what languages we're going to be voting on approving so  
17 that Statewide Database can move forward with that  
18 process.

19       So I guess what I'm -- are you clear on my question,  
20 Jaime? I know I said a mouthful there. Okay, great.  
21 Thank you.

22       MS. CLARK: Sure. Thank you. Excuse me. So  
23 Statewide Database is committed to translating the top  
24 twelve/thirteen languages for the COI tool, and anything  
25 outside of that we may need additional resources to help

1 us make additional languages available.

2 And we also are -- we also are wanting to consider,  
3 you know, keeping an eye on our early January goal of  
4 having the COI tool be publicly available, if desired,  
5 and we don't want to endanger that.

6 And adding additional languages, again, depending on  
7 staff time and implementation around actually making the  
8 tools live -- excuse me, actually making the languages  
9 live in the tool could prompt some redesign some places,  
10 and so those are the considerations.

11 CHAIR KENNEDY: I will say that in reading the  
12 documents from the courts, they noted that Hmong, while  
13 not currently among their top ten requested languages,  
14 seemed to be growing and they have it on something of a  
15 watchlist so that they might be able to better address  
16 requests for interpretation in Hmong in the near term.

17 Commissioner Le Mons.

18 VICE CHAIR LE MONS: Is Hmong the only outstanding  
19 question at this point as it's related to the COI tool?  
20 And secondly, was Jaime's response to Commissioner Sinay  
21 regarding cost, is that beyond this recommended  
22 twelve/thirteen list uncertain on the costs, or  
23 understanding the cost on this twelve/thirteen is  
24 available right now?

25 MS. CLARK: If I understand your question correctly,

1 we are still assessing the costs associated with  
2 translating everything associated with the COI tool,  
3 including user guide, tutorials, emails that would get  
4 sent to users who want to log into the COI tool to verify  
5 their email accounts. All of that associated with the  
6 COI tool we're still assessing the cost of implementing  
7 that in the top twelve languages.

8 VICE CHAIR LE MONS: May I ask a follow-up question?

9 CHAIR KENNEDY: Yes.

10 VICE CHAIR LE MONS: So the follow-up question is  
11 although you're assessing those costs it sounds like  
12 based on your statements earlier there's no potential --  
13 that you probably have budget to commit today to the  
14 twelve/thirteen languages, which would allow us to move  
15 forward with the vote once we establish the Hmong  
16 question so that you guys can be off and running. Is  
17 that fair?

18 MS. CLARK: I don't believe that we need a formal  
19 vote today. We are intending to translate the COI tool  
20 into the top twelve languages and will continue to work  
21 with the subcommittee in terms of any additional  
22 languages that are desired and assessed the extent that  
23 that will be possible keeping our budget and our time  
24 constraints in mind.

25 VICE CHAIR LE MONS: So for me that kind of reframes

1 this discussion. It sounds like the Statewide Database  
2 is already moving forward with the twelve/thirteen list,  
3 like, that's happening, so we really need to be  
4 determining whether or not there are additional languages  
5 that we want them to include that respects the deadline  
6 for the January distribution and whether there's going to  
7 be any budget implications that will fall to us. Is that  
8 where we are?

9 CHAIR KENNEDY: I would say that is generally where  
10 we are. The one thing that I would say is we had had a  
11 discussion at one point as to whether we needed the tool  
12 to be ready by early January or if, because of our  
13 broader time line, our global time line with all of the  
14 different moving parts and so forth, we would be okay  
15 with it, for example, being available by the end of  
16 January rather than the beginning of January.

17 So that's a question that, you know, between the  
18 Outreach Subcommittee and potentially the Gantt Chart  
19 Subcommittee, you know, we may need to have further  
20 discussions. You know, having it sitting there for a  
21 month, or six weeks, or something not being used when the  
22 development team could have made good use of that time, I  
23 think is the question that we need to resolve.

24 Any other comments or questions at this point?

25 Commissioner Akutagawa.

1           COMMISSIONER AKUTAGAWA: I think, based on what  
2 Jaime just said, I guess I thought you were waiting for  
3 us to say yea or nay, but if you're just going to go  
4 ahead and move forward with it, that's fine.

5           I think with that said, I'd like to propose that we  
6 do go ahead and also include Thai and Hmong as the  
7 additional languages. I think the reason why we're -- by  
8 the way, I think the reason why we're saying  
9 twelve/thirteen is that Chinese is the -- let's just call  
10 it the twelfth language, but because there's both -- in  
11 this case to Commissioner Yee's point there's the  
12 simplified -- from a written perspective there's the  
13 simplified and the traditional.

14           And then I don't know if there's going to be like  
15 any kind of, you know, oral kind of need in terms of  
16 instructions orally, then that would also then add that  
17 level of complexity that Commissioner Yee talked about,  
18 but that would then require need for Mandarin and  
19 Cantonese. It shouldn't really change then the numbers,  
20 so there would be thirteen. But I would like to propose  
21 that we go forward and include Hmong and Thai as part of  
22 the languages that would be translated.

23           CHAIR KENNEDY: Commissioner Le Mons.

24           VICE CHAIR LE MONS: I think that we as a Commission  
25 should -- since we have this clarity, and I'm glad we do,

1 that I think Commissioner Akutagawa just highlighted, I  
2 do think as a Commission we should weigh in on our  
3 position on Statewide Database just moving forward with  
4 the twelve/thirteen languages and whatever else we want  
5 to weigh in on with regard to that.

6 So I don't know how we want to formally weigh in, if  
7 it's just simply saying we understand X, or we want to  
8 vote that we support that. I'll leave that up to the  
9 Chair and our legal counsel, but I do think that we  
10 should take a position, particularly since we have given  
11 such attention to this process from a research point of  
12 view, as well as the, I think, very important discussion  
13 that was had today.

14 CHAIR KENNEDY: Thank you, Commissioner Le Mons.  
15 Anyone else before we go to public comment?

16 Okay. Jesse, could you read the instructions for  
17 public comment, please.

18 PUBLIC COMMENT MODERATOR: In order to maximize  
19 transparency and public participation in our process, the  
20 Commissioners will be taking public comment by phone.

21 To call in, dial the telephone number provided on  
22 the livestream feed. The telephone number is 877-853-  
23 5247. When prompted, enter the meeting ID number provided  
24 on the livestream feed. It is 91505532099 for this  
25 week's meeting.

1           Once you have dialed in, you'll be placed in a queue  
2 from which a moderator will begin unmuting callers to  
3 submit their comment. You will also hear an automated  
4 message to press star 9. Please do this to raise your  
5 hand indicating you wish to comment.

6           When it is your turn to speak, the moderator will  
7 unmute you and you will hear an automated message that  
8 says, "The host would like you to talk", and to press  
9 star 6 to speak.

10          Please make sure to mute your computer or livestream  
11 audio to prevent any feedback or distortion during your  
12 call. Once you are waiting in the queue, be alert for  
13 when it is your turn to speak and, again, please turn  
14 down the livestream volume.

15          These instructions are also located on the website.

16          The Commission is taking public comment at this  
17 time.

18          Chair, there are currently no callers in queue.

19          CHAIR KENNEDY: Commissioner Akutagawa has  
20 essentially recommended or indicated that she would like  
21 us to proceed with endorsing the twelve/thirteen  
22 languages and that we add Thai and Hmong.

23          Commissioner Sinay.

24          COMMISSIONER SINAY: I'm sorry, I'm still concerned  
25 though that we may get a bill that we don't know how to

1 pay. So should I just not be worried about that because  
2 usually I'm not worried when it comes to outreach, but I  
3 want to make sure, you know, is there any caveat we can  
4 put up, up to a certain amount or if I'm the only one who  
5 cares -- not that cares, because I know we all care, but  
6 if I'm the only one concerned, I'm very okay stepping  
7 back.

8 CHAIR KENNEDY: I guess the way I'm looking at it,  
9 and Jaime, correct me if I'm wrong, if you have a budget  
10 at this point for the twelve/thirteen, that adding to is  
11 not going to cost as much as those twelve/thirteen; it's  
12 going to be some fraction of that.

13 MS. CLARK: That is what we are anticipating, yes.

14 CHAIR KENNEDY: I mean, I would anticipate, you  
15 know, at the maximum we'd be talking about being able to  
16 do it under the \$10,000 limit for personal services  
17 contract, or whatever it's currently called.

18 Director Claypool.

19 MR. CLAYPOOL: I think at this point you're  
20 accepting the number of languages. I don't think that  
21 anything in here would prohibit us from taking a step  
22 back later once Jaime can give us a better idea of what  
23 it would cost.

24 So I don't think, unless I'm incorrect, Jaime, and  
25 you can tell me, I don't think we're committing entirely



1 to anything other than believing that this should be the  
2 number of languages we pursue, and then find out what the  
3 cost is, and then have another discussion if it becomes  
4 prohibitive at that time.

5 CHAIR KENNEDY: Sure.

6 MS. CLARK: Thank you. Certainly, so what we will  
7 proceed with the top twelve languages, and then we won't  
8 proceed with engaging with translation services for these  
9 additional languages until we can bring back to the  
10 subcommittee and the subcommittee can convey that to the  
11 full Commission.

12 CHAIR KENNEDY: Very good. Commissioner Le Mons.

13 VICE CHAIR LE MONS: So the cost we're talking about  
14 is specific to Hmong?

15 CHAIR KENNEDY: And Thai.

16 VICE CHAIR LE MONS: Oh, Hmong and Thai, okay. So  
17 we're expecting no bill for the twelve/thirteen which is  
18 the two Chinese languages being utilized. So we're  
19 saying yes to -- I mean, we're potentially making a  
20 decision on that and then we're asking to pursue Thai and  
21 Hmong and will let us know the cost before moving  
22 forward. Is that correct?

23 MS. CLARK: That's correct.

24 VICE CHAIR LE MONS: Okay, thanks.

25 CHAIR KENNEDY: Okay. Commissioner Turner.

1           COMMISSIONER TURNER: Thank you, Chair. I just  
2 wanted to say in support of Commissioner Sinay that I  
3 agree. As we go into voting for things, I think it's  
4 always important that we know the dollar amount, small  
5 dollar amount or larger dollar amount, when possible.  
6 And so when she said -- you know, made that statement I  
7 just wanted to support that, Commissioner Sinay, I think  
8 as a general rule.

9           And I was glad for the clarification, because I  
10 understood the way we were moving forward is that we were  
11 going to accept the additional languages and pay for  
12 them, whatever the cost. And then Commissioner Le Mons  
13 just confirmed that, indeed, we'll just be looking at a  
14 recommendation, which sounds actually different to me  
15 than what we initially stated. Thank you.

16          CHAIR KENNEDY: Director Claypool, did you have your  
17 hand up?

18          MR. CLAYPOOL: No, I didn't.

19          CHAIR KENNEDY: Jesse.

20          PUBLIC COMMENT MODERATOR: Chair, there's currently  
21 a caller waiting in the queue.

22          CHAIR KENNEDY: Okay. If you could invite them to  
23 speak.

24          MS. MARKS: Hello. Can you hear me?

25          PUBLIC COMMENT MODERATOR: Good morning, caller.



1 Could you please state and spell your name for the  
2 record, please?

3 MS. MARKS: Yes. It is Julia Marks, J-U-L-I-A,  
4 M-A-R-K-S.

5 PUBLIC COMMENT MODERATOR: Thank you. The floor is  
6 yours.

7 MS. MARKS: Great. Thank you. Hi. My name is  
8 Julia Marks. I'm calling from Asian Americans Advancing  
9 Justice - Asian Law Caucus.

10 And I wanted to first say thank you very much for  
11 this incredibly thorough and thoughtful analysis of  
12 language coverage in other context, and I do think it's a  
13 good starting point for figuring out what the  
14 Commission's language coverage might look like overall,  
15 and then also specific to the COI tool, which I  
16 understand is the subject of today's discussion.

17 I just wanted to draw your attention to a letter  
18 that was submitted by a coalition of organizations on  
19 Friday. We sent it to the public comment email address,  
20 and I just want to make sure you all saw that.

21 While we think looking at the number is a good  
22 starting point, and that is reflected in the top twelve  
23 approach by the census and the top twelve approach that  
24 we recommended with partners in our bigger outreach  
25 recommendations, for something like the COI tool, which

1 will be kind of an essential part of providing comment to  
2 the Commission, we would recommend that you look beyond  
3 those top languages. And I appreciate the recognition  
4 that languages like Thai and Hmong have, you know, a fair  
5 amount of linguistic isolation and fairly significant  
6 populations where including them in the COI tool  
7 translation list would be helpful, I do think there are  
8 additional languages that should be added to the list of  
9 kind of second tier for coverage.

10 I recognize that there are some cost limitations and  
11 appreciate the commitment to, at a minimum, do the top  
12 set of languages. But if it is at all possible to find  
13 some extra budget to add more languages to the list, I  
14 think it would be very beneficial.

15 Some of the key languages mentioned by partners and  
16 in the conversation you all had today include Pacific  
17 Islander languages and African languages beyond Arabic.

18 I'll often note that those aren't covered in  
19 language access in voting laws for kind of categorical  
20 reasons, so language access in voting only provides a  
21 partial snapshot of what the needs actually look like on  
22 the ground.

23 One thing that's important to keep in mind is even  
24 if a community is fairly small in number, you know, that  
25 doesn't mean that they don't have a lot to say. And if a

1 community has been historically left out of these  
2 processes for numeric reasons, we don't want to depend so  
3 much on numbers here that we inadvertently continue to  
4 leave them out. And sometimes seeing a tool in your  
5 language is both essential to providing access, because  
6 it allows you to fill out the form and navigate the  
7 platform. And it's also important as a signaling  
8 mechanism that this process includes you and includes  
9 your community and that you belong as a voice to the  
10 Commission.

11 And so while we understand you can't translate  
12 everything you do into fifteen or twenty languages, the  
13 COI tool will be something that community organizations  
14 will be directing their community members to, to provide  
15 and put to you all, and so having that tool and that  
16 portal in language will facilitate that. If a group  
17 holds a workshop in Samoan and then can direct someone to  
18 a tool in Samoan, that will help kind of close the loop  
19 on that process, so community orgs are doing the outreach  
20 but then have an in-language connection to your work more  
21 directly.

22 So we would just strongly encourage you to consider  
23 the slightly longer list for the COI tool, and to consult  
24 our letter and additional community groups to determine  
25 the scope of that additional work. Thank you.

1 CHAIR KENNEDY: Ms. Marks, do you have specifics  
2 that you want to suggest at this point?

3 MS. MARKS: Yes. So I would uplift Thai and Hmong  
4 from your prior conversation and inclusion for Pacific  
5 Islander communities is also very important, so Samoan  
6 and Marshallese and Tongan, and then some key African  
7 languages are some Somali and Amharic, and I also  
8 understand that representatives from PANA will be  
9 presenting or have presented, and I would recommend  
10 further consultation with them for African languages.

11 CHAIR KENNEDY: Thank you very much. Commissioner  
12 Le Mons.

13 VICE CHAIR LE MONS: Yes. I just wanted to say  
14 that -- thanks to the caller for the comments. I think  
15 this just underscores what we've already been talking  
16 about. I think it will be important for us to  
17 communicate, too, to the public that, you know, while the  
18 COI tool is a tool, that we are looking at other ways of  
19 being able to get information from other groups. And we  
20 also aren't necessarily weighting the COI tool as the  
21 mechanism for getting us the information that we need,  
22 and I think that we have to keep reinforcing that  
23 message.

24 When we are talking about specific things, like in  
25 this case the COI tool, if that is lifted up as that's

1 going to be the mechanism without contextualizing that  
2 around us really understanding -- and I think the amount  
3 of time and effort that we're putting into exploring,  
4 inviting, et cetera, we're not just doing this as an  
5 exercise in terms of bringing in groups like we had in  
6 our last meeting, the group that spoke for the African  
7 languages, et cetera, but we are looking at other  
8 mechanisms and tools for being able to get the  
9 information that we need to be able to do the job that we  
10 want to do.

11       So I just wanted to put that out there, that the COI  
12 tool, while it's popular, it's understood, it's been a  
13 fixture in this process, we won't be limited to that. At  
14 least that's what I've understood from the efforts of the  
15 Outreach Committee, the Global Access Committee in  
16 particular, that we created, and I'm very, very proud of  
17 the work that the Global Access Committee is doing -- and  
18 that was the whole purpose in creating that Global Access  
19 Committee, to look at other avenues, ways, for us to  
20 reach communities that won't rise up for the COI tool  
21 based on a numeric approach to language choice, but  
22 doesn't mean that they're going to be overlooked  
23 consequently.

24       CHAIR KENNEDY: Thank you, Commissioner Le Mons.  
25 Commissioner Sinay.

1           COMMISSIONER SINAY: I was going to say something  
2 similar to Commissioner Le Mons, that we are very aware  
3 that the COI tool, the Communities of Interest Tool, may  
4 not be the most accessible tool to all communities, and  
5 we do want -- we're really looking at accessibility and  
6 we have committed to weighing all input equally.

7           I also wanted to ask Ms. Marks, on your outreach,  
8 the work that you're all doing on redistricting, what  
9 languages have you all chosen -- your organization, not  
10 all five of the groups who have gotten funding, but for  
11 your organization, is there specific languages that  
12 you're focusing on?

13           Ms. Marks, I think you're on mute. I mean, you are  
14 on mute.

15           CHAIR KENNEDY: Jesse, could you help?

16           PUBLIC COMMENT MODERATOR: Please press star 6 to  
17 unmute yourself, caller.

18           MS. MARKS: Yes, okay. So we work with Asian  
19 American and Pacific Islander communities, so it is a  
20 significant number of languages. Our program directly  
21 doesn't work with, you know, all of the Asian American  
22 and Pacific Islander languages identified in this letter,  
23 but many of our partners do.

24           So you know, there are Pacific Islander groups in  
25 the Bay Area where we're located who we are hoping to do



1 workshops with, so that even though their communities  
2 might not be significantly sizeable on a statewide basis  
3 when looking at lines for, you know, Bay Area map  
4 drawing, it will be important to bring their voices to  
5 the table. So through our partnership with those smaller  
6 community-based organizations we're able to help enrich,  
7 you know, the field of information coming in.

8 CHAIR KENNEDY: Very good. Thank you. We are  
9 required to take a 15-minute break. I see that we do  
10 have another caller. Can our caller -- I want to bring  
11 this topic back onto the table later in the day, but we  
12 need to move on at this point.

13 COMMISSIONER SINAY: Can we quickly take the caller  
14 since they're already there?

15 CHAIR KENNEDY: Okay. Staff, are we able to take  
16 one more call?

17 MR. MANOFF: That shouldn't be a problem.

18 MS. ERIKAT: Hi. Can I speak now?

19 CHAIR KENNEDY: Okay.

20 PUBLIC COMMENT MODERATOR: Yes. Could you please  
21 state your name for the record, please?

22 MS. ERIKAT: Yes. My name is Jeanine Erikat.

23 PUBLIC COMMENT MODERATOR: Could you spell it as  
24 well, please?

25 MS. ERIKAT: Yes. J-E-A-N-I-N-E, last name --

1 PUBLIC COMMENT MODERATOR: Okay. The floor is  
2 yours.

3 MS. ERIKAT: Thank you all. Thank you all to the  
4 State Commission for having us all here today and for  
5 allowing me to make my public comment.

6 My name is Jeanine Erikat. I'm with the Partnership  
7 for the Advancement of New Americans. I spoke to you all  
8 two weeks ago about the diversity of African language  
9 refugee communities and the different languages.

10 I just wanted to flag that Arabic is not the  
11 language that most African refugees and immigrants speak  
12 here in California, or more broadly, the United States.  
13 In fact, most of these communities speak Somali, Swahili,  
14 and Amharic. And having it in Arabic on the assumption  
15 that they'll be able to engage in the process is doing a  
16 disservice and leaving them out of the process.

17 So I would advocate and push for including Somali  
18 and Amharic and Swahili into the process because we have  
19 large numbers of these populations throughout the state  
20 of California to engage in the process.

21 Thank you all again for allowing me to speak today.  
22 I know you're about to go onto your 15-minute break. I  
23 thank you all earlier, two weeks ago, for the opportunity  
24 to present on this. That's all I just wanted to bring  
25 up. Thank you all.

1 CHAIR KENNEDY: Thank you, Ms. Erikat. Okay. With  
2 that we will go for our 15-minute break, after which  
3 Director Claypool will give his report.

4 Thank you, everyone.

5 (Whereupon, a recess was held from 11:02 a.m.  
6 until 11:18 a.m.)

7 CHAIR KENNEDY: Thank you very much, everyone. We  
8 are back from our break and it is time for Director  
9 Claypool's report.

10 MR. CLAYPOOL: Good morning. Can you hear me,  
11 Chair?

12 CHAIR KENNEDY: Yes.

13 MR. CLAYPOOL: Okay, perfect. So to start with, I'd  
14 like to discuss some our new hires. Obviously we have  
15 brought on board our new communications director, Mr.  
16 Ceja, and he's present with us today. We also added  
17 Gloria Pacheco who you had approved in a past meeting,  
18 and she's helped me this past week by putting together  
19 the budget projections for the Commission through June  
20 30th, 2022, and she'll be working on our budget during  
21 her tenure with the Commission, and she will also be  
22 tracking or assisting in the tracking of the Commission  
23 per diem and the travel expense claims.

24 We're still working on to get the deputy executive  
25 director position established with the Department of

1 General Services, Human Resource Department. Over two  
2 weeks ago we were assured that the position had been  
3 moved to the Department of Finance and to the State  
4 Controller's office. However, we cannot get further  
5 information beyond this report, and as a result, Kary  
6 Marshall, our Chief Counsel, sent a letter to the DGS  
7 Office of Legal Services asking that office to intercede  
8 on our behalf with GSHR, or we will make the issue with  
9 the director of the Department of General Services. It  
10 has not been positive this week in this regard, and so we  
11 will monitor this and very quickly write a letter to the  
12 director, if necessary. We will run that through the  
13 Chair and the Vice Chair.

14 We're continuing to reach out to the Department --  
15 Census California regarding individuals from that  
16 organization who would like to work with the Commission,  
17 and we have particular interest from one person in that  
18 organization that has procurement and contracting  
19 experience, and that individual has sent us her resume.  
20 So we will be looking at her as well. So it is -- that  
21 is a positive note.

22 Procurements. Raul was supposed to get the new  
23 Commission cell phones last Friday, and Verizon has once  
24 again put us on hold because of back order, and on the  
25 19th of this week we're supposed to get an update on when

1 you will receive those phones. There are 21 of them on  
2 order, and it's frustrating for us, as I'm sure it is for  
3 you, but that's the status of our phones.

4 Status of our procurement of computers. We have 17  
5 on order that Commissioner Andersen okayed with the --  
6 actually, Commissioner Andersen, I shouldn't say that.  
7 Actually, it was okayed by the full Commission as being  
8 what was necessary and what you desired. Raul has  
9 completed that entire process of pushing them through and  
10 now we're waiting to find out the date that we can get  
11 those computers. Again, this is always with the  
12 acknowledgment that this is running through the  
13 Department of General Services, so. I always hold my  
14 breath until the package arrives, and hopefully, there  
15 will be no more glitches with that.

16 Are there any questions about the phones, the  
17 computers, or anything else that I've said before I move  
18 on?

19 CHAIR KENNEDY: Commissioner Fernandez.

20 COMMISSIONER FERNANDEZ: Yes. Director Claypool,  
21 can you have a computer sent to me? My audio went out,  
22 and if you remember -- if you recall, I was having issues  
23 at the last meeting.

24 MR. CLAYPOOL: Yes.

25 COMMISSIONER FERNANDEZ: So at the start of this

1 meeting audio went out, so I had to switch out computers.

2 MR. CLAYPOOL: Okay.

3 COMMISSIONER FERNANDEZ: So if I can get something  
4 sent to me, because I'm thinking our new computers won't  
5 be here for a while.

6 MR. CLAYPOOL: Okay. And we can certainly get that  
7 done. I'll make a note of it right now.

8 COMMISSIONER FERNANDEZ: Thank you.

9 MS. JOHNSTON: If it would be easier, I could  
10 arrange to meet you somewhere, Commissioner Fernandez,  
11 since we live not too far from each other.

12 COMMISSIONER FERNANDEZ: That would also be good as  
13 well. Thank you. So we'll talk offline?

14 MS. JOHNSTON: I'll work with Raul. What?

15 COMMISSIONER FERNANDEZ: Thank you.

16 MR. CLAYPOOL: I've actually thought about putting  
17 it on my bicycle and just dropping it by, Commissioner  
18 Fernandez, but I think Marian is probably a more sure  
19 bet.

20 So no other questions before I move on? Okay.

21 The Department of Finance. I spent a few hours last  
22 week talking with our contact at the Department of  
23 Finance working over the various facets of our budget.  
24 And then on their recommendation, I worked over to  
25 working through Raul and Ms. Pacheco, our budgets person,

1 to working with Fiscal Services at the Department of  
2 General Services.

3       The Department of Finance requires certain budget  
4 requests for funds that are locked up. A good example of  
5 that is our two million dollars for outreach. It's  
6 locked up and we're supposed to give them a thirty-day  
7 request for that money before they'll release it to us.  
8 They actually send on that request to the Joint  
9 Legislative Budget Committee, and JLBC is the one that  
10 gives the final approval.

11       When we checked with Fiscal Services, it appears  
12 that we have access to all of your budget right now. So  
13 there's a discrepancy between how much we could actually  
14 access right now between the two organizations.

15       Fortunately, the organization that is responsible  
16 for our budget says that we can have it all, but I'm sure  
17 the Department of Finance is going to say that we need to  
18 send in the letters to release that portion. It's a  
19 thirty-day letter, and they don't like it to come a lot  
20 sooner than thirty days. I had proposed to our person at  
21 Finance that I just send the letter over right now and he  
22 was, do you need it in thirty days, and I said, well no,  
23 we'll need it in January when we start our outreach. And  
24 he said, well then, we'd like to have it in December,  
25 thirty days ahead of time.

1           So we're monitoring the dates that control your  
2 funds and we're going to know by the end of this week  
3 exactly what we have actual access to and what we don't,  
4 and on the next -- on the next report out to you I'll be  
5 able to be more specific about exactly the state of your  
6 being able to access those funds.

7           The budget -- the projected budget, I sent over a  
8 document to all of you. I hope that you have it. That  
9 document, unfortunately, has not been posted because it  
10 was -- there was a miscommunication and it was late  
11 getting to Raul. Several documents, in fact, have not  
12 been posted because how late they came to Raul last  
13 evening. So we can either discuss the budget now, or we  
14 can come back to it later. It's up to you, Chair.

15           CHAIR KENNEDY: When would we be able to come back  
16 to it?

17           MR. CLAYPOOL: Well, that's the thing. We would  
18 have to tack this on to either tomorrow afternoon or to  
19 Wednesday afternoon, because I do not know that it will  
20 get posted up in time for the discussion today.

21           CHAIR KENNEDY: Okay. We're not going to take any  
22 action on it at this point.

23           MR. CLAYPOOL: We are not. It's just a very high-  
24 level view of the projected costs, and there will be  
25 plenty of time for public comment on it once the public



1 can see it.

2 CHAIR KENNEDY: Right. So I would -- I would  
3 personally think that we could proceed, but let's hear  
4 from Commissioner Fernandez.

5 COMMISSIONER FERNANDEZ: I would prefer that we not  
6 discuss items until they are posted and the public does  
7 have a chance to review the documents. And I'm only  
8 saying that for myself as well because I know some of the  
9 items were sent to us late, so I would appreciate a  
10 little bit more time to review it. I realize we don't  
11 like to push things off, but it makes it challenging when  
12 I'm trying to review it at the same time that everyone  
13 else is trying to review it, and then the public hasn't  
14 even seen it yet. So that's just my recommendation.

15 CHAIR KENNEDY: Director Claypool.

16 MR. CLAYPOOL: I -- you know, I understand  
17 completely, Commissioner Fernandez. It was actually sent  
18 forward on Friday but then I waited to find out exactly  
19 how we wanted to handle it. The reason I say that is  
20 because there are different parts of it that are fairly  
21 high, that we don't know, that we're taking estimates on,  
22 but in the end it was decided to release it, and so the  
23 soonest I could release it was yesterday. But it was  
24 done sooner. It was just -- there were just issues about  
25 what it was going to say and it might generate more

1 questions than it answered. But if it's okay with  
2 Commissioner Kennedy, we can push it.

3 VICE CHAIR LE MONS: Commissioner Sinay.

4 COMMISSIONER SINAY: Thank you, Vice Chair. This  
5 has been an issue now for three months and it keeps -- we  
6 keep being told that posting things publicly once we get  
7 staff. We keep upping our staff and the issue seems to  
8 get worse, not better. Excuses get made.

9 We sent our -- our outline of instructions to be  
10 posted on November 11th, and to be told that, oh, we  
11 never got it or we never heard it, we never saw it, it  
12 wasn't clear, is not fair.

13 I know others -- you know, having to hear from the  
14 public that a letter was sent to us on Friday but we  
15 haven't seen it, is embarrassing.

16 This cannot continue this way. We need to be  
17 prepared before meetings. We need things posted. The  
18 public needs to be able to have our respect and be able  
19 to read things so that they can be prepared. I really  
20 sometimes -- I feel that we are not -- I'm sorry, but I  
21 don't feel that we have been made a priority, the  
22 Commissioners have been made a priority and the public  
23 has been made a priority when it comes to information.

24 And yes, maybe some of the subcommittee reports  
25 arrived on Friday. You all should just have a plan so

1 that it gets posted ASAP. We are, you know, doing this  
2 as volunteers, and we get paid some, but we also have  
3 full-time jobs, and we're doing the best we can.

4 Staff, this is your full-time job, and I'm just  
5 -- I can't believe that one more meeting has gotten here.

6 CHAIR KENNEDY: Commissioner Le Mons.

7 VICE CHAIR LE MONS: I agree with Commissioner  
8 Sinay. I do want to add something to that because I as  
9 the Vice Chair have been a part of numerous meetings  
10 leading up to this meeting and even preparing for the  
11 next set of meetings. And probably former Chairs and  
12 Vice Chairs know what goes into trying to get all of this  
13 coordinated by the time we hit go at the meeting. And it  
14 is a lot, and I know -- I can't speak for any other team  
15 except the leadership that Commissioner Kennedy has  
16 brought to this process, and I think we all know  
17 Commissioner Kennedy's reputation since day one of being  
18 thorough and intentional, et cetera, and he has been  
19 throughout this process. He got way out in front of it.

20 And so there's a lot of people on our Commission and  
21 we haven't mastered our process yet. So I'm not  
22 disagreeing with Commissioner Sinay, but I am asking us  
23 to temper our frustration with the reality.

24 I don't think this is the result of our staff not  
25 caring. I've been in too many late weekend night

1 meetings with the staff in this process to get behind  
2 that feeling. It doesn't change that we're not getting  
3 the outcome that we want, but I don't think it is  
4 negligence in the point of not caring and not trying.

5 So I just feel like it would be unfair, having  
6 participated in this process and observed it in working  
7 with the staff, that I not say that. So it isn't an  
8 excuse. It doesn't change what we need, because we do  
9 need this stuff in advance.

10 And we've had meetings about actually deadlines for  
11 getting things in in order for them to be posted, that we  
12 as Commissioners have to respect as well. We just have  
13 to be mindful of that, and this has nothing to do with  
14 the specificity of any of the things that you've  
15 uplifted, Commissioner Sinay, that specifically did not  
16 get posted.

17 But I just want us to continue to refine the  
18 process. Continue to refine our communication and our  
19 interaction with our staff and let them know that we do  
20 support them as well, and we do need what we need. So it  
21 definitely is not any kind of excuse for letting them off  
22 of the hook, but I do think it is important that the  
23 Commissioners understand, at least from the last probably  
24 at least two weeks, what's been happening behind the  
25 scenes with the meetings that at least I've been involved

1 with.

2 CHAIR KENNEDY: Thank you. Any further comment?  
3 Commissioner Turner.

4 COMMISSIONER TURNER: I am grateful for the comments  
5 and words that are offered, and I'm wondering if there is  
6 something that's not yet spoken that the Commissioners  
7 can do to support, help with this process, because,  
8 Commissioner Kennedy, if you couldn't -- I really have --  
9 I really have minimal confidence that there's something  
10 different you could do because you are very thorough.

11 And I know a lot of us are still trying to get used  
12 to the way that the government, the State works on  
13 everything from phones to the process, to the required  
14 thirty days but not too soon, but not -- you know, so  
15 that's different for a lot of us.

16 But I'm wondering at this point what is the  
17 recommendation? Is there anything at all that we should  
18 be, could be doing different on our end that would assist  
19 in the process and avoid the delays and the delay in  
20 receiving the material?

21 CHAIR KENNEDY: Thank you, Commissioner Turner.  
22 Commissioner Sadhwani.

23 COMMISSIONER SADHWANI: Yes. Thank you for all of  
24 the comments. I agree it is not helpful to not have any  
25 handouts for this meeting knowing that there were many --

1 that were prepared.

2       You know, I recall in previous meetings I believe it  
3 was Commissioner Vasquez who had made the suggestion of  
4 using some sort of program such as -- I think it was  
5 called BoardDocs or something of that nature, and I  
6 believe there were others. I'd like to get an update on  
7 that.

8       In addition, in terms of providing some, you know,  
9 concrete next steps, I certainly recognize that there has  
10 to be a ton of emails, you know, coming to Director  
11 Claypool. We've hired additional administrative staff.  
12 Is there -- and I certainly recognize Raul also is  
13 perhaps tapped out. I'm not sure. Is there someone else  
14 that we have hired recently who could assist with this to  
15 ensure that, you know, before the meeting starts  
16 everything is in place, right, that our full agenda is  
17 there, all of the documents are there?

18       I get it and I know -- especially for the VRA  
19 Subcommittee we were hustling and I believe got  
20 everything out by Friday. But you know, things are  
21 falling through the cracks, so what are the specific  
22 recommendations? For me, I think I'd like to hear that  
23 update on the BoardDocs or some other kind of system to  
24 manage all of our documentation. 2020 is a totally  
25 different year. There's new technologies out there and I

1 think we need to be using them. And also, what are  
2 the -- what's the other staffing that we can put towards  
3 supporting this effort?

4 CHAIR KENNEDY: Okay. Commissioner -- Director  
5 Claypool.

6 MR. CLAYPOOL: Thank you. So yes, there were a  
7 lot -- there's a lot of traffic that comes through, and I  
8 get tired a little bit of thinking of giving you just  
9 reality and having it referred to as an excuse. We have  
10 the same person, part-time person, who is updating for us  
11 now that we had two weeks ago, and we're looking for an  
12 IT person. We've interviewed several, but we don't have  
13 that person on board. So we are still in the situation  
14 where we have to wait until the evenings to get things  
15 posted for us because we don't have anyone else who can  
16 do that.

17 We also have a situation where we have some of you  
18 Commissioners are very, very good at sending your  
19 information and saying, this is what I want posted,  
20 please post it. For those individuals who have sent us  
21 that information, that information gets posted. But when  
22 we get information from someone and -- from a  
23 Commissioner and that information says, you know, this is  
24 what we're proposing and then says, oh, don't post and  
25 then comes back and continues with a line of information

1 but never says again, post this document, we don't know  
2 what to post and we're not sure when we're supposed to  
3 post it. We need very specific instructions on what is  
4 supposed to be posted, and that would be very helpful.  
5 When each one of you says, here, would you distribute  
6 this to the Commissioners and then post it, it gets  
7 posted. But that's our dilemma.

8       So the solution to this -- by the way, for the -- on  
9 the BoardDocs I had spoken with Commissioner Ahmad and  
10 she had talked about looking into that, and she and I are  
11 working on that and speaking about that. I don't know  
12 how labor intensive it is. I don't know how much it  
13 costs. I just know that I've looked at where it's being  
14 used and that's as far as I had gotten with what we're  
15 doing.

16       As far as staff coming aboard to help us, we now  
17 have Mr. Ceja, and he will be helpful because he'll take  
18 a load off of what we're trying to push out, and  
19 hopefully, we can bring staff on for him so that that  
20 person can be bringing and take over the email that comes  
21 to us, that email -- general email box of where that  
22 person referred that they had sent the letter.

23       But at this point we're still developing the staff  
24 we need to do what we're trying to do, and there are  
25 priorities that come aboard that just have to be



1 serviced. And it's not a matter of servicing ahead of  
2 the Commission; it's a matter of servicing them on behalf  
3 of the Commission.

4 But my final statement would be if you would just be  
5 very, very clear when you send what you're sending  
6 exactly what you want done with it, then we will work  
7 with it.

8 CHAIR KENNEDY: Commissioner Sinay.

9 COMMISSIONER SINAY: Actually I'm going to pass, but  
10 I don't think that that was a fair statement on me, since  
11 I know that that statement was being pushed right on me.  
12 I think we were very clear on the previous emails, and I  
13 think that the director can always pick up the phone and  
14 ask.

15 CHAIR KENNEDY: Director Claypool.

16 MR. CLAYPOOL: Thank you, Commissioner Sinay. I  
17 sent two emails asking, is this what you want; please  
18 tell me. I'm sorry, but when I send an email, I -- I  
19 sent two asking you for confirmation, and I never  
20 received a response.

21 CHAIR KENNEDY: Commissioner Fernandez.

22 COMMISSIONER FERNANDEZ: I'm glad that Director  
23 Claypool brought up our communications director, because  
24 I was actually going to ask him -- can you just --  
25 obviously you're sitting back and you're taking all this

1 information and I'm sure that you have experience in this  
2 area, and I'm sure that you'll have some very good  
3 recommendations, so obviously, it's a pretty hot -- it's  
4 a hot topic for us, and I'm just looking forward to  
5 whatever recommendations you have for us. So welcome  
6 aboard, and you know, you're going to jump right in, so  
7 thank you.

8 CHAIR KENNEDY: Commissioner Le Mons.

9 VICE CHAIR LE MONS: I have to piggyback on that  
10 because I was thinking the same thing, Commissioner  
11 Fernandez. So it's like, Mr. Ceja, solve it.

12 MR. CEJA: Okay.

13 CHAIR KENNEDY: Commissioner Sinay.

14 COMMISSIONER SINAY: I just want us to be careful  
15 with that statement just because we really need Mr. Ceja  
16 externally, to focus externally and not focus internally  
17 in our administrative pieces. There is other people that  
18 have been hired for that internal piece, so let's just be  
19 careful how much we're putting on Mr. Ceja.

20 CHAIR KENNEDY: Commissioner Andersen.

21 COMMISSIONER ANDERSEN: I have a question.  
22 Riana is our person who has been posting things. What  
23 are her hours? You're not on -- you're on mute, Mr.  
24 Claypool.

25 MR. CLAYPOOL: Thank you. Riana has been working

1 for us on a part-time basis, and she works in the  
2 evenings after and sometimes during the middle of the day  
3 in conjunction with another job that she has. That's why  
4 we're looking for someone who can replace her in that IT  
5 capacity, and we are interviewing individuals. So far we  
6 haven't found anybody that we're confident can do the  
7 scope of the work that this Commission requires,  
8 including doing something with your website and also  
9 doing something.

10       So perhaps -- again, I know we don't want to put a  
11 lot of internal pressure on our communications director,  
12 but I believe he knows people that may be able to help us  
13 in this capacity, and so we'll certainly branch out  
14 through him to try to find somebody to fill this critical  
15 position.

16       CHAIR KENNEDY: Commissioner Le Mons.

17       VICE CHAIR LE MONS: I think Director Claypool kind  
18 of spoke to it. Yes, while -- it just raised the  
19 question that we haven't heard from Mr. Ceja, so my  
20 comment was somewhat tongue in cheek, but I do expect you  
21 to be influential in the solve because communications is  
22 your area and this is part of it, so it isn't to say that  
23 your priorities are being set by solving our internal  
24 administrative issues, to be clear. But we're still  
25 waiting to get your proposal on your side of the

1 organization.

2       And as far as this web portion is concerned, the web  
3 we design, et cetera, I actually was under the impression  
4 that was going to be under Mr. Ceja's purview. So I'm  
5 not here to debate that now, but I do think it's  
6 appropriate and his involvement will be critical because  
7 this is also managing external communication that comes  
8 into us. So we still need to hear from you, your  
9 organization and present that, and I want to respect that  
10 you haven't had the opportunity to do that, and we've  
11 kind of thrown you right into the spotlight, and I did  
12 that kind of playfully and fun, and I hope you received  
13 it that way.

14       CHAIR KENNEDY: Just a reminder to all of us that  
15 part of what we're dealing with is a WordPress based  
16 system that is not widely used these days, and so the  
17 pool of individuals who have the skills necessary to  
18 manage a WordPress site is somewhat reduced compared to  
19 what -- to the talent pool that we will have access to  
20 when we're using more modern tools.

21       So Commissioner Fernandez and then Commissioner  
22 Andersen.

23       COMMISSIONER FERNANDEZ: And I just want to clarify  
24 in terms of when I made the comment to our Communications  
25 Director Ceja. Our structure is going to be pretty lean

1 and I feel that -- and I don't know if this is the case.  
2 Maybe this is a little bit -- what I'm coming away with  
3 is all staff, I mean, I realize they're all going to have  
4 their specific core functions, but if there's something  
5 that needs to be done, they all step in and they solve  
6 it, or help solve it. So that's kind of where I was  
7 coming from. If there's past experiences that you can  
8 bring in to help us, then that's what I'm --

9 I'm also looking at our Chief Counsel Marshall, I  
10 mean, same thing. Not that necessarily everything has to  
11 be in the legal area or the -- but if they can help in  
12 other areas, then that's how -- I just see it as a team  
13 function and bringing from everybody's experiences and  
14 just helping to solve this and move us forward as we all  
15 go through this journey together.

16 Thanks.

17 CHAIR KENNEDY: Commissioner Andersen.

18 COMMISSIONER ANDERSEN: I'll go ahead and pass.

19 CHAIR KENNEDY: Okay. Commissioner Sadhwani, are  
20 you on the verge of wanting to speak?

21 COMMISSIONER SADHWANI: Thank you for acknowledging  
22 that. In terms of staffing, and I so apologize because I  
23 don't recall the name of the individual that we hired. I  
24 know she had done roll call once or twice. My  
25 understanding was that her main focus was the agenda.

1 Perhaps we can have just a little bit more clarity about  
2 what her scope of work entails, and if she could perhaps  
3 be a part of the solution here, perhaps rather -- because  
4 I think one of the confusions just in terms of process is  
5 that for several documents we also want input from the  
6 director and/or from Raul. Certainly, that was the case  
7 with the VRA.

8 If it makes sense that once something is done and  
9 ready, perhaps there's someone else that we send this to  
10 just to keep things a little bit more clear, because it  
11 sounds like that is perhaps a part of the problem. So if  
12 I could get a little bit more clarity on exactly her  
13 scope of work, I think that would be helpful as well.

14 CHAIR KENNEDY: Director Claypool.

15 MR. CLAYPOOL: So Wanda was and is hired to work  
16 with the agenda. She's only been with us for the last  
17 meeting through to today, and we're working with her to,  
18 first of all, give us that summary of agenda items that  
19 the Commission would like to have so that we can post it  
20 to you. She's finished the last summary and we've gone  
21 through several iterations to make sure that it appears  
22 to be what you will find acceptable, and then I will push  
23 those on to you for your edits so that they can be  
24 posted.

25 She will get faster at what she's doing, but right

1 now it would be a little implausible to unload all of the  
2 things that go with the agenda on her.

3       There is also an issue, that as a retired annuitant,  
4 she may not have the time in her schedule to actually  
5 take on that function, and if that's the case, then we're  
6 going to have to look around for someone else to handle  
7 it.

8       Right now, the one thing I would say is it works  
9 well, or I think it works. Clearly, it's not working as  
10 well as I think. But the process of working with the  
11 Chair and the Vice Chair, and working on the agenda, and  
12 having the Friday and Saturday call to lead up has  
13 resolved a lot of the issues that we've had. It needs to  
14 be perfected. The process of getting things posted  
15 clearly needs to be perfected. But we have things that  
16 come in very, very late, and it's hard to move them. And  
17 I think that as we move forward we will get better at  
18 this.

19       I do believe that Mr. Ceja is going to be  
20 instrumental in helping us resolve some of these issues.  
21 I believe that the 1-800 number and the emails that come  
22 to us are part of communications because those are the  
23 individuals -- you know, he'll be able to shape and craft  
24 our message back out to people who are making inquiries.

25       But to put it in perspective, Commissioner Fernandez

1 is absolutely right. It's all hands on board right now.  
2 When something needs to be done, we move back and forth  
3 to try to take care of what needs to be done. So we will  
4 bring the staff that we've brought aboard up to speed as  
5 quickly as possible, and Ms. Sheffield will get to the  
6 point where she'll be working more with the agenda and  
7 less with the actual summaries of them. It's just going  
8 to take time. It's not an easy process. This Commission  
9 isn't an easy process. Did that answer your question,  
10 Ms. Sadhwani?

11 COMMISSIONER SADHWANI: I mean, I think it was a  
12 helpful response. My sense -- and I certainly, you know,  
13 support that she hasn't been on board long. If we need  
14 this level of support with the agenda, was it the best  
15 call to hire a retired annuitant in the first place if we  
16 need full-time support? Should the recommendation have  
17 been for a full-time individual? And that's not a knock  
18 on her at all, but I'm just trying to better understand  
19 and assess the actual needs that we have. I mean, I  
20 think from -- I understand your response. I appreciate  
21 it. But clearly, there's a lot of holes in our process.

22 I certainly will try to continue to be patient as we  
23 work out this process, but I do hope that we can find  
24 resolution and that we can do it quickly. Certainly, you  
25 know, as Mr. Ceja has been mentioned multiple times, I



1 definitely would love to see his expertise and support  
2 brought into this, but I am also very cognizant he was  
3 hired for external communications, and of course, there's  
4 overlap between internal and external communications, but  
5 I am concerned about, you know, having some of this  
6 workflow kind of moving from one section of our  
7 organizational structure to another. But we'll wait and  
8 see.

9 CHAIR KENNEDY: Commissioner Turner.

10 COMMISSIONER TURNER: Yeah. The -- Director  
11 Claypool, say again what was the primary hire reason for  
12 Wanda?

13 MR. CLAYPOOL: To take over the agenda and to help  
14 with the meetings. That was the primary focus, was that  
15 she would come in and be able to help us with taking the  
16 notes for the meetings so that we could publish the  
17 summary that we're looking for, to help Marian, take the  
18 load off Marian and Kary, and doing the roll calls and so  
19 forth and keeping track of the motions that would be part  
20 of the summary, and finally, to assist with keeping track  
21 of the agenda and how it's constantly changing.

22 COMMISSIONER TURNER: Okay. And the timing in the  
23 work required for pulling together the summary of the  
24 meetings post-meeting is of such -- I guess it requires  
25 so much time to where that gets in the way of preparing

1 for the next meeting?

2 MR. CLAYPOOL: On this one for the week, the only  
3 week that Ms. Sheffield has been with us, she's been  
4 perfecting -- working on perfecting doing the summary,  
5 and I've continued working with the agenda with the Chair  
6 and the Vice Chair. The hope is that incorporate Ms.  
7 Sheffield into that process this next week, but there's,  
8 like I said, a lot of moving parts. So right now we're  
9 moving her through the one process and then onto the  
10 next.

11 COMMISSIONER TURNER: And I ask, Director Claypool,  
12 because I think, if I'm not mistaken, at some point you  
13 or someone also alluded to the fact that there may need  
14 to be another hire, and so I just want to make sure, did  
15 I misunderstand? Did someone suggest in passing that we  
16 might need an additional hire for this process, and it's  
17 just --

18 MR. CLAYPOOL: No, not an additional hire for this.  
19 I alluded to the fact that Mr. Ceja is going to need  
20 staff for what he's doing, and that part of that -- part  
21 of that staff function would be to pick up the 800 number  
22 and our general email box because those are people who  
23 are sending us comments, and then we need to shape our  
24 message back to them. So that was the hire I alluded to.

25 And I will also say that there will be a hire with

1 our deputy executive director, when that individual comes  
2 on board, they're going to need staff to help them, too.

3 COMMISSIONER TURNER: Yeah. I just wanted to make  
4 sure no one -- we weren't also talking about now because  
5 of what we're needing and the topic that came up, talking  
6 about hiring in another support for this same need we  
7 have around the agenda.

8 MR. CLAYPOOL: There's no plan on that. There are  
9 other hires that were on that organizational chart that  
10 we talked about two weeks ago that are still not filled,  
11 and that person was procurement and contracts. There's a  
12 hire for that and stuff, but no, for this particular  
13 position. And also the reason we brought on Ms.  
14 Sheffield was because she was qualified and available as  
15 an RA. If it became necessary, we could go out and do a  
16 search for another person, but right now we're hoping to  
17 work with the people we have.

18 COMMISSIONER TURNER: And just the last thing  
19 because that might have been the word choice used before,  
20 another person. You mean a different person if we need  
21 to, not another person adding into --

22 MR. CLAYPOOL: Exactly, exactly. As always, if  
23 we're asking too much for the time that any individual  
24 who comes to work for us is willing to provide, then we  
25 would have to take that into consideration. That's all.

1 COMMISSIONER TURNER: Okay.

2 CHAIR KENNEDY: Commissioner Le Mons.

3 COMMISSIONER TURNER: I'm sorry. The last comment  
4 I'll say just so that I can be real clear on this, is  
5 because you said we hired her because she's qualified.  
6 So the issue we're having is one that's timing and not so  
7 much a training.

8 MR. CLAYPOOL: Yes. Well, there's always a  
9 component of training. So she wasn't -- Ms. Sheffield  
10 didn't come in having taken minutes for boards, but she  
11 is infinitely qualified to do it. We're asking her to do  
12 it. But right now, there's just a question as to whether  
13 when she came aboard she was willing to put in as many  
14 hours as we might need for this process. You know, we  
15 were fairly clear that we're kind of a 24/7 outfit when  
16 we have things that need to be done, but we will have to  
17 make sure that that fits in with what she believes she  
18 was hired -- coming on for, if you get what I mean.

19 CHAIR KENNEDY: Okay. Commissioner Le Mons.

20 VICE CHAIR LE MONS: Yeah. I just wanted to (audio  
21 interference) I think that the agenda building process,  
22 and maybe some of the former chairs can really speak to  
23 this. I shudder at the idea that this would just be  
24 passed to Ms. Sheffield; is that correct?

25 MR. CLAYPOOL: Uh-huh.

1           VICE CHAIR LE MONS: Yeah. Because it isn't just  
2 writing up an agenda. It's a pretty intricate and  
3 complicated process, and it would need someone at the  
4 level, to me, like Director Claypool and one of our --  
5 probably multiples of our senior team as we move forward.  
6 It's not the administrative aspect of it at all that I  
7 think is the problem. It's a complex process that  
8 requires input. It requires strategy. I mean, hours  
9 were spent on this -- Commissioner Kennedy, you could  
10 speak from your perspective. It was not just, oh, well,  
11 okay, here's what the Commission says they want to talk  
12 about, let's throw together -- forget throw together --  
13 let's put together an agenda to get through these three  
14 days that we have scheduled. It is a very intricate and  
15 complicated process.

16           And so if that person is providing the  
17 administrative support, that's one thing. But I shudder  
18 at the thought that this is passed to someone -- and  
19 maybe I misheard that. If she's being trained up to be  
20 able to take this over. Yeah.

21           CHAIR KENNEDY: Commissioner Sadhwani.

22           COMMISSIONER SADHWANI: Yeah. Just to clarify, my  
23 mention of her was solely for the administrative piece.  
24 I certainly recognize that, you know, the high-level  
25 nature of developing the agenda. However, it's the

1 administrative piece that seems to be missing that we  
2 haven't received the public comments and the  
3 documentation. We're missing the handouts for today's  
4 meeting.

5       So to me, if either Ms. Sheffield or whomever fills  
6 that role could be a part of those conversations.  
7 Understand, hey, there are going to be documents from  
8 these couple of committees -- subcommittees for this  
9 upcoming meeting. Let me reach out to them. Let me make  
10 sure that as soon as it comes in we can send it off to  
11 the IT person and get it uploaded, right, so that those  
12 pieces don't continue to fall through the cracks. So my  
13 mention of that was purely administrative, and certainly  
14 it was not a recommendation that the agenda crafting  
15 would be removed from Director Claypool.

16       CHAIR KENNEDY: Director Claypool and then  
17 Commissioner Fernandez.

18       MR. CLAYPOOL: So to confirm, that's absolutely well  
19 put, Commissioner Sadhwani. I will not be abandoning the  
20 agenda process because it's too much of the process of  
21 what we do.

22       And so I only intended to say that Ms. Sheffield was  
23 intended to help us with the -- exactly what you said, it  
24 was to help us with what's supposed to be getting posted  
25 up, particularly to keep track of when presentations

1 switch because we have so many people, we need to honor  
2 their time. So that's it. It's the administrative side,  
3 and I will always be a part, as will the chief counsel  
4 and to some extent Raul. We all play a part in it, and  
5 none of us are walking away. We're just needing some  
6 help with the parts that need to be kept track of, that's  
7 all.

8 CHAIR KENNEDY: Commissioner Fernandez.

9 COMMISSIONER FERNANDEZ: Yes, completely agree in  
10 terms of the administrative function, but then I also  
11 believe this has to be a full-time job, because we're  
12 going to continue to have more meetings. So I would  
13 advise -- I mean, I'm not going to tell you how to run  
14 your shop, but I would advise going out now for a full-  
15 time recruitment effort because it's not going to -- even  
16 once whoever is in this position learns the process, it's  
17 only going to get busier. It's not going to get -- it's  
18 not going to lighten up so they can be a part-time  
19 person.

20 CHAIR KENNEDY: And I'll just at this point suggest  
21 that perhaps you add to her to-do list sending out a  
22 reminder to subcommittees one week before the meeting  
23 about handouts, and then two or three days later a  
24 follow-up, and if that could be done then that might help  
25 ensure that we have everything in in time.

1           And the posting, I see it as a separate issue, but  
2 you know, we can at least have her sending out reminders  
3 to subcommittees well in advance of meetings to make sure  
4 that all handouts are into the staff in a timely manner.

5           Director Claypool, we're back to you.

6           MR. CLAYPOOL: Okay. So we've talked about posting  
7 and distribution. The only other ongoing discussions we  
8 have right now, I've discussed the Department of General  
9 Services and our efforts with them. There is another --  
10 there is another issue that they believe our contracts  
11 somehow get let by them, when in actuality the first  
12 Commission voted on them and we actually let our own  
13 contracts, so we're in the process of trying to get that  
14 straightened out.

15           And I talked about the Department of Finance and the  
16 thirty-day requirement, and we will be sending out the  
17 thirty-day notification for the two million on outreach  
18 because I believe that Commissioner Sinay and  
19 Commissioner Vasquez's plan would be to try to start with  
20 the use of that money in mid-January. So we'll craft a  
21 letter and I will run the letter that we craft through  
22 the Chair and the Vice Chair.

23           And finally, we'll be talking about the release of  
24 the Commission's RFPs that are coming up. They remain on  
25 track. The contracted services can be in place if we get



1 the final proposals forwarded to the Department of  
2 General Services Office of Legal Services within the next  
3 two weeks, and we get a little help from DGS, and DGS  
4 seems inclined after counsel -- Chief Counsel Marshall's  
5 letter or email to them, seems inclined to step up their  
6 efforts on our behalf. So thank you, Kary, for that.

7 And that, other than coming back to the budget once  
8 it's posted, is the end of my report.

9 CHAIR KENNEDY: Okay. Are there further questions  
10 or comments for Director Claypool at this point?  
11 Commissioner Ahmad.

12 COMMISSIONER AHMAD: Thank you, Chair. I'll just  
13 make this quick. Our next meeting is scheduled for  
14 December 1st. I expect all of the agenda items posted by  
15 November 30th at the latest, all of the agenda items in  
16 our inboxes by November 29th. Thank you.

17 CHAIR KENNEDY: Anyone else? Okay.

18 VICE CHAIR LE MONS: This is Commissioner Le Mons.  
19 I have a comment.

20 CHAIR KENNEDY: Go ahead.

21 VICE CHAIR LE MONS: Well, I have a question. Did  
22 all the Commissioners write that down, because we have to  
23 back into that. I know I missed it, so I need it to be  
24 repeated if that's something that we're committing to,  
25 because it isn't just the staff that makes that happen,

1 and Commissioner Kennedy, I know we're already working on  
2 the agenda for that, and we talked about how pressed that  
3 is. And I kind of feel like I get those deadlines. I  
4 get it, I understand it, but I think they can be  
5 arbitrary, and I think if anybody should be seeking for  
6 what's needed when should be the developers of the  
7 agenda.

8 And so maybe what we need to do, Commissioner  
9 Kennedy, is to make sure that we send out or establish  
10 what that development schedule is in cooperation with the  
11 staff and make sure that our fellow Commissioners are  
12 aware of it. I don't know how you feel about it.

13 CHAIR KENNEDY: Well, the key discussion is later  
14 today when we talk about future agenda items, because as  
15 I pointed out, that agenda for the meeting beginning on  
16 the first of December --

17 VICE CHAIR LE MONS: Very good point.

18 CHAIR KENNEDY: -- has to post tomorrow.

19 VICE CHAIR LE MONS: Frozen. I think we're back.  
20 Is everybody -- can everybody wave. Okay. Looks like  
21 we're all back. Good point. Thank you for that,  
22 Commissioner Kennedy. We do -- that's why Commissioner  
23 Kennedy put the agenda building on today's agenda, so I  
24 just ask, Commissioner Ahmad, if you reiterate those  
25 requirements during that session, I'd appreciate it. I

1 get your point, though, I know where we're going.

2 COMMISSIONER AHMAD: Sure thing. Sure thing. I  
3 definitely will. I think this was just so Commissioner  
4 Claypool could also hear -- I mean, sorry, Director  
5 Claypool would also be in that conversation, given  
6 everyone's repeated inputs about when we want items.

7 CHAIR KENNEDY: And since Director Claypool has  
8 concluded earlier than I had anticipated, I would suggest  
9 that we could at least start that discussion on agenda  
10 items for the next meeting.

11 So at this point I currently have VRA and  
12 understanding that we are going to initiate our  
13 discussions on some VRA issues surrounding contracting  
14 and so forth, but that the idea would be to bring in an  
15 instructor to do some more in-depth training of the  
16 Commission. Am I correct in that?

17 COMMISSIONER YEE: Yes, that's our hope.

18 COMMISSIONER SADHWANI: That is our hope. We don't  
19 have anyone confirmed at this time.

20 CHAIR KENNEDY: Okay. But I will have that blocked  
21 out on the agenda.

22 Outreach -- and unfortunately, Commissioner Sinay is  
23 not here. Is Commissioner Vasquez here? I'm not seeing  
24 her. Okay.

25 I currently have from Outreach a request to discuss

1 strategy for Communities of Interest Tool outreach, and a  
2 discussion on civic technology. And then we have  
3 postponed from this meeting any discussion of further  
4 policies and the meeting ground rules, but we need to get  
5 back to those discussions.

6 So that's what I have so far, and I am looking to  
7 all of you to let me know what else I need to fit into  
8 the agenda for next time. And actually, as Commissioner  
9 Le Mons alluded, it's not just an agenda. I mean, I do a  
10 schedule and have everything broken down as to where  
11 during the meeting it's likely to fall so that we can do  
12 as best we can to alert the public as to when certain  
13 issues will come up.

14 So Commissioner Fernandez.

15 COMMISSIONER FERNANDEZ: We finally made contact  
16 with a Native American group that is willing to come.  
17 Unfortunately, they weren't able to come to this meeting,  
18 so we're hoping to bring them to the next meeting if  
19 there's time, or if there's a slot for that. And then  
20 maybe at that point Commissioner Akutagawa and I would  
21 probably also bring forward our recommendations. I think  
22 that was our -- our intent. I'll let her speak on that,  
23 too.

24 CHAIR KENNEDY: Okay. Oh, she's back; yay.  
25 Commissioner Akutagawa, do you have anything on that at

1 this point?

2 COMMISSIONER AKUTAGAWA: No, I would completely  
3 agree with what Commissioner Fernandez just said. We  
4 were hoping that we could get the speaker, but  
5 unfortunately, he's not feeling well. And we did ask if  
6 there was someone else that would be available, but there  
7 wasn't, so if we could indulge the Chair for -- their  
8 indulgence for the next meeting to have him be able to  
9 speak, I think we would love to have him also be the last  
10 of our speakers that we would include.

11 CHAIR KENNEDY: Okay. Commissioner Andersen.

12 COMMISSIONER ANDERSEN: On the line drawing RFT,  
13 you'll notice that we did not -- well, we don't have a  
14 posting for many things. That's not posted. It is much  
15 more involved than we realized. It's not just the scope  
16 of work; it has -- without getting into it. So we  
17 might -- if we do not get that approved during our time  
18 of this meeting, we will need to do it for the December  
19 1st. At that point it would be a final, but we do need  
20 the input of time.

21 CHAIR KENNEDY: Okay. Commissioner Ahmad.

22 COMMISSIONER AHMAD: I just wanted to bring two  
23 items up for consideration. One was the suggestion that  
24 I just made in the previous agenda item about time lines  
25 for bringing forth our agenda packets. Yes, one part of

1 it is the administrative part of posting and all that  
2 stuff. But the other part is on us to make sure that we  
3 compile all of our necessary items and have it shared  
4 with our colleagues in a timely manner.

5 I get it from the Chair's perspective, Vice Chair's  
6 perspective. There's so much that goes into the planning  
7 and the organization of the agendas, especially at this  
8 point when the agendas are so packed and there's a lot of  
9 different information included.

10 So given that, I would ask my colleagues to  
11 suggest -- or we all come to an agreement, maybe a straw  
12 poll of some sort, to -- by which date we would have the  
13 necessary items for our specific agenda items in to the  
14 appropriate staff person for posting and releasing that  
15 information to the rest of the Commission.

16 My recommendation on those two dates mentioned of  
17 November 29th for our inbox, and then November 30th for  
18 public posting was based off of the many conversations  
19 we've had over the past several months about how early we  
20 would need the items in order to review them in a  
21 substantive manner as well as making sure that the items  
22 are posted for the public to review prior to our meeting.

23 So I'm flexible with the dates. I would just like  
24 folks to voice their opinions and thoughts on that.

25 The second item for consideration for the agenda, I

1 think I would just need clarification in terms of the RFI  
2 for the VRA counsel, because Commissioner Turner and I  
3 might have something of similar content to review and  
4 bring up for discussion regarding the data management  
5 piece, if there's time on the agenda for that. Thank  
6 you.

7 CHAIR KENNEDY: And I would like to refer the matter  
8 of the scheduling of meeting inputs to the Admin and  
9 Finance Subcommittee as part of the work that they're  
10 doing on ground rules for our meetings, so could I task  
11 you with taking a look at that and coming back to us with  
12 your recommendations?

13 Commissioner Fornaciari.

14 COMMISSIONER FORNACIARI: Okay. I'm not clear  
15 exactly what you're tasking us to do.

16 CHAIR KENNEDY: We heard Commissioner Ahmad's  
17 recommendations for deadlines. We just need a generic  
18 deadline and process for meeting inputs. So subcommittee  
19 reports, posting of public comment and so forth.

20 COMMISSIONER FORNACIARI: Okay so -- so just let me  
21 kind of throw this out there and making sure this is what  
22 you're looking for. So something to the effect of -- so  
23 if we work backwards from the meeting, all the meeting  
24 materials will be posted at least one day in advance for  
25 the public to review, will be to the -- will be emailed

1 to the Commissioners two days before the meeting, and  
2 will be -- input from the Commissioners will be to the  
3 staff four days before so the staff can turn it around  
4 and email it out. Is that kind of what you're looking  
5 for?

6 CHAIR KENNEDY: Generically, yes.

7 COMMISSIONER FORNACIARI: Okay. Okay. Yeah, we'll  
8 work with Director Claypool and the staff to figure out  
9 what that turnaround time is -- needs to be.

10 CHAIR KENNEDY: Right, and it just becomes part of  
11 the ground rules for our meeting.

12 COMMISSIONER FORNACIARI: Yeah, I'm with you. Okay.

13 CHAIR KENNEDY: Okay. Commissioner Le Mons and then  
14 Director Claypool.

15 VICE CHAIR LE MONS: Can we take up -- this is not  
16 in lieu of taking up Commissioner Ahmad's request for  
17 this upcoming meeting, I hope. I do think that we need  
18 to look backwards from the upcoming meeting because  
19 that's like a process that's still got to happen, so  
20 that's what I'm hoping that we're going to do that in  
21 this meeting as well.

22 And I think also, I think that we have to think  
23 about changes too, like if we have last minute stuff that  
24 comes in -- and this is to the Ground Rules Team.  
25 Sometimes there's just last-minute things that have to



1 get put up, and it may be that the Commissioners will  
2 just need to share their screen and the posts will come  
3 after.

4 I mean, but you've got to think through the  
5 different scenarios and kind of include some parameters  
6 around that as well because we may box ourselves into a  
7 situation. We already know we have a lot of rules in how  
8 we can communicate things, and I think this is kind of  
9 being borne out of -- ground rules are great. I think  
10 this is just kind of being born today out of a lot of  
11 frustration that has a lot of reasons for the  
12 frustration; all valid. But it's kind of an avalanche  
13 today.

14 So rules won't solve this. Our communication will  
15 be a part of the solve. Our ability to be patient will  
16 be a part of the solve. There will be several things  
17 that will be a part of the solve.

18 So what you created, at least from my working with  
19 you, Commissioner Kennedy, is this really solid process,  
20 and I know it kind of puts you in a position as the  
21 Chair, but I think you can kind of give us some guidance  
22 on how to best support the next agenda, and that might  
23 end up being a foundation for -- I follow you, so I  
24 could, of course, keep that going. I'll be the next  
25 Chair and Commissioner Taylor will be the next Vice

1 Chair. And we've already begun talking about how we want  
2 to move forward and be in front of this, so I'm listening  
3 very carefully to the feedback from my fellow  
4 Commissioners so we can help facilitate the process with  
5 staff as well to make sure that things are happening.

6 So yeah, I just wanted to add that.

7 CHAIR KENNEDY: Director Claypool.

8 MR. CLAYPOOL: So I just would like to go back and  
9 ask one quick question, and it came out of a statement  
10 that Commissioner Ahmad had said. She said, we'd like to  
11 have the packet, all the things that are supposed to go  
12 to the Commissioners arrive on a certain day.

13 So are we proposing that for all of the things that  
14 get sent to us during the week that need to be posted up  
15 and need to be done, are we proposing that we save all  
16 those and then send them out at once? Because right now  
17 one of the issues also is kind of handling things  
18 piecemeal. We get a lot of requests, so this is a great  
19 article, just send it out to everybody. And so keeping  
20 track of all the piecemeal issues like that, it would be  
21 better if we could -- well, it would be better, I hope it  
22 would be better if we just saved them all up and said,  
23 hey, this is everything that came in this week, and these  
24 are the considerations. There are merits to one, there  
25 are merits to the other. I would think that in some

1 cases it would be better for people to get them along the  
2 way because you have more time to kind of adjust it on  
3 your own pace. But it is another one of the things that  
4 we have to consider when we resolve this. And I mainly  
5 just said this right now so that Commissioner Fornaciari  
6 and Commissioner Fernandez could give me the insight of  
7 their wisdom on this. Thank you.

8 CHAIR KENNEDY: Okay. Commissioner Ahmad and then  
9 Commissioner Fernandez.

10 COMMISSIONER AHMAD: Just to clarify, this is the  
11 agenda packet, not email links that I find interesting  
12 that I want to share with my colleagues, and by virtue  
13 share with the public. The agenda packet, so everything  
14 that is required for us to successfully go through the  
15 agenda. Thank you.

16 CHAIR KENNEDY: Let me also, before we go to  
17 Commissioner Fernandez, point out that we have  
18 Thanksgiving the Thursday before the Tuesday meeting. So  
19 we have to take that into account in planning all of  
20 this.

21 Commissioner Fernandez.

22 COMMISSIONER FERNANDEZ: Yes. I agree with what  
23 Commissioner Ahmad said. I hate bringing up, you know,  
24 my school board because I know you're going to get tired  
25 of it, but it was so much easier just having everything

1 that's associated with that agenda in one email, because  
2 what I do now is I have to go back to, like, a week's  
3 worth of emails to see if there's something that I need  
4 to print out, because it's not posted yet, for this  
5 meeting, and I'm always afraid I'm going to miss  
6 something. So like, the daily media feeds and every  
7 other communication, that can continue daily because that  
8 would just be too overwhelming to try to do it all at  
9 once.

10 So a package is the agenda package, everything that  
11 goes with that agenda for that meeting, and that way we  
12 have it all in one place. So that's my preference, and  
13 thank you, Commissioner Ahmad, for bringing that up.

14 CHAIR KENNEDY: Thank you. Marian and then  
15 Commissioner Sadhwani.

16 MS. JOHNSTON: Just a clarification. The items that  
17 you want to send to all of the Commissioners just for  
18 their information and background are not automatically  
19 posted. The articles -- the items that get posted are  
20 ones that you either discussed in your meeting or that  
21 you asked to have posted. But if it's just general  
22 information that you want to share with each other, that  
23 normally is not posted.

24 CHAIR KENNEDY: Thank you. Commissioner Sadhwani.

25 COMMISSIONER SADHWANI: I agree very much with both

1 Commissioner Ahmad and Fernandez's comments. I know  
2 these were not my ideas from previous meetings, but an  
3 agenda with links to the handouts I think would be  
4 extraordinarily helpful. Just keeping everything  
5 together is really what is needed for me at this stage.

6 I'll never forget our first meeting, in which I  
7 think we had like sixteen different emails, each with  
8 different handouts. It is extremely difficult to keep  
9 track of all of these documents. And I can only imagine  
10 it must be difficult also for the public as well. So  
11 certainly it's a package.

12 If it's possible to upload the handouts, create a  
13 link in the agenda so that even as we're going through  
14 the meeting we can simply click a link and there it is.  
15 Certainly, you can do that through WordPress. I know we  
16 have all of these issues with WordPress, but certainly  
17 that is something.

18 And I would just go back to the prior  
19 recommendation. I believe it was Commissioner Vasquez  
20 who had mentioned BoardDocs or some other system. Is  
21 there a person on staff who could just look into a system  
22 to help us manage all of this content? And I recognize,  
23 of course, that we will -- we need a whole new website,  
24 we need all of this, but at least all of these documents,  
25 I think we just need a better system.

1 CHAIR KENNEDY: Commissioner Andersen.

2 COMMISSIONER ANDERSEN: Yeah. Obviously we are  
3 working towards the full packet was posted the day  
4 before, you go to the website under meeting handouts,  
5 there's everything. So the day before, you should be  
6 able to go click there and everything is there. And I  
7 believe that's what we're talking about getting a board  
8 packet, that sort of thing.

9 What I would not like to see, however, that that is  
10 the only time we see them, because a lot of these items  
11 and things take time to really go over, and because  
12 things come up, that sort of thing, the idea that we're  
13 holding on to every item until we post it the day before,  
14 or two days before, in our case, that's not going to give  
15 us enough time on several items.

16 So I would like to see us -- the items come to us,  
17 but then there is the final two days before, this is  
18 where everything is. So during the meeting we can, as  
19 Commissioner Sadhwani said, you can go over and look, oh,  
20 there's the item, tick, tick, tick, and look it up. That  
21 would be the ideal situation, and it's really not that  
22 hard to do. We certainly have -- I know IT-wise, that's  
23 actually -- it is easy, and is easy in WordPress, because  
24 we've done it. So we can just do that again. It's just  
25 a question of actually doing it in the time frame.

1           So I would really propose that we do still get the  
2 items as they come in, because again, for the time frame.  
3 And particularly some of these, you know the RFP items,  
4 some of those things are very long, the outreach items,  
5 the plan, that requires deep thought. So thank you.

6           CHAIR KENNEDY: Commissioner Turner.

7           COMMISSIONER TURNER: Yes. And to our amazing  
8 staff, I cannot even imagine how hard it is to keep up  
9 with all of our desires, and requests, and what we'd like  
10 because at the very idea of getting things twice, it  
11 causes issue for me. I think we get too many emails, not  
12 too many and unnecessary, but there are quite a few  
13 already.

14           So if, indeed, because I would want us to honor what  
15 is necessary also for Commissioner Andersen, but I want  
16 us to consider, then, at some point differentiating the  
17 emails. If we're going to get emails that we need for  
18 the agenda items and email because Commissioners think  
19 it's a great idea that we read it, and then another  
20 packet of emails when it's time to print it, you know, to  
21 actually have the meeting. I'm hopeful that maybe there  
22 can be some sort of differentiation, differentiating  
23 factor that would say, this is associated. I don't know  
24 if there's such thing as color coding them, put a  
25 standard something in the front of them, something so

1 that they can stand out so they're not going -- they're  
2 all mixed in together and we're getting them twice.

3 CHAIR KENNEDY: Thank you for that, Commissioner  
4 Turner. I have shared with staff basically cover sheets  
5 and procedures that I have seen used by election  
6 commissions where, you know, something that is for  
7 consideration is -- is labeled a submission. Things that  
8 are just of general interest that come in are tagged as  
9 documents. There are memos. And each of those series  
10 has a numbering scheme to it so that, you know, things  
11 are less likely to fall through the cracks. It's not --  
12 it's not -- I don't know whether it's possible to come up  
13 with something that is absolutely a hundred percent  
14 failsafe, but you know, by having cover sheets on things  
15 and serial numbers on things, yeah, it's a little more  
16 work but it may help us keep better track of things.

17 VICE CHAIR LE MONS: Commissioner Vasquez, was your  
18 hand raised? Okay, thank you.

19 CHAIR KENNEDY: But since we have Commissioner  
20 Vasquez, and I believe you weren't here when we were  
21 discussing the agenda for the next meeting, I just wanted  
22 to make sure that we have from you and the Outreach  
23 Subcommittee anything and everything that you would like  
24 to see on the agenda for that next meeting.

25 COMMISSIONER VASQUEZ: I'm sure Commissioner Sinay



1 said this, but just wanted to make sure, given how much  
2 thought has gone into the plan, we did want to make sure  
3 that we had a duplicate item for discussion and potential  
4 action for this conversation, just to build in a backstop  
5 for the conversation, but that's it.

6 CHAIR KENNEDY: Okay. And just so we're all clear,  
7 this will be part of our agenda review on Wednesday  
8 morning, but things have cleared from the agenda since  
9 the agenda was posted, and so we may, in fact, have time  
10 on Wednesday to -- not to have guest speakers about the  
11 partners' eighteen-page recommendations document, but I  
12 think it would be useful for us to have an internal  
13 discussion on that, so I'm hopeful that we continue to  
14 have time on Wednesday to have an in-house discussion of  
15 that document.

16 Commissioner Vasquez.

17 COMMISSIONER VASQUEZ: That actually reminds me, I'd  
18 like at some point to continue the discussion around  
19 ground rules and how we're going to work together. So  
20 not urgent, but to the extent that we have space it might  
21 be nice to find a time.

22 CHAIR KENNEDY: That will be on the agenda for the  
23 next meeting, and the Admin and Finance Subcommittee is  
24 on it.

25 I'm scanning to see if there are any other questions

1 or comments at this point.

2 Director Claypool, do you have anything at this  
3 point?

4 MR. CLAYPOOL: I do not, not until we discuss the  
5 budget.

6 CHAIR KENNEDY: Okay. Okay. Then I'm going to  
7 suggest that we go ahead and break for lunch, and we  
8 definitely want to be back by 1:45. Let's make it 1:40.  
9 And we'll have public comment followed by introduction of  
10 chief counsel and any report items from chief counsel and  
11 our interim counsel. Thank you, everyone.

12 (Whereupon, a recess was held from 12:33 p.m.  
13 until 1:41 p.m.)

14 CHAIR KENNEDY: Thank you, everyone. I hope you had  
15 a good lunch break.

16 We are now going to open up for public comment  
17 followed by the introduction of our new chief counsel.

18 So Jesse, would you please read the instructions for  
19 public comment.

20 PUBLIC COMMENT MODERATOR: In order to maximize  
21 transparency and public participation in our process, the  
22 Commissioners will be taking public comment by phone.

23 To call in, dial the telephone number provided on  
24 the livestream feed. The telephone number is 877-853-  
25 5247. When prompted, enter the meeting ID number

1 provided on the livestream feed. It is 91505532099 for  
2 this week's meeting. When prompted to enter a  
3 participant ID, simply press pound.

4       Once you have dialed in, you'll be placed in a queue  
5 from which a moderator will begin unmuting callers to  
6 submit their comments. You will also hear an automated  
7 message to press star 9. Please do this to raise your  
8 hand indicating you wish to comment.

9       When it is your turn to speak, the moderator will  
10 unmute you and you will hear an automated message that  
11 says, "The host would like you to talk", and press star 6  
12 to speak.

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

18       These instructions are also located on the website.

19       The Commission is taking public comment at this  
20 time.

21       Chair, there are currently no callers in the queue.

22       CHAIR KENNEDY: Thank you very much. We will stand  
23 by for two minutes.

24               (Pause)

25       CHAIR KENNEDY: Okay. Is there anyone in the queue

1 for public comment at this point?

2 PUBLIC COMMENT MODERATOR: There are currently no  
3 callers in the queue, Chair.

4 CHAIR KENNEDY: Okay. We will proceed, then.  
5 Marian, I turn it over to you for any report that you  
6 have and to introduce our new chief counsel, and we look  
7 forward to hearing from her.

8 MS. JOHNSTON: Thank you. One update before I turn  
9 it over to her. You all should have gotten a copy of the  
10 brief that was filed with the Supreme Court. I was  
11 pleased the way it turned out, and of course, pleased  
12 that the Attorney General agreed to represent you all. I  
13 sent you a letter -- a proposed letter thanking him, and  
14 unless I hear anything to the contrary, I'll go ahead and  
15 send that. So I hope you enjoy reading the brief.

16 Now, introducing Kary Marshall, who you all selected  
17 as your new chief counsel, and I'm delighted to have her  
18 here, and she'd like to say a few words.

19 MS. MARSHALL: Good afternoon, everyone. I'm glad  
20 to be on board and here to do whatever I can to make your  
21 life a little easier.

22 The next couple of weeks I'm going to try to reach  
23 out to all of you individually, just to meet you  
24 personally and get an understanding of what I can do to  
25 make your life easier.

1 Thank you.

2 CHAIR KENNEDY: Thank you and welcome. Are there  
3 any activities that you've already undertaken that you  
4 would like to report on?

5 MS. MARSHALL: Other than the fact that, as Director  
6 Claypool mentioned earlier, I reached out to DGS -- I'm  
7 sorry, DGS Human Resources, and I'm trying to work things  
8 out with them in terms of, you know, administrative  
9 matters that are outstanding. So for me to say anything  
10 more would just be duplicating what he's already said.

11 CHAIR KENNEDY: All right. I have understood from,  
12 I guess, a conversation with the director that that  
13 includes payment of our per diems?

14 MS. MARSHALL: Yes.

15 CHAIR KENNEDY: Looking forward to that.

16 MS. MARSHALL: I'm going for the money.

17 CHAIR KENNEDY: Director Claypool, did you have  
18 anything you wanted to add at this point?

19 MR. CLAYPOOL: No, just to -- other than to say that  
20 it's great to have Kary on board. Now we have two great  
21 counsels, so we'll always be covered. So thank you, Kary  
22 for coming aboard.

23 MS. MARSHALL: Thank you.

24 CHAIR KENNEDY: Excellent. Moving along faster than  
25 I expected. Let me then take the opportunity to also

1 welcome Fredy Ceja as our new director of communications,  
2 and offer him the floor. And we have plenty of time, so  
3 thoughts, suggestions, your background, why you -- well,  
4 I guess we heard why you were interested in this, but  
5 maybe the public didn't, so the floor is yours, Mr. Ceja.  
6 We're not hearing you.

7 MR. CEJA: Can you hear me now?

8 CHAIR KENNEDY: Yes.

9 MR. CEJA: Good. I was saying, since we have  
10 time -- thank you so much. Since we have time, it all  
11 started in 1979 when I was born. I'm so excited to be  
12 here today. Thank you all for your courage to bring me  
13 on and for believing in me. I'm so excited to be here.  
14 It's my first day on the job, so clearly I don't have a  
15 communications plan in place for you, but I will have one  
16 shortly.

17 I, too, want to connect with each one of you  
18 individually to learn more about you and your story. As  
19 I mentioned in my interview, I will make that a point to  
20 have the public know who you are, have the public  
21 understand what we do and what the process looks like,  
22 and walk them through the way as we move along.

23 I have already heard this morning that there are  
24 some headaches in getting information out to the public,  
25 and even internally. So let me tell you that I am not

1 afraid to take on responsibilities outside of my job  
2 scope. I think working for an elected official you learn  
3 that right off the bat, that you wear multiple hats, and  
4 you step in and you step up whenever you're needed.

5 So if getting agenda items to you Commissioners is  
6 an issue, then I will work with Mr. Claypool to get that  
7 under control and see how I can help out as a staff  
8 member now.

9 So we will be introducing some ideas for a new  
10 website format. I've used NationBuilder in the past, and  
11 NationBuilder is great. It helps you build your database  
12 of contacts. But it's so easy, I can jump on right now  
13 and if we had it in place and make changes to the  
14 website, upload documents so that it's current and up to  
15 date and it's live.

16 We also want to build our database so we can  
17 communicate to the masses for e-blasts and pertinent  
18 information, and the good old social media, which happens  
19 to be the preferred way of getting information  
20 immediately. I know we don't have a presence right now,  
21 but that will change in the near future.

22 We are looking at staffing needs for communications,  
23 somebody who would be on social media and creating  
24 content and graphics so that we can push that out. But  
25 more than anything, I think for the first week I want to

1 take inventory of what tools we have at our disposal to  
2 communicate to the public and see what needs to change  
3 and where I can make recommendations.

4 Right off the bat I'll tell you that the website is  
5 probably going to change. I already have some  
6 recommendations in to Mr. Claypool, so hopefully, we'll  
7 get that running immediately, and locking down the social  
8 media handle for Twitter and Facebook, or whatever social  
9 media platforms we decide to use so that they're all the  
10 same and people are not looking around for who we are.

11 But aside from that, I bring twenty years of  
12 government affairs experience. I recently was with  
13 Senator Maria Elena Durazo, who is the chair of the  
14 Latino Caucus. So already I'm bringing in those  
15 relationships. We are a body of twenty-three, or were a  
16 body of twenty-three, who met almost biweekly, so I have  
17 those relationships. If we need to communicate anything  
18 to that, please use me for that, too, government  
19 relations or talking to the governor's office.

20 But aside from that, I'm ready to work and I'm ready  
21 to jump in wherever I'm needed. So I hear the  
22 frustration. I hear that this is the beginning of  
23 growing pains. But I have been here before. I've been  
24 board chair, been a board member for commissions, and I  
25 understand that of essence is getting the information



1 that you need to make the decisions you need to make in a  
2 timely manner, so that's duly noted. Like I said, we'll  
3 work with the current staff to see how I can help out to  
4 minimize those issues.

5 CHAIR KENNEDY: Excellent. Thank you. Director  
6 Claypool, just a question at this point. Did the 2010  
7 Commission ever have a list that was specifically media  
8 or were media just part of a bigger list?

9 MR. CLAYPOOL: So similar to yourself, they  
10 inherited the interested persons list that had been  
11 established by the State Auditor's office, and in that  
12 list were media. But there was no separation of the  
13 media in that list, or segregation, so that they could be  
14 addressed more carefully. And really, their list was  
15 primarily pointed at just getting people to meetings.  
16 They never envisioned what this Commission is envisioning  
17 without reaching and engagement.

18 CHAIR KENNEDY: Yeah. I mean, it seems to me that,  
19 you know, and this could also be part of what the Data  
20 Analytics/Data Mining Subcommittee looks at, or not, or  
21 just the Outreach Subcommittee. But it certainly seems  
22 to me that we need a comprehensive media list for the  
23 whole state, in all the languages. You know, whether  
24 they're interested in the selection process or not, we  
25 want people to be interested in the redistricting

1 process, and we have to count on all sorts of media to  
2 get it out there. I'm now living in a small community  
3 where there's a newspaper that publishes twice a week and  
4 a small community radio station that if you do go too far  
5 down the hill you lose very quickly. But those are  
6 people that can really help us get the word out to the  
7 entire state. So we're very much looking forward to  
8 working with you to achieve some of these objectives.

9 MR. CEJA: Yes, definitely. So one of the tools in  
10 my arsenal that I used in the past is a program called  
11 Cision or TrendKite. It's a media monitoring service.  
12 But in addition, what they've done is they've -- they  
13 have a comprehensive database of all statewide reporters,  
14 radio stations, and so you can look up context via  
15 geography or topic issue. So that's one of the other  
16 things that I hope to bring on to make it easier to  
17 capture all those different media outlets, even the  
18 smallest ones.

19 CHAIR KENNEDY: And that brings to mind two other  
20 things. One is we've already had some of the members  
21 making successful media appearances, but I know from  
22 early discussions that there are members who certainly  
23 like to have some in-depth media training, how to  
24 interact with the media, so we look forward to that.

25 And now, what was the second item? It escapes me

1 now.

2 MR. CEJA: Okay. Well, while you think of that, I  
3 did have in mind in those one-on-ones to chat a little  
4 bit about each Commissioner's experience with media, and  
5 also sending out a survey to see what you as a  
6 Commissioner think that we need as a body, and your  
7 likelihood or your experience with the media and how well  
8 versed you think you are. And if you do need media  
9 training, I'm more than capable of doing that, so I'll do  
10 one-on-one.

11 CHAIR KENNEDY: So the second item was training of  
12 the media because we know that the media, and you know,  
13 both editors and journalists may not have a complete  
14 understanding of who we are and what we're doing, and how  
15 best to cover it. So look forward at some point to your  
16 thoughts on not just pushing information out, but also  
17 training the editors and the journalists in how best to  
18 cover this process.

19 MR. CEJA: Yeah. I can add that to the media plan,  
20 the communications plan.

21 CHAIR KENNEDY: Commissioner Sadhwani.

22 COMMISSIONER SADHWANI: Thank you, and thank you,  
23 Mr. Ceja. We're really excited to have you on, as well  
24 as Ms. Marshall. It's very exciting to finally see some  
25 additional growth in our staff, so I look forward to

1 working with both of you.

2 My question actually is for Director Claypool, and  
3 you know, Mr. Ceja, I love all of the ideas that you're  
4 talking about, and the tools all sound great. I'm  
5 assuming that there's a cost associated with many of  
6 those tools, so my question for Dr. Claypool is how do we  
7 best support Mr. Ceja in moving that forward?

8 But as we have discussed at length, there's a lot of  
9 components to contracts and other pieces. I would hate  
10 to have us caught up in some sort of long process. So I  
11 just want to kind of flag that for the full Commission of  
12 how -- you know, without giving a complete blank check,  
13 obviously, to Mr. Ceja, but how can we best support him  
14 in moving forward and actually building on these tools,  
15 and you know, revamping our entire website and all of  
16 those things? Of course, there are costs that are  
17 associated with that.

18 MR. CLAYPOOL: So the primary support would be  
19 giving him the staff that he just referred to, somebody  
20 who can bring them on full time that can actually work  
21 with our website, redo it. I actually embrace the idea  
22 of even getting rid of our website almost in its entirety  
23 and just starting again to get something that's easier to  
24 use, something that reflects more of the twentieth  
25 century -- twenty-first century.

1 But having said that, for a lot of the things that  
2 Director Ceja is talking about, there are probably things  
3 that can be purchased through personal services  
4 contracts, which we can do almost instantly. Those would  
5 be things up to 10,000 dollars. So depending on what  
6 these programs cost, we can bring them in fairly quickly.

7 For things that will cost a little bit more, we  
8 would try to go to any state, anything that would be on  
9 our CMAS contract list, or something else, which is a  
10 quicker way to procure those services.

11 So there are many ways to do this. It just depends  
12 on the potential cost. We already have the two million  
13 dollars for the -- did I freeze up?

14 MR. CEJA: No, you're good.

15 MR. CLAYPOOL: I'm back. We already have the two  
16 million dollars for -- for outreach, but that's been  
17 spoken for primarily on our other outreach effort. That  
18 doesn't mean that we can't look for some additional funds  
19 within our own operational budget to fund anything that  
20 would be larger than that. The important thing is, is to  
21 make the Outreach and Engagement Plan work that you want,  
22 not necessarily -- for the time being I'd say not  
23 necessarily that we can afford.

24 Let's see what we want, and then let's see what we  
25 can afford. If we need to scale back, we will. But I

1 don't think we want to scale back from anything that Mr.  
2 Ceja will be doing, because it's just critical that the  
3 state gets to know who you are and what you're doing. So  
4 we'll fully support him, but first we need to see what he  
5 wants and how much the basic cost is. Okay.

6 CHAIR KENNEDY: Commissioner Fernandez.

7 COMMISSIONER FERNANDEZ: I'm trying to remember  
8 -- oh, I was going to see if our chief counsel also  
9 wanted to provide a background, her experience  
10 background, so that's my only comment, but welcome, Mr.  
11 Ceja. I'm very excited about Ms. Marshall, too.

12 MS. MARSHALL: I'll give you a little bit of my  
13 background, as I iterated in a very lengthy interview.

14 How do I say it? Worked with the Department of  
15 Technology for the past eight years as acting general  
16 counsel and interim chief counsel. There I worked  
17 with -- I worked on litigation, cybersecurity, multi-  
18 million-dollar contracts, communication issues --  
19 external and internal. And that's pretty much the short  
20 of the long.

21 COMMISSIONER FERNANDEZ: All right. Thank you.

22 CHAIR KENNEDY: Thank you. Regarding the existing  
23 website, I mean, one of the things that I think we are  
24 generally agreed on is that, you know, we need to -- we  
25 essentially need to pull all of the 2010 Commission

1 content out of the 2010 website, archive the 2010  
2 website, or keep it accessible to those who may want to  
3 access it for whatever reason, and come up with our own  
4 with links back and forth. We don't want to toss  
5 everything from the 2010 website because that does have  
6 significant record value.

7 VICE CHAIR LE MONS: Commissioner Yee.

8 MR. CEJA: I'm so sorry. I think the idea is to  
9 migrate all the information over to the new website so we  
10 don't lose anything. I appreciate --

11 CHAIR KENNEDY: I don't know. My -- thank you,  
12 Commissioner Le Mons. My sense is that the items that  
13 are historical just really need to be separate and not  
14 part of the 2010 Commission's website. Others may have  
15 other thoughts on that, and I think we've got some time.  
16 It's on the list of suggestions for agenda topics, is to  
17 have a web design workshop. So if you would like to let  
18 us know when you would like to do that and how much time  
19 you would like for that, we can make sure that that  
20 happens and get input from all of the Commissioners.

21 Commissioner Yee.

22 COMMISSIONER YEE: Thank you. Ms. Marshall, Mr.  
23 Ceja, so good to have you on board. Welcome.

24 A quick question for you, although technically I  
25 guess this is a question for Director Claypool is simply

1 whether you'll plan to be at all Commission meetings. Is  
2 that the expectation for each of you?

3 MR. CLAYPOOL: Go ahead, Mr. Ceja.

4 MR. CEJA: Yes, I will be at every meeting.

5 MR. CLAYPOOL: And my answer is that was my  
6 expectation, so we're already tracking. Thank you.

7 MS. MARSHALL: Same thing for me. Teamwork makes  
8 the dream work.

9 CHAIR KENNEDY: I have to scroll to check on  
10 Commissioner Toledo and Commissioner Vasquez because  
11 they're not on my first screen, so --

12 VICE CHAIR LE MONS: Got your back, Commissioner  
13 Kennedy. I'm watching.

14 CHAIR KENNEDY: Thank you, sir. Okay. Any other  
15 comments? Commissioner Sinay.

16 COMMISSIONER SINAY: Just a reminder. If you want  
17 to get everyone on the same screen, just close -- go up  
18 to the corner to the three dots, and hide your self-view.  
19 So you won't see yourself, but you will -- but then all  
20 fit.

21 CHAIR KENNEDY: Well, I'm not even finding the three  
22 dots, but anyway. Okay, we are moving along a good bit  
23 faster. We have a closed session beginning at 3 o'clock  
24 with the Department of Technology.

25 We've really covered everything that we have on the



1 agenda for today. So let me call on -- start calling on  
2 subcommittees, and we can get some of those out of the  
3 way from tomorrow's agenda.

4 The action on the Census Subcommittee, Commissioner  
5 Sadhwani and Toledo.

6 VICE CHAIR LE MONS: I think Commissioner Yee wanted  
7 to make a comment.

8 COMMISSIONER YEE: I just wanted to mention --

9 CHAIR KENNEDY: There he is.

10 COMMISSIONER YEE: I just wanted to mention that all  
11 the handouts for today are up, so I want to know when  
12 Director Claypool wants to circle back to the budget  
13 discussion.

14 CHAIR KENNEDY: Very good.

15 MR. CLAYPOOL: So the thought was earlier when I  
16 spoke with the Chair was that we would allow those --  
17 allow the public to see those at least overnight and for  
18 you all to see it at least overnight, so that there was  
19 the opportunity to -- you've already seen it, of course,  
20 but the opportunity for people to kind of digest it  
21 before we discussed it. I can discuss it at any time.

22 CHAIR KENNEDY: Right. So if we can clear out the  
23 subcommittee reports element at this report then we could  
24 theoretically slot that in at that point tomorrow, which  
25 would be noon.

1 So Commissioner Sadhwani.

2 COMMISSIONER SADHWANI: Yes, thank you. Marian  
3 already gave, you know, most of our update. As was  
4 reported last time, the Attorney General finally agreed  
5 to represent us in submitting an amicus brief. We had a  
6 very quick turnaround for that brief. We received it, I  
7 think, November 12 and then had twenty-four hours to get  
8 back to them. We did. We provided some feedback.

9 I don't know. Marian, is the brief now public?  
10 Have they submitted it?

11 MS. JOHNSTON: It has been filed with the Court.

12 COMMISSIONER SADHWANI: It has been filed, so that  
13 is publicly available. I don't know if we --

14 MS. JOHNSTON: Do you want to have it posted?

15 COMMISSIONER SADHWANI: I'm sorry?

16 MS. JOHNSTON: Do you want to have it posted? It's  
17 lengthy, but we can if you wish.

18 COMMISSIONER SADHWANI: I think it would make sense,  
19 and then we can even tweet it out that we've been  
20 involved in this, or certainly we could have, you know,  
21 perhaps the first press release that we've been involved  
22 in this amicus brief for the Supreme Court case,  
23 particularly before it moves forward.

24 The mention of the CRC was not particularly long in  
25 the brief, so I think certainly if we wanted to do a

1 press release or other social media, we could further  
2 expand upon the CRC's position, particularly I think  
3 being a bipartisan body. But I'll leave that to others  
4 to just sort of sort out.

5 MS. JOHNSTON: They did accept the suggestions that  
6 you made, included those changes, and you are listed as  
7 the second right after the State of California as a  
8 party.

9 COMMISSIONER SADHWANI: Great. Perfect. So that's  
10 all great news. I don't think that we have any other  
11 updates. The case is coming up. I should also note,  
12 actually just moments ago, you know, I had been tasked by  
13 the Commission to outreach out to other commissions. As  
14 I reported previously, I hadn't heard back from Arizona,  
15 Michigan, or Montana until just now. Michigan responded  
16 and said, of course, that the time line was just too  
17 tight for them to be able to engage, but it was nice that  
18 we received a response. And so hopefully, we can have  
19 additional communications with them as we move forward in  
20 this process, if there is any. And I don't know,  
21 Commissioner Toledo, if you have anything more than that.

22 COMMISSIONER TOLEDO: No, you did a great job.  
23 Thank you.

24 CHAIR KENNEDY: And of course, we don't yet have any  
25 further understanding of how the Census Bureau is

1 planning to handle data releases.

2 MS. JOHNSTON: Nope. They did say they expected to  
3 get all the information out to the states by the end of  
4 February.

5 COMMISSIONER SADHWANI: Yeah. I think there's a lot  
6 to be determined in terms of the transition, obviously,  
7 of administration.

8 MS. JOHNSTON: What the new administration might do.

9 CHAIR KENNEDY: Right. Very good. Thank you.  
10 The hiring of the deputy executive director,  
11 Commissioners Fernandez and Ahmad.

12 COMMISSIONER FERNANDEZ: As Director Claypool  
13 mentioned earlier, the approval or the establishment of  
14 the position is -- we believe is stuck with the State  
15 Controller's office. We have no way of knowing for sure.  
16 Needless to say, it's been a very frustrating process  
17 that's taken two months from when we initially decided to  
18 do this, so it's way beyond the initial three-week  
19 projection. So we're continuing to track it. Our chief  
20 counsel did reach out, and hopefully that will get some  
21 traction, but it's -- I don't think anyone is more  
22 frustrated than Commissioner Ahmad and myself in this  
23 whole process.

24 CHAIR KENNEDY: But we are keeping the candidate  
25 apprised?

1 COMMISSIONER FERNANDEZ: Yes, of course. We  
2 actually just met, had a telephone conference, today at  
3 12:45.

4 CHAIR KENNEDY: Very good. There is nothing new at  
5 this point from the Gantt Chart Subcommittee, but we do  
6 continue to invite input as members have ideas of items  
7 that they would like on there. It is intended both for  
8 our work as well as to be a resource for the 2030  
9 Commission, so we're happy to add things retrospectively  
10 as well if they would be of assistance to our successors.  
11 So please keep that in mind.

12 Line Drawing RFP, Commissioners Sadhwani and  
13 Andersen.

14 COMMISSIONER ANDERSEN: One thing, sorry, did we  
15 skip over the finance?

16 CHAIR KENNEDY: Yeah. I apologize. Finance and  
17 Administration.

18 COMMISSIONER FORNACIARI: It's okay. Let's see. We  
19 negotiated salary with Raul. Do we share that now or do  
20 we share that in a closed session?

21 MR. CLAYPOOL: You share it now.

22 COMMISSIONER FORNACIARI: Share it now. So we came  
23 out to 132,000, which was just a little bit above the  
24 midpoint of the salary range. It seemed about, you know,  
25 in a relative sense compared to our other folks, it

1 seemed to be about in the right place. So that's  
2 concluded and Raul is on board.

3 I think that's it. Is there anything else?  
4 Commissioner Fernandez? Okay.

5 CHAIR KENNEDY: Okay. Just as far -- Commissioner  
6 Fernandez.

7 COMMISSIONER FERNANDEZ: Our list just keeps  
8 growing, Commissioner Fornaciari, in terms of what we  
9 have to do. But the next time we'll be bringing a couple  
10 more policies, I think, forward, right?

11 COMMISSIONER FORNACIARI: Yeah, correct.

12 COMMISSIONER FERNANDEZ: Okay.

13 COMMISSIONER FORNACIARI: And so one of the other  
14 things I want to work with, just let you guys know. I  
15 want to work with Director Claypool and the staff and  
16 figure out where we're going to post these things or  
17 store these documents so that everyone knows where they  
18 are and can have access to them. So we'll work on that,  
19 too. I think the policy document will be kind of a  
20 guinea pig for kind of figuring this out. And we'll get  
21 posted the policies that we've approved, and then the  
22 meeting processes that we discussed and approved. We'll  
23 get all of that posted in this mystery location before  
24 the next meeting.

25 CHAIR KENNEDY: Perfect. Do you have an idea of how

1 long you would like me to block off for the policies  
2 discussion during the next meeting?

3 COMMISSIONER FORNACIARI: I don't -- I don't think  
4 they're going to be controversial policies, so I don't  
5 know. Let's say twenty minutes. You seem to be a super-  
6 efficient Chairperson, Chair Kennedy. Things are moving  
7 along quite expeditiously. And the other thing you  
8 assigned us to do is figure out what this process is for  
9 getting documents in, ensuring they're collected, getting  
10 them out to us. So we'll get with Commissioner Claypool  
11 and the staff and work through that process, make sure we  
12 all -- and we'll bring that back next time, too.

13 CHAIR KENNEDY: Okay. Director Claypool.

14 MR. CLAYPOOL: I was just going to ask which -- do  
15 you know right now, Commissioner Fornaciari and  
16 Commissioner Fernandez, which policies we're bringing  
17 forward? Those have been selected already, right?

18 COMMISSIONER FORNACIARI: Yeah, we have. Do you  
19 have a suggestion? I don't remember off the top of my  
20 head which ones we picked.

21 MR. CLAYPOOL: Okay. But if we were going to also  
22 bring -- am I frozen? Oh, no. If we going to also bring  
23 in conversation about process for bringing in documents  
24 and making sure that they're timely and stuff, we would  
25 need more than twenty minutes.

1 COMMISSIONER FORNACIARI: Yeah, I see your point.

2 MR. CLAYPOOL: So I would say that probably we  
3 should budget at least an hour for the conversation,  
4 Commissioner. I'm guessing. It will be a hot topic.

5 CHAIR KENNEDY: We're going to get the process all  
6 figured out. It's just going to be streamlined.

7 MR. CLAYPOOL: Okay.

8 CHAIR KENNEDY: Okay.

9 COMMISSIONER FORNACIARI: Yeah, but we need more  
10 time, forty-five minutes or an hour probably, then.

11 CHAIR KENNEDY: Commissioner Fernandez.

12 COMMISSIONER FERNANDEZ: I did find the email of  
13 which ones we're going to have. I don't know if that's  
14 pertinent, though. We were going to do the records  
15 retention and the staff code of conduct. Those would be  
16 the two that we'll bring next time.

17 CHAIR KENNEDY: Okay. Let's skip over to the  
18 Troubleshooting Subcommittee. Commissioners Le Mons and  
19 Andersen.

20 COMMISSIONER ANDERSEN: Well, I'm pleased to report  
21 not a lot going on, but I might jump in with a yay. I  
22 did hear that Raul has actually received our cell phones,  
23 that they might have come in in a box. I walked in as  
24 Raul came in the group, and so I might jump in with that  
25 to say, wow, good job Troubleshooting Committee.



1 Actually, it's good job, Raul. Thank you very much.

2 And nothing else on those. We, of course, were  
3 looking at the website which I think we're more than  
4 pleased to turn over to our new communications director  
5 to work out bugs with that, obviously just finishing up  
6 what we have, you know, and moving into our new system.

7 So with that, I don't think we have anything else,  
8 unless Commissioner Le Mons?

9 VICE CHAIR LE MONS: No, we don't. We're just --  
10 just an invitation to fellow Commissioners if there are  
11 things you'd like us to look into, let us know.

12 CHAIR KENNEDY: Not seeing any hands up. The  
13 Lessons Learned Subcommittee. Commissioner Ahmad, do you  
14 have anything at this point?

15 VICE CHAIR LE MONS: You have a hand from  
16 Commissioner Vasquez.

17 COMMISSIONER VASQUEZ: Yes. I am wondering if the  
18 Troubleshooting Committee has capacity that maybe staff  
19 doesn't at this very moment. Perhaps you could consider  
20 looking into BoardDocs or some other system in terms of  
21 pricing and what those services provide, just so that  
22 that can be handed off to our communications director  
23 because many of those are often synched with the website,  
24 so it's both an external communications platform and an  
25 internal administrative platform. We can leave that to

1 staff to do, but thought they might appreciate some  
2 additional scoping.

3 VICE CHAIR LE MONS: Yeah, I think -- I'll respond  
4 to that. I think Mr. Ceja spoke to that issue a little  
5 earlier and he has some ideas. So we prefer not to -- I  
6 prefer as support my fellow subcommittee member in  
7 turning it over to him, and if there is anything that he  
8 would like us to maybe troubleshoot on his behalf, we're  
9 really a resource to the fellow Commissioners.

10 And I do also want to say that there were some  
11 things that were forwarded to us specifically by  
12 Commissioner Ahmad, and I just want you to know that we  
13 will be passing those things along to Mr. Ceja as well.  
14 So we haven't dropped the ball on that. We're just  
15 waiting for the communications director to come on board  
16 and we'll pass those things over.

17 So again, if there are any things that you feel  
18 we -- you'd like us to troubleshoot, you know, of course,  
19 send it our way and we will do that.

20 COMMISSIONER ANDERSEN: And you know, Mr. Ceja, I  
21 didn't mean to essentially dump, oh, we're done. If  
22 there's any -- if we can facilitate any -- the little bit  
23 that we know, we're more than happy to share with you.  
24 You can say that -- you can sum that up in a couple of  
25 minutes and move right on, but we're more than willing to

1 help.

2 CHAIR KENNEDY: Very good. The Data Analysis  
3 Subcommittee.

4 COMMISSIONER AHMAD: Thank you, Chair. So we have  
5 been renamed to Data Management Subcommittee, so we are  
6 no longer Data Analysis Subcommittee. We have quite a  
7 few things that Commissioner Turner and I would like to  
8 share.

9 We have -- since our last meeting we talked about  
10 meeting with Marci Harris from POPVOX. She was able to  
11 connect us with some additional colleagues of hers. So  
12 we met with Stu Shulman and Amy O'Hare. And then we also  
13 reached out to -- per Chair Kennedy's recommendation,  
14 U.S. Digital Response, and we met with Alex Allain and  
15 Robin Carahan (sic) from USDR as well. And we've had  
16 some really insightful conversations.

17 I think the biggest bummer that we learned was  
18 there's no magic button that will take all of the  
19 different types of data that we are going to receive and  
20 will rely on to help us in this process. So we're going  
21 to have to figure out a way to manage all of the pieces  
22 that will be coming in. We have a few more conversations  
23 in the works. We have not scheduled those yet, but we  
24 are awaiting responses on those.

25 And then kind of a little bit ancillary, but still

1 related to our conversations about civic technology, so  
2 Lori Shellenberger did reach out to Commissioner Turner  
3 and I after our last meeting, specifically on the topic  
4 of civic technology, and the conversation that we were  
5 having and how that relates to our work. And she sent  
6 over some resources and some articles about that topic.  
7 And upon further review of the content that she shared,  
8 from what I understood of civic technology is the use of  
9 technology to engage people in the civic process. So  
10 that could be anything and everything under the sun at  
11 this point. She actually shared an article that was  
12 posted on Medium by Derek Poppert. I have reached out to  
13 the author, awaiting a response to see if we can connect,  
14 potentially looking at the overlap between the work that  
15 the Data Management Committee is doing and our future  
16 recommendations and civic technology.

17 In that same email that Lori had sent us, she also  
18 recommended for us to connect with Annelise Grimm from  
19 Code for America. We have been in contact with her and  
20 we are scheduling a meeting with her as well.

21 And the biggest thing, I think, from the resources  
22 that she sent, which should be forwarded to the group at  
23 some point about civic technology that I understood is  
24 that it's not a one and done type of thing. It should be  
25 incorporated across all of our engagements. So how we

1 take public comment, how we communicate with the  
2 community to submit, I don't know, from the LOI tool -- I  
3 mean COI tool. And so it was just a reminder for  
4 ourselves that, yes, we're going to actively and  
5 specifically engage strategies and methods to incorporate  
6 civic technology in the data management piece, but that's  
7 also something that everyone else should consider in  
8 their subcommittees as well and in the processes for our  
9 Commission as a whole.

10       And then lastly, we are in the early stages of  
11 putting together an RFI based off of the different  
12 conversations we've had with folks in terms of what type  
13 of support and expertise that we would need in order to  
14 manage all of the different types of data that will be  
15 coming in.

16       And so at this point, I think what would be helpful  
17 for our subcommittee, which I think I got some  
18 understanding from the information that Sadhwani shared  
19 about the VRA counsel and the process that they are going  
20 through, is that the RFI process could potentially be  
21 faster than an RFP, maybe. The RFP, from my conversation  
22 with Dan is 80 pages, and I'm sorry, I don't know anyone  
23 who wants to read 80 pages of legalese, and even if it's  
24 boiler, templar plate language, it's in there for a  
25 reason. If it didn't matter, it wouldn't be in there.

1 So we're just trying to figure out what is the best way  
2 to get someone on board to help us with this work in an  
3 expedited way.

4       Something that I learned that I am not sure if  
5 everyone else is aware of, or maybe you all are, but if  
6 there is a publicly funded university within California  
7 and/or a publicly funded university across the U.S. who  
8 has an agreement with California, it would fall under an  
9 interagency agreement, which I believe Commissioner  
10 Sadhwani had highlighted in their process as well. So  
11 that's just something for us to consider.

12       We're going to continue with our conversations, and  
13 we're hoping that next meeting in our update we have  
14 something more substantive for everyone to react to in  
15 terms of recommendations of what types of expertise we  
16 would need in someone for the data management piece and  
17 have a broader conversation about that topic.

18       Commissioner Turner, I will turn it over to you  
19 before we go back to the Chair.

20       COMMISSIONER TURNER: Thank you, Commissioner Ahmad.  
21 Amazing always. It's been just such a pleasure to be a  
22 part of the subcommittee, and just working through all  
23 the interesting conversations.

24       I think at some point we will also look to have some  
25 of the speakers come to the full Commission to be able to

1 answer questions, because the opportunities, I guess, are  
2 broad, and as far as directions we can go and choose to  
3 go, even to carry on some of the language access  
4 conversations or the language as it relates to the COI we  
5 talked about earlier and decisions that we make as far as  
6 the additional languages, will also even impact this  
7 process that we're looking at as far as language that  
8 comes in one way. The system, yes, will be able to also  
9 handle most languages, but it still then will give us an  
10 output in the same language which means we'll still need  
11 interpretation again.

12       So I just mention that here because of today's  
13 conversation. I'm thinking, you know, when we spend  
14 additional money it won't just stop there. Still may be  
15 the right thing to do, but we'll need to include all of  
16 that as we're thinking through, you know, how we're going  
17 to provide language support in the process in its  
18 entirety.

19       So yeah, so we'll bring some of the speakers in  
20 directly, but I think I'm smiling only because I think we  
21 started out with one of our first calls that we had was  
22 definitely encouraging structure, structure, structure.  
23 Make sure that you're getting everything in a structured  
24 way. And all the variables and all of the amazing ways  
25 we want to take it in, and video, and audio, and we want

1 to have it in person at some point, and we're going to  
2 use the COI tool, and you know, we felt like initially we  
3 ran into this kind of a -- I felt like we ran into almost  
4 a brick wall of like, yes, don't do it, you know,  
5 structure.

6 But anyway, we've had several conversations since  
7 then that provided some variety, so we'll continue  
8 talking about it, and I'll give you some summary of  
9 everything later when we make a recommendation of which  
10 way we should actually go. Thank you.

11 CHAIR KENNEDY: Thank you. I mean, that's all very  
12 exciting and I think represents some excellent steps  
13 forward for us. That's going to be very instrumental in  
14 our success over the long term.

15 COMMISSIONER TURNER: Chair Kennedy?

16 CHAIR KENNEDY: Yes.

17 COMMISSIONER TURNER: I think one other thing I just  
18 wanted to say, we were really excited, too, about your  
19 recommendation on the U.S. Digital Response Team, because  
20 I think we will end up with a discovery sprint, which is  
21 an entire -- well, I'll say an entire team, but it could  
22 be three or four, you know, of techy type people that  
23 will come in that will just answer questions, allow us to  
24 talk at them to kind of determine what it is that we  
25 need, and so I thought this is pretty cool. We're going



1 to have a whole team of people that's dedicated at  
2 providing us what we need, and you're right, it so far  
3 looks like that way, that particular part will not cost  
4 us any money also. We'll see.

5 CHAIR KENNEDY: Excellent. Any questions for the  
6 subcommittee? Commissioner Sinay.

7 COMMISSIONER SINAY: Don't be afraid. It's an easy  
8 one. Thank you. That was a lot of great work, and it's  
9 an exciting field.

10 I just want to follow up, Commissioner Ahmad, you're  
11 absolutely right, we're all going to have to think about  
12 how we use technology, and that's something we've talked  
13 about since kind of the beginning. I mean, I would love  
14 to figure out how we could actually see people during  
15 public comments versus just see a box, because body  
16 language and all that is so critical.

17 How do we interact with -- you're putting together  
18 an RFI, and if we do this -- this discovery sprint which  
19 sounds so exciting, how do -- is that going to take place  
20 before the RFI or after the RFI so it can, you know, it  
21 can verify -- I think I'm saying it right, the RFI  
22 incorporates all the ideas, or each group will then have  
23 to put out an RFI for the tools that they need developed?

24 COMMISSIONER TURNER: Well, let me attempt to  
25 respond.

1           One of the challenges that we'll have is timing for  
2 sure, because with every conversation we have we're  
3 introduced to more people that has more information and  
4 perhaps a slightly different manner in which we should  
5 move forward, and we recognize that there is a time  
6 element, particularly whether we're going to go, you know  
7 the RFI or the -- you know, whichever direction we're  
8 going to go.

9           So Commissioner Sinay, it just continues at this  
10 point to be a challenge and something that we're trying  
11 to work through to kind of map out the process. But  
12 we're still in the early stages of doing that.

13           COMMISSIONER AHMAD: Yeah, I'll just echo what  
14 Commissioner Turner said. By the way, I am not scared.  
15 Thank you for that disclaimer. Come, come at me.

16           But I think right now the RFI is just an option for  
17 us to consider, and since, you know, some of the other  
18 subcommittees are moving in that direction, we also  
19 wanted to take a look at what that process would look  
20 like for data management.

21           In terms of the discovery sprint, we haven't  
22 scheduled a time for that yet. Our contact is Alex, who  
23 is reaching out to folks within USCR -- which, by the  
24 way, is a civic tech firm. They explicitly state that,  
25 and along with Code for America as well. So that was a

1 happy -- a happy alignment that we were excited to see.  
2 And so that date hasn't been set yet, so we -- as we  
3 continue to meet with more folks, we do hope to  
4 incorporate all of the information that they're sharing  
5 with us in whatever recruitment process that we embark on  
6 as a Commission for this particular task that we have.

7 CHAIR KENNEDY: Commissioner Sinay.

8 COMMISSIONER SINAY: Sorry, just for Mr. Ceja. One  
9 of the things that we have heard is we really need to  
10 think through the civic -- who understands civic  
11 technology when it comes to marketing, outreach, and  
12 engagement as well, so that may -- you know, we can talk  
13 about it when we have our one-on-one meetings, but that  
14 is going to be critical in a staff that is hired to be --  
15 and I know -- again, civic technology is any tool -- any  
16 technology you use to engage people, and so we just want  
17 in this day of COVID, and we look at COVID as an  
18 opportunity to actually move forward in big ways with use  
19 of civic technology.

20 CHAIR KENNEDY: Commissioner Ahmad.

21 COMMISSIONER AHMAD: Yeah. I'll just close off with  
22 thanking Commissioner Sinay for bringing up civic  
23 technology very early on in our conversations. And I,  
24 for one, if it wasn't clear in the last meeting, I had no  
25 idea what you all were talking about when it came to

1 civic technology. And when I saw that article come  
2 through that Lori had sent -- publicly available -- by  
3 Derek Poppert, the first piece that he did write about in  
4 that article was trying to define what is civic  
5 technology is a huge task in and of itself because it  
6 could mean so many different things.

7       So I think it's going to be great having that  
8 conversation with all of you to figure out how we can  
9 best engage with the tools that we have in the most  
10 meaningful way to get the information that we need to  
11 best represent California in these maps. So thank you  
12 for that.

13       CHAIR KENNEDY: Commissioner Sinay.

14       COMMISSIONER SINAY: Sorry. The reason I said I  
15 don't want to scare you is because I did realize that  
16 last time we brought up civic technology I wasn't  
17 explaining myself very well, and it was very frustrating  
18 for a lot of you, and then luckily -- yeah, so that's why  
19 I said that. And sometimes when you've been kind of  
20 excited about something you've immersed yourself in it,  
21 it's hard to kind of pull yourself out.

22       So I thank the rest of you, especially Commissioner  
23 Sadhwani, for being able to put simply what I had not  
24 been able to say. So I do apologize, and that's why I  
25 had said I didn't want to scare you.

1 CHAIR KENNEDY: And just following up, Commissioner  
2 Sinay, from the list of potential agenda topics and so  
3 forth, I have on the list for the agenda for the next  
4 meeting some time to discuss civic technology. So what  
5 I'm wondering is, is that a time where having this --  
6 join us for some brainstorming, is that going to be  
7 timely or do we need to put that off for the subsequent  
8 meeting?

9 COMMISSIONER SINAY: So when I had put that as a  
10 potential topic, it was based on Commissioner Turner and  
11 I in our first conversation around civic technology, and  
12 it became obvious that we needed someone to work with us  
13 on this, and that's what I think this discovery sprint  
14 is -- was exactly what we were envisioning. We didn't  
15 know that it was called that, because that -- I had heard  
16 that terminology used before with tech.

17 So I -- Commissioner Ahmad and Commissioner Turner  
18 can advise you on when is the best time to put that on  
19 the agenda.

20 CHAIR KENNEDY: Commissioner Ahmad, Commissioner  
21 Turner.

22 COMMISSIONER AHMAD: Can we get back to you on that  
23 item?

24 CHAIR KENNEDY: Sure.

25 COMMISSIONER AHMAD: Thank you.

1 CHAIR KENNEDY: But -- well, I mean, yes, but if I  
2 have to -- if we have to post the agenda for the next  
3 meeting tomorrow, I need to -- I need a good sense of  
4 where we want to go. We can always schedule it and not  
5 have it. We just can't not schedule it and then have it.

6 COMMISSIONER TURNER: Okay.

7 COMMISSIONER AHMAD: I was thinking I'll get back to  
8 you, like, within the next thirty minutes.

9 CHAIR KENNEDY: Perfect. Okay. That was data  
10 management. Next we have --

11 VICE CHAIR LE MONS: Commissioner, Commissioner  
12 Andersen has a comment.

13 CHAIR KENNEDY: Commissioner Andersen.

14 COMMISSIONER ANDERSEN: Sorry. This is on me, not,  
15 as Commissioner Sinay said, don't let me scare you. I  
16 also don't mean to scare you, but the RFI that you've  
17 been looking at and talking about, yes, you can use that  
18 for contracts, actually picking people if you're doing  
19 legal services. And state agencies, you know, state  
20 agencies like you're mentioning universities, things like  
21 that, yes, you can also do that.

22 If we need to go out and actually get, you know,  
23 different vendors and pick a vendor, an RFI is only for  
24 information, and it can only, like, get more information,  
25 then we have to start an -- an IFB or a couple of

1 different RFP proposals. And that's why what I would say  
2 is we're doing this sprint to get more information, but  
3 this is definitely one of the realms of the RFP 2, which  
4 is exactly kind of what the line drawers are using in  
5 that we want them to come up with ideas for us.

6 And the other two items are very, very specific.  
7 You have to say this is what we want because that's the  
8 way they're -- they're more for standard, like, you know,  
9 hey, we need a new furnace, or we need -- you know, it's  
10 very, very standardized. And this is something that's  
11 unusual and more creative.

12 That said, in terms of oh, my God, all the paperwork  
13 stuff, that's exactly what I'm kind of doing on this one,  
14 so if you need to go down that route you will only have  
15 to work on the good parts, not necessarily the awful  
16 parts, and I'm more than willing to help on that.

17 CHAIR KENNEDY: Commissioner Ahmad.

18 COMMISSIONER AHMAD: Thank you so much for that,  
19 Commissioner Andersen. I had sent over a note to Dan and  
20 a follow-up as well, but I haven't heard back yet about a  
21 piece of clarification I need just in terms of the RFI  
22 process that is exactly contingent upon what you are  
23 talking about.

24 If we go through the RFI process, does that mean we  
25 can hire off of someone who we like during that process,

1 or do we still have to go out for bid after that process?

2 CHAIR KENNEDY: Director Claypool.

3 MR. CLAYPOOL: So as we discussed earlier -- you can  
4 hear me, right? Okay. As we discussed earlier in the  
5 week, Commissioner Ahmad, the RFI process is exactly --  
6 in this case, because it's not an attorney, it's exactly  
7 what Commissioner Andersen has said. It's a request for  
8 that information. Typically, when you use it, then you  
9 chain it up with an RFP or an invitation for bid, either  
10 a request for proposal or invitation for bid, but you can  
11 shorten the amount of time that you need to have people  
12 bid for it because they've already seen it and they've  
13 already given you some ideas about it.

14 You can't -- with attorneys, you can use the  
15 attorney that you'd like, but with outside bidders like  
16 this for these types of contracts, you would have to  
17 bring in the bidders and use a competitive bid process  
18 because otherwise it would be a noncompetitive bid, and  
19 that takes as long as running an invitation for bid or a  
20 request for proposal.

21 So I am looking for your email and I'll answer it  
22 very quickly, but the upshot of it is like Commissioner  
23 Andersen said it correct, and so if time is of the  
24 essence on this it may be better to do the sprint and  
25 then use that information to craft the RFP. Is that



1 helpful?

2 CHAIR KENNEDY: Commissioner Andersen.

3 COMMISSIONER ANDERSEN: And to clarify on that, the  
4 RFI and the regular RFP, those are -- who's the cheapest.  
5 The RFP 2, you do a whole scoring process. You have to  
6 come up with how you're evaluating it, and that's when  
7 you use experience and criteria. But your minimum -- the  
8 cost is also a component of that, and it has to be at  
9 least thirty percent. But you can also -- on both of  
10 them you can have interviews as part of it. But the RFP  
11 2 is -- it isn't just solely based on bottom line, you  
12 know, who's the cheapest.

13 CHAIR KENNEDY: Director Claypool.

14 MR. CLAYPOOL: With one caveat, Commissioner  
15 Andersen. It's always lowest responsible bidder. It's  
16 not who's cheapest but who can responsibly provide the  
17 product at the lowest cost.

18 So quite often, in fact, in the last Commission when  
19 they got down to their line drawer, they discarded two  
20 people as not being responsible. One person said, well,  
21 I'll do the line drawing for you for -- I think it was  
22 75,000 dollars, and we knew that wasn't possible, so it's  
23 always important to remember it's lowest responsible  
24 bidder, but the RFP 2 is exactly what you said. It's  
25 more of a qualifications-based analysis. That's all.

1 CHAIR KENNEDY: Very good. Okay. Next on the list  
2 is the Language Access Subcommittee. Commissioners  
3 Akutagawa and Fernandez.

4 COMMISSIONER FERNANDEZ: We're both so excited.

5 COMMISSIONER AKUTAGAWA: I don't know. I was like,  
6 looking at her, she's probably looking at me.

7 Well, one, we do have a panel scheduled for tomorrow  
8 and I believe it's the panelist -- the agenda has been  
9 updated to reflect the panelist, but just so that  
10 everybody is aware, we do have a -- we do have panelists  
11 from the Black Redistricting and Census Hub, and we also  
12 will have a panelist from Access Services California,  
13 which serves the Arab, Middle East, North American --  
14 North African, and Muslim communities.

15 We did -- Commissioner Fernandez tried very, very  
16 hard. She sent out multiple emails to Native American  
17 organizations to try to get a speaker. We got one and  
18 then the person had to pull out. We did finally get a  
19 positive response from someone who is willing or  
20 available to speak, but -- from the California Native  
21 Vote Project. Unfortunately, he's gotten sick and, so he  
22 is unable now to present to us, and so we're hoping that,  
23 Commissioner Le Mons, I think you're going to run the  
24 next meeting or chair the next meeting. We hope that we  
25 would be able to accommodate him for that one. He felt

1 really bad that he was not able to join us.

2 And then at that point we will -- I believe  
3 Commissioner Fernandez and I will be ready to come forth  
4 with our recommendations for the broader language access.

5 CHAIR KENNEDY: Commissioner Le Mons.

6 VICE CHAIR LE MONS: Clarification. Commissioner  
7 Kennedy will be chairing the next meeting, 1 through 3,  
8 December 1 through 3, and I'll be chairing 14 through 16,  
9 I believe it is.

10 CHAIR KENNEDY: As well as the following one.

11 VICE CHAIR LE MONS: Pardon me?

12 CHAIR KENNEDY: As well as the following one.

13 VICE CHAIR LE MONS: As well as the following one,  
14 based on the new two-meeting mandate from the previous  
15 meeting. So that's the clarity.

16 But my question, first, I wanted to reacknowledge  
17 the subcommittee for the conversation earlier around  
18 language. And we were talking about the COI or  
19 Communities of Interest tool. I'm hoping that this  
20 conversation with the presentations we're about to have  
21 and the previous presentations, that we'll be able to  
22 create at least a short list of additional languages,  
23 whatever that looks like, for the COI tool, if there are  
24 going to be some, so they can at least begin to do that  
25 research beyond the two that we talked about today.

1           Because I didn't get the impression that that was  
2 exhaustive. It was just as far as we were getting today  
3 as it related to what they were willing to do with the  
4 budget they have, and then it sounds like there's the  
5 second opportunity to potentially get some other  
6 languages in front of them, even for the COI tool, and  
7 that is aside from the augmented access opportunities  
8 that I know Global Access are looking at and Outreach are  
9 looking at, et cetera. So I just wanted to lift that up  
10 and make sure that I had a clear -- that that was an  
11 accurate understanding of what is available to us. Yes.  
12 And I thought this committee is the committee that's kind  
13 of shepherding that; is that correct?

14           CHAIR KENNEDY: Commissioner Fernandez.

15           COMMISSIONER FERNANDEZ: I'll respond to that, and,  
16 please, Commissioner Akutagawa, please fill in.

17           We actually kept the two separate, the COI versus  
18 the -- so what we're looking at, our recommendations will  
19 be is when we actually go out and do our outreach or our  
20 education, that was the language recommendations that  
21 we'll be coming forward with. Whether or not we can step  
22 into the Communities of Interest database, I'm not sure.  
23 I guess Commissioner Akutagawa and I will have to go  
24 back. Because we honestly felt that this meeting, that  
25 decision was going to be made, for the Communities of

1 Interest would be made, and then ours would be a separate  
2 one in terms of the education and outreach, in terms of  
3 what our recommendations were for the languages and then  
4 also even more specific in terms of languages by  
5 different areas. Because obviously, you know, we'll need  
6 different languages in Los Angeles County versus, you  
7 know, Butte County or something. So that's what we're  
8 looking at, at this point.

9 CHAIR KENNEDY: Commissioner Le Mons.

10 VICE CHAIR LE MONS: Great. So I'm glad I asked  
11 that because I have to say, I left an earlier  
12 conversation unclear as to whether there is an additional  
13 opportunity and maybe it's the COI Subcommittee this  
14 question should have been directed to. And if it isn't,  
15 that's fine, too, but I do think that, like myself, the  
16 public may not be clear either as to whether or not we're  
17 considering any additional languages for the COI beyond  
18 Thai and Hmong.

19 COMMISSIONER AKUTAGAWA: Commissioner Kennedy, if I  
20 can speak here?

21 CHAIR KENNEDY: Right.

22 COMMISSIONER AKUTAGAWA: To respond, so I think,  
23 Commissioner Le Mons, Commissioner Fernandez and I did  
24 discuss other languages with the ideas in mind similar to  
25 what our speaker or our public commentor, Julia Marks

1 from Asian Americans Advancing Justice, brought up. We  
2 did also speak about and consider should we try to  
3 include some of the African languages, some of the  
4 Pacific Islander languages as a point of inclusivity as  
5 well too.

6 But again, I think to the earlier question that was  
7 also asked about how much is this all going to cost  
8 before any decisions are made, we were also trying to be  
9 conscious of that as well, too, and then also trying to  
10 keep in mind about the -- the kind of potential for  
11 partnerships to be able to reach some of the other  
12 communities.

13 With that said, we did separate out the COI tool  
14 from the outreach and education materials from the public  
15 input meetings. We bucketed in those ways, looking at  
16 language and accessibility in those broader ways, partly  
17 because we needed to give an answer to the Statewide  
18 Database around the Communities of Interest Tool, and  
19 then we also wanted to make sure that we heard from our  
20 presenters that are going to be speaking tomorrow before  
21 we made some assumptions about what would needed to be  
22 done in terms of global access and language  
23 accessibility. So I don't know if that really provides  
24 clarity, but that's what we're looking at.

25 So in terms of the COI tool, part of it is, you

1 know, I think it is going to come down to cost. I heard  
2 that loud and clear, and I think Commissioner Fernandez  
3 and I are trying to balance all of that. I think there's  
4 the, what we would like to do, and then there's the,  
5 what's possible to do.

6 CHAIR KENNEDY: Commissioner Le Mons.

7 VICE CHAIR LE MONS: Yeah. Thank you for that. I  
8 still feel like it is somewhat of a cliffhanger, and so I  
9 think what I'm asking about is process and opportunity  
10 specific to the COI tool at this point based upon the  
11 response to my first question in this segment. So I'm  
12 just asking, I think we should -- either we have brought  
13 closure to, and where we are with the COI tool is the  
14 twelve/thirteen languages plus Hmong and Thai, pending  
15 the research and price tag.

16 My question is beyond that. Is there an additional  
17 opportunity -- and I think us as a commission have to be  
18 definitive about that. Either there is or isn't  
19 additional opportunity for additional languages for the  
20 COI tool. Like, I'm being very specific to that. And  
21 either way, you know, we decide, but I think we should be  
22 clear. I don't think we've been definitive. So that's  
23 why it feels still like a cliffhanger to me.

24 CHAIR KENNEDY: Commissioner Le Mons, you are very  
25 right on that, and I did indicate that I would like to

1 come back to that before the end of the day, and it looks  
2 like we will have time.

3         At this point we need to break to go into closed  
4 session for our discussion on cybersecurity issues, and  
5 then once we come back from that, we can, hopefully,  
6 finalize the discussion on languages for the Communities  
7 of Interest Tool. So thank you, everyone. We will  
8 reconvene in closed session. Let's do like the applicant  
9 review panel and be back one minute before 3 so that we  
10 can start promptly at 3, and then we should be back  
11 shortly after 3:30 into open session. Thank you, all.

12                 (Whereupon, a closed session was held from 2:54  
13 p.m. until 4:06 p.m.)

14         CHAIR KENNEDY: Thank you. Welcome back. We have  
15 just a couple more things to make our way through before  
16 the end of the day.

17         First of all, I would like to bring the issue of  
18 language coverage and the Communities of Interest Tool  
19 back to the table.

20         I would like to propose that we do two things at  
21 this point. One is endorse the Statewide Database's  
22 intent to proceed with the twelve -- or thirteen, if we  
23 split the Chinese into two -- languages; and second, that  
24 we ask Statewide Database to provide cost estimates for  
25 five additional languages, which would be Thai, Hmong,



1 Somali, Amharic, and Swahili.

2 So that is my proposal, and I will open it up to  
3 comment or question.

4 Commissioner Turner.

5 COMMISSIONER TURNER: Yes. Just repeat your  
6 suggestion. You said Thai, Hmong --

7 CHAIR KENNEDY: Swahili, Somali, and Amharic.  
8 Commissioner Andersen.

9 COMMISSIONER ANDERSEN: I second that, your motion.

10 CHAIR KENNEDY: Thank you. Any further comments?  
11 Commissioner Turner.

12 COMMISSIONER TURNER: Yeah. I'm just curious about  
13 Samoan because there's also a large population of Samoan.  
14 I'd like to see them included.

15 CHAIR KENNEDY: Okay. Seeing as how we're simply  
16 asking for cost estimates at this point, that's entirely  
17 reasonable and I will accept that as a friendly  
18 amendment.

19 COMMISSIONER ANDERSEN: And I'd second that.

20 CHAIR KENNEDY: Commissioner Akutagawa.

21 COMMISSIONER AKUTAGAWA: Thank you, Commissioner  
22 Turner, for adding Samoan. I was actually going to  
23 suggest that we include Marshallese and Tongan as well as  
24 Samoan. I think we need to include the Pacific Islander  
25 languages as well, too, so I'd like to -- since as you

1 said, Commissioner Kennedy, we're just getting the cost  
2 estimates. I'd like to suggest getting the cost  
3 estimates for those as well.

4 CHAIR KENNEDY: Okay. So I will accept that as a  
5 friendly amendment.

6 Anything further on the discussion on this?

7 Jesse, would you please read the instructions for  
8 public comment, please.

9 PUBLIC COMMENT MODERATOR: In order to maximize  
10 transparency and public participation in our process, the  
11 Commissioners will be taking public comment by phone.

12 To call in, dial the telephone number provided on  
13 the livestream feed. The telephone number is 877-853-  
14 5247. When prompted, enter the meeting ID number  
15 provided on the livestream feed. It is 91505532099 for  
16 this week's meeting. When prompted to enter a  
17 participant ID, simply press pound.

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

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

1 star 6 to speak.

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

7 These instructions are also located on the website.

8 The Commission is taking public comment at this  
9 time.

10 CHAIR KENNEDY: Okay. And we will stand by for two  
11 minutes for the livestream to catch up to see -- and to  
12 give people a chance to call in.

13 Commissioner Fernandez.

14 COMMISSIONER FERNANDEZ: While we're waiting, Chair  
15 Kennedy, could you repeat those languages again? I got  
16 like, the second half of it, so I apologize for that.

17 CHAIR KENNEDY: Okay. The entire list is Thai,  
18 Hmong, Somali, Swahili, Amharic, Samoan, Marshallese, and  
19 Tongan.

20 COMMISSIONER FERNANDEZ: Thank you.

21 CHAIR KENNEDY: Commissioner Sinay.

22 COMMISSIONER SINAY: I was just wondering, has the  
23 language access group looked at all at the Central  
24 American refugees who are -- is it a large enough  
25 population that we should be considering? Their language

1 -- a lot of them are speaking the indigenous languages of  
2 their country, not necessarily Spanish.

3 COMMISSIONER AKUTAGAWA: We hadn't gotten that far,  
4 although I think based on the presentation that NALEO  
5 gave us, my recollection was that I think on those  
6 languages, their recommendation is that we work with the  
7 various community groups on that one. I think that's my  
8 recollection from that particular one.

9 CHAIR KENNEDY: Commissioner Sinay, I have a contact  
10 in the Mayan community in Los Angeles. I'm happy to  
11 reach out to her and get her thoughts, if that would be  
12 useful.

13 COMMISSIONER SINAY: I was just curious to know,  
14 just percentagewise, you know, if it -- I don't know if  
15 it's a large enough community for us to reach out. I  
16 don't think they would use a COI tool. They'd most  
17 likely use other forms of contacting. Pedro, I don't  
18 know -- I'm sorry, Commissioner Toledo, I don't know if  
19 your organization has been working with them and if you  
20 have some input.

21 COMMISSIONER TOLEDO: More the Oaxacans, less the  
22 Mayans, but yeah, a lot of times it's more of the, you  
23 know, local interpreters and such as opposed to written  
24 material.

25 COMMISSIONER SINAY: So if we provided video, that

1 they could submit video, that would be accessible to  
2 them?

3 COMMISSIONER TOLEDO: Potentially, yeah.

4 CHAIR KENNEDY: Commissioner Akutagawa.

5 COMMISSIONER AKUTAGAWA: I think to Commissioner  
6 Sinay's last comment or question, that is something that  
7 Commissioner Fernandez and I are looking at, is keeping  
8 in mind that the COI tool is not the only form of input  
9 that we would try to solicit input. I think we're also  
10 trying to figure out other ways in which we can, not only  
11 working with the community-based organizations, but  
12 working with them, figuring out are there other ways in  
13 which we can gather input from some of these other  
14 communities that may not be just through the COI tool?  
15 Because I think to your other earlier point, to not --  
16 and I think both the presentation that we had from PANA  
17 and also the presentation that we had from EPIC, both of  
18 them spoke to kind of different -- getting to the same  
19 place but because of different reasons, like, PANA talked  
20 about, you know, a lot of the African languages are --  
21 have an oral tradition, and then in terms of some of the  
22 Pacific Islander communities, we're also dealing with  
23 some communities that may not be fully literate, even in  
24 their own languages.

25 And I think to the comment that you made earlier

1 about the Hmong community, I did get a response from one  
2 of my contacts in the Hmong community and she did say  
3 that that does make translation in the Hmong community  
4 complicated, but there is a high need. She did mention,  
5 like you said, that there is a high rate of a lack of  
6 literacy in the community, and so the methods by which we  
7 would need to communicate with some of these people or a  
8 lot of these communities may be on just like a  
9 written/video, and there may have to be trusted  
10 resources.

11 And so we are -- Commissioner Fernandez and I are  
12 looking at that so that we can try to solicit as much  
13 input from some of these more difficult -- not only  
14 difficult to reach, but communities in which it's more  
15 than just language accessibility that's a challenge.  
16 We're trying to also keep that in mind as well, too, as  
17 we come up with our recommendations to advise, actually,  
18 Commissioner Sinay, your subcommittee and then also the  
19 larger commission as well.

20 CHAIR KENNEDY: Great. Thank you. Any further  
21 comments? Commissioner Yee.

22 COMMISSIONER YEE: So just to nail it down, with  
23 Chinese since the COI tool is written, I mean, it's  
24 graphic, it's written, so we're talking about traditional  
25 and simplified script Chinese, not Mandarin and

1 Cantonese. Those would pertain to oral, verbal Chinese.

2 COMMISSIONER AKUTAGAWA: Yeah. I wasn't sure  
3 whether there was going to be a video component, so  
4 that's why the Cantonese came in.

5 CHAIR KENNEDY: Commissioner Le Mons.

6 VICE CHAIR LE MONS: I guess this is more of a  
7 process question. I feel like we're rereading all of  
8 the clarity we did this morning on this very thing, and  
9 I'm just wondering why. I thought we understood all  
10 this. You put forward a very clear proposal. It's very  
11 narrow to something, very specific, and I just don't  
12 understand how we can't stay on task with -- and stay in  
13 context of what it is that we're talking about without  
14 going off in all of these directions, which is not what  
15 we're talking about. I just do not understand it.

16 So I just wanted to say that. Like, I thought it  
17 couldn't have been any clearer where we were and what  
18 we're talking about, unless these are recommendations to  
19 add languages for the COI tool specifically, which we all  
20 know how the COI tool works. We've all trained on it.  
21 We know it's written. Like, we know all of this. So  
22 that's what I thought we were talking about, and I just  
23 wish we could stay focused on what we're talking about so  
24 we don't convolute the discussions. That's what I wanted  
25 to say.

1 CHAIR KENNEDY: Thank you. Jesse, are there any  
2 callers in line?

3 PUBLIC COMMENT MODERATOR: There are currently no  
4 callers in the queue, Chair.

5 CHAIR KENNEDY: Very good. Then, not seeing further  
6 discussion, I will call the question. Is Wanda there  
7 ready to take the vote?

8 MS. SHEFFIELD: Yes.

9 COMMISSIONER TURNER: Chair, we need a -- did we  
10 have a second already?

11 MS. SHEFFIELD: Yes.

12 CHAIR KENNEDY: Yes, Commissioner Andersen seconded.

13 COMMISSIONER TURNER: All right. Thank you.

14 MS. SHEFFIELD: Commissioner Ahmad.

15 COMMISSIONER AHMAD: Yes.

16 MS. SHEFFIELD: Commissioner Akutagawa.

17 COMMISSIONER AKUTAGAWA: Yes.

18 MS. SHEFFIELD: Commissioner Andersen.

19 COMMISSIONER ANDERSEN: Yes.

20 MS. SHEFFIELD: Commissioner Fernandez.

21 COMMISSIONER FERNANDEZ: Yes.

22 MS. SHEFFIELD: Commissioner Fornaciari.

23 COMMISSIONER FORNACIARI: Yes.

24 MS. SHEFFIELD: Commissioner Kennedy.

25 CHAIR KENNEDY: Yes.



1 MS. SHEFFIELD: Commissioner Le Mons.

2 VICE CHAIR LE MONS: Yes.

3 MS. SHEFFIELD: Commissioner Sadhwani.

4 COMMISSIONER SADHWANI: Yes.

5 MS. SHEFFIELD: Commissioner Sinay.

6 COMMISSIONER SINAY: Yes.

7 MS. SHEFFIELD: Commissioner Taylor.

8 COMMISSIONER TAYLOR: Yes.

9 MS. SHEFFIELD: Commissioner Toledo.

10 COMMISSIONER TOLEDO: Yes.

11 MS. SHEFFIELD: Commissioner Turner.

12 COMMISSIONER TURNER: Yes.

13 MS. SHEFFIELD: Commissioner Vasquez. I don't see  
14 her. And Commissioner Yee.

15 COMMISSIONER YEE: Yes.

16 MS. SHEFFIELD: Okay. Thank you.

17 CHAIR KENNEDY: Thank you very much. Commissioner  
18 Akutagawa, I will draft a note to the Statewide Database  
19 and ship that off to you, probably after I get the next  
20 agenda done.

21 Okay. And finally, because at least Commissioner  
22 Sinay was not with us when we were discussing agenda  
23 items for the 1st through the 3rd of December, before we  
24 say goodbye for the afternoon I just wanted to open  
25 discussion for one last time for anyone who has requests

1 of items to go on the next agenda, which should post  
2 tomorrow. And keep in mind that we can always not do  
3 something that is on the agenda, but we can't do  
4 something that's not on the agenda.

5 So I saw Commissioner Ahmad and the Commissioner  
6 Sinay.

7 COMMISSIONER AHMAD: Thank you, Chair. Following up  
8 on our earlier conversation, I sent over a note to you  
9 and Vice Chair about the agenda item for civic  
10 technology.

11 Commissioner Turner and I will reach out to someone  
12 that we've spoken to, to come and present high level of  
13 what data management looks like and the intersection with  
14 civic technology for our considerations and future  
15 discussions.

16 CHAIR KENNEDY: Perfect. Thank you so much for  
17 that. Commissioner Sinay.

18 COMMISSIONER SINAY: I'm not sure if Commissioner  
19 Vasquez was here during the agenda setting, so I  
20 apologize if I'm repeating myself. But we just want the  
21 agenda item number 10, that's on this agenda, we just  
22 wanted to make sure that it was on the next agenda just  
23 in case the conversation takes longer. Even if the  
24 conversation does not, there's still going to be more, so  
25 basically "outreach presentation discussion related to

1 the regional teams and presentation on outreach  
2 strategy", but not C, just A and B.

3 CHAIR KENNEDY: Okay, very good. She was here at  
4 one point when we were discussing agenda, and you know, I  
5 just wanted to indicate that depending on timings on  
6 Wednesday, if we have some free time I would very much  
7 like to see us undertake an internal discussion on C,  
8 without outside presenters, but I think it would be  
9 useful for us to have our own internal discussion on C.

10 COMMISSIONER SINAY: I recommend, then, that staff  
11 repost the letter so people can find it very easily on  
12 the handouts for this meeting so everybody can reread it  
13 and not have to hunt for it.

14 And also we had talked about --

15 MS. JOHNSTON: Which letter are you talking about,  
16 Commissioner Sinay?

17 COMMISSIONER SINAY: The letter from the community  
18 to us around -- around outreach. It was an eighteen-page  
19 letter. I can email it to you if you can't find it,  
20 Marian. I have it.

21 MS. JOHNSTON: If you'd email it today, that would  
22 be great.

23 COMMISSIONER SINAY: Okay. And then completely  
24 forgot my other one, so probably didn't need it.

25 CHAIR KENNEDY: Okay. Commissioner Yee.

1           COMMISSIONER YEE: For the Outreach Committee, so  
2 the homework we're doing, researching the various regions  
3 and counties, I know you had a form for us, but can you  
4 tell us more about the plan for what to do with all that  
5 and when we like get to that?

6           COMMISSIONER SINAY: It is part of the agenda item  
7 number 10 where folks will share their regional -- what  
8 they've learned from their regional areas and that at any  
9 time you can submit ideas on the form. We have -- there  
10 is a plan that we'll be sharing. It's not a plan, it's  
11 a -- we keep coming up with different names for it, but  
12 basically a strategy roadmap, because we really don't  
13 feel like we can create a plan without Mr. Ceja and all  
14 of you together. So the framework that we shared  
15 earlier, if you have additional ideas and thoughts. We  
16 shared the framework so it's easier to submit more ideas  
17 and thoughts. And it's the same -- the framework -- the  
18 roadmap is in the same format that the framework was,  
19 that handout was. So both of them have been sent out  
20 today.

21           COMMISSIONER YEE: But you're not giving us  
22 necessarily a hard deadline to, you know --

23           COMMISSIONER SINAY: No. We need to work with Mr.  
24 Ceja to figure out how we're going to collect -- how  
25 we're going to create a database of different

1 organizations we identify and such. You know, at some  
2 point we're going to -- we need to collect a lot of that,  
3 and so we need to figure out the best format. But if you  
4 want to get it out of your hands and not lose it and get  
5 it into our hands, feel free to.

6 COMMISSIONER YEE: Thank you.

7 CHAIR KENNEDY: Very good. Okay. That looks like  
8 it's it for today. Thank you, everyone, for your  
9 patience, and look forward to seeing you tomorrow, so we  
10 stand in recess until 9:30 tomorrow morning.

11 (Whereupon, the CRC Business Meeting adjourned at  
12 4:25 p.m.)

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I do hereby 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.

*Traci Fine*

\_\_\_\_\_  
TRACI FINE, CDLT-169

May 30, 2022  
DATE