

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:
CRC BUSINESS MEETING

WEDNESDAY, DECEMBER 2, 2020

9:30 a.m.

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APPEARANCES**COMMISSIONERS**

J. 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 Taylor, Commissioner
Pedro Toledo, Commissioner
Trena Turner, Commissioner
Angela Vazquez, Commissioner
Russell Yee, Commissioner

STAFF

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

TECHNICAL CONTRACTORS

Kristian Manoff, AV Technical Director/Comment Moderator

Also Present

PUBLIC COMMENT

Julia Marks, Asian-Americans Advancing Justice
Lori Shellenberger, Common Cause
Rosalind Gold, NALEO
Matt Kauble



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P R O C E E D I N G S

December 2, 2020

9:30 a.m.

CHAIR KENNEDY: Good morning, everyone. It is Wednesday, the 2nd of December. Thank you for joining us for our meeting today. First order of business.

If I could ask staff to call the roll, please.

MS. MARSHALL: Good morning, Commissioners.

Commissioner Le mons?

VICE CHAIR LE MONS: Here.

MS. MARSHALL: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Here.

MS. MARSHALL: Commissioner Sinay?

COMMISSIONER SINAY: Here.

MS. MARSHALL: Commissioner Taylor?

COMMISSIONER TAYLOR: Present.

MS. MARSHALL: Commissioner Toledo.

COMMISSIONER TOLEDO: Here.

MS. MARSHALL: Commissioner Turner.

COMMISSIONER TURNER: Here.

MS. MARSHALL: Commissioner Vazquez.

Commissioner Yee.

COMMISSIONER YEE: Here.

MS. MARSHALL: Commissioner Ahmad.

COMMISSIONER AHMAD: Here.

MS. MARSHALL: Commissioner Akutagawa.



1 COMMISSIONER AKUTAGAWA: Here.

2 MS. MARSHALL: Commissioner Andersen.

3 COMMISSIONER ANDERSEN: Here.

4 MS. MARSHALL: Commissioner Fernandez.

5 COMMISSIONER FERNANDEZ: Here.

6 MS. MARSHALL: Commissioner, Fornaciari.

7 COMMISSIONER FORNACIARI: Here.

8 MS. MARSHALL: Commissioner Kennedy.

9 CHAIR KENNEDY: Here. Did you record Commissioner
10 Vazquez as present?

11 MS. MARSHALL: Yes.

12 COMMISSIONER VAZQUEZ: Commissioner Vazquez is here.
13 Thank you.

14 MS. MARSHALL: Got it. Thank you. We have a
15 quorum.

16 CHAIR KENNEDY: Very good.

17 Director Claypool, do you have any announcements?

18 DIRECTOR CLAYPOOL: I do not, Chair.

19 CHAIR KENNEDY: Okay.

20 Members, any announcements or items of general
21 interest? Okay.

22 I did not review the agenda yesterday morning, but I
23 did put that on my list of things to do first thing
24 today.

25 So the first order of business is, as always, public

1 comment. That will be followed by a presentation of some
2 draft policies with discussion and possible adoption of
3 those.

4 If there are votes, there will be further public
5 comment periods before those votes.

6 I anticipate that after our 11:00 break, we will go
7 into subcommittee reports. And then after lunch, we
8 anticipate public comment period at approximately 1:45.
9 And then I anticipate that we will be spending the
10 afternoon looking at draft scopes of work and other
11 documentation related to our RFPs with a public comment
12 period before the close of business for today. So that
13 is what we have on tap.

14 And with that, I will turn to Katie. Good morning,
15 Katie. And ask that you read the instructions for public
16 comment.

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

21 To dial in, the telephone number provided on the
22 live stream feed -- wait, I'm sorry -- to call in, the
23 telephone number provided on the livestream feed. The
24 telephone number is 877-853-5247. When prompted, enter
25 the meeting ID number provided on the livestream feed.



1 It is 92738068918 for this week's meeting. When prompted
2 to enter a participant ID, simply press the pound key.

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

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

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

18 The Commission is taking general public comment for
19 the start of the meeting at this time. And we do have
20 someone in the queue.

21 CHAIR KENNEDY: And you can go ahead and invite them
22 to join us.

23 PUBLIC COMMENT MODERATOR: Okay. If you will please
24 state and spell your name for the court reporter.

25 MS. MARKS: Yes. My name is Julia Marks. That's



1 J-U-L-I-A, M-A-R-K-S. And I'm calling from Asian-
2 Americans Advancing Justice, Asian Law Caucus.

3 Good morning, Commissioners, Director Claypool, and
4 staff. Just wanted to say thank you again for all the
5 work you're putting in to this effort and all the great
6 thought and discussion.

7 I'm calling regarding translation. And I just
8 wanted to follow up a bit on some discussion you had
9 yesterday of the COI tool. It sounds like there are some
10 open questions still about how non-English language
11 inputted comment into the COI tool will be translated so
12 that the Commission can review and work with that
13 material.

14 Obviously, I can't speak to the -- you know, all the
15 logistics of the process or who the appropriate person is
16 to do the coordination of the translation itself. But I
17 just want to uplift and note that it's important that the
18 translation is done by translators rather than an
19 automated system like Google Translate or another
20 computer program.

21 You know, when our organization has worked with
22 translations in the past, we found that automated systems
23 lead to incorrect and confusing translations. When we do
24 translations, we try to work with different community
25 groups and community members to review. The quality and



1 automated systems are often inadequate.

2 It's preferable to work with certified translators,
3 or if certified translators aren't available, other
4 translators who have been identified by the community
5 that speak those languages as reliable and accurate
6 translators.

7 And we're happy to help connect you all with
8 translators if you're having difficulty with specific
9 language groups.

10 And we just want to also note, whether a community
11 member submits through the COI tool or through something
12 like written public comment through email, if they do
13 submit in a language other than English, we would like to
14 see that translated so that that information reaches you
15 all and can inform your maps.

16 And the COI tool itself, taking that extra step to
17 translate the submissions, we believe will be really
18 helpful to your process, since you are structuring the
19 COI tool to really elicit the information you need, and
20 it'll be paired with a visual component. So taking the
21 extra time and investing, you know, the extra costs for
22 translation, I think will lead to more robust input from
23 limited English proficient communities into the
24 redistricting process itself.

25 So thank you for continuing to look at language



1 access and be very thoughtful about making sure that it's
2 built into all these different pieces of the process.

3 CHAIR KENNEDY: Thank you, Ms. Marks. I just wanted
4 to confirm that I heard correctly. You are asking that
5 we provide both the original input and the translation of
6 that input? I just want to make sure I have my notes
7 correct.

8 MS. MARKS: I wouldn't say that was a key concern,
9 but I do think it's important to keep both. Yes. So
10 that if later on, people want to read the in language
11 version or the translated version, they can. Our primary
12 concern is that you don't rely on automated systems.

13 CHAIR KENNEDY: Right. Right.

14 MS. MARKS: For the translation? Yeah.

15 CHAIR KENNEDY: Okay. Very good. Thank you so much
16 for the comment.

17 MS. MARKS: Great. Thank you all.

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

20 CHAIR KENNEDY: Okay. Very good. With that, then I
21 will turn it to the Admin and Finance Committee for our
22 discussion on policies.

23 Commissioner Fornaciari and Commissioner Fernandez.

24 COMMISSIONER FORNACIARI: I guess I'll go ahead,
25 Alicia. Okay.

1 Let's see. So we've submitted two draft policies
2 for you to review. I'll just step back a little bit and
3 give you the background.

4 The statute requires the Commission to have five
5 draft policies: Personnel, Communications, Commissioner
6 Code of Conduct, Staff Code of Conduct, and Records
7 Retention Policies.

8 Last time we reviewed the Commission Code of Conduct
9 and then we also created last time policies on travel and
10 per diem, how we manage those things. So today we've
11 brought forward the Records Retention Policy and the
12 Staff Code Of Conduct Policy to review.

13 And then next meeting, we'll be bringing forward the
14 Personnel and the Communications Property Policies for
15 you to review. And in that personnel policy, we're going
16 to incorporate the discussions yesterday about how to
17 manage hiring, you know, get a consistent approach to the
18 managing approval of hires.

19 So I guess, at this point, we'll open it up to
20 feedback on the policies, any changes or additions that
21 anybody would like to see or comment about.

22 COMMISSIONER FERNANDEZ: Oh, good. Perfect.

23 CHAIR KENNEDY: I'm not seeing hands, so I'll kick
24 it off. On the Staff Code of Conduct, the one thing that
25 struck me is talking about persons hired directly or

1 indirectly to perform the tasks of the Commission. Well,
2 in my mind, the Commission performs the tasks of the
3 Commission and persons hired are supporting the work of
4 the Commission. So I would suggest that we strike,
5 "perform the tasks" and replace that with, "support the
6 work," that's in the first paragraph.

7 COMMISSIONER FERNANDEZ: Okay.

8 COMMISSIONER FORNACIARI: Are you attacking this,
9 Commissioner? Okay. Thanks.

10 CHAIR KENNEDY: And on the Record Retention Policy,
11 I'm wondering if it makes sense for us to include
12 something in the policy about conversion of paper records
13 to electronic records.

14 And I would ask Ms. Marshall and the legal team if
15 there are any provisions that we need to be aware of in
16 that regard. But you know, there are certain things that
17 we might want to keep electronically that we don't want
18 to keep in the hardcopy or we want to keep both. So I'm
19 just suggesting that we contemplate something in the
20 policy about the conversion of paper records to automatic
21 records.

22 Director Claypool?

23 DIRECTOR CLAYPOOL: At the end of the process, this
24 Commission will be required to transfer all of its
25 records to the state librarian. Last time we did it, we



1 transferred it on a two gigabyte hard drive, and the only
2 paper documents it transferred were 11 major contracts
3 with the signature contracts. So we will be moving
4 everything onto an electronic drive. It's just a matter
5 of how much this Commission might personally wish to
6 keep. And if you did that, you'd have to store it
7 somewhere because it would still be available with the
8 state librarian.

9 CHAIR KENNEDY: Excellent. Okay. And my question
10 or suggestion is -- it deals, I guess, with the ultimate
11 format of documents, but also in the meeting time. I
12 mean, are there paper documents that we would immediately
13 want to convert to electronic documents and then dispose
14 of the paper documents, or do we want to have any sort of
15 policy on that? And so first step is to ask if there are
16 any legal requirements in that regard.

17 MS. MARSHALL: Good morning. In regards to how we
18 maintain documents, I think it's all preference, not so
19 much a legal issue, but how would you like for us to
20 maintain those records? Do you want us to maintain it in
21 paper form? Do you want us to automatically convert them
22 to electronic form, or keep them as their as received?
23 And then in the end, ultimately, they all are going to
24 become electronic, with the exception of a few.

25 CHAIR KENNEDY: My own thought on that is the sooner



1 we can have everything in the same format, and that would
2 be electronic format, the better because we would only
3 have to search in one format rather than searching across
4 formats. Not that that's impossible, but it seems to me
5 it would be easier just to search across one format.

6 So any comments from other commissioners?

7 Commissioner Akutagawa?

8 COMMISSIONER AKUTAGAWA: Just that perhaps on a kind
9 of separate kind of thing. I was just thinking about
10 digital records. I'm going to assume that that includes
11 like the video recordings of our meetings and other
12 things like that.

13 But yesterday's conversation around, you know,
14 inputs through Twitter and other forms of social media.
15 Is that something -- are there certain ones -- like, I'm
16 just kind of thinking about like, you know, I was reading
17 through, like, where does this fit in under like, for
18 example, the Records Retention Schedule, because that's
19 kind of like the high level version. And I was just
20 thinking that kind of falls under records of public
21 input.

22 Do we want to keep certain kinds of records of, you
23 know, social media postings? Is that necessary? I know
24 that that kind of falls under the preference of the
25 Commission. Does that kind of fall under just under,

1 quote unquote, digital? I think it's just -- I guess,
2 that was just more a point of curiosity for me.

3 CHAIR KENNEDY: Thoughts from the Admin and Finance
4 Committee?

5 COMMISSIONER FERNANDEZ: Well, in terms if it is a
6 public input record, the retention policy says that we
7 keep that for ten years, so we'd have to figure out how
8 to maintain that for ten years.

9 CHAIR KENNEDY: Commissioner Akutagawa?

10 COMMISSIONER AKUTAGAWA: I think there's also --
11 what it sounds like is it's going to be used as an
12 outreach tool that I'm assuming that other written forms
13 of outreach would also be retained as well, too. So it's
14 not just going to be public input, but our outputs as
15 well, too.

16 And is it going to then be incumbent upon Mr. Saylor
17 to maybe take screenshots, or -- you know what I mean,
18 like, do a PDF save of the screen. I don't know.
19 There's just different things that I guess could be done.
20 But again, just a curious question.

21 CHAIR KENNEDY: Okay. I have Commissioner Sinay and
22 Commissioner Vazquez.

23 Commissioner Sinay?

24 COMMISSIONER SINAY: Maybe we're going to say the
25 same thing, Commissioner Vazquez. But with social media,

1 that's the easiest, because as long as we keep the
2 account, everything is on there. So that's really not --
3 it's kind of a nonissue with social media. It's more the
4 other types of public comments. Because you can go back
5 to social media right now and look -- if you go to We
6 Draw the Line on Twitter, you can see everything that
7 they used.

8 CHAIR KENNEDY: Commissioner Vasquez?

9 COMMISSIONER VAZQUEZ: The internet is forever.
10 Even if you delete -- even if you delete accounts and
11 tweets, there are dozens of internet scrapers that are
12 archiving every single public tweet. So yeah. Internet
13 is forever.

14 CHAIR KENNEDY: Commissioner Akutagawa?

15 COMMISSIONER AKUTAGAWA: I think I do agree with
16 Commissioner Vasquez. It is forever. I am thinking,
17 though, that if that were the case, then all of our
18 current public records would be forever found on the
19 internet.

20 But do we want to do it in such a way that it is
21 easily accessible and archived properly? I also will not
22 assume that ten years from now the same social media
23 channels will be still available. Maybe, maybe not.

24 I think technology does change, and I don't want to
25 assume that it'll be here. For all we know, it may not

1 be. And while it could be available through other means
2 on the internet, it may not be the easiest means. And if
3 there is an intention to try to retain some of this -- I
4 don't know. I don't know if it's -- I think I'm just
5 bringing it up because it just seems like in line with
6 the other things. I think we need to think differently
7 about some of these other sources in which we are
8 providing communications and not just assume that it will
9 be there, even though, yes, the internet is forever.

10 CHAIR KENNEDY: Right. And actually, I have one
11 other point on the record for the retention policy.
12 Under litigation it holds says records relevant to
13 pending litigation must, at a minimum, be retained until
14 the litigation is finally concluded. And I just want to
15 make sure that we understand that, finally concluded
16 includes any potential appeal. So we would have to
17 retain documents not only until the pending litigation is
18 concluded, but until the end of any period during which
19 an appeal might be filed.

20 COMMISSIONER FORNACIARI: So do you want us to add
21 language to that effect?

22 CHAIR KENNEDY: I would suggest it, and again, I
23 would ask the legal team for their advice on how best to
24 phrase that.

25 COMMISSIONER FERNANDEZ: Yes, that was going to be

1 my recommendation. And we did forward this to our chief
2 counsel, Marshall. And so I think what we would need to
3 know is we would need to know what's the time frame of
4 filing appeals, right? Because that would determine the
5 period for them to file an appeal.

6 CHAIR KENNEDY: Right. Marion.

7 COMMISSIONER FERNANDEZ: Actually, we sent it to the
8 chief counsel.

9 Marshall. Yes.

10 MS. MARSHALL: Depending on what court you file it
11 in, it would dictate, you know, the timeline for the
12 appeal. But what I can do is take a look at it in terms
13 of the language, if you want some modification to it, and
14 get back to you all.

15 COMMISSIONER FERNANDEZ: Yeah.

16 CHAIR KENNEDY: Okay.

17 MS. JOHNSTON: As I understand it, pending
18 litigation refers to the entire course of a case. So if
19 a case continues on appeal, it's still pending. So I
20 don't think there's any need for modification. You can
21 add it if you want to until all appeals are concluded.
22 But I think that the current language encompasses that.

23 CHAIR KENNEDY: This is Commissioner Andersen.

24 COMMISSIONER ANDERSEN: Yes. I understand we're
25 talking about until it's concluded. But does that

1 mean -- I mean, then there's the records retention. You
2 don't just ditch -- I mean, aren't there legal
3 requirements in terms of holding on to material from a
4 case?

5 MS. JOHNSTON: No, the Court holds on to records for
6 the case, but there is no requirement that individuals.

7 Generally, attorneys do hold on to them for a
8 reasonable period of time until they dispose of the
9 records. But that's not something that's really within
10 the commission's control, because it would be records of
11 whatever outside counsel --

12 COMMISSIONER ANDERSEN: Okay. And so we just keep
13 our -- and our records are already covered elsewhere.

14 MS. JOHNSTON: Correct.

15 COMMISSIONER ANDERSEN: Thank you.

16 CHAIR KENNEDY: Commissioner Fornaciari, anything
17 further from subcommittee's side?

18 COMMISSIONER FORNACIARI: Well, I just want to check
19 in with Commissioner Akutagawa. I mean, did you -- were
20 you just -- I mean, thinking out loud that we need to be
21 kind of cognizant of the fact that we need to capture our
22 social media and maintain that? Or did you have
23 something specific you wanted us to add -- you were
24 proposing to add to the policy?

25 COMMISSIONER AKUTAGAWA: I think it was more the

1 former and to just think through, you know, how does that
2 fit in with what you already have? Does it require a
3 clarification?

4 I think just the way technology does move, I think
5 we sometimes forget about it. Like, it's a tool that's
6 there, but we forget about it. But yet it's also has
7 become quite a source of information and communication
8 sharing.

9 And so I think I just want to make sure that we
10 remain mindful because I think back to a lot of the kind
11 of stories about how laws have still not caught up with
12 the kind of digital age. And it's still written in a way
13 that assumes that technology and the use of technology is
14 not as widespread as it is.

15 And so I think it's more just food for thought for
16 us to think about. And whether or not it requires
17 explicit language or if that you feel that it's already
18 encompassed by what we have. I'm comfortable with that,
19 but I think I just wanted to ask that question because it
20 just seems like something that, as we go forward, you
21 know, we can't predict what ten years from now what it's
22 going to be like. But I do feel like the more forward
23 thinking we could be, the better we'll be served.

24 CHAIR KENNEDY: Commissioner Vazquez?

25 COMMISSIONER VAZQUEZ: Many social media sites,



1 including Twitter, also include a way to download an
2 archive of everything, should you ever want to do that.
3 So I don't know. I just, I would hate to add an
4 additional bureaucratic process to our one communications
5 staff person right now at the expense of having us look
6 relevant on social media and be responsive.

7 I can't imagine that we would be tweeting things
8 that aren't documented elsewhere in terms of content.
9 It's another avenue to push out messages that we are
10 pushing out in other avenues so there are records.

11 I can't imagine we'll be seeing things particularly
12 differently online in social media places anyway. I
13 mean, unless we're planning on, you know, responding to
14 direct messages with personal -- you know what I mean?
15 Like there's -- I just can't imagine that there is a lot
16 of -- there's going to be a lot of new content in social
17 media that is only on social media.

18 And there are also just ways to back up and archive
19 content should we need to do that. But to create a
20 process where we're sort of double documenting social
21 media seems like overkill and probably not a tradeoff I
22 would recommend this Commission do.

23 CHAIR KENNEDY: Thank you, Commissioner Vazquez.

24 So Commissioner Fornaciari, any comments from your
25 side at this point?

1 COMMISSIONER FORNACIARI: I think Commissioner Yee
2 had a comment.

3 CHAIR KENNEDY: Okay.

4 Commissioner Yee?

5 COMMISSIONER YEE: Just to add another category, I'm
6 learning what happens to our own notes individually as
7 commissioners. And the same way we sent in our notes
8 from staff hires, you know, what about all of the other
9 paper we each generates, not copies of things that are
10 already archived, but you know, our own handwritten
11 notes, anything else we generate. You know, I imagine at
12 the end of this, we turn our computers in with whatever
13 is on them and our new nifty cell phones. But what about
14 everything else?

15 COMMISSIONER FORNACIARI: So it does address notes.
16 I'm trying to find that.

17 COMMISSIONER FERNANDEZ: It does, and I'm not as
18 quick right now.

19 COMMISSIONER FORNACIARI: It's in (indiscernible)
20 notes in my recollection -- I can't find it off the top
21 of my head, but my recollection is, you know, if there's
22 anything of critical substance in there, then they need
23 to be retained. But for the most part, notes are just,
24 you know, something to jog my memory and it's captured
25 somewhere else.

1 COMMISSIONER FERNANDEZ: Yeah. Because it's
2 discarded when you're -- what we have here, is it's
3 discarded when no longer needed.

4 COMMISSIONER FORNACIARI: Yeah. Under 4, under
5 document and other materials, under the description says,
6 informal notes, and the retention period, it should be
7 destroyed when no longer needed, unless they are
8 otherwise required to be retained and are necessary to
9 the functioning or continuity of the Commission -- or
10 have legal certificates.

11 So I think for the most part, our personal notes,
12 you can just, you know, destroy them when you no longer
13 need them.

14 COMMISSIONER YEE: In fact, we're supposed to
15 destroy them for these -- for this policy.

16 CHAIR KENNEDY: Director Claypool, is there any
17 additional equipment or tasking required for the
18 implementation of this policy as it's drafted?

19 DIRECTOR CLAYPOOL: I don't believe so. I think
20 that as I was listening to you, I realized in the spirit
21 of transparency, we'd talked about notes and everything
22 else. There are great many things that we should keep.
23 I think if you decide to destroy personal notes or
24 anything else, that you should discuss it with our
25 Counsel first. Kary can tell you whether we need to hang

1 on to it or not.

2 But we will have a lot of stuff that we're going to
3 store all the way through, particularly all the public
4 input. And that was what went over to the, actually,
5 state archives. I had said The state librarian. They're
6 in the same building. But The state archives will pick
7 it up.

8 The one thing that I went over and asked Raul, so
9 what's the policy for State Archives on maintaining what
10 was sent over in 2010? And he said, well, they will go
11 through it and glean it for things of historical value.

12 So we do need to remember also that we're required
13 to maintain the state's retention policy. And I had just
14 spoken with Kary and asked her, you know, can we just
15 match us up and make sure that we're on the conservative
16 side of the state's policy because we don't want to not
17 adhere to what's required by law.

18 And then we -- you know, that will probably capture
19 us as far as we need to go. But for right now, it's just
20 maintaining what you've got on your computers or in your
21 personal records. And then when we get to that point to
22 where we -- or when you get to that point where you want
23 to get rid of things, just consult the attorneys.

24 CHAIR KENNEDY: Very good. Thank you.

25 Commissioner Sadhwani, do you have any thoughts to

1 share on permanent record value and research use of
2 anything that we might be producing now or in the future?

3 COMMISSIONER SADHWANI: Nothing in particular. I
4 mean, perhaps someone would want to do archival research,
5 but I -- you know, I can't speak to that per se.

6 CHAIR KENNEDY: Okay. Thanks.

7 Commissioner Fernandez.

8 COMMISSIONER FERNANDEZ: Yeah. I just wanted to
9 respond to Director Claypool's comment regarding having
10 legal look at the state retention. I think that's what
11 Marian did.

12 Correct, Marian?

13 Because Marian is one that drafted the policy
14 initially, and she told me it was perfect, so I'm pretty
15 sure she's right.

16 MS. JOHNSTON: I'm sorry. I was answering a phone
17 call right when your question came. What was the
18 question?

19 COMMISSIONER FERNANDEZ: Okay. So Director
20 Claypool had mentioned that we just wanted to make sure
21 that what we had in the retention schedule was in line
22 with what the state retention schedule policy is. And I
23 believe you've already done that, correct?

24 MS. JOHNSTON: Right. Although it never hurts to
25 have a second person look at it. But for instance,

1 Commissioner Yee's comment about sending in the notes on
2 employment, that's because of specific state and federal
3 requirements for keeping notes related to the employment
4 of someone until that person's no longer employed. So
5 that's why we asked for those to be sent over. But we'll
6 let you know if there's something like that that applies
7 to a particular kind of document.

8 COMMISSIONER FERNANDEZ: So I'm just going to -- oh,
9 I'm sorry. I was going to summarize what has been said,
10 but Commissioner Taylor has a question.

11 CHAIR KENNEDY: Commissioner Taylor?

12 COMMISSIONER TAYLOR: Hi, good morning.

13 As we delve into sort of the record retention as it
14 applies to the notes, I know that personal can be a
15 sliding scale. And so where do we get into the
16 distinction between what was a personal note that we took
17 as it relates to how we go about our business and what
18 was something that might be deemed material and relevant
19 to past litigation. So I know that I would be extremely
20 cautious with destroying any notes as it relates to our
21 work.

22 And I think of two instances of, you know, what's
23 required from some civil servants. Some civil servants
24 are required to keep all of their notes until the end of
25 their employment. And then further also think of how a



1 jury is handled when you're sitting in the box, you leave
2 all your notes in the box at the conclusion of your
3 business, and then it becomes the court's discretion.

4 So I'm sort of the opinion that -- and of course,
5 counsel can ultimately make a decision, but I'm sort of
6 the opinion that all these notes that we take, if you put
7 it down, it need might need to be retained.

8 CHAIR KENNEDY: Marian?

9 MS. JOHNSTON: I'm sorry. I'm still getting used to
10 this equipment. I think that's correct, as far as the
11 Commission -- while the Commission is still active,
12 because you never know when there's going to be a public
13 records request, or when there's going to be some kind of
14 litigation going on. So at least while the Commission is
15 still active, my advice would be to hold onto all of your
16 notes.

17 On the other hand, if you were to destroy them and
18 they weren't in a category that's required to be
19 maintained, there's no legal damage in that. It's just
20 for good practice to keep them until you finish your
21 work.

22 CHAIR KENNEDY: Very good. Okay. Are we at a point
23 where we want to move towards adopting these two draft
24 policies officially? Do we have -- are we clear on any
25 minor modifications required?

1 COMMISSIONER FERNANDEZ: Yes. So for the staff code
2 of conduct, I just have the one change, to put, "support
3 the work of," instead of, "perform the task of."

4 And then for the --

5 UNIDENTIFIED SPEAKER: (Indiscernible) --

6 COMMISSIONER FERNANDEZ: Oh, sorry. That was really
7 cute, whoever said that.

8 And then for the record retention, counsel was going
9 to, I guess, do one more double-check to make sure that
10 the retention schedule was in line with the state
11 retention schedule. And chief counsel was also going to
12 look at the language for the litigation holds and adjust
13 it if needed.

14 But basically, that's it, in terms of the changes
15 that were discussed. We could move forward with this,
16 and if there's a motion that we just move forward with
17 the changes noted, that would -- we could do that.
18 Unless you want us to bring it back tomorrow, possibly.

19 CHAIR KENNEDY: Okay. My sense is that for the
20 staff code of conduct, adopting now with the one change
21 would be fine.

22 The record retention policy, if counsel is going to
23 take another look at this, I would prefer to hold off.
24 As you say, we could bring it back before the Commission
25 tomorrow if counsel is able to review it between now and



1 then.

2 Commissioner Turner?

3 COMMISSIONER TURNER: Thank you, Chair.

4 I wanted to just say, I really appreciate the work
5 that was done in both of the policies. I thought they
6 were well-written, and I was going to move that, yes, we
7 adopt and my motion would have been for both policies,
8 though one, with the changes that were suggested, and if
9 I'm not mistaken, if we adopt the other policy and
10 approve it now, if there are other changes to it, perhaps
11 it can be an amendment to it at that time, and if not,
12 we'll be set and ready to go. So that would be my motion
13 that we adopt it.

14 CHAIR KENNEDY: Okay. Is there a second?
15 Commissioner, Yee is seconding.

16 Is there a discussion? Further discussion? Okay.
17 Then I will ask Katie to call for public comment before
18 we take a vote on this.

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

23 To call in, dial the telephone number provided on
24 the livestream feed. The telephone number is 8778535247.
25 When prompted, enter the meeting ID number provided on



1 the livestream feed. It is 92738068918 for this week's
2 meeting. When prompted to enter a participant ID, simply
3 press the pound key.

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 comment. You will also hear an automatic
7 message to press star 9. Please do this to raise your
8 hand indicating you wish to comment. When it is your
9 turn to speak the moderator or unmute you and you'll hear
10 an automatic message that says, the host would like you
11 to talk. Press star 6 to speak.

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

18 The Commission is taking public comment on the
19 motions on the floor at this time.

20 And we do not have anyone in the queue.

21 CHAIR KENNEDY: Okay. We will standby for 2 minutes
22 to let the live feed catch up.

23 Commissioner Fornaciari?

24 COMMISSIONER FORNACIARI: Yeah. While we have a
25 minute, I just -- one more thing I wanted to share with



1 the group. We're putting together a shared folder. It's
2 going to contain policies, procedures, and memos and you
3 know, just kind of the general documents that we need to
4 have available to everyone as a resource.

5 So we already have the first policies that we've
6 approved up there. I haven't shared it yet because I
7 wanted to check in with Director Claypool to make sure I
8 wasn't doing redundant work here, but he gave me the go
9 ahead this morning.

10 So we'll incorporate the new policies into the
11 policy document and put the memos up there and share that
12 with everyone so there'll be one place where we can go to
13 find all this documentation.

14 CHAIR KENNEDY: Excellent.

15 Director Claypool?

16 DIRECTOR CLAYPOOL: First, thank you, Commissioner
17 Fornaciari, for doing that. It takes -- you know, it
18 helps staff out when you pick something up like that for
19 us.

20 I did notice one thing in the retention policy that
21 we need to add. I just was scanning it as we were
22 talking. The very final thing, it says, we're going to
23 keep permanently, the final redistricting maps. We need
24 to also include the final redistricting maps and
25 accompanying report. The reports that stand in support

1 of the maps. They're companion pieces, and I just think
2 that we should make sure that it's understood. That's
3 all.

4 PUBLIC COMMENT MODERATOR: The queue is still empty,
5 Chair.

6 CHAIR KENNEDY: Okay. So just to make sure that
7 everyone understands, this would add and accompanying
8 report to the final redistricting maps on the last page
9 under redistricting records. So we would be including
10 that change in what we are voting on.

11 Commissioner Fornaciari?

12 COMMISSIONER FORNACIARI: I was just going to say
13 the same thing you did.

14 CHAIR KENNEDY: Okay. Very good.

15 Okay. Could I ask staff to call the vote then?

16 MS. MARSHALL: Commissioner Le mons?

17 VICE CHAIR LE MONS: Yes.

18 MS. MARSHALL: Commissioner, Sadhwani.

19 COMMISSIONER SADHWANI: Yes.

20 MS. MARSHALL: Commissioner Sinay?

21 Commissioner Taylor.

22 COMMISSIONER TAYLOR: Yes.

23 MS. MARSHALL: Commissioner Toledo?

24 COMMISSIONER TOLEDO: Yes.

25 MS. MARSHALL: Commissioner Turner?



1 COMMISSIONER TURNER: Yes.

2 MS. MARSHALL: Commissioner Vazquez?

3 COMMISSIONER VAZQUEZ: Yes.

4 MS. MARSHALL: Commissioner Yee?

5 COMMISSIONER YEE: Yes.

6 MS. MARSHALL: Commissioner Ahmad?

7 COMMISSIONER AHMAD: Yes.

8 MS. MARSHALL: Commissioner Akutagawa.

9 COMMISSIONER AKUTAGAWA: Yes.

10 MS. MARSHALL: Commissioner Andersen.

11 COMMISSIONER ANDERSEN: Yes.

12 MS. MARSHALL: Commissioner Fernandez.

13 COMMISSIONER FERNANDEZ: Yes.

14 MS. MARSHALL: Commissioner Fornaciari?

15 COMMISSIONER FORNACIARI: Yes.

16 MS. MARSHALL: Commissioner Kennedy.

17 CHAIR KENNEDY: Yes.

18 MS. MARSHALL: Motion passes.

19 CHAIR KENNEDY: Very good. That is our discussion
20 of policies, which went smoothly and quickly. So we will
21 now move to subcommittee report.

22 First of all, the subcommittee on Action on the
23 Census, Commissioner Sadhwani and Toledo, do you have
24 anything to report?

25 COMMISSIONER SADHWANI: Nothing new, at this time,

1 beyond what Marian had updated yesterday. Unless
2 Commissioner Toledo has anything.

3 COMMISSIONER TOLEDO: No updates.

4 CHAIR KENNEDY: Very good.

5 Next, the hiring of the deputy executive director.
6 Commissioners Fernandez and Ahmad?

7 COMMISSIONER FERNANDEZ: We're both so anxious to
8 talk about this. Not.

9 I believe Director Claypool provided an update
10 yesterday. We're no closer, unfortunately, today than we
11 were two weeks ago or two months ago. So okay. That's
12 the update, unfortunately.

13 CHAIR KENNEDY: Very good. Thank you.

14 Finance and Admin, are there any nonpolicies that
15 you are -- issues that you would like to update us on?

16 COMMISSIONER FORNACIARI: Yeah. I don't think so.
17 I don't have anything.

18 Commissioner Fernandez, was there anything else to
19 update on? Okay.

20 CHAIR KENNEDY: Gantt chart, I would ask Director
21 Claypool to provide any updates to me or to Commissioner
22 Taylor and me in writing that we need to take into
23 account in updating the Gantt chart. And I will try to
24 get an updated version of that on the website before the
25 next meeting.

1 Director Claypool?

2 DIRECTOR CLAYPOOL: And per our discussion, I'll be
3 working today on updating that timeline, that contracting
4 timeline that you discussed and that that will need to be
5 incorporated into the Gantt chart. I was holding off on
6 presenting that until we actually knew that we were
7 putting our contracts into review by DGS and OLS. But I
8 will work on that and distribute it to the Commission so
9 we can see where the time is now.

10 CHAIR KENNEDY: Excellent. Thank you.

11 Line drawers RFPs, we will take up later. VRA
12 compliance -- your RFPs, we will take up later. Is there
13 anything else that you would want to update on other than
14 the RFPs?

15 COMMISSIONER SADHWANI: I don't think so. I think
16 just to say that we'll talk about this a little bit with
17 the update on the RFIs. We continue to think about
18 trainings for the commission, and we're projecting that
19 to be in kind of January, February, but we'll also
20 mention that with the RFI. I don't know if Russell has
21 anything more.

22 MR. RAWLINGS: That's all. Yeah.

23 COMMISSIONER SADHWANI: Yeah.

24 CHAIR KENNEDY: Okay.

25 Commissioner Andersen?

1 COMMISSIONER ANDERSEN: Yeah, I do have to say, and
2 I apologize if people don't realize this, I must be away
3 from 2 to 3:30 this afternoon. And I know we're talking
4 about doing all our RFIs. There is an item which I don't
5 know if we want to get into now. It does sort of affect
6 the timeline, which is sort of the Gantt chart. It's
7 kind of a piecing all of this together.

8 Commissioner Sinay actually mentioned, you know,
9 what meetings, how many meetings. This, at some point,
10 really does have to come up. And I don't know if now
11 might be a very good time to do that because it directly
12 affects the timing and the synthesis of all of the RFIs,
13 including the data management and the tasks involved.

14 And I don't know if we want to bring this up at this
15 time, considering it's a fairly, you know, try to, you
16 know, to put all of us together when we all have our
17 heads here and in place without going through the
18 specifics of the line drawing RFP.

19 I think this might be a good -- and I see
20 Commissioner Sadhwani is kind of nodding your head.

21 Director Claypool, I think this is something that
22 you also were mentioning in your items. How many
23 meetings? When are we having meetings? Would the
24 Commission be -- entertain discussing this at this point?

25 CHAIR KENNEDY: Director Claypool?

1 DIRECTOR CLAYPOOL: Yes. I think yesterday I had
2 actually said that I would send out the 2010 schedule, so
3 you could kind of see what 34 meetings look like. And
4 unfortunately, I did not have the time to do that. I
5 will do that today.

6 And also, there will be a piece that shows the
7 attendance that they had. So just give you a flavor of
8 what it looks like when you're on the road.

9 Of course, we have the advantage this time of not
10 having to travel, which will greatly reduce the stress
11 that will come upon you when we reach April.

12 We talked also about having it be split. When I
13 spoke with Commissioner Andersen and Commissioner
14 Sadhwani, we talked about having the desire to get a lot
15 of this COI testimony ahead of that census data so that
16 we would have more time after the census data to actually
17 refine the maps and go through the process of developing
18 the maps.

19 So we can talk about it right now, and it's a good
20 time. I think the first thing the Commission may want to
21 consider is, what do you as a Commission think you would
22 like to do as far as a meeting, an actual meeting? What
23 would it look like to you to do a public meeting? We've
24 heard several suggestions, but I think that right off the
25 bat, we need to think about that. And from there, we can

1 expand to how many of those you can feasibly have. So
2 I'll let it go there.

3 COMMISSIONER ANDERSEN: And on that, I might sort of
4 step in. Commissioner Sadhwani and I have put together
5 basically a visual that we can all look at, and I think
6 it will help in terms of time frame and the components of
7 this.

8 And this is for -- it's -- we might walk through it
9 and talk about our ideas, and you'll see how all the
10 different components will possibly fit in. And we'll
11 need clarification. Without getting into the specifics
12 of meetings, but you'll see how it all fits together.

13 So I might -- Commissioner Sadhwani, you want to
14 share your slides here?

15 COMMISSIONER SADHWANI: Yes. Yes, I will do that.
16 Is that okay if I share screen?

17 And I will talk through all of this? This is not
18 posted as of yet. We actually just made it this morning
19 just to make it a little bit more clear for people to
20 follow. We certainly can post it, and we can talk
21 through the entirety of what I'm sharing.

22 And I will, just to uplift kind of this piece around
23 the reason we need to talk about this now. It's very
24 difficult to develop the RFP unless we have a plan,
25 unless we have a sense of what these meetings are going

1 to look like. And I think that's where we're really
2 struggling. It's been a struggle even for me, for
3 Commissioner Andersen, for Director Claypool to all kind
4 of get on the same page and really understand, oh, well,
5 this is how you're envisioning, this is how someone else
6 might be.

7 So I think to the extent that we can begin this
8 conversation and get some clarity and get everyone on the
9 same page about whatever our plan is going to be would be
10 very helpful. So I'm going to go into screen sharing
11 mode.

12 COMMISSIONER ANDERSEN: Okay. I see a question from
13 Commissioner Vazquez.

14 CHAIR KENNEDY: Commissioner Vazquez?

15 COMMISSIONER VAZQUEZ: Yes. Thank you. I'm glad
16 we're having this conversation. I'm sad that
17 Commissioner Sinay is not here because we have -- the
18 outreach committee, I think we concur with Commissioner
19 Sadhwani and Commissioner Andersen, it's been incredibly
20 difficult to get concrete about our outreach plans
21 without knowing the how and the what we want to get out
22 of our public meetings, both for the communities of
23 interest, but also for, you know, receiving feedback.
24 And it's hard to plan even a grant structure if we don't
25 know exactly what we are going to be asking community

1 groups to be supporting us in.

2 So again, appreciate this conversation, and we sort
3 of had also scheduled for item 10 a discussion similar to
4 this regarding outreach. So I don't think these are
5 separate conversations. So just wanted also to add that
6 additional lens and framing for folks during this
7 discussion that all of this is very relevant and
8 inseparable from our outreach planning.

9 COMMISSIONER ANDERSEN: So I might just say, thank
10 you very much, Commissioner Vazquez. And I am sorry,
11 Commissioner Sinay. I believe she'll be back shortly.

12 This is -- it looks like line drawer RFP update. It
13 is part of that, but this is really an overall.

14 And I might toss the data management group under the
15 bus too here. This also directly affects you because the
16 interaction between the line drawer and the data
17 management is a crucial piece that we need to figure out
18 because it is pertinent to both the RFPs, and the VRA.
19 All of these tie together. This is sort of the -- and
20 the Gantt chart and the -- so we're all -- and that's
21 where this -- the gist of this is for discussion purposes
22 to hit on different things and to tie it all together.
23 This is kind of more of a -- and get at visions of how
24 things are fitting together and when, you know, doing our
25 best. I'd like, you know, and this might not work. But

1 we're actually getting it down and moving it forward.

2 So go ahead, Commissioner Sadhwani.

3 COMMISSIONER SADHWANI: Yeah, no, absolutely. And I
4 just completely agree with you, Commissioner Vazquez,
5 that this is just for discussion. And at some point we
6 all have to finalize a plan.

7 So some of the things that we were thinking about.
8 Right, taking the lessons learned from 2010, we have
9 additional time. We have time prior to census data
10 dropping. We also know that when we get census data is
11 not entirely clear, so we're just going to operate for
12 now off of that April time frame, August 15th time frame.
13 I get it. That may not be the time frame, but we need to
14 have something to work off of.

15 And so what we're thinking is from mid-January to
16 April, that we can begin some of this outreach prior to
17 having census data, that we can begin -- as the outreach
18 committee has talked about, and I believe that Mr. Ceja
19 is also a part of planning this at this stage, that
20 there's this educational component, right. But that we
21 can also begin to collect testimonies. We can begin to
22 have some of these conversations around the state to give
23 us additional time, even before we have the census data.

24 We'll have to think about, however, what that looks
25 like in terms of the submissions that we get. The COI

1 tool will be available, so we'll have to have the data
2 management system in place in order to capture that
3 testimony.

4 The line drawers, with all honesty, right, in terms
5 of the timeline of an RFP, we could start going out in
6 mid-January and collecting information, but we probably
7 won't have a line drawer yet, right. That contract, just
8 given the RFP process time -- you'll see when we talk
9 about the VRA attorneys and outside litigation, it's
10 going to be a while, in order to meet all of those
11 deadlines.

12 So that would be kind of a public comment piece.
13 And then from the CRC side, right, we have already talked
14 about conducting an RPV analysis. Right. And
15 Commissioner Yee and I are actively working on trying to
16 develop an agreement for an outward-facing public
17 document, conducting a broad RPV analysis, and that can
18 help inform, you know, what we all need to think about in
19 terms of VRA compliance, as well as nontestimonial data
20 collecting information about school districts, about
21 water districts, et cetera.

22 Commissioner Andersen, do you want to jump in and
23 add anything, if I've left anything out?

24 COMMISSIONER ANDERSEN: I do, actually.

25 COMMISSIONER SADHWANI: Yeah.



1 COMMISSIONER ANDERSEN: Basically, what we've done
2 here is, there are two time frames. There's the pre
3 census and then there's once we get the census data. And
4 2011, basically, they didn't do any of the public
5 outreach, the meetings. That all started once they had
6 the data. And as the commissioners also said, lessons
7 learned, don't do what we did. You have extra time and
8 use that time to get as much of the testimony -- the
9 public testimony as you possibly can before the data
10 hits. And that was said multiple times. And I want to
11 be very, very clear. So the idea is maybe two contacts
12 with all of our partners going out, one, education, two,
13 we're actually getting that testimony.

14 Now, knowing -- understanding that, some of that
15 testimony has to change because of the -- when the actual
16 census data gets there because the people who --
17 particularly groups who are racially based and say, we're
18 in this area, and then the census data comes in and it
19 turns out, well, a lot of people have moved, so that COI
20 has to be arranged.

21 But before that April 1st deadline, you have
22 actually done a lot of those meetings. They're general.
23 But you've done that, and you've gotten -- and where I
24 have here, the data management. Data management needs to
25 be at virtually all of those meetings. They have to

1 collect all this stuff. If this is their task, they have
2 to be taking all this in and converting it into GSI
3 format. Otherwise, as Sofia Garcia was mentioning, line
4 drawers were taking that all in and changing into the GSI
5 format. And that's so -- so in terms of when do those
6 people come on and what tasks are they actually doing,
7 this is what I want you to be thinking of. Is -- that's
8 going to happen, February, mid-February-ish. And who
9 needs to know what? Then -- and what -- at this time
10 what's the CRC doing? We're trying to reach all our
11 outreach people.

12 We are also doing the VRP analysis, a rough one.
13 And this is to get where are -- you know, what areas do
14 we really need to tackle. But another idea which came,
15 again, from the 2010 group is nontestimonial data. Which
16 testimonial data is all of public coming in and talking
17 to us. Nontestimonial data is school districts, water
18 districts, other than just city maps it could be economic
19 groups, neighborhoods that are -- like, cities call our
20 neighborhood this. This is not necessarily the people
21 coming in and telling us. And again the 2010 Commission
22 said, "You should get both". We didn't really get much
23 and we wish we had.

24 So then, sir, if you could go to the next line --
25 COMMISSIONER SADHWANI: Before we move on, I just

1 want to stress and kind of underscore here, if we go out
2 and start doing these meeting during this time frame, we
3 may or may not have a line drawer already under contract.
4 Just given the time frame for the RFP's, right? That
5 we're going to have to have it sit basically for a month
6 and get approval from -- I think the office is DGF? You
7 can correct me. I'm still learning all of these
8 acronyms.

9 So how that will -- we'll have think through what
10 does this meeting look like. It's going to look very
11 different from how 2010 was conducting those meetings.
12 And those meetings that -- they conducted then; their
13 line drawer was there with them. And when they received
14 testimony the maps were shifting. You know -- they were
15 taking a look at a screen with different maps. That was
16 my understanding of the meetings in 2010.

17 If we adopt a timeline like this, those meetings
18 would be -- would look very different. And so I think we
19 just need to be prepared for that.

20 And then moving on to the time period with census
21 data, and again April to June or July, you know, in that
22 time frame. At that point, we can be doing the RPV
23 analysis that -- the more fine grained analysis that we
24 discussed at our last meeting. We still have to figure
25 out whether or not that's going to be, you know,

1 attorney/client privilege, work product, et cetera We'll
2 have that conversation in the future. But that analysis
3 will have to be conducted regardless. We can begin
4 incorporating all of the testimony that we've had, as
5 well as continue to conduct additional testimony, right?
6 So at this point we would have the line drawer on board,
7 we can do those meeting that work more similar to the
8 2010 style where a line drawer is there. We're really,
9 you know, playing with the testimony, playing with maps,
10 all leading towards those draft maps being established.

11 COMMISSIONER ANDERSEN: I'd like to jump in here --

12 Chair Kennedy: Let me -- let me interrupt --

13 COMMISSIONER ANDERSEN: Go ahead.

14 Chair Kennedy: Let me interrupt you for a moment.

15 Commissioner Le Mons has a question or comment and then I
16 have a question. And then I'll hand it back to you.

17 Commissioner Le Mons?

18 VICE CHAIR LE MONS: First, thank you, both, for
19 bringing this conversation forward. I agree with you. I
20 think this is very critical. What I need some help with,
21 and I don't know if other commissioners can benefit from
22 this, is -- so we've been -- we're talking about this in
23 the context of -- and I'm talking about just this
24 presentation. But you know, where -- what we're going to
25 do. We're talking about in the context of how it was

1 done before, how we want to do it different. I'm not
2 clear on those distinctions. So that would be helpful to
3 understand. What are we really trying to do that's
4 different? What are the pros and cons to doing it
5 differently?

6 And I'm not talking about the education piece. I'm
7 kind of taking the education piece out. I fully
8 understand the purpose and intent of the education piece.
9 Or at least I'll try to sum up what I think the point of
10 the education piece is to, of course, expand
11 understanding and education around this process, why it
12 exists. Ultimately, to have more and more people be
13 involved. So that we increase the public participation
14 over what it has been in the past and hopefully set up
15 the future to have even more participation. So that's
16 just sort a fly-by sum of what the education piece is
17 about.

18 But the draft -- the map part is the part that I
19 often get kind of lost on what it is we're really trying
20 to do. And how much of that pre-census testimony -- the
21 value of the pre-census testimony in comparison to the
22 post-census testimony, so that we understand how much
23 emphasis and effort to put in. So I think -- I see
24 Commissioner Sadhwani nodding. So I think she's -- so
25 there's a whole laundry and I won't spend any more time.

1 But I really think that I need a comparing contrast, I
2 guess, approach, so that we can talk about the value of
3 these alternative, or different, on enhanced, or new
4 approaches, and what we're going to get from them. And
5 that kind of is a piggy back off of what the
6 presentations yesterday -- they gave a very simple
7 example of kind of the dog park thing, et cetera.

8 So we can get an enormous amount of information. It
9 has -- but what are we trying to very specifically
10 accomplish? And that will make it easier for me to
11 contribute, you know, a point of view, or come time to
12 vote to vote on it, because I'll better understand our
13 intention in a more laser, surgical way. So I hope I was
14 clear there.

15 COMMISSIONER SADHWANI: I think so. Oh, go ahead.
16 Sorry.

17 Chair Kennedy: It's okay. So I will -- I will make
18 one quick comment on that and pose my question and then
19 turn it back over to Commissioner Andersen and
20 Commissioner Sadhwani.

21 So I have tried all along, I have sought all along
22 to draw a clear distinction between communities of
23 interest and districts. So in my mind, collecting
24 communities of interest's input before the census data
25 comes out, you get the clearest most un-tarnished, un-

1 biased, depiction of what a community of interest is.
2 And then we know from the legal frame work that
3 communities of interest need to serve as building blocks
4 for districts.

5 Communities of interests are not districts.
6 Communities of interest are building blocks of districts.
7 And the better understanding we have of what the
8 communities of interest are, before we start into the
9 actual drawing of districts, the better.

10 So then my question to the two of you is, we have --
11 we know from previous briefings that we anticipate
12 receiving ACS data, American Community Survey data, in
13 February. And does that influence our thinking on this
14 big-picture calendar? So back to Commissioner Andersen
15 and Commissioner Sadhwani.

16 COMMISSIONER ANDERSEN: Okay. On the ACS data in
17 February, that one I have to think about. And
18 Commissioner Sadhwani might have a better idea on that
19 one. The -- Commissioner Kennedy, you did a quick
20 summary of the benefits, of certainly the mass-of-pro to
21 the item that Commissioner Le Mons has actually asked me
22 about.

23 The idea -- last -- okay. The last time versus this
24 time. In 2010 all public meetings were one and the same.
25 They were collect the communities of interest and draw

1 the maps. They were virtually the same sort of thing.
2 And they did -- they overlapped. So the idea -- and so
3 it was complicated, they got changed, some of it -- it
4 was a question of are they all real? Doing that all at
5 the same time also resulted in -- we didn't have time to
6 go back once we made a map, and people put comments in
7 about, "Oh god. It's terrible". We said, "Right, right.
8 We'll adjust it." And then they were out of time and had
9 to just post those maps and go.

10 And a lot of people -- a lot of the public, who had
11 really valid questions -- they didn't have time on the
12 screen. Right now, you say reiterate, they didn't have
13 time to do the reiteration.

14 And the lessons learned were try to move as much up
15 as you possibly can to give yourself more time. Because
16 once you have that first initial map drawn, the actual
17 real map, you have to let it sit for two weeks. You
18 can't touch it. And then you can start adding in all the
19 comments. So everyone can comment once -- because the
20 idea is you don't want to hit a moving target, which is
21 totally understandable. But it does take two weeks out
22 of there where you can't do any kind of reiteration. So
23 I -- Commissioner Le Mons want's to jump in right away I
24 see.

25 Chair Kennedy: Well, I -- hold on. I'm -- I'm --

1 I've got this. So Director Claypool's hand was up first,
2 and then Commissioner Le Mons.

3 COMMISSIONER ANDERSEN: Okay.

4 DIRECTOR CLAYPOOL: I wanted to address Commissioner
5 Le Mons' question about what's the difference between pre
6 and post. The first Commission didn't have that
7 opportunity to actually go out as far as they wanted to
8 and to meet with as many groups. Once you get the census
9 data, you're going to be concentrating quite a bit on
10 large population areas. That really -- as we were told
11 in 2010 -- or -- Los Angeles. Everything starts in Los
12 Angeles and then it kind of ripples out. And so a lot of
13 our -- a lot of our meetings ended up being in large
14 population centers. And we would go to smaller places,
15 but once we started refining them -- or once they started
16 refining them, it got even more and more concentrated to
17 Los Angeles and San Diego and the Inland Empire and so
18 forth, where you really needed to get a lot of testimony
19 to divide up those very compact districts.

20 So in my mind, Commissioner Le Mons, the difference
21 here is that you have what I consider a luxury of being
22 able to reach out to people that weren't reached out to
23 the first time. And to have these conversations, and to
24 understand the Eastern Sierras, and understand Northern
25 California. And you know, as far as the difference



1 between Eureka and Redding and Susanville and those
2 areas.

3 You can do those meetings and you will have
4 enfranchised individuals in those areas. Then you get
5 the census data and now you start with a better base from
6 starting to make your decisions. And that's all.

7 COMMISSIONER ANDERSEN: Yep. Commissioner Le Mons?

8 VICE CHAIR LE MONS: So I have a question for what
9 Commissioner Andersen was just saying. So if we can --
10 if you can help distinguish time, like, what you just
11 described with, you know, the drawing and that all sounds
12 like a time constraint, not a process constraint. Or --
13 so what I'm trying to understand in my question is -- so
14 I guess, first of all, I'm ignorant about the various
15 ways a map can be drawn. So that's -- that's -- and I
16 don't mean the shapes. I'm saying the process.

17 So it sounds like the line drawers were there, real
18 time, drawing maps with real testimony at the time. And
19 then those were captured. And it sounds like a time
20 crunch happened. There wasn't another round opportunity
21 for feedback. That's a time problem, in my mind. That's
22 not a process problem per-say. If they had had more time
23 they might have went back.

24 So this data that we're going to be collecting --
25 like, without a line drawer for example. If you guys --

1 this -- this particular line drawing group; if you could
2 share with us, like, how does that get incorporated with
3 the line drawer?

4 COMMISSIONER ANDERSEN: Yeah.

5 UNIDENTIFIED SPEAKER: Okay. Go ahead.

6 COMMISSIONER ANDERSEN: Okay. If I might --
7 basically, we're putting -- what we like to do is get all
8 the building blocks together. And we understand that the
9 census data is a bunch of people building blocks. But we
10 also -- to draw districts, we need to know the city
11 map -- the city locations, we need to know the county
12 locations, we need to know the locations, IE the building
13 blocks, of communities of interest.

14 And in doing our -- every time our testimonials,
15 it's to get communities of interest. It's to get and map
16 those communities of interest. So they are also a part
17 of, on our - you know, little piece that we can up and
18 put on our big chart, essentially. We have another
19 picture.

20 And by going out early, as Commissioner Kennedy
21 said, you identify who are those communities. And you've
22 made a contact. And what -- they don't -- they don't
23 care. They're not trying to -- they're not basing on, oh
24 I want a line drawn here and here and here. They are
25 saying, "Hello. Here I am. I believe this is where I --

1 where my map is." And you're -- so you have all those
2 without the color of numbers.

3 So you have it -- they're more -- they're more
4 accurate, they're more real. They're more -- you know,
5 they're genuine -- genuine. And so you've made that
6 contact. And now once that -- so you -- basically,
7 you've made that contact. You've drawn a picture, so
8 that you have -- as we come down to here -- once you
9 actually have data, and you incorporate that. So people
10 can go and they can look. And on our website you'll see,
11 "Oh. Here's a little communities of interest. Oh here's
12 a city. Oh. Here's -- " all the little pieces are
13 starting to show up on the map, on our big map, before
14 we've drawn any line anywhere.

15 So you have all the parts that are there. Then once
16 the data comes out, you know, or we get that big PO
17 1010 -- or I can't remember what it's called now. Then
18 you do the RFP analysis. You know the racially voterized
19 -- racially polarized voting. To show some areas where
20 there's another -- this is how -- there's another piece
21 that you have to do, before you start doing actual line
22 drawing. And then -- yeah. These are -- these are
23 all -- you know, you're drawing up little things. Then
24 you start the idea of, we're putting a map up there with
25 all the census data and all our pieces on it and actually

1 trying to draw a line.

2 So -- and before, what had happened is collecting
3 those little testimonies, those little -- our little COI
4 maps happened at the same time as we were trying to draw
5 a district. So you're trying the two things at the same
6 time.

7 So it was a process issue. And not just a timing
8 issue. Now, the one thing that does kick all this around
9 and which is why we have incorporating, and it's all at
10 the same time here, is; while we've touched our
11 communities of interests, and we know that they're
12 genuine and real, unfortunately their lines will also
13 change a little bit based on the actual census data.

14 But we've already contacted them. We're -- we've
15 made a connection and so we already know that -- that
16 they are -- you know, we can help them modify their COI,
17 based on real numbers, as opposed to just an arbitrary
18 thing.

19 It's sort of a way to move it all forward, to give
20 us all a bit more time, clean up the process, as well as
21 make it a bit more accurate and a bit more transparent,
22 and give the public more chances to contact us, as we
23 finally do all the maps.

24 Chair Kennedy: Commissioner Sadhwani?

25 Ms. SADHWANI: Yeah. If I may, just to jump in

1 here. And I agree with everything Commissioner Andersen
2 has said. I think in response to your question,
3 Commissioner Le Mons -- and let me know if this is
4 helpful or not.

5 I see time and process as being very intimately
6 intertwined. That we have the gift of extra time. That
7 2010 Commission gave us the gift of extra time. But how
8 we use that time is most certainly a process question.
9 Because if -- what I heard you asking is, if we don't a
10 line drawer there, how are we going to incorporate it?
11 And I think that that is the challenge that we are
12 facing, especially as we are putting together this RFP.
13 Because I don't know the answer to that. And that's
14 where I feel like we need a lot of our, you know,
15 creative minds here.

16 I would love to say hey let's just get line drawer
17 on in mid-January and go out and start doing this. So
18 that -- not that we're creating the districts, but so
19 that we have something to really capture those
20 testimonies, capture the COI-tool stuff. So I do think
21 that that will be a process challenge. However, in terms
22 of the time perspective, I agree with Commissioner
23 Andersen. I think that the time and process -- I just
24 feel like they're so intertwined, because one of the
25 biggest lessons learned that I keep reading and hearing

1 about from 2010, is that they developed the maps, but
2 didn't -- and then when they had their draft maps, and
3 I'm sure -- if anyone in the public is remembers that
4 time period better than any of us do, they can call in
5 and tell us. But there was an outcry. Right? For the
6 original draft maps. There was a sense from the
7 communities that the Commission had gotten it wrong. And
8 there wasn't enough time for the Commission to go back
9 and really do a lot of additional feedback -- get
10 additional input. Because it was such a short time
11 crunch.

12 So part of this, to me, is actually moving up the
13 time in which we're going to have our draft maps,
14 potentially. Right? In order to have more time for that
15 reiterate piece, that number 4 here. Right? So that we
16 can buy ourselves more time.

17 If we get it wrong, again, the first time with our
18 draft maps, that we'll also have enough time. So --
19 afterwards to go back before we hit our deadline of
20 having a final map.

21 And so -- I -- to me, the process and the timing is
22 all very much intricately intertwined. And it's how we
23 tease that out, which is what we are facing at this
24 point. Because if we go out pre-census, without a line
25 drawer, I agree with you. I don't know exactly how we're

1 going to manage all of that data that's coming in. And
2 that's where I really feel like this conversation
3 coincides so much with the -- with the data management
4 sub-committees work.

5 Chair Kennedy: Okay. Commissioner Le Mons and then
6 Commissioner Turner and Commissioner Fornaciari.

7 VICE CHAIR LE MONS: So Commissioner Sadhwani, yes.
8 I agree with you that time and process are intertwined.
9 Absolutely. I think the only -- the only distinction I
10 was trying to make there is -- let's say a line drawer is
11 essential, like that function, to getting us to the end
12 results, right? Then it would be -- and I don't know
13 that that's the truth. Right? But I'm just using this
14 as the example. If that is indeed the case, then we
15 need -- unlike 2010, who wasn't able to do anything until
16 post-April -- and if we have the earlier time and we
17 still don't have a key component, like the line drawer,
18 then we aren't able to maximize the value of that
19 additional time that we have. And I guess that's the
20 part I'm a little confused about.

21 I know what we've talked about wanting to collect.
22 But at the end of the day we're trying to end up with a
23 map. And I understand what Commissioner Andersen said
24 very clearly. I understand everything you said. I don't
25 know that everything you said is accurate in terms -- and

1 I'm not saying it's inaccurate either. But I don't know
2 that everything you said is -- that is as simple a puzzle
3 that you've described. That we'll just plug this piece.
4 And who's plugging the pieces in? Like, all of that, to
5 me, is like okay that's sounds great, but how do we get
6 there?

7 Chair Kennedy: Okay. I have Commissioner Turner,
8 Commissioner Fornaciari, Commissioner Andersen, and
9 Commissioner Sadhwani.

10 COMMISSIONER ANDERSEN: So could I -- would it help
11 if I answered that first?

12 COMMISSIONER TURNER: No. No.

13 COMMISSIONER ANDERSEN: Okay.

14 COMMISSIONER TURNER: Thank you. Because what I
15 wanted to say -- maybe you can answer, you know, after
16 whatever the line -- lineup is, because it's -- it's
17 exactly what Commissioner Le Mons just said. Because the
18 point I wanted to make back when you said, Commissioner
19 Kennedy, I wrote it down. Because for me it clicked in
20 my mind. Made it kind of solidify a lot of conversations
21 we've been having as far as the community of interests
22 serves as building blocks. Right? And I know we're
23 trying to accord districts and we're trying to work up to
24 that, and community of interests is a building block.
25 Perhaps one shape, and then, you know, other

1 testimonies -- there's going to be another block. We're
2 going to have all these blocks and they'll be on a map
3 somewhere. And from there we'll then be able to see what
4 people that we've said over and over, they know their
5 community. They know where their communities of interest
6 are. So we should be able to trust that. Which on one
7 hand makes me wonder why does that even change for them
8 with census data, if indeed they know their areas, why
9 would it change later based on what a number said? I
10 know why we would want the numbers, because we will have
11 to round out for that equal representation and all those
12 things. But from a COI changing, I'm -- that -- I'm lost
13 on why that would change, number 1.

14 And then if that all be the case, I'm thinking it
15 may not -- if we're not going to actually draw the lines
16 until we have all of the building blocks, and I really
17 appreciate this -- the -- the document that you all put
18 together that includes testimonial and the nontestimonial
19 that we'll be able to go out and start finding now.

20 It's seems like the line drawer, whenever they come,
21 will come into a very nice healthy place of them having
22 all of their building blocks of the COIs, and the
23 testimonials, and the nontestimonials, and all they'll
24 need to do now is to draw -- help us draw lines around
25 it. Except for that last piece that Commissioner Le Mons

1 then threw in and said, "Well, whose setting up these
2 building blocks?" So I was at this one place and then
3 I'm thinking, well, if the line drawer is the one beyond
4 drawing, helping us to draw the lines, if they're
5 actually going to be the individual that captures all of
6 that and places it somewhere, then to me, we -- it --
7 it's essential that we have them in order to do this.
8 Unless there's a different way that we're capturing the
9 COI, the testimonial, the nontestimonials. Yeah. So
10 that's the piece that I wanted to add it in. So I'm glad
11 for the conversation. It's making a lot of things clear.
12 I want to say line drawers can be later. But let's
13 figure out who's going to hold it if it's not them.
14 Thanks.

15 COMMISSIONER SINAY: Okay. Thank you. Commissioner
16 Fornaciari?

17 COMMISSIONER FORNACIARI: Yeah. And thank you, all,
18 so much for keying up this conversation. We've been
19 needing to have this conversation for a while. This is
20 really, really helpful. So I guess -- yeah. So you
21 know, on the topic of capturing COI data -- I mean --
22 this is -- in my mind, kind of the driver for the COI
23 tool, right?

24 So anybody at any time can go put in data with the
25 COI tool, and the COI tool captures that data and stores

1 it for us. And then we pull it all back later, at some
2 point. So I guess -- I mean -- I don't know. Am I
3 missing something? But -- because I was kind of
4 envisioning that we would facilitate these meetings
5 through the COI tool to capture the data -- the pre-
6 census data, the pre-line drawer data, and we could use
7 that tool to capture that data. The data would be
8 stored, and then when we have a line drawer and we get
9 ready to draw lines. You know, we'd pull that back. But
10 maybe I'm not getting the big picture here.

11 Chair Kennedy: Okay. I have Commissioner Andersen
12 followed by Commissioner Sadhwani, Commissioner Ahmad. I
13 may have a comment at that point, and then I have
14 Commissioner Turner.

15 Commissioner Andersen?

16 COMMISSIONER ANDERSEN: Okay. Just a quick -- I
17 think those -- the three that just went, might have
18 helped each -- all of -- hopefully helped all the -- each
19 other understand a bit more. The -- Commissioner
20 Fornaciari said it very well. The idea of the COI
21 tool -- if we don't have anybody out there, at all, to
22 capture anything, the public can indeed use the COI tool
23 to give us input. And the COI tool, it's going to put
24 out a shapefile, it's going to put out a PDF. And that
25 comes to us. So then -- then the issue is, if we go out,

1 and it's just us, or -- or we have a data management
2 person, or we have a line drawer with us. There are
3 three different scenarios.

4 If it's just us, we could help someone use the COI
5 tool. We can write things down. And then that has to
6 get incorporated somehow. Or if we already have a data
7 management person with us, we would be tasking that
8 person to capture everything. Making sure that what
9 comes out of it we can sort. Also it creates a
10 shapefile, a something, some sort of -- some sort of
11 coding that's comparable with a GIS. If it's a line
12 drawer, they would also be trying to capture as much --
13 definitely trying to convert it into a GIS compatible
14 form, however they collect it.

15 And we have been tasked with asking -- you know,
16 with trying to figure out how to collect -- you know,
17 what questions that we need to ask so we know how to sort
18 things later. We can validate what information we're
19 getting.

20 So those are the three sort of things. So -- and
21 the issue is, if we don't have line drawers yet do we
22 want to have -- who is doing this part. But Commissioner
23 Le Mons, no matter what, as long as you collect whatever
24 information, and convert it to a GSI compatible format --
25 coding -- it can be in a shapefile, it can be a bunch of

1 different things. Even if it's just a picture. You can
2 then convert that to a GIS and incorporate it into a line
3 drawing map. Then the line drawers -- and the line
4 drawers will take all of those GIF compatibles and put
5 them onto a map. They're in charge of grabbing the data
6 base, and the map pieces, putting that together, and
7 presenting us with big pictures. That is the line
8 drawers' task. That's one of the line drawers' tasks.
9 So I hope that might have answered a bunch of questions
10 there.

11 Chair Kennedy: Thank you. And you heard the
12 beeping. We have to take our fifteen-minute break. I
13 hate interrupting this. But you know, when the clock
14 sounds, the clock sounds and then we take our break, and
15 we come back, and we'll tip off the ball again, and keep
16 this conversation going.

17 (Whereupon, a recess was held)

18 Chair Kennedy: Thank you, everyone. Welcome back
19 from the break. We will resume where we left off. But
20 let me first go down the list of those in the queue to
21 comment or ask questions. So I guess Commissioner
22 Sadhwani had to take off. I didn't realize she was not
23 going to be with us when we came back. But she was next
24 in the queue, followed by Commissioner Ahmad. I may have
25 a short comment. Commissioner Turner, Commissioner Le

1 Mons, Commissioner Taylor, and Commissioner Fornaciari.

2 So -- all right. In Commissioner Sadhwani's absence, we
3 have Commissioner Ahmad.

4 COMMISSIONER AHMAD: Actually, can you come back to
5 me? Or I'll raise my -- I'll get back in the queue. I
6 want to hear out this conversation a little bit.

7 Chair Kennedy: Okay. I'll put you at the end of
8 this list. The only thing that I was going to say -- and
9 I guess this goes partly to what Commissioner Andersen
10 was saying. I mean -- line drawers are -- again, they
11 support our work. You know -- we draw the lines. So we
12 have to -- we have to keep in mind. We draw the lines.
13 The line drawers may have their hand on the mouse and
14 keyboard, but they're following our instruction. So the
15 most important thing is that we get the input so that we
16 can instruct the line drawers on what do. So that's --
17 that's all I wanted to say at this point.

18 Commissioner Turner?

19 COMMISSIONER TURNER: Thank you, Chair. I wanted
20 to respond -- earlier there was conversation. I had to
21 write it down because of the break so I didn't forget.
22 But here we go. When we were talking about who's going
23 to hold this information, the response was that the COI
24 tool. And we know that the COI tool will not serve
25 everyone. Right? Everyone won't have access to it.

1 People won't get an opportunity. And so my -- so I
2 wanted state that, that if we're looking for the COI tool
3 to hold what's input, and even for us to input for
4 people, that's great for those that we are -- we have
5 face time with. But we also recognize that there are a
6 lot of people that we won't have access to during that
7 time period, that won't have access to a COI tool. And
8 so when we say as long as you collect the information, I
9 think that gets back to still the who collects. Unless
10 it's as long as you collect it with the COI tool. But
11 again, back to my same statement.

12 And then, saying something about converting it. I
13 think it was Commissioner Andersen, when you were saying
14 about converting it, the questions still kept popping up
15 in my mind, who's converting if we don't have a line
16 drawer. And I'm hopeful that we're not -- I mean, we may
17 can't do any better. Maybe we'll just understand that
18 until a line drawer is in place we will only be getting
19 information from people that has access to the COI tool.
20 I just think that it will, later, maybe misrepresent
21 something, thinking that we've opened it up for this
22 extra amount of time period, but we've really only opened
23 it up for an extra amount of time period for a smaller
24 set of people.

25 Chair Kennedy: Thank you, Commissioner Turner.



1 Commissioner Le Mons?

2 VICE CHAIR LE MONS: Okay. So I have two
3 questions. Piggybacking off of what Commissioner Turner
4 just said. And I -- I'm referring -- and I think she may
5 be as well, but I'll speak for myself. When I'm
6 referring to the line drawer, I'm not referring to the
7 line drawer purely in the context of who draws the lines.
8 Meaning, I understand what you were saying, Commissioner
9 Kennedy, that we draw the lines. But there's a technical
10 aspect to this. So we inform how the lines are drawn,
11 but I don't think we're the physical person actually
12 moving the mouse and all of that. So when I'm referring
13 to the line draw, I'm talking about that technical
14 expertise. To be able to take whatever information,
15 where ever we've got it from, and apply it to the map in
16 a way that it meets the intention. Right?

17 So I think the outstanding question is, how do we --
18 what do they need? Like A, are they the only ones that
19 can do that? Meaning line drawers, or whatever that
20 expertise is. Are they the only ones that can translate
21 information wherever we get it from? COI tool, convert
22 it GIS, et cetera into the maps with these overlays.
23 Because we're talking about -- not just, like, the output
24 that the COI tool will give when someone's talking about
25 a very specific -- very specific community of interest

1 that they've entered into the system and the system spits
2 out the map. Commissioner Andersen talked about all of
3 these building blocks and puzzle pieces. I'm going to
4 call them puzzle pieces.

5 So there's someone applying all of these puzzle
6 pieces, and some of them overlay, et cetera. That part
7 is the part that I'm like, who's doing that? So that's
8 one question.

9 And then my second question was, before we went to
10 the break, Commissioner Andersen mentioned as long as
11 this is converted to GIS, and so I wanted to say is that
12 our end game? Like however we collect, wherever we
13 collect. Whether it's audio, or someone drew it on a
14 napkin, or it was put into the COI tool, et cetera. The
15 end game is that somehow we have to move from the
16 collection to an output that is GIS compatible. And if
17 that is indeed true, that helps us at least narrow the
18 channels at which we can take stuff in. We say, "Oh.
19 We've got six channels that are easily convertible to
20 GIS. So these would be the channels that we would be
21 trying to exploit in the community to give people the
22 widest range of options." Of course, I just made that
23 number 6 up.

24 So those are my two questions.

25 Chair Kennedy: Okay. Commissioner Sadhwani, you

1 were next on the list, but not here. You want to jump in
2 now, or do you want to wait a few minutes and then jump
3 in?

4 COMMISSIONER SADHWANI: Why don't we wait and just
5 catch up with the conversation. I apologize. I had to
6 drop off one of my kids.

7 Chair Kennedy: Okay. So I have Commissioner Taylor
8 next, followed by Commissioner Fornaciari. And then
9 going back to Commissioner Ahmad. And then we'll go back
10 to Commissioner Sadhwani at that point. So Commissioner
11 Taylor?

12 COMMISSIONER TAYLOR: Yeah. Again -- and I'm still
13 trying to absorb all of this information and the
14 conversation is wonderful. So I'm getting from the
15 Commission that we all -- whatever input comes in, we
16 want that to -- the end product of that to be a
17 shapefile. The shapefile is what -- is what -- is what's
18 used. So that being the case, we can start -- that
19 information can be gathered at any time because a lot of
20 information is static. Communities of interest aren't
21 necessarily static; city lines are static. The value
22 becomes what we get back from the census. So -- so I'm
23 just trying to -- oh. So the line drawer then becomes
24 our tool -- our line drawer then becomes the tool. So
25 I'm trying to see -- and I'm trying to keep it simple,

1 but I'm trying to see what our point of -- of contention.
2 It seems that we want shapefiles. And the shapefiles we
3 want to turn over to -- to the line drawer. So what
4 truly is our -- is our point of contention right --

5 Chair Kennedy: I'll -- I'll just say, I think at
6 this point that the big question over all of this is we
7 had certain procurement timelines that are not likely to
8 let us do what we want to do, when we want to do it. All
9 right? Those are going to hold us up to some extent.
10 And the question is how much of this can we do before
11 those procurement timelines are -- are -- go through
12 their process and we're able to do what we want to do,
13 when we want to do it.

14 Commissioner Fornaciari, you're next.

15 COMMISSIONER FORNACIARI: I think Commissioner
16 Taylor made an excellent point. I mean, the data that
17 we're gathering -- you know, it -- certainly, at the
18 beginning, is static in some sense. Right? So we can
19 gather it and then post-process it later to -- to put it
20 into a GIS format.

21 I mean, conceivably, we can collect data in any
22 form -- in any format. You know, like drawn on the back
23 of a napkin. As long as there's enough information there
24 for someone to take that data and convert it to a
25 shapefile. Something that the GIS -- or a GIS file.

1 Whatever. You know. But the file that can be used by
2 the line drawer to input the community of interests on
3 the maps so we can all see it when we're drawing our
4 lines.

5 You know -- and I just want to bring back a comment
6 made by Amy O'Hare yesterday. You know, one of the
7 happenings we could think about using is students to --
8 undergraduate or graduate students who need a capstone
9 project. Data analytics type students, or GIS type
10 students, who can take this massive amount of data,
11 unstructured data, and structure it for us. But that's
12 something else we can use the data management team to
13 help with, too.

14 But -- so I don't think we should worry about
15 holding -- holding ourselves up from gathering data,
16 because we can always post process it. And the other
17 thing is, let's not forget to the engagement of our
18 community partners out there that will help us, you know,
19 gather the data from their communities, or the
20 communities that they are connected with in various ways.

21 That's it.

22 Chair Kennedy: Thank you, Commissioner Fornaciari.
23 Commissioner Ahmad?

24 COMMISSIONER AHMAD: Thank you, Chair. And thank
25 you for this conversation. I'm seeing the overlap

1 between all of our different sub-committees, and all the
2 pieces kind of coming together.

3 So just briefly. In my conversations with
4 Commissioner Turner about the Data management aspect,
5 we've had talks about, you know, what -- what kinds of
6 data are going to come in, and what do we want from
7 someone who is under the -- the label of data management.
8 Whether it's internal person, contracted, whatever we
9 decide as a group. And something that we came up with
10 was the importance of the retrieval of this information,
11 given that we are working across a time period. So it
12 may be that we visit Redding, for example, in April. But
13 we receive a comment about that area in June or July. We
14 would still need to be able to retrieve that piece of
15 information before presenting a draft form of maps.

16 And so I think the data management piece in this
17 will be really helpful in the timeline that we decide to
18 go out, because what we hope that whatever, you know,
19 service or tool we rely on for that aspect would have the
20 capability to retrieve the pieces of information across
21 the time. And then also various formats that we do
22 eventually receive that information in.

23 So I see the overlap here. The question being, you
24 know, when are we going to out pre/post-sentences? That
25 kind of confused me a little bit, because in my

1 perspective, that data management would take care of
2 those issues of, you know, if we go out now are we going
3 to have a way to understand or manage this data? And
4 that aspect being taken care of from that regard. So I
5 just wanted to throw that -- those thoughts out there.

6 Chair Kennedy: Excellent. Thank you. Back to you,
7 Commissioner Sadhwani.

8 COMMISSIONER SADHWANI: Well, I apologize that I had
9 to miss the beginning of this conversation. I appreciate
10 all of these pieces. I absolutely agree. Like these are
11 the finer details that we most certainly need to figure
12 out in terms of all of this data management.

13 I really loved Commissioner Fornaciari's idea that
14 there are students out there who could probably fulfill
15 some of these roles for us. I know for sure at USC there
16 is a whole GIS lab with some really great folks who
17 understand and can work with shapefiles. I'm sure that
18 that's the case at some of the -- the various other
19 universities around the state as well.

20 The thought I had had previously, before we went on
21 the break, is one -- and this was just -- popped in my
22 head as we were discussing. It's not something we've
23 discussed previously that -- perhaps there's a -- perhaps
24 we could, like, hire one person or hire the state-wide
25 database to fulfill some of this role until we have a

1 data management system set up, until we have a proper
2 line drawer set up. So I just throw that out there as
3 one possible passable solution to consider. I don't even
4 know how possible it is.

5 And then I -- when I came in, I had heard
6 Commissioner Le Mons saying he had two questions, but I
7 didn't hear what those questions were. So I wasn't sure
8 if they had been answered or they are still lingering. I
9 don't know if you mind resharing them. I apologize.

10 VICE CHAIR LE MONS: Yeah. They're still lingering.
11 One is, is our end game a GIS file? Like is that -- what
12 is the end thing that we're trying to -- so Commissioner
13 Taylor says it's a shapefile. I'm assuming those things
14 are synonymous. I don't know. But that's just one
15 question that I think is worth clarifying. What is the
16 end game that we have to give the line drawer?

17 Because I keep hearing about the puzzle pieces. And
18 I think we -- I don't think I'm confused -- I know I'm
19 not confused on the high-level discussion about this.
20 But I think the devil is in the details on this. And
21 that's the part that I think we've got to nail some of.
22 It can't just be left. I mean, every group that -- and I
23 don't know if this is just available enough in my head --
24 but every group that's presented has asked us for a
25 specificity. Even the groups yesterday, all -- any --

1 everything can be done. Everything won't be done,
2 because that won't be possible because of resources,
3 time -- but the capacity, the possibility is endless.
4 Like we know that, right? But what exactly do we want to
5 do? That's what they keep asking us. What exactly are
6 you trying to achieve? What exactly do you want?

7 And frankly, none of us have ever answered that
8 question. What is proposed to us? And I think we
9 haven't because we don't know. And that's okay. So I'm
10 asking if of us, what exactly are we trying to do? What
11 do we want? What do we want? And to me that makes a
12 difference. So say, for example, it is a shapefile at
13 the end. Right? And we know there's a gap between not
14 having that and having that and several paths to get to
15 it. Right?

16 It sounds like the one that's already been sort of
17 defined is the COI tool. So that one is going to produce
18 that very thing. Although there may be some questions
19 about the language. I won't go there.

20 And then we will be collecting this stuff in other
21 formats. Some of those formats may have mechanisms that
22 will make that process very easy to translate, whatever
23 it is. And I would imagine that there is varying degree.
24 If we get an audio file, how easy is it to convert an
25 audio file into a map? I don't know. It may be the

1 easiest of all. But it may not be one that's easy to do.
2 But that's going to be important for us to know what
3 channels are we taking this information in?

4 So those are -- I think I say it more than what my
5 question is. My question is indeed, is the last thing
6 that we're trying to get is a shapefile?

7 And then the other questions was who's going to do
8 this overlay, and is that going to happen prior to census
9 as well as post, or just post? Meaning the puzzle - like
10 the files that we're going to get from district maps, and
11 all the other things that you guys had outlined here; the
12 nontestimonial data, and all of these different things.
13 Somebody's got to put all of that stuff together, or
14 convert it to be put. I'm trying to wrap my mind around
15 how that's going to -- how is that supposed to happen?

16 Chair Kennedy: Okay. So Commissioner Sadhwani, if
17 you want to go ahead and respond, and then Commissioner
18 Andersen is next.

19 COMMISSIONER SADHWANI: My sense -- to take your
20 second question first, I -- to me, that overlay --
21 putting all those puzzle pieces together happens post-
22 census. Because we want to wait until the census data
23 occurs. Now, don't get me wrong we could -- we could
24 start laying the groundwork, right, so to speak,
25 beforehand. But until we have the census data, I did --

1 I wouldn't -- I would feel very uncomfortable to
2 beginning to actually draw those districts and think
3 about all of these different pieces, until we actually
4 have the census data. So that we can get to the equal
5 population piece that we have to meet.

6 To your other piece around the shapefile. In all
7 honesty, I think that is absolutely the right question.
8 I love the idea of converting all testimony into
9 shapefiles. I don't know -- that will be very time
10 intensive I think. If we had, you know, fifteen -- or
11 maybe more -- I don't know how many it will take. A
12 whole bunch of GIS programmers all over the state.
13 Students, right? Who are doing this as an internship and
14 maybe they can get credit for it or something like that?
15 And they can take each piece of testimony and convert it
16 to a shapefile. I think that's really exciting. I would
17 still guess that at some level some of that testimony
18 would be very hard to convert. So I think we will still
19 have to be prepared to be flexible.

20 But I like the idea of turning everything into a
21 shapefile. I -- you know, I think that there's a lot
22 of -- as you point out rightly, there's a lot of
23 feasibility pieces that we would have to work out to make
24 happen.

25 Chair Kennedy: Okay. Commissioner Andersen

1 followed by Commissioner Turner and Commissioner Sinay.

2 COMMISSIONER ANDERSEN: Okay. There's a -- there's
3 a couple of things going here. It's our understanding of
4 the specifics. You know, what's particular items -- what
5 are we -- and then there's the overall of what's the big
6 issues. And so I'm -- in terms of what's the problem,
7 what are we trying to solve, and how are we solving it?
8 So there's sort of two items here.

9 And I'm going to start off with the -- with the
10 little bits, without getting into too much.

11 Okay. Just for nomenclature. A shapefile -- a
12 shapefile is a type of file. It's like -- you know Work
13 Perfect puts out -- I mean word puts out what -- you
14 know, doc -- docs. And there's, you know, jpeg files and
15 different types of files. So a shapefile is a type of
16 GSI file. And a GSI is, you know, geo --

17 COMMISSIONER SADHWANI: Yeah.

18 COMMISSIONER ANDERSEN: Thank you. Yeah. So
19 basically what we're talking about is compatible in GSI
20 format. Whether it be, you know, what the names of the
21 files, da, da, da. It turns out the COI tool, what they
22 put out is a shapefile and a pdf.

23 Remember you get a pdf, a jpeg, these are all just
24 technical names. So what ultimately what do we need? We
25 need GSI compatible files. COI tool does shape. What

1 the other things can collaborate them as, what kind, it
2 depends on what software we want to use. But as long as
3 they're compatible. And the -- in terms of then, the
4 question is who? And that's one of the issues. Although
5 that's why we brought this data management group in. But
6 they have two issues as well.

7 Is as Commissioner Ahmad said, there's the -- how do
8 we want to sort it? How do we want to retrieve it?
9 Because yes, our bottom line is we want maps. We want it
10 to be in GSI format. But then we also want to be able to
11 validate them. Where do these maps come from? Now, who
12 said this? Where did it come from? And that is the
13 retrieval part. The sorting part.

14 Now, these are my ideas. Okay? And this is the
15 particulars. So when Commissioner Le Mons said, you
16 know, yeah. But I'm sure it's all right. That's true.
17 This is what we're trying to discuss. I mean, this is
18 how -- well, some of it is factual. But in terms of the
19 sequencing of things -- oh. How we do these particular
20 items and when? We might say, "Tough. We're not doing
21 any of this stuff until March." And that's -- that's the
22 group decision.

23 But the specifics -- oh. And the specifics that
24 Commissioner Le Mons was saying about, so who is
25 synthesizing all of that sort of thing, who's creating

1 the data base? That is the line drawers' -- that's
2 exactly what they do. They will put all of these
3 things -- they will do the overlay. Who does the
4 overlay? They do that.

5 And we -- at our instruction. Okay. Now, I want
6 this. I want to have -- can you show me this, this, and
7 this? And that's how -- in the details of the RFP, we
8 say, one; you have to be able to show us on the map. And
9 then if we say, wait a second. What did we do last time?
10 They have to be able to go back and show us that as well.

11 But -- and the building blocks, these are all the
12 pieces put together. I am not talking at all yet about
13 drawing a district. That's separate. Drawing a district
14 is when we're actually making our real maps. These are
15 all putting together the building blocks of it. I think
16 I've tried -- and the big issue is here -- and now to go
17 to the bigger part is -- the whole idea here is we need
18 do some time frames. And what kind of meetings are we
19 talking about?

20 You know -- how are we envisioning this, and when,
21 and numbers of meetings? Because these things all come
22 into play in our RFPs. And if we're thinking, oh. We're
23 doing -- we don't do any meetings or none of import until
24 after the census, that's one scenario. If we're doing a
25 bunch before the census data, you know, I -- my

1 preference would be we're doing quite a lot before the
2 census data. We're trying to touch all of our
3 communities of interest. And then we are giving time to
4 come back.

5 And so what are those meetings going to look like?
6 I don't quite know. And I'm -- I have an idea. But I'm
7 sure our outreach committee has a much better idea. So
8 that's -- hopefully, I've -- that's what I have -- so our
9 endgame is indeed, we need to get GSI compatible forms.
10 All this data needs to come in. And then how do we go
11 back and sort it? So that's why we need that
12 information.

13 But does that -- does that prevent us from getting
14 any information now? No. We just have to document when
15 it comes in and who's saying it. And the data management
16 people; the sooner we have those people on board, the
17 better.

18 Chair Kennedy: Okay. Thank you, Commissioner
19 Andersen. Commissioner Turner, followed by Commissioner
20 Sinay, Commissioner Ahmad, and Commissioner Fornaciari.

21 Commissioner Turner?

22 COMMISSIONER TURNER: Thank you. A couple of
23 things. When -- so the question that we need to answer
24 about specificity, and what is it we're trying to do, and
25 do we know what we're trying to do? I think we want a

1 lot. We named a whole bunch that we would desire to
2 have, information that we would desire to track. And
3 what we've heard in each of our sessions as a data
4 management team is that we need the more structured.
5 Steer most of our data into a format that is standardized
6 and readable my machines, et cetera, right?

7 And so in saying that we want everything -- I think
8 what we have to do -- I have preferences of what I want
9 us to collect, somebody may have other preferences, and
10 we've never named everyone's preferences so that we can
11 start to skinny it out and say that's just not going to
12 happen.

13 We want to be able to take things that were --
14 somebody kept talking about it as a -- some piece -- I
15 forget what -- how she talked about it, but anyway. A
16 crochet piece or something. It wasn't crochet. Anyway.
17 Whatever it is that people are drawing maps on, a napkin,
18 or whatever, we want people to not be limited if they
19 don't have technology. If indeed we're not going to take
20 napkin drawings, we need to name that now, and whatever
21 else, so that the public also can know, "They're not
22 taking my napkin drawing maps. So I do have to now
23 present in this manner."

24 So instead of leaving it so broad, what will be
25 helpful to us, and as we move forward with whoever we're

1 going to work with, is to be able to say, "Okay.
2 Structured, these are the things that has to be in. It
3 has to be in this format. And these other pieces we will
4 try and do some translations for this, but nothing else.
5 Everything else is off the table. It prepares people in
6 how to communicate what's needed to be able to draw their
7 communities of input.

8 So I think -- we've said before -- and even -- I'm
9 kind of concerned, we just -- I just heard, I think, that
10 our COI tool is going to be providing shapefiles and
11 PDF's. And I think I captured in some of the
12 conversations that we had, Commissioner Ahmad, you're in
13 the lineup, you can correct me or not. But a PDF is not
14 readable, because it's flat. Or they can't pull any
15 information off of a PDF.

16 So if we're getting data that is PDF, that's going
17 to be a problem for retrieval later. And so I want to
18 name that. That that does us no good. And so I want us
19 to, on maybe this discussion, to say this -- it's not all
20 over the board. We can't take it. And we know that that
21 starts to exclude people when they don't know in advance.
22 But let's say this is the only way we're going to take
23 information. Not to exclude but to inform. So other
24 opportunities can be made for people to participate,
25 number 1.

1 The other piece we've talked about a few different
2 times about having students that can assist us with GIS
3 and what have you. That's a flag for me. If we broadly
4 release this to students, because there is the concern
5 about security and the concern about things being
6 accurately translated or prescribed. Because, for
7 example, if it is an audio, someone literally then will
8 be needing to -- do that transcription. Right?

9 And so there are students everywhere. If there's a
10 set group of students, great. But I don't want us to
11 open it up. And maybe that's not what we were saying.
12 But I want to just be real careful in the language that
13 we're talking about. We still need a way to cross -- to
14 check and cross-check that the information is being
15 accurately input, because we know the garbage/in garbage
16 out thing. Right? And so I just want to name that as
17 far as whoever is going to be assisting us with the GIS.
18 Thanks.

19 Chair Kennedy: Thank Commissioner Turner. Just as
20 part of the COI tools sub-committee I'll clarify that the
21 PDFs -- every shapefile would have an associated PDF.
22 There won't a PDF that doesn't also doesn't have a
23 corresponding shapefile. And PDFs are for our use in
24 understanding what's being proposed by the person who
25 input that. Because we wouldn't -- the shapefiles

1 wouldn't necessarily do that for us. But the PDFs would
2 enable us to look at a piece of paper and see very
3 clearly what was input. But every PDF will have an
4 associated shapefile.

5 I have next, Commissioner Sinay, Commissioner Ahmad,
6 Commissioner Fornaciari, Commissioner Le Mons.

7 COMMISSIONER SINAY: Thank you.

8 Chair Kennedy: Commissioner Sinay?

9 COMMISSIONER SINAY: Commissioner Turner?

10 Also the PDF, it will be sent back to the individual
11 and they can submit it to the local level. So if they
12 want it submit it to their county redistricting efforts,
13 you know, it just gives them an opportun -- a tool that
14 they can share with others, was kind of, my
15 understanding. So have we -- I know I missed part of
16 this conversation, so I wanted to see if we had asked
17 staff last time, how were -- how was the verbal -- it was
18 a very diff -- okay, let me take a step back first.

19 I really appreciated yesterday hearing from the
20 Dolores Huerta Foundation, that they actually call them
21 COI forums. And I was, like, oh, we should probably
22 adopt that language, you know, the meetings before we
23 have maps. So the meetings where we go out to the
24 community and we hear from the community. Because we're,
25 kind of, throwing everything together. And so when they

1 said COI forums, I'm like, that's -- you know, we just --
2 maybe we just call them community forums, since no one
3 else but us knows what a COI is. But just to help
4 understand. Those forums may be all of us there, none of
5 us there. It may be that the community's doing some.
6 They did them last time, and then, maps were submitted.
7 Now, we have a tool where some of that can be submitted.
8 And then, we have, after the Census comes in, and we can
9 start building those blocks and sharing maps, there's,
10 kind of, the map sharing forum. So that's, kind of, how
11 I've been seeing the two.

12 What I'm curious is, do we need to take everything
13 and turn it into a GIS and map it, or there is different
14 ways that we get to put a face to the data. And my
15 concern is that we're talking about data, kind of,
16 separate from humans, and maybe we're not. But for me,
17 getting the testimonies and hearing them is -- remember
18 we were told, make sure you remember to hear the first
19 statement and the last statement that's given to you.
20 And so a lot of it is about listening, and do we have to
21 come up with a way of how, when we're drawing the map and
22 we say, okay, well, let's look at Region -- let's look at
23 the Central Valley today. And you know, I'm not sure how
24 this is going to -- but we look at the COIs and we look
25 at the maps, but then we also hear the testimony. So we

1 hear the voices again of those folks. The piece that
2 we're missing this time, that to me is also very
3 critical, is the experience.

4 There is something magical, important driving around
5 a community and seeing the community, seeing, you know,
6 the farm workers and the oil, you know, think about
7 Central Valley, the -- yeah. And we're going to miss
8 some of that. And I have been doing some thinking about
9 how do we bring that into our map drawing sessions?
10 Because someone -- I read something on Twitter that's
11 just hit me like a brick wall -- or I hit the brick wall,
12 either way, that in this day and age of Zoom every
13 meeting looks the same. And so it's hard to remember
14 what someone said or did. And if we were going -- if we
15 were in the Central Valley, we would have a way to get
16 that memory back and remember it quicker. So we do need
17 to try to figure out how we make each meeting a little
18 different from the other.

19 So I do appreciate that Commissioner Yee changes his
20 background. And we're getting a tour of Oakland.
21 Because I can say, oh, that was the meeting where we had
22 that. But that just got me thinking about, as we're
23 going from listening and hearing to actually drawing, we
24 still need to listen and hear, in my perspective, when
25 we're looking at the maps. We can't just look at data

1 and numbers and maps without hearing what people have to
2 say. So I'm curious how it was -- how the last
3 Commission dealt with input that was verbal and written?
4 And did they only take testimony at their -- at their
5 forums, or did they take testimony outside the forums?

6 CHAIR KENNEDY: Director Claypool, you can go ahead
7 and answer that.

8 DIRECTOR CLAYPOOL: So there was never enough --
9 because they were all meeting in one spot, there was
10 never enough time for all the people that came to the
11 public meetings. And we only had public meetings. We
12 didn't have this -- we didn't have a forum set up. So
13 every meeting had the line drawer. Every meeting, when a
14 person would come up would -- there would be the ability
15 to show their districts on the wall and so forth, or on
16 the screen, and they could delineate that to the
17 commission. And so it was captured, both in video, and
18 it was also captured by the line drawer. If the person
19 said something or directed the line drawer to give them
20 something, a lot of people would just verbally say, this
21 is my neighborhood. And it wouldn't necessarily be
22 captured. That was my memory.

23 The people -- we had two big bulletin boards
24 outside. As people would funnel in, they would read the
25 bulletin boards. First one would say, this is how many

1 people have to be in your district. A district, a
2 congressional district has to be 753,000 people. A
3 senate district has to be 900,000, whatever the numbers
4 were then. And that would start people thinking while
5 they're waiting to testify about, you know, we can't just
6 have, you know, Woodlake, California be its own district,
7 you know, because they're only 30,000 people in the whole
8 area. So we would start them thinking.

9 The second bulletin board would say, if we can't
10 reach you, if you don't get the opportunity to speak
11 today, here are ways for you to send us your information.
12 And so we had an email address. And we had our address,
13 so that they could mail in things. And then we had our
14 telephone number. Every way that we had at that time to
15 communicate with us, we said, do any of this. And at the
16 bottom it said, anything that is input in this manner
17 will be given the same consideration as any testimony
18 given at this meeting. And then, we would make sure that
19 that information was passed on to the commissioners in
20 big files. And we would try to correlate it with that
21 meeting and so forth with the student assistance we had.

22 So when we received that information, then we had
23 to, you know, pdf a lot of it, if it was a -- if it was
24 just a document and stuff and try to upload it and put it
25 with the information it needed to be with. The verbal,

1 we would take it down. And we would type a lot of it
2 into just a form and put it in that way. But there was a
3 lot of manual. But we did try in that way to capture as
4 much of that testimony, particularly for those
5 individuals who traveled a long ways, and then were told
6 we're only doing 110 people. And we're never going to be
7 able to reach you. And so that's what we did.

8 CHAIR KENNEDY: Thank you, Director Claypool.

9 Commissioner Ahmad?

10 COMMISSIONER AHMAD: Thank you, Chair.

11 Just, Commissioner Turner, thank you for your
12 comments. A lot of this discussion that we've had within
13 our own subcommittee hasn't been shared with you all yet.
14 We haven't had the opportunity yet to give you all a full
15 debrief of all of our conversations we've had with folks,
16 what our thinking is, and then, what fed into the RFP
17 draft language for the scope of work. And a lot of the
18 things that are coming up are something that Commissioner
19 Turner and I have been considering and have been advised
20 to consider by our informational interviews that we've
21 conducted. And so I look forward to the opportunity. I
22 don't know, Commissioner Kennedy, when we will get to the
23 following agenda items under -- or following
24 subcommittees under this item. But I just wanted to let
25 you all know that once we get to that point, I hope some

1 of the things that the data management subcommittee has
2 been charged with and advise will come to light and
3 hopefully add some clarity to this conversation.

4 COMMISSIONER TURNER: Thank you, Commissioner Ahmad.
5 Commissioner Fornaciari?

6 COMMISSIONER FORNACIARI: Okay.

7 Excellent point, Commissioner Ahmad.

8 My question really is a data question. So I'll hold
9 off on that.

10 But I just want to clarify, Commissioner Andersen,
11 sometimes you say GSI, but you mean GIS? Okay.

12 So and then, I just also want to clarify, we don't
13 just want a GIS compatible file. We also want some kind
14 of narrative describing the community of interests, so we
15 understand what it is and who it's from and that kind of
16 thing, so. I think we don't want to lose that second
17 part.

18 CHAIR KENNEDY: Very good.

19 Commissioner Le Mons?

20 VICE CHAIR LE MONS: Thank you, Commissioner Turner,
21 for drilling that down so nicely. I appreciate it. I
22 have a couple of questions. One is, do we want narrative
23 without a GIS file? The testimony that Director Claypool
24 was referencing, that people submitted through these
25 other means, what was the nature of that testimony?

1 And then, the idea of -- I absolutely concur with
2 Commissioner Sinay in -- from a community engagement
3 lens, the power of listening, the power of experience,
4 like, all of that is crucial and important. I do feel
5 like we need to define how we -- so there's the
6 experience of it, right? So that'll be an action. But
7 what we're told, how are we using that? So it's kind of
8 similar to the opening question of testimony that doesn't
9 translate to a map at all. It's just, you know, this is
10 who I am and this is what I love, you know, because
11 that's what I decided I wanted to come and say that day.
12 So is that the long and short of that? Like, we heard we
13 gave that. That's a different place in sort of this
14 continuing journey of community engagement in a process.
15 It didn't yield this particular outcome map of a
16 community that we could overlay. But it had a different
17 kind of value. These are the kinds of -- the kind of
18 categorical intentionality that I think is really, really
19 important of us being clear.

20 Unfortunately, the way we have to communicate in
21 this format has been consistently a problem, from my
22 perspective, that we have to figure out how to navigate.
23 Because there is such an intersection between all of
24 these subcommittees. I think we need to have an agenda
25 item. And since I'm chairing the next upcoming meeting,

1 there isn't something like this. And they may be
2 informed by what happens between today and tomorrow that
3 are actually planning discussions where we can talk about
4 all of this stuff at the same time. But when we're
5 talking about it in the context of the subcommittee,
6 first of all the subcommittee report, my understanding is
7 like a ten-minute update. So we end up having these very
8 long discussions during subcommittee reports, which is to
9 me -- what I understood was a different function, the
10 subcommittee update. So I think how we, kind of,
11 structure these discussions going forward, particularly
12 with this -- keeping in mind the time limitations that we
13 have, I think we've got to talk about all.

14 And we begin it with this, I'm so appreciative to
15 this committee. And I'm sure if it hadn't happened here,
16 when we got to the outreach, it was going -- this
17 conversation was going to jump off. Because it's
18 required, right? Because they all influence each other.
19 So thank you, again, for bringing this up. I'd like to
20 have Director Claypool address that question around the
21 testimony that was gathered last time. And then, whoever
22 can address the intention of how we plan to use narrative
23 unassociated with any kind of actual map or GIS.

24 CHAIR KENNEDY: Director Claypool?

25 DIRECTOR CLAYPOOL: So we received in those lines



1 that we -- that I talked about -- and I should step back
2 and appreciate this opportunity to provide a little
3 clarification. Initially, the line drawer was going to
4 collect everything. And it just became overwhelming.
5 And so we -- we as a commission, the first commission,
6 stepped in very early in the process and said, we're
7 going to put together some student assistance, so that
8 you can start shipping some of that over to us, so that
9 we can start just trying to hold onto it and categorize
10 it. So that's where the student assistance -- we ran a
11 bank of student assistance. And we would change them in
12 and out using the fair -- the inter -- the fair and
13 reasonable contracts that -- up to 5,000 dollars.

14 The information that came in was really varied.
15 Some of it would just be, you know, I live in the Central
16 Valley. And I need better representation. And you know,
17 I live in Fresno. And so we would take those comments
18 and we would type them into forms. And we would move
19 them into the database as coming from a citizen from
20 Fresno, this comment was made. It was associated with
21 this meeting, or maybe not associated with any meeting.
22 But we would -- so we would gather that. We would
23 receive things as detailed as big maps of -- that would
24 be given to us to show how we could redistrict California
25 using alluvial fans. That, you know, how the water flows

1 through California and everything should be redistricted
2 that way.

3 So we would just take it all, as much as we could,
4 and we would put it into a format that we could, one,
5 hand over to the commissioners immediately and honor our
6 promise that anything that came in had a equal value to
7 anything from a meeting. And then, two, just so that we
8 could start structuring it so that they might be able to
9 use it at the end. Although, at the end, it was so --
10 there was so much, that they mainly, kind of, went on
11 their memories of what they had heard. And they would
12 grab certain things. And they took copious notes. And
13 that's why we're moving to this data management model.

14 So did that answer your question, Commissioner Le
15 Mons?

16 CHAIR KENNEDY: Okay. Very good.

17 And yes, thank you to Commissioner Andersen and
18 Commissioner Sadhwani for helping us navigate our way
19 through this very important and useful discussion. With
20 that, and in order to keep us on track, we have a little
21 over half an hour to continue the subcommittee reports.
22 And as Commissioner Ahmad said, we will get back to the
23 data management subcommittee as we go through our list.
24 And we're leaving RFPs, specifically, for after the
25 subcommittee reports.

1 So outreach and engagement is next. And we will
2 have further time to exhaust item 10 on the agenda. But
3 I just wanted to check with the outreach and engagement
4 subcommittee to see if there's anything else that you
5 wanted to share with at this point, by way of a
6 subcommittee report?

7 COMMISSIONER SINAY: Thanks for clarifying item 10.
8 Because we were, kind of, confused if we were going to go
9 back or not to item 10. So I think if we're going back
10 to item 10, we should be okay. There's -- and I think
11 one of the challenges we're having, as Commissioner Le
12 Mons brought up, is this used to be a report out. But
13 now, we're getting to the place where we need to actually
14 do work. And so maybe each committee can sub --
15 subcommittee can share what question are they grappling
16 with that we all need to give input, or just get us
17 thinking about it? Because I think that's what where
18 we're stuck, is that there's big questions that we want
19 to get resolved, so that we can move forward in the
20 plannings.

21 CHAIR KENNEDY: Very good.

22 Language access, commissioners are good to go?
23 Commissioners Akutagawa and Fernandez?

24 COMMISSIONER FERNANDEZ: Did you want to go?

25 COMMISSIONER AKUTAGAWA: Sure.

1 So we won't have a panel scheduled for tomorrow.
2 We're having, after multiple, multiple attempts by
3 Commissioner Fernandez, we're really excited that we
4 actually have three panelists who will be joining us
5 tomorrow from the Native American communities. We have a
6 panelist from California Native Vote. And we were very
7 fortunate that we will also be joined by the chairman of
8 the Pala Mission Band of Indians, from the San Diego
9 Southern California region, and also, another individual
10 who is chief of staff to the tribal chairman. And so
11 between the three of them, I think we're going to be in
12 for some very interesting conversations, particularly
13 having the tribal chairman from the Pala Mission Band of
14 Indians. I think he's a part of the tribal council
15 throughout the State of California, so he'll also be able
16 to bring, I think, a rather broad perspective from a
17 leadership, kind of, point of view. And so we're really
18 excited by that.

19 Commissioner Fernandez, do you want to?

20 COMMISSIONER FERNANDEZ: Well, no -- yeah. Just
21 very excited. Because we did reach out to quite a few
22 different Native American organizations. So we're
23 excited to be able to come forward with someone tomorrow.

24 And at this point in time, I believe Commissioner
25 Akutagawa and I were at the point where this will



1 probably be our last panel. And then, we're hoping at
2 the next meeting that we will bring forward our
3 recommendations in terms of what we've learned so far
4 from the language access, global access panels, that
5 we've had, as well as the research that we've done. And
6 I think I told Commissioner Le Mons about this. If not,
7 there might be a little bit more discussion last time --
8 or next time. Did I? I think I mentioned it. I can't
9 remember. All right. Thank you.

10 COMMISSIONER AKUTAGAWA: And then, I realized, I
11 think, similar to the conversation that just took place
12 around the intersections between the line drawer and
13 outreach and engagement, VRA, we're also running into
14 similar kinds of, I guess, intersections with outreach
15 and engagement. And so we're also cognizant of where --
16 how we'll shape our report to the commissioners, but also
17 at the same time be able to understand where and how do
18 we intersect with outreach and engagement as well too,
19 so.

20 CHAIR KENNEDY: Very good. Okay, can we go back to
21 VRA compliance? So other than the RFP, is there anything
22 from the VRA subcommittee in the report?

23 COMMISSIONER AKUTAGAWA: And Commissioner Sinay had
24 her hand up.

25 CHAIR KENNEDY: Sorry.



1 Commissioner Sinay?

2 COMMISSIONER SINAY: Thank you.

3 I, you know, after yesterday's meeting and these
4 conversations, I think we're moving to a place where we
5 may need to create our agendas a little different, where
6 we bring -- we create bigger committees. And that's
7 on -- you know, so we do this -- the intersection pieces.
8 And maybe that's the morning, you have different
9 intersections taking place. And then, we report out.
10 But I think we've got to get -- we've -- we're -- to get
11 things done, I think we're going to have to stop working
12 just in twos, on the -- on outside the meetings. But
13 part of the meetings be that time when we're working on
14 maybe three subcommittees coming together to do some of
15 the intersectionality work. And then, it just feels like
16 it's the right time.

17 CHAIR KENNEDY: Commissioner Akutagawa?

18 COMMISSIONER AKUTAGAWA: Oh, thanks. I think this
19 is a process question. And this is specifically either
20 for Marian or Ms. Marshall. If, let's say two committees
21 that are looking at potential intersections, if a member
22 of one committee and a member of the other committee have
23 a conversation, is that considered a serial meeting, and
24 therefore not allowed?

25 MS. MARSHALL: I'm sorry. Could you repeat that



1 again? You said a member of one committee confers with a
2 member of another committee, would -- is that a serial
3 meeting?

4 COMMISSIONER AKUTAGAWA: Yes.

5 MS. MARSHALL: I believe it is.

6 COMMISSIONER AKUTAGAWA: Okay. Just wanted to
7 check. Thank you.

8 CHAIR KENNEDY: Commissioner Le Mons?

9 VICE CHAIR LE MONS: And just for clarity, I thought
10 there was a threshold number? And I thought that we
11 stated, too, so that we would avoid violating that
12 threshold number. So I'm curious as to, is that what was
13 just described on its face, a violation, or is it putting
14 us on a path to a potential violation?

15 CHAIR KENNEDY: Ms. Marshall, would you like to
16 reply?

17 MS. MARSHALL: You know, let me go and review that.
18 But I also want to hear from Ms. Johnston.

19 CHAIR KENNEDY: And Marian?

20 MS. JOHNSTON: I think you're correct, that it's on
21 a path to a possible violation. If two people not on the
22 same committee just talk with each other, that's not a
23 problem. The problem is if it gets spread then to
24 someone else to someone else to someone else until you
25 reach a quorum. For various committees meeting together,

1 if the purpose is, in fact, to establish a new committee
2 that considers all these issues together, then that would
3 be more than a two-person committee and would have to be
4 a noticed meeting that could be held during a regular
5 Commission meeting.

6 Does that answer your question?

7 VICE CHAIR LE MONS: Yes.

8 CHAIR KENNEDY: Okay. Director Claypool?

9 DIRECTOR CLAYPOOL: I was just curious about the
10 eight, the group of -- or not going past a quorum. So
11 I'm assuming that because we're merging these groups,
12 that's the issue, not that there couldn't be more than
13 two people in a meeting before you reach that threshold.
14 Do you understand what I'm saying, Marian?

15 MS. JOHNSTON: Yeah. The issue is whether or not
16 it's a formally formed group of people. If it's just an
17 ad hoc group of people, they together and discuss
18 something, and not a committee created by the
19 commissioner by the chair, then you don't -- as long as
20 you don't reach a quorum, you're okay. And I would
21 suggest you use eight as the quorum, rather than nine. I
22 mean, because it's sort is the opposite of the normal
23 purpose of a quorum, which is for your meetings you've
24 got to have nine. But if it is a formally formed group
25 of more than two people, any -- even an advisory

1 committee of more than two people, then you have to
2 comply with Bagley-Keene's notice and open meetings'
3 requirements.

4 CHAIR KENNEDY: Okay.

5 Commissioner Fernandez, and then, Commissioner
6 Akutagawa?

7 COMMISSIONER FERNANDEZ: I guess what I -- and I
8 just keep going. We keep addressing the same issue over
9 and over, because it just, kind of, gets confusing every
10 time. So let's say, for example, I'm going to -- here's
11 a scenario for you, I have a conversation with
12 Commissioner Sinay. And then, I go back and I talk to
13 Commissioner Akutagawa about our conversation. That's
14 okay, because that's only three of us?

15 MS. MARSHALL: That's okay, as long as your -- none
16 of you are on the same committee -- I mean, you're not
17 three of you were on a committee. And so long as those
18 people then don't go talk to somebody else --

19 COMMISSIONER FERNANDEZ: Okay.

20 MS. JOHNSTON: -- about the same subject matter that
21 then reaches the quorum. So that's why we really
22 recommend that you keep your groups limited in number, so
23 you don't -- because you don't know who Commissioner
24 Akutagawa's going to be talking with, unless she keeps in
25 mind she can't talk to anybody else, because you've now

1 reached your magic number.

2 COMMISSIONER FERNANDEZ: Okay. Thank you.

3 CHAIR KENNEDY: Commissioner Akutagawa?

4 COMMISSIONER AKUTAGAWA: And this is just an
5 extension on what Commissioner Fernandez said. And thank
6 you for asking that question. Because that was part of
7 what I was going to ask. So let's say, for example, I --
8 what if Commissioner Fernandez and I end up both speaking
9 to both Commissioner Sinay and Vazquez, because our work
10 does intersect, but it's informal? So it's the four of
11 us. And our conversation doesn't go beyond the four of
12 us. We don't reach quorum. But is that allowable for
13 the purposes of having more direct communication to
14 coordinate how we're going to report out to the rest of
15 the Commission in open meetings?

16 MS. JOHNSTON: It's permissible, but it's a slippery
17 slope. Because you then have to ensure that those people
18 don't then go talk to somebody else on the commission.
19 And the more people you involve in the same topic of
20 discussion, the more likely it is that they're going to
21 be talking with other commissioners about it. So I -- my
22 advice is always to err on the side of caution. And if
23 there's any doubt, and for the sake of including the
24 public in those important discussions, to do it during a
25 noticed meeting.

1 CHAIR KENNEDY: Commissioner Le Mons, and then,
2 Commissioner Sadhwani?

3 VICE CHAIR LE MONS: I have a question about agenda
4 updating. So the December 14th through 16th meeting is
5 hosted, as was required by the 30th of November to meet
6 our fourteen-day requirement. If we wanted to add
7 something, what is our flexibility on adjusting that
8 agenda, if at all?

9 MS. MARSHALL: My understanding from when it comes
10 to amending the agenda, as soon as possible. Whatever it
11 is that you need to add, if you just found out something,
12 like, just today, and it's within whatever you was going
13 to discuss, but you needed to add it, as soon as you
14 could possibly do it, to give notice.

15 MS. JOHNSTON: And if I might just add -- if I might
16 just add to that. The critical point is that it has to
17 be something within something that's already noticed. If
18 you're just being more explicit about giving notice on
19 something that's already on the agenda, you can always
20 give more details. But you cannot add a totally new
21 item, without the fourteen days' notice. For instance,
22 you can add participants who are going to be speaking on
23 an issue that's already been noticed. You can flush out
24 the type of conversation you're going to have. But it's
25 got to be within an item that's initially noticed within

1 the fourteen-day period.

2 VICE CHAIR LE MONS: Okay. Thank you.

3 If I could make another comment about that, Chair?

4 So I would just invite people -- fellow
5 commissioners to look at that agenda. We tried to -- we,
6 Commissioner Taylor and I, really hailed to a hard fast,
7 and most of you got calls from me on this, if your update
8 was more than ten minutes, we made it an agenda item. So
9 we noted there are three categories on there where some
10 of this discussion may actually be able to happen. So if
11 you see on there where you can fit in that blended
12 discussion in any of those agenda items, we can just do
13 that. If you feel like additional level of clarity to
14 make it more explicit as necessary, then let me know.
15 And then, we could facilitate getting that information,
16 in fact, to update it if necessary. It may be broad
17 enough as it is. But I just invite you to do that.
18 Because I agree 2,000 percent that these kind of
19 intersectional discussions are so critical, where we are
20 now and moving forward.

21 CHAIR KENNEDY: Thank you, Commissioner Le Mons.

22 Director Claypool, did you have a clarification
23 there?

24 DIRECTOR CLAYPOOL: I just wanted to make sure I
25 understood what Marian had said. So as long as two

1 groups get together, and they recognize that they cannot
2 talk outside of those groups, so up to four commissioners
3 from two subcommittees, and they make no decisions, but
4 just discuss the intersection to bring it back to a
5 discussion at the meeting, that's permissible? It's got
6 a slippery slope. But it is permissible. And the second
7 thing is, within the broad confines of the agenda, if one
8 of the -- if one of the committees wish to expand beyond
9 the ten minutes, would they be able to have an additional
10 agenda item posted, or should they just keep it within
11 there, but notify the chair that they're expanding in
12 that item to have a conversation?

13 MS. JOHNSTON: You're correct on the first point.
14 On the second point, it's always up to the chair to
15 rearrange the agenda however it's best to suit the needs
16 of the commission. So if the chair finds out that a
17 particular subcommittee is going to have a topic that is
18 going to take longer than the ten-minute limit that the
19 Commission decided to impose for the subcommittee
20 reports, the chair can always reschedule it. It's not
21 adding a new item. It's just taking that 9-C, or
22 whatever it is, and scheduling it at a particular time
23 where more time can be devoted to it.

24 DIRECTOR CLAYPOOL: Thank you.

25 CHAIR KENNEDY: Thank you.



1 I have Commissioner Sadhwani next, followed by
2 Commissioner Fornaciari.

3 COMMISSIONER SADHWANI: I hate to belabor this
4 topic. But so if we wanted to do the subcommittee report
5 for say line drawer, community outreach, and data
6 management, during that meeting and as a part of that
7 report, right? My understanding is in 2010, when people
8 were meeting in person, this -- these larger
9 subcommittees were meeting. They were public meetings.
10 They were a part of noticed meetings. But it didn't
11 necessarily involve the full commission. There was
12 planning being done. And then, you bring back your
13 recommendations, correct, for the full commission. So
14 let's say, you know -- and I know there's so much work
15 that has already been put into the agenda for December
16 14. But if at some point during that meeting, one
17 afternoon we wanted to have a larger subcommittee, we
18 could just have those three subcommittees all meet. It
19 could be public. We could have the interpreters. And
20 then, the next day we can, you know, still bring that
21 back to the full commission. But not -- the entire
22 Commission doesn't have to sit there for it?

23 MS. JOHNSTON: That's correct. The important part
24 is that it's open to the public.

25 COMMISSIONER SADHWANI: Correct. Got it. Okay.

1 CHAIR KENNEDY: Very good.

2 Commissioner Fornaciari?

3 COMMISSIONER FORNACIARI: Yeah. I'm sorry. I'm
4 going to ask -- I don't want to belabor this either, but.
5 The meeting is three days long, if -- and the 16th is
6 fourteen days from now, can we adjust the agenda to add
7 something to the last day of the meeting at this point,
8 or no? Because the first day of the meeting is the 14th.

9 MS. JOHNSTON: If you want to do a separate agenda
10 for a meeting on the 16th, there still is time to do
11 that, I believe. You could notice a meeting in addition
12 to your other scheduled meeting. You can't amend the
13 original notice. But it can be done.

14 CHAIR KENNEDY: Okay.

15 Commissioner Andersen?

16 COMMISSIONER ANDERSEN: Again, okay, this is one
17 I've asked about before. There are business meetings and
18 there is public meetings. And it was, the business
19 meetings had a ten-day notice. And the public meetings
20 had a fourteen-day notice. What is the difference?

21 MS. JOHNSTON: There is a fourteen-day notice for
22 all commissioned meetings.

23 COMMISSIONER ANDERSEN: That, it said for public
24 meetings. It said for public meetings.

25 MS. JOHNSTON: But this is --

1 CHAIR KENNEDY: Okay. It said for public input.
2 Meetings held for the purpose of receiving public input.

3 COMMISSIONER ANDERSEN: Yeah. And then, it had --
4 it didn't say business meetings here. Yes. And then,
5 the others were ten-day. So that's an item that has come
6 back to bite us several times on this one. Because it is
7 ten days, because this is a business. The purpose of
8 this meeting is not just -- it's not specifically for
9 public input.

10 MS. JOHNSTON: But the problem is, it's the fact
11 that it's not specifically for public input. It doesn't
12 mean that you're not going to be receiving public input.
13 There, again, eyeing on the -- erring on the side of
14 caution. If you want to exclude any public participation
15 in your committee, then you could just have -- arguably,
16 just have a Commission for a ten-day notice.

17 COMMISSIONER ANDERSEN: Okay.

18 MS. JOHNSTON: But that is certainly not
19 recommended. And it would be contrary, I think, to what
20 the spirit of the fourteen-day notice is.

21 COMMISSIONER ANDERSEN: Okay. But this, I'd really
22 like clarification on this. Because my understanding is,
23 the public -- that was specifically for input on maps,
24 the public, you're gathering all their input, the COI,
25 you know, the communities of interests and the specific

1 map. Because the map is a fourteen-day specific
2 requirement. You may have to put -- post it. You can't
3 do anything for fourteen days. And I'd really like some
4 clarification on the input of that, if anyone's sort of
5 listening, like, the League of Women Voters or Common
6 Cause, who helped write this originally. But again,
7 that's another point. So thank you.

8 CHAIR KENNEDY: Director Claypool?

9 DIRECTOR CLAYPOOL: So Marian, can -- now I'm
10 confused. And I went through 2010. I thought we had
11 fourteen days and three days. And that ten days was
12 always the Bagley-Keene's standard.

13 MS. JOHNSTON: Right. There's a special three days
14 during your last month of map drawing, where you only
15 have to give three days' notice. But that's only during
16 the month of August. Other than that, at least for 2010,
17 always did fourteen days' notice under the premise that
18 then they can always receive public input.

19 DIRECTOR CLAYPOOL: Thank you.

20 CHAIR KENNEDY: Okay. So then, I was asking the
21 VRA's subcommittee, which I thought I had done earlier,
22 but if there was anything, other than the RFP -- or RFIs
23 at this point, that you wanted to report out?

24 COMMISSIONER SADHWANI: You know, my -- when we talk
25 about the RFIs, we have a -- similarly, a slide with

1 dates to share with everyone. The RFI requires certain
2 dates to be included. So we do just want to run through
3 that with everyone. We do not need to do that now. We
4 can wait until that RFI session. And I think as we
5 mentioned earlier, we're continuing to work on trainings
6 for the full Commission for January and February prior
7 to, you know, actually having a varied counsel onboard.

8 And I don't know, Commissioner Yee, if you have
9 anything else you want to add, please, add it.

10 COMMISSIONER YEE: That's all. Thanks.

11 CHAIR KENNEDY: Okay. Commissioner Sinay?

12 COMMISSIONER SINAY: Is there an intersection
13 between the VRA and the incarcerated question we have?
14 I'm just trying to figure out -- I just -- if it's okay,
15 that we're looking into how to bring that conversation,
16 or if that's part of the conversation around VRA?

17 COMMISSIONER SADHWANI: Well, I mean, just off the
18 cuff here, I think it's something we should be thinking
19 about. Because if those folks are -- if we are putting
20 them back into their home district, home locations,
21 right, those are highly likely to be districts that we'll
22 draw that will need to be VRA compliant, right? I mean,
23 if we're thinking about the number of, for example, black
24 and brown people who are incarcerated and where they --
25 their home addresses might be, there may be a VRA

1 component that we would want to think about there. But
2 we would have to think about it regardless, if that makes
3 sense. Certainly, it's a piece that we've been talking
4 about also, in terms of the line drawer, to some extent,
5 right? Because from a data perspective, that's going to
6 have to be brought back in. I think it, kind of, touches
7 many of our subcommittees.

8 I don't know, Commissioner Yee, do you have a
9 better -- I wasn't particularly articulate in my
10 response.

11 COMMISSIONER YEE: Well, my current understanding
12 is -- I mean, we've been strongly requested by the
13 legislature to do this reallocation. But we had not
14 actually made that decision as a Commission yet, you
15 know, whether we're going to proceed with that. If and
16 when we do, then that will be part of our instructions to
17 our very -- RPV analysts and our very counsel, right?
18 But we -- and that -- you know, that appears to be the
19 direction things are heading. But we have not formally
20 taken that step yet. So it is a discussion we'll have to
21 have, and a vote I think, yeah.

22 CHAIR KENNEDY: Commissioner Fornaciari?

23 COMMISSIONER FORNACIARI: I apologize if you talked
24 about this. I got distracted for a second. But you were
25 talking about a racially polarized voting analyst, and

1 getting that started right away. Is there a status on
2 that, or did I miss it? I apologize.

3 COMMISSIONER YEE: We have reported on that. That
4 is a draft that's still being put together with
5 Commissioner Sadhwani, Director Claypool, Raul, and
6 myself. So when we have that ready to present to you, we
7 will.

8 COMMISSIONER SADHWANI: We failed to put it on the
9 agenda for December 14th. We hope that we can bring it
10 to you December 14th. I'm sorry. I didn't have the
11 floor.

12 COMMISSIONER YEE: Perhaps under our subcommittee
13 report slot.

14 COMMISSIONER SADHWANI: Yeah.

15 CHAIR KENNEDY: Okay.

16 And Commissioner Sinay?

17 COMMISSIONER SINAY: Sorry. This is just to help
18 inform as we're bringing in experts on this topic. So if
19 we're going to be creating a, kind of, a panel or
20 conversation or learning around the, you know, kind of
21 felon, you know, incarcerated individuals and putting
22 them back into their community. The purpose of that
23 really would be for us at the end of it to have a
24 discussion and make that final decision if yes or no.

25 COMMISSIONER SADHWANI: Yes. I think that's

1 absolutely correct. And it's most certainly something
2 that we are looking at as a component of VRA training of
3 how can VRA compliance help to -- help us to inform that
4 decision.

5 COMMISSIONER SINAY: Okay. Thank you.

6 CHAIR KENNEDY: Okay.

7 Next, is data management. So beyond the scope of
8 work, is there anything that data management subcommittee
9 would like to report out to the full Commission at this
10 point?

11 COMMISSIONER TURNER: Yes. Thank you.

12 On behalf of Commissioner Ahmad and myself, I have a
13 lot of information to share, basically, that we believe
14 will be helpful. And I'll just, kind of, start. We met
15 with a lot of people, and a lot of different thought
16 processes one way or the other. But the thing that I
17 talked about earlier, no matter who we spoke with,
18 structure really seemed to be important. And so I just
19 want to begin by reiterating that clean and structured
20 information allows an ease of searchable material. If
21 it's clean and if it's structured, it makes it easily
22 searchable for later. It's, kind of, Commissioner
23 Ahmad's example that gave, if we get information about
24 Redding, prior to being in Redding, can we go back and
25 find it later?

1 And so -- and what I said earlier, pdf -- and I'm
2 not sure what an SCO is, but also pdf, I guess it's
3 another image type of file, anything that we received
4 like that won't be able to be searched. And we were
5 encouraged to avoid Adobe. Things received on letterhead
6 would be problematic. And so as we were thinking about
7 how we'll receive all this information in, it's great to
8 take it in. But if it's not later searchable, then we
9 will not -- there are -- there's a good opportunity that
10 it won't come up again. And we know the reason why we
11 wanted to receive it in all of these formats for data.

12 But what we would learn from Stu, for example, is
13 that if we don't have data equity without a structured
14 input, he says any way you slice it, searchable data will
15 be prioritized over nonsearchable. And so we'll say you
16 can -- because there was another suggestion to get as
17 much as you can in a structured format, and then, whereby
18 have a process where there are other pieces that may come
19 in that's not structured. But they won't be searchable.
20 So when all is said and done and we go back and search,
21 that will get a priority. And we know that's not what we
22 want is to prioritized some information received over
23 others. But that typically is what happens.

24 We were encouraged to use, as we need multiple
25 pieces of software if it be it, or multiple approaches,



1 and then, hire an internal technologist within our team
2 to hold others accountable to ensure that the information
3 is being input, read, et cetera. Let's see, clean and
4 structured came up several times. Analysis and retrieval
5 with a strong audit trail to ensure that there's not
6 manipulation of comments is something that was also
7 suggested. So those are the piece -- some of the notes
8 that I've captured. I tried to highlight that. I've got
9 pages of them. But those -- that's what I wanted to say
10 for the good of the committee right now.

11 And Commissioner Ahmad, if you have more, I'll --

12 COMMISSIONER AHMAD: Sure. So in addition to what
13 Commissioner Turner has shared --

14 Are you all getting feedback? That was weird.

15 Was really a key point that Stu also, kind of, tried
16 to drill down with us was, steering most of our data to a
17 singular place. So if we have some, sort of, like,
18 Google form, or what we have currently existing on our
19 website, which needs work, in terms of gathering this
20 public input. If we have our website, our social media
21 accounts, our outreach efforts all steering the majority
22 of people to one source, or one input place, it would be
23 easier on the retrieval end. And this, kind of, ties
24 back to something our guest speaker yesterday, Amy, was
25 talking about as well, in terms of the resources that we

1 do have. The more people we have funneling in through
2 this structured input format, we have more resources to
3 allocate towards those folks who can't for some reason go
4 through that avenue.

5 And then, we also had a chance to talk to Derek
6 Poppert, who wrote the article on medium about civic
7 technology. And the conversation was really great. And
8 he really helped us understand that civic technology
9 is -- you can't really point to something and say, hey,
10 that is civic technology. Once you have used a certain
11 type of technology for the purposes of civic engagement
12 and advancement, that becomes civic technology. So
13 something that he said, which kind of made us chuckle a
14 little bit was that whichever software firm, company,
15 organization that we go with, by nature of this work will
16 have become a civic technology firm. So that was an
17 interesting takeaway for us in that regard. And I know
18 that's something that was important for us as a group in
19 our previous discussions to continue to bring forth.

20 We are really hoping that later when we talk about
21 the scope of work language, which is by no means
22 finalized, we need input from you all, we need input from
23 the public. We also got a note yesterday from Robin who
24 said she would want to meet and talk about the language a
25 little bit more and have some recommendations for us as

1 well. So we're in the process of scheduling that
2 meeting. We're hoping that that can be a starting point,
3 a discussion of all of the things that we've talked about
4 previously in terms of which data we want to collect,
5 which data we want to -- in the formats in which we want
6 to receive that information and get into that nitty-
7 gritty detail and actually define those metrics for us to
8 include in this RFP language in the latter part of our
9 report back.

10 Commissioner Turner, do you have anything else to
11 add?

12 COMMISSIONER TURNER: Maybe they'll come out with
13 questions. I see a couple of hands.

14 CHAIR KENNEDY: Commissioner Fornaciari?

15 COMMISSIONER FORNACIARI: Yeah. You mentioned
16 earlier the pdfs are not machine readable. If pdfs
17 aren't machine readable, then we need to get data, the
18 text data, out of the COI tool in a format that is. I
19 just want to make sure that was on our radar. Because,
20 you know, we're going to have to search through that
21 data, do some analytics on that data and search through
22 it, the narrative part, at least.

23 COMMISSIONER TURNER: Yeah. And just to respond to
24 that, we -- the recommendation is plain text file, CSW
25 text file, ZIP, FDMS, PST, et cetera, but definitely not



1 pdf.

2 COMMISSIONER AHMAD: Yeah. And in addition to that,
3 I wonder if Statewide Database will be housing those text
4 files and just sending us a pdf, or if their software
5 only produces pdf? So there might be an easy fix to
6 that. It might just require some additional
7 communication with Statewide Database, in terms of what
8 they can and can share with us. But that's something
9 I -- we definitely need to consider. So thank you,
10 Commissioner Fornaciari.

11 CHAIR KENNEDY: Commissioner Andersen?

12 COMMISSIONER ANDERSEN: Yeah. Thank you, guys.
13 This is bringing up a lot of good points. Oh, also the
14 presentation yesterday was fantastic. Thank you.

15 Oh, the pdf, I just realized, yes, when the COI tool
16 was saying about -- they're giving us a pdf of the
17 shapefile. It's a picture of what it looks like. So
18 it's like the drawing on a map. And I believe that's
19 so -- it was like, you know, someone drew on a napkin. I
20 believe that that is -- so when the people get it back
21 themselves, they can see what it is. Because they can't
22 read a -- the shapefile. That's code. So I believe
23 that's what they're talking about. And I don't know, and
24 I might ask Commissioner Kennedy about this COI tool.
25 Then, there's also identifiable information, so. And I

1 thought that was a text file. So that might be -- that
2 might all be cleared up.

3 But at some point, I'm expecting this group, your
4 data management, to pin us down about what questions are
5 we getting? What questions are we asking? And I, kind
6 of, like that survey form that Ms. Garcia, Sofia Garcia,
7 showed yesterday that they were doing that they had a
8 little survey format almost to collect information.
9 Because we have to know what data we're going to look at.
10 And the way I've been looking -- I've been thinking about
11 it is, and I think Commissioner Sinay might've mentioned
12 this or Commissioner Le Mons, when we're actually looking
13 at all of our building blocks together, and we're trying
14 to draw a line, a district line, between them, we'd like
15 to be able to click on that COI and get information about
16 it. And my understanding is, we can do a little bit of
17 that. The COI tool will give us, you know, just the name
18 of it, that kind of thing. If we could also connect in
19 to that, if it's a video file -- if it's an audio file,
20 if it's something like. And I think these are specific
21 information that we need for the data management people
22 to collect or to hear, so they might tell a professional
23 what we'd like to get out of it.

24 And I think we need to, sort of, start thinking
25 about as we're drawing that line, wouldn't it be nice,



1 you know, if you're going, boy, you know, right up there
2 in Redding, now what was that? Click. And we could
3 look, and we can, like, almost like, you know, you've
4 seen it before, and it comes out a little pop-out menu
5 of, oh, yeah, let's look at that audio file, or oh, what
6 was the date of it? And just to get further stored
7 further information. In which case, what information
8 would we be trying to hear? And that's -- I think we
9 need to sort of say. And that's one thing I would like.
10 I think that would be ideal, if you could go into that
11 map and get as much information on that COI as possible.

12 COMMISSIONER TURNER: Um-hum. Um-hum. Might to
13 respond to that, and the Commissioner Ahmad, you please
14 follow up after me. My response to that is, my
15 perceptive, or perception, on what we're working on is
16 that we would be designing any different questions than
17 what the COI tool was already asking, or will now be
18 having apples and oranges. So we all weighed in on what
19 tools should be on the COI tool. And now, if we create
20 other surveys that ask different questions than what the
21 COI tool does, we won't be able to line up that
22 information, right, or have information coming. So
23 you're asking something different?

24 COMMISSIONER ANDERSEN: Thank you. I'm actually
25 asking, yes, the COI is one information. And it's a

1 about a specific area on a map. We're collecting,
2 though -- remember we go out, say the people that don't
3 have -- they're not using the COI tool, but they're --
4 they have a -- their own different type of, you know, GIS
5 compatible --

6 COMMISSIONER TURNER: Um-hum.

7 COMMISSIONER ANDERSEN: -- a GIS compatible file
8 with a bunch of information. And they give us a
9 wonderful presentation, or a wonderful discussion. And
10 we've collected that maybe by an audio. So someone has
11 to take that information and also --

12 COMMISSIONER TURNER: Um-hum.

13 COMMISSIONER ANDERSEN: -- make it a building block.

14 COMMISSIONER TURNER: Um-hum.

15 COMMISSIONER ANDERSEN: Right?

16 COMMISSIONER TURNER: Um-hum.

17 COMMISSIONER ANDERSEN: So why can't we and the data
18 management people put this data together, combine it?

19 COMMISSIONER TURNER: Um-hum. Um-hum.

20 COMMISSIONER ANDERSEN: And I know they can't.

21 COMMISSIONER TURNER: Yeah.

22 COMMISSIONER ANDERSEN: So.

23 COMMISSIONER TURNER: Absolutely. So what the task
24 was, was how do you capture other verbal information that
25 they know they're going to get information through the

1 shapefiles, through the COI tool? But in addition to
2 that, what we tasked everyone with was what would be the
3 tool, the data management system, that would capture what
4 other people proactively gave us? What I'm simply saying
5 is, when we go out, we would not solicit different
6 information, to try and keep the information structured.
7 And here, we would give them the same prompts. But they
8 may very well may come back and add additional
9 information. And the system that we are now, kind of,
10 have our proposal out for, would be able to capture
11 whatever verbiage they gave us. And so that we will have
12 that still in file.

13 COMMISSIONER ANDERSEN: Great. Then, yes.

14 COMMISSIONER AHMAD: Yeah. And just -- can I add to
15 that, just a little bit? Commissioner Andersen, you
16 bring up a really good point. And this is something that
17 we've went back and forth on quite a bit. And you know,
18 as we've shared it in previous meetings, there's no magic
19 button that exists that can pull out all of this
20 information in one format, in one software, in all the
21 different forms that we are expecting to receive this
22 information. So the idea of retrieval was really
23 highlighted as important that you all need a software or
24 a service or some type of platform that will help you
25 retrieve the information.



1 And an example that Stu gave us that really hit home
2 with me was that the importance of using this tool to
3 increase our efficiency in getting through all of the
4 public comments. So for example, there are form letters
5 that community groups sent. And those form letters may
6 be identical. We might get, you know, 500 form letters
7 that are word-for-word identical, this retrieval program
8 software service should be able to tell us, hey, you all
9 got, like, 500 letters from this one area that are
10 exactly the same. And here are letters who are similar,
11 but there might one or two lines different. So that
12 would help us as a Commission go through every single
13 comment that comes in to weigh into our decision-making,
14 and inform our decision-making for the final maps.

15 So the key being efficiency. How can we use this
16 tool, this civic technology, to increase our efficiency
17 in getting through the loads of public comments that we
18 will receive, and then, be able to retrieve that
19 information for the line drawers as well?

20 CHAIR KENNEDY: Very good. Thank you, everyone. It
21 is lunchtime. So we will be back at 1:45. The
22 discussion this afternoon will focus on our various
23 procurement documents and reviewing and discussing the
24 drafts that have been provided and posted. So thank you
25 very much and look forward to seeing folks on the flip



1 side of this.

2 (Whereupon, a recess was held.)

3 CHAIR KENNEDY: Thank you, everyone, for joining us
4 for our afternoon session, Wednesday, the 2nd of
5 December, 2020. As usual, we will start our afternoon
6 session with an opportunity for public comment.

7 I would ask, Katie, if she could read the
8 instructions, please?

9 PUBLIC COMMENT MODERATOR: In order to maximize
10 transparency -- in order to maximize transparency in
11 public participation in our process, the commissioners
12 will be taking public comment by phone. To call in, dial
13 the telephone number provided on the livestream feed.
14 The telephone number is (877)853-5247. When prompted,
15 enter the meeting ID number provided on the livestream
16 feed. It is 92738068918, for this week's meeting. When
17 prompted to enter a participant ID, simply press the
18 pound key. Once you have dialed in, you will be placed
19 in a queue, from which a moderator will begin unmuting
20 callers to submit their comment. You will also hear an
21 automatic message to press star 9.

22 Please do this to raise your hand, indicating you
23 wish to comment. When it is your turn to speak, the
24 moderator will unmute you. And you will hear an
25 automatic message that says, "The host would like you to



1 talk, and to press 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. These instructions are also
7 located on the website.

8 The Commission is taking general afternoon public
9 comment at this time. And we do have someone in the
10 queue.

11 CHAIR KENNEDY: Okay. If you could ask them to join
12 us.

13 PUBLIC COMMENT MODERATOR: I will.

14 If you could please state and spell your name for
15 the court reporter.

16 MS. SHELLENBERGER: Hi. Good afternoon. This is
17 Lori L-O-R-I Shellenberger S-H-E-L-L-E-N-B-E-R-G-E-R.

18 And I am the redistricting consultant for **Common Cause**.

19 PUBLIC COMMENT MODERATOR: The floor is yours, Lori.

20 MS. SHELLENBERGER: Okay. Thank you. Good
21 afternoon. And I wanted to call in and let the
22 Commission know that I submitted at about 12:45 today,
23 per Chair Kennedy's recommendations, some initial
24 feedback on the RFP for the line drawer.

25 And I just wanted to reiterate a couple of the



1 points in that email and submission. And I also sent it
2 directly to Commissioners Sadhwani and Andersen in case
3 there was some lag time in the public comment getting to
4 them.

5 Just a couple of things. First of all, maybe it
6 goes without saying, but the tremendous amount of work
7 that went into this already, I just want to acknowledge
8 that and really, the work of the whole Commission.

9 I don't think there's anyone who spends even a part
10 of their day watching one of your meetings and isn't in
11 awe of the commitment that you're all making to this
12 process in getting this up and off the ground.

13 Regarding the RFP, I just want to emphasize
14 something that I said in the public comment that I
15 submitted. And that is that there is a lot in that RFP
16 that groups who had a chance to put initial eyes on it
17 yesterday felt needed to be revised. And I tried to
18 capture some of that initial thinking in the email I sent
19 you. And I listed the organizations' initial thoughts
20 that reflect.

21 There were other organizations that we work with,
22 and I reached out to, who did not have time, on such
23 short notice, to look it over and provide meaningful
24 feedback.

25 So I would just like to reiterate what I said in the

1 comment. And that is that you not take action on this
2 today without the opportunity from people, public
3 feedback, and engagement with the Commission.

4 There are lots of groups and experts that would be
5 willing to sit down with the Subcommittee or the full
6 Commission to discuss our comments. And we would love to
7 do that and to assist you in whatever way we can to make
8 sure this is an effective RFP that elicits proposals that
9 are helpful to you and inform your decision in choosing
10 this important position and consultant.

11 And I understand the tension here with moving this
12 along and avoiding delays. But you also don't want to be
13 in a position where you post another RFP that doesn't get
14 any proposals because you'll go back to the drawing
15 board. So I think it's worth it to take the time that is
16 needed to get it right and ensure that you get the best
17 proposals that you can. Yeah.

18 I appreciate your time and happy to answer any
19 questions.

20 CHAIR KENNEDY: Are there questions from
21 Commissioners?

22 Commissioner Sadhwani?

23 COMMISSIONER SADHWANI: Sure. So Lori, I don't know
24 if you're still on, but thank you so much. I did just
25 receive those comments. And I'll certainly attempt to

1 take a closer look at them this afternoon as we are
2 further discussing it. And hopefully it will also be
3 posted in due time.

4 And I just want to say, we absolutely value the
5 partnership of community organizations and the input of
6 community groups in this process. And I just wanted to
7 note -- actually, in the conversations that we've had
8 with line drawers, the issue that was raised to us was
9 actually not necessarily particular problems with the RFP
10 that was put out by the State auditor's office. It was
11 instead that the State auditor put it out.

12 So there was a general sense from the folks that we
13 have spoken with that they didn't respond because they
14 didn't feel it was the job of the State auditor. Not
15 that there was necessarily anything wrong with the RFP,
16 but they wanted to wait for the Commission to put it out.
17 So I just wanted to clarify that that has been the
18 feedback that we have received.

19 But of course, we recognize there are so many
20 components to this. And I think we welcome your
21 feedback. And would, you know, I don't know how
22 Commissioner Andersen feels, but I would love to take you
23 up on the offer of having the meeting with the
24 Subcommittee to further inform them as to (audio
25 interference).



1 MS. SHELLENBERGER: I appreciate that. And we're
2 happy to do that. And I do think the previous RFP may
3 have been a little bit more clear on certain aspects of
4 what would be expected and what the deliverables would be
5 for the line drawers.

6 So I was just -- one of the themes I think you'll
7 see is that we're hoping there would be a little bit more
8 specificity in there and would imagine that the proposers
9 would hope for that as well.

10 COMMISSIONER SADHWANI: Yes. We agree with you on
11 that. And I think the conversation we had this morning
12 was really, you know, to try and elicit that specificity
13 from the Commissions to make sure that the Commission has
14 a clear sense of what should happen (audio interference).

15 MS. SHELLENBERGER: Yeah. And I appreciate that. I
16 wasn't able to listen in to that because I was actually
17 drafting the comments. But I saw some notes that someone
18 circulated. And it sounded like you were moving in that
19 direction, which is great to see. If there's nothing
20 else, I want to thank you for your time, and again, for
21 all the work you're doing. I appreciate it.

22 CHAIR KENNEDY: Are there any others? Okay.

23 Thank you, Ms. Shellenberger for the comment.

24 Katy, do we have any others?

25 PUBLIC COMMENT MODERATOR: No, Chair. That was it.



1 CHAIR KENNEDY: Okay.

2 Then, with that, I would like to -- I think we can
3 finish up the remaining subcommittees in fairly short
4 order. And then turn to the procurement language for the
5 data management contract.

6 So Communities of Interests Tool. That would be
7 Commissioner Akutagawa and me.

8 Commissioner Akutagawa, do you have anything at this
9 point?

10 COMMISSIONER AKUTAGAWA: Not -- other than what we
11 discussed yesterday. I do feel like there is going to
12 need to be some clarifications, I think, with the
13 Statewide database, based on our discussions that we've
14 had this round.

15 I will ask, just for the sake of ensuring there's
16 coordination with Statewide Database, to Commissioners
17 Turner and Ahmad. If you could send us that list of
18 files or file types that can be readable and not
19 readable.

20 I'm going to -- I don't want to assume things
21 anymore. And I want to make sure that they are aware
22 that what we're looking at needs to -- I want to just be
23 clear with them and say this is what is advised to us.
24 And we just want to make sure that this is either going
25 to be available on their end and PDFs to us as

1 Commissioner Ahmad had noted. Or if we need to make sure
2 that they do have that available to us, should our data
3 management team need it. So that would be all that I
4 would say.

5 CHAIR KENNEDY: Thank you, Commissioner Akutagawa.

6 One other issue that Statewide Database had touched
7 base on, and I wanted to bring back to the full
8 Commission at this point, is the question of the domain
9 name.

10 First of all, to report that they have been moving
11 forward with the name Draw My CA Community. They also
12 have reserved URL's for Draw My Community and My CA
13 Community. So that's on the track that they were
14 working.

15 The other track was whether or not we want a ca.gov
16 ending on whatever URL. And if so, that would be up to
17 the Commission staff to obtain. Personally, I am not as
18 concerned that we have that in general. But my one
19 thought is, if having that ca.gov ending on the URL gets
20 us more protection for the website as far as State office
21 of technology, or Department of Technology, then that
22 might be a reason to ask for one of those addresses.

23 So I wanted to ask the Cybersecurity Subcommittee to
24 weigh in on this. And then any other general input on
25 whether we would stick with just a link from our main

1 website to the URL that Statewide Database sets up for
2 the Communities of Interest Tool, or whether we do
3 specifically want a .ca.gov address for it.

4 So Commissioner Fornaciari, Commissioner Taylor, any
5 thoughts?

6 COMMISSIONER FORNACIARI: You know, it's a great
7 question. I have no idea what the answer is. But I'll
8 look into it.

9 CHAIR KENNEDY: Okay. If you could do that, then
10 let us know. And we will be in touch with the Statewide
11 Database on that.

12 Any -- Commissioner Yee?

13 Where'd he go?

14 COMMISSIONER YEE: I keep hitting the wrong button.

15 CHAIR KENNEDY: Whoo. Hooo. Wrong button.

16 COMMISSIONER YEE: Thanks. Yeah, I'm a fan of
17 .ca.gov for whatever security reasons, it may help. But
18 more importantly, because I think as a member of the
19 general public, that would reassure me that this is
20 legit. You know, that it's not some other third party,
21 you know, whatever. So I'm a fan of that.

22 And you know, I think it should be posted wherever
23 we can post it. Certainly on our website, of course.
24 But, you know, you catch all different people all
25 different ways. So I think it should be very public and

1 very widely disseminated.

2 CHAIR KENNEDY: Were there other hands that I did
3 not catch? Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: And this has nothing to do
5 with the domain name. And I wasn't sure if I should
6 bring this up now or in lessons learned. But as fellow
7 Commissioner Akutagawa and I were venturing down this
8 Language Access Subcommittee, what we came up with -- and
9 also, it kind of relates to the outreach, was it would
10 have been good to have another question to have them
11 respond to, which would be, how did you hear about the
12 tool?

13 And I think that would be -- we're thinking that
14 would be important because that would maybe show what,
15 maybe what some of our successful efforts were versus
16 maybe not so successful efforts in terms of outreach. So
17 that could be, like -- I don't know if it's a lessons
18 learned or here, but I just wanted to make sure I put
19 that out there. Because it's too late now to include it
20 for this one. But maybe for next time, it would be
21 helpful.

22 CHAIR KENNEDY: Very good. Okay. The next
23 Subcommittee is in fact, the Cybersecurity Subcommittee.

24 So Commissioners Fornaciari and Taylor, do you have
25 anything to report?

1 COMMISSIONER FORNACIARI: Yeah, sure. So let's see.
2 So we've gotten with Director Claypool to specifically
3 focus on this role of IT manager that they're looking to
4 bring in and help define what that role is going to be
5 and what their -- what the expectations and
6 responsibilities are. So we've been kind of iterating on
7 that a little bit. And we're going to get together --
8 we're going to try to get together Monday to come to some
9 final conclusion on what that looks like.

10 So that's what we've been working on to, you know,
11 just to ensure that we have a person here or and/or a
12 contractor who's going to be able to have the
13 capabilities we need to manage our IT effectively and
14 securely.

15 I didn't know -- Commissioner Taylor, did you have
16 anything you wanted to add?

17 Sorry. That's it.

18 CHAIR KENNEDY: Okay. Thank you.

19 The Troubleshooting Subcommittee -- Commissioners Le
20 Mons and Andersen.

21 VICE CHAIR LE MONS: We don't have anything to
22 update on today. Is that correct, Andersen?

23 COMMISSIONER ANDERSEN: One thing is, the computers
24 are -- they supposedly should be coming in. They
25 actually have gone to the point where they've been



1 ordered. They're, like, on the way. And we might
2 actually get them before the end of the year. Maybe even
3 sooner. Christmas present.

4 CHAIR KENNEDY: Very good.

5 Commissioner Ahmad?

6 COMMISSIONER AHMAD: A question for the
7 Subcommittee. And I don't know if you'll know at this
8 point. But do we have recommendations on what to do with
9 the material that we have that we will no longer use?
10 Are we shipping it back to the office? So our old phones
11 and then, eventually, this old laptop.

12 VICE CHAIR LE MONS: I have -- yes. We're supposed
13 to ship our phones back. We can get reimbursed through
14 our, you know, our process to do so. I actually have
15 shipped mine back. So I got a request to send it back.
16 So that's how I know that's the expectation.

17 But they, as I was told, are the property of the
18 State of California. And therefore, we need to return
19 them. And they will dispose of them accordingly.

20 CHAIR KENNEDY: Thank you Commissioner Le Mons.

21 Director Claypool, I know that you had your hand up.
22 One question that I wanted to ask. I note that the old
23 phones have asset tags on them. The new phones do not.
24 And just to check to see how those are being tracked.

25 DIRECTOR CLAYPOOL: So the tags on the old phones

1 were placed on there by the California State auditor.
2 And so we would track those phones actually by their
3 serial numbers, not by the asset tags. That's strictly
4 their process.

5 We have offered those old phones back to them. But
6 they have said that we can go ahead and keep them. So
7 they will -- along with your computers when you send them
8 back in, typically those types of things are part of a
9 survey process.

10 If we don't use them, then we roll them back into
11 the State inventory. And they go out to other State
12 agencies at a discount so that they can continue their
13 use until their useful life is done.

14 CHAIR KENNEDY: And I'm sure theirs is done.

15 DIRECTOR CLAYPOOL: Don't laugh.

16 CHAIR KENNEDY: I'm just sure there is support for
17 the idea that their useful life was long ago. But --

18 VICE CHAIR LE MONS: Now, that's subjective.

19 CHAIR KENNEDY: Yes. Yes. Okay.

20 UNIDENTIFIED SPEAKER: I guess they could be used as
21 coasters.

22 VICE CHAIR LE MONS: That's a good use.

23 CHAIR KENNEDY: Commissioner Akutagawa?

24 COMMISSIONER AKUTAGAWA: Can we just wait until we
25 get the new computers and just send it all at once? Or

1 do they need to go back separately depending on when the
2 computers are expected to arrive?

3 CHAIR KENNEDY: Director Claypool?

4 DIRECTOR CLAYPOOL: Can I have the question again,
5 please?

6 CHAIR KENNEDY: Should they come back piecemeal, or
7 can we wait until the new computers are in and ship both
8 back at the same time?

9 DIRECTOR CLAYPOOL: Just wait and send everything
10 back at the same time. We have plenty of computers here,
11 so we don't need them for that purpose. And we won't
12 survey any of this material until we're completely done
13 with our efforts. We'll hang on to everything in case we
14 need spare parts.

15 CHAIR KENNEDY: Very good.

16 Commissioner Akutagawa?

17 COMMISSIONER AKUTAGAWA: And I apologize. I wasn't
18 quick enough with the Cybersecurity report. It moved too
19 fast. But I was looking for a note.

20 Can I just ask either Commissioner Fornaciari or
21 Commissioner Taylor -- it did strike me yesterday that,
22 during the presentation, one of the recommendations is
23 that the person that we will have on staff, he called
24 that person a technologist that will keep track of all of
25 the vendors.

1 So it did strike me that there is going to be
2 perhaps a different level of skill to be able to manage
3 all of these -- the kind of vendors for the civic
4 technology that we're hoping to use -- than just somebody
5 who's going to just make sure that our IT works. So I do
6 want to just make that note. And hopefully, that will be
7 part of the consideration, as -- fortunately, we have not
8 hired the IT person yet, so.

9 COMMISSIONER FORNACIARI: Okay. So you kind of lost
10 me a little bit there. Who said that yesterday?

11 COMMISSIONER AKUTAGAWA: I believe it was either
12 Waldo -- I think it was Waldo that said that yesterday.

13 COMMISSIONER FORNACIARI: Okay. It was Waldo.

14 COMMISSIONER TURNER: It was a suggestion to ensure
15 that we have the expertise within our team that we would
16 be able to hold others accountable to ensure that their
17 translation of the information, the holding of the
18 information, that we're keeping all the piece parts
19 together, as opposed to just entrusting it to someone
20 outside of the organization. And it's above what we may
21 or may not know how to do.

22 COMMISSIONER FORNACIARI: I get the impression that
23 he was thinking of a person who was going to be, you
24 know, kind of our in-house data management person. And
25 I --

1 COMMISSIONER TURNER: He -- the suggestion --

2 COMMISSIONER FORNACIARI: And I was thinking that
3 was a different person than our IT person. But that's
4 not the impression you all got.

5 COMMISSIONER TURNER: No. No. Neal. I think it
6 is different than our IT person. This is a technologist
7 specifically for the data management piece.

8 COMMISSIONER FORNACIARI: Okay.

9 COMMISSIONER TAYLOR: Chair, this is
10 (indiscernible).

11 CHAIR KENNEDY: Go ahead, Commissioner Taylor.

12 COMMISSIONER TAYLOR: So I remember hearing that
13 part. And I took notes. And I think when Neil and I,
14 Raul, and Dan get together, I'll be able to advocate or
15 bring that into the conversation.

16 So Commissioner Akutagawa, I heard that as well.
17 And I think I can now discuss it with the Subcommittee.

18 COMMISSIONER AKUTAGAWA: Great. Thank you.

19 CHAIR KENNEDY: Excellent. Okay. The final
20 subcommittee would be the Lessons Learned subcommittee.

21 Commissioner Ahmad, do you have anything to share at
22 this point?

23 COMMISSIONER AHMAD: No, I do not. I am keeping a
24 running Google doc. So it will be readily available at
25 the end of our major work. And we will have some fun

1 meetings at the end to figure out what to do with all of
2 the lessons that we've learned.

3 CHAIR KENNEDY: Good. Director Claypool, if I could
4 ask you for the phone -- sorry, not phone, the email
5 address of contact in the auditor's office so that
6 Commissioner Ahmad and I can link up with their lessons
7 learned work on the selection process.

8 DIRECTOR CLAYPOOL: Certainly. I'll send that over.
9 I'll make a note right now. And you'll have it within
10 the hour.

11 CHAIR KENNEDY: Thank you very much.

12 Okay. With that, we have concluded the subcommittee
13 updates. And I would now like to invite the --

14 COMMISSIONER FORNACIARI: Commissioner Kennedy?

15 CHAIR KENNEDY: Yes. Commissioner Fornaciari?

16 COMMISSIONER FORNACIARI: I need to go back to 9(c)
17 real quick. Sorry. My apologies. Just briefly, there
18 was a request to look into some agenda management
19 software that we could, you know, display a nice video.
20 And it's indexed to the agenda. And we've got the agenda
21 with links in it and all that stuff.

22 So I had volunteered to take a look at that. And so
23 I spent some time last week looking around at different
24 commissions and what they do, in different cities and
25 what they do. And I was able to get ahold of one

1 particular vendor. And so next week, Director Claypool,
2 Director Ceja and myself will meet and get a
3 demonstration from this vendor and see, you know, what it
4 looks like, what it takes, how we think it might work,
5 you know, in the context of this commission.

6 And we'll have an update, you know, on the outcome
7 of that next time.

8 CHAIR KENNEDY: Excellent.

9 COMMISSIONER FORNACIARI: Just wanted to say it's
10 moving forward. We're working on it.

11 CHAIR KENNEDY: Good.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Actually, I put my hand up
14 and then I put it down.

15 Commissioner Fornaciari, if you could let me know
16 when that is, and if I'm available, I'd like to also be
17 part of that since I am very familiar with minutes and
18 how they've been written in the past. So that would be
19 good.

20 COMMISSIONER FORNACIARI: Absolutely.

21 COMMISSIONER FERNANDEZ: Thank you.

22 COMMISSIONER FORNACIARI: Yeah, that'd be helpful.
23 Thank you.

24 CHAIR KENNEDY: Okay. Then I would invite the Data
25 Management Subcommittee to take us through their draft

1 document. And we can discuss that.

2 COMMISSIONER AHMAD: Certainly. Thank you so much,
3 Chair.

4 So our draft scope of work language is posted online
5 under the meeting handouts for this particular meeting.
6 And we are looking at 9(i) Data Management SOW.

7 So just a brief background on how this document came
8 to be in its current version. So we worked off of some
9 template language that Dan had shared with us from the
10 RFI for the RPV and the legal counsel draft that was
11 already well underway before we had started. So some of
12 the language is boilerplate in terms of just the
13 introduction of the CRC.

14 We added in -- because the data management aspect
15 may be an individual. It may be an organization, or a
16 firm, or multiple firms. We included that language in
17 that first introductory paragraph, as well as the very
18 specific inputs that we might be receiving. So the
19 categories of those inputs -- so either written, drawn,
20 oral, shapefiles. We included et cetera in there just to
21 cover our bases in terms of other things we don't know at
22 this point that we may be receiving.

23 And then, when you scroll down to the statement of
24 work experience -- so this section and the section
25 following, so section 5 and 6 were really informed by our

1 discussions in the field with the different experts that
2 we spoke to, the different recommendations that they had.

3 We did some searching of -- we were shared with
4 links -- excuse me. They shared links with us in terms
5 of different jobs and data science roles. And the
6 descriptions that are written in those job roles to
7 include as potential guiding language within what we
8 would want for a data manager or management service.

9 So at this point, section 5, in terms of the
10 statement of work and experience, we have listed out a
11 brief overview of how we expect large amounts of public
12 input data from across the state.

13 We would want someone to be able to organize this
14 data by a variety of different indicators. So, for
15 example, if, you know, alluding to our earlier
16 conversation, if we are in a certain city, we want to be
17 able to have some sort of management system that would be
18 able to pull up all of the inputs that we have gotten
19 that relate to that city or by any other indicators such
20 as ZIP code, neighborhood, et cetera

21 And this is all contingent upon the design of our
22 form, or however we intake this data as well. Right? So
23 if we don't have a ZIP code field, or we don't have a
24 city field, it's going to be a little bit more
25 challenging to code those inputs as such.



1 And we also used our own website as an avenue to
2 inform this particular aspect, as our own website does
3 have currently a Contact Us page, which is interesting in
4 that it requires someone from the public to submit their
5 name, their email address, the region or county that the
6 public comment is related to, in a dropdown menu. And
7 then, the subject and your message being the only two
8 fields that are optional or don't need to be completed in
9 order to hit submit.

10 Our online form on our website also includes
11 language stating that file formats that are supported
12 include PDF and jpg's. However, there's no option to
13 attach such a file to the form on our website. So we
14 have brought that to Mr. Ceja's attention as well, if
15 this is an avenue we decide to pursue in terms of the
16 data collection, specifically regarding the public input
17 piece.

18 When we scroll down to section 6, I believe this is
19 an edit that needs to be made -- the submission format.
20 But the following language in that section highlights the
21 different areas that we would want our future data
22 management firm, or organization, or individual -- the
23 different experiences that they should have, and a
24 detailed description of what they learned/did during
25 those experiences.

1 So we went off of the RFP for RPV, and then counsel
2 as well -- litigation counsel as well. But we decreased
3 our number to describing five to eight of the most recent
4 data management projects. That recent term also being
5 something that we picked up from conversations on the
6 earlier RFP's. And then, included all of the different
7 aspects that we thought were shared with us in our
8 informational interviews of areas that would be important
9 to cover and make sure that we have in the toolbox of
10 whoever we contract with.

11 And again, this is a draft. Commissioner Turner and
12 I been bouncing our heads up -- back and forth about, did
13 we included everything, are there things that we are
14 missing. We already have heard from Robin that has
15 comments, and USDR has comments on this RFP language. So
16 we're awaiting those comments. Our point in bringing
17 this forward to the Commission today was to gather your
18 feedback on what we are missing. Are there areas that we
19 should be collecting information on that are not on this
20 form, or is there are -- are there areas that are not
21 clear.

22 And then also, we want to solicit feedback from the
23 public, as well. I -- I'll just leave it at that and let
24 Commissioner Turner jump in to add anything else.

25 COMMISSIONER TURNER: Thank you, Commissioner Ahmad.



1 No, I don't have anything else to add. I think
2 that's a good place to stop and receive feedback from the
3 Commissioners and then public comment.

4 CHAIR KENNEDY: Okay. Commissioners?
5 Commissioner Akutagawa?

6 COMMISSIONER AKUTAGAWA: Well, first, I just want to
7 say thank you. It does sound like it took a lot of time
8 and you put a lot of work into it, but it sounded like it
9 was just really fascinating and interesting. And it
10 would have been great to have heard even more on the
11 presentation yesterday. It was really fantastic.

12 And I do want to just say, I think I -- I, maybe,
13 more taking to heart what I heard yesterday from the
14 presentation, don't make it so specific and you know, box
15 ourselves in. And so I was -- I -- one, I like really
16 high-level kind of stuff and just get to the point. And
17 I felt like you, you know, you really captured that here
18 where, you know, it gives you enough flexibility for us
19 to really understand what their capabilities are without
20 getting too boxed in by somebody who -- I took to heart
21 what Waldo said about, you know, not being so specific in
22 then being, perhaps, sold by a company that says that
23 they can do it all, and walk on water, and you know,
24 change the world and all that kind of stuff. And then,
25 in the end, not necessarily being able to do all that we

1 want. So I just want to just put that out there that I
2 just really appreciate what you've done here. And this
3 looks really fantastic. So thank you.

4 CHAIR KENNEDY: Thank you, Commissioner Akutagawa.
5 Commissioner Yee?

6 COMMISSIONER YEE: I am sure I was not next.

7 CHAIR KENNEDY: You think Commissioner Fornaciari is
8 next?

9 COMMISSIONER FORNACIARI: I think Commissioner
10 Fernandez was before me.

11 CHAIR KENNEDY: I'm sorry, I was looking at the
12 document and hands appear and disappear. So Commissioner
13 Fernandez?

14 COMMISSIONER FERNANDEZ: Okay. I forgot, I had my
15 hand up. So thank you. And I just want to thank both of
16 you for the RFP. It's really well written and very
17 thorough. The only suggestion I would make, in section
18 5, under the statement of work, just like in the first
19 sentence you talk about, to manage large amounts of data
20 in various formats. And I realized that you say as
21 described above. But what happens sometimes when vendors
22 look at RFPs, they kind of just go straight to the
23 statement of work.

24 So my recommendation would be to, again, put -- as
25 you put up there various formats, you put in parentheses

1 with written drawn, oral, shape files, et cetera. So
2 I -- that's the only thing that I was thinking of because
3 they kind of like to, you know, go to the meat of it to
4 decide whether or not they want to submit something.

5 But thank you very much, it -- appreciate all the
6 work you put into that.

7 CHAIR KENNEDY: Okay.

8 Commissioner Fornaciari?

9 COMMISSIONER FORNACIARI: Sure. Yeah and -- just I
10 want to also thank you all for your hard work. And it
11 did seem like it would have been a lot of fun to spend
12 time talking to all of these folks and learning stuff.

13 My suggestion would be -- bless you, Commissioner Le
14 Mons.

15 UNIDENTIFIED SPEAKER: Bless you.

16 VICE CHAIR LE MONS: Thank you. Oh I'm sorry, I had
17 no idea my microphone was on. My apologies.

18 COMMISSIONER FORNACIARI: I guess my suggestion
19 would be, in the first paragraph, maybe expand upon that
20 a little bit, the narrative about the Commission because
21 it's really brief. And what I was thinking was, you
22 know, what the data is, how we're going to collect it,
23 and how we'll use it. And so that they just have a
24 bigger, a better, more well-rounded picture of what we're
25 doing here.

1 I think I -- you know, if you -- if you look at the
2 line drawer RFP, and in that section in the beginning,
3 with the detail about the Commission, I think that might
4 be a good -- a good place to do a little plagiarizing and
5 use some of that content. But I would just suggest also
6 just focus on the data in those three aspects.

7 So that -- but thank you all very much for your hard
8 work.

9 CHAIR KENNEDY: Thank you, Commissioner Fornaciari.
10 Commissioner Yee?

11 COMMISSIONER YEE: Thank you. Yes, thank you to the
12 subcommittee especially since this is one of those pieces
13 that's new, right. This is a piece we're adding from
14 last time and so plotting new ground and doing a great
15 job of it. Thank you.

16 Two comments, one is language access, right. It's
17 long discussion we had. You know, where does the
18 translation happen and is the data management contractor
19 responsible, or do we provide it? So need to address
20 that one way or another here.

21 The other comment is -- I guess, if I were bidding
22 on this, you know, I'm trying to think. So okay,
23 responsible to organize this data, it comes in over an
24 eight-month -- nine-month period. There's interim
25 reports and a final report. I'm not -- I -- in terms of

1 how much work that ends up being -- it's not quite clear
2 how many cycles, you know, kind of, I'm responsible for,
3 which would really affect my sense of how much to bid.
4 You know?

5 So I know we can't get that specific but I'm
6 wondering how we can help with -- get better -- get a
7 better sense of, okay, how many deliverables do I have.
8 You know, the ongoing -- I guess there's an ongoing
9 organization of data that comes in that is made
10 accessible to the Commission that's ongoing and -- for
11 this time period. And so I'm just thinking as a vendor,
12 I might need a little bit more help to know exactly what
13 the deliverable is here -- deliverables are.

14 CHAIR KENNEDY: Let me -- Commissioner Akutagawa?

15 COMMISSIONER AKUTAGAWA: Commissioner Yee just got
16 me thinking about two things that, perhaps, I want to
17 just maybe build upon what he said. Perhaps -- and I
18 think you were saying that perhaps it could written in
19 that the bulk of the work will be over a certain period
20 of time. And then following that, it may slow down to
21 more, you know -- to, you know, X amount of times or
22 maybe once a year or something like that, after the
23 submission of the maps might be helpful in terms of
24 giving that time context that Commissioner Yee was
25 talking about.

1 The other thing is, I just -- in -- when he asked
2 about language access, and I think Commissioner
3 Fornaciari also mentioned about beefing up the beginning
4 paragraph a little bit more, it also got me thinking
5 about what Commissioner Yee said yesterday about the
6 different types of scripts or fonts. So I realize that
7 it says multiple languages but I think taking a page out
8 of not assuming things, maybe it should also say multiple
9 scripts or fonts -- the scripts, meaning, like, the, you
10 know -- whether it's in Thai or in Farsi or whatever, you
11 know the -- even in, like, simplified or traditional
12 Chinese, being able to handle those.

13 CHAIR KENNEDY: Thank you.

14 Commissioner Sadhwani?

15 COMMISSIONER SADHWANI: (Audio interference) to the
16 subcommittee. This is awesome. I agree with
17 Commissioner Yee, we're charting new ground. In a sense,
18 we had it easier because there were -- there were
19 documents from 2010 that we could basically plagiarize
20 and just change. So well done.

21 I have two questions. One is more procedural about
22 this RFP. And then, one is my big picture. So
23 procedurally, I would just ask is this a direct RFP or a
24 secondary RFP? And this might be a Dan Arelllo (phonetic)
25 question for clarification. My understanding is that

1 with the secondary RFP and -- you -- the cost doesn't
2 matter as much. It's a -- it's one factor amongst many
3 in your selection process.

4 And therefore, a selection process has to -- has to
5 be included. Whereas an RFP, I believe, goes to the
6 lowest bidder, unless it's a close bid. Someone can
7 correct me if I'm wrong. But I would just put that out
8 there as something to consider, kind of, procedurally.

9 The second piece, however, I -- I'm just -- I guess,
10 maybe as clarification, did I hear correctly yesterday
11 that the group that -- I think it was Robin -- is it
12 USDR, had -- that presented from -- that's a project from
13 Georgetown, did they say that they do this for free? And
14 I'm wondering -- I'm wondering if you guys that have
15 thought at all about, maybe, just being a recommendation
16 of, rather than going through an RFP process, if we just
17 contract with them directly?

18 I have no idea what that looks like. I don't know
19 if they're the vendor we'd want to use. But if they
20 were, it could certainly save us a whole lot of time and
21 answer some of those questions we had earlier about if we
22 got out pre-Census, how we do it. Who's the data man --
23 who's going to help manage all of this data. If we could
24 just get them on board, January 1, they're helping to
25 build some of this.



1 And you know, I don't know if that's a realistic
2 solution but I'm just curious if that was -- had been
3 considered at all?

4 CHAIR KENNEDY: Commissioner Ahmad?

5 COMMISSIONER AHMAD: Just to respond to those
6 questions.

7 The first one, yes, is a Dan question to help us
8 understand that a little better. The second one, in
9 terms of US Digital Response, yes, they are free. And
10 they're not out of Georgetown, they're a independent
11 organization, born out of Covid 19 response and the need
12 that governments have had to have, and in our
13 conversations with them. Since we're not directly Covid
14 19 response, they have shared that USDR has, kind of,
15 shifted into responding in -- responding to secondary
16 things that have come out of Covid.

17 And this being one of them. The fact that we have
18 to be, now, taking public comment and probably all
19 virtual format because of COVID-19. Dan, myself, and
20 Commissioner Turner, we need -- we do need to huddle to
21 figure our exactly your question if an RFP is, you know,
22 the best route if we potentially like the work of USDR.
23 And what that translation looks like between RFP language
24 and an MOU. And if -- what that process looks like,
25 because I am unfamiliar with what that process looks

1 like.

2 CHAIR KENNEDY: Okay.

3 So I have Commissioner Fernandez and then we'll go
4 to Director Claypool. And then I have one question.

5 COMMISSIONER FERNANDEZ: Commissioner Sadhwani
6 triggered something that -- so Waldo, yesterday, he
7 did -- he did offer up -- from USDR -- he did offer up
8 that he was willing to review the RFP, the draft RFP
9 language. So I'm not sure if that's also a -- something
10 that we can look into. And he probably asked a lot of
11 questions and you -- all of the detail could probably be
12 added to it, as well.

13 COMMISSIONER AHMAD: Thank you, Commissioner
14 Fernandez. We're at -- in the process of scheduling that
15 meeting.

16 CHAIR KENNEDY: Director Claypool?

17 DIRECTOR CLAYPOOL: So Commissioner Sadhwani, you're
18 exactly right. The RFP 2 is qualitative but it --
19 there's always the component that we want the lowest
20 possible price. Whereas an RFP is always the lowest
21 responsible bidder. And so this Commission is opting to
22 use the RFP 2 to make sure that we have that qualitative
23 touch to it.

24 A thing that you -- that goes with both of them, it
25 used to be that the RFP 2 is -- was most closely

1 associated with having interviews, where you could
2 interview the people who were -- who were bidding but you
3 can actually do that with either one. All you have to do
4 is say there'll be an interview involved with it. So
5 regardless of which one you use.

6 The one thing I would say about the individuals who
7 were speaking yesterday, it would be very important to
8 clarify that whereas their services are free, if there's
9 some component that needs to be procured, data storage or
10 anything else, we -- I'm fairly certain that they're
11 going to require someone to pay for that. And so
12 depending on what that cost is, will depend on how we can
13 take care of it.

14 I thought that was a great presentation and has a
15 lot of -- it gave me hope that we could go back to being
16 somewhat within our budget because that's a -- that's one
17 of the big contract costs. But let's make sure, as we're
18 talking to them, what they -- what they're going to
19 require us to pay for because it just -- rightfully, we
20 should pay for whatever is necessary to make this work.

21 CHAIR KENNEDY: Commissioner Fornaciari?

22 COMMISSIONER FORNACIARI: Yes. This conversation
23 kind of got me thinking about a few more things in
24 section 5. You talk about ABCD is experience with data,
25 managing data, storing data, and securing data, but

1 there's no reference to data analytics, data mining.
2 Isn't that part of the expectation of this group, that
3 they're going to be digging through our data to help us
4 pull out the information that we need, you know, if we're
5 going to be in a certain area, mine that out for us?

6 And it -- and so I think -- you know, I'm not sure
7 of all the right terminology that we should use there,
8 but I can imagine Waldo is going to have a lot of good
9 input for you on that.

10 CHAIR KENNEDY: Thank you, Commissioner Fornaciari.

11 Director Claypool, kind of, related to the idea of
12 interviewing, bidders, I'm also wondering, in my
13 procurement experience, I've organized various
14 conferences. So that would be an opportunity for all of
15 the bidders to be in the same room, at the same time,
16 with commissioner or Commission staff, and have a
17 presentation from the Commission side, as well as
18 answering any questions that come up. And so everyone is
19 on the same page. Everybody has the same information.

20 Is that something that's done in California State
21 Procurement or is that just something that was unique to
22 my experience?

23 DIRECTOR CLAYPOOL: So I know that in the state,
24 they will have conferences for the -- so they'll have
25 employment conferences periodically. I think they do



1 have bidder conferences. We're going to run up against
2 having to have a Zoom conference if it -- if that were
3 the case because, clearly, we're not going to be able to
4 be all in the same room.

5 The only thing that I would say is that that will
6 add time on the front of this process. And right now,
7 time is something that we're, kind of, running out with,
8 with these contracts. So we -- I can have Raul look into
9 it. But it just seems to me that we need to move forward
10 as expeditiously as possible.

11 CHAIR KENNEDY: Okay. And on that, I'll take the
12 opportunity, again, to ask you if, at this point, you're
13 able to give us an idea of what the impact of waiting
14 until the next meeting to approve this might be?

15 DIRECTOR CLAYPOOL: I finished rolling the dates
16 forward. Actually, just kind of shifting where we're at
17 today and doing it -- you had asked, as of the next
18 meeting, what would be the impact. And so I finished it,
19 but I have Raul taken a look at it. And what I've asked
20 him to do is to tell me, realistically, where can we
21 shave any time at all, because I'm going to give you what
22 it looks like when it typically occurs but I also want to
23 be able to say we might possibly get some help here. We
24 might possibly get some help there. And then, we'll move
25 from there. But that will be this evening. I won't have

1 it done this afternoon.

2 CHAIR KENNEDY: Okay. I'll just reiterate what I've
3 said on a number of occasions, which is hope for the best
4 but plan for the worst.

5 With that, Commissioner Toledo?

6 COMMISSIONER TOLEDO: Yeah, thank you. I -- I've
7 just been thinking about -- so -- the vendors that -- or
8 the group that spoke to us and offered their services for
9 free. And while I think that's great and I think that's
10 awesome, I'm also thinking about the budget for the next
11 commission. Not our commission, but the next one since
12 their budget is going to be based on our expenditures.
13 And so by -- just something to think about -- by
14 potentially using free services, are we, potentially, in
15 the future, shortchanging the next Commission and not
16 actually having the expense of this very important line
17 item in our budget for the next commission?

18 So just something to think about. I'm sure they'll
19 be other expenses that we -- that we'll be able to
20 incorporate, but it's just something to think about in
21 terms of the next commission, and impact to the next
22 commission.

23 CHAIR KENNEDY: Very good.

24 Commissioner Sinay?

25 There was a raised hand there.



1 Commissioner Fornaciari?

2 COMMISSIONER SINAY: Sorry. I thought -- I thought
3 I was -- I was on mute. I was excited that you called on
4 me because I did use the raised hand and I didn't know if
5 it was working or not. So it does work but my unmute
6 doesn't.

7 Two things, I do agree with the comment that
8 Commissioner Fernandez made at the very beginning about
9 making sure to include the -- at the scope of work, to
10 include everything from above. And the reason being
11 that, one of my notes was, don't we need to include --
12 diverse medians and then languages. And it was up above.
13 So I had missed it.

14 And then on the different mediums or however we're
15 using -- the right word is, just a reminder that we've
16 also said digital or video, and that's not in there that
17 people can submit. We're hoping that they can submit a
18 video, as well. And finally, I -- do we need to put
19 something in there about data ownership, who owns the
20 data? Because every time I've ever worked with a
21 database, or a platform, the ownership of the data ends
22 up being a huge piece. So I just wanted to -- to put
23 that out there.

24 Great job.

25 CHAIR KENNEDY: Yeah. And sorry, I would ask the



1 subcommittee to work with chief counsel and the legal
2 team to make sure that we cover that last point from
3 Commissioner Sinay.

4 I have Commissioner Fornaciari and then Commissioner
5 Turner.

6 COMMISSIONER FORNACIARI: So maybe this is, kind of,
7 common question for the subcommittee, but I was under the
8 impression that US Digital Response is really, kind of, a
9 troubleshooting, we build software for you to solve your
10 problem, kind of thing. And I think our problem is more
11 complex than that, in that we need capability to do data
12 mining and data analysis, and that kind of thing too.

13 But maybe, I kind of missed something from their
14 presentation. Did they provide that kind of capability
15 too?

16 COMMISSIONER AHMAD: Yeah. One of the -- one of the
17 pieces that we were really excited about that they
18 offered is this time period once we solidify a
19 relationship in determining this is the direction we want
20 to go. They offered something called a discovery sprint
21 where we'll come to the table and answer a lot more
22 questions about what we need. And not so much about what
23 system or tool we think we need, but what is the ultimate
24 result. What is it we're trying to achieve? And from
25 there, they kind of backed in with us -- with

1 suggestions.

2 And yes, they're able also, my understanding, to
3 even develop. They have people waiting to develop things
4 that may be needed as well. So I have taken a note as
5 far as -- because we did talk about data storage, as far
6 as what happens with the cost of some of those things.
7 But I wanted to just make note that once we meet with
8 Robin and her team, either later this week or next week,
9 when we get that solidified, we'll probably be answering
10 more questions to get more specifics from them.

11 And one of the things that I think will be helpful
12 going forward is if Commissioner Ahmad, myself, could get
13 from -- and we talked about it earlier. We do need to
14 streamline exactly what we're asking for. I was reminded
15 about it when Patricia -- Commissioner Sinay just said
16 also video, which video would require then, also, someone
17 also watching and translating, and et cetera. And so
18 again, that gets to the scope of how much work we're
19 trying to take in.

20 And we initially threw everything out on the table,
21 but at some point, we need to say we're not going to take
22 video or we are, right? But we need to start defining
23 where the parameters are of the information so that when
24 we have the meeting, we can say with surety and
25 confidence, after having come to the decision here, after

1 hearing from public comments, these are the ways that
2 we're going to receive information.

3 And I say that because we threw all of it out and
4 they hear all of it. But now, they're like yeah, you can
5 have anything. You know, how big is your budget? What
6 do you want to pay? How many people do you want to bring
7 in? But -- so this commission, we have to decide that.
8 Are we going to keep saying everything or can we now say
9 the recommendation. I heard over and over and over,
10 structured information. Structured. Structured. And
11 there may be a couple of allowances we want to make for
12 something different. But then that should be the
13 exception. It should be one or two additional things and
14 we need to turn -- to determine what that will need to
15 look like.

16 And then when we have conversations, they can be
17 more concrete about, oh no, we can take that all the way
18 through. We can do all of that for you. even with the
19 thank you, the language access that we talked about. A
20 few of our -- the different people that we had
21 discussions with talked about that and they were like --
22 some of them weighed heavily on the side of no, you'll
23 need to provide your own translation, right. Whether or
24 not the system mater -- the stru -- the tools that are
25 created, whether or not it can read it, you know, we need

1 to have someone there translating.

2 And so again, just decisions we need to make so that
3 we're -- we can concretize this is the direction we're
4 going in. and then we'll be able to speak from -- with
5 clarity when we go to -- back to USDR, wherever it is
6 we're going to go.

7 CHAIR KENNEDY: I will -- I've got a couple of
8 commissioners in the queue. But I just want to call
9 everyone's attention to the "How We Engage" page of
10 USDR's presentation. So the second element is advice.
11 But the first element says staffing. And underneath
12 staffing, it says double the size of your team.

13 So Commissioner Fornaciari, that, I think, speaks to
14 your question and that we may, actually, be able to
15 double our IT team if we need to. If we're interested ad
16 they're amenable.

17 Commissioner Sinay and then Commissioner Yee.

18 COMMISSIONER SINAY: Thank you, Commissioner Turner.
19 I was hesitant to even bring up video because of the
20 conversation we had this morning, but I was like well, if
21 they have everything already in there, let's make sure we
22 don't miss this last piece.

23 And I think what may be helpful for a lot -- for
24 us -- because I didn't know if we put everything and then
25 we wait to hear what they say. But I hear what you're

1 saying. They'll tell us everything that they can do, so
2 we need to make that decision. So what I suggest is
3 could you make a recommendation right now so that we can
4 make that decision today? So that becomes a little
5 easier for you all. Because I know those questions are
6 out in the ether are stressful. Because those are
7 critical components.

8 And then, on using, I would recommend that we -- we
9 post the RFP and if the group from yesterday wants to
10 respond to part of it or all of it -- because we said it
11 might be multiple people -- firms take on different
12 pieces -- I'm always hesitant to do anything this big
13 with just one entity that's free because that leave you
14 really vulnerable in case something happens because
15 they're doing it as volunteers.

16 And so I would recommend we -- as they said, we can
17 double your staff. So that means you already have staff
18 that can do some of this. And so we just -- we just need
19 to make sure that we're not leaving ourselves vulnerable
20 because we can't back out of -- yeah, we don't have that
21 time and space to correct an error.

22 So anyway, I really would love to hear your
23 recommendations on how we should be accepting data. I
24 did send out an email to -- the notice with the
25 foundation to ask them about the form that they used and

1 how did they translate that form, meaning how did they
2 take it from a Word doc -- you know, from a handwritten
3 note to actual GIS files or what they did. I haven't
4 heard back but I did put that question out there to them
5 since it came up this morning.

6 CHAIR KENNEDY: Okay.

7 Commissioner Yee?

8 COMMISSIONER YEE: Oh yes, thank you.

9 CHAIR KENNEDY: (Indiscernible) --

10 COMMISSIONER YEE: I wanted to echo Commissioner
11 Fornaciari's comment. My impression from Digital
12 Response is yeah, they focus on providing, you know, a
13 tool to use if, for instance, we have not had the COI
14 tool in thought. You know, we should have a tool like
15 this, it would great for helping develop something like
16 that. not providing the staffing to manage the data
17 comes out as such a tool, you know. I mean, that's a
18 whole different kind of ball of wax.

19 You have might have tries about that and so forth,
20 but I wouldn't expect them to -- and as volunteers, I
21 wouldn't want them to, actually, be responsible for
22 what's ongoing work. So yeah, that was my impression, as
23 well. I mean, I'd love to be proved wrong, for free.
24 But that was my impression as well.

25

1 And Commissioner Turner's comments, yeah, I think we
2 need to focus on -- as we were advised yesterday, focus
3 on, you know, the 90 percent of data that's going to come
4 in through the usual channels, the usual languages and so
5 forth. Be open to the exceptions but don't you know,
6 spend half our time trying to provide for them because we
7 can probably handle them, you know, just fine as
8 exceptions, so.

9 CHAIR KENNEDY: Very good. Thank you Commissioner
10 Yee.

11 Director Claypool?

12 DIRECTOR CLAYPOOL: Two things. I was going to say
13 pretty much the same thing as Commissioner Yee that
14 yesterday talked about eighty percent of your stuff is
15 going to come in and you're going to be able to use it,
16 and you're going to have that twenty percent exception.
17 We are undoubtedly going to have to have some type of
18 student assistant response to those things that we have
19 to handle manually. I don't know if it's a student
20 assistant, or an intern, or however we would do it, but I
21 just anticipate that we're going to have things that are
22 going to have to be manually handled and input into the
23 system in a way so that it can be used if we're going to
24 try to get all of our material into that system.

25 The second thing, we can do this -- we can -- after

1 we send this RFP out, you can continue to explore all
2 these options with this group. We don't have to accept
3 any bidder. If we get twenty bidders for this contract
4 and you put together something that's viable and
5 feasible, then we can just say we're going a different
6 route. So we need to get this out and rolling because
7 it's our main vehicle, but it doesn't mean that we have
8 to stop exploring.

9 CHAIR KENNEDY: Okay. Commissioner Turner, and then
10 Commissioner Ahmad.

11 COMMISSIONER TURNER: Yes. Commissioner, I was
12 going to move forward with our recommendation. You want
13 to say something before that, Commissioner Ahmad?

14 COMMISSIONER AHMAD: Just, I guess, precursor to the
15 recommendation and why we've come up with that. I recall
16 with our conversation with Stu he asked us very
17 explicitly. So if someone ties a napkin to a rock and
18 throws it through a window, is that a data piece that you
19 will be accepting. And it was an extreme example, right,
20 but the idea remains as to what are our parameters of
21 what we can actually make sense of, and what -- and it's
22 whatever we decide, and then whatever those parameters
23 are.

24 A majority of comments should be funneled through
25 that manner. And to Commissioner Yee's point and what

1 was shared with us yesterday, the remaining theoretically
2 could be handled even manually. And we can go old school
3 like back in the 90s or something like that where you
4 would have to look through manually public comments. I
5 don't know if that's old school, but --

6 Commissioner Turner, to our recommendations.

7 COMMISSIONER TURNER: Thank you.

8 So what the sub -- as a subcommittee, what we would
9 recommend is using the COI tool that's being developed,
10 using our website, which (audio interference) to see how
11 we know for sure would need to be updated to reflect the
12 current, I guess, incompatibilities that was already
13 talked about. So the COI tool, our website, and then any
14 onsite verbal information that we receive. So that's
15 either through phone calls or where it happen to be able
16 to be at a hearing personally, at a forum if someone --
17 so wherever that verbal looks like. And we are saying
18 those three different ways. And that would be the COI
19 tool, website, or some sort of verbal phone call in one
20 of our sessions is what our recommendation would be.

21 COMMISSIONER AHMAD: And to add to that, anything
22 that comes in beyond that, it's not saying that we don't
23 want it. We certainly do want it, but a majority of our
24 services should be able to handle these different
25 platforms so that we can focus our attention onto those

1 different avenues that might come in in a handwritten
2 letter or a drawn picture, and we would have more
3 resources to allocate towards that, if that makes sense.

4 COMMISSIONER TURNER: Yeah. And with that, the
5 other piece that rings in my mind is about the equity of
6 information as far as the attention that it gets. And
7 what I want to even be very public about is to ensure
8 that if we -- as we receive information that was outside
9 of the recommended, we will attempt to give it, like,
10 consideration, but depending on the timing. If you get
11 that thing drawn on a napkin one month, and three months
12 later is your now, you know, will we find it, will we
13 remember it, will we be able -- because it won't be
14 cataloged like the rest of the information necessarily,
15 so, unless we are able to write it in ourselves.

16 So again, as much as we can drive into the
17 structure. So the COI tool -- the website will have
18 similar questions that the COI tool so that it's in
19 alignment. And then as we're taking information, we're
20 asking questions again so that all of it will line up,
21 will be able to be input, then can be retrieved later.
22 So that will be the recommendation.

23 I wanted to say -- I wanted to say one other quick
24 thing. Maybe I'll come back to it, because that's the
25 recommendation, and I'll just let that stand so people

1 can respond, and then I'll say the other thing.

2 CHAIR KENNEDY: Commissioner Sinay.

3 COMMISSIONER SINAY: Thank you. I think my -- two
4 things. One is I would love -- I like when you use --
5 every time you say equity of information, that really,
6 you know, reminds me that of the comment of the fir --
7 you know, everything it -- the first comment and the last
8 comm -- you have to listen to the first comment, as well
9 as the last comment. That whole equity -- so if we can
10 make sure that that's written into the RFP that we're
11 looking at the information that comes to us in
12 equitable -- you know, you say it much better than I.

13 And then the other piece is -- Commissioner Turner,
14 yesterday, I felt like you were hesitant when you heard
15 what website we were going to be using. And so I was
16 going to ask you at that time if you were comfortable
17 with NationBuilder, or if you were sure that that was a
18 right website for what we need in regard here since the
19 website is going to be critical for capturing data. And
20 this is a time to bring up any concerns versus later. We
21 need to make sure if this is going to be one of the three
22 ways that you all are feeling confident.

23 COMMISSIONER TURNER: No concern about it. I didn't
24 know it. I hadn't heard of it. So I was like, huh, what
25 is that? Let me look it up. That's all.



1 CHAIR KENNEDY: Okay. Commissioner Akutagawa.

2 COMMISSIONER AKUTAGAWA: I think -- so I -- yeah, I
3 have three things. One is I think I just want to point
4 out, Commissioner Turner, can I just suggest that we also
5 make sure that we explicitly say that anything submitted
6 via public comment because public comment will be
7 submitted in various ways. And so I just want to be
8 conscious about submissions by public comment.

9 Speaking of equity, I think one of the things that
10 has struck me is while we heard from the various
11 communities where I'll call language traditions are a
12 little bit different in various communities. One of the
13 things that did strike me is that, in particular, when
14 the representatives from PANA and also from the Native
15 Hawaiian Pacific Islander communities spoke about the
16 need for perhaps video kind of instructions or
17 opportunities to gather information. It makes me think
18 that perhaps we need to be open to video submissions,
19 because in a number of communities, while they will be
20 probably assisted by different community-based
21 organizations, what struck me is that, for example, in
22 African communities, someone had noted that oral
23 traditions -- or oral communication is in many of those
24 communities a tradition and a norm.

25 And then also in the Native Hawaiian Pacific

1 Islander community presentation, what also struck me is
2 the idea of not to assume a rate of literacy where they
3 may be able to write their comments or their inputs to
4 us, but that they may be better served by providing oral,
5 I guess, input to us. So I know it just complicates
6 things, but I just wanted to just put that pin in there
7 in terms of, you know, speaking about equity.

8 Commissioner Sinay, I think it was more me that had
9 asked about the NationBuilder. I've had experience with
10 it, and I'll be frank. It's not been a great experience.
11 So that's why I just wasn't sure whether or not this is
12 just something that, you know, was just selective, but
13 when Director Ceja did say that he's had experience with
14 it. He knows how to use it well. I thought, okay, as
15 long as he knows how to use it and knows some it's both
16 limitations and its benefits, then I didn't think it was
17 worth pushing it any further, but we did used to use it
18 at my organization, and we moved away from it.

19 It was just very not so easy to use. The website
20 part was limiting for us. And so we did move away from
21 it, and we're now with Salesforce. But the one thing is
22 Salesforce does not have a website integration, which was
23 one of the reasons why we had went with NationBuilder.
24 So I don't know if that helps answer your question.

25 CHAIR KENNEDY: Okay. I have Commissioner Ahmad,

1 and then Commissioner Turner.

2 COMMISSIONER AHMAD: Thank you, Chair.

3 I was just wondering, Commissioner Akutagawa, if I
4 can get some clarification from you in terms of accepting
5 the video component as input, because from my
6 understanding, we are accepting all forms of input. What
7 the discussion about the data management RFP is about is
8 which types of inputs can we give to this firm or this
9 contracted agency to handle for us in a large scale so
10 that the remaining efforts could be put on such as video
11 or, you know, handwritten mailed in. So I was wondering
12 if you can elaborate a little bit on what your
13 expectations are in terms of the video inputs.

14 COMMISSIONER AKUTAGAWA: Yeah. Thank you. You
15 know, I don't know if this falls under the kind of, maybe
16 outside of the eighty or ninety percent, I think I just
17 wanted -- I mean, I think when I hear equity, it makes me
18 think about the various forms in which different
19 communities may find easiest and best for them to provide
20 input. To be honest, I don't know if we're going to get
21 a lot of video input. We could. And then if we do, you
22 know, what are we going to be doing? I mean, are we
23 prepared for it?

24 I think it's really more that. And if it's more
25 like, you know, we'll get a small handful, and it's



1 outside the "eighty or ninety percent," you know, will
2 be, like, more the, you know, written kind of through the
3 website or through the COI tool. That's fine. I think
4 it's more just raising these questions for, you know, I
5 guess, the what ifs if we get a lot.

6 CHAIR KENNEDY: Very good. Commissioner Turner and
7 then Commissioner Le Mons.

8 COMMISSIONER TURNER: Thank you.

9 Commissioner Akutagawa, thank you for bringing it
10 up. One of the pieces that I was hopeful to that we
11 would still be able to capture, verbal responses, it
12 would be through some of the onsite forms that we're
13 going to hold, and again still through calling in public
14 comment and what have you. So for languages that are
15 traditionally and starkly verbal, that calls for -- I
16 think -- I'm hopeful that we're not excluding them
17 that -- still that they'll be able to come forth there,
18 and then beyond that. Like you said, it probably will be
19 not necessarily the bulk that we'll receive in video.

20 The other piece that I wanted to name was -- and I
21 forget who, so forgive me -- a little bit ago, we were
22 talk -- someone was saying about this particular project
23 work, the bulk of it being now and then just a little bit
24 for the other years and what have you.

25 I don't think -- I'm not sure, Commissioner Le Mons,

1 if you did or didn't, but I think as I went through the
2 process, I was thinking in terms of having someone be
3 able to pull it together in all the ways that we've
4 talked about, whatever we land on, the storage of the
5 material, so that it is available for us to free to draw
6 the lines, but I in my mind was not necessarily thinking
7 about retaining or having someone after that time period
8 still. So I just wanted to name that in case there is a
9 reason that we should do that, because I'm not -- I
10 didn't personally talk about it. And if it was talked
11 about, I didn't process it like that at all.

12 CHAIR KENNEDY: Commissioner Le Mons.

13 VICE CHAIR LE MONS: So my comment isn't specific to
14 the RFP. I think the RFP is great, and all the feedback
15 given so far on that covers all the bases. I do kind of
16 flinch every time I hear that we're taking any and all
17 feedback. Like, we say that in one breath, and then in
18 another breath, we say, well, there's some -- there may
19 be some limits. And I'm not opening up that conversation
20 right now because I guess we'll get to it, but at some
21 point, there probably going to be some -- so this is the
22 caution, I guess, I would say.

23 I think we should be making that determination on
24 usable information, because there's nothing worse to me
25 than to create the impression that I'm going to be -- if

1 I'm going to take my time to give you my feedback in a
2 format that you ultimately can't process, you basically
3 lied to me. And so I think we're really going out on a
4 limb to suggest that we're going to really be able to
5 take it any way somebody gives it to us, and we're going
6 to do something with it.

7 So it's one thing to say yeah, we'll accept it any
8 way you give it to us, but I think we do ourselves a
9 disservice to tell the community we're going to accept it
10 any way if we can't make use of it, because we're just
11 collecting it basically. So I'd like to -- I mean, I
12 just want us to caution that. I think what the RFP is
13 about finding a firm that can do the broadest or so
14 people can come from whatever angle. So that's why I say
15 this comment is not specific to the RFP at all and not an
16 attempt to affect the RFP's progress, but just from a
17 philosophical position, at some point maybe when we start
18 talking about even outreach, because how we do our
19 outreach is going to have a lot to do with how we need to
20 communicate with people and how we expect them to
21 communicate back. So there's going to be some narrowing
22 of this broadest every possibility approach, at least in
23 my mind. It has to be respectful. Truly respectful.

24 CHAIR KENNEDY: Commissioner Sinay, and then
25 Commissioner Ahmad.

1 COMMISSIONER SINAY: Commissioner Ahmad, did you
2 want to respond to that directly or --

3 COMMISSIONER AHMAD: Not necessarily. It was just
4 more of a historical question for Dan. And I don't -- on
5 that same topic, just to understand if what 2010 did in
6 terms of limitations on types of input for the process.
7 And I know we've touched on it a little bit, but would
8 you be able to give us some insights into how they said,
9 okay, this is not going to work for us. Can you please
10 come back and submit it in XYZ format or something like
11 that.

12 DIRECTOR CLAYPOOL: It was actually -- if I may. It
13 was actually faster to simply have people putting it into
14 the format we needed it to be in --

15 VICE CHAIR LE MONS: Correct.

16 DIRECTOR CLAYPOOL: -- and putting it in, then was
17 trying to go back to individuals. And many people are
18 just going to submit it and just walk away from it and
19 consider, as Commissioner Le Mons said, that it's a done
20 deal because we're there to take their comments, but
21 that's how it was handled. We just -- we found a way to
22 place it in as best we could.

23 CHAIR KENNEDY: Okay. So Commissioner -- that was
24 what you had, Commissioner Sinay?

25 COMMISSIONER SINAY: Commissioner Le Mons, did you

1 just raise your hand? Was it in response to what he just
2 said?

3 VICE CHAIR LE MONS: Not to what he said, but more
4 what Commissioner Ahmad said. I'm not suggesting that.
5 That wasn't what I'm saying. And I don't know if she
6 thought that's what I was saying, but that's not what I'm
7 saying. It's more what Commissioner Turner said earlier
8 is we need to let people know how to give it to us. So I
9 wouldn't dare want to say, oh, you gave it to us in a --
10 come back and give it. No. No. No. No. That's not
11 what I'm saying.

12 CHAIR KENNEDY: Commissioner Sinay.

13 COMMISSIONER SINAY: Thanks.

14 So I first wanted to ask do you -- Commissioner
15 Turner, do we need a motion for your recommendation? And
16 if so, do you want to make it? And then second, and this
17 might be a second piece, or I don't know if we need it
18 for this one, but, I mean, what I'm understanding is the
19 only reason we're trying to narrow is just for this RFP
20 and for who we're going to be hiring to do this work.
21 They'll be -- we may accept other ways, and we need to
22 find students or others to figure out how to get that
23 data in a way that's useable.

24 And so we will -- we still do need to talk about do
25 we take a rock -- a towel rack around a rock and throw it

1 in and do we accept that. The other piece -- my other
2 question was the translation. I know that -- I think
3 Commissioner Yee brought that up. And are we looking at
4 translation completely with another -- are we going to
5 look at another RFP, another vendor, and look -- so that
6 we do look at all the translation needs we have, or
7 translation and interpretation needs because a lot it
8 will be interpreters. And so I just -- I didn't know if
9 that needed to be in this RFP or that's a separate.
10 We're looking at it will be trans -- everything will be
11 translated, and the data we give this group will be
12 already in English, or whenever we do the translation.

13 COMMISSIONER TURNER: So what I want to respond to
14 is your first question. So in addition to what we'd like
15 to be clear on for this RFP, too, that we're submitting
16 is that I think it's important that the public also knows
17 now what we're going to accept so that they are also
18 gearing up their community for this is the expectation.
19 This is what we -- this has to be established now, right?

20 So the recommendation -- and yes, I would think that
21 it would need to be a motion and voted on so that we're
22 really clear -- is that we're using the prepared COI tool
23 that -- or the COI tool that's being prepared. We're
24 utilizing our website, which will be updated, which means
25 people will be able to write in on whatever the updated

1 website is if there will be an opportunity for people to
2 submit there. And that will also force a structure, and
3 it will force a type that we can pull from later.

4 I'm saying we will utilize as a third piece the
5 onsite, the forums that we're going out to. Why?
6 Because by then, we will also have presumably a line
7 drawer or some temporary person that will also be able to
8 structure the information and capture it, and via public
9 comment. Public comment now is submitted either verbally
10 out loud, and we'll be able to capture it, put it into a
11 structured format right away, or it will be mailed sent
12 in. And if it's sent in, according to the website, it
13 still will then need to be within a structured format.
14 So this is what I'm saying that we need for the RFP, we
15 need for clarify for this commission, for the public
16 that's listening.

17 Now, period. Pause. Should someone send something
18 else in, I would want it to be real clear that there is
19 then an opportunity. We won't mail it back to them, but
20 there's an opportunity that it will not have the same
21 level of remembrance I would say because now we're
22 relying on muscle memory. We receive something in a
23 format that we can't retrieve from, we can't track, et
24 cetera. If it was memorable enough, maybe I'll remember
25 it one day and say, and we will try to do all of that,

1 but that is not the guarantee. And I would want to be
2 real clear with the public so that they're not taking
3 their time to create some collage of something or other
4 that they wanted to send in. And then we get it, and we
5 didn't do anything with it.

6 And I like what Le Mons said so that we're not
7 having people waste their time, because theoretically,
8 we'd want to say, well, we can hold it. And if we have
9 enough time, we'll go ahead and input into the structured
10 format and weigh it in later. What if we don't have
11 enough time? What if we run out? What if we put that on
12 the side somewhere and we lose it? 2010 Commission as
13 well had lots of information that they did not get an
14 opportunity to utilize through the intended format. We
15 don't -- we can stop that now. We can say this is what
16 we'd like.

17 And unless there are other compelling factors to do
18 something different, I think we should just land on these
19 four now, because even from a video standpoint, I think
20 that from a public comment perspective, send the video
21 through public comment or at a time of public comment.
22 Says you know what, here -- yeah, she would like -- we
23 share a screen because we're in this COVID time, it can
24 still be presented there. I just think we need to force
25 it into the structure so that we will have integrity of

1 output on the other end.

2 As far as the language piece, Commissioner Ahmad,
3 you want to try that one?

4 COMMISSIONER AHMAD: No. The language piece I think
5 is going to be -- as it was introduced in our
6 conversation earlier, it's going to be a little bit more
7 complicated to be quite frank. I don't think I was
8 thinking of data management as translation services. And
9 you all are right, that at some point, that does need to
10 happen. It's just -- the question is where do we house
11 that. At what point do we house the translation; at the
12 first touch of that data coming into us, or do we store
13 it by date or by meeting, and then have someone translate
14 it after the fact? And that's a bigger question for all
15 of us. If that's something we do want to include in the
16 data management aspect and the RFP, that's something we
17 should consider and include in the RFP language, but
18 that's up for discussion with all of us.

19 CHAIR KENNEDY: Before we go to break, I will just
20 say that if we are thinking in theoretical terms,
21 theoretically, we could receive ten or a hundred times
22 the amount of input that the 2010 Commission received.
23 And if we are not prepared for that volume, that firehose
24 I believe is the terminology that's been used by the 2010
25 commission, if we're not prepared for that, even if it's

1 in the format we want through the channels we want, we're
2 not going to be able to handle that firehose.

3 So if we're going to go to the point of thinking
4 theoretically, let's go all the way and say we are going
5 to make a good-faith effort to deal with what we get, but
6 because there are so few constraints and so many people
7 in the State of California, reality may be that we get
8 input beyond what we're able to handle. So just let's
9 think about that while we're on break, and let's come
10 back at 3:30.

11 (Whereupon, a recess was held)

12 CHAIR KENNEDY: Welcome back from the break,
13 everyone. We have been discussing the procurement
14 documents related to data management. I wanted to
15 check -- well, he's not in his chair. So I will go ahead
16 and call on Commissioner Fornaciari.

17 COMMISSIONER FORNACIARI: It sounds like we're
18 heading down a path of making a decision about how we're
19 going to accept input. And I just want to pull that
20 thread a little bit further, okay. So we talked about
21 four different ways of accepting input. One is through
22 the COI tool. And I would describe that as semi
23 structured data. We know what to expect. We know we're
24 going to get a GIS-compatible map. We know we're going
25 to get some text, and that text is going to nominally

1 answer some questions.

2 The second way that we talked about it is -- I'm
3 going to describe it a little differently, and correct me
4 if I'm not understanding. So the second way is meetings
5 where we take public testimony. And so I would describe
6 that as structured too because we can write it down in a
7 way that we can use it and manage it and structure it.
8 And we'd have a line drawer there or we could input it in
9 a COI tool in that context. So that would be semi
10 structured, too, and we can do something with it and
11 manage it.

12 The third one is the website. And so in the
13 website, I guess the vision would be that we would have
14 questions in the website that people would answer, but
15 that gets less structured, right? And where is -- in
16 that input context, where's the map? And if we're -- and
17 I guess that leads me to the question of if someone is
18 going to go to our website, why can't we direct them to
19 the COI tool?

20 And then the third -- the fourth one that came in is
21 public comment. And then that gets completely
22 unstructured. And there's -- I mean, I don't know what
23 we would do with public comment as an input. So I
24 just -- these questions were rattling around in my head
25 while we were on break. And so I want to -- when we make

1 this decision, I want to make sure, like, the
2 conversation has been had that we're going to be able to
3 do something with the data once we get it. And if we're
4 going to say we're going to take public comment as input,
5 someone's got to help me figure out how we use that data.
6 So thank you.

7 CHAIR KENNEDY: Thank you, Commissioner Fornaciari.
8 Director Claypool, did you have your hand up before
9 the break?

10 DIRECTOR CLAYPOOL: No.

11 CHAIR KENNEDY: Okay.

12 Then I have Director Ceja and Commissioner Turner.

13 VICE CHAIR LE MONS: And Commissioner Yee.

14 DIRECTOR CEJA: Thank you so much.

15 Commissioner Fornaciari, can you tell me? You said
16 you had four points you were thinking of? I got the
17 third and fourth. I don't think I got the first and
18 second.

19 COMMISSIONER FORNACIARI: The first method of input
20 is the COI tool.

21 DIRECTOR CEJA: Yeah.

22 COMMISSIONER FORNACIARI: The second is meetings
23 where we take public testimony. And correct me if I'm
24 wrong on those.

25 DIRECTOR CEJA: I think that's correct. So my

1 question was -- or my statement or my comment was in
2 creating a website, and I just got some news from
3 NationBuilder that I don't think we're going to be able
4 to use the service, because after we conclude our
5 services as a commission, we will no longer be able to
6 pay the subscription to continue the website. So we have
7 to look at a plan B or plan C, but we'll discuss that
8 internally with Raul and Dan.

9 As far as having the COI tool on the actual website,
10 I think that's been one of the biggest asks when I've
11 talked to commissioners is that we actually have that on
12 the website to, one, get people to visit the site, and
13 two, to engage them while they're there, and then lastly,
14 to get input and have that valuable input at our disposal
15 when we're making decisions. So I think that's the plan
16 is to have the COI tool on the website.

17 CHAIR KENNEDY: Okay. Commissioner Turner, followed
18 by Commissioner Yee, Director Claypool, and Commissioner
19 Le Mons.

20 COMMISSIONER TURNER: Thank you. In response to
21 Commissioner Fornaciari, the website as a recommendation
22 is there because it is something that people are somewhat
23 familiar with. It was also -- it was already there
24 already existing and using. And when I say submissions
25 through the website, I'm thinking in terms of, right now,



1 the website asks for email, asks for certain information.
2 And then it also says if you'd like to submit something,
3 you can submit via, you know. And we mentioned to
4 Director Ceja that if that link is connected, people will
5 be able to actually submit in that manner, which can be
6 then -- we can direct that. So whatever format we
7 ultimately determine we need, we can say and submit, and
8 it'll be the via this structure, right? And so we can
9 direct that.

10 So that would be the COI tool, the website, the
11 onsite verbal as people are talking. We would be able to
12 input. We can do the input into the COI tool or the line
13 drawer. And then from a public comment standpoint, when
14 people call in for public comment specific to drawing
15 their community of interest and wanting to have a com --
16 the questions is the same. What are your -- you know,
17 what is your community area. And so again, we're
18 inputting that information, but it allows it, instead of
19 a written format, for them to be able to verbalize the
20 information, which is why we're still -- it's still dries
21 in our opinion to that structured place, but it gives
22 people different avenues based on what their comfort
23 level is.

24 CHAIR KENNEDY: Thank you, Commissioner Turner.

25 COMMISSIONER TURNER: When we finish this



1 conversation, I want to go back to the language piece,
2 something that did come to my mind, but I don't want to
3 interrupt this flow.

4 CHAIR KENNEDY: Okay. Very good.
5 Commissioner Yee.

6 COMMISSIONER YEE: Yeah. I think in our
7 conversations here, we're kind of assuming that as people
8 give us the communities of interest stuff that it's a
9 two-dimensional shape, a shape on a map that has
10 boundaries, but I think some of the input is going to
11 be -- maybe a lot of the input is going to be places,
12 right? In fact, I think we already got a couple of, at
13 least one, public comment some weeks ago. Somebody said
14 my town should be able to hear with this district and not
15 that district, right. So it's just a point. It's a one-
16 dimensional point. It's a name that represents a city or
17 a town or whatever, which is easily taggable, right, as
18 data. And our data manager should be able to certainly
19 handle something like that.

20 So I wouldn't want people to think they only could
21 make a comment if they could draw lines for us to
22 represent their comment. Just places with names are
23 fine, right, and that would be handleable.

24 CHAIR KENNEDY: Thank you, Commissioner Yee.
25 Director Claypool.

1 DIRECTOR CLAYPOOL: Just to add to what Commissioner
2 Yee said, you're going to get a lot of people who are
3 going to say don't divide my city. And that's going to
4 be their sole instruction. You know, last time, they
5 divided my city, and they shouldn't have. So those are
6 the types of things that are -- they are codable, but
7 sometimes, it just has to be handled by hand, unless
8 they're capable of coding it when we give it to them.
9 That's at twenty percent that we're going to have to deal
10 with.

11 CHAIR KENNEDY: Very good. Thank you.
12 Commissioner Le Mons.

13 VICE CHAIR LE MONS: I realized I think one of the
14 questions I asked this morning didn't get answered. And
15 it's come back up again. And that is -- one of my
16 questions was what it is -- how are we going to use the
17 input. So we talked about the maps having a GIS shape
18 map. That's one piece. And I ask about the narrative
19 part. Like, what it is that we want to glean from the
20 narrative. And I think that hasn't been answered.

21 I also think that, at least as long as I've been
22 listening to these community of interests conversations
23 over the months, we been thinking about it as from a
24 community perspective. Often we hear people know their
25 community. They can describe their community, but I

1 don't know that we are just asking them to describe their
2 community. We're asking them to describe their community
3 in the context of a geography. And that part, we don't
4 talk about. We do not really explicitly put that out
5 there.

6 So -- because I know if you were to just stop me,
7 like, man on the street and stick a microphone in my face
8 and ask me about my community with no context, I wouldn't
9 know what you were talking about, number 1, but number
10 two, is going to be very specific to the geography. My
11 concerns about my community of interest is going to be
12 where you might -- where the choices that we make may
13 have a negative impact on it, but if I don't have that
14 context and that distinction to make, I wouldn't
15 necessarily know how to tell you that.

16 So if I understand correct, a community of interest
17 is only of interest as it relates to the map or to a
18 geography, right. Not that us drawing a line -- that's
19 the last step, but to a geography. So someone says I
20 live in this particular neighborhood, and I don't want to
21 separate it, that's a great example, Commissioner Yee,
22 because that's the context right there. So I understand,
23 but I could be a part of all kinds of communities of
24 interest, but the one I'm concerned about is this one
25 specifically that it doesn't get dissected for the

1 reasons that we all know. And I think that I don't know
2 that we are talking about -- to me, that narrows things
3 automatically.

4 I know we been trying to avoid this idea of
5 shrinking. We want to have the most expansive most open
6 mechanisms for getting information as possible, but when
7 I talk about the contraction piece, it's only about
8 contracting it to its usability. So we have got to
9 provide the community with a significant amount of
10 context to give us the information. And I think
11 dependent upon the usability of the information that we
12 want for very specific context will begin to dictate some
13 of the channels in which that makes sense with all the
14 stuff that the subcommittee just talked about. And then
15 I think we have the language piece, which we're still
16 grappling with as well, but I kind of envision is that we
17 have sort of like a redistricting boot camp that is for
18 community-based organizations by and large. Groups.
19 Civic groups. We'll just call them CBLs, but those kind
20 of people, right, because they're going to be the ones
21 for all of our hard to re -- so let's say somebody
22 doesn't speak, doesn't read, but drums, right. We're not
23 going to have a mechanism for drum translation or drum
24 interpretation, but the local community would. And so
25 they'll understand fully what it is that -- the context

1 that we needed. And so the bridge between the drumming
2 and the interpretation and translation is going to happen
3 there, and they're going to plug it into one of the
4 channels that we've identified to get it to us.

5 We are not going to have omnipotent channels for
6 people to be able to get information to us. So I'm glad
7 that we're at least starting to entertain the idea that
8 there is some finite channels, whatever that number ends
9 up being, whether it's four, six, because I don't think
10 that we have one in there for paper yet, like, when
11 someone draws something. And like in the four that
12 Commissioner Fornaciari described, we don't have that
13 one, like, you scan it in or whatever you do with it,
14 but --

15 So there's some more channels I think that exist.
16 And then we can have a conversation about the bridges
17 from our channels to the community. And that's where a
18 significant amount of our outreach effort is going to be
19 necessary, particularly for the bridges to the hard to
20 reach, right. So that's just sort of a high fly by of
21 how I'm trying to frame this stuff in my mind as we as we
22 actually move forward, because at the end of the day, the
23 one thing that I've always learned with community, and
24 particularly when you represent the government.

25 Many communities don't trust the government. And

1 the communities are told things all the time about what
2 government is going to do, or what the people who
3 represent the government is going to do. Politicians
4 know about this. And then they do whatever we ask them
5 to do, and then there's some misunderstanding. Oh, we
6 couldn't really do that, or, oh, we're so sorry. We got
7 overwhelmed. Oh, well, we didn't have enough resources
8 to do that.

9 I think what -- I thought what we're trying to do is
10 2010 had a lot of data they couldn't use. They had a
11 crunch timeline, et cetera. We're trying to open
12 ourselves up to have the most input possible. I think
13 the caveat should be that we can actually process, right.
14 And we are being very diligent about planning for ways to
15 take all of that content in so we can use it. So I think
16 we're going to do markedly better because we have time
17 and a different angle on our side, but we do have to
18 accept that we're going to have some significant limits
19 as well. Thank you.

20 CHAIR KENNEDY: Thank you, Commissioner Le Mons.

21 Commissioner Sinay is next, and then I have a quick
22 comment, and then I see Commissioner Turner.

23 COMMISSIONER SINAY: Again, Commissioner Turner, are
24 you okay with me making a motion now? Well, before I
25 make that, I wanted to ask one question. I do feel that

1 I think that Commissioner Le Mons brought up a good point
2 about written, but I believe written is included in the
3 public comments. Public comments are -- they can be
4 emailed, but they can also be mailed in. And then we --
5 PDF -- scan them, but I just wanted to confirm that
6 written would be considered public comments.

7 And then I'll -- well, I know that you have a
8 comment, Commissioner Turner, on language. The other
9 piece -- the thought I was having on the translation
10 piece is maybe the Language Access Subcommittee, since
11 we're looking at different parts of language access that
12 where do we put this translation piece? Translation
13 interpretation. The recommendation could come from them
14 as they've been thinking through that.

15 CHAIR KENNEDY: Thank you, Commissioner Sinay. My
16 brief comment is when I was working on my very first
17 computer programing project at the library of congress,
18 one of the things that I learned from my IT counterpart
19 was the importance of coming up with a data flow diagram.
20 And I understand that computer programing is done
21 differently these days than it was in the late 80s, but
22 it seems to me that having a data flow diagram that would
23 show all of the different sources of data, the processes
24 that they would go through in order to reach their final
25 resting place, if you will, might be useful. So I don't

1 know if Commissioner Fornaciari or anyone else has
2 experience with data flow diagrams, but I think it might
3 be a useful exercise for us to engage in. And I'm
4 willing going to sit down and start working on one so
5 that we can all visualize all of this.

6 So I have Commissioner Turner, and then Commissioner
7 Akutagawa. And then Commissioner Andersen.

8 COMMISSIONER TURNER: Thank you, Chair. Three
9 points. First of all, yes -- my envisioning, I apologize
10 if it's not clear -- that any written documentation will
11 come in either attached in the website or it would be
12 through public comment that it can be mailed in to us.
13 So I am including -- I am thinking of written as well.

14 And then also I want to be sure that, and have
15 perhaps failed in this, that when we are thinking and
16 stating structured, we for sure are not just intending
17 maps and shape files. And so structured is even words of
18 people do. We talked about this is important why my
19 community as words will also be able to be captured as
20 long as it's in a readable file. And so that we would
21 later be able to retrieve anyone that was concerned.
22 Because of the concerns that Redding had, we'll be able
23 to pull a file on that and see what all the concerns were
24 for that area and how they spoke about their communities.
25 That's outside of a shapefile.

1 And this is where we'd be able to see how many times
2 a certain thing was mentioned, where the variations of
3 the particular thing that was -- so that is part of it.
4 We won't lose that information. So I wanted to state
5 that. And then as it relates to the language, the
6 conversation we were having before break, and
7 Commissioner Ahmad and I both were like, yeah, we
8 remember that coming up language. How do we handle that
9 one way or the other?

10 And then I flip through my notes and one of the
11 challenges that was lifted up about language is when we
12 try and outsource it or have someone else to handle the
13 languages, is that typically, the default would be or
14 could be to use something like a chrome translation,
15 right, when you're talking about giving someone else the
16 task of trying to translate, and they're putting that as
17 part of their larger, broader work. And we know we've
18 heard testimony today and over and over that we want
19 translations done by a certified translator, which may
20 not happen on that end of things.

21 And so that might be something we need to hold on
22 our end if we're wanting to or since we're wanting to
23 have the information translated. So I just wanted to
24 lift that up from a translation standpoint. I don't
25 think I'd be comfortable releasing it to some other group

1 to do translation for the many languages that we're
2 thinking of.

3 CHAIR KENNEDY: Thank you, Commissioner Turner.
4 Commissioner Akutagawa.

5 COMMISSIONER AKUTAGAWA: Yeah. So I think I want to
6 just build upon what Commissioner Turner said. I
7 think -- I guess the way I've seen it is there's -- I
8 guess you could look at it in terms of like different
9 buckets. So there is going to be the input bucket. The
10 COI tool being one.

11 And I will say that I have an expectation that then
12 output to us that then goes into our database will be
13 outputted to us already translated because the statewide
14 database has already arranged for that translation. Now,
15 they may say differently, and we may need to then
16 negotiate that part, but that was my initial thought.

17 Now, the other bucket is sources of input, public
18 input, whether it's maps or other comments, things like
19 that in various languages. Yes, I think that too will
20 need to be translated. I think this conversation has
21 made me think in terms of our -- perhaps as we think
22 about, like, the grants and how we're going to interact
23 with the various, you know, community-based organization
24 partners who I think we were going to, at least in my
25 mind, the idea based on their suggestions being the

1 trusted partners to the communities is we may need to
2 also take into account either -- and I don't -- yeah. We
3 will just need to take into account, you know, will they
4 be providing translated input to us. If that's the case,
5 then there's other different kinds of things that we'll
6 need to think about in terms of whatever grab parameters
7 we'll give.

8 Will we just take it in whichever way? I'm kind of
9 thinking that maybe we do need to ask, and they may
10 already plan to think that this is what they would be
11 needing to do anyways, is to consolidate the various
12 inputs that they would get from their communities. It
13 sounded like it was implied by some that that's what they
14 may do, is they would collect and then submit. Maybe
15 it's not a single map. Then maybe more consolidated
16 maps.

17 I don't want to assume, but that was one maybe
18 implication that I heard, or one thing that I heard
19 implied. I think separately, Commissioner Kennedy, I
20 think what you're talking about is kind of a architecture
21 I think is the word that they use in kind of like the
22 tech field around architecting. And it makes sense.
23 Wire framing I think is the right word. Is wire framing
24 what this database is going to need to look like? And I
25 think you're right on that.

1 I think we'll need to -- and that's something that
2 would not necessarily be all done by us. I think that's
3 what we would need to do with whatever vendor we get, but
4 I think this discussion is going to be important because
5 we need to give direction to the vendor in terms of how
6 we -- at least just on a very, very high level, how we
7 envision that framework looking. And then they would
8 take our inputs, create a wireframe that then shows the
9 flow from inputs to outputs, and then get our approval.
10 At least that's my thought in terms of how we would work
11 with whatever vendor we end up also selecting too. So
12 that's it for me.

13 CHAIR KENNEDY: Okay. Thank you, Commissioner
14 Akutagawa.

15 Commissioner Andersen.

16 COMMISSIONER ANDERSEN: Thank you all for -- I tried
17 to listen as much as I could, and a lot of work and
18 effort went into this. And I really, really appreciate
19 it. I have a couple of -- I have three items here. And
20 it's not clear to me reading this everything is -- there
21 is the gathering of our information, which is say when we
22 at the public meeting, and we have people coming to
23 testify for, who is helping us gather that information?
24 Is that the data management? Is that the line drawer?
25 Is that us? Is that our staff? My understanding was

1 that was going to be part of the data management. And
2 that's the -- we have to decide who exactly that is,
3 because that has to go into either this RFP, the line
4 drawer RFP, or we have to come up with it.

5 Item 2 is that because this -- the way it reads
6 right now, I believe it's actually more for just strictly
7 managing the information. In which case, it says -- in
8 the understatement of work in the first paragraph, it
9 says a qualified organization should be successful in
10 organizing the data by indicators. And you go, for
11 example, determined by the commission. We need to decide
12 what those indicators are.

13 And then 3 is -- which is kind of not in here -- is
14 the output. Even if these guys are just strictly
15 managing it and, you know, and categorizing it as we give
16 it to them, or the line drawer gives it to them, or
17 whoever is helping to gather it. And by gather, I mean
18 coding the input, labeling it, et cetera. And these are
19 indicators. So then it can all go into this information
20 pool to be put together, be part of a database. And then
21 you can pull things out of, but the output then we need
22 to have it relate to a geography with identifying factors
23 with it with the items we can. And I don't actually see
24 in here that the output must be GSI. You have to have a
25 map, or you have to have some geographic connection.

1 So and this could be my interpretation. I thought
2 that the data management people were going to help us
3 gather as well as. And in terms of our, you know, I --
4 knowing a lot of tech people, I know quite a few of them
5 would be paying to hear some of our conversations and
6 realize how unsophisticated they should -- basically all
7 of us are. This is not our field. I mean, I'm -- I --
8 it's certainly not my field. And they'll say, no, no,
9 no. We can do that. We can do this. No, what you want
10 to do is -- oh, you're missing the whole picture. I can
11 hear them saying these things, you know. Oh, what you
12 really want to do is --

13 So what I would propose is, one, not propose yet.
14 One is who do we believe as a group is actually helping
15 us gather this information? I'd like to have that
16 discussion. The indicators, we need to have that
17 discussion to fill out any of the are the RFPs. And I'd
18 like to, which I believe I heard Commissioner Ahmad and
19 Commissioner Turner say they already have a meeting with
20 the U.S. Digital coming up. So to basically get advice
21 from them on, this is exactly what we're trying to do.
22 How should we do that, because they might say, oh, yeah,
23 you'll have a person there to help you code it all in, in
24 which case, I understand. We don't want to limit what
25 people are giving us. We'd like to tell them, ideally,

1 this is what we'd like. And then they'll -- we'll get a
2 lot more of that, but they will -- we will get other
3 stuff as well.

4 So if someone -- if we can -- I might have missed it
5 maybe. We're saying, no, no, they're not helping us
6 gather it, but if we could answer that one, please, I'd
7 really appreciate it. Thank you.

8 CHAIR KENNEDY: Okay. Commissioner Turner.

9 COMMISSIONER TURNER: Thank you.

10 Thank you, Commissioner Andersen. That is our
11 belief. That is exactly what we are looking for them to
12 do. And perhaps under section 5, the statement of work,
13 it can be just upgraded to say first sentence adds after
14 we add in the repeat information from the above, the
15 Commission is seeking individuals, organizations, or
16 firms to collect and manage large amounts of data in
17 various formats with the primary goal of information
18 retrieval to the Commission. It goes on. And then it
19 actually says qualified individuals, organizations, or
20 firms should be successful in organization of this data
21 by indicators. For example, the ZIP code, the city, the
22 neighborhoods, et cetera.

23 And so if you are asking for us to also include have
24 ability to have a GIS coded, we can add that in
25 somewhere, but the belief from the beginning of this is

1 that indeed we are collecting and gathering -- or
2 gathering, collecting whatever and managing, storing,
3 being able to retrieve it later is part of this RFP. So
4 we'll add in the collect there. And the other piece if
5 it's still, I guess, vague, just give us some language of
6 what you're thinking about.

7 COMMISSIONER ANDERSEN: All right. Sorry. Was
8 that -- Commissioner Turner, was that -- so I should just
9 give you something to add in or --

10 COMMISSIONER TURNER: Yeah, because for what's not
11 clear, because the -- I said we'll add in the collect and
12 manage because that's what we've been talking to people
13 about as far as being able to capture the information for
14 us, and then have us collect it, being able to analyze
15 it, have it in a way where we're able to retrieve it
16 later, et cetera, but if that was not standing out for
17 you, I'm saying yes. Then by all means we want it to be
18 very clear like you're indicating. So if there's a piece
19 that is missing, I'm saying give us the exact words, and
20 I can put it in here somewhere as well.

21 COMMISSIONER ANDERSEN: Okay. I will -- I'll think
22 of it, and I'll send that to you directly as input. Is
23 that okay? Thank you.

24 CHAIR KENNEDY: Commissioner Sadhwani.

25 COMMISSIONER SADHWANI: This has been such a great

1 conversation, and one that's so necessary, right, because
2 this is all new, and I think going to be a huge part of
3 our overall processes. And I'm wondering if we're kind
4 of at a point, you know, with the RFIs or the VRA
5 attorney and outside litigation, the Commission very
6 generously got to a point and said, okay, now we give the
7 subcommittee the authority to kind of move this forward
8 and get it out the door. And I'm wondering if we are at
9 a point to do that and to kind of -- I know I am -- to
10 give the subcommittee the seal of approval to continue to
11 collect feedback, right. So if particular commissioners
12 have feedback on the RFP to get the feedback from staff
13 from the individual -- I think was his name Waldo, who
14 said that he was going to give feedback, and to really
15 move this process forward? If so, I'm happy to make a
16 motion to that effect.

17 I think it sounds to me that that would include,
18 right -- that the RFP would include the COI tool, the
19 website, the onsite verbal public comments, and that the
20 subcommittee can move forward with continuing to gather
21 feedback and advance the RFP so that this process can
22 move forward.

23 If folks are comfortable with that, I would be happy
24 to make such a motion. I don't know if we still have a
25 lot of additional pieces to cover. I'm seeing thumbs

1 and -- Commissioner Fernandez has the peace sign. I'm
2 not sure. Is that a good one? Okay. So can I make that
3 motion? Do we need a motion?

4 COMMISSIONER FERNANDEZ: I second. I will second
5 your motion.

6 COMMISSIONER SADHWANI: Okay. Good. I don't even
7 know the languages for this motion, but I feel very
8 confident after this conversation that we -- unless the
9 subcommittee feels otherwise that we've had a lot of
10 feedback for y'all. And I would feel very comfortable
11 moving -- advancing this to the next stage. We need
12 to --

13 CHAIR KENNEDY: Commissioner Sadhwani -- sorry --
14 could you restate what you see as the next stage?

15 COMMISSIONER SADHWANI: That they can continue to
16 develop and advance this RFP, soliciting feedback from
17 whomever else they feel is necessary, and actually
18 putting it out. I would feel comfortable moving it that
19 far.

20 CHAIR KENNEDY: Okay, but do we want to put any sort
21 of time frame around the continuing to solicit input or
22 receiving input?

23 COMMISSIONER SADHWANI: I would leave -- for me
24 personally, I'd leave that to the subcommittee. I don't
25 know how long it's going to take to coordinate with

1 either staff or Waldo or anywhere else that they need
2 to -- for me personally, I'd like to give them that
3 flexibility.

4 CHAIR KENNEDY: Okay.

5 COMMISSIONER SADHWANI: However, they would want the
6 motion structured, I suppose, but I feel like I'm
7 prepared to -- you know, to allow them to advance this.

8 CHAIR KENNEDY: Okay. Commissioner Ahmad.

9 COMMISSIONER AHMAD: Thank you, Chair. In terms of
10 timeline, I would actually want to make sure that
11 whatever process we move forward doesn't hinder our
12 overall objective, so keeping in mind the length of time
13 it takes for procurement processes with the state and
14 working backwards from there. I don't know if, you know,
15 racially polarized voting or legal -- or litigation
16 counsel has a timeline for your RFPs that we can sort of
17 mirror or potentially work around.

18 COMMISSIONER SADHWANI: If I --

19 CHAIR KENNEDY: Please.

20 COMMISSIONER SADHWANI: Sorry. If I can respond.

21 The VRA/RFI, we have actually have -- do have a timeline
22 that we are prepared to share in this meeting, but I can
23 also share it with you if we don't get to it today, yes.

24 January -- we're hoping to have VRA litigation identified
25 by the end of February.



1 CHAIR KENNEDY: Director Claypool.

2 DIRECTOR CLAYPOOL: Just understanding that the
3 counsel, both counsel RFIs are on a totally different
4 track than you'll be on. You'll be on the RFP track, and
5 it will take longer because they're different, there are
6 different rules for attorneys. That will be part of
7 the -- that will be part of the timelines that we'll
8 finish up this evening. You'll be able to see what it
9 looks like tomorrow.

10 CHAIR KENNEDY: Okay. One point that I wanted to
11 raise was there's been discussion of information that's
12 not machine readable or not structured and as if it is
13 therefore not usable, and the one thing that I wanted to
14 point out is that even some of those things that we might
15 think of as nonstructured or nonusable can be met
16 metatagged, and then once you -- as long as you have in
17 your structure a field for metatags, you can go back and
18 retrieve based on those metatags. So you're not looking
19 into the document that might be attached to that record,
20 but you have a field in the record that can be searched
21 on. So you know, there are options, but you know, it
22 takes some level of effort to insert the metatags, but
23 that is a possibility.

24 Commissioner Le Mons.

25 VICE CHAIR LE MONS: I concur with that. I guess



1 that this conversation starts to feel to me like the COI
2 tool again, and I think that there's any number of
3 options. I think that we know that there are all kinds
4 of ways, and at some point we've got -- and I hope this
5 wireframing process or diagraming process will help us
6 get close to what that really looks like for us because
7 I -- I just want to reinforce, reiterate the point that
8 yes, all of it's possible, but what's probable and what's
9 realistic? And I think we're very good at keeping it,
10 you know, very high level and very surfaced, and then we
11 start to get down to the details, we somehow get nervous
12 and want to go back to, but there is a way, yes, there
13 is; however, we will not be able to fulfill every way.

14 And so I'm just really hoping because what I'm very
15 concerned about is when we tell the -- we've got to go
16 back and tell our partners what we want them to do for
17 us, and we can't tell them, just do whatever and bring it
18 to us and we're going to figure it out. We have data
19 managers who's just going to make it happen. That is not
20 going to be helpful to them. So I just want to reiterate
21 that.

22 That's not -- I'm not trying to contradict you,
23 Commissioner Kennedy, at all. I just feel like we
24 have -- we realize it, but there's something about us
25 really drilling down and saying, okay. Here we go. This

1 is what we're going to do. We just don't quite get
2 there. So I know it's coming though. I feel it. It's
3 coming, and one day, somebody will answer the question
4 that I've asked multiple times as to how we're going to
5 use the narrative, but I'll save that for another day.

6 CHAIR KENNEDY: Good. Okay. I see that we have a
7 caller. It is not -- we have not yet called for public
8 comment, but I don't want to leave the caller hanging.

9 So Commissioner Sadhwani.

10 COMMISSIONER SADHWANI: Well, I was just wondering
11 if I formalize my motion, then we could -- if we need a
12 vote. I don't know that that's entirely certain, but if
13 we need a vote on this to move it forward, I'm happy to
14 formalize the motion. We can take the caller as a part
15 of public comment on that vote.

16 CHAIR KENNEDY: Okay. Perfect.

17 COMMISSIONER SADHWANI: Do I need to formalize a
18 motion?

19 CHAIR KENNEDY: Yes, please.

20 COMMISSIONER SADHWANI: Okay. Got it. So I -- what
21 I had had -- again, in response to Commissioner Le Mons,
22 what I had originally said, acknowledging all of our
23 limitations, but as -- being as inclusive as we want to
24 try and be, but the RFP is going to include the COI tool,
25 the website, on site verbal, public comment, and that

1 we're going to leave it to the subcommittee to advance
2 this RFP, seeking whatever feedback that they want from
3 public staff or other experts.

4 CHAIR KENNEDY: Okay. That is the motion.

5 COMMISSIONER SINAY: Second.

6 CHAIR KENNEDY: Commissioner Sinay seconds.

7 Discussion?

8 Commissioner Fornaciari.

9 COMMISSIONER FORNACIARI: You said move this
10 forward. So what does move this forward mean? Does it
11 mean take our input and publish the -- or you know, turn
12 it to an RFP and ship it?

13 COMMISSIONER SADHWANI: Yes.

14 COMMISSIONER FORNACIARI: Yes.

15 CHAIR KENNEDY: Send to DGS for approval.

16 COMMISSIONER FORNACIARI: Okay.

17 COMMISSIONER SADHWANI: I assume that means with
18 staff input and such. I think we have a lot of experts
19 on staff who can help make sure all of the pieces are put
20 together well.

21 CHAIR KENNEDY: Okay. Commissioner Ahmad.

22 COMMISSIONER AHMAD: Thank you, Chair. And I -- I'm
23 in full support of this moving forward. Just one point
24 of clarification that I need from you all is -- and I --
25 the language access piece, is that something you all hope

1 that this RFP would include in terms of translation
2 services, or is that something that we would want to keep
3 separate, and then at a later point combine with our --
4 the rest of our internal services? Second, latter one?

5 CHAIR KENNEDY: Commissioner Sinay.

6 COMMISSIONER AHMAD: Okay.

7 COMMISSIONER SINAY: I think we need to look at
8 language access as one whole package instead of it -- you
9 know, each individual piece doing it. So --

10 COMMISSIONER AHMAD: Got it.

11 COMMISSIONER SINAY: -- I definitely -- you all
12 convinced me that it's separate.

13 CHAIR KENNEDY: Okay. Commissioner Andersen.

14 COMMISSIONER ANDERSEN: One very important part, if
15 we're asking them to assist us in gathering this
16 information, we need to say we want them to attend the
17 meetings, and is that what you had in mind or not? Was
18 that -- you know, they would have to know that;
19 otherwise, they're at their own place sorting through
20 the -- sorting through data. So I'm looking for that
21 to -- that's a question.

22 CHAIR KENNEDY: Commissioner Le Mons.

23 VICE CHAIR LE MONS: Is that something that maybe
24 the subcommittee could get some guidance from Waldo or
25 someone else on? Because I was under the impression this

1 was a more someone was going to manage the various
2 mechanisms that we may come up with those four and maybe
3 others be -- the ones that have been clearly identified
4 and possibly some others to manage the inputs and be able
5 to give us outputs in a particular way of some sort, not
6 that there are the people necessarily doing the data
7 gathering, but I'm not -- I guess that's worth
8 clarifying, you know?

9 CHAIR KENNEDY: Okay. Commissioner Andersen.

10 COMMISSIONER ANDERSEN: That's exactly my question
11 because we have -- I know at public meetings, we're --
12 public testimony was one of the items, in which case, who
13 was at that pub -- who was at that meeting gathering
14 information? This is my question of gathering. Who was
15 gathering? Because it's -- we need someone; otherwise,
16 it's us.

17 CHAIR KENNEDY: We don't have to determine --

18 COMMISSIONER TURNER: Thank you. I'm sorry. So we
19 don't -- I have got myself for a minute. Thank you,
20 Chair. Yes. This is one of the things that we can
21 discuss as well, but we're not trying to hire dual roles.
22 We talked about higher some sort of person that will be
23 either our person for line drawing, a technician, et
24 cetera, and in my mind, we're forcing the information to
25 come in in a structured format, a structured way. That

1 could be them, it could be someone that we're lifted up
2 when we're having conversation with Waldo and Robin and
3 an Alex next week to -- for the recommendation and move
4 with what would work best for us, recognizing that we
5 need someone there. So let's ask those questions and
6 see.

7 CHAIR KENNEDY: Very good. At this point, I would
8 ask Katie to invite our caller to join us.

9 PUBLIC COMMENT MODERATOR: Would you like me do the
10 full instructions and everything or just --

11 CHAIR KENNEDY: Yes, please.

12 PUBLIC COMMENT MODERATOR: So do the instructions
13 first? Okay.

14 CHAIR KENNEDY: Yeah.

15 PUBLIC COMMENT MODERATOR: In order to maximize
16 transparency in public participation in our process, the
17 commissioners will be taking public comment by phone. To
18 call in the telephone number provider -- or to call in,
19 dial the telephone number provided on the livestream
20 feed. The telephone number is 877-853-5247. When
21 prompted, enter the meeting ID number provided on the
22 livestream feed. It is 927 3806 8918 for this week's
23 meeting.

24 When prompted to enter a participant ID, simply
25 press the pound key. Once you have dialed in, you will



1 be placed in a queue from which the moderator will be
2 unmuting callers to submit their comment. You will hear
3 an automatic message to press star 9. Please do this to
4 raise your hand indicating you wish to comment. When it
5 is your turn to speak, the moderator will unmute you, and
6 you will hear an automatic message that says, the host
7 would like you to talk. Please press star 6 to speak.

8 Please make sure to mute your computer or livestream
9 audio to prevent any feedback or distortion during your
10 call. Once you are waiting in the queue, be alert when
11 it is your turn to speak, and again, please turn down the
12 livestream volume. These instructions are also located
13 on the website. The Commission is taking public comment
14 on the motion made by Commissioner Sadhwani at this time.

15 If you'll please state and spell your name for the
16 court reporter.

17 MS. GOLD: Rosalind Gold, R-O-S-A-L-I-N-D, and the
18 last name is Gold, G-O-L-D. I'm the chief public policy
19 officer within NALEO Educational Fund, and I just wanted
20 to make several comments about the very, very thoughtful
21 discussion the Commission has been having about how to
22 obtain, gather, and analyze community of interest
23 information because our organization ten years ago
24 actively mobilized the Latino community to provide
25 testimony to the Commission as well as providing

1 technical assistance to community members and helping
2 them with their efforts in working with the commission.

3 So first of all, I wanted to go and ask for some
4 clarification on one aspect of translation services, and
5 this has to do specifically with the capabilities of the
6 COI tool that -- COI platform that the Statewide Database
7 is working with. You know, so far we have requested, and
8 it looks like the Statewide Database is open and the
9 Commission has agreed to this, that there be translation
10 into a certain number of languages for the interface
11 between the public; in other words, when somebody from
12 the public wants to go into that tool and use that tool
13 or we want to work with a member of the public or a
14 member of the community of the using that tool, that the
15 interface should be in a language that that person
16 understands.

17 However, one of the things that we do not believe
18 the tool has the capability of doing and nor should it an
19 automatic tool do this, which is translating what people
20 put in, what they enter, what their testimony is into
21 English. That is going to have to be done by a separate
22 translation service provider. We don't think that should
23 be the responsibility of the Statewide Database just
24 because they are not translators in that sense. They may
25 be able to get translation to help with the interface



1 because the interface may, you know, be very uniform, but
2 the things that people write into the COI tool and the
3 testimony that they provide is not going to have that
4 kind of uniformity of language.

5 So it will be necessary for there to be contractual
6 services for translation services of the testimony that
7 people submit through the COI tool, and we -- I guess we
8 were just feeling that was not clear, and so I guess I
9 just wanted to, you know, emphasize that we do not feel
10 the -- the database tool is the place to translate the
11 output, translate what people enter into the computer so
12 that it can be understood by the Commission and members
13 of the public.

14 So before I go on to my other comments, I just want
15 to know if there are any questions or responses to this
16 particular comment?

17 CHAIR KENNEDY: Commissioner Akutagawa.

18 COMMISSIONER AKUTAGAWA: Yes. Thank you, Rosalind,
19 for calling. I think -- yeah. I -- you know, maybe I'm
20 just kind of like older, I'll just say. I know that the
21 idea of having it like a Google Translator or like an
22 electronic translate came up. To be honest, that didn't
23 cross my mind. I think I was thinking along the lines of
24 since the Statewide Database was going to engage, you
25 know, somebody to translate the interface language, you

1 know, in the various languages, then my -- I guess I will
2 just say that I did make an assumption then that the
3 inputs would then be then translated by the same
4 providers who helped them to create the language
5 translation for the interface.

6 However, based on what you're just saying, and this
7 is more for clarification in terms of what you're
8 suggesting, are -- is the suggestion then that
9 regardless, this -- the Commission should be the ones to
10 take responsibility for that translation, hire our own
11 separate translation services -- service provider to
12 translate the various languages that we'll be receiving
13 possibly in different languages? Is that what --

14 MS. GOLD: Yeah.

15 COMMISSIONER AKUTAGAWA: -- versus just -- yeah,
16 versus asking the --

17 MS. GOLD: Yes, yes.

18 COMMISSIONER AKUTAGAWA: -- Statewide Database?

19 MS. GOLD: That is the sug -- that's the --

20 COMMISSIONER AKUTAGAWA: Okay.

21 MS. GOLD: -- suggestion because, again, it might --
22 because the kind of search that the Statewide Database
23 would have to do to get the translation services it
24 needs, for like I said, a very uniform set -- relatively
25 uniform set of instructions is going to be very different

1 than the type of services that would be needed, and the
2 type of serve -- for the output, and the types of
3 services that would be needed are more akin to what you
4 might need for someone who's present at a meeting
5 translating oral testimony; in other words, people are
6 going to be using a lot of different vocabulary, a lot of
7 different words. So you may want to at least consider
8 thinking of it in those kinds of translation services and
9 contracts as opposed to something that the Statewide
10 Database would do.

11 COMMISSIONER AKUTAGAWA: Thank you. That was
12 helpful.

13 MS. GOLD: And then -- I'm sorry. Were there any
14 other questions? Because I did -- like I said, there was
15 a lot of really very robust and interesting dialogue
16 about community of interest testimony and input, and I --
17 I just wanted to make a few more comments on what's been
18 discussed.

19 CHAIR KENNEDY: Okay. Commissioner Le Mons.

20 VICE CHAIR LE MONS: Is your recommendation also
21 that that is not an electronic process, but that is a
22 manual process?

23 MS. GOLD: Yes, because -- and this is because, like
24 I said, the diversity of things that people are going to
25 be saying and talking about their communities of

1 interest, right? Some people may be talking about
2 communities of interest with respect to what are the
3 transportation routes that they're near. Some people may
4 be saying, we all -- our kids go to the -- these
5 particular schools, our kids -- our families go to this
6 particular cultural center, our family goes, you know --
7 one of the great little comments I heard is that
8 sometimes people say, you know, these are the kinds of
9 restaurants or these are the different restaurants our --
10 our -- our -- our community members and neighborhood
11 members go to.

12 What I'm saying is that the vocabulary that people
13 use in describing communities of interests is very
14 varied. It may be idiomatic, and I -- I don't know if
15 anybody on the Commission has actually tried to use a
16 mechanical translator for just regular conversation, and
17 you start to see how awkward and how inexact those --
18 those translations are.

19 CHAIR KENNEDY: Very good. And Ms. Gold, you had
20 another item to share with us?

21 MS. GOLD: Yes. I wanted to talk about the --
22 again, the very, very robust discussion about what are
23 the different ways that people can provide input to the
24 Commission with respect to testimony and communities of
25 interest.

1 Now, I think Commissioner Le Mons, you are
2 absolutely right about it needing to be very clear to the
3 community, and the fact that it's a very, very broad
4 term, and you know, from our perspectives of what we
5 found during our work ten years ago, that people really
6 had a lot of different ways that they wanted to provide
7 input, depending on where they were located, when
8 hearings were occurring.

9 So in some cases, we were able to mobilize people to
10 prepare testimony, you know, using email, right, and
11 sometimes even, you know, in the day of faxes, right,
12 people would hand-draw a community of interest map, and
13 fax in or fax in testimony, both written testimony and
14 fax in a map. People who had more computer literacy
15 would email in testimony or we would help them email
16 testimony into a portal with PBS. People wanted to come
17 to a meeting, and I realize this may be different in the
18 era of COVID, but we have people who wanted to appear
19 before a meeting and hand over to the Commission or show
20 a hand-drawn map on a -- a posterboard.

21 So we see the COI tool as just one way that people
22 are going to want to submit testimony. Now, you are
23 right. As -- as community organizations who are
24 mobilizing people, we will want to streamline, we will
25 want to provide and coach and provide technical

1 assistance and do exactly the bootcamps that -- that
2 Commissioner Le Mons suggested for the -- for the groups
3 that we work with and the community members we work with
4 to make sure that there is the -- that -- that maps and
5 testimony are submitted in the ways that are most
6 accessible for the Commission and will have the greatest
7 impact, but at the same time, we know that sometime we
8 have to take community members at -- where -- where
9 they're at, okay?

10 So you know, I just want to again agree and that we
11 would be happy to talk to the subcommittee about, you
12 know, how to ensure there are options that are flexible,
13 but clear at the same time because again, you know, we
14 appreciate the need for that, and you know, I just -- I
15 just wanted to again say that we would very -- be very
16 much happy to be part of this dialogue with you about
17 this moving forward because if you ask, like, what will
18 people do? Based on our experiences ten years ago,
19 people will do whatever seems to fit best with their
20 ability to have access to the commission, their
21 particular style of what they feel more comfortable with
22 and how they communicate.

23 So if we can kind of work together to find as many
24 avenues for people to submit both, you know, words,
25 right, narrative, but also whether it's a hand-drawn map,

1 whether it's something that's in a -- in a computer file,
2 to submit visual information as well.

3 Oh, I'm sorry. I had one other thing. In terms of
4 the analysis of this, we would also say that as you think
5 of the role of your data gatherer, that really this
6 should really be something that that constellation of
7 activity is done -- does and really not something that
8 the line drawer, the mapper should do. The mapper should
9 take all this information and incorporate it into the
10 maps, but the line drawer should not gather this -- be
11 responsible for gathering or soliciting this information.

12 CHAIR KENNEDY: Very good. Thank you so much, Ms.
13 Gold, for joining us this afternoon and sharing your
14 insights.

15 MS. GOLD: Great. And thank you again, and again,
16 we very, very much appreciate the thoughtfulness and look
17 forward to continuing our work together.

18 CHAIR KENNEDY: Very good. Thank you so much.

19 Katie, do we have any other callers?

20 PUBLIC COMMENT MODERATOR: No. That was it.

21 CHAIR KENNEDY: Okay. Then I would ask staff to
22 call the vote.

23 MS. MARSHALL: Commissioner Le Mons.

24 VICE CHAIR LE MONS: Yes.

25 MS. MARSHALL: Commissioner Sadhwani.

1 COMMISSIONER SADHWANI: Yes.

2 MS. MARSHALL: Commissioner Sinay.

3 COMMISSIONER SINAY: Yes.

4 MS. MARSHALL: Commissioner Taylor.

5 COMMISSIONER TAYLOR: Yes.

6 MS. MARSHALL: Commissioner Toledo.

7 COMMISSIONER TOLEDO: Yes.

8 MS. MARSHALL: Commissioner Turner.

9 COMMISSIONER TURNER: Yes.

10 MS. MARSHALL: Commissioner Vasquez.

11 CHAIR KENNEDY: She had to leave.

12 MS. MARSHALL: She's -- okay. Commissioner Yee.

13 COMMISSIONER YEE: Yes.

14 MS. MARSHALL: Commissioner Ahmad.

15 COMMISSIONER AHMAD: Yes.

16 MS. MARSHALL: Commissioner Akutagawa.

17 COMMISSIONER AKUTAGAWA: Yes.

18 MS. MARSHALL: Commissioner Andersen.

19 COMMISSIONER ANDERSEN: Yes.

20 MS. MARSHALL: Commissioner Fernandez.

21 COMMISSIONER FERNANDEZ: Yes.

22 MS. MARSHALL: Commissioner Fornaciari.

23 COMMISSIONER FORNACIARI: Yes.

24 MS. MARSHALL: And Commissioner Kennedy.

25 CHAIR KENNEDY: Yes.

1 MS. MARSHALL: Yeah. Motion passes. Thank you.

2 CHAIR KENNEDY: Thank you very much. It is 4:30.

3 So we have half an hour. Let me ask the VRA subcommittee
4 if they would like to make use of that half an hour.

5 Okay. The floor is yours.

6 COMMISSIONER YEE: Thank you. Go ahead, Sara.

7 COMMISSIONER SADHWANI: So -- well, first of all, I
8 would actually just really like to appreciate
9 Commissioner Yee. This -- these past two weeks have been
10 very busy on my end, and I feel like he has just been a
11 wonderful colleague kind of picking up the slack where I
12 wasn't able to during the holidays as well as our staff.
13 So I really wanted to thank you for that publicly.

14 We do have some dates for you all to take a look at,
15 but I think before that, I think just to say that from
16 the last meeting, we took a lot of the feedback that was
17 submitted from the public, from commissioners, we got a
18 lot of input from staff to finalize the RFIs, and
19 hopefully they are very nearing completion and ready to
20 go out.

21 One of the key pieces that we have to finalize are
22 the dates that will actually be in the RFI and go out.
23 So we wanted to share that with you. I have a screen
24 share that I'll do. I'm going to pull that up, but in
25 the meantime, Commissioner Yee, do you have anything in

1 particular that you want to add while I look for that?

2 COMMISSIONER YEE: So just that we want you to think
3 with us through these dates because we're kind of make
4 assumptions as we pick the dates and maybe didn't -- you
5 know, hopefully thought of everything important as we
6 chose them, but there could be other things that we
7 didn't think of that might affect the timing here. So
8 that's why we're bringing it to you, and hopefully you
9 can either confirm we chose some good dates or help us
10 move them around as needed.

11 COMMISSIONER SADHWANI: That's right. I'm going
12 begin -- I found it. I'm going begin sharing my screen.
13 Again, this is not posted. I'm happy to have it posted.
14 I will read through all of the dates that are on here as
15 needed. Hang on. Where is this feature? Here we go.

16 And I -- the re -- one of the main reasons we want
17 to share this, as Commissioner, you kind of mentioned,
18 this, we do need your input, we have not -- we have
19 identified tentative dates for meetings in January, but
20 we haven't done that for February. At our last meeting,
21 we also identified -- sorry one second here. We had also
22 given the recommendation of creating a public-facing
23 legal subcommittee specifically to review the
24 applications as they come in so that the public can be a
25 part of that process.

1 I didn't hear any major reservations from the
2 Commission about that recommendation, but we also didn't
3 finalize it. So that is something that I think that we
4 would need from you all also so that we can plan
5 accordingly. Hang on one second. Okay. There we go.
6 So these are some of the dates, and again, this will have
7 to be in the RFI, right? So as soon as possible, the RFI
8 will go out. So if there's any last changes, please let
9 us know. It will require the review of the Department of
10 OLS. I don't know what that stands for, but it's not
11 ordinarily (audio interference), but in any case --

12 COMMISSIONER YEE: Office of Legal Services.

13 COMMISSIONER SADHWANI: Okay. Thank you. Great.
14 Good. OLS in my world means something totally different.
15 January 10th is the date that we've put on there for any
16 applicants to submit questions. Those would go directly
17 to Kary. If you recall from our previous conversation,
18 the RFI is an attorney-to-attorney contract. It's why we
19 can use a more expedited process than the RFP.

20 Now, this is all assuming that we're able to push
21 this through OLS relatively quickly. If it's possible to
22 move it in a matter of couple days, we can move some of
23 these dates up. We just didn't really know the answers
24 to these questions. We said January 29th that all of
25 these applications known as a statement of qualifications

1 would be received, that staff would do an initial review
2 of all of the applications simply to make sure that they
3 meet minimum qualifications. If there's anyone that
4 really is not -- would not serve the Commission well,
5 that doesn't meet the minimum qualifications, we could
6 immediately kick them out.

7 And then on February 10th, we were estimating that
8 that's about when we might meet again based on the dates
9 that we had given for the Commission to meet in January,
10 but a legal subcommittee would meet publicly to review
11 those applications. So that means for the -- you know,
12 in terms of all of the other pieces, we would need to
13 agendize that, and we're going to need the tech support
14 to figure out how to do this publicly.

15 I think this came up earlier in the day. We had
16 talked about in 2010 they had these larger subcommittees
17 that had more than two people. They did meet publicly.
18 We need, for example, additional ASL interpretation. I
19 don't -- I just don't know the technicalities of how we
20 will make this work, but we would ask the staff work with
21 us to help figure that out.

22 COMMISSIONER YEE: That would be the Wednesday of a
23 week that we're guessing the full Commission will meet.
24 If we keep meeting every other week, that would be the
25 next meeting week in February. So that's --

1 COMMISSIONER SADHWANI: Right.

2 COMMISSIONER YEE: -- how we came up with that date.

3 COMMISSIONER SADHWANI: Exactly. Thank you.

4 February 16th, the -- so the following week, the league
5 committee would conduct interviews publicly. We need the
6 counsel -- you know, counsel's guidance on how to
7 agendize this. We're assuming that those interviews are
8 conducting publicly. That's our intention, but again, I
9 don't know if there's any specifics to how or -- you
10 know, how we do that. And by February 24th, we would --
11 the subcommittee would make a recommendation to the
12 commission. Our final applicant that we -- that we're
13 recommending would -- would have to be present to answer
14 any questions of the Commission or the public, and so our
15 goal then is that by March 1st, we hire VRA and outside
16 litigation counsel, that those are in place.

17 One of the things we talked about is the VRA needs
18 to go first. Well, the -- we need to make sure that we
19 have VRA in place sooner rather than later, but we think
20 because it's possible that one entity could fulfill both,
21 we want to just run both of these processes at the same
22 time. It, of course, adds additional -- an additional
23 layer of work for us, but we think it's important to do
24 it at the same time because ultimately, it could be the
25 same entity, it could also not be, but that would help us

1 answer that question sooner rather than later.

2 Some of the terms of the contract, we have a couple
3 questions, just based on the language that was put in the
4 contract. You know, these are more so questions for
5 staff, but the contract for the VRA counsel is scheduled
6 to end August 15th through December 15th. That's
7 partially dependent on what date we ultimately use, but
8 we have to have that flexibility in there. As of right
9 now, the outside litigation contract timeline is a little
10 bit curious to us. What is a reasonable end date for
11 the -- I should -- I apologize. This should say RFI. Is
12 it June 2022, is it December? We just didn't have a
13 clear since of how long we would need outside litigation
14 to stay on board or how long these lawsuits might last.
15 So I think we're looking for some guidance on that.

16 We have some other activities, but I think perhaps
17 we can stop there and talk about that. We mentioned this
18 already, that in December, we are continuing to explore,
19 you know, how to bring on an RPV analyst probably using
20 that interagency agreement for that "stage one analysis,"
21 if you recall from the memo we presented last -- at the
22 last meeting. This would be an overview of racially
23 polarized voting in California.

24 We would still need to find and figure out the plan
25 for analysis at more localized levels. We'll have to



1 figure out if we want that protected under
2 attorney-client privilege. Our expectation is that our
3 VRA counsel, whoever we select, will help us determine
4 that, and they might decide if they have their own person
5 that they want to use or recommend, if we want to bring
6 in the same person as the stage one analysis. We have
7 also -- you know, later when we get to the line drawer
8 RFP, I know we're also trying to keep that language
9 flexible in case the line drawer could conduct that
10 analysis, if we wanted to go down that route. So I think
11 we have a lot of options there, and purposefully, we're
12 trying to keep that range of options open for us to
13 decide, and again, we'll continue to work on additional
14 trainings for the full commission.

15 So that's what we have for you. The real piece,
16 however, of course are these tentative dates, and we do
17 have to finalize this before an RFI can go out.

18 COMMISSIONER YEE: So these dates are actually
19 embedded in the -- will be embedded in the RFI. So you
20 know, if somebody considers applying, they would actually
21 anticipate this is when I will interview, this is when
22 and so forth, the decision will be made. The other
23 reason for doing both the VRA counsel and the outside
24 litigation counsel together now, even though the outside
25 litigation, you know, we anticipate doesn't kick in until

1 after the maps are filed and we start getting sued,
2 challenged, is simply to save time since our minds are on
3 this right now and we're going to have plenty to do
4 later, why not -- and they're, you know, similar types of
5 hires, why not go ahead and pursue them both now.

6 CHAIR KENNEDY: And Director Claypool?

7 DIRECTOR CLAYPOOL: So a couple of things. When it
8 comes back from OLS, then -- like you said, then we'll be
9 able to really solidify the dates. The final date for
10 the outside counsel will really just depend on the
11 litigation. If it rolls -- if we still have money in
12 that account and they're still fighting some type of
13 litigation in -- after June 30th, 2022, then it would
14 just extend until it was over until the Department of
15 Justice picked up -- you know, stepped into our place,
16 which they did for one. Marian can probably be a better
17 source for this, but they did step into our place for one
18 suit that was still outstanding when the last Commission
19 kind of went into what I call the dormant period.

20 So -- and as far as the VRA counsel, it's hard to
21 say. You might need them -- you might need them for part
22 of your litigation later on and -- but then they would be
23 picked up under the litigation contract. And then the
24 last thing is, we will use outside counsel before we kick
25 into that \$4 million. So there in that kind of rough

1 budget that I put in, there was some money set aside to
2 make sure that they can be available for meetings to
3 discuss what's going on. There will be a lot of little
4 things that you'll want to have them around for to get
5 their opinion on, but we'll we want to go judicious
6 because they're very expensive. So that's -- that's it.

7 COMMISSIONER SADHWANI: Any questions, comments,
8 feedback?

9 CHAIR KENNEDY: Commissioner Andersen.

10 COMMISSIONER ANDERSEN: I do have a question. Is --
11 the VRA counsel, are they going to do the 2020
12 essentially -- let's see, RPV analysis?

13 COMMISSIONER SADHWANI: May I respond?

14 CHAIR KENNEDY: Yeah, please.

15 COMMISSIONER SADHWANI: So they might. I think the
16 idea is that we don't want to tie or hands any which way,
17 right? So one of the questions, as we discussed last
18 time when Justin Lovett was here is that we'll have to
19 decide whether or not we want to keep the VRA -- the --
20 or excuse me, the RPV, the racially polarized voting
21 analysis that's done at the localized level, whether or
22 not we'll want that to be kept an as attorney-client --
23 as attorney work product, right, whether or not it would
24 be released publicly.

25 If we'd go down that road, and we haven't decided

1 that yet, it could be the case that a VRA attorney
2 already has someone that they work with or that they
3 would recommend, and it might be best for a to use their
4 person. That was the case in 2010, right? The contract
5 that was established with Matt Barreto in 2010 was
6 because it was the recommendation of that -- the
7 litigation firm that was used, and that was kept as
8 attorney work product.

9 So we're proposing something slightly different, and
10 when it comes to that more localized analysis, I think we
11 want to keep the broadest array of options open. We have
12 a lot of players already, so I just want to make sure
13 that we're using the folks that they can, you know, gel
14 well, they can get along, they -- you know, that it works
15 well for our commission. I would hate to go out and hire
16 someone at this point in time to do the whole thing, and
17 then realize, okay. Well, we don't know exactly what our
18 needs are.

19 So that's why we're suggesting that stage one
20 analysis, that overview to help us identify the areas
21 we'll need, and to leave it open for us to figure out,
22 okay. Maybe we're going to use the same person that does
23 the stage one for that stage two, maybe the attorney will
24 have it, maybe the line drawer can do it. We don't know
25 that yet. If there's a way to save money, I think that

1 it makes sense to do so because this is potentially
2 another high, high priced item, and so I think we just --
3 my recommendation is that we stay flexible on that for
4 now so that we don't blow our budget.

5 COMMISSIONER YEE: In the RFI, we actually ask the
6 applicant to indicate whether they anticipate wanting to
7 find their or RPV analysts or whether they should look to
8 us to do that.

9 COMMISSIONER ANDERSEN: Yeah, thank you. I see that
10 in section 4, personnel. Thank you. Section 6.

11 CHAIR KENNEDY: Okay. Any further comments or
12 questions? No. Is twelve minutes --

13 COMMISSIONER YEE: Commissioner Akutagawa has --

14 CHAIR KENNEDY: Commissioner Akutagawa.

15 COMMISSIONER AKUTAGAWA: So given what they just
16 presented, it seems like we should perhaps before we end
17 this meeting or at the next meeting determine the dates
18 for February so then that way you can -- you're not left
19 up to like a question as to whether the dates work or
20 not.

21 CHAIR KENNEDY: We will have the discussion of
22 future agendas and meeting dates tomorrow afternoon.

23 COMMISSIONER SADHWANI: And the other final piece, I
24 think -- I agree with you, Commissioner Akutagawa, and
25 the other piece I think is also if there's agreement that

1 there could be a broader legal subcommittee, that we can
2 review these publicly and that everyone feels comfortable
3 tat that the if there is a broader legal subcommittee,
4 we'll handle that first, you know, the interviews and all
5 of those things. It will all be public, so anyone can be
6 a part of it really, but we want to also streamline the
7 process to kind of make it easier.

8 So I think we do need a little guidance from
9 counsel, you know, from Ms. Marshall, from Marian as well
10 about what that process looks like, and then also how we
11 would do it, right, and you know, and then this is even
12 like a Christian question, right? Like, how do we set
13 this up so that it's a public meeting, even if it's a
14 smaller group. You know, and I know -- I'll just put it
15 out there, I know we have one attorney on the commission.
16 I would love for that commissioner to consider joining
17 this broader subcommittee just so that we can make sure
18 that we have your input into things.

19 COMMISSIONER YEE: The draft actually refers to a
20 legal advisory committee optimistically, which would be
21 this committee that we're talking about.

22 CHAIR KENNEDY: Very good. Commissioner Sinay.

23 COMMISSIONER SINAY: In section 5, and I notice this
24 to be in the other RFP as well, we ask them to discuss
25 the cases. Do we care or not what the outcome of the

1 case was? Or yeah. We kind of asked -- so I just wanted
2 to bring that up.

3 COMMISSIONER YEE: We didn't think of that. It was
4 this -- we mostly were concerned that they didn't cherry
5 pick the cases. That's why we said last ten, so -- but
6 yeah. Batting average, no, we didn't ask for that. They
7 would tell us. I mean, we would no they -- yeah. That
8 would be part of their application.

9 CHAIR KENNEDY: Okay. Do we need a motion to accept
10 the proposed timeline from the subcommittee?

11 COMMISSIONER YEE: I don't think so because we're
12 already pre-approved to continue moving forward with
13 this. We just wanted to check the dates mostly and to
14 catch anything else that could be caught at this point.

15 CHAIR KENNEDY: Okay. And Commissioner Fernandez.

16 COMMISSIONER FERNANDEZ: I just had a quick question
17 on the conflict of interest for -- I guess for both of
18 them, and it goes down and it -- it's the second
19 paragraph, it's A, second paragraph, second-to-last
20 sentence. It says, "The individual may be cleared to
21 work on behalf of the Commission until final approval,"
22 and I know why we put that in there because we don't want
23 to slow them down, but I guess on the flip side, I'm
24 trying to be a little bit cautious of what if we -- what
25 if someone starts working on it, then we realize that

1 they have a conflict, and it's almost like too late at
2 that point, and at this point in time, I'm thinking we
3 might have weekly meetings, so we're talking about maybe
4 a week in between meetings for them to wait. So I don't
5 know. I was just going to throw that out there.

6 COMMISSIONER YEE: So that decision -- yeah.

7 COMMISSIONER FERNANDEZ: If that makes sense.

8 COMMISSIONER YEE: Yeah. So the conflict of
9 interest section, which is identical for both --

10 COMMISSIONER FERNANDEZ: Right.

11 COMMISSIONER YEE: So the situation here, I think is
12 that they decide they need an additional attorney to work
13 on our work, and this is someone that we, you know,
14 did -- was not part of the original application, did not
15 provide background and so forth, and so we're saying,
16 well, they could provisionally work, come on board, but
17 we still need to approve them at some point.

18 COMMISSIONER FERNANDEZ: Right.

19 COMMISSIONER YEE: So --

20 COMMISSIONER FERNANDEZ: Right. I understand why
21 you have it in there. I'm just wondering what the
22 pitfall of us not being able to hear them first, or maybe
23 we can put something in there in terms of they need to
24 kind of do a vetting also before they -- I mean, I would
25 hope they would, but I don't want to have -- I mean, I

1 would hope I wouldn't have to put that in the contract
2 language, but maybe we do just to reemphasize it. I
3 don't know. I just try -- I'm being, like, extra
4 cautious.

5 COMMISSIONER YEE: Frankly, this is part of the
6 draft that we inherited, so I actually don't know how
7 deep the concern runs of -- yeah.

8 CHAIR KENNEDY: Marian.

9 MS. JOHNSTON: The reasoning was that again, if
10 they're going to be hiring someone to the team, that if
11 be someone that the Commission is comfortable with, that
12 you've given your approval to this one group of people,
13 now they bring in someone else, you want to be sure it's
14 someone not just that they're comfortable with, but that
15 you're comfortable with. So that's why. It's sort of to
16 give yourselves a way out if you feel after spending
17 time, a little bit of time that it's just not going to
18 work out.

19 COMMISSIONER YEE: But I guess Commissioner
20 Fernandez's concern is that we're letting them bring that
21 person on board before we actually approve that person.
22 Do we want to give them that leeway?

23 MS. JOHNSTON: Well, in litigation, sometimes you
24 don't have much control over timing of what's happening,
25 especially with this. This is an appeal directly to the

1 Supreme Court for a challenge to any of your maps. Time
2 is usually pretty critical. And then I think you're
3 right that they're going to -- as far as any actual
4 conflict, they're going to make sure the person doesn't
5 have that kind of a conflict because it would disqualify
6 the whole firm, but as far as your comfort with them,
7 it's a different kind of a conflict.

8 CHAIR KENNEDY: Anyone else? Okay. It's six
9 minutes of 5:00. The previous public comment was
10 unsolicited and not at the end of the day, so I will ask
11 Katie to read the instructions one last time for public
12 comment.

13 PUBLIC COMMENT MODERATOR: Yes, Chair.

14 In order to maximize transparency and public
15 participation in our process, the commissioners will be
16 taking public comment by phone. To call -- to dial --
17 sorry. To call in, dial the telephone number provided on
18 the livestream feed. The telephone number is
19 877-853-5247. When prompted, enter the meeting ID number
20 provided on the livestream feed. It is 92737068918 for
21 this week's meeting.

22 When prompted to enter a participant ID, simply
23 press the pound key. Once you have dialed in, you'll be
24 placed in a queue from which a moderator will begin
25 unmuting callers to submit their comment. You will also



1 hear an automatic message to press star 9. Please do
2 this to raise your hand indicating you wish to comment.

3 When it is your turn to speak, the moderator will
4 unmute you, and you will hear an automatic message that
5 says, "The host would like you to talk and to press star
6 6 to speak." Please make sure to mute your computer or
7 livestream audio to prevent any feedback or distortion
8 during your call. Once you are waiting in the queue, be
9 alert for when it is your turn to speak, and again,
10 please turn down the livestream volume. These
11 instructions are also located on the website. The
12 Commission is taking general public comment at this time.
13 It is general, right? There -- is there any motion?

14 CHAIR KENNEDY: Yes, yes.

15 PUBLIC COMMENT MODERATOR: Okay. Sorry.

16 CHAIR KENNEDY: It's general. Thank you.

17 PUBLIC COMMENT MODERATOR: We do have someone in the
18 queue.

19 CHAIR KENNEDY: Okay. Go ahead and invite them to
20 speak.

21 PUBLIC COMMENT MODERATOR: I will. If you'll please
22 state and spell your name for the court reporter.

23 MR. KAUBLE: Matt Kauble, last name is K-A-U-B-L-E.

24 PUBLIC COMMENT MODERATOR: Thank you, Mr. Kauble.

25 The floor is yours.



1 MR. KAUBLE: Well, I -- I'm listening to you talk --
2 the Commission talk about on -- online submissions, and
3 I'm thinking what you need is an online submission tool
4 that you have through your website, and you probably have
5 to put together requirements documents for whatever
6 programmer or whatever company does the programming to
7 create the tool.

8 Now, this tool would have basically three
9 components, a form where you'd have the submitter and
10 their contact information and maybe their -- the city
11 where they're submitting from; a map tool where you, you
12 know, select, you know, county precincts, counties. You
13 know, the submitter could just click on their community
14 of interest, you know, from existing divisions of
15 counties, school districts, cities, city districts, et
16 cetera.

17 And then your -- your third component would be kind
18 of a Microsoft Word-like tool where they could explain
19 the map that they are submitting. That -- I -- I think
20 seventy to ninety percent of your submit -- online
21 submissions would be through that tool, especially if
22 it's easy to use. You're also going to have to do some
23 air testing with regards to that tool to make sure that
24 it's easy to use where someone who isn't, well-versed in
25 technology can get online and use the tool through the

1 website. So if there's any questions, I'd be happy to
2 take them; otherwise, I'll get off and let you continue
3 your meeting.

4 CHAIR KENNEDY: Thank you very much for calling with
5 your comment.

6 MR. KAUBLE: All righty.

7 CHAIR KENNEDY: Katie, are there other callers?

8 PUBLIC COMMENT MODERATOR: No. That was it.

9 CHAIR KENNEDY: Okay. Very good. Then just to
10 review tomorrow, we have a presentation organized by the
11 global access subcommittee at 10:00. We will be going
12 back to item 10 on the agenda to finish up with that from
13 the outreach and engagement subcommittee. We have the
14 line drawing procurement documentation to review and
15 discuss.

16 So hopefully get through all of that in the morning,
17 and then afternoon, we have a scheduled discussion on the
18 Commission dynamics, the working dynamics of the
19 commission, and then our discussion of future agendas and
20 meeting dates, and I may flip the discussion of future
21 agenda items and meeting dates to fall just after lunch
22 so that we can get that out of the way and not run into
23 any problems with that.

24 So with that, thank you all very much. I think it
25 was a very useful and productive day, and look forward to

1 seeing you all tomorrow morning at 9:30.

2 (Whereupon, the CRC Business Meeting adjourned at
3 4:57 p.m.)

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