

STATE OF CALIFORNIA  
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:  
CRC BUSINESS MEETING

TUESDAY, FEBRUARY 16, 2021

9:30 a.m.

Transcription by:  
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**APPEARANCES**

COMMISSIONERS

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

STAFF

Daniel Claypool, Executive Director  
Alvaro E. Hernandez, Deputy Executive Director  
Kary Marshall, Chief Counsel  
Marian Johnston, CRC Staff Counsel  
Tina Keller, Paralegal  
Fredy Ceja, Communications Director  
John Fitzpatrick, Budget Director

TECHNICAL CONTRACTORS

Kristian Manoff, AV Technical Director/Comment Moderator

**Also Present**

Public Comment

Ethan Jones, California State Assembly Elections  
Committee  
Lori Shellenberger, California Common Cause  
Blanca Gomez  
Renee Westa-Lutz

**INDEX**

	<u>PAGE</u>
Call to Order and Roll Call	4
Public Comment	5
Chair's Report	11
Deputy Executive Director's Report	12
Executive Director's Report	18
Chief Counsel's Report	68
Communications Director's Report	69
Subcommittee Updates	93
Public Comment	115
Subcommittee Updates (Cont'g)	120
Public Comment	147
Closed Session	179
Adjournment	179

P R O C E E D I N G S

February 16, 2021

9:30 a.m.

CHAIR TOLEDO: Good morning, California. I hope you had a wonderful President's Day weekend. My name is Pedro Toledo and I'm the rotating chair for the California Citizen's Redistricting Commission for the next two weeks.

Commissioner Jane Andersen, please wave, will be serving as the vice president (sic).

We're going to do a quick roll call, then we'll enter public comment where we're going to have Ethan Jones, the chief consultant to the California State Assembly Elections and Redistricting Committee, join us to give us a quick update on the election cycle during public comment. And after that, I'll be going over the agenda for today's meeting.

So with that, let's go into roll call. Director Claypool.

MR. CLAYPOOL: Thank you, Chair.

Commissioner Turner.

Commissioner Vazquez.

Commissioner Yee.

COMMISSIONER YEE: Here.

MR. CLAYPOOL: Commissioner Ahmad.

COMMISSIONER AHMAD: Here.



1 MR. CLAYPOOL: Commissioner Akutagawa.

2 COMMISSIONER AKUTAGAWA: Here.

3 MR. CLAYPOOL: Commissioner Andersen.

4 VICE CHAIR ANDERSEN: Here.

5 MR. CLAYPOOL: Commissioner Fernandez.

6 Commissioner Fornaciari.

7 COMMISSIONER FORNACIARI: Here.

8 MR. CLAYPOOL: Commissioner Kennedy.

9 COMMISSIONER KENNEDY: Here.

10 MR. CLAYPOOL: Commissioner Le Mons.

11 COMMISSIONER LE MONS: Here.

12 MR. CLAYPOOL: Commissioner Sadhwani.

13 COMMISSIONER SADHWANI: Here.

14 MR. CLAYPOOL: Commissioner Sinay.

15 COMMISSIONER SINAY: Here.

16 MR. CLAYPOOL: Commissioner Taylor.

17 COMMISSIONER TAYLOR: Present.

18 MR. CLAYPOOL: Commissioner Toledo.

19 CHAIR TOLEDO: Here.

20 MR. CLAYPOOL: Chair, you have a quorum.

21 CHAIR TOLEDO: Thank you. Katy, please instruct the  
22 public on how they can join public comment.

23 PUBLIC COMMENT MODERATOR: Yes, Chair. In order to  
24 maximize transparency and public participation in our  
25 process, the Commissioners will be taking public comment

1 by phone.

2 To call in, dial the telephone number provided on  
3 the livestream feed. It is 877-853-5247. When prompted  
4 to enter the meeting I.D. number, it is provided on the  
5 livestream feed. It is 93805334078 for this week's  
6 meeting. When prompted to enter a participant I.D.,  
7 simply press the pound key.

8 Once you have dialed in you'll be placed in a queue.  
9 To indicate you wish to comment, please press star 9.  
10 This will raise your hand for the moderator.

11 When it is your turn to speak you will hear a  
12 message that says, "The host would like you to talk", and  
13 to press star 6 to speak. If you would like to give your  
14 name, please state and spell it for the record. You are  
15 not required to provide your name to give public comment.

16 Please make sure to mute your computer or livestream  
17 audio to prevent any feedback or distortion during your  
18 call.

19 Once you are waiting in the queue, be alert for when  
20 it is your turn to speak, and again, please turn down the  
21 livestream volume.

22 And the Commission is taking general public comment  
23 at this time. And Chair, we do not have anybody in the  
24 queue.

25 CHAIR TOLEDO: I believe Ethan Allen -- Jones has

1 joined us on the web.

2 PUBLIC COMMENT MODERATOR: Yes, he's in the meeting.

3 CHAIR TOLEDO: Is his audio working?

4 PUBLIC COMMENT MODERATOR: Yes. He can -- he just  
5 unmuted himself.

6 CHAIR TOLEDO: Thank you. Good morning, Mr. Jones.

7 MR. JONES: Good morning, Chairman and  
8 Commissioners. Yes, my name is Ethan Jones. I am the  
9 chief consultant for the California State Assembly  
10 Elections Committee.

11 As you all know, the legislature has been working  
12 proactively to address issues resulting from the delays  
13 in the census since last year, including filing suit to  
14 provide relief to this Commission.

15 During your census update discussion on February  
16 8th, there were questions raised about how the elections  
17 calendar might impact the redistricting calendar, and as  
18 a result the legislature had already begun communicating  
19 with local elections officials to gather answers to those  
20 questions.

21 As I think you all know, in the midst of that  
22 process the Census Bureau announced a further delay in  
23 the release of redistricting data at the end of last  
24 week. Assessing the impact of that delay is complicated  
25 and involves a lot of participants, and so while it was

1 not possible to pull that together so quickly after the  
2 official announcement on Friday, I and others are working  
3 with the Secretary of State, with local elections  
4 officials, and the Statewide Database to gather this  
5 information as quickly as possible.

6 In the interim, the CRC may wish to consider  
7 designating a committee to begin participating in  
8 stakeholder discussions, and that committee could also  
9 determine when it may be appropriate to agendize a  
10 stakeholder panel for the full body.

11 But I do want to reiterate the legislature's  
12 commitment to working with the Commission to ensure a  
13 fair and transparent redistricting process, and thank you  
14 for your time.

15 CHAIR TOLEDO: Thank you, Mr. Jones. Do we have any  
16 questions from the Commission?

17 I have a quick question. In terms of the election  
18 cycle, we're hearing that the election may be -- the  
19 primary for the spring may be postponed or delayed. Is  
20 that a possibility, or is it something that is being  
21 looked at?

22 MR. JONES: As I indicated, I think we're still  
23 trying to assess at this point the implications of the  
24 significant delay in the release of redistricting data  
25 from the Census Bureau. I can tell you that we are --



1 I'm not aware of anything that has been introduced so  
2 far, but given where we are in both the legislative  
3 calendar and the relatively recent developments, that's  
4 not a surprise. But going forward, I think we're going  
5 to be looking at all options based on the delay in the  
6 release of census data and how that will impact  
7 preparations for and the conduct of the 2022 primary  
8 election.

9 CHAIR TOLEDO: Thank you. Any other questions from  
10 the Commission?

11 Commissioner Sadhwani.

12 COMMISSIONER SADHWANI: Thank you. Thank you, Mr.  
13 Jones for being here today.

14 You had mentioned having a committee of this  
15 Commission coordinate with you or the legislature in some  
16 way. Can you give us a little bit more detail about what  
17 that might entail or what that might look like? We do  
18 have a census advocacy committee, so that's why I'm just  
19 curious what all you see that as.

20 MR. JONES: Sure. And certainly, I wouldn't want  
21 to -- I think the Commission is in the best place to  
22 determine how it is best able to engage in these  
23 stakeholder discussions, so I don't want to suggest  
24 specific solutions for you, but I think, generally  
25 speaking, it would be helpful, as these stakeholder

1 discussions go on, to have designated points of contact  
2 at the Commission that we're able to work with and make  
3 sure that those stakeholder discussions can continue in a  
4 way where the Commission can be involved and be kept  
5 informed about those discussions as they are going on.

6 CHAIR TOLEDO: Mr. Jones, can you provide us with  
7 some information about who is participating in the  
8 stakeholder discussions?

9 MR. JONES: Generally speaking, as I mentioned  
10 earlier, we've been reaching out to local elections  
11 officials in the Secretary of State's office, as well as  
12 the Statewide Database as a first step to start to assess  
13 the implications of the further delay in the release of  
14 census data and trying to assess how that impacts their  
15 preparation for the conduct of the 2022 elections, in the  
16 case of state and local elections officials, and in the  
17 case of the Statewide Database, their -- the necessary  
18 steps that they'll need to take to prepare the database  
19 so that new district lines can be drawn.

20 So before moving further down the line of looking at  
21 possible specific solutions that might be considered, at  
22 this point we're still trying to assess what that two-  
23 month additional delay in the release of census data will  
24 have on the preparation of elections officials for the  
25 conduct of the 2022 election.

1 CHAIR TOLEDO: Thank you. Any other questions from  
2 the Commission?

3 With that, I'd like to -- thank you so much for  
4 joining us. I know you took time out of your busy  
5 calendar to join us today, so thank you, and we look  
6 forward to working with you as this progresses.

7 MR. JONES: Terrific. Thank you for accommodating  
8 my schedule.

9 CHAIR TOLEDO: No problem. Katy, do we have any  
10 other public comments?

11 PUBLIC COMMENT MODERATOR: We do have one person in  
12 the queue; however, they have not chosen to raise their  
13 hand. So if -- the person that is in the queue, if you  
14 would like to comment, please press star 9 to indicate  
15 you would like to comment.

16 It doesn't look like they're choosing to raise their  
17 hand, Chair, so I'm going to take that as they just want  
18 to listen in. So other than that, we do not have anybody  
19 in the queue.

20 CHAIR TOLEDO: Appreciate it. Thank you. So with  
21 that we will move on to the Chair's report where I'll go  
22 over the agenda for today.

23 So today we'll be starting off with the deputy  
24 director's report, which will take about thirty minutes  
25 with a discussion about outreach and grants updates.

1           Then we'll move -- transition over to the executive  
2 director's report, the chief counsel's report, the  
3 communications director's report, then around 11:45 we'll  
4 move into subcommittee updates.

5           During that time I'm going to ask committee members  
6 to focus on -- or subcommittee members to focus on  
7 critical items so that we can go into executive session  
8 around 3 p.m. for -- in regards to some personnel-related  
9 matters.

10           Tomorrow we'll start at 9:30 with the outreach and  
11 collateral materials discussion, then transition to the  
12 educational outreach panel, and after that we'll review  
13 the update from the legal affairs committee, review  
14 policies, and end with the data management update.

15           So at this point, that's the order of the agenda.  
16 Things may move as items -- as we go through the agenda,  
17 but this is what this point what we are planning. Thank  
18 you.

19           With that, I'd like to move forward with the deputy  
20 executive director report.

21           MR. HERNANDEZ: Thank you, and good morning,  
22 Commissioners.

23           I just wanted to let you know that we have posted on  
24 the website the list of presentations. It's a handout  
25 that we have available now. It's a work in progress,

1 just so you're aware, to show where the Commissioners  
2 have presented to the different groups. This will in the  
3 future be on the website, and so that's the transition  
4 that we're waiting. Once the website is up, this will  
5 feed -- this information will feed directly into the  
6 website, so it won't be a document per se. It lists the  
7 different presentations and which Commissioners have  
8 presented. Hopefully, it has everything there; if not,  
9 please let us know. Like I said, it's a work in  
10 progress.

11 Likewise, the naming convention, we're going to work  
12 on that to make sure that we get the names of the  
13 different groups. There were some last-minute changes.  
14 I do believe we'll have one more revision posted, 2/16  
15 revision date, that just explains what LVW, or LWV,  
16 League of Women Voters and a couple of other ones where  
17 we identify exactly what the abbreviated versions stand  
18 for so that everyone can see and understand what it is  
19 referencing.

20 I also wanted to request that the Commissioners  
21 continue to send Marcy Kaplan their list of contacts for  
22 outreach that they've made, and like we said last  
23 meeting, we're available to help in coordinating and  
24 scheduling those events. So please, if you have any  
25 questions, do reach out to either Marcy or myself so we

1 can help in that effort.

2       Next, I wanted to mention that I worked on a  
3 language access flow chart. I don't have it up. I'm  
4 hoping to have it up later today or early tomorrow. Last  
5 meeting you were asked to look at that in the data  
6 management conversation, so I put something together. It  
7 is very brief, high level, that I'll share with the  
8 Commission. And I just wanted to point it out that it's  
9 in the works and you'll have that soon.

10       And originally I had talked about having more of a  
11 long-term schedule with the December 15th, but obviously  
12 that has all changed. So I'm postponing on sharing any  
13 of the scheduled activities through that time frame until  
14 the Commission decides how to proceed and how to schedule  
15 things forward.

16       The last thing I wanted to address, I know we said  
17 thirty minutes, but I'll leave it open for some questions  
18 after this. Well, I should say do you have any questions  
19 at this point in regards to anything I've mentioned so  
20 far? Very well. I'll proceed.

21       So the last thing, the Commission last week asked me  
22 to look at the strategic plan and determine whether or  
23 not the grant amount of the 2.65 million dollars could be  
24 used exclusively for the granting purposes. And after  
25 reviewing the outreach plan and looking at how we could

1 use those funds, I can recommend that the Commission  
2 utilize the entirety of all those funds for granting  
3 purposes if it decides to do so. I believe it will allow  
4 us to do a lot more outreach, as was mentioned at the  
5 last Commission meeting. It's going to -- with the time  
6 frame that has been now extended further, it allows us  
7 time to do more concerted effort in some of those areas  
8 that had not been previously reached that we can work  
9 with the third party to focus on. So I really do think  
10 that we can utilize all those funds.

11 And in regards to how we do that, Director Claypool  
12 will further explain that piece of it from the budget  
13 perspective.

14 CHAIR TOLEDO: I see we have a couple questions,  
15 starting with Commissioner Fernandez.

16 MR. HERNANDEZ: Yes.

17 COMMISSIONER FERNANDEZ: I think Commissioner Sinay  
18 was first.

19 CHAIR TOLEDO: Okay, Commissioner Sinay.

20 COMMISSIONER SINAY: Thank you, Commissioner  
21 Fernandez. We're all in this together, so you could have  
22 gone. We're not going anywhere.

23 A couple of things. Going back to when you asked if  
24 we had any questions the first time, can I recommend that  
25 people send not just their contacts, but at some point we

1 do need some type of database where we're capturing the  
2 different conversations that we're having.

3       So maybe just send a quick email with the name of  
4 the person who was on the call, date and a quick summary  
5 of what was spoken.

6       Hopefully, at some point we can do a database where  
7 we can put that, but we need to capture all these  
8 conversations, as I've said in the past, for the future  
9 when we're asked what outreach did we do, who did we  
10 speak to, to show that we're reflecting the whole  
11 community -- or all of California, not one community.

12       The second on the grants, I think that's awesome  
13 that we have the two million. I just ask, will we still  
14 have a budget, though, for civic technology? You know,  
15 we're supposed to be exploring different ways that we can  
16 engage people in a virtual world that is -- that helps  
17 promote that anything from having a phone line, or you  
18 know, the text line where people can text in their number  
19 and we call them back, or just that we were still  
20 exploring, you know, how do we have people's faces  
21 actually when we do Zoom calls versus just a black box  
22 because we want, you know, to see people's facial  
23 expressions and stuff, which we've been told is really  
24 important during the public input sessions.

25       So I just want to make sure that we don't lose that



1 in the budget and then we're scrambling later to find  
2 money to pay for tools and equipment we may need,  
3 including a database. I know we don't have a database.  
4 We're just using Excel spreadsheets.

5 CHAIR TOLEDO: So Commissioner Fernandez and then  
6 Commissioner Turner.

7 COMMISSIONER FERNANDEZ: I'm not sure if this is for  
8 the Deputy Executive Director Hernandez or maybe you,  
9 Chair Toledo. You mentioned that your plan, you're not  
10 sure because we don't know what this two-month delay is  
11 going to do to us, what we're going to decide in terms of  
12 how many -- if we're going to stretch out our meetings,  
13 are we going to do more meetings, so I'm just wondering  
14 how soon we'll have that conversation so that we can plan  
15 accordingly. I guess that was my only question.

16 CHAIR TOLEDO: Okay. Commissioner Turner, and then  
17 I'll come back to that question.

18 COMMISSIONER TURNER: Thank you, Chair. My  
19 question, I'm seeking clarification of the request made  
20 by Commissioner Sinay in regards to, I believe the  
21 conversation was around the -- is it the events calendar  
22 that has the date, organization, et cetera, and she was  
23 asking for some more detail as far as who was in the  
24 meeting, and I wanted to know outside of the  
25 organization, I wanted to make sure that we're not

1 actually asking for names of everyone that's on the call.  
2 I wasn't sure what that meant, because we have a "who" on  
3 the chart already.

4 CHAIR TOLEDO: Commissioner Sinay.

5 COMMISSIONER SINAY: Thank you for asking that,  
6 Commissioner Turner. I wasn't talking about the actual  
7 events. I was talking about the other meetings that we  
8 have, the other calls that we have throughout the week  
9 between meetings where we're trying to put together  
10 panels or do our outreach and those type of things, not  
11 the -- those I don't -- so sorry for that confusion.

12 CHAIR TOLEDO: And then back to Commissioner  
13 Fernandez's question, we do have time scheduled tomorrow  
14 to go over the outreach plan, as well as the outreach  
15 collateral materials, so that might be the appropriate  
16 time to have a lengthier discussion on time line, if  
17 that's to the Commission's -- any other questions for  
18 Director Hernandez? Seeing none, we'll move over to  
19 Executive Director Claypool's report.

20 MR. CLAYPOOL: Good morning. So we had talked about  
21 having budget projections at the start of each month, but  
22 we wanted to go ahead and do another projection  
23 starting -- showing you what your budget will look like  
24 if we shift these monies completely to the grants. I  
25 sent out my notes to you so that you could follow along

1 with me.

2       So the first thing I'd like to say is that I posted  
3 the letter authorizing the release of your funds, and we  
4 will have the full release of those funds by the end of  
5 this week so that we can start utilizing the 2.65 million  
6 for whatever purposes the Commission chooses to use them  
7 for.

8       Assuming that the Commission decides that they wish  
9 to have the full amount placed into grants, I posted up  
10 new revised budget, if you would all like to go on and  
11 see it. If everybody has it up I can start explaining  
12 what has changed. We're good?

13       Really the only change is if you go down into  
14 outreach you'll see that we've shifted 565,000 dollars  
15 more into your grants. Everything else remains the same.

16       Now, the question that Commissioner Kennedy had last  
17 week regarding shifting the per diems into our  
18 operational funds, after we shift the entire 2.65 million  
19 into grants, everything else that we have is operational  
20 funds. That's our only other bucket of funding. So  
21 that's where we pushed all of those expenses.

22       If you go down and you go to the very bottom of the  
23 projection, you'll see that that additional 500,000 has  
24 now increased our estimated shortfall to 7,162,000. That  
25 was anticipated. We had always anticipated that we would

1 need additional funds.

2       What I would like to stress in this is that this  
3 does not incorporate this two-month expansion in our time  
4 frame. So I worked with John Fitzpatrick, who is our  
5 budget director, and we also worked with the Department  
6 of Finance, and what we have decided to do is to forego  
7 our April letter, which would have sent over the original  
8 amount that we were estimating to be over, and instead,  
9 we are going to move on to the second part of the process  
10 which is called the May revision. And in the May -- I'll  
11 ask John to explain the May revision to you. John.

12       MR. FITZPATRICK: Good morning, everyone. Certainly  
13 a lot of shifting sands and moving parts associated with  
14 this process, presumably -- certainly more than expected.

15       Director Claypool was referencing different points  
16 at which proposals can be made and publicly released for  
17 consideration as part of the budget process. There are  
18 two formal points in the process. We call the first one  
19 April 1 finance letters. There's a second one; by  
20 definition the May revision is in the month of May. It  
21 allows for more time to consider the changes and the  
22 impact of the changes associated with this most recent  
23 delay, and we've sought feedback from the Department of  
24 Finance to allow for a delay in our submission so that we  
25 could submit a more refined proposal.

1           If, in fact, it doesn't take as long as necessary,  
2 or as long as currently projected, there may be the  
3 opportunity to submit something in between, which is  
4 reflective of the flexibility that I think that all  
5 parties involved in this situation are inclined to  
6 provide.

7           You will see that there are changes in the budget  
8 document as we consider different scenarios, as we refine  
9 different costs, both projected and actual, and as  
10 always, if anyone has any questions either during the  
11 meeting or afterwards, please reach out.

12           MR. CLAYPOOL: So the upshot of this is that we have  
13 several opportunities to reach out and ask for additional  
14 funds.

15           When we take in -- what the staff needs now from  
16 this Commission is a determination as to how you intend  
17 to spin this additional two months. I know that Director  
18 Hernandez is waiting for your ideas. There are a lot of  
19 different scenarios. When we get them, we will plug them  
20 into this equation and undoubtedly will push that redline  
21 number closer to an eight-million-dollar shortfall,  
22 because we're going to have to consider additional  
23 operational costs for staff as well as the potential for  
24 additional meeting costs and so forth, whether they're  
25 educational and engagement or COI-related for this

1 Commission.

2       We have sacrificed nothing in the budget for -- on  
3 our estimates for the data management, that we still have  
4 an estimated amount placed in there for that. We also  
5 have estimated amounts placed in for all of your meetings  
6 in this budget through June 30th, 2022.

7       So we have projected as closely as we can, and now  
8 we just need those additional contract amounts that will  
9 refine it -- so the line drawer, the VRA counsel and so  
10 forth, and our data manager and our data analyst, and  
11 then finally just how you wish to proceed.

12       So are there any questions at this point? All  
13 right.

14       John's already reported on our decision to forego  
15 the immediate submission to the April letter. More time  
16 will just give us better numbers. It doesn't mean that  
17 we've lost an opportunity. Both the Department of  
18 Finance and the legislative contacts that we work with on  
19 the Joint Legislative Budget Committee are not only aware  
20 of the difficulties that we're facing in doing our budget  
21 and doing our scheduling, but are also very proactive in  
22 assisting us in making sure that we will get funded to  
23 the level that we need to be funded at, as long as we can  
24 support it, and I'm sure that we will be able to, seeing  
25 as how we make our own agenda.

1 Any questions about that? Commissioner Kennedy.

2 COMMISSIONER KENNEDY: Thank you, Director Claypool.

3 And this probably is germane to the previous question.

4 I'm not seeing any funding in the budget, and I may just  
5 be missing it, and you can point me to it, but I'm not  
6 seeing anything in the budget for interpretation services  
7 during business meetings. We have for outreach meetings,  
8 we have for public input sessions, but I'm not seeing  
9 anything for our regular meetings.

10 So for example, when we had the Somali and the Oromo  
11 interpreters at the recent meeting for the Q and A, what  
12 line item is that coming out of, and are we planning to  
13 have interpretation services available in future business  
14 meetings? Thank you.

15 MR. CLAYPOOL: So we had broken it out for the  
16 outreach meetings because we saw the immediate need for  
17 anywhere where you were at or any public meeting. There  
18 isn't anything in this. We would -- for those particular  
19 instances in your public meetings, themselves, we were  
20 just planning on absorbing that into an operational cost.  
21 However, we can add a line in there and separate out  
22 expenses for that if the Commission would like to see  
23 that as a line item. I didn't -- I just simply didn't  
24 anticipate it being a great deal of money, and so we were  
25 just absorbing it. Should it be a line item?

1           COMMISSIONER KENNEDY: I'm not even seeing where it  
2 would be absorbed, but yes, I think we need a line item  
3 for it, I've said since July that I think we need to be  
4 providing interpretation services during our business  
5 meetings and we have not yet so far.

6           MR. CLAYPOOL: So we have -- it would be under  
7 contract services because -- is where we would place it.  
8 We do have -- you'll see ASL and the transcription  
9 services and so forth are there. That's where we would  
10 place it, and if the Commission would like us to put an  
11 additional line item there, we'll place one and we'll  
12 make an estimate.

13          CHAIR TOLEDO: Commissioner Sinay and then  
14 Commissioner Akutagawa.

15          COMMISSIONER SINAY: I'm not saying that -- there  
16 are things that we could learn from the other  
17 redistricting commissions at the local levels. I noticed  
18 last week that the San Diego Redistricting Commission,  
19 because it's supported by the county and the county  
20 already has the infrastructure set up, but they have  
21 their agenda in all the languages that they committed to,  
22 you know, and so I really think that we need to -- you  
23 know, as Commissioner Kennedy has said, we've been going  
24 on for five months, almost six months, and we still  
25 haven't quite figured out how to translate, you know,



1 make our agendas more accessible. So at minimum, I would  
2 like to see us do that piece.

3 CHAIR TOLEDO: Commissioner Akutagawa.

4 COMMISSIONER AKUTAGAWA: Just following up on  
5 Commissioner Kennedy's comment, as well as Commissioner  
6 Sinay's, Director Claypool, I guess, just for  
7 clarification because I know that Commissioner Fernandez  
8 and I did work on this part, in terms of the  
9 interpretation services, I know that what we proposed and  
10 what we've agreed upon was that we would be able to  
11 provide interpreter services for public comment during  
12 our business meetings as well as the public input  
13 meeting. And in terms of the translation of documents,  
14 that would be in the twelve languages that we also  
15 proposed.

16 So in follow-up to that, are you saying that the  
17 interpretation services for the public comment would be  
18 part of contract services and that -- I guess the  
19 question I also have is I heard you say it wouldn't be  
20 that much, but I know that there is a desire and there  
21 has been a request, but we did make a decision not to  
22 provide simultaneous, or you know, interpretation of the  
23 entire meeting due to cost being one of them, I guess  
24 because, you know, we'd have to engage more than one  
25 interpreter for each language because one person can't

1 interpret a whole-day meeting by themselves. It just  
2 must be exhausting having to do that. So I'm just trying  
3 to understand is it not as cost prohibitive as I guess I  
4 was led to believe, or are you talking about something  
5 else? I think I'm looking for some clarification here.

6 And maybe that would also connect with what  
7 Commissioner Sinay was talking about, because I am  
8 curious as to whether or not in San Diego they're  
9 providing, you know, I'm going to call it simultaneous  
10 translation. It's not really simultaneous, but  
11 interpretation of the entire meeting, and I'm curious as  
12 to how they're providing it and making it somewhat  
13 within, I guess, budget.

14 MR. CLAYPOOL: So before this, before this  
15 conversation, we've had one request for interpretation  
16 through your public meetings. We certainly have a  
17 substantial budget and for your actual outreach because  
18 we anticipated needing to do the translations. We also  
19 will have a substantial budget for your data management  
20 because we'll have a lot of translation or the bulk of  
21 our translation, whatever it is, will occur there and we  
22 have encumbered an amount that we believe will cover that  
23 entire process.

24 I was unaware until right now that there was -- that  
25 we wanted to translate our agendas beyond this. I know

1 that there's been discussion. I didn't realize that  
2 there had been a decision, and possibly you can inform me  
3 what -- if the Commission chooses to expand to twelve  
4 languages similar to San Diego, then now we do need a  
5 line item because that would be significantly more  
6 expensive than anything that we had anticipated for these  
7 meetings. If we go beyond that and we're going to also  
8 have simultaneous translation, or anything else, then  
9 that would be also an expansion, and so if you let us  
10 know exactly how you want to proceed with these meetings,  
11 and there will be about -- my estimate on these meetings  
12 moving forward, there will be about 115 more. So if we  
13 are translating across to July -- or to June 30th, 2022,  
14 that's just my estimate. If we are going that far, then  
15 we need to know exactly how you want to proceed.

16 CHAIR TOLEDO: So we have a couple of comments from  
17 Commissioner Fernandez and then Kennedy.

18 COMMISSIONER FERNANDEZ: In terms of the agendas  
19 being translated in the twelve languages, that was not  
20 part of our recommendation for language access. And in  
21 terms of simultaneous interpretation of our meetings,  
22 that also was not part of our recommendation. That would  
23 be above and beyond what we recommended, and as Executive  
24 Director Claypool mentioned, that will increase our costs  
25 significantly. And again, if we are going to -- if

1 you're going down the route of interpreter services for  
2 the entire meeting, if that's what the Commission is  
3 wanting, again, it would require the five-business day  
4 advance notice, at least. And it's not that I'm  
5 recommending that at all right now. I just wanted to  
6 clarify what our recommendation is.

7 CHAIR TOLEDO: Thank you, Commissioner Fernandez.  
8 Commissioner Kennedy.

9 COMMISSIONER KENNEDY: Thank you, Chair. I  
10 definitely appreciate the work that the subcommittee did  
11 in bringing forward its recommendations. There's another  
12 side to this that I am eager to hear. I had shared some  
13 of my research onto language access requirements with  
14 Chief Counsel Marshall, looking at the legal requirement  
15 side of the question. And so I'm wondering if Chief  
16 Counsel Marshall has any results or opinions at this  
17 point on what we are legally required to provide. Thank  
18 you.

19 CHAIR TOLEDO: Chief Counsel.

20 MS. MARSHALL: I don't have any comment on that  
21 right now, but soon.

22 CHAIR TOLEDO: Commissioner Akutagawa.

23 COMMISSIONER AKUTAGAWA: I do want to echo what  
24 Commissioner Fernandez said. I think where I was coming  
25 from is I just wanted to clarify.

1           Also one other thing I wanted to mention is that we  
2 did briefly consider and were looking at it, and there's  
3 some, I guess, other questions that I would have in terms  
4 of providing a full interpretation of our meetings. As  
5 much as I think that that would be wonderful, I am aware,  
6 at least, and I would welcome any comments from anybody  
7 who would have any other ideas or resources.

8           I know that Zoom allows for some Zoom rooms to be  
9 used for translations, but there is a limit of up to five  
10 languages. So I think there's some technological kind of  
11 challenges that, at least, you know, in terms of our kind  
12 of limited knowledge that we were contending with as well  
13 too, so that's why I do say that.

14           It's not that we're opposed to it, or at least from  
15 a subcommittee perspective it wasn't because we were  
16 opposed to it. We were just looking at some of the  
17 challenges that we were looking at and we were trying to  
18 search for other ways in which it might be provided.

19           But again, I think we were open to other -- other  
20 resources that might be out there, especially if  
21 technology can allow something. But I did want to just  
22 say that it wasn't for a complete lack of trying, as  
23 well, too. And I think, you know -- well, anyways, if  
24 there's a better solution, we would love to know it.  
25 Otherwise, we're just trying to -- I think we're just

1 trying to balance many different kinds of factors.

2 CHAIR TOLEDO: So once we have a legal opinion from  
3 chief counsel, perhaps that can go to our language access  
4 committee as well, so they can take a look at that and  
5 come back with recommendations.

6 Commissioner Sinay.

7 COMMISSIONER SINAY: I want to apologize. You're  
8 right, though. We did discuss the -- looked at the  
9 language access and the recommendations, and I think I  
10 kept looking at it as the meetings going forward, not  
11 necessarily our business meetings. So my apologies that  
12 I didn't look at it more encompassing.

13 So I look forward to hearing what -- you know, what  
14 the legal access -- I mean, what legal access -- the  
15 legal opinion is, as well as I still feel that at least  
16 if we could think about the agenda in a few of the  
17 languages, translating parts of it. I definitely agree  
18 that simultaneous translation unless we know that we have  
19 enough, but I definitely appreciate all that you all did  
20 and do understand the burden. So my apologies for not  
21 realizing. That's on me.

22 CHAIR TOLEDO: Thank you, Commissioner Sinay.

23 Commissioner Le Mons.

24 COMMISSIONER LE MONS: I was just going to say that  
25 I would be -- I'd like the subcommittee to look at the

1 value of translating the agenda without the support  
2 services for the meeting. So I just want you to really  
3 think about that. I'm not in favor of just translating  
4 an agenda to say that we translated an agenda. If the  
5 person can't participate in the business meeting because  
6 of language barrier, then what's the point of having an  
7 agenda translated. So I would consider that to be a  
8 waste of resources.

9 So that's just my opinion, and I'm asking the  
10 subcommittee to consider that as they come back with any  
11 revised recommendations.

12 CHAIR TOLEDO: Thank you, Commissioner Le Mons. Any  
13 other comments?

14 Commissioner Turner.

15 COMMISSIONER TURNER: Thank you, Chair. I'd also  
16 like the subcommittee to consider, and this may be  
17 something different, as we move forward, if there are  
18 areas or if there are agenda items that would  
19 specifically relate perhaps to a particular language,  
20 then we would consider having interpretation services  
21 available or translating that in whatever the language  
22 is.

23 And so if we can start thinking maybe about specific  
24 times, that would at least show forth an effort on our  
25 part where maybe it's not something broad for another 115

1 meetings, but indeed, in areas where we can kind of know  
2 in advance that this would be of particular interest, we  
3 can consider that.

4       And then the second point, I'm wondering, we've  
5 talked a lot about video services and having  
6 advertisement or kind of marketing them in different --  
7 or just for the Commission, period. But I'm wondering if  
8 we can get that done, number one, and then have maybe  
9 some videos translated and available that just explains  
10 the process and different points of entry for different  
11 languages that people can at least pull upon and see at  
12 their leisure what's going on within the Commission in  
13 language.

14       CHAIR TOLEDO: Thank you, Commissioner Turner. Any  
15 other comments before we move on?

16       Just one point. Back to Commissioner Kennedy's  
17 original point about the line-item budget. It may  
18 make -- it probably does make sense to break out the  
19 interpretation costs for business meetings just so that  
20 we know where it's at in the operations budget and the  
21 amount we're spending on it.

22       MR. CLAYPOOL: So the amount that, Chair, that we'll  
23 be spending will just be our estimate on the amount of  
24 usage that we anticipate. We can put that line item in,  
25 but we do need to have a definitive decision by this



1 Commission as to whether we're going to have different  
2 agendas in different languages and so forth, and how many  
3 of them, because that's what's going to push that number.

4       So we'll put the line item in, and we'll make an  
5 estimate against what we anticipate at a current level  
6 with only the agenda in English, and then we can expand  
7 it as we move forward.

8       CHAIR TOLEDO: Thank you. Any other items on your  
9 report, Commissioner (sic) Claypool?

10       MR. CLAYPOOL: I have two more. Did everyone  
11 receive their computers? And no one destroyed their old  
12 computer? We need those back. So I'm glad that you all  
13 received your computers. If you could ship the other  
14 ones back, we have uses for them. I know that at one  
15 point there was a discussion about wanting to do many  
16 things with them, but we can have a better use for them  
17 here.

18       And then I placed -- last thing. I placed an  
19 updated organizational chart on the meeting materials,  
20 and this chart represents basically the final construct  
21 of the Commission's staff from the perspective of your  
22 senior managers. There may be some different changes in  
23 it as we move forward, but for now that's pretty much  
24 what your final Commission staffing is envisioned to be.  
25 And if you have any questions whatsoever, both Director

1 Hernandez and myself can answer them.

2 CHAIR TOLEDO: Commissioner Turner.

3 COMMISSIONER TURNER: I was just responding no. No  
4 new computer received.

5 MR. CLAYPOOL: Oh.

6 CHAIR TOLEDO: Commissioner Akutagawa, then  
7 Commissioner Kennedy.

8 COMMISSIONER AKUTAGAWA: Yeah. I did not receive  
9 my -- I did get an email saying that it's coming, but I  
10 did not receive it yet.

11 MR. CLAYPOOL: Okay.

12 CHAIR TOLEDO: Commissioner Kennedy.

13 COMMISSIONER KENNEDY: Mine is due to arrive at my  
14 mailbox today, so I have not seen it yet, but I picked up  
15 something else yesterday, so it had not yet arrived  
16 yesterday, but it should arrive sometime today.

17 MR. CLAYPOOL: Thank you. Okay. So we will --  
18 Commissioner Turner, we'll track yours. We have --  
19 obviously we insured everything and we have the tracking  
20 numbers, so we'll track yours.

21 Commissioner Akutagawa, if you -- you said you  
22 hadn't received yours but you had received notice -- no  
23 notice?

24 COMMISSIONER AKUTAGAWA: I got notice from a staff  
25 person saying that a computer has been shipped out, but

1 I'm not sure exactly when it's going to arrive.

2 I also asked about the files that I currently have  
3 on the current laptop, and she said that I just would be  
4 responsible for transferring it from one laptop to the  
5 other, so I'm also trying to figure out how I'm going to  
6 do that.

7 MR. CLAYPOOL: If you need help, clearly, we can  
8 provide -- we can provide that assistance. You're not on  
9 your own. Just as soon as you get your computer, call us  
10 and we can -- we can work that through.

11 We will track both of your computers, and then,  
12 Commissioner Kennedy, if there's any delay on yours, let  
13 us know, please.

14 CHAIR TOLEDO: Commissioner Fernandez, did I see  
15 your hand?

16 COMMISSIONER FERNANDEZ: Commissioner Akutagawa, I  
17 did it the old-fashioned way. Since this is my third  
18 computer, I just emailed the files to me, but you can  
19 also do thumb drive, so it's, like, old fashioned. It  
20 worked.

21 COMMISSIONER AKUTAGAWA: I was trying to avoid that.  
22 I was hoping there was like an easy sync. That's why I  
23 said that. But I might just get an external hard drive  
24 and move it from, you know, that onto the other one just  
25 to make the movement easier.

1           COMMISSIONER FERNANDEZ: Right. And then I did want  
2 to say thank you so much for the org chart, Executive  
3 Director Claypool. I appreciate it. I don't know for  
4 anyone else, but the white writing on the pink is really  
5 hard for me to read, so maybe in the future could you  
6 maybe make it, like, black writing, because I printed it  
7 out and I honestly could not read it. So I have to have  
8 it on the computer.

9           And would it be possible to kind of go through the  
10 org chart just to see what everybody does? I mean, I  
11 know what everybody does, but it's just kind of getting  
12 all --

13          MR. CLAYPOOL: Certainly.

14          COMMISSIONER FERNANDEZ: -- you know, mixed in my  
15 brain. Thank you.

16          CHAIR TOLEDO: So before we do that, Commissioner  
17 Ahmad, and then we can go through the organizational  
18 chart.

19          COMMISSIONER AHMAD: Thank you, Chair. I was just  
20 going to say you can dump everything into your Drive,  
21 your Google Drive in your email, and then you don't have  
22 to transfer anything over because it's all in the cloud,  
23 if that makes sense.

24          CHAIR TOLEDO: Good advice. Director Claypool.

25          MR. CLAYPOOL: Certainly. I see -- so I will tell

1 you that the printing on this was different prior to the  
2 ADA compliant review that was done by Director Ceja. But  
3 we can work with that, because I'm certain that ADA is  
4 going to allow us to make sure that you can actually read  
5 it.

6 So if we look at this chart, nothing has changed  
7 from the Commission and the rotating Chair and the  
8 different committees.

9 We broke out outreach and engagement and the legal  
10 affairs committees because they actually have specific  
11 ties to different staff persons, whereas the other  
12 committees work through the Chair.

13 If we go to the left side of the screen and we look  
14 at Deputy Executive Director Hernandez's outreach plan,  
15 I'm going to see if he would like to run through that, or  
16 I can. Are you good? Me, okay.

17 So we have the communications director, Mr. Ceja,  
18 and we have our communications manager, Ms. Reyes.  
19 You're aware of what they're doing.

20 We have now hired out outreach coordinator, Ms.  
21 Topete, and she will be working with our outreach  
22 manager, Ms. Kaplan. Ms. Kaplan will also be the  
23 individual who is in charge of your grant -- overseeing  
24 your grants and your one contract to make sure that we're  
25 getting the documentation we need there.

1           Originally we had a grants manager on the other side  
2 of the outreach coordinator, but we have switched that to  
3 a translation coordinator, and this person would have the  
4 responsibility of doing -- ensuring that all translations  
5 are occurring, and not only with the data management but  
6 also with the material that would get pushed out into the  
7 community through your engagement and educational  
8 meetings and your actual input meetings, your COI and  
9 post-census meetings.

10           You'll have a lot of material there. The last  
11 Commission only pushed out material in about four  
12 languages, but it was a constant -- it was a constant  
13 push to make sure that we had fliers and different sets  
14 of information so that people who were at the meetings  
15 knew what -- you know, what the mission of the Commission  
16 was and how many people were supposed to be in each one  
17 of the districts, and so forth.

18           Below the outreach coordinator you see the concept  
19 for your lead people out in the field. You have a field  
20 lead and a field staff person for the north, the central,  
21 the south and the south. I apologize. The field staff  
22 assistant below the north should say north. There will  
23 be two people per kind of zone. The reason there are  
24 four people in the south is because there's so many --  
25 many more of your meetings will be concentrated in the

1 south, and you'll have people who will be working out of  
2 San Diego and people who will be working out LA. These  
3 people -- these individuals will be -- we will go to a  
4 flier for them so that people can apply for these, and  
5 then we will go through and select by application to make  
6 sure that everyone has an opportunity to serve this  
7 Commission. And then they will set up the different  
8 locations, if you should choose to have locations where  
9 people come in to actually give testimony. They will  
10 also assist the Commissioners who go out for their  
11 engagement, if you need assistance in those different  
12 meetings.

13       Once the Commission's meetings really get going, and  
14 if we have the opportunity to actually go out to areas  
15 and set up sites, maybe up to three sites, then we would  
16 use the student assistants that are then giant pool. We  
17 would hire them on, and they would basically become more  
18 of a labor source for these field staff people so that  
19 they can get the meeting set up wherever they're at.

20       In the first iteration of this Commission, we had  
21 about four people, five people who would go to every one  
22 of the sites. They only set up one site at a time, and  
23 it was quite a production. It was -- they would arrive  
24 at about 7 in the morning for a 9 a.m. start for the  
25 Commission. The Commission would have a -- typically

1 have a business meeting, then they would end up having a  
2 public meeting, and that public meeting usually lasted  
3 until about 10 a.m. -- or 10 p.m., and then when they  
4 left they would make sure that the Commissioners all got  
5 to their hotels and so forth, and they would break down  
6 at about -- the completion would be about midnight or 1  
7 o'clock. So they would be there for twelve to thirteen  
8 hours at each site.

9 We won't have that with this -- our new, more of a  
10 COVID environment, or Zoom environment, but there will  
11 still be a significant amount of labor for these  
12 individuals.

13 So before I just keep jumping around, does anybody  
14 have any question about this part of the organizational  
15 chart?

16 CHAIR TOLEDO: Commissioner Fernandez.

17 COMMISSIONER FERNANDEZ: Yeah, just a quick  
18 question. On your translation coordinator, what about  
19 interpretation? I mean, is it -- I don't know if that's  
20 where it's going to sit, but if so can we maybe make it  
21 more of like a language access so it includes both?

22 MR. CLAYPOOL: It should be changed -- Alvaro just  
23 said it should be changed to a language access  
24 coordinator. It will be dual function.

25 CHAIR TOLEDO: Thank you.



1 MR. CLAYPOOL: Any other questions?

2 CHAIR TOLEDO: Commissioner Sinay.

3 COMMISSIONER SINAY: Just clarification. The field  
4 assistants are new, right? We had talked about the field  
5 lead people before, but we hadn't discussed the  
6 assistants. Is that correct, or am I still fuzzy today?

7 MR. CLAYPOOL: We had actually discussed all along  
8 the need for using students in some capacity, so it --  
9 the leads are the important part of this equation. The  
10 people in the student assistants are really just general  
11 labor. They are people to help just move things and set  
12 equipment up and so forth. All of those will be under  
13 personal services contracts. In the previous Commission  
14 we had, I think, about twenty-five to thirty of them,  
15 various stages. They get a -- then we had a 5,000-dollar  
16 limit; this time we'll have a 9,999-dollar limit. We  
17 bill them -- we pay them by the hour, and then when they  
18 get close to their ending point we go ahead and terminate  
19 their contract.

20 Also last time, and I would like to continue the  
21 tradition this time, we gave them a plaque -- not a  
22 plaque, but a little thing that they could frame that had  
23 all of your signatures on it that said thank you very  
24 much for helping the Commission. And last time, at least  
25 two-thirds of those people who worked for us used this

1 Commission as kind of a reference for getting into  
2 colleges as their community service work.

3       So you're also going to see the labor source up  
4 under data management as well.

5       CHAIR TOLEDO: Commissioner Fornaciari.

6       COMMISSIONER SINAY: Oh, wait.

7       CHAIR TOLEDO: Sinay and then Fornaciari.

8       COMMISSIONER SINAY: Sorry, I just -- so if the  
9 field staff assistants are student assistant, the way  
10 it's written right now it makes it look like there's  
11 three layers, and so we may want to clarify that we'll  
12 have field staff assistants that are students, and then  
13 we may have additional student assistants, but just to  
14 make that clear.

15       I also wanted, you know, and this is where I was  
16 kind of not on board about talking about what does our  
17 schedule look like moving forward and waiting until  
18 tomorrow, because I think there's a lot of questions that  
19 are going to keep coming up without actually addressing  
20 that, the elephant in the room. But when -- you know,  
21 when we know our schedule, then I think we can also -- we  
22 should put dates of when we're going to be rolling out  
23 these hires, because I don't -- we may not need them all  
24 right up front. We may need them in different waves. So  
25 I just want us to acknowledge that.

1 MR. CLAYPOOL: So in our budget, in the projected  
2 budget, they are brought on on waves. We know what  
3 months they're coming on. We know what months they're  
4 going off. So your budget right now reflects that. We  
5 can certainly give you more of an idea of how that's  
6 going to occur, what months. We could even put it into  
7 the flow chart. Your student assistants are going to  
8 be -- they're going to have about a six-month, now  
9 possibly eight-month duration. Those are layers,  
10 Commissioner Sinay.

11 Your field leads are AGPAs, those are associate  
12 government program analysts. Your field staff are staff  
13 service analysts. Those are hires. We'll bring the  
14 staff service analysts on for approximately ten months.  
15 We'll bring those field leads on for approximately one  
16 year. They will be responsible for wrapping up all of  
17 the material that they collected in all of their  
18 respective areas and making sure that it's ready to be  
19 transferred to the State archive.

20 CHAIR TOLEDO: Commissioner Fornaciari.

21 COMMISSIONER FORNACIARI: Yes. Just to be clear,  
22 Commissioner Sinay, yes, that layer is new, and those are  
23 employees. And so just to be clear, yes and yes.

24 CHAIR TOLEDO: Director Claypool, can you go over  
25 maybe high-level for the next two areas? And we also

1 have Commissioner Turner and then Commissioner  
2 Claypool -- or Director Claypool.

3 COMMISSIONER TURNER: Just real quick. I wondered  
4 was there any overlap in the student labor force that  
5 would be used at the bottom under the SSAs and the ones  
6 that will be used for data manager? Will they be one and  
7 the same, or any cross use there?

8 MR. CLAYPOOL: The ones that are below the actual  
9 field services, those will be coming out of the areas  
10 that those staff people are working in. So if we have a  
11 field lead and a field assistant that are working out of  
12 San Diego, we would assume that they would pick up their  
13 assistants out of that area, similarly Los Angeles,  
14 similarly the Central Valley, similarly up north.

15 It isn't inconceivable that they could cross over.  
16 They were just labeled here because they're different  
17 functions. I would say that when we move up to the data  
18 manager and that staff, those temporary labor student  
19 assistants have to have a different skill set. Now, that  
20 doesn't mean that the ones that are also helping with the  
21 meetings wouldn't have a skill set that allowed them to  
22 do a lot of computer work, a lot of scanning and so forth  
23 to put it into the Airtable, or whatever system the data  
24 management subcommittee decides to use.

25 But it is envisioned that they would have a

1 different skill set, and the ones up there, there are  
2 approximately twelve of them slated for those positions,  
3 and that, as you see, says "data input conversion", and  
4 below that it should say translation. It got lost as  
5 well. Another thing that needs to be fixed. But those  
6 individuals are going to be shifting the things over to  
7 the translation -- language access coordinator making  
8 sure it gets translated, put back into the data  
9 management tool so that we can see both the original and  
10 the translated copy, if that's what the data management  
11 team chooses to do, and then making sure that the  
12 language then gets input so that our data analyst can use  
13 the information to inform the Commission, that's that  
14 function there.

15 CHAIR TOLEDO: Commissioner Le Mons, then Sinay.

16 COMMISSIONER LE MONS: I had a question for  
17 Commissioner Fornaciari. In that clarification, I mean,  
18 is there an implication in that statement because, yeah,  
19 I'm trying to understand that.

20 COMMISSIONER FORNACIARI: No, there's no  
21 implication. I just wanted to provide clarity that that  
22 line -- Dan wasn't answering -- Dan answered a different  
23 question than Commissioner Sinay asked, so I just wanted  
24 to provide clarity, that's all.

25 COMMISSIONER LE MONS: Is it -- so did these things

1 go to the administration subcommittee and was reviewed?

2 I guess that's what I want to be clear on. It seemed to  
3 be that was to suggest that there's something there that  
4 we don't know about, or something that's just shown up,  
5 so that's what I want to make sure that's not -- I don't  
6 interpret that was the case, but I want to make sure that  
7 that's not what we're trying to say here.

8 So that goes back to even Commissioner Sinay's  
9 question, because it sounds as if there was, like, these  
10 are new positions or -- I just want to make sure that  
11 we're all on the same page so that we're clear about the  
12 hires and what we've agreed to and all of that stuff, and  
13 I feel like sometimes we ask questions and there's  
14 something behind it, and we should be really explicit.  
15 So that's what I'm hoping for here.

16 CHAIR TOLEDO: Commissioner Fernandez and then  
17 Fornaciari.

18 COMMISSIONER FERNANDEZ: And just in response to  
19 Commissioner Le Mons, Director Claypool did share the org  
20 chart with us, but that in no means says that  
21 Commissioner Fornaciari and I approve or agree with all  
22 of the positions, and that's why I'm asking it be brought  
23 forward because if you have any questions with any of the  
24 positions that are added -- and I will say for my part I  
25 was surprised that there were so many positions that were

1 going to be for field staff. I didn't realize that was  
2 the number when the outreach plan was given -- was shared  
3 with us. So they did share it with us. We're not saying  
4 we approved it, but that's why we're going through it.  
5 Does that help?

6 CHAIR TOLEDO: Commissioner Fornaciari, then Sinay.

7 COMMISSIONER FORNACIARI: Oh, I think Commissioner  
8 Fernandez covered it.

9 CHAIR TOLEDO: Commissioner Sinay.

10 COMMISSIONER SINAY: Thank you. To answer  
11 Commissioner Le Mons, it was just a surprise to me, you  
12 know, having worked closely with the outreach staff. I  
13 had only heard about field leads. I had not heard about  
14 the field staff assistants, and that's why I honestly was  
15 like, okay, did I miss something.

16 My only -- the only question I have for staff is  
17 when we discussed the field leads, you were clear that  
18 the salary wasn't high enough to hire the folks that you  
19 would like that were equivalent to what the census had in  
20 some of those areas, and now we're hiring a second  
21 person, which I'm guessing is going to be even less, you  
22 know, the salary is going to be even less, and so I'm  
23 wondering sometimes we hire more versus hiring better,  
24 and if -- do we need to hire -- I mean, how -- what was  
25 the thinking, now that we're increasing the budget for

1 staff not to just increase the salaries and bring in more  
2 student assistants, or something along the lines.  
3 Because I just know that when we spoke you all were like,  
4 we would love to get that type, but we don't have the  
5 salary for that.

6 CHAIR TOLEDO: Commissioner -- Director Hernandez,  
7 do you have a response?

8 MR. HERNANDEZ: Yes. Those two positions, the lead  
9 and the support staff, were both included in the outreach  
10 plan, so that was discussed.

11 The only thing that was different based on comments  
12 from the Commissioners is that we needed to have an  
13 additional south representation because there's so many  
14 people in the south, so we added an additional lead and  
15 support staff. But originally we've always had that lead  
16 and support staff in the different zones per se, north,  
17 central and south. We just added the additional south,  
18 call it south 1 or south 2, to reflect the need because  
19 of the -- such high population and such demand there.

20 CHAIR TOLEDO: Commissioner Le Mons.

21 COMMISSIONER LE MONS: I just wanted to say that's  
22 what I recollect is what Commissioner -- excuse me,  
23 Director Hernandez just said.

24 But I am concerned to hear that the subcommittee --  
25 I guess there's a procedural question because I know we



1 really as a matter of practice put it, the subcommittees,  
2 and by and large supported their recommendations. So I'm  
3 a little bit taken aback by something being put in front  
4 of us that the subcommittee -- I don't know if they're  
5 really on board with. As a matter of fact, I'm kind of  
6 hearing that they may not be. And so I would have  
7 expected the subcommittee to bring those concerns forward  
8 and not have it play out with just a document being put  
9 in front of the whole Commission and then the Commission  
10 kind of reacting to it.

11 And that's just, you know, sort of my interpretation  
12 of the expectations of the oversight that the various  
13 subcommittees are operating with in their respective  
14 categories.

15 So I'm still a little unclear as to where this  
16 subcommittee directly is coming from as it relates to  
17 these hires and org charts just being put in front of us,  
18 and do we have a formal -- I don't recall if we needed to  
19 vote on any changes like that, like if we feel there are  
20 substantial changes that we need to vote on, then we  
21 should do it so that we just don't move forward with  
22 confusion, or you know, not on -- at least understanding  
23 where we stand on the personnel of our team.

24 CHAIR TOLEDO: Commissioner Fernandez.

25 COMMISSIONER FERNANDEZ: Yes. In response to that,

1 the subcommittee doesn't have authority to approve  
2 additional positions, and this is what we saw as  
3 additional positions, and that's why it's being brought  
4 forward and being discussed whether or not we feel this  
5 is appropriate.

6       There was another -- I wanted to respond. And I  
7 guess another response or question that I have regarding  
8 the Commission as a whole is during meetings, like, one  
9 of us will make a comment. Like at one of the meetings  
10 somebody said -- one Commissioner said we need more  
11 positions to the south. So because one Commissioner says  
12 it is that automatically a given? I guess I just -- you  
13 know, I go back and forth when there's one or two people,  
14 they make recommendations and then sometimes they're  
15 taken, sometimes they're not taken.

16       So I guess I'm just trying to understand moving  
17 forward, isn't it something that then the Chair has to  
18 direct whether or not, you know, we're going to add more  
19 positions or earlier we took comments from Commissioner  
20 Le Mons and Turner in terms of what they want the  
21 language access subcommittee to do. I mean, that's fine.  
22 We can look into it. But I guess I'm just wondering  
23 what -- procedurally, there's fourteen of us, and we've  
24 got different opinions, and I guess I'm just kind of at a  
25 standstill. If someone says something, then it goes?

1 It's good? I guess I'm just kind of trying to understand  
2 how we move forward.

3 CHAIR TOLEDO: Commissioner Le Mons.

4 COMMISSIONER LE MONS: My thoughts were that -- not  
5 that the subcommittees have blanket authority, but in  
6 some cases we have given specific authority to  
7 subcommittees as appropriate.

8 My minimal expectation is that subcommittees are  
9 bringing forward recommendations. They're, to me, like  
10 the hawk eye on the situation. So it's not that we're  
11 saying you have to make a decision, but that you're the  
12 closest to the issue, and so you bring the issue forward  
13 to the broader Commission with any of your concerns and  
14 recommendations, whatever that is, whether you feel that  
15 you recommend that we have a vote on something, you  
16 recommend that something be considered. And if my  
17 request was taken as a directive, I want to clarify that  
18 because it wasn't intended to be. It was, as I  
19 understood it, as the language subcommittee was going to  
20 be evaluating some additional information that was  
21 received and coming back.

22 So I was inviting you to consider the agenda  
23 translations without having support in terms of  
24 interpretation in meetings, whether that was a good use  
25 of resources. It simply was that, an invitation. It

1 certainly wasn't a directive for you to do anything. But  
2 if we're asking that, we ask the Chair, because I could  
3 say, Chair, could you please ask the subcommittee to do  
4 that. I certainly am open to that as well.

5 But I do think that your point, Commissioner  
6 Fernandez, I do think that sometimes we operate different  
7 ways, so I think having some clarity on how we should  
8 really operate will make things, I think, run more  
9 smoothly.

10 CHAIR TOLEDO: Thank you. Any other comments on  
11 this issue?

12 Commissioner Sadhwani.

13 COMMISSIONER SADHWANI: You know, I so appreciate  
14 this conversation, and I think for me it gets to  
15 something that's kind of been on my mind for quite some  
16 time, and that is if we step back and take a bird's eye  
17 view, you know, we developed the subcommittee structure  
18 given the various constraints on our ability to work  
19 together, right. So we have so many subcommittees of two  
20 people because then we can operate between one meeting  
21 and the next to get things done.

22 However, I think what has begun to occur is that we  
23 have subcommittees that are overlapping in their  
24 responsibilities, and it's so very challenging for me to  
25 always see where does the responsibility of one end and

1 another begin. Language access has something to do with  
2 community outreach. Community outreach has staffing  
3 needs that has to do with finance and administration.

4 So I see, you know, there's so many overlaps, and  
5 I'm not suggesting that we have a full-blown conversation  
6 about this now, but I think we should start thinking  
7 about what are alternatives to that.

8 I -- from the experience of creating the legal  
9 affairs committee, there are definitely pros and cons to  
10 having larger committees. However, it does allow the  
11 opportunity for more than two Commissioners to  
12 collaborate in public, and whatever the committee comes  
13 up with ultimately still comes back to the full  
14 Commission for a final decision, right; the committees do  
15 not work autonomously.

16 So I'll just put that out there as something perhaps  
17 to think about as we continue to move forward, because I  
18 do see there's so many overlaps occurring, and perhaps  
19 that's something that could help ameliorate that  
20 happening.

21 CHAIR TOLEDO: Commissioner Kennedy.

22 COMMISSIONER KENNEDY: Thank you, Chair. I see us,  
23 you know, having a couple of ways to accomplish things.  
24 You know, subcommittees make recommendations to the full  
25 Commission. Staff can also make recommendations to the

1 full Commission. You know, ultimately whether we hire  
2 not just a particular individual, but a whole category of  
3 people, is going to be up to the Commission unless we  
4 fully delegate that authority to the executive director.

5 Now, we've spoken at times about, you know, trusting  
6 the executive director to know what staff is needed and  
7 bring and manage the staff that he feels necessary to the  
8 process. So you know, yes, there's some degree of  
9 fuzziness to all of this. I would say, looking at this  
10 chart, I take this as a recommendation for the full  
11 Commission's consideration, and then we decide what to do  
12 with it. I don't see it necessarily as a fait accompli.  
13 We just -- you know, this is put in front of us as the  
14 recommendation of the senior staff, and at some point we  
15 should probably take action on it. Thank you.

16 CHAIR TOLEDO: Commissioner Le Mons.

17 COMMISSIONER LE MONS: I think that's a fair  
18 interpretation. However, had Commissioner Fernandez not  
19 asked to walk through it, we wouldn't even be having this  
20 conversation, quite frankly. So I think that to your  
21 point, Commissioner Kennedy, and I'm of the personal  
22 opinion that we have entrusted the executive director to  
23 make his hiring decisions, and I'm good with it as it is  
24 personally. I really more raised the questions that I've  
25 raised based upon questions from fellow Commissioners who

1 seem to be in a different position on it. And again, I  
2 think my central point is being explicit.

3 And so for me, if I'm the subcommittee of -- the  
4 admin subcommittee and I see a chart and that's my  
5 purview and I have concerns about it, I think that that  
6 committee should bring those concerns. Any Commissioner  
7 should bring any concern, so I'm not saying it's just the  
8 subcommittee's responsibility, but I do see a greater  
9 responsibility on the subcommittee.

10 To use my hawk-eyed reference again is that you're  
11 really looking at this potentially at a different depth  
12 than maybe some of the rest of us are because we're  
13 looking at other things on whatever subcommittee we're  
14 on. So that's the only position that I'm coming from.

15 So I guess the question at this point is do we have  
16 a problem with the staffing plan or the chart that's put  
17 forward, and if so, why don't we highlight it and solve  
18 it, and if we don't, why don't we move on.

19 CHAIR TOLEDO: Commissioner Fernandez.

20 COMMISSIONER FERNANDEZ: Yes, in response to  
21 Commissioner Le Mons, that is specifically why I asked to  
22 go over the org chart, because I did have issues with it  
23 in terms of the positions; and you're right, if I hadn't  
24 said anything we wouldn't have gone through it, but  
25 that's why I asked to review it, so that we could go

1 through it and see how everybody else felt about the  
2 positions, so thank you.

3 CHAIR TOLEDO: Commissioner Fernandez, could you  
4 elaborate your concerns with the org chart?

5 COMMISSIONER FERNANDEZ: Oh, my concerns were I  
6 don't remember the outreach plan that -- Deputy Director  
7 Hernandez, I don't remember it being eight positions in  
8 terms of four AGPA -- associated government analysts and  
9 four staff services analysts. I thought it was just four  
10 total, not eight. So that's what my concern was, that it  
11 just seemed to be more, and actually the first one that  
12 he showed was three. And then someone mentioned wanting  
13 another one for south, but I don't remember agreeing, you  
14 know, that being brought forward and agreeing to that as  
15 a full Commission. And again, I could have missed it. I  
16 mean, it could happen, obviously. So yeah, that was my  
17 concern and the only other -- and I'm not sure the  
18 concerns with Commissioner Fornaciari, we had discussed  
19 the positions as well.

20 And my only other concern was -- not concern, but  
21 questions were the two RAs for the chief counsel, and  
22 after it was explained to me what they were for, it was  
23 more of if needed, if additional assistance in the legal  
24 area was needed they could hire a couple of retired  
25 annuitants which was similar, which was done at the last



1 Commission, so I was okay with that. They weren't going  
2 to be permanent positions. So that was mainly my  
3 concern.

4 CHAIR TOLEDO: Just a quick question to the  
5 committee. Do you have any recommendations for the org  
6 chart, or is it just raising the concerns?

7 COMMISSIONER FORNACIARI: I don't have any  
8 recommendations. You know, I just -- you know, it is  
9 different than it was before. I mean, I just am trusting  
10 in our -- in Deputy Executive Director Hernandez that he  
11 stopped at the requirements and needs the extra staff.

12 CHAIR TOLEDO: I believe Commissioner Sinay had her  
13 hand up, and then Commissioner Andersen.

14 COMMISSIONER SINAY: I have gone back to -- just to  
15 clarify for those who work with the budget, go back to  
16 the plan that was presented to us all, and it said, staff  
17 in north, central, and south. It never -- it just said  
18 "field staff", which could be plural or not plural. But  
19 it was presented in a way that it looked like it would  
20 just be three, and so that's where some of the confusion  
21 comes in. There wasn't the pulling -- separating out the  
22 lead and the assistant. And I would still -- I mean, I'm  
23 still concerned about quality versus quantity based on  
24 salaries and whatnot. But I trust -- I know that the  
25 team has really thought this through, and I want the team

1 to hear that, you know, the subcommittees and  
2 Commissioners are there to think it through as well as  
3 bring it forward.

4 So anyway, that's -- I can see where people heard  
5 it, and saw it in different ways is all I wanted to say.

6 CHAIR TOLEDO: So I'm trying -- I'd like to get to  
7 resolution soon. Commissioner Andersen.

8 VICE CHAIR ANDERSEN: Thank you. Yes, I have a  
9 procedural question. If we do this and we, okay, that's  
10 not clear, I don't quite understand, do we bring it up  
11 now, I mean, you know, how are we -- and who do we bring  
12 it to? You know, if it's more details are we supposed to  
13 try to work all this through right now, or do we say,  
14 well, wait a sec, you know, this section is missing, and  
15 then we go and work with, what, the subcommittee, the  
16 executive director? I'm sort of -- there's a procedural  
17 question in that and that's, I guess, first because then  
18 I have two areas I don't, like, why did this change and  
19 there's an area missing as I see it. So --

20 CHAIR TOLEDO: Commissioner Andersen, are you  
21 referring to the outreach org chart?

22 VICE CHAIR ANDERSEN: The chart, itself, there's  
23 actually -- there's a shift, and then there is some  
24 changes which occurred, and I'm wondering why. And  
25 there's an area that I think has not been flushed out and

1 needs to be put on, and it's obviously an area that  
2 hasn't really been flushed out, so it's not here. So  
3 that's a bit more, I can free it up and sort of say, hey,  
4 will it make sense. And who, you know, who would work  
5 through that, you know, procedurally? Is this -- this  
6 came from the executive director, so it goes to the  
7 executive director to work out and then back to the  
8 subcommittee, or to the subcommittee to work with the  
9 executive director. You know, it's a procedural thing,  
10 you know. What is the process on a chart like this?

11 CHAIR TOLEDO: Commissioner -- Director Claypool.

12 MR. CLAYPOOL: Lots of questions to answer. I'll  
13 start with, it's a draft. This was a reflection of me  
14 asking the staff to look at where we're headed and to  
15 give their idea of what they thought we would need.

16 With regard to the field staff assistant, that was  
17 added in because you can't have two different locations  
18 unless you have two people who are actually state  
19 employees at those locations. And so you couldn't send a  
20 student to a location to set it up for you. You would  
21 have to have at least a staff person to do that. So if  
22 this envisioned that you decided to have two different  
23 places where people might come in and give you public  
24 input, you would have two different people who could meet  
25 the qualifications to oversee those staff persons while

1 they were there.

2 All these people -- none of these people are hired.  
3 In fact, we're probably -- on the field leads, we're  
4 probably a month away from hiring them. On the  
5 assistants, even further out. They don't need to be  
6 hired if you suddenly decide that you don't want to have  
7 multiple locations.

8 On the actual salary structures, yes, Commissioner  
9 Sinay, we were worried about being able to pay people so  
10 that we would have a quality person. These two  
11 positions, AGPA and SSA, are significantly higher than  
12 the positions we paid at the last time to do the same  
13 functions, so we've already taken that into consideration  
14 to make sure that we can get a quality person into those  
15 positions.

16 And then finally, some of them, like the data  
17 manager, we simply put that in -- and the translation  
18 coordinator, because we knew that the Commission was  
19 talking about having a need for those positions, and so  
20 we put it so that you could take a look at it.

21 However, with the exception of the hires that are in  
22 blue, there's nothing written in stone here. It is just  
23 what staff envisioned their needs would be, and now we're  
24 looking to this Commission to give us what your vision  
25 is.

1 VICE CHAIR ANDERSEN: Sorry, can I continue?

2 CHAIR TOLEDO: Commissioner Andersen.

3 VICE CHAIR ANDERSEN: I didn't mean to go through  
4 those specifics of that job. Thank you, Dan. That was a  
5 little superfluous.

6 The two areas where I see this is the one question  
7 is the Communications Director Ceja, that should -- you  
8 know, as I understand you're kind of think, oh, it's  
9 outreach, but it's certainly not only outreach, and yet,  
10 he has been moved now from -- there's the executive  
11 director, deputy director, Chief Marshall, and the  
12 communication director, because obviously any  
13 communications, not just to deal with outreach. It has  
14 to deal with any announcements that come out of anything.  
15 So I was surprised that he has sort of been moved under  
16 the outreach, and I'd ask for that to be shifted back up.

17 And then what it is missing here, and I think is  
18 very important, is essentially, like -- it's not really a  
19 tech group, but it essentially is. We've kind of lost  
20 the line drawer and data subcommittees who would  
21 coordinate with our two consultants and the data manager  
22 in terms of getting the Commission directly involved.  
23 That sort of whole tree is not here, and that really  
24 needs to be flushed out because that is going to be vital  
25 for our communications in moving forward in the actual

1 line drawing process.

2       The pathway here is too circuitous. We will not  
3 have time for that. We need to be efficient and like a  
4 well-oiled machine by the time we get that data in our  
5 hands, the census data, and I think that area needs to be  
6 flushed out. And so that's what I'm wondering. Who  
7 would I bring that up with? Is that Dan, or you know,  
8 Neal and Alicia, or the other Commissioners? So if I  
9 could get a bit of direction on that. What do the people  
10 think?

11       CHAIR TOLEDO: What I'm thinking at this point, and  
12 Director Claypool, please, and committee, please, let me  
13 know if you agree, is that any feedback -- this is a  
14 draft org chart, and it sounds like Director Claypool and  
15 the staff are looking for feedback from the Commission.

16       So if Commissioners have a feedback on the org  
17 chart, to send that to Director Claypool who will work  
18 with the committee on updating and making recommendations  
19 dealing with some of these concerns and coming back to  
20 the Commission at the next meeting. Does that make --  
21 our next appropriate meeting.

22       Does that make sense as a process, Director Claypool  
23 and committee?

24       MR. CLAYPOOL: That makes sense, Chair. I just want  
25 to make one comment. When we put this together it was

1 more of a reporting structure. It wasn't that the --  
2 we're so small. Director Ceja knows he branches all the  
3 way across on this. It was just who reports to whom, who  
4 has responsibility to write the evaluation when it comes  
5 time for your yearly evaluations. That was what this was  
6 more intended to be, although the translation coordinator  
7 just kind of got added in there, but would be  
8 functionally under Ms. Kaplan.

9 But yes, we're looking for your suggestions. We  
10 have the line drawer up near the Commission because when  
11 I had it in a line and staff function originally I was  
12 told that the line drawer would report directly to the  
13 Commission, and I assume that would be the same  
14 relationship with the data analyst.

15 So there are many places that we need to tie  
16 together here, but I will be happy to take all of your  
17 suggestions and try to incorporate it into a --

18 CHAIR TOLEDO: I would also ask all of the  
19 committees to review the org chart in light of the work  
20 that they're doing and give feedback from that  
21 perspective as well so that they can figure -- any work  
22 that needs to get done that may not be incorporated or  
23 not incorporated the way that you have envisioned gets  
24 reviewed by the director of staff and the committee, the  
25 administration committee.

1 Commissioner Le Mons.

2 COMMISSIONER LE MONS: Thanks, Chair. I just wanted  
3 to suggest to Director Claypool that in the future maybe  
4 framing it up the way you want us to receive it will be  
5 important, because while the document is listed as a  
6 draft organizational chart in its naming, in your notes  
7 it says the final construct, so there is a contradiction  
8 there. And so I just want to bring that to your  
9 attention, and I think that creates some of the  
10 confusion, because the notes don't reflect what you just  
11 articulated and what you are expecting from us in  
12 presenting this org chart. So I just thank you for that.

13 CHAIR TOLEDO: Commissioner Akutagawa.

14 COMMISSIONER AKUTAGAWA: I don't know if this is  
15 necessary or unnecessary, but I know that some of the  
16 subcommittees are on the org chart, some of them are not,  
17 and just given the interconnectedness of them, I hate to  
18 say this, I think they should all be placed on this org  
19 chart in some form so that then we can also ensure that  
20 that interconnection is also reflected, especially in  
21 light of the comments around the line drawer.

22 And since I have the floor, I'm just going to make a  
23 comment that the data analyst should probably be  
24 reporting to the data manager because they're going to be  
25 working together.



1           And I'm also curious, and I think this is what  
2 Commissioner Andersen was also getting to, is what's the  
3 role between the data analyst, the data manager, but also  
4 the IT manager. I know that the IT manager is for the  
5 whole entire system, but is there going to be any kind of  
6 dotted line relationship to each other?

7           And last comment I'll make is I know that, Director  
8 Claypool, you were just reflecting, I guess -- I think I  
9 heard you say reporting structures or how, where the  
10 performance review is going to be done. I think for the  
11 sake of clarity also in terms of positionality, I think  
12 that that should also be reflected. I'm not sure if  
13 Director Ceja and Chief Counsel Marshall are at the same  
14 level. I can't remember what we as a Commission were  
15 envisioning, but I think all of the managers should be  
16 also on a separate level, because right now it looks  
17 like, you know, Ms. Kaplan and Mr. Ceja are at the same  
18 level, which technically speaking they are not.

19           CHAIR TOLEDO: Thank you. This is great feedback,  
20 and please, any of the other subcommittees have feedback,  
21 please direct it to Director Claypool.

22           With that, can you, Director Claypool, can you  
23 quickly go through the other two areas, just very high  
24 level, because I think we've heard quite a bit of  
25 feedback on the org chart.

1 MR. CLAYPOOL: In the administration category  
2 nothing has changed. It's the same that were there when  
3 I originally constructed it then pared it back down.  
4 Those positions have yet to be filled. We have job  
5 descriptions out and we're actively advertising for it,  
6 but we're leery that we want to make sure that those  
7 positions are well-chosen because they're very  
8 specialized.

9 Finally, with our legal team, you see the litigation  
10 counsel and the Voting Rights Act counsel are going to be  
11 working with our chief counsel. The two attorneys to be  
12 determined in our -- in the 2010 Commission we had RAs  
13 that came in. Ms. Marshall works very hard. She needs  
14 somebody that can spell her so that she can actually take  
15 a day off every once in a while or do things with her  
16 kids. We need backup, and that's what those positions  
17 are intended to do, to make sure that we always have  
18 competent counsel, and we also have Ms. Johnston above,  
19 but Marian is an RA as well. These are RAs and they come  
20 with limited amount of hours, 960. So you can burn  
21 through them fairly quickly. So that's why our chief  
22 counsel asked if they be added to the chart so that could  
23 fill them as it was determined that we need.

24 CHAIR TOLEDO: Perfect. Just a quick question for  
25 the committee, for the administration committee. Have

1 you guys reviewed these two aspects of the org chart  
2 already, and do you have any concerns or recommendations  
3 on the legal and the business aspect of the org chart?

4 COMMISSIONER FERNANDEZ: I don't think we had  
5 concerns on those two areas. As Director Claypool  
6 mentioned, the admin part we had already approved a while  
7 ago, and then once the two attorney RAs for reporting to  
8 chief counsel, once that was explained, we felt  
9 comfortable with that.

10 CHAIR TOLEDO: Appreciate it. Commissioner  
11 Sadhwani.

12 COMMISSIONER SADHWANI: Yes. I think similar to the  
13 line drawer, the full Commission will be hiring  
14 litigation counsel, Voting Rights Act counsel. We will  
15 be sending millions of dollars of our budget towards  
16 these two components. My only request would be that they  
17 don't appear -- certainly, Chief Counsel Marshall will be  
18 their main point of contact, however, perhaps they  
19 appear, you know, adjacent to her in some way. As of  
20 right now they're almost down at the level of the field  
21 staff, which just seems like an awkward placement to me.  
22 I know that we had had the same conversation when we  
23 discussed the line drawer some time ago, so these --  
24 yeah, I would move them, given the opportunity.

25 CHAIR TOLEDO: Okay. If there are any other

1 comments, and if there is none, then we'll go into a  
2 break and come back with the chief counsel's report,  
3 unless there's any other comments, so any other comments?  
4 Okay. With that, we'll have a fifteen-minute break. We  
5 come back at 11:22.

6 (Whereupon, a recess was held from 11:07 a.m.  
7 until 11:22 a.m.)

8 CHAIR TOLEDO: Thank you. So next on the agenda we  
9 have the chief counsel's report.

10 MS. MARSHALL: Good morning, everyone. Actually I  
11 don't have anything to report today. I merely have a  
12 request.

13 Commissioner Toledo, you mentioned earlier this  
14 morning that we were going to have a closed session at 3.  
15 Is there any way we can get that started immediately  
16 after lunch or around 2 p.m. today?

17 CHAIR TOLEDO: That may be possible, depending on  
18 how far we -- that may be possible. Let me take a look  
19 at the agenda, and then -- because I do know that there's  
20 some time constraints as well -- some conflicts.

21 MS. MARSHALL: If not, you know, for tomorrow then.  
22 You said 3 o'clock, but you don't know what the time is  
23 going to be or have enough time. I'm not sure even if we  
24 commence at 3, or I'm just saying can we make time  
25 available for tomorrow also?

1 CHAIR TOLEDO: Oh, for tomorrow. We'll take it into  
2 consideration. I am planning to have this be -- mostly  
3 to have this be the Commissioners, so -- in the closed  
4 sessions.

5 MS. MARSHALL: All right. Sounds good.

6 CHAIR TOLEDO: I'll keep that in mind as we get the  
7 agenda moving forward. Thank you.

8 MS. MARSHALL: All right. Thanks.

9 CHAIR TOLEDO: Any questions on the chief counsel's  
10 report? Hearing none, let's move to the communications  
11 director's report.

12 MR. CEJA: Thank you so much, Mr. Chair. Good  
13 morning, everyone.

14 I wanted to start off by saying that we're putting  
15 the final touches on the PowerPoint presentation, the  
16 Redistricting Basics, so once we finalize that we'll be  
17 able to move over to the video version of it so that we  
18 can send that out to community folks around the state.  
19 So I'm working with the subcommittee to put together the  
20 script for that as well, so we'll have handy that  
21 shortly.

22 As far as the website is concerned, we did meet with  
23 Commissioner Turner and Commissioner Ahmad. As far as  
24 what the requirements will be for us to put forms on the  
25 website, NationBuilder does use a template platform, but

1 it does allow you to change codes, so you can add widgets  
2 other sort of forms in there, so I think we're going to  
3 move forward. I just need a thumbs up if we're able to  
4 launch the website. If so I'll go ahead and do it after  
5 the Commission meeting tomorrow. It will give me a  
6 chance to redirect the CA.gov to our website. So anytime  
7 someone visits the CA.gov it will go directly to the new  
8 .org website. So I've been working to update most  
9 documents on there so that they're live on our website  
10 and they're not feeding back to the CA.gov, which is  
11 initially how I had it set up. So that should be ready  
12 to go.

13 As far as morning news reports, Cecilia is working  
14 on putting together a report every morning to send you  
15 out regarding redistricting, any time some of the  
16 Commissioners are mentioned in the news, so you'll be  
17 getting that report every morning, so you are kept  
18 abreast of what is going on, even the census, because I  
19 know there's a lot of action on census right now.

20 Business cards. We did have a design that won; it  
21 was actually C. So thank you for those that voted. I  
22 will email you all the winning design. I won't take the  
23 time to do it now.

24 And I'll be working with the outreach/collateral  
25 material subcommittee to network on the content, so what

1 is actually going to go on the business card, and then  
2 send it off to the print house, so I'll get some quotes  
3 on that.

4 And I just wanted to mention that we had one of our  
5 stories hit this weekend from the Bay Area Reporter, and  
6 featured Commissioners Turner, Le Mons, and Kennedy. I  
7 love listening in on these interviews. I get to learn so  
8 much from each and every one of you, and if you haven't  
9 been interviewed yet, don't worry. I will start reaching  
10 out this week to news reporters all around the state and  
11 have similar stories for each and every one of you.

12 CHAIR TOLEDO: Does that conclude your report,  
13 Director Ceja?

14 MR. CEJA: Yes.

15 CHAIR TOLEDO: Any questions from the Commission?  
16 Commissioner Yee, then Ahmad.

17 COMMISSIONER YEE: Yes. Thank you, Director Ceja.  
18 Wondering about the content on the old site. So  
19 specifically transcripts from the 2010 Commission, which  
20 I continue to use, and perhaps others, too.

21 Also there's quite a bit of literature out in the  
22 world now that has references to those transcripts in  
23 their footnotes, and so forth, so I was just wondering if  
24 that is staying intact. If it bounces to the new site,  
25 then how do we get to that old content?

1 Another question, Redistricting Basics PowerPoint  
2 and the video, I think we were discussing this morning  
3 translation, and maybe you can update us on what the  
4 plans are for that. Thank you.

5 CHAIR TOLEDO: Director Ceja.

6 MR. CEJA: Okay, thank you. So as far as the last  
7 conversation we had about the website and the 2010  
8 content, it was my understanding that we were going to  
9 keep it in storage somewhere. I actually have the files  
10 in an external drive, but they wouldn't be available to  
11 the public. So either we keep the 2010 or .CA.gov  
12 website up and active with the 2010 content and start  
13 with our .org to feature all 2020 content, but again,  
14 that's going to incur additional cost to the tune of 500  
15 dollars for the .CA.gov website to remain active, plus  
16 what we're spending on hosting the NationBuilder website.

17 And as far as -- what was your second question? I'm  
18 sorry.

19 COMMISSIONER YEE: Translation of the Redistricting  
20 Basics video and PowerPoint.

21 MR. CEJA: So the subcommittee on translation  
22 actually recommended that we translate that particular  
23 video into the twelve languages, and we'll be able to do  
24 that through subtitles or if we can find another creative  
25 way to do it, we will do so but that is one of the



1 materials that we want translated.

2 CHAIR TOLEDO: Commissioner Ahmad.

3 COMMISSIONER AHMAD: Thank you. I just had a quick  
4 question on the business cards. I saw the email come  
5 through. My first gut reaction was, I'm not taking  
6 business cards from anyone during COVID, so what are your  
7 recommendations in terms of our fiscal and staff  
8 investment in that specific venture moving forward,  
9 considering we're all remote for who knows how much  
10 longer?

11 CHAIR TOLEDO: Director Ceja.

12 MR. CEJA: That is a great point. I didn't even  
13 think about that, the whole COVID atmosphere that we're  
14 in right now.

15 I will leave that up to the Commissioners to decide.  
16 We are prepared to go forward with printing, but if you  
17 don't think it's necessary because of the pandemic that  
18 we're in, we can stick to our signatures that has all our  
19 information and email, which has been our primary form of  
20 communication so far.

21 CHAIR TOLEDO: Director Claypool.

22 MR. CLAYPOOL: Commissioner Ahmad, on the business  
23 cards, you're going to be a Commissioner for ten years,  
24 all of you, and hopefully COVID won't last ten years,  
25 although we have no assurances at this point. So I would

1 suggest that you will want them at some point, and it is  
2 really a minimal cost that both in the design and in the  
3 printing.

4 And then with regard to the last Commission's  
5 website, I have a recollection that the State Auditor  
6 froze that website at different times so that we could  
7 make sure that we were capturing certain data, because we  
8 didn't know whether or not the waybackmachine would be  
9 there in 2030 the way it was there for us in 2020.

10 So I'm going to send a letter, or an email actually,  
11 to the chief counsel and ask when the last time we froze  
12 it was, because my recollection was we froze it when you  
13 were selected. Because it was a significant date, we  
14 wanted that database. So hopefully, it's still intact,  
15 and if it is, we can recover it and then we can decide  
16 whether you want to make the additional expense of  
17 hosting it.

18 CHAIR TOLEDO: Director Ceja.

19 MR. CEJA: If that's the case, then, if you all are  
20 comfortable with my recommendation, I'm going to  
21 recommend that we go live with the .org site after the  
22 Commission meeting tomorrow, and then leave the .CA.gov  
23 website as is. I will not redirect until you all decide  
24 what you want to do with that website.

25 CHAIR TOLEDO: Commissioner Andersen.

1 VICE CHAIR ANDERSEN: I have a question on -- so if  
2 people right now go to the .gov, is it just then there's  
3 a link on that says, go to the current website? Or  
4 what -- I missed exactly, you know, exactly what's going  
5 to happen. Someone types in the old website, because  
6 that's the one that know. What happens?

7 MR. CEJA: So if we were to do a redirect, they  
8 would get redirected when they punch in .CA.gov to the  
9 .org website, but I'm getting the idea that we're not  
10 ready to do that yet, so we'll hold up on doing that  
11 until we figure out what we do with the .gov website, in  
12 which case we can add a disclaimer on the .gov website  
13 saying, for the 2020 content, visit  
14 WeDrawTheLines.ca.org.

15 VICE CHAIR ANDERSEN: So there would be a big -- the  
16 first place you go to, this is the 2010, for new stuff  
17 for 2020 just please click here, and then you would go  
18 over.

19 MR. CEJA: Right. Raul and --

20 VICE CHAIR ANDERSEN: That's what I -- I would like  
21 to make a motion on that, if necessary. Any takers?

22 CHAIR TOLEDO: Commissioner Yee, you had your hand  
23 up earlier.

24 COMMISSIONER YEE: Yeah. I'm just thinking that's a  
25 great idea. I was thinking, yeah, have a button that

1 someone sees on the .gov site that they can choose to  
2 redirect to the .org site. I don't think we need a  
3 motion, right.

4 CHAIR TOLEDO: Commissioner Turner.

5 COMMISSIONER TURNER: Yeah. I'm still hopeful that  
6 there's a way that we can have a redirect to the new site  
7 and another method whereby we can refer people to any  
8 older information that they want. As I understand it,  
9 everything from since the time we were selected can be  
10 put onto the new site, and I'm hopeful that there will be  
11 some kind of button that we can click and refer people  
12 back to how to get the older information.

13 VICE CHAIR ANDERSEN: That's a good idea. I'm  
14 sorry, I'm still on. I totally support Commissioner  
15 Turner's idea, do an automatic and then a large button,  
16 for anything about the 2010, please click here to go  
17 back. That makes a lot more sense. Thank you,  
18 Commissioner Turner.

19 CHAIR TOLEDO: Director Ceja, just a quick question.  
20 Which committee are you working with to launch the  
21 website and to deal with these issues? Is it  
22 cybersecurity, outreach?

23 MR. CEJA: It is an ad hoc website committee that we  
24 developed. It's Commissioner Kennedy and Taylor. And  
25 then for the -- for the content management it was

1 Commissioner Turner and Ahmad. And there was one other  
2 team, oh, it was yourself and Commissioner Taylor as  
3 chairs that I was in communication with about launching  
4 the website.

5 CHAIR TOLEDO: Thank you.

6 MR. CEJA: Yeah.

7 CHAIR TOLEDO: Do we have any recommendations or  
8 concerns from any of those committees? Commissioner  
9 Kennedy.

10 COMMISSIONER KENNEDY: Thank you, Chair. I'll say  
11 that I am strongly in favor of maintaining the 2010 site  
12 as it was frozen end of June or beginning of July last  
13 year before we came into being. We may need to do a  
14 secondary landing page so that if someone goes to the  
15 .org site and chooses to go back to the 2010 website,  
16 they don't get stuck in a loop going around and around.  
17 We need a new secondary landing page for the .gov site  
18 that doesn't redirect to the .org site but instead, gives  
19 them full access to the .gov site. And I'm prepared to  
20 make a motion or second a motion in that sense. Thank  
21 you.

22 CHAIR TOLEDO: Is there a second, or do we even need  
23 a second? Do we even need a motion? Do we all agree on  
24 this? Can we take a straw poll? I think we're okay  
25 moving forward in this direction. I don't see any

1 dissent. Commissioner Kennedy.

2 COMMISSIONER KENNEDY: Yes. My only reason for  
3 proposing a motion in this regard is that it does involve  
4 an ongoing expenditure, so I think it would be good for  
5 us to be on the record on this.

6 CHAIR TOLEDO: Do we have a second? Commissioner Le  
7 Mons.

8 COMMISSIONER LE MONS: I second.

9 CHAIR TOLEDO: Thank you. Chief counsel.

10 MS. MARSHALL: Could you clarify the motion, please?

11 COMMISSIONER KENNEDY: Yes. The motion is to  
12 maintain the .CA.gov website as it was frozen immediately  
13 before the 2020 Commission took office and to establish  
14 appropriate links between the two websites, the .org  
15 website and the .CA.gov website so that people have full  
16 access to either set of information without getting stuck  
17 in any sort of loop.

18 MS. MARSHALL: Would it be fair to say that the  
19 motion is to -- because it was very lengthy -- the motion  
20 is to maintain the 2010 website via link from the 2020  
21 Commission website? Okay, thanks.

22 CHAIR TOLEDO: Any discussion?

23 Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: I think, just so everybody  
25 is aware in terms of that cost, Commissioner Kennedy, I

1 think it was -- was it 500 dollars a month to keep that?  
2 So I just want to make sure that everybody is aware of  
3 the cost before we vote on it.

4 CHAIR TOLEDO: Thank you, Commissioner Fernandez.  
5 Commissioner Turner.

6 COMMISSIONER TURNER: The 500 dollars a month, that  
7 is until the conclusion of our business, until we post  
8 the maps? Or for how long?

9 CHAIR TOLEDO: Commissioner Fernandez.

10 COMMISSIONER FERNANDEZ: So to keep the old, the  
11 2010, it'll be 500 dollars until it's up. At some point  
12 in time if they decide to no longer keep it, then that  
13 500 dollars would go away. So it'll be past the maps. I  
14 don't think -- I think the recommendation right now is to  
15 keep it -- I don't want to say indefinitely, but probably  
16 longer than the maps.

17 CHAIR TOLEDO: Commissioner Le Mons.

18 COMMISSIONER LE MONS: There isn't another mechanism  
19 within the current site to embed the data from 2010 in an  
20 archival section of our own site and just keep the URL,  
21 which the URL would not cost 500 dollars a month. It  
22 sounds like we're talking about hosting it somewhere else  
23 or paying for some hosting separate and apart. I think  
24 that we should look into that, because that could end  
25 up -- I mean it doesn't sound like a lot, 500 dollars a

1 month, but that's 6,000 dollars a year for, I don't know,  
2 when do we freeze it? When do we freeze our own?

3 So I think I want to -- I want to withdraw my  
4 second.

5 CHAIR TOLEDO: Commissioner Turner.

6 COMMISSIONER TURNER: Yes. And I think that we  
7 -- I'm wondering if we could not just advertise from the  
8 beginning, put something in the link that this  
9 arrangement will be maintained for a year, and then at  
10 that time transition it all just to the, you know, so the  
11 experience is someone that puts in the .gov or .org goes  
12 to the new site. And after that time period we're not  
13 still trying to, you know, refer back and host both.

14 I think it all can be placed on to the new site.  
15 Yeah, I think that's what we've talked about already.  
16 I'm just trying to look for a way where we're not paying  
17 indefinitely, or for ten years, or what have you, and I  
18 think -- I'm wondering if we can communicate it up front  
19 so that the expectation is there that after a year's time  
20 period that we no longer have to host both.

21 CHAIR TOLEDO: Thank you, Commissioner Turner.

22 Director Ceja.

23 MR. CEJA: I do think -- so there are two options,  
24 right. The first one is to have the two separate sites  
25 coexisting and linking to each other so people can visit



1 2010 content and 2020 content. The other option is to  
2 have the 2010 content embedded to our .org website and  
3 then do a redirect like you mentioned, Commissioner Le  
4 Mons. Anytime anyone goes to .CA.gov a redirect, and the  
5 cost is minimal. It's not 500 dollars a month.

6 And then the other conversation was that we were  
7 going to check in with the Secretary of State to see if  
8 they could pick up the cost as an historical archive of  
9 the work that both Commissions are doing.

10 CHAIR TOLEDO: Thank you. We still have a motion on  
11 the table. Do we have a second, or -- Commissioner Le  
12 Mons.

13 COMMISSIONER LE MONS: I'll bring back my second. I  
14 think -- I've thought about what Commissioner Kennedy --  
15 what his motion was, and I think this conversation really  
16 doesn't change the content of the motion. So I could get  
17 behind the motion. I think we're just trying to solve  
18 the how at this point, but we certainly should keep  
19 2010's information and not have the public be caught in a  
20 perpetual loop. So I can stand behind that.

21 CHAIR TOLEDO: Appreciate that.

22 Commissioner Kennedy.

23 COMMISSIONER KENNEDY: Thank you, Chair, and thank  
24 you, Commissioner Le Mons and Commissioner Turner. I  
25 think we've come to a good meeting of the minds. If we

1 keep both active for the next year, we use that time to  
2 move content from the .CA.gov site to the .org site so  
3 that by the end of that one-year period a simple  
4 inexpensive redirect from the .CA.gov address takes  
5 people to a comprehensive .org site, I think we will have  
6 resolved most, if not all, of our concerns. Thank you.

7 CHAIR TOLEDO: Commissioner Akutagawa.

8 COMMISSIONER AKUTAGAWA: I think just for clarity  
9 and just to make sure that we're on the same page on  
10 this, I would also recommend, if it wasn't clear, that on  
11 the 2010 site that we should say that the new website is  
12 and the .org web address, and also that this site will  
13 remain as is for one year, but at that point it's going  
14 to be transitioning, you know, fully to the new site, so  
15 that people can get used to utilizing the other site, and  
16 so that way, you know, we're also clear on the usage of  
17 the new site.

18 CHAIR TOLEDO: Commissioner Andersen.

19 VICE CHAIR ANDERSEN: I think that was -- well,  
20 okay, two things. One, I'd like to go two years because  
21 I believe the time when many people are actually looking  
22 for it is as it's getting down to how the maps were drawn  
23 last time, and they're going to be trying to look at  
24 stuff of what happened in 2010. So that would be at the  
25 end of our -- as we're getting close to the end of the

1 map drawing.

2           So the only thing I believe, though, what  
3 Commissioner -- what Director Ceja said is and what the  
4 motion is is that we're going to try to transfer this all  
5 over so it's always accessible.

6           I would just say don't put a one-year limit on it.  
7 Put it at least until we -- like, say, until the June,  
8 2022 or whenever it's completed. I wouldn't shut it down  
9 in one year in case it hasn't quite worked, and I think  
10 when most people would be trying to look at how was it  
11 actually done is when we were actually doing the details  
12 of the map drawing, which will be a little after a year  
13 because it's -- well, our deadline could be a year, like,  
14 from yesterday. So just a question about that.

15           Anyway, rather than say a year if it's for a set --  
16 don't cut it off, oh, we didn't quite make it in twelve  
17 months, we made it to thirteen or something. Just a  
18 slight modification.

19           CHAIR TOLEDO: Ms. Johnston.

20           MS. JOHNSTON: May I suggest that that be until all  
21 litigation regarding the 2020 maps are completed, because  
22 when those are being litigated, and if those are  
23 litigated, I'm sure there will be a need to reference  
24 back to the earlier.

25           CHAIR TOLEDO: Commissioner Akutagawa.

1           COMMISSIONER AKUTAGAWA: Just for clarification,  
2 though, we are saying that all of the documents from the  
3 2010 site is being moved over to the 2020 site, so it's  
4 not that none of it is going to be available, it's just  
5 that where it's going to be available is what's changing,  
6 so I mean, I'm fine with either way, whether it be a year  
7 or two years, but I am thinking that if we inform  
8 everybody, you know, give them a year, inform everybody  
9 that all of the documents are also now available on the  
10 new site. That way it's at least contained in one place.  
11 That may be okay or good enough.

12           CHAIR TOLEDO: Commissioner Kennedy.

13           COMMISSIONER KENNEDY: Thank you, Chair. And we can  
14 reconsider. If we get nine months from now and need to  
15 extend our one-year time frame on this, we can take that  
16 up at that point.

17           CHAIR TOLEDO: Commissioner Yee.

18           COMMISSIONER KENNEDY: I look at it as kind of like  
19 a -- I look at it as kind of like a mail forwarding  
20 order. Those are good for one year. Thank you.

21           CHAIR TOLEDO: Commissioner Yee.

22           COMMISSIONER YEE: Yeah. I think, just to clarify,  
23 there's two issues here. One is documents from the --  
24 for instance, transcripts from the 2010 effort, can they  
25 be found anywhere on line relatively easy by anyone.

1 But the other issue is can they be found in the  
2 place that -- the places that have made their way into  
3 articles, books, reports, you know, that are out there  
4 that reference, you know, see the transcript for March  
5 17, 2011 at this website, it gives a URL that points to  
6 the old, you know, the .gov website and the exact place.  
7 You know, if and when we do kill that website or just  
8 redirect it, all those links will die, you know. So at  
9 that point somebody trying to find the material will have  
10 to recreate that path to those documents. Now, it sounds  
11 like we're going to have to do that at some point, but I  
12 like the idea of waiting until at least the litigation  
13 for our maps is done so that all those old articles, and  
14 books, and reports will still have live links in them.

15 CHAIR TOLEDO: Thank you. Any other comments from  
16 the Commission?

17 Director Claypool.

18 MR. CLAYPOOL: Just to be clear, so we have added --  
19 so right now what I have on the vote is the motion is  
20 maintain the 2010 .gov website as it was at the 2020  
21 Commissioner selection and restoring the links for one  
22 year. Is that -- we're adding one year to that? Okay.

23 CHAIR TOLEDO: Is that correct, Commissioner  
24 Kennedy?

25 (No audible response).

1 CHAIR TOLEDO: Commissioner Le Mons.

2 COMMISSIONER LE MONS: I have a question about the  
3 links. Do the links work? Has the previous Commission  
4 maintained it in a way that these hotlinks can be still  
5 accessed from these source documents you're referring to?

6 This is getting a little deeper to me in terms of  
7 ensuring whether or not hotlinks work that's in an  
8 article somewhere that we don't know about. I think  
9 that's a huge responsibility to take on, so that might  
10 dictate how we transition, or if we transition it, or let  
11 it sit where it sits. It sounds like a little research  
12 might need to be done on that part of it. I am concerned  
13 about that specificity.

14 CHAIR TOLEDO: Any other comments from the  
15 Commission?

16 Commissioner Sadhwani.

17 COMMISSIONER SADHWANI: My only concern is, is it  
18 possible for us to move forward opening our new site  
19 while we still figure out all of the components of the  
20 2010 site?

21 I share the concern of archiving all of that data  
22 and information, but at the same time, we continue to  
23 operate on a very antiquated site. So if it's feasible  
24 to move forward with the launch of this new site while we  
25 do the needed research on the 2010, I would very much be

1 in favor of such a solution.

2 CHAIR TOLEDO: Thank you.

3 Commissioner Turner.

4 COMMISSIONER TURNER: Thank you. The question I  
5 had, and I guess for Director Ceja, is that the links,  
6 the question of the links, is it twofold? Because what  
7 I'm looking for is we know the link will work from the  
8 .gov to the .org, and then the current links that's on  
9 the .org either already work or don't work. They're  
10 already connected or not, and so we will need to research  
11 that. But by connecting or redirecting to the new link  
12 it doesn't make any new problems; it just is a way of  
13 connecting whatever is there to the new .gov site. And  
14 so I just wanted to name that, and you correct me if  
15 that's wrong. And then beyond that, we can then work to  
16 fix anything that's not already working, but it's a  
17 different issue.

18 CHAIR TOLEDO: Director Ceja.

19 MR. CEJA: Yes. So thank you for that question. So  
20 what I mentioned earlier about bringing in documents from  
21 the 2010 site, so say, for instance, our meetings, when  
22 we post our agendas and documents that pertain to each  
23 meeting, I've had to download each document, upload it on  
24 the new site, so now they live on the side. They're no  
25 longer living on the .gov site. I've done that for

1 several documents and I'll continue to do that for all  
2 the meetings in 2020, so that they live on our site, not  
3 on the old one, or they'll live on both actually until it  
4 gets wiped.

5 CHAIR TOLEDO: We have Commissioner Sinay and then  
6 Commissioner Le Mons.

7 Commissioner Le Mons.

8 COMMISSIONER LE MONS: I guess I need a little bit  
9 of clarity. I think based on what Commissioner Turner  
10 just said, you're correct with a simple redirect.  
11 However, that's maintaining the hosting of the other site  
12 as is, which is one of things that we were talking about.  
13 So it's whether we're hosting that site separately and it  
14 lives on its own, and it's just linked somewhere, like  
15 linked to us, right, as opposed to importing the  
16 documents from the old site into our site. And so the  
17 issue I was raising is there is a strong possibility that  
18 in that import that those links that Commissioner Yee are  
19 referring to, which if I understand correctly, meaning  
20 that there has been a link put in a article or  
21 publication somewhere that takes it right back to that  
22 very specific document or piece of information, there's a  
23 good chance that those links could get broken.

24 And so that's what I was concerned about us taking  
25 on the responsibility of ensuring that we don't know



1 where all these links are, first of all. So I just think  
2 that that might be a tall order to make ourselves  
3 responsible for that. It may just have to be archived  
4 information that people will have to dig through and  
5 find. So that's the piece that I was asking them to  
6 really research, because that's biting off quite a bit.  
7 We'll have enough making sure that people can get to our  
8 data, let alone 2010's data.

9 CHAIR TOLEDO: Thank you.

10 Commissioner Sinay and then Commissioner Kennedy.

11 COMMISSIONER SINAY: Sorry, I keep thinking do I  
12 want to interject or not. But you know, every year I had  
13 to update my syllabus for my students, and there was live  
14 links in there, and I had to check the live links, and  
15 fifty percent usually were no longer live links. So you  
16 just do a Google search on the name and you find it  
17 again. And I always taught my -- you know, I would have  
18 a student who would say, your link didn't work, and I  
19 said, well, you have the name, do a Google search. I  
20 really -- I think a good researcher will do that and I  
21 don't think we, as Commissioner Le Mons said, can take  
22 that full responsibility. Things change all the time in  
23 academia and stuff, and it's not that hard to do a Google  
24 search and find the new place where the document is.

25 And most of those -- a lot of those documents are in

1 multiple places already.

2 CHAIR TOLEDO: Commissioner Kennedy.

3 COMMISSIONER KENNEDY: Thank you, Chair, and thank  
4 you, Commissioner Sinay for that firsthand experience.  
5 That is useful to us. I do think that this is yet  
6 another reason that we need to ask Director Ceja to  
7 liaise with the Archives Division of the Office of the  
8 Secretary of State and get some additional guidance from  
9 them. I think they are the subject matter experts in  
10 archiving, and we should touch base with them and get  
11 some input from them. Thank you.

12 CHAIR TOLEDO: Any other comment before we go to  
13 public comment on the matter?

14 Commissioner Andersen.

15 VICE CHAIR ANDERSEN: At this point, can -- we sort  
16 of have an understanding. Do we need to vote, because  
17 we're putting it on -- we're actually just asking  
18 Commissioner (sic) Ceja to reinvestigate this? We're  
19 switching over. We're going to go with our newest  
20 website and keep things as is for right now, so -- and we  
21 don't really -- I think we need a bit more information  
22 because then this might all be a moot point. So can  
23 we -- do we need the full vote, but then that would have  
24 to -- the motion would have to be withdrawn?

25 CHAIR TOLEDO: Yeah, we have a motion and a second,

1 so --

2 Commissioner Kennedy.

3 COMMISSIONER KENNEDY: I'm willing to withdraw the  
4 motion as long as Director Ceja proceeds with liaising  
5 with the Archives Division and comes back to us with  
6 recommendation which could also involve Commissioner  
7 Taylor and me as the ad hoc website committee working  
8 with Director Ceja, but you know, we do need to resolve  
9 this. We don't have to resolve it today, but let's make  
10 sure and resolve it on the basis of the best information  
11 that we can get our hands on. So yes, I'm willing to  
12 withdraw the motion.

13 CHAIR TOLEDO: Commissioner Le Mons, did you have  
14 your hand up a couple of seconds ago? No, okay.

15 Commissioner Turner.

16 COMMISSIONER TURNER: Yeah. And if we're not going  
17 to resolve or have ability to resolve today, I'd like for  
18 us to at least allow Director Ceja to go live with the  
19 new website at the conclusion of this meeting.

20 CHAIR TOLEDO: It looks like -- I'm hearing a lot of  
21 nods -- I'm seeing a lot of nods in favor of that. I  
22 don't see an opposing -- anyone in opposition of that. I  
23 don't think we need a motion on that if we're all in  
24 agreement. That it's just direction to Director Ceja to  
25 move forward with the website.

1 Director Ceja.

2 MR. CEJA: Thank you for that. I think, and correct  
3 me, Raul, if I'm misspeaking, but we will need some sort  
4 of action to continue paying for the current .gov website  
5 because it is incurring a cost, and the Department of  
6 Technology is asking what we want to do with it.

7 CHAIR TOLEDO: Director Claypool.

8 MR. CLAYPOOL: I would suggest to the Commission  
9 that you go ahead and just move forward with that cost  
10 while we wait for Director Ceja to come up with the  
11 answers that you want.

12 And I would also suggest that we move forward  
13 thinking about how we can archive both sets of data so  
14 that we move with a plan for the future, or when it's  
15 time to archive your information as well, because it's  
16 going to be equally as valuable. So I think we just need  
17 a comprehensive plan and then move forward with that.  
18 But the cost, itself, is minimal compared to many of the  
19 other costs that we have right now.

20 CHAIR TOLEDO: Okay. And Director Ceja, you'll be  
21 working with the committees to move forward in this  
22 direction and develop the plan for archival and also the  
23 launch of the website? Great.

24 Anything else in terms of communication report?  
25 Okay. With that, we'll start with subcommittee reports.

1 I'm hoping to go to lunch at 12:30 if there's a natural  
2 break in between the subcommittee reports.

3 Let's start off with action on the census committee.  
4 Commissioner Sadhwani.

5 COMMISSIONER SADHWANI: So we have held off at this  
6 point in advancing the letter that we had discussed two  
7 meetings ago given the new updates to the census time  
8 line.

9 We will continue to just touch base with Karin Mac  
10 Donald regarding differential privacy, which was another  
11 component of the letter that we had intended to send.  
12 It's not clear to us at this point whether or not the  
13 Census Bureau is advancing its use of differential  
14 privacy, adjusting it somehow, so I think before we send  
15 that letter I would just like to get additional clarity  
16 before moving on.

17 Other than that, there's nothing else really to  
18 report at this time. Of course, we sent out the press  
19 release last week. If it is the desire of the  
20 Commission, we can certainly coordinate with Mr. Jones, I  
21 believe it was, who spoke with us this morning, to learn  
22 more about the time line as it develops. So I will look  
23 for your guidance on that.

24 CHAIR TOLEDO: Commissioner Sinay.

25 COMMISSIONER SINAY: I had -- my question was, you

1 know, he said -- Mr. Jones said that he was open to have  
2 a representative from the Commission as their  
3 stakeholders, and I think that that is critical, and so I  
4 was going to recommend that one of the individuals from  
5 the subcommittee serve as the stakeholder -- you know,  
6 kind of the liaison. I don't know which of the two of  
7 you would like -- have the time. Let's start with the  
8 time and then the desire to do it.

9 CHAIR TOLEDO: Commissioner Sadhwani.

10 COMMISSIONER SADHWANI: Sure. I mean I'm happy to  
11 do it, but my sense is, you know, Commissioner Toledo and  
12 I are a team on the subcommittee, and so I mean we  
13 haven't discussed this previously, so you know, if we  
14 need to trade off perhaps, then we can do so and share  
15 the information between one another in order to report  
16 back. I don't know how you feel about that, Commissioner  
17 Toledo, but I would be happy to do a sharing of that  
18 responsibility with you.

19 CHAIR TOLEDO: That sounds fine to me.

20 COMMISSIONER SADHWANI: Perfect. So we'll follow up  
21 with Mr. Jones on that then.

22 CHAIR TOLEDO: Commissioner Sinay.

23 COMMISSIONER SINAY: We don't need a motion, right?  
24 The Chair can just say, I assign the subcommittee to do  
25 it.

1 CHAIR TOLEDO: Yeah, we're just delegating that  
2 piece of work to the subcommittee. That's right.

3 With that, do we have any -- let's move forward with  
4 the finance and administration update. Commissioner  
5 Fornaciari and Fernandez.

6 COMMISSIONER FERNANDEZ: We both decided to resign  
7 from our subcommittee. No, I think the only thing we  
8 have, correct me if I'm wrong, Commissioner Fornaciari,  
9 is we do have the policies that we'll be discussing on  
10 agenda item 13.

11 COMMISSIONER FORNACIARI: And so just my apologies.  
12 I didn't get the policy on -- communication approval  
13 policy to the agenda email until yesterday, and so you  
14 know, it should be getting posted soon.

15 CHAIR TOLEDO: Thank you, and we'll look forward to  
16 that item later in the agenda.

17 Gantt chart committee. Commissioner Kennedy and  
18 Taylor.

19 COMMISSIONER KENNEDY: Thank you, Chair. You will  
20 note on the Gantt chart that is posted in the handouts  
21 for this week's meeting a couple of significant changes.  
22 The most visible one, perhaps, is adding the data  
23 management workstream to the Gantt chart. I would very  
24 much appreciate the careful review by the data management  
25 subcommittee. Those are the broad dates that were in the

1 handout that you provided one or two meetings ago, but if  
2 there is additional detail that you would like me to  
3 reflect in that workstream on the Gantt chart, please let  
4 me know.

5       Second of all, I have come up with, I guess, my own  
6 view of a time line for the map drawing workstream, and I  
7 am looking to Director Claypool for feedback on that.  
8 But this would have basically the first map drawing  
9 sessions between November 1st and mid-December, so that  
10 would be essentially assuming we get census data -- the  
11 State receives census at the end of September, the  
12 Commission would receive it at the end of October, and we  
13 would immediately launch into those map drawing sessions  
14 for essentially six weeks, so all of November and the  
15 first two weeks of December. Those draft maps would be  
16 released by mid-December and be frozen for public comment  
17 through the end of December.

18       Then we would have -- in this concept of the Gantt  
19 chart we would have two weeks in the beginning of January  
20 to revise those. We would basically then have a week or  
21 so to review the final maps before we approve and deliver  
22 the final maps as of the end of January.

23       Now, this is all speculative based on when we might  
24 receive census data. I will say that I have been in  
25 touch with various county registrars in my personal



1 contact network. I heard back from Neal Kelley, the  
2 Orange County registrar. Riverside has acknowledged my  
3 message and are still working with their staff in house  
4 to get me an answer.

5 But the key on this, I mean, there are a number of  
6 ways that our work intersects with the work of the  
7 election administrators in the state. There's a  
8 provision in the Electoral Code Section 12222 that says  
9 that precinct boundaries can't cross essentially any of  
10 the boundaries that we set up. It says, "No precinct  
11 shall be established so that its boundary crosses the  
12 boundary of any supervisorial district, congressional  
13 district, senatorial district, Assembly district, board  
14 of equalization district, judicial district, incorporated  
15 city, ward, or city council district."

16 That's important because there is also in the law a  
17 116-day advance requirement. So if we look -- if we  
18 count back from the June 7th primary, the precinct  
19 boundaries must be established at least 116 days before  
20 that June 7th primary. Counting back, my count is that  
21 116 days back from the 7th of June puts us at the 11th of  
22 February.

23 So precinct boundaries would have to be finalized by  
24 the 11th of February. Precinct boundaries don't draw  
25 themselves. They take some time. The feedback that I

1 received from the Orange County registrar is that his  
2 precincting team would need a minimum of thirty days to  
3 draw new precinct boundaries based on our maps. If they  
4 need thirty days, then we're looking back to around the  
5 12th of January.

6 So what we're looking at is, you know, if we don't  
7 want to collide with the precincting work of county  
8 registrars, we would need to be finished essentially by  
9 mid-January. But is that possible?

10 And do we -- so we're essentially right now looking  
11 at our having -- likely having, under the Supreme Court  
12 ruling until mid-February, but county registrars needing  
13 the data by mid-January, and can we meet in the middle or  
14 do we need to work on shortening our process.

15 So those are the elements that I've taken into  
16 account in presenting a concept of what our Gantt chart  
17 might look like. And again, this is not the final word.  
18 This is looking to Director Claypool. I'm awaiting  
19 further input from county registrars that I have  
20 contacted from my own contact network, and we need to  
21 continue in this conversation. That's what's gone into  
22 the latest revision of the Gantt chart that we're  
23 presenting to you for this week's meeting. Thank you.

24 CHAIR TOLEDO: Thank you. Any questions on the  
25 Gantt chart?

1 Commissioner Sadhwani and then Commissioner Turner.

2 COMMISSIONER SADHWANI: Thank you, Chair, and thank  
3 you, Commissioner Kennedy, for raising this. I think  
4 this is such an important component that you've  
5 identified. So I mean, my sense -- I don't know the  
6 answer to it, but my sense is this is absolutely the kind  
7 of thing that we should be discussing with that  
8 stakeholder group. So I so appreciate you raising this.

9 If you don't mind just sending me the specific  
10 election quote citation just so that I have it available.  
11 I've taken notes on what you've laid out for me, here,  
12 but most certainly will raise it and hopefully, the  
13 registrars are a part of those stakeholder discussions.  
14 Certainly, you know, I will raise that or Commissioner  
15 Toledo will raise it when we connect with Mr. Jones. So  
16 thank you.

17 CHAIR TOLEDO: Commissioner Turner.

18 COMMISSIONER TURNER: Thank you, and thank you,  
19 Commissioner Kennedy. This was, I think, very  
20 challenging information to hear and continue to hear as  
21 we move forward.

22 I'm wondering, and maybe it'll come up in the  
23 stakeholder meeting, what are the key indicators that  
24 would say we are -- so I think it's a possibility now  
25 that we may need to look at changing primary dates and

1 all of those kinds of things. I'm just wondering, what  
2 are the triggers that says this is now a real  
3 possibility, and when does that happen? What are we  
4 looking forward to be able -- because, you know, we're  
5 being squished from both sides now, and I understand the  
6 taking of the thirty days, and now we need a shorter time  
7 period.

8 I'm wondering when does that conversation start and  
9 what are some of the things -- not just maybe for you to  
10 answer, but maybe things that I'm hoping that we hear  
11 back from even in the stakeholder meeting to know do we  
12 just continue to deal with the shorter time period,  
13 expected to work quicker and be proficient and put out a  
14 quality product, or when do we start looking at perhaps  
15 now needing to talk about moving out, you know, election  
16 time frames?

17 CHAIR TOLEDO: Thank you.

18 Any other -- Commissioner Andersen.

19 VICE CHAIR ANDERSEN: Thank you very much,  
20 Commissioner Kennedy for -- these are the dates. I was  
21 going to start bringing this up under line drawing. This  
22 is what is keeping me up, quite frankly, the last whole  
23 week. I haven't been sleeping very much because I could  
24 not find those dates. I was looking at how long it's  
25 actually going to take us to draw given we have to shift

1 the VRA, we need public input, and I, again, was  
2 thinking, okay, we technically have until February 15. I  
3 looked. I thought they're going to need those maps by  
4 February 1. Thank you. Now it looks like they might  
5 need it by January 15. That is going to be really,  
6 really, really tight. I know that, you know, Dan, you  
7 kind of oh, six weeks, to do it that way.

8 Commissioner Sadhwani and I were toying around with  
9 this and actually, like, we might need two -- last time  
10 they did a draft map and they did one modification, went  
11 final. We need at least, you know, two phases. There's  
12 going to be a couple of iterations in there before we can  
13 go final. And there's the fourteen-day blank you can't  
14 do anything window. And we have holidays through it.

15 So this is a major issue, and I'm really glad that  
16 we have a person on the Commission who is connected right  
17 in here.

18 The only thing I think we need to really look at,  
19 how we're going to run that, and the only way I see given  
20 when we can -- you know, unless the precincts do change a  
21 little bit, it does come down to us. It comes down to  
22 public participation, which we need. And I think we  
23 might use our two months ahead of time to have,  
24 essentially, workshops and run through this process so  
25 when we get that data, we know exactly how to run our

1 meetings and we know exactly how to work this, because if  
2 we're trying -- at that point, we cannot get the maps  
3 done in that time frame.

4 So that was an issue I wanted to bring up and have  
5 us start contemplating. And I really appreciate  
6 Commissioner Kennedy for bringing this forward.

7 CHAIR TOLEDO: Thank you.

8 Commissioner Kennedy.

9 COMMISSIONER KENNEDY: Unless Director Claypool  
10 would like to jump in, I just have one or two things, but  
11 if Director Claypool wants to jump in, I would like to  
12 ask him to jump in.

13 CHAIR TOLEDO: Before Director Claypool jumps in,  
14 can we have Commissioner Akutagawa?

15 COMMISSIONER KENNEDY: Well, then, I do have a  
16 couple of things if we're going to wait for Director  
17 Claypool.

18 First, of all, on the issue of two iterations, that  
19 would certainly be nice, it may be ideal. If we're  
20 looking at this much compression in the calendar, I don't  
21 foresee it happening. So you know, nice is nice, but you  
22 know, the calendar is what the calendar is.

23 Second of all, and this goes back to a question from  
24 one of the other Commissioners. I forget whether it was  
25 Commissioner Turner or one of the other colleagues.

1 There are a couple of ways to approach this, none of  
2 which are in our hands. But we will certainly be  
3 attentive to the action that is taken by the legislature,  
4 or the courts, or whoever else does have authority and  
5 standing to deal with these issues.

6 I believe it's New Jersey that was facing a very  
7 short time line, and their solution has been to postpone  
8 implementation of the maps. So rather than trying to  
9 implement new maps for state elections that I believe in  
10 their case are scheduled for this year, they postponed  
11 implementation of the new maps for two years. So it's  
12 not a question of changing any election dates; it's a  
13 question of changing the implementation date of the maps.

14 And of course, the other option is to postpone an  
15 election. So again, these are not options that are  
16 within our purview, but they are options out there for  
17 those within whose hands these issues appropriately fall.

18 CHAIR TOLEDO: Thank you, Commissioner Kennedy.

19 Commissioner Akutagawa.

20 COMMISSIONER AKUTAGAWA: A question. I appreciate,  
21 Commissioner Kennedy, what you brought up about the  
22 impact to the elections. I'm also wondering is the time  
23 line -- I would think that the time line is also going to  
24 be contingent upon on how long litigation is going to  
25 last as well, too, because, I mean, I guess that, to me,

1 is one of the big unknowns. So I don't know if that's  
2 something that the legal affairs committee could also  
3 comment on.

4 COMMISSIONER SADHWANI: I apologize. Can you repeat  
5 the question?

6 CHAIR TOLEDO: Commissioner Sadhwani.

7 COMMISSIONER AKUTAGAWA: I was just asking the  
8 impact to the back end with the elections time line. I  
9 appreciate what Commissioner Kennedy brought up. It's  
10 really important. I'm also wondering, my sense is that  
11 it would also be -- the time line and how fast we can  
12 move things up or how long it's going to take is also  
13 going to be contingent upon any kind of litigation and  
14 how long that said litigation could take.

15 And I don't know if that's something that the legal  
16 affairs committee would be able to comment on, or if  
17 that's something that would be more perhaps Ms. Johnston  
18 or Ms. Marshall.

19 COMMISSIONER SADHWANI: Is the question about  
20 litigation regarding shifting the time line, so  
21 therefore, like, State Supreme Court kind of litigation?

22 COMMISSIONER AKUTAGAWA: No, how long would it take?

23 MS. SADHWANI: How long would that take? I think  
24 that's a better suited question for Ms. Johnston or Ms.  
25 Marshall. I don't have a sense of how long the previous



1 case took that extended our deadline until December 15th,  
2 so I think perhaps one of them could weigh in.

3 CHAIR TOLEDO: Ms. Johnston, do you have any  
4 feedback on that?

5 MS. JOHNSTON: Yes. That happened very fast. The  
6 court didn't even have a hearing on it. It was done with  
7 the request for an immediate writ of mandate, and the  
8 court did it, if my memory recalls, within six weeks  
9 after it was filed. So it is possible to get a court  
10 extension if the court decides that it will do so.

11 CHAIR TOLEDO: I believe Commissioner Fernandez had  
12 her hand up, and then Commissioner Andersen.

13 COMMISSIONER FERNANDEZ: I guess just for  
14 clarification, I think Marian -- based on history,  
15 Marian, so the last time this was done and there was  
16 litigation, so the map -- the districts that we draw  
17 would not go into effect until after the litigation is  
18 complete, or do our districts go into effect immediately?  
19 I think that was the question that Commissioner Akutagawa  
20 was trying to get to, I think.

21 MS. JOHNSTON: I'm sorry. Okay. That's a different  
22 question, and that time there was a referendum which was  
23 a person that was challenged to the State Senate maps,  
24 and in connection with that challenge, the proponents  
25 asked that the new maps not be used. We objected on the

1 grounds that the old maps were totally outdated and the  
2 new maps had been drafted based on current information,  
3 and the court ordered that the current maps be -- that  
4 the new maps be used pending the litigation, and then, of  
5 course, eventually rejected the challenge -- yes,  
6 eventually rejected the challenge to the state maps.

7 CHAIR TOLEDO: Thank you, Ms. Johnston.

8 Commissioner Andersen.

9 VICE CHAIR ANDERSEN: Actually, that was exactly the  
10 question I thought Commissioner Akutagawa was asking.

11 Ms. Marshall, do you remember how long that took,  
12 because -- so if we certify, here are the maps, here's  
13 the report, and the referendum, how long then was it  
14 before we actually said great, tough, you have to use  
15 these maps anyway? Do you remember how long that was?

16 MS. JOHNSTON: Would you like me to answer, Ms.  
17 Marshall?

18 VICE CHAIR ANDERSEN: I think you're the only one  
19 who has that history knowledge.

20 MS. JOHNSTON: Okay.

21 MS. MARSHALL: Yes, they're asking based on history.

22 VICE CHAIR ANDERSEN: Yes.

23 MS. JOHNSTON: They very quickly ordered that the  
24 new maps be used. They took longer because they  
25 scheduled argument on the actual challenge itself. But

1 that did not delay the use of the new maps.

2 VICE CHAIR ANDERSEN: So was it a month? Was it a,  
3 you know, I mean do you recall at all?

4 MS. JOHNSTON: To the new maps being used, it was --  
5 well, this, of course, was earlier, but I believe the  
6 decision came out in December after the maps had been  
7 certified in September -- August. So it was in plenty of  
8 time that it did not delay the primaries in that  
9 instance. Here you're going to be running up much closer  
10 time to the primaries.

11 VICE CHAIR ANDERSEN: So thank you. And I had  
12 another question. There were two different things. One  
13 is that would make it a very moot point. If these maps  
14 get challenged, it doesn't matter what we do. Then it  
15 throws the elections completely off.

16 MS. JOHNSTON: Not necessarily. It depends what the  
17 Supreme Court does. If the Supreme Court orders that  
18 your new maps be used despite the challenge, then that's  
19 what happens.

20 VICE CHAIR ANDERSEN: But the time line would be off  
21 completely. Like, if we say we need it, you know, we can  
22 only give it to you on February 1st, and they have a --  
23 you know, there's a -- it must go on February 15,  
24 essentially, you see what I'm saying, there's a whole  
25 issue there that automatically, you know, it gets kicked

1 in. It's like we -- and the reason I'm bringing this up  
2 is for everyone's concern, elections set the way they are  
3 for June 7th works for everybody. And giving us the data  
4 on Halloween, essentially, that's no big deal, so the  
5 Commission can do this work in this short a window.

6 And I want to bring our attention to this is a real  
7 problem because where Commissioner Kennedy said, yes, we  
8 did one map and then got public input, remember, this is  
9 what happened in 2010, and they said don't get caught  
10 like this again. They did one map with public input in  
11 and had to go final. So there was no other reiteration.  
12 And that's what they're saying, the public needs to see  
13 your second go-around before you go final. And that was  
14 what essentially everyone was saying, and all our public  
15 partners have certainly been very concerned that, you  
16 know, we draw a map, and except for a couple of little  
17 tweaks here and there, that's it.

18 And you know, I know we don't want to be  
19 disingenuous, but it's really important. We need to sort  
20 of step up and be emphatic about how much time we will  
21 actually need to get the job done or come up with a  
22 different plan.

23 CHAIR TOLEDO: Appreciate that, Commissioner  
24 Andersen. Let's go to Commissioner Fernandez and then  
25 Director Claypool.

1           COMMISSIONER FERNANDEZ: I understand the concern  
2 you're bringing up, Commissioner Andersen, but I also  
3 understand the concern that I don't want to take the  
4 responsibility of drawing the maps out of our hands  
5 because we choose to take longer, because at that point  
6 they can appoint a special master, and I think -- I don't  
7 think any of us want to get to that point. So if it's  
8 something where we have to do it in six weeks, we have to  
9 do it in six weeks, and it is what it is, unfortunately.

10           CHAIR TOLEDO: Thank you, Commissioner Fernandez.

11           Director Claypool.

12           MR. CLAYPOOL: So I'm working back with Commissioner  
13 Kennedy's numbers. And Commissioner Kennedy, you said  
14 that in order to not butt up against the precinct  
15 provision that we would have to have this completed by  
16 January 13th; is that correct?

17           COMMISSIONER KENNEDY: Roughly.

18           MR. CLAYPOOL: Okay.

19           COMMISSIONER KENNEDY: You know, and Registrar  
20 Kelley from Orange County is speaking with his attorneys  
21 to look at the full ramifications, and is going to get  
22 back to me. Riverside is still looking at this with  
23 their in-house staff and will get back to me. I've also  
24 inquired with Los Angeles and will be inquiring with a  
25 couple of others.

1           You know, we may also wish to inquire with the  
2 Elections Division in the Secretary of State's Office,  
3 because registrars -- I mean, the registrars would  
4 receive the maps from the Secretary of State's Office.  
5 So I don't know, you know, how much time, if any, they  
6 need to turn our maps around and get them out to the  
7 registrars.

8           They might also have some accumulated knowledge on  
9 how long counties will take to complete their  
10 precincting. But yeah, 116 days. Precincts would need  
11 to be final by approximately the 11th of February, and  
12 Orange County, at least, would need a minimum, a bare  
13 minimum, of thirty days before that in order to complete  
14 the redrawing of precinct boundaries.

15           MR. CLAYPOOL: So as I understand it, we're going to  
16 have Commissioners Sadhwani and Toledo who are going to  
17 be working with the -- with the stakeholders in this. So  
18 the first thing I would wonder is whether or not there  
19 would be some type of relief on that deadline that would  
20 allow us to go further and do the day for day that the  
21 Secretary of State -- not the Secretary, the Supreme  
22 Court had allowed us.

23           The second thing, I know it seems like a long time  
24 ago, but when I came on with you I gave you the 2010,  
25 this is what we did. There is a section in there that

1 says -- it will give you exact dates for the Supreme  
2 Court rulings and how they occurred.

3 Marian is absolutely right. On the third case, the  
4 Supreme Court ruled -- around the referendum that they  
5 were going to use our maps pretty much regardless unless  
6 and until the referendum occurred, so the maps were going  
7 to be used.

8 And then on the last issue of timing, we have time  
9 to get an iteration through. If we receive the maps on  
10 November 1st or we receive the census data, that gives  
11 you one month. You're going to be doing your COI or your  
12 pre-census COI meetings up until then. You'll have a  
13 significant amount of information. It would require  
14 modifying your structure to go through, and what I would  
15 suggest is what I've spoken to Director Hernandez about,  
16 that you have a big group meeting, at least four of them,  
17 and then you at least hit your zones to make sure that  
18 you're having meetings in each of them, particularly  
19 making sure that you have meetings wherever there is a  
20 concern with the original VRA sites. I can't speak to  
21 how it might change in the future, but you would want to  
22 make sure that you had a meeting in Kings County,  
23 Monterey County, and I believe it's Yuba County, so that  
24 we could also cover those bases.

25 But if you did that, you come out on December 1st

1 with a significant amount of data, and you have December  
2 to draw your lines, and you have through January to  
3 perfect the reports and to complete your task. So of  
4 course, that means no Christmas, no Thanksgiving, and no  
5 New Years. However, it can be done. It can be  
6 compressed in there. It will be an enormous amount of  
7 work, but the timing still works, Commissioner Kennedy,  
8 in my mind, if we have to butt up against the precinct  
9 requirement.

10 Did that answer your question, sir?

11 COMMISSIONER KENNEDY: My question?

12 MR. CLAYPOOL: Yes.

13 CHAIR TOLEDO: Original question, about the  
14 deadline.

15 COMMISSIONER KENNEDY: Okay. I thought he was  
16 addressing a more recent question.

17 I would like to discuss this further with you, but  
18 you know, if your experience and guidance to us are that,  
19 you know, that this will work, then, you know, I would  
20 hope that we could make it work, yes.

21 CHAIR TOLEDO: Any other questions or comments to  
22 the Gantt chart committee or on this issue?

23 Commissioner Sinay.

24 COMMISSIONER SINAY: I definitely appreciate the  
25 work that was put into this. Thank you, Commissioners.



1           One of the things that I think would be helpful  
2 is -- versus putting it into the Gantt chart right away  
3 is what are the questions that we need to be addressing,  
4 and I feel like a lot of times we move to action versus  
5 go through a process where we're answering questions.  
6 And today's meeting all feels like the cart before the  
7 horse because we haven't had the big conversation of what  
8 does the big picture look like.

9           And I appreciate Commissioner Kennedy helping us  
10 start to have that conversation, but there's a lot of  
11 pieces that we can discuss now in a more relaxed way, but  
12 being more intentional in our public education, our pre-  
13 census collection of information, you know, and then our  
14 post -- you know, just all those pieces and not feel -- I  
15 think we're going to feel rushed no matter what. There's  
16 no way to get out of feeling rushed at the very end,  
17 especially because of the holidays, and I would like us  
18 to be more inclusive when we discuss holidays that take  
19 place in December and January and November. But that's  
20 kind of not what we signed for, but what we did sign up  
21 for.

22           But it would be helpful if subcommittees, and maybe  
23 this goes to what Commissioner Le Mons kind of got me  
24 thinking on this, is if we bring -- when we share reports  
25 or share a document, that we share what the questions are

1 that we have as a subcommittee so that we can have those  
2 conversations, versus always -- versus -- I feel  
3 uncomfortable always having someone answer them for me.  
4 At the same time I feel -- because I don't know if I can  
5 push back or not, because am I supposed to respect what  
6 the subcommittee's work was? So I am still struggling on  
7 the conversation we had earlier about the roles of the  
8 subcommittee and whatnot.

9 CHAIR TOLEDO: Thank you, Commissioner Sinay.

10 Any other comments from the Commission? If not,  
11 then at this point I think this might be a good break for  
12 lunch, and then coming back we would start -- we'd  
13 continue on subcommittees until no later than 3 and then  
14 go into the closed session at that time.

15 So I anticipate that we might be able to go into the  
16 closed session earlier than 3 o'clock, though, depending  
17 on the length of the updates, although I think the  
18 updates for many of these other items may be shorter  
19 given what I've seen in terms of the materials and the  
20 comments that I received from the committees.

21 So with that, I would propose going to lunch now and  
22 then returning back at 1:30, if that's acceptable to the  
23 Commission. Great, excellent. So see you back at 1:30.

24 (Whereupon, a recess was held from 12:33 p.m.  
25 until 1:30 p.m.)

1 CHAIR TOLEDO: Welcome back. I hope you had a  
2 wonderful lunch.

3 We're going to start off with public comment, so  
4 Katy, can you please instruct the public on how to submit  
5 public comment?

6 PUBLIC COMMENT MODERATOR: Yes, Chair. In order to  
7 maximize transparency and public participation in our  
8 process, the Commissioners will be taking public comment  
9 by phone.

10 To call in, dial the telephone number provided on  
11 the livestream feed. It is 877-853-5247. When prompted  
12 to enter the meeting I.D. number provided on the  
13 livestream feed. It is 93805334078 for this meeting.  
14 When prompted to enter a participant I.D., simply press  
15 the pound key.

16 Once you have dialed in you'll be placed in a queue.  
17 To indicate you wish to comment, please press star 9.  
18 This will raise your hand for the moderator.

19 When it is your turn to speak you will hear a  
20 message that says, "The host would like you to talk", and  
21 to press star 6 to speak. If you would like to give your  
22 name, please state and spell it for the record. You are  
23 not required to provide your name to give public comment.

24 Please make sure to mute your computer or livestream  
25 audio to prevent any feedback or distortion during your

1 call.

2       Once you are waiting in the queue, be alert for when  
3 it is your turn to speak, and again, please turn down the  
4 livestream volume.

5       And the Commission is taking general public comment  
6 at this time. And we do have someone in the queue with  
7 their hand raised.

8       CHAIR TOLEDO: Please invite them in.

9       PUBLIC COMMENT MODERATOR: Yes, Chair. And the  
10 floor is yours.

11       MS. SHELLENBERGER: Good afternoon, Chairman Toledo  
12 and Commissioners. This is Lori Shellenberger, L-O-R-I,  
13 last name Shellenberger, S-H-E-L-L-E-N-B-E-R-G-E-R. I'm  
14 the redistricting consultant to Common Cause.

15       PUBLIC COMMENT MODERATOR: Ms. Shellenberger, share  
16 your comment, please.

17       MS. SHELLENBERGER: First of all, I want to thank  
18 you all. I haven't called in for a while, but I want to  
19 thank you again for your service, and your thoughtfulness  
20 as you keep getting thrown these curveballs in this  
21 redistricting process. I'm sure you didn't expect you'd  
22 be working on redistricting through the end of this year  
23 and through your holidays, and I really want you to know  
24 that folks appreciate your commitment in the face of much  
25 longer process than you anticipated when you applied and

1 were selected.

2       On behalf of the Redistricting California  
3 Collaborative of stakeholders, I worked last summer on  
4 the deadline extension issue, and that occurred before  
5 you were all selected when we first knew that census data  
6 would be delayed.

7       And I just wanted to share that we reached consensus  
8 last summer among voting rights advocates and other  
9 stakeholders, elections officials, the Secretary of  
10 State's office, political campaign consultants, and  
11 legislative leadership, all of those important  
12 stakeholders, to figure out a solution when it was clear  
13 you all wouldn't be able to meet the original August 15th  
14 deadline. And I'm confident that you'll be able to do  
15 that as well, and especially because the election field,  
16 and particularly in California, they're pretty amazing in  
17 collaborative space.

18       But I just wanted to highlight that last summer, you  
19 know, one of the most important stakeholders couldn't  
20 participated in that process and in those discussions to  
21 build consensus, and that was all of you. And the  
22 legislature requested relief from the Supreme Court only  
23 because you weren't seated and the prior Commission was  
24 outgoing and we were in this awkward window.

25       And the legislature proceeded with tremendous

1 caution so as not to overstep and usurp your  
2 independence, whether that be actual or perceived. And  
3 you know, that's why Ethan Jones's invitation to you all  
4 today to participate in the stakeholder conversations  
5 that have begun was for you to participate as an active  
6 participant, not as a liaison. And I think you all  
7 understand that, but I just think the importance of the  
8 Commission being an active participant in this process,  
9 and I think some of you started to suggest that in your  
10 earlier discussion, can't be stressed enough,  
11 particularly given your unique and independent role and  
12 responsibility to ensure a robust public input process in  
13 line with the intent of the initiatives and the hard work  
14 that you've already put in to planning and implementing  
15 the redistricting process.

16 And so I'd like to urge the subcommittee to not only  
17 participate in those conversations being convened by the  
18 legislature, but to continue with your own conversations  
19 with the important stakeholders who have an interest in  
20 the process and the credibility of the outcome.

21 I'd urge you -- it sounds like you're already  
22 reaching out to those stakeholders. That's great, and I  
23 know I'm running a little over on time, but I just wanted  
24 one last thing to urge you to have a public conversation  
25 with those stakeholders as well, and possibly a panel,

1 because as you're seeing, there are so many decision  
2 points that have to be made and so many pressures being  
3 brought to bear on various pieces of this process, both  
4 pre- and post-mapping and potentially between an extended  
5 primary and the general election. And it's very  
6 complicated and incredibly complicated for the public to  
7 understand.

8       So to the extent you could convene a panel and talk  
9 to those stakeholders, I think it would be critical, and  
10 that includes Statewide Database. It includes Voting  
11 Right Act experts and those who have experience doing  
12 unity mapping and to speak to the importance of certain  
13 windows of time that have been built into your process,  
14 elections officials who can explain further the work it  
15 takes for them to precinct new maps, and VRA litigator --  
16 Voting Rights Act litigators, to help you understand the  
17 critical importance of that time period for litigation  
18 and defending your maps.

19       And again, I want to thank you for your service and  
20 urge you, again, to be an active participation and  
21 protecting your independence and the independence of the  
22 process and the public's participation. Thank you.

23       CHAIR TOLEDO: Thank you so much for the comments.  
24 We absolutely do intend to be an active participant, and  
25 we'll take your feedback into consideration.

1 MS. SHELLENBERGER: Thank you.

2 CHAIR TOLEDO: Appreciate your comments. Do we have  
3 any other public comments in the queue, Katy?

4 PUBLIC COMMENT MODERATOR: We do not have any other  
5 public comments at this time.

6 CHAIR TOLEDO: Thank you. With that, we'll turn it  
7 over to Commissioner Andersen and Sadhwani for the line  
8 drawer update.

9 COMMISSIONER SADHWANI: Commissioner Andersen, do  
10 you want to take the lead on this?

11 VICE CHAIR ANDERSEN: Yeah, sure. This is a little  
12 more off the topic we were just on, but directly going to  
13 exactly what's going on here.

14 We did post, again, for the public's view and  
15 everybody out there, Commission, this Friday at 5 is the  
16 deadline for anyone who's writing proposals for the line  
17 drawing RFP is to submit. And then they will be opened 9  
18 a.m. on Monday morning. The evaluation period is the  
19 24th, 25th, and with the notice of intent to award on the  
20 25th. The meeting does go through the 26th, but notice  
21 our date is the 25th. And the contract award and  
22 execution, assuming no protest, would be March 5th.

23 So these are, again, posted. This is very  
24 important, and there's a lot of particular reasons why  
25 this must be public, and I'm just putting it out there.



1 Any questions about that, and then I want just one other  
2 point. So any questions about what's posted, dates? No,  
3 okay.

4 And the last thing I'll say is about the line  
5 drawing. There's certain things that we sort of  
6 postponed a little bit because we realized our time  
7 window extended a little bit. We'll know a lot more  
8 about how things can happen, i.e. how the data management  
9 will work with the line drawer, how things can actually  
10 progress, once we get the line drawer on board.

11 So certain decisions we have to make, and certain we  
12 should pause a bit and wait until we have enough  
13 information.

14 I also want to really thank Ms. Shellenberger for  
15 that call as she kind of reiterated the different  
16 important parts in our job, including the line drawing  
17 part. It is line drawing, but it's the VRA has to  
18 happen, the analysis has to happen, those mapping has to  
19 happen as we draw lines. There's many different  
20 components that fit together. They need to fit together  
21 like a glove, right, for all of this to happen.

22 So you know, we need to get all our partners  
23 involved, get us all aware of the steps, and I actually  
24 hope to get a bit more meat on the bones of a schedule so  
25 we can actually look at that.

1           But remember how our whole point is 2010 did it one  
2 way, but we're not just doing it the 2010 way. And so  
3 don't let's all of a sudden do that with the line drawing  
4 part. Let's make sure that the public gets involved. We  
5 don't just do one map and then, okay, here's the final.  
6 And it will be a little more apparent as we try to lay  
7 out a schedule. It's just -- we put a lot of time and  
8 effort into this, and we definitely want to continue with  
9 that great, great train of thought and the efforts we've  
10 been putting forward.

11           Commissioner Sadhwani, do you --

12           COMMISSIONER SADHWANI: No, I think you've covered  
13 it, Commissioner Andersen. Thank you so much. I know  
14 you've -- Commissioner Andersen has definitely kind of  
15 taken the lead in translating, shall we say, you know,  
16 the components of the RFI and the line drawer into what  
17 will eventually be our time line. But as we know, the  
18 time line keeps shifting.

19           As Ms. Shellenberger's comment really highlighted,  
20 there are so many different elements to this. There are  
21 legal components. There are data components. And most  
22 certainly there is community outreach components, during  
23 a pandemic nonetheless.

24           So you know, I'm very hopeful that in the next month  
25 or two that we will be able to further refine our time

1 line. We will have more elements of our team in place,  
2 including a line drawing team, and VRA counsel, and  
3 litigation counsel should we need it. And hopefully,  
4 throughout the next -- you know, throughout the month of  
5 March we'll also get additional clarity in terms of what  
6 our time line actually will be. So I do hope that we  
7 have the patience, you know, to continue to think through  
8 all of these pieces and wait, to some extent, until we  
9 have more information and we have the right, you know,  
10 team on board to help us make some more of those  
11 decisions. So I look forward to continuing that process.

12       And I think just to highlight one other piece that  
13 Commissioner Andersen raised is that we don't have to do  
14 it the way 2010 did it. You know, I think we've heard  
15 from so many incredible panels both in language access  
16 and community outreach have put together for us, and I  
17 hope that we can also give ourselves, take the time to be  
18 intentional. I think Commissioner Sinay used that  
19 terminology earlier, to really be intentional in our  
20 process. I think that while the time -- the census delay  
21 is concerning, it's also a gift in many ways to ensure  
22 that we can really meet communities where they're at and  
23 get the best input possible. Thank you.

24       CHAIR TOLEDO: Thank you, Commissioner Sadhwani.

25       With that, we will go to VRA compliance, and that of

1 course is Commissioner Yee and Commissioner Sadhwani.

2 COMMISSIONER SADHWANI: Commissioner Yee, do you  
3 want to go first. I see you had your hand raised.

4 COMMISSIONER YEE: Actually I had a quick question  
5 for line drawing, if I may.

6 CHAIR TOLEDO: Sure.

7 COMMISSIONER YEE: I'm just curious about the Monday  
8 opening of the proposals. You have that calendared on  
9 your handout. I'm just wondering why you scheduled that.  
10 Is that a livestreamed event? There is some chance that  
11 legal affairs may be meeting then as well. Just curious.

12 VICE CHAIR ANDERSEN: It is -- I'll jump in and  
13 answer that one. It's part of the contract requirements.  
14 It must be done publicly. That does not mean it has to  
15 be livestreamed. Basically what we're going to do is, if  
16 Commissioner Sadhwani can also be there, may or may not  
17 be, it's going to be a Zoom call, essentially, with Raul  
18 and probably another staff, because you actually have to  
19 say this was received, here it is, opening, it's been  
20 received by this. There's certain little actual  
21 procedures you must do.

22 And that's going to be then recorded, and there it  
23 is, it's a public record, and it has to be at a  
24 particular time, and we have it listed in the RFI in  
25 terms of when that's posted so everyone can see it. But

1 all the -- because then it's followed by emails, so --  
2 and without going into all of the particulars of it, it's  
3 part of how contracts are done.

4 COMMISSIONER YEE: Would that apply to any of our  
5 other contracts as well? I'm just curious.

6 VICE CHAIR ANDERSEN: Not necessarily -- well, go  
7 ahead, Commissioner.

8 COMMISSIONER SADHWANI: You know, my sense on this  
9 is that the -- you know, if anyone from 2010 can correct  
10 me, please feel free to do so but my sense was that in  
11 2010 they were opened publicly. People were in person at  
12 that point in time. We used that same language in the  
13 RFI and therefore need to meet that requirement now. We  
14 did not use the -- excuse me the RFP. We did not use  
15 that language in the RFI for litigation and VRA, and so  
16 therefore, that's the distinction. That is my  
17 understanding of it.

18 CHAIR TOLEDO: Commissioner -- Chief Counsel.

19 MS. MARSHALL: Oh, no, Commissioner Sadhwani  
20 basically answered, and ultimately it's a prerogative on  
21 how you want to proceed.

22 CHAIR TOLEDO: That's my understanding, too. Do we  
23 want to move on to the VRA compliance update?

24 COMMISSIONER YEE: Sure. So VRA subcommittee  
25 continues to exist even though legal affairs committee

1 now exists as well.

2 Our focus will be, going forward, on VRA education.  
3 I know we've had many presentations. I know a lot of  
4 them seemed very dense, hard to follow. So we continue  
5 to look for materials that we can use to help the full  
6 Commission get up to speed on VRA matters.

7 I've been looking in particular for simulations that  
8 we can use. I know the idea of a moot court simulation  
9 has been raised. There are actually some online  
10 simulations, one in particular that I believe is being  
11 migrated from an Adobe Flash platform which, of course,  
12 has gone obsolete, hopefully will be available in a newer  
13 platform. So that's our main focus, to work on education  
14 matters for the Commission.

15 COMMISSIONER SADHWANI: And if I may, just to add on  
16 to that, we've reported previously the Public Policy  
17 Institute of California is working on a report of  
18 demographic shifts using the American Community Survey  
19 data. Since, of course, the census data will be quite  
20 delayed, I think that report will still be very helpful  
21 to us in our outreach in looking at some of the key  
22 trends that we might need to be aware of, particularly as  
23 it relates to VRA-covered communities.

24 So Commissioner Yee and I are going to see a preview  
25 of that in early March and hopefully get that on the

1 agenda for later March or early April, depending on  
2 scheduling.

3 For the Commissioners, we also had a really great  
4 conversation with a professor of political science at UC  
5 Irvine, Bernard Grofman, back in -- I think it was  
6 December. He is going to be preparing the notes that  
7 arose from that conversation for the full Commission. He  
8 actually posed a number of really important questions  
9 that we should be thinking about, so hopefully, we have  
10 that to you all within the next several weeks, whenever  
11 he's finished cleaning it up as well.

12 And I'm sure that we'll work with the VRA counsel to  
13 continue to think about additional simulations or other  
14 ways of continuing to do education, both for the  
15 Commission as well as for the public, on the importance  
16 of the Voting Rights Act.

17 CHAIR TOLEDO: Thank you, Commissioners.

18 Next we'll move on to outreach and engagement,  
19 Commissioner Sinay and Commissioner Fornaciari.

20 COMMISSIONER SINAY: Thank you. Do you want me to,  
21 Neal?

22 Basically I think we don't have that much to report  
23 out. We are reaching out. Now that we actually have  
24 much more time it will be helpful for everybody. We're  
25 reaching out to statewide entities, kind of like the Farm

1 Bureau and the California Chamber of Commerce and seeing  
2 how they can -- you know, letting them know what we're  
3 doing so that they can let their members know what  
4 they're doing, so then when you all reach out to them,  
5 everybody is kind of, you know, been briefed. And we'll  
6 be sending out kind of a list of the different groups  
7 that we're reaching out. Marcy is helping us with this  
8 as well.

9       And we also -- the Farm Bureau asked us for a letter  
10 and then the Chamber of Commerce said, hey, that's a  
11 great idea, so just kind of an overview letter of who we  
12 are and why we might be reaching out to the local  
13 members, so the letter will go out to the local members.  
14 And in it we've included just a brief description of who  
15 we are, what our outreach -- that we're reaching out for  
16 outreach purposes, and here are some questions that might  
17 be asked, so it may be helpful for those of you who've  
18 said, oh, you know, I'm not sure what to ask. This might  
19 help. I did share it with the Chair and Commissioner  
20 Yee, so they can say if it's helpful or not.

21       And just keep, you know, letting us know if you need  
22 help in outreaching your -- we need to be intentional and  
23 we have more time, but let us -- this is about building  
24 relationships; it's not about transaction. And so the  
25 extra time will actually help us go deeper into the



1 community.

2 I keep saying that our experience that Commissioner  
3 Ahmad and I are having in Imperial Valley is really  
4 showing how to reach out without an agenda, have kind of  
5 a conversation and how much people really appreciate  
6 hearing directly from the Commissioners. I think the  
7 response I get the most is, oh, wow, you're the  
8 Commissioners; you're not staff. So keep the great work  
9 and let us know.

10 Commissioner Fornaciari, would you like to add  
11 anything?

12 COMMISSIONER FORNACIARI: Yeah. We're connecting  
13 with the Hispanic Chamber of Commerce in a few -- what is  
14 it, next week or -- yeah, next week. So that's all.

15 CHAIR TOLEDO: Great, and thank you both for your  
16 help on that and all your work.

17 Next, the language access commission, Commissioner  
18 Akutagawa and Fernandez.

19 COMMISSIONER FERNANDEZ: Actually, can I just ask  
20 one question regarding the outreach?

21 CHAIR TOLEDO: Oh, yeah, absolutely. Sorry about  
22 that.

23 COMMISSIONER FERNANDEZ: Sorry about that.

24 CHAIR TOLEDO: Missed your hand.

25 COMMISSIONER FERNANDEZ: I was waiting.

1 Commissioner Sinay, you had mentioned the outreach  
2 letter. Once it's drafted and finalized, could you  
3 forward that to us? In the panel that Commissioner  
4 Vazquez and I are facilitating tomorrow, the education  
5 one, the State PTA is requesting a similar type letter so  
6 that they can then ask for permission to kind of spread  
7 the word for us and help us with our outreach efforts.  
8 So that'd be very helpful.

9 COMMISSIONER SINAY: Yeah. Commissioner Fornaciari  
10 and I were just saying it would be great to have just a  
11 database of all these types of letters that we can just  
12 go in, change them, change the header and send them out.  
13 So yes, we hear you.

14 COMMISSIONER FERNANDEZ: Thank you. Okay. So for  
15 language access -- so okay, are we resigning from this  
16 one, too, Commissioner Akutagawa, or are we going to go  
17 forward? We're going to go forward.

18 COMMISSIONER AKUTAGAWA: I thought we had finished.

19 COMMISSIONER FERNANDEZ: We keep getting drawn back  
20 in, which is okay. That's fine. So we do have some  
21 homework to do, but then we also -- was it last week or  
22 the week before -- oh, I'm sorry before I get to that, by  
23 the end of the week we are hopeful that we will have two  
24 contracts for translation and interpreter services with  
25 two different small businesses, so that's something huge

1 for us so that we can start translating some of our  
2 documents, which will be great.

3       And then the second piece of it is we met with  
4 Deputy Executive Director Hernandez and he presented a  
5 draft translation flow chart. So I was hoping that we  
6 could go through that. It would be very quick, though.  
7 It's about, let's see, two, four, eight slides.

8       So if he could share his screen with us, we could go  
9 through it quickly. Thank you.

10       And so I mean, I'm really not sure how to go through  
11 this other than it's pretty obvious in terms of how the  
12 process that something, that a document would come in, if  
13 it's non-English, and then just the process that it would  
14 go through until it's finally translated, and ultimately  
15 also put into the database, so that middle person or the  
16 language access coordinator that was on the org chart, we  
17 switched it from translation coordinator to language  
18 access coordinator.

19       So either the staff would forward that to the  
20 language access coordinator, and then the language access  
21 coordinator would work with one of our contracted  
22 translators for translation. Again, it goes back to the  
23 coordinator and then to the staff that initially  
24 forwarded that information to us. If it has to be  
25 displayed on our web page or database input, that's the

1 next stage that it would go to.

2       It's a very simple process, but we felt it was  
3 important to at least have some sort of process so that  
4 we don't lose who is going to be responsible for it. We  
5 want to make sure it found a home and that we've  
6 identified it, and it will be under our outreach manager,  
7 which Marcy will be supervising that function.

8       CHAIR TOLEDO: Commissioner Akutagawa.

9       COMMISSIONER AKUTAGAWA: I just want to also just to  
10 maybe make the point obvious, the non-English materials  
11 or any input, so this came out of the conversation last  
12 week, and that includes any inputs that we would get,  
13 whether it's from the communities of interest tool that  
14 the Statewide Database is creating, or if it's public  
15 comment that is, you know, emailed, mailed, submitted to  
16 us in whichever format that some type of public input --  
17 written public input would be provided to us, that would  
18 be included in this kind of catchall called "non-English  
19 material/input".

20       So I think from the conversation last week where  
21 perhaps we had made some assumptions about it, we wanted  
22 to put some clarity to it, and then we appreciate the  
23 team's help on creating this flow chart so that it makes  
24 it a little bit more clear to all of us what is going to  
25 happen to the inputs and also if any of those inputs are

1 going to need translation.

2 CHAIR TOLEDO: Thank you. Commissioner Kennedy.

3 COMMISSIONER KENNEDY: Thank you, Chair. Just two  
4 things. One, we will also have English materials to be  
5 translated, so that needs to be reflected on this.

6 Second of all, and I guess mostly in relation to  
7 that point, for some of these materials I think we are  
8 going to want to have a step in here for getting  
9 community input.

10 So maybe after it's displayed on the web page we  
11 show that there is the opportunity for community input on  
12 the translation and show some sort of process by which,  
13 you know, depending on the input that we received from  
14 the community, there might be corrections made to a  
15 translation. So thank you.

16 CHAIR TOLEDO: Commissioner Sadhwani.

17 COMMISSIONER SADHWANI: Thank you. You know, this  
18 all looks great and so thank you for all of your work on  
19 this.

20 My only question had been around having seen the  
21 organizational chart, do we anticipate that the amount of  
22 work that the language access coordinator is going to  
23 have will be a full-time position, or is this a part-time  
24 position, or is it maybe, like, someone else on the  
25 outreach staff who is also designated as our language

1 access coordinator? I'm just wondering if that is  
2 something that has been considered.

3 CHAIR TOLEDO: Commissioner Fernandez.

4 COMMISSIONER FERNANDEZ: Thank you, Commissioner  
5 Sadhwani. Yes, we had discussed that and unfortunately,  
6 it's hard to know, right, because we don't know how many  
7 items or documents we're going to need. But however, if  
8 there is extra -- so it is going to be an independent  
9 position, but if it's not full time for that person, they  
10 will be helping with outreach or whatever other efforts  
11 are needed to support the Commission.

12 CHAIR TOLEDO: Any other comments or questions?  
13 Commissioner Akutagawa.

14 COMMISSIONER AKUTAGAWA: And on top of that, I think  
15 to Commissioner Kennedy's point -- and I appreciate the  
16 questions. I think there are assumptions that we still  
17 even have in this, and so we did intend to go out to our  
18 various community organizations to just make sure that  
19 the translation that the contractor does is appropriate,  
20 and so those are the kind of things that a coordinator is  
21 also going to be responsible for, is in coordinating and  
22 managing, you know, the contracts with the different  
23 community-based organizations that we would be looking to  
24 work with to help us, just, you know, verify that the  
25 translation is appropriate to the needs of the community,

1 so kind of our second set of eyes to make sure. We know  
2 that there's going to be lots of different things, but in  
3 terms of the input, I think Commissioner Fernandez's  
4 point is hard to say.

5 And I also want to just acknowledge good point on  
6 the materials. I think this was more specific to the  
7 inputs question. The outputs question, which is the  
8 English-language materials that the Commission is going  
9 to be translating, that is being managed by Director Ceja  
10 in terms of, you know, the outputs, and so we were just  
11 focused right now on the inputs part of the materials  
12 that would be translated, mostly because that was where  
13 the question centered around. So that's why you don't  
14 see the output part in this particular flow chart, but  
15 it's a great point to perhaps maybe utilize in terms of  
16 something that we'll do, if this then that kind of chart.  
17 So if there's any questions about what's going to happen  
18 it's all on one page.

19 CHAIR TOLEDO: Any other questions or comments? If  
20 not, hearing none, we'll move on to the materials  
21 development committee and Commissioners Fernandez and  
22 Kennedy.

23 COMMISSIONER KENNEDY: Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: I'm tired.

25 COMMISSIONER KENNEDY: Okay. We've spent a good bit

1 of time with Director Ceja going through all of the  
2 materials. We appreciate the input from Commissioners,  
3 both during last week's meeting and otherwise in writing.  
4 We've made very good progress and we should have  
5 finalized versions of finalized versions of things very  
6 soon, recognizing that these will continue to be living  
7 documents as we get feedback from our community partners  
8 and audiences that see these materials. I think that's  
9 basically where we are. I don't know if Commissioner  
10 Fernandez has anything further, or we might also invite  
11 Mr. Ceja to give us an update on how he sees the time  
12 line on these materials.

13 COMMISSIONER FERNANDEZ: Yes, and then just hot off  
14 the press from Communications Director Ceja, we have a  
15 videographer that's ready to get started on a video  
16 presentation of the redistricting basics presentation, so  
17 that will kind of be the next thing that we focus on  
18 after we get all of the documents and the presentation  
19 quasi-finalized.

20 Again, I say finalized, but we can make changes to  
21 it if we received feedback or when you go out and you do  
22 some of the presentations and it's, you know, you want to  
23 add something, switch things around. We were actually  
24 switching slides around yesterday again.

25 So with that, yes, I'd like to thank my fellow



1 Commissioner Kennedy and also Communications Director  
2 Ceja for the many hours and the many changes that we've  
3 done to the documents.

4 CHAIR TOLEDO: Commissioner Akutagawa.

5 COMMISSIONER AKUTAGAWA: I have a question. So in  
6 the two regions that I am working on, one with  
7 Commissioner Sadhwani and the other one with Commissioner  
8 Andersen, interesting -- I won't say question  
9 necessarily, but it was just kind of maybe a comment/idea  
10 that came up about high school students, and specifically  
11 seniors in high school and curriculum that would be  
12 incorporated about redistricting in, you know, U.S.  
13 Government studies and perhaps, you know, some kind of --  
14 I don't want to say presentation per se, but it did get  
15 me thinking that is that something that would be  
16 appropriate? Is that something you already talked about?  
17 If so, then I will end what I'm saying now.

18 CHAIR TOLEDO: Commissioners Kennedy and Fernandez.

19 COMMISSIONER KENNEDY: Thank you, Chair. From my  
20 attendance at the Future of California Elections  
21 Collaborative events, I'm aware that Placer County in  
22 particular has a very active and very highly regarded  
23 youth outreach effort, and so I don't have in front of me  
24 who is -- who are the Commissioners who cover Placer. I  
25 can be in contact with the registrar. Okay, Commissioner

1 Fernandez, you and I can be in touch with the registrar  
2 and see if we might discuss with him a pilot project,  
3 maybe to see what we can do for youth starting in Placer  
4 County.

5 CHAIR TOLEDO: Commissioner Fernandez.

6 COMMISSIONER FERNANDEZ: Yeah. I just wanted to  
7 piggyback because you're stealing our thunder,  
8 Commissioner Akutagawa.

9 So Commissioner Vazquez and I, our presentation  
10 tomorrow, we are very fortunate. One of our presenters  
11 is Frank Pisi, and he is with the Sacramento County  
12 Office of Education, and he was involved in the  
13 curriculum statewide for census, and he is very  
14 passionate about curriculum statewide at four different  
15 grade levels for redistricting, so we're kind of -- we're  
16 getting there. So that's great that you're thinking that  
17 way, and we're excited. So act really surprised and  
18 grateful when he presents it tomorrow. So thanks.

19 CHAIR TOLEDO: Commissioner Akutagawa.

20 COMMISSIONER AKUTAGAWA: Is that something that we  
21 can share because it was an idea that was actually, you  
22 know, kind of floated, or a comment that was floated, and  
23 the comment -- I had a conversation with somebody in  
24 Tuolumne County, as well as in Orange County, and so I  
25 suspect that there may be similar conversations in other

1 counties. Is that something that we could share? Is  
2 that a little too premature?

3 CHAIR TOLEDO: Commissioner Fernandez.

4 COMMISSIONER FERNANDEZ: I would ask that we wait  
5 until tomorrow for his presentation and we kind of  
6 bombard him with it. But he was -- I mean, Commissioner  
7 Vazquez, if you want to chime in -- but he seemed pretty  
8 passionate about wanting to do that. And he said they  
9 could -- he was so passionate that he thought by the fall  
10 semester it would be in place, which is great.

11 CHAIR TOLEDO: Any other comments or questions for  
12 the committee? Hearing none, let's move on to data  
13 management and Commissioners Ahmad and Turner.

14 COMMISSIONER AHMAD: Commissioner Turner, I'll let  
15 you have the floor.

16 COMMISSIONER TURNER: Okay, great. Thank you,  
17 Commissioner Ahmad. So we have an agenda item, but we  
18 really think that we probably can give you an update just  
19 here and give you back that time, Chair.

20 First of all, there was discussion that we had  
21 concerning the feasibility of NationBuilder as it relates  
22 to working with our data needs, and just wanted to report  
23 that NationBuilder is good to go with all that we need  
24 for our data, so we're glad about that.

25 We had, Commissioner Ahmad and myself and one of the

1 other subcommittees had a meeting with USDR last week,  
2 and we shared the example questions that you all came up  
3 with that we would want a data analyst to answer, and  
4 that was very hopeful for USDR in the initial scope of  
5 our needs for the data analyst role.

6 We also shared that we were going to hold on that  
7 recruitment process until a line drawer is on board.  
8 USDR, through the conversation, brought up the  
9 possibility that a data analyst role being folded into a  
10 line drawer role may be a way to go as well, and so we'll  
11 look at that and just continue to talk about that a  
12 little bit more as that person comes on board as we're  
13 having those conversations.

14 There are a couple of questions that we have for the  
15 staff here, particularly, the question came up around a  
16 MOU, a memorandum of understanding, and USDR typically  
17 does not work with MOUs or contracts because, of course,  
18 as we know they're volunteer run and there's no exchange  
19 of money in any of their work. However, upon our request  
20 USDR has provided points that they would include in an  
21 MOU from their side. I'm not sure where we're -- perhaps  
22 staff will give some update there. We've reached out to  
23 staff on the 5th and the 11th to start drafting the MOU.

24 And the subcommittee was willing to work off of a  
25 template MOU to draft language but we've not yet heard

1 back from staff, so we'll want to know just where are we  
2 at with that, if we feel like we're comfortable foregoing  
3 an MOU and just working with them to get the task done,  
4 or do we want an MOU in place. And if we have an MOU in  
5 place, exactly what does that mean for us on our end.  
6 And that, we just want to be able to get that process  
7 moving forward and would like to know who our point of  
8 contact among the staff is going to be to get that item  
9 moving.

10       So we can get some feedback on that in a minute, but  
11 looking forward, the last two pieces is just to let you  
12 know there will be edits to the data flow diagram  
13 forthcoming, and we'll continue working with USDR to fine  
14 tune our needs for data management and will continue to  
15 bring questions and updates back to the full team as  
16 needed.

17       So if we could just get just a little bit of  
18 feedback about MOU, I think that's all we need.

19       CHAIR TOLEDO: Director Claypool.

20       MR. CLAYPOOL: Yes. I apologize for not getting  
21 back to you with that, Commissioner. The point of  
22 contact is going to be Raul. He's the person who knows  
23 everything about contracts, and I will move that to him.  
24 It shouldn't take very long for us to look at what  
25 they've given. Undoubtedly, if they have a template that

1 they work with, it works for most organizations, so we'll  
2 look it over and we'll get it right back to you.

3 COMMISSIONER TURNER: Okay, and thumbs up from the  
4 Commissioners. MOU is something we're comfortable with  
5 or do we see the need? Yes, okay, yes, MOU. Okay. All  
6 right.

7 Any questions?

8 CHAIR TOLEDO: Hearing none. Well, thank you so  
9 much Commissioner Turner and Commission Ahmad. Hearing  
10 no other questions or comments, let's move on to grants  
11 committee, Commissioner Akutagawa and Le Mons.

12 COMMISSIONER AKUTAGAWA: Commissioner Le Mons, do  
13 you want me to just go ahead and get started? All right.

14 So I just wanted to let everybody know that we've  
15 had a conversation with the staff, and they are helping  
16 us to draft the RFP. We are still in the process of  
17 reviewing the RFP, working through some of the finer  
18 details of it, and so that's why you have not seen it  
19 yet.

20 What we're hoping to do is we will have it ready for  
21 review at the next meeting, and just so that everybody is  
22 aware before we get this question, I do want to say is  
23 what we'll do is we'll submit it to everybody for review  
24 and we will not take a vote on it until after the next --  
25 to the meeting afterwards. So we'll give everybody

1 plenty of time, you know, to review it, kind of chew  
2 through it and then have any questions before we actually  
3 take a formal vote. But we are in process with that.

4 I also want to just ask the Commission, I guess I  
5 will make a proposal or a motion to accept the idea that  
6 we can or we have increased our outreach grant budget or  
7 grant amount that will be available from the previous 1.5  
8 million that we had talked about before to now we are at  
9 2.065 I think, if that's correct.

10 So we have been able to utilize a full amount of the  
11 outreach budget to give out as grants, and because it is  
12 a large expenditure of money, I want to make a motion  
13 from the Commission to approve that grant amount.

14 CHAIR TOLEDO: Commissioner Kennedy.

15 COMMISSIONER KENNEDY: Oh, I was going to say, you  
16 know, my understanding is we hadn't made decision yet, so  
17 the fact that there is now a motion on the floor, my  
18 point is moot as far as it goes.

19 CHAIR TOLEDO: Do we have a second? Commissioner  
20 Yee. I think Commissioner Yee raised his hand first.

21 COMMISSIONER YEE: I second.

22 CHAIR TOLEDO: Thank you. Discussion?

23 Commissioner Sinay and then Commissioner Kennedy.

24 COMMISSIONER SINAY: I definitely welcome having two  
25 million dollars to give to the community. I just want to

1 make sure that we do have the resources needed for the  
2 outreach staff to be able to do what they may need to  
3 engage people. Originally when we had looked at that  
4 budget we had created three different line items within  
5 it just to make sure that we had the flexibility to do  
6 all we needed.

7 CHAIR TOLEDO: Commissioner Kennedy.

8 COMMISSIONER KENNEDY: Thank you, Chair. I'll  
9 reiterate something that I said last week, I believe, and  
10 if I go back to the budget projections provided by  
11 Director Claypool, I still believe that the -- excuse  
12 me -- the items listed under production, so Commission  
13 videos, printed material for marketing, education,  
14 distribution, translation of our outreach documents,  
15 purchase of ads for social media campaign, purchase of  
16 ads on traditional media platforms are legitimate  
17 outreach costs and should be subsumed under the overall  
18 2,065,000 for outreach.

19 The Commissioner per diem, video streaming, the  
20 interpretation, I would argue are operational costs and  
21 should go elsewhere, and we would still have a little bit  
22 left over which I would say should go to bump up the  
23 translation line under production. Thank you.

24 CHAIR TOLEDO: Any other discussion, comments,  
25 questions? Seeing none let's -- oh, there is one. I



1 can't see. Oh, Director Hernandez. Sorry.

2 MR. HERNANDEZ: So we did take all that into  
3 consideration and that's where Director Claypool was  
4 addressing that we move that over to the operation side.  
5 So in those production it's for the length of time that  
6 we're -- in the Commission that we're doing a lot of  
7 these activities for. So it's not just a one-time  
8 outreach cost. So that's one of the reasons that we were  
9 able to move that over essentially.

10 CHAIR TOLEDO: Great. Any other questions, comments  
11 before we go to public comment?

12 Hearing none, Katy, can you open up the line?

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

17 To call in, dial the telephone number provided on  
18 the livestream feed. It is 877-853-5247. When prompted  
19 to enter the meeting I.D. number provided on the  
20 livestream feed, it is 93805334078 for this meeting.  
21 When prompted to enter a participant I.D., simply press  
22 the pound key.

23 Once you have dialed in you will be placed in a  
24 queue. To indicate you wish to comment, please press  
25 star 9. This will raise your hand for the moderator.

1           When it is your turn to speak, you will hear a  
2 message that says, "The host would like you to talk.  
3 Press star 6 to speak." If you would like to give your  
4 name, please state and spell it for the record. You are  
5 not required to provide your name to give public comment.

6           Please make sure to mute your computer or livestream  
7 audio to prevent any feedback or distortion during your  
8 call.

9           Once you are waiting in the queue, be alert for when  
10 it is your turn to speak, and again, please turn down the  
11 livestream volume.

12           The Commission is taking general public comment on  
13 agenda item 9J.

14           And we do not have anybody in the queue at this  
15 time.

16           CHAIR TOLEDO: Thank you. Commissioner Kennedy.

17           COMMISSIONER KENNEDY: Thank you, Chair. One  
18 clarification. Whatever fee we are going to pay to an  
19 outside organization to administer this, where is that  
20 coming from in the budget? Thank you.

21           CHAIR TOLEDO: Director Hernandez.

22           MR. HERNANDEZ: Yes. That will be included as part  
23 of the outreach -- the grant, I should say. It's not to  
24 exceed ten percent, and that's following suit with other  
25 grants that we've reviewed and looked at.

1 PUBLIC COMMENT MODERATOR: We do have someone in the  
2 queue, Chair.

3 CHAIR TOLEDO: Okay. Open the line.

4 PUBLIC COMMENT MODERATOR: And the line is open.  
5 Hello.

6 MS. GOMEZ: Yes, I'd like to provide comment.

7 PUBLIC COMMENT MODERATOR: Yes. Your line is open.

8 MS. GOMEZ: Yeah, but do you mean I'm ready to speak  
9 or you're going to queue me in when I'm ready.

10 PUBLIC COMMENT MODERATOR: You're ready to speak.

11 You're ready to --

12 MS. GOMEZ: Okay?

13 PUBLIC COMMENT MODERATOR: Yes. You can go ahead  
14 and talk.

15 MS. GOMEZ: Okay. Yes. My name is Blanca Gomez.

16 It's spelled B-L-A-N-C-A, G-O-M-E-Z.

17 I was listening to the -- I'm sorry. I was  
18 listening to this morning and I saw that the  
19 interpretation for ASL interpreters was something that  
20 you were not going to possibly consider because of the  
21 cost.

22 I want you to know that in the area where I am, in  
23 the City of Victorville I represent over 103,000 people,  
24 and the vast majority of individuals that I run across in  
25 my domain are deaf and hard of hearing. They don't have

1 accessibility and they're a group that is consistently  
2 targeted and discriminated. They're a group that goes  
3 silent on many of the issues.

4       And as an advocate for them, the deaf group, I'm  
5 going to request that all fourteen Commissioners who have  
6 been meeting off and on for the last five, six months,  
7 take into consideration the deaf and the hard of hearing  
8 who only communicate through ASL. And I know it's  
9 costly, but the cost of having the representation of them  
10 not being included is much more costlier because not only  
11 do they not get a say in how redistricting does occur,  
12 they go silent and they're not seen and they're not  
13 heard. And I would like for each of you to consider that  
14 aspect of it instead of looking at the monetary factors.

15       Switching on from the monetary factors, I did hear a  
16 lot of questions from many of the Commissioners that did  
17 address the administrative costs, for instance, for the  
18 SA and the (indiscernible) and the need for having a  
19 State employee in order to have these student assistants.  
20 But what I did not hear was how much of the cost that's  
21 being budgeted and implemented for the 2022 budget for  
22 June, what percentage of that is for administrative pay  
23 and how much of that percentage is really allocated for  
24 the grunt work that's required to do the redlining in  
25 California.

1 I'm familiar with a lot of nonprofits who receive --  
2 they do a lot of great jobs, but at the very end the  
3 administration gets eighty to ninety percent of its money  
4 from taxpaying dollars, and at the end of the day ten  
5 percent is not enough to service our communities, and so  
6 for all fourteen who are here available and having these  
7 meetings, please be considerate of the percentages. It's  
8 my understanding that there's much more than sixty  
9 percent just going for administrative fees, and the cost  
10 that is incurred to do all this. So we have, like,  
11 probably the desire to have a draft of what the plan is  
12 going to look like. I think that would be amenable.  
13 There's people that aren't a part of today because they  
14 don't understand the political systems that really  
15 undergirth (sic) the system, which is what we're doing  
16 today and requires at all levels.

17 And so just be very mindful that you're doing a  
18 great job in asking all these questions, and there's  
19 people watching the Commission, ensuring that the  
20 Commission is doing their due diligence in questioning  
21 the budgetary items and ensuring that our administration  
22 is not the full force of what it's getting, but it's  
23 coming back down to the people.

24 Thank you very much. Once again, my name is Blanca  
25 Gomez and I am a representative in my community with a

1 lot of deaf and hard of hearing as well as bilingual  
2 Spanish speakers and other languages that get ousted from  
3 a lot of these types of systems that are supposed to  
4 include us.

5 CHAIR TOLEDO: Thank you, Ms. Gomez.

6 Commissioner Kennedy and Commissioner Fernandez.

7 COMMISSIONER KENNEDY: Thank you, Chair. This  
8 raises, I think, a very good point. I just want to say  
9 to colleagues, I have requested a spot on the agenda for  
10 the April Voting Accessibility Advisory Committee of  
11 Riverside County to make the redistricting basics  
12 presentation to that group, and I would encourage  
13 colleagues to seek out the Voting Accessibility Advisory  
14 Committees in their respective counties and schedule some  
15 more presentations. Thank you.

16 CHAIR TOLEDO: Commissioner Fernandez.

17 COMMISSIONER FERNANDEZ: I just wanted to clarify to  
18 Ms. Gomez that we will always have ASL interpreters. I  
19 think the conversation probably got confusing at times,  
20 but we will at every meeting, every public input, every  
21 public meeting, we have we will have American Sign  
22 Language interpreters.

23 CHAIR TOLEDO: Thank you, Commissioner Fernandez for  
24 the clarification.

25 Katy, do we have any other callers on the line?

1 PUBLIC COMMENT MODERATOR: We do, Chair. We have  
2 one more.

3 CHAIR TOLEDO: Okay. And if the public comment  
4 could be specific to the item at hand, which is the  
5 grants allocation.

6 PUBLIC COMMENT MODERATOR: Yes, I will -- oh, okay.  
7 You go ahead and share your comment.

8 MS. WESTA-LUSK: Hello. This is Renee Westa-Lusk.  
9 R-E-N-E-E, and the last name is W-E-S-T-A, and then  
10 there's a hyphen, and then it's L-U-S-K.

11 I have three questions regarding the grant money  
12 approval. Do you -- first question is do you have a plan  
13 if you receive more applications than you can fund for  
14 the outreach grants, if the number of applicants with the  
15 amounts that you will allot will exceed the 2,065,000?  
16 That's my first question.

17 And then the second one is will there be a section  
18 on the new website that shows community-based  
19 organizations that want to apply for the grants, give  
20 them instructions on how to apply for the grant money?

21 And three, will the website or application process  
22 show who is eligible to apply for the outreach and  
23 engagement grant funds?

24 Thank you.

25 CHAIR TOLEDO: Thank you for your comments. Do we

1 have any other callers on the line?

2 PUBLIC COMMENT MODERATOR: No, Chair, that was it.

3 CHAIR TOLEDO: Okay. So Commissioner Akutagawa and  
4 I believe it's Commissioner Le Mons, do you have any  
5 feedback with regard to those questions that you want to  
6 give?

7 Commissioner Akutagawa.

8 COMMISSIONER AKUTAGAWA: I'll go ahead and start.  
9 And actually, this may address both the previous caller  
10 and Ms. Westa-Lusk as well, too. So what our intent is  
11 is to find, based on the recommendations and based on the  
12 vote that the Commission took the last time, we went with  
13 an option in which we would take the entire grant amount  
14 that's budgeted and what we would do is we would hand it  
15 over to an intermediary party to then distribute the  
16 grant funds so that then the Commission, itself, is going  
17 to be one step removed for directly giving out the grants  
18 and who those grants go to; it would not be decided by  
19 the Commission but instead be decided by the intermediary  
20 party.

21 The ten percent that was discussed is what would go  
22 to the intermediary, and I think I'm going to ask  
23 Director Hernandez to perhaps clarify this part, but I  
24 believe that the intermediary, it's either we can dictate  
25 how much of an administrative fee that the intermediary



1 can allow or the intermediary will just perhaps do  
2 whatever is standard in terms of these kind of grant,  
3 kind of, I guess, situation.

4       So the intermediary would then, therefore, be the  
5 one to determine how many grantees and how much of those  
6 funds would then be distributed. I know that one of the  
7 conversations that we are having, though, amongst the  
8 grant subcommittee is, is there a not to exceed amount in  
9 terms of what a single grant could be in terms of each  
10 organization that, you know, who applies, what they would  
11 be eligible to receive.

12       In terms of the website, I think I'm going to defer  
13 that to Director Ceja, but I believe that we would at  
14 least have a link to whatever the intermediary site would  
15 be, but then anybody who comes on to the Redistricting  
16 Commission website will see that the grants are  
17 available, but to get further information we would  
18 probably direct them to the intermediary site, and I see  
19 Director Ceja nodding his head, so I think that's what it  
20 would be.

21       But Director Hernandez, perhaps you could elaborate  
22 on the fee.

23       MR. HERNANDEZ: Yes. As I mentioned earlier, the  
24 fee, the way we've researched and found the majority of  
25 the grants is that they have a very specific percentage

1 associated with the intermediary type of third-party  
2 relationship, not to exceed the ten percent, and it could  
3 be less but it would not be more than that ten percent.

4       And in the RFA -- just for clarification, it's going  
5 to be an RFA, not an RFP, request for application versus  
6 a request for proposal -- in that RFA we outline what is  
7 allowable, what's not allowable. And so we're going to  
8 try to be as specific as possible to outline what they  
9 can use those funds for so that we maximize the amount of  
10 money that actually is going out to the community-based  
11 organizations, because really that's the intent of having  
12 a third party is to make sure that they get it out to  
13 those folks in a timely fashion. We're going to have  
14 some parameters associated with that so that we can also  
15 keep track of where those funds are going.

16       CHAIR TOLEDO: Thank you, Director Hernandez. Any  
17 other discussion prior to the vote? Seeing none, we're  
18 ready for roll call, Director Claypool.

19       MR. CLAYPOOL: So as I understand it, the motion is  
20 by Commissioner Akutagawa that you'll accept the  
21 2,065,000 dollars to go entirely to grants.

22       Commissioner Turner.

23       COMMISSIONER TURNER: I have a question. I just  
24 want to make sure the encompasses the explanation that  
25 Commissioner Kennedy stated. I wasn't clear on that.

1           Commissioner Kennedy outlined a whole bunch of  
2 directions of where it was going to go, and I think I  
3 heard them say yes, and before I can vote, I just wanted  
4 to make sure that that is what we're voting for.

5           CHAIR TOLEDO: Commissioner Le Mons.

6           COMMISSIONER LE MONS: What we're voting for now is  
7 last time we presented there was some concerns about how  
8 much money would actually go toward the grant program,  
9 and so we talked about the possibility of using the  
10 entire outreach budget, which is the 2,065,000 dollars,  
11 toward the grant project, which would be the  
12 administrative fee as well as the actual grants  
13 distributed to the community.

14           All of the things that Commissioner Kennedy  
15 described are really not impacted by this, because what  
16 we're voting on now is whether or not to increase the  
17 grants budget from the 1.5 million to the 2,065,000 in  
18 total, including administrative cost. So that's all  
19 we're voting on.

20           What he was talking about is where things were  
21 identified in the budget and different places in the  
22 budget where certain categories would be moved. But this  
23 money would not affect any of those categories directly  
24 because all of this money will be used direct to  
25 community grants and the administrative ten percent.

1 That's it.

2 And then all of those other things that he was  
3 referring to being paid for by some other aspects of our  
4 budget and are to be covered by the ask that we're going  
5 to make in May and whatever the other situations are to  
6 cover the rest of the budget.

7 COMMISSIONER TURNER: Okay. Commissioner Le Mons,  
8 thank you. In his -- yes, in one of the responses back  
9 made me think something different, and I'm sorry I'm  
10 complicating this, but Commissioner Kennedy asked the  
11 question and I was following it, and then we went just  
12 too far down a trail, and I lost the main point. But  
13 someone responded that said -- I don't know, let me pass  
14 right now because I'm not clear. I still have a  
15 question.

16 CHAIR TOLEDO: Commissioner Fernandez, and then  
17 we'll come back to Commissioner Turner.

18 COMMISSIONER FERNANDEZ: My only concern with  
19 putting a dollar amount on the motion is let's say, you  
20 know, three, four, five months down the road maybe we  
21 have extra money and we want to put it into the grants.  
22 Do we then have to come back again and increase that, or  
23 like, do another motion to increase the amount? I guess  
24 I'm just trying to -- we would, okay. All right.

25 CHAIR TOLEDO: Commissioner Taylor.

1           COMMISSIONER TAYLOR: And just for sake of clarity,  
2 if we put all of our outreach money into the grants  
3 program, and that's prior to any approval for additional  
4 budgets, and in coordination with one of our trusted  
5 partners we decide to have flyers or some other outreach  
6 materials, where does that money come from, or am I  
7 missing something?

8           CHAIR TOLEDO: Director Hernandez.

9           MR. HERNANDEZ: I was going to defer to Director  
10 Claypool.

11          CHAIR TOLEDO: Okay, Director Claypool.

12          MR. CLAYPOOL: So we have -- we have funded --  
13 within the outreach portion we have funds for those items  
14 specifically, different types of outreach that we might  
15 be doing with, like, flyers or so forth. But we have  
16 also considered Commissioner Turner's suggestion that we  
17 have money set aside for stipends in case we have to, you  
18 know, pay for some of the services that might be needed  
19 to distribute things for us. So we have considered all  
20 of those.

21          The reason we have the 2,065,000-dollar title here  
22 is because this is the amount that was in a single  
23 provision for outreach that was justified from the Irvine  
24 Foundation contribution for this specific task, plus an  
25 increase for the California cost of living index from

1 that period until now. It was about 1.7 million and it  
2 increased to this amount.

3 So it's really just acknowledging that we are taking  
4 the funds as they were considered to be used for grants  
5 and now transferring them to grants.

6 If we had additional money in the future that we  
7 wanted to allocate to this, we could certainly -- the  
8 Commission can always take another vote and increase that  
9 allocation, but that's just how we got to this specific  
10 dollar amount.

11 CHAIR TOLEDO: Commissioner Le Mons.

12 COMMISSIONER LE MONS: I don't know if my  
13 understanding was quite the way Director Claypool just  
14 characterized it, and I raised this in the last meeting.  
15 I don't know that these resources were given to us for  
16 grants. I don't think that's a fair characterization.  
17 It was given to us for outreach. Because there was a  
18 whole question about whether we could even do grants. I  
19 mean -- as a matter of fact, I was the first that  
20 suggested months and months ago that we consider a grants  
21 program. So I do not believe that these resources were  
22 made available, and that was one of my positions last  
23 time we met, is that we shouldn't act as if these were  
24 monies that were supposed to be for grants and that we  
25 were somehow not using all of the resources for grants.

1           So if I'm wrong there I'd like to be corrected, but  
2 I do not believe that these monies were earmarked  
3 specifically for grants.

4           So what we had determined, because we brought back  
5 our recommendation based on the original resources when  
6 the April letter was being created because we wanted to  
7 get as much money to the community as possible. That's  
8 when we went from the 1 to 1.5 million. And then there  
9 was some question about -- well, we were going to  
10 recommend.

11           And then there was a question about whether or not  
12 those resources were really for grants, and so there was  
13 a lot of discussion about whether we should earmark the  
14 entire 2,065,000 for grants, which is how we got to where  
15 we are today, and that's really what we're voting on, and  
16 I think that Commissioner Taylor's question is a valid  
17 one. I share that question, actually. I do think that  
18 this is contingent upon our ability to get more  
19 resources, so the question I would ask is if we get no  
20 more resources, what is impacted by allocating the entire  
21 2,065,000 dollars to direct to community grants? That's  
22 the question I'd like to ask, myself, even as a member of  
23 the grant subcommittee.

24           MR. CLAYPOOL: Thank you. Everything is impacted.  
25 We would immediately have to start drawing back if we

1 received no additional money. We would have to start  
2 reconsidering how your meetings work. We will not  
3 have -- if we keep this 2,065,000 as a reserve, we're  
4 still not going to have enough money to get us across  
5 this period of time that we have.

6 So to answer your question, we would have to  
7 scramble. We'd probably have to reach back in and say to  
8 whoever was distributing this money that we needed to  
9 halt the grants in order to save some of that money.

10 I don't anticipate that you will be denied funding.  
11 I anticipate that you will get funding so that you can  
12 continue on, and that's the indication that was given to  
13 us when we were in our meetings with the Joint  
14 Legislative Budget Committee, that they were asking us to  
15 anticipate how much more operational budget we would need  
16 because of the extension in the census, and so forth.

17 Insofar as the justification that I gave for the  
18 grants, when we started this process, we were searching  
19 everywhere for the authority for us to give grants, and  
20 so at that time my position was that I didn't know  
21 whether or not we could give grants with this money. And  
22 you're absolutely correct, Commissioner Le Mons, we were  
23 looking for all different types of options where we  
24 might, you know, use this money if we couldn't give  
25 grants.



1           At the time I said we'll go into the meetings --  
2 first we asked the Department of Finance in our meetings  
3 with them, can we use this for grants, and they said,  
4 well, it doesn't specifically say what you can use it  
5 for. It was always our position that we would end up  
6 going into the meetings with the Joint Legislative Budget  
7 Committee, we would give them a letter, which we did, and  
8 that letter would say here's how we intend to use these  
9 funds. And that letter was very specific. We intend to  
10 use a portion of these funds for grants. There was never  
11 any indication during our meetings with everyone in the  
12 Legislature that it could not be used for grants, and in  
13 fact, they asked questions about what types of grants,  
14 third party. And so we concluded that we had tacit  
15 approval without physical agreement in the law that we  
16 could move forward with this grant process.

17           In the end we moved back to the 2,065,000 because  
18 there seemed to be a consensus among the Commission that  
19 they would like to use as much as possible, and we put it  
20 in. I notified the Joint Legislative Budget Committee  
21 that we had moved the 1.5 million to the 2,065,000, and  
22 in the response I received it was, they're not going to  
23 tell us how to -- they're not going to micromanage how we  
24 use our funds for outreach.

25           In that same response, I received an email from a

1 person who had actually helped construct the budget for  
2 us, and in that response it was, we arrived at the  
3 2,065,000 because we determined that 1.7 million of the  
4 Irvine Foundation's money had been used for this specific  
5 outreach endeavor in 2010, and then there was a cost-of-  
6 living increase that went with it that brought it to this  
7 amount.

8       So it's been a journey. I believe that you have the  
9 right to use this money in this way. If you don't want  
10 to use the full amount, we can pull back and we can  
11 reallocate it, but there seemed to be a sense that the  
12 Commission wanted to make this move to this level, and  
13 Director Hernandez looked at what he had set aside for  
14 the things that he wanted to do, and we agreed that if we  
15 used it for this sum it would increase the amount that we  
16 had to ask for in the May revision, and that we would  
17 seek the funds there to cover this escalation of these  
18 funds.

19       But to answer your first question again, it would be  
20 very firm. If they tell us we don't have any money, we  
21 pull everything off the table and we start thinking about  
22 a different way to do this, because you don't have enough  
23 money, even with the 2,065,000, to do all the things that  
24 we would like to do in the way we would like to do it  
25 right now.

1 CHAIR TOLEDO: Thank you. Commissioner Vazquez and  
2 then Commissioner Andersen, and Sinay after that.

3 COMMISSIONER VAZQUEZ: Yeah, I just wanted to chime  
4 in. Thank you, Director Claypool, for summarizing all of  
5 that. That's generally my understanding of the evolution  
6 of how we got to this place with this number for these  
7 activities.

8 And just wanted to sort of share my thoughts that if  
9 in the dark doomsday scenario where we don't get any  
10 money, additional money, from our request, I feel like we  
11 have probably the most solid argument for sufficient  
12 funding for this particular grants money based on prior  
13 allocation, you know, activities that we are trying to --  
14 money that was designed to supplant philanthropic  
15 investment.

16 So for me at least, I'm less concerned about having  
17 an argument to claw back at least enough money to do the  
18 outreach as it's currently envisioned, and then if we get  
19 no money, sort of as Director Claypool was saying, we'd  
20 have to be scrambling about a lot of our other additional  
21 plans and activities. And I'd be more concerned about  
22 trying to create justifications and/or modifying other  
23 activities beyond outreach or that add value to our  
24 outreach efforts rather than this specific line item  
25 which, for me, has, I think, the most robust

1 justification for how we arrived at this number based on  
2 prior spending.

3 CHAIR TOLEDO: Commissioner Andersen, then Sinay,  
4 then Turner.

5 VICE CHAIR ANDERSEN: Thank you. I know our --  
6 certainly our intent. I'm just a little -- I do have a  
7 question because as I heard Dan talk about this, a  
8 portion of the money is going to be for the grants, and  
9 I'm just looking at -- which is part of the handouts that  
10 are posted today, it's the letter dated February 9th from  
11 the Joint Legislative Budget Committee, and it very  
12 specifically says in a -- it's really short.

13 So "in a letter dated January 22nd" to -- this is to  
14 Ms. Bosler, who is the Department of Finance. "You  
15 notified the Joint Legislative Budget Committee pursuant  
16 to provision", blah, blah, blah, of a request by us "to  
17 authorize the use of 2,065,000 for outreach efforts that  
18 was already appropriated by the legislature. I reviewed  
19 the request and concur that the Commission should be  
20 authorized to extend the funding", blah, blah, "begin a  
21 statewide outreach program."

22 It does not say, this certainly implies the  
23 2,065,000 is for outreach efforts, not just -- it's the  
24 total part.

25 And so what I'm wondering is, you know, rather than

1 talk about it, I understand if we don't get the extra  
2 funds it impacts everything. But let's be specific about  
3 this item. Out of this item, how much of that are we  
4 saying is required to do any outreach effort, because we  
5 have enormous amounts of outreach effort. And if we take  
6 all the money that they have decided this is for outreach  
7 and we just give it all in grants, what portion do we  
8 need to make up?

9       And that's specific. I don't mean -- I understand  
10 that everything else and all the other things we need,  
11 but does anyone have a number there or percentage of what  
12 portion are we talking about that we shift into other  
13 areas, that we need this to do any outreach whatsoever,  
14 not just the grants? That's the question we are really  
15 kind of -- we keep on talking about several different  
16 things, but -- so budget-wise where are those numbers? I  
17 think, Commissioner Kennedy, you were talking about some  
18 of those. I could be incorrect with that. So who has  
19 the numbers?

20       CHAIR TOLEDO: Commissioner Fernandez, do you have  
21 the numbers?

22       COMMISSIONER FERNANDEZ: Well, it's in the budget  
23 that Director Claypool presented earlier this morning.  
24 If you go into the outreach portion of it, it's all of  
25 those other expenditures that would be what would also be

1 associated with outreach efforts. So it would be like  
2 another, like, a half a million.

3 CHAIR TOLEDO: Thank you, Commissioner Fernandez.  
4 Commissioner Claypool, or Director Claypool.

5 MR. CLAYPOOL: Thank you, Commissioner Fernandez,  
6 that's exactly it. That money, because we have three  
7 pools of money, we have operational expenses, and that's  
8 about four-and-a-half million dollars. We have an  
9 outreach, which was a different provision. That was the  
10 2,065,000. And then we have a litigation fund that we  
11 can't touch until after August of this year, and that's  
12 about 4,700,000.

13 So if you think in terms of that, anything that's  
14 not in this 2,065,000 is automatically an operational  
15 expense, and that's how we got from 1.5 to 2,065,000.  
16 That money simply shifted into the operational expense,  
17 and we will be asking for an augmentation to cover those  
18 funds when we go to the May revision.

19 CHAIR TOLEDO: Thank you, Director Claypool.  
20 Commissioner Sinay, and then Commissioner Turner.

21 COMMISSIONER SINAY: Again, I fully support as much  
22 as we can get out into the community. I'm an advocate of  
23 that. We had talked at one point about holding back, if  
24 it was going to be ten percent or fifteen percent in case  
25 we needed to pay for outreach efforts that we didn't

1 expect, like if we were in the far north and we didn't  
2 realize there was a Hmong community and we needed  
3 translation, and so we could fund that. Is that all now  
4 coming out of operating? Would that come out of  
5 operating now or do we not need to hold back some money  
6 for those emergencies -- not emergencies, but the -- it's  
7 going to happen to allow us that flexibility?

8 CHAIR TOLEDO: Director Claypool.

9 MR. CLAYPOOL: Exactly, Commissioner Sinay.  
10 Everything will now run out of the operational budget.  
11 We have 3.6 million or something to that effect right  
12 now. We have another provisional amount of operational  
13 funding at 1.3 million, 1,313,000, that we're going to  
14 have to make a request for. But they like you to make  
15 the request about thirty days before you need the money.  
16 We won't need that money before we get to the May  
17 revision letter.

18 We will know by the time we go through or get close  
19 to that May revision whether or not we're going to  
20 receive funding, and again, I see no reason to assume  
21 that we will not receive some funding. I can't tell you  
22 how much it is. I would think that it would be enough to  
23 cover your expenses, because the Act requires that you be  
24 given enough to do this process as you believe you should  
25 do it. No guarantees, but I think that everyone is on

1 board with that.

2       And yes, anything that we had to pay for in that  
3 vein would come out of those expenses. I can't tell you  
4 the exact line item we would pull it out of, and perhaps  
5 it's another place where we should make a line item. We  
6 can make another contingency and place it in just so  
7 that, you know, we can see it and understand that it's  
8 there, and I'll make a note of that.

9       CHAIR TOLEDO: Thank you. Commissioner Turner, then  
10 Commissioner Andersen, Commissioner Akutagawa after that.

11       COMMISSIONER TURNER: Thank you, and I think this  
12 has been helpful for me. I think what I recalled was the  
13 argument that Commissioner Kennedy was making that there  
14 were some line items that he considered to be part of  
15 outreach. And in my mind I don't think that conversation  
16 ever -- I got the answer for that.

17       But what I'm hearing now is that those items didn't  
18 move to outreach. They're still under operations. And  
19 the proposal then would be to use the entire 2.065  
20 outreach budget for grants, and assuming that we'll get  
21 additional money under operations later. And so then, if  
22 that being the correct understanding, and then we also --  
23 I also heard Director Claypool and others say that if we  
24 run out -- he doesn't think we'll run out of funding, but  
25 if we do, we can pull money back. With that comment, I



1 would want to say that I would rather not propose  
2 additional money to the community, that we may pull back  
3 or may not. You know, if we have to make any shifts to  
4 it, I think community, once we count on money from a  
5 nonprofit perspective, I would expect to get all of what  
6 we committed to. I don't know what that would look like  
7 if we're pulling money back or deciding we have to go a  
8 different route.

9       And if we can give the money at any point, we can  
10 also layer the money. We can go with what we've already  
11 promised or what we've already determined we would do,  
12 and have that money held, and then go a second allotment  
13 of funding as is needed as well.

14       CHAIR TOLEDO: Commissioner Akutagawa, Andersen,  
15 then Le Mons. Okay.

16       COMMISSIONER AKUTAGAWA: I think actually  
17 Commissioner Andersen was before me.

18       CHAIR TOLEDO: Okay.

19       COMMISSIONER AKUTAGAWA: Maybe not.

20       CHAIR TOLEDO: I think you can go, Commissioner  
21 Akutagawa.

22       COMMISSIONER AKUTAGAWA: Okay. I was just going to  
23 point out, I don't know if this makes it a little bit  
24 easier. Two things that I want to say. One is about the  
25 budget. If you go back to the budget that was shared

1 with us at the last meeting, the February 8th through  
2 10th meeting, there was a -- there was a spreadsheet that  
3 was shared with us that was titled "FY19-22 CRC Budget  
4 Spreadsheet 02-5-21 Final" -- I don't know what the rest  
5 of it is. But on that particular budget that was shared  
6 at that last meeting, the outreach budget shows  
7 2,065,292, which includes the production line items, the  
8 educational redistricting basics line items, and then the  
9 grants to the community-based organizations was reading  
10 as 1.5.

11 If you compare that with the budget that was shared  
12 with us for this particular meeting, and this is the one  
13 that's titled "CRC Budget Spreadsheet 02-12-21 PDF". And  
14 on that, if you look at the outreach budget section, the  
15 same production, same educational redistricting basics  
16 line items appear. What is different is the grants to  
17 the community-based organizations. That amount shows as  
18 2,065,000, and then the total estimated budget for the  
19 outreach is the 2.6 and some change.

20 I don't know if this is more of just the ways in  
21 which the budget is presented, but basically the line  
22 items, you know, that would include some of the outreach  
23 kind of line items under production, and education falls  
24 under the outreach category, but what I'm hearing  
25 Director Claypool say is that those monies actually come

1 out of operations, and then, therefore, the full grants  
2 budget or funds will come out of, I guess, the outreach  
3 money. I don't know if seeing it on paper makes it a  
4 little bit easier to see the differences between the  
5 increased amount and what was previously proposed.

6 I do also want to -- I guess I do have a question  
7 based on what Commissioner Turner also just said. I  
8 completely understand what she's saying, that if we're  
9 going to give out -- and say we're going to give out a  
10 certain amount of money, and if we have to claw that  
11 back, obviously there's going to be a lot of disappointed  
12 people. I am concerned about going out with an amount  
13 now. I guess I thought, in proposing the amount that we  
14 were good to go with that amount, but if there is a  
15 possibility that we may have to take some of that back, I  
16 am concerned about what that's going to be like, and so I  
17 think I'm looking for either some reassurance or some  
18 clarity and whether or not we need to revise this motion.

19 CHAIR TOLEDO: Director Claypool.

20 MR. CLAYPOOL: So actually, two numbers changed on  
21 that. And if you go down to the total estimated  
22 shortfall you'll see that we went from about 6 million  
23 roughly 500,000, and now we're sitting at 7,162,000.  
24 That number is going to change again. That number is  
25 going to go up, because you now have two more months that

1 you're going to tell us how you want to spend it. So  
2 again, if you held all the 2,065,000 and said, we're not  
3 going to do outreach at all; we're going to keep this  
4 money just for us, you're still going to come up about 5  
5 million short of what your current plans are. That's why  
6 I'm not -- I'm confident that you are going to be funded  
7 to some amount that's going to get us where we need to  
8 go.

9 I can't guarantee that you're going to receive the  
10 full eight million that we may go up to once we look at  
11 those last two months, but I can just say that people  
12 understand that this budget was constructed on 2010, and  
13 with no educational engagement component to it, and that  
14 it's short, that it's going to be short.

15 With regards to the 2,065,000, again, I'm going to  
16 emphasize that that was the amount that was calculated to  
17 fill in behind that philanthropic effort that  
18 Commissioner Vazquez described better than I do. But it  
19 does -- it was intended for that function; therefore, the  
20 assumption would be that you need to have -- that you  
21 have enough money in your operational expenses to pay for  
22 at least what the last Commission did.

23 If we're going to get a yay or nay on whether you're  
24 going -- what your amount is going to be well ahead of  
25 you expending the bulk of this money, we're going to find

1 out what it is. If they were to say no money, you would  
2 probably have to cancel your educational engagement  
3 program, because that's the portion that wasn't factored  
4 into the amount of money you received. You would have to  
5 say, okay, we're just going to move on to that COI input,  
6 and we're going to move on to that census data-driven  
7 input meetings, and we could make the money that was left  
8 over work there. Again, I'm going to emphasize again, I  
9 don't believe that that's going to happen. I believe  
10 most people want you to have these educational  
11 engagements. They want you to do what you're doing.

12 The last thing I'm going to tell you is that the  
13 reason we looked to put this money into the  
14 educational -- or into the grants right now, whatever  
15 amount you decided to use, is because we don't have the  
16 opportunity to expand the outreach budget. It needs to  
17 be used now.

18 We do have the opportunity to expand the operational  
19 budget, and that's why we shifted a lot of things into  
20 operational budget, so that we could make the expansion  
21 cover that, because it will be too late for us to ask  
22 them to expand the 2,065,000.

23 CHAIR TOLEDO: Thank you, Director Claypool.

24 Commissioner Le Mons and then Commissioner  
25 Fernandez.

1 COMMISSIONER LE MONS: I just wanted to say thank  
2 you, Director Claypool, for the recap, because I sensed  
3 that there was, you know, different confusion, et cetera.

4 I guess my final point was we're running a deficit  
5 budget, bottom line, and so I think we start there. And  
6 whether we move this 500,000 into outreach or not is not  
7 going to change the fact that we're looking at about a 8  
8 million-dollar deficit. So if that helps people prepare  
9 for this vote, awesome. That's all I got.

10 CHAIR TOLEDO: Thank you, Commissioner Le Mons.

11 Commissioner Fernandez, before I go to you,  
12 Commissioner Andersen did have her hand up. I just  
13 didn't see her on the screen. So do you want to go  
14 first, Commissioner Andersen, and then Commissioner  
15 Fernandez.

16 VICE CHAIR ANDERSEN: Yes, just quickly. Thank you,  
17 Commissioner Le Mons, because yes, when we're looking at  
18 things like this, we need to be comparing apples to  
19 apples, and that's my objection here. We were not.  
20 Basically, if you look at, you know, we had numbers, how  
21 much is it going to cost us to do that, it is about  
22 565,000 to do the outreach that we're talking about. And  
23 then the number that was kind of thrown in there, they  
24 came up with the 265, was around 1-1/2 million, and now  
25 we want to switch that out.

1           So the item that is coming out of that that we're  
2 saying, if we give it all out what was the number that we  
3 now have to shift to something else. It's around 565,000  
4 dollars. And yes, and then you look at the public input  
5 meetings, that's around five-and-a-half million. You  
6 have the line drawing session. That's less than five,  
7 and that's going to go up.

8           So correct, it's the idea of what we also need is  
9 correct, but can we at least be consistent about the way  
10 we're saying it, and that way I think this would have  
11 avoided half this conversation of the confusion here,  
12 because we are asking to take it all in, realizing that  
13 the 565,000 we're putting into, we need more money. And  
14 that's okay as long as we realize that's what we're  
15 doing. And if we have to, we don't get the money, yes,  
16 we have to come back and how is it going to go.

17           And yes, we don't get the money can we still give  
18 out the whole two million? We need to cut that back.  
19 That's another discussion -- that discussion we should  
20 have, if we want to, but I think it's a much bigger  
21 question, and I think that's a minutia issue.

22           So thank you. Let's just try to put it in one  
23 place, and thank you very much.

24           CHAIR TOLEDO: Thank you, Commissioner Andersen.  
25           Commissioner Fernandez.

1           COMMISSIONER FERNANDEZ: Yes. Commissioner Le Mons  
2 stole my thunder. That's okay. We are running a  
3 deficit, and having worked in state government for many,  
4 many years, we can't wait until June when we find out if  
5 we're going to get the additional funding or not. And we  
6 are running a deficit, and it's almost like a leap of  
7 faith.

8           But I will tell you, having worked in government, as  
9 an agency you know well in advance whether or not you're  
10 going to get funded or not. They -- and if Director  
11 Claypool is telling us that they're very positive,  
12 they're very positive and that means that probably ninety  
13 percent sure we'll get the funding. I would say ninety-  
14 nine percent, but I like to kind of throw ten percent in  
15 there. Because I worked for agencies where you submit  
16 your proposals knowing they're going to be shot down  
17 because it's not -- it's not the theme of the year, or  
18 whatever, the pet projects if you want to call it, or  
19 whatever you want to call it, it's not the focus.

20           The census reaches a lot of money because census was  
21 the focus. Redistricting right now is the focus. I  
22 mean, we've already gone forward saying that we don't  
23 have enough funding. They're well aware of it, and I  
24 mean, for me, I have no issues moving forward. We have  
25 to -- we can't wait until June. We need to get the grant



1 funding out there so that they can help us with our  
2 outreach efforts as soon as possible.

3 CHAIR TOLEDO: Thank you, Commissioner Fernandez.

4 With that, are we ready for a vote? Okay, great.

5 So let's do roll call, Director Claypool.

6 MR. CLAYPOOL: Thank you, Chair. Commissioner  
7 Turner.

8 COMMISSIONER TURNER: I'll pass.

9 MR. CLAYPOOL: Commissioner Sinay.

10 COMMISSIONER SINAY: Yes.

11 MR. CLAYPOOL: Commissioner Vazquez.

12 COMMISSIONER VAZQUEZ: Yes.

13 MR. CLAYPOOL: Commissioner Yee.

14 COMMISSIONER YEE: Yes.

15 MR. CLAYPOOL: Commissioner Ahmad.

16 COMMISSIONER AHMAD: Yes.

17 MR. CLAYPOOL: Commissioner Akutagawa.

18 COMMISSIONER AKUTAGAWA: Yes.

19 MR. CLAYPOOL: Commissioner Andersen.

20 VICE CHAIR ANDERSEN: Yes.

21 MR. CLAYPOOL: Commissioner Fernandez.

22 COMMISSIONER FERNANDEZ: Yes.

23 MR. CLAYPOOL: Commissioner Fornaciari.

24 COMMISSIONER FORNACIARI: Yes.

25 MR. CLAYPOOL: Commissioner Kennedy.

1 COMMISSIONER KENNEDY: No.

2 MR. CLAYPOOL: Commissioner Le Mons.

3 COMMISSIONER LE MONS: Yes.

4 MR. CLAYPOOL: Commissioner Sadhwani.

5 COMMISSIONER SADHWANI: Yes.

6 MR. CLAYPOOL: Commissioner Taylor.

7 COMMISSIONER TAYLOR: No.

8 MR. CLAYPOOL: Commissioner Toledo.

9 CHAIR TOLEDO: Yes.

10 MR. CLAYPOOL: And back to Commissioner Turner.

11 COMMISSIONER TURNER: No.

12 MR. CLAYPOOL: The motion passes.

13 CHAIR TOLEDO: Thank you. So we have a couple of  
14 other updates before -- subcommittee updates before we  
15 need to go into closed session. But given that we need  
16 to also give a fifteen-minute break to the staff, I'm  
17 leaning towards have the rest of the subcommittee  
18 meetings first thing in the morning, and giving staff a  
19 fifteen-minute break right now, then entering closed  
20 session. It's just going to be the Commissioners at that  
21 meeting, and so that is the leaning at this point. With  
22 no objections, we will end the public session now and --  
23 yes, Commissioner Vazquez.

24 COMMISSIONER VAZQUEZ: Will we receive a link --  
25 just kidding, it just landed, the link for closed

1 session. Thanks.

2 CHAIR TOLEDO: Yes, you'll be receiving a link for  
3 closed session in a second. So in fifteen minutes we'll  
4 come back to closed session. That will be 3:20. That  
5 will be the staff -- rather, that will be the full  
6 Commission at 3:20. Commissioner Yee.

7 COMMISSIONER YEE: I believe we're required to  
8 report back from closed session. Can that happen  
9 tomorrow, or will we need to have it happen today?

10 CHAIR TOLEDO: It can happen tomorrow. We would  
11 be -- our first opportunity is going to be tomorrow. I'm  
12 anticipating we'll be in closed session the rest of the  
13 day, which allows some of the staff to end their day.

14 Any other questions before we go to break? So 3:20  
15 we'll see each other back in closed session. Thank you.

16 (Whereupon, the CRC Business Meeting adjourned  
17 at 3:06 p.m.)

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**CERTIFICATE OF TRANSCRIBER**

I certify that the foregoing is a correct transcript, to the best of my ability, of the videoconference recording of the proceedings provided by the California Citizens Redistricting Commission.

*Traci Fine*

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TRACI FINE, CDLT-169

June 27, 2022  
DATE