

STATE OF CALIFORNIA  
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:  
CRC BUSINESS MEETING

WEDNESDAY, JUNE 2, 2021  
9:00 a.m.

Transcribed By:  
eScribers, LLC



APPEARANCESCOMMISSIONERS

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

STAFF

Alvaro E. Hernandez, Deputy Executive Director  
Anthony Pane, Chief Counsel  
Ravindar Singh, Administrative Assistant

TECHNICAL CONTRACTORS

Kristian Manoff, AV Technical Director/Comment Moderator  
Katy Manoff, Comment Moderator

**Also Present**Public Comment

Renee Westa-Lusk



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P R O C E E D I N G S

June, 2, 2021

9:00 a.m.

CHAIR AHMAD: Welcome everyone to our Redistricting Commission Meeting today for Wednesday, June 2nd. We have three commissioners, two commissioners off screen, but they are here and listening.

Can we start with roll call?

MR. SINGH: Yes, Chair.

Commissioner Ahmad?

COMMISSIONER AHMAD: Here.

MR. SINGH: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: (No audible response.)

MR. SINGH: Commissioner Andersen?

COMMISSIONER ANDERSEN: Here.

MR. SINGH: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Here.

MR. SINGH: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Here.

MR. SINGH: Commissioner Kennedy?

COMMISSIONER KENNEDY: Here.

MR. SINGH: Commissioner Le Mons?

COMMISSIONER LE MONS: Here.

MR. SINGH: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Here.

MR. SINGH: Commissioner Sinay?

COMMISSIONER SINAY: Here.

1 MR. SINGH: Commissioner Taylor?

2 COMMISSIONER TAYLOR: Present.

3 MR. SINGH: Commissioner Toledo?

4 COMMISSIONER TOLEDO: Here.

5 MR. SINGH: Commissioner Turner?

6 COMMISSIONER TURNER: Here.

7 MR. SINGH: Commissioner Vazquez?

8 COMMISSIONER VAZQUEZ: (No audible response.)

9 MR. SINGH: And Commissioner Yee?

10 COMMISSIONER YEE: Here.

11 MR. SINGH: Chair, you have a quorum.

12 CHAIR AHMAD: Thank you.

13 And while we're getting ready to open the lines for  
14 public comment, I just wanted to review the agenda for  
15 today and get any corrections or feedback from my  
16 colleagues in case I missed anything. So I have noted  
17 the items that we did not get to from last week. And  
18 hopefully, we can prioritize those items and then run  
19 through the remaining agenda items that exist. So please  
20 take note of the agenda items that we will be  
21 prioritizing for today's truncated meeting.

22 So I have noted agenda item 5, which is the  
23 Executive Director's Report. Under agenda item 9, the  
24 Subcommittee Updates, I have the Materials Development  
25 Subcommittee, the Website Subcommittee, the Data



1 Management Subcommittee, the Outreach Contracts, which is  
2 labeled as grants on the agenda, that subcommittee. Item  
3 10 on the agenda, Legal Affairs Committee Update, item  
4 12, the Line Drawer Update and item 14, Discussion of  
5 Future Meeting Dates and Agenda Items. Is there anything  
6 that I am missing that we didn't get to cover last week?

7 Yes, Commissioner Andersen?

8 COMMISSIONER ANDERSEN: Item 12 is not happening.

9 Thank you.

10 CHAIR AHMAD: Okay. Okay. Thank you for the  
11 update.

12 Anything else? And we will cover the rest of the  
13 items, time permitting, but I just wanted to give  
14 everyone a rough idea of what we are going to start with  
15 and so the public also has that idea in case they would  
16 like to call in. So now we will go to public comment,  
17 and this is general public comment.

18 PUBLIC COMMENT MODERATOR: Thank you, chair.

19 In order to maximize transparency and public  
20 participation in our process, the Commissioners will be  
21 taking public comment by phone. To call in, dial the  
22 telephone number provided on the livestream feed. It is  
23 877-853-5247. When prompted, enter the meeting ID number  
24 provided on the livestream feed. It is 92804650888 for  
25 this meeting. When prompted to enter participant ID,



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3 queue. To indicate you wish to comment, please press  
4 star nine. This will raise your hand for the moderator.  
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6 says, the host would like you to talk and to press star  
7 six to speak. If you would like to give your name,  
8 please state and spell it for the record. You're not  
9 required to provide your name to give public comment.

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

15       And the Commission is taking general public comment  
16 at this time.

17       And there is no one in the queue at this time.

18       CHAIR AHMAD: Yes, Commissioner Sinay?

19       COMMISSIONER SINAY: While we are waiting, I just  
20 wanted to give kudos to Commissioner Toledo. A friend  
21 attended the California Health Plus Advocates public  
22 presentation you did. And she's attended several others,  
23 and she said it finally all made sense, that you did an  
24 awesome job.

25       COMMISSIONER TOLEDO: Oh, thank you.



1 PUBLIC COMMENT MODERATOR: We do have a caller with  
2 their hand raised.

3 Go ahead. The floor is yours.

4 MS. WESTA-LUSK: Hello, Commissioners. This is  
5 Renee Westa-Lusk. I just have one question regarding the  
6 Communities of Interest flyer announcement that's been  
7 posted on the website, et cetera, for the Thursday,  
8 June 10th Public Input Hearing. To watch it live, you go  
9 to the <https://www.wedrawthelinesca.org/meetings>. Do you  
10 have to also register to watch it live, or is the  
11 registration only if you want to give public input?

12 CHAIR AHMAD: You will be able to watch the meeting  
13 per our usual watch stream. So you don't have to  
14 register to watch.

15 MS. WESTA-LUSK: Okay. Okay. Thank you.

16 CHAIR AHMAD: Mm hmm. Thank you for calling.

17 PUBLIC COMMENT MODERATOR: And that was our only  
18 public comment at this time.

19 CHAIR AHMAD: Great. Thank you.

20 So moving right along, I will turn it over to Alvaro  
21 for the Executive Director's Report.

22 MR. HERNANDEZ: Yes. Thank you.

23 Good afternoon, Commissioners. I don't have a whole  
24 lot today, but I did want to share that the budget  
25 augmentation that we requested from Department of



1 Finance, I had mentioned it before, that it was approved  
2 by Department of Finance. It also has cleared the hurdle  
3 of the Assembly and the Senate. So it's been approved by  
4 both, and we are now waiting for the governor's signature  
5 on that budget augmentation. So everything looks really  
6 good on that.

7 We also received a letter confirming the request for  
8 the additional funds to be released for our use that were  
9 appropriated in the 2019 budget. That letter has come  
10 through, so we're working on getting those funds and  
11 making them available so that we can pay our bills,  
12 basically. I believe that is it for my report today.  
13 Thank you.

14 CHAIR AHMAD: Thank you.

15 Any questions for Alvaro? Seeing none, let's move  
16 on to agenda item 9. Again, we will come back, if  
17 there's time, for all of the other report outs.  
18 Considering the short amount of time between last week's  
19 meeting and this week's meeting, I wanted to prioritize  
20 some of the items we did not get to last week. So before  
21 we jump into subcommittee updates, for us to think about  
22 how we present our items to the group, I wanted to try  
23 something new and -- just to see how it will land.

24 So I'm hoping that the leads for the subcommittee  
25 can present their item and then also present the



1 anticipated motion language at the close of the  
2 presentation of their item. Then we can move to hearing  
3 if there's a second and then have that discussion in one  
4 chunk of time, rather than splitting it before and after  
5 the motion. So I just wanted to try this out to see how  
6 it works. Of course, it might not work, but just wanted  
7 to see how folks feel about that.

8       So I'm going to turn it over to Subcommittee G,  
9 which is Materials Development, Commissioners Fernandez  
10 and Kennedy.

11       COMMISSIONER FERNANDEZ: Okay. We had presented  
12 this last week, and we were moving forward with it, but  
13 we talked with our legal counsel, and they felt that we  
14 needed approval to move forward with the paper Community  
15 of Interest document because we're -- and also, approval  
16 to translate it into the -- in the 12 languages that we  
17 approved through our language access recommendations. So  
18 that would be the action item is to approve the paper,  
19 Communities of Interest, of our community tool and also  
20 the translation of the document.

21       CHAIR AHMAD: Is --

22       COMMISSIONER FERNANDEZ: And so, at this time I --

23       CHAIR AHMAD: Yeah, is there a second for that  
24 motion? Is that --

25       COMMISSIONER FERNANDEZ: Well, I think it's a little

1 premature to do a second if there's any comments, because  
2 then it might have to be amended. Right. Because if  
3 there's edits or if there's any conversations or further  
4 discussion. But however you want to move forward with it  
5 is fine. Does anyone have comments on the document?

6 Commissioner Sinay?

7 CHAIR AHMAD: Commissioner Sinay?

8 COMMISSIONER SINAY: I thought this was looking  
9 great. And I had submitted some comments last week  
10 directly, and I didn't know they were going to be  
11 updated. But it looks like this is the same version that  
12 was shared last week. The main thing I wanted to say was  
13 that I don't think that the participate is as easy as  
14 one, two, three is the best slide to put here. An  
15 example -- and the example is kind of long, and it -- and  
16 I find that people -- if you put an example like this,  
17 people will try to copy it exactly.

18 And what might work better in this part is to share  
19 the other slides that share your -- share personal  
20 stories, share data, and map it, and then add the  
21 questions that we have on those slides. And that way  
22 people can write their narrative based on those type of  
23 questions versus trying to follow what that example is.

24 COMMISSIONER FERNANDEZ: Okay. I -- I'm sorry. I  
25 don't remember receiving your email, so I'll have to go



1 back and review redo the COI -- just --

2 COMMISSIONER SINAY: No, I think I sent it directly  
3 to Freddie, because my understanding was for things like  
4 this, we had to send it to staff. So I had sent it, I  
5 believe, to Freddie.

6 COMMISSIONER FERNANDEZ: Okay. Thank you.

7 CHAIR AHMAD: Any other comments?

8 COMMISSIONER FERNANDEZ: And we are hoping to move  
9 this forward, because now that we are going into our  
10 public input meeting stage and also for the incarcerated  
11 populations, we want to move this forward so we can  
12 coordinate with the state and local facilities, in terms  
13 of how to get that information to the incarcerated  
14 population.

15 Commissioner Akutagawa?

16 COMMISSIONER AKUTAGAWA: We were going to have like  
17 the questions, like, the two simple questions, that --  
18 the boxlike thing that's on the current online  
19 Communities of Interest tool.

20 COMMISSIONER FERNANDEZ: Is it -- are you referring  
21 to the second page where it asks for, you know, tell us  
22 about your community, or which ones are you?

23 COMMISSIONER AKUTAGAWA: Yeah. Yeah, exactly.

24 COMMISSIONER FERNANDEZ: So it's -- so the first  
25 page is going to be a tear-off, basically. And then the

1 second page is actually going to be the document that  
2 they would fill out and then send back. And that would  
3 have the three questions that they ask, in terms of,  
4 well, give us a name for your community, tell us about  
5 your community, what are the shared interests, what  
6 brings you together, and then are there nearby areas you  
7 want to be in the district with, and then those areas  
8 that you don't want to be with. And then anything that  
9 you -- else that they want to tell us about their  
10 community. So those are the questions that we're trying  
11 to solicit information from them -- from the individuals.

12 And then there's also an area where if they want to  
13 draw their community, they can do that as well, in terms  
14 of streets or however they -- whatever they want to do.

15 COMMISSIONER AKUTAGAWA: Is that -- I mean, I -- I  
16 only see one page --

17 COMMISSIONER FERNANDEZ: Oh.

18 COMMISSIONER AKUTAGAWA: --- and I guess I don't know  
19 if we're supposed to have it.

20 COMMISSIONER FERNANDEZ: It's supposed to have all  
21 of it. It's not up on that -- I don't have the -- I  
22 don't have it up right now. I'll have to look real  
23 quick. Sorry about that.

24 COMMISSIONER AKUTAGAWA: Yeah, there's only one  
25 page. That's why, I guess maybe --



1 COMMISSIONER FERNANDEZ: Okay.

2 COMMISSIONER AKUTAGAWA: Yeah.

3 COMMISSIONER TURNER: Just the insert is posted.

4 COMMISSIONER FERNANDEZ: Just the first page?

5 COMMISSIONER TURNER: It says insert.

6 COMMISSIONER FERNANDEZ: Okay.

7 Any other questions while I try to look for this?

8 Commissioner Andersen?

9 Yeah, Commissioner Kennedy, can you -- are you  
10 looking for it, or am I doing the questions?

11 COMMISSIONER KENNEDY: It's in the last -- it's in  
12 the handout from last meeting.

13 COMMISSIONER FERNANDEZ: From last week? Okay.

14 COMMISSIONER KENNEDY: Yes.

15 COMMISSIONER FERNANDEZ: All right.

16 So if you go to --

17 COMMISSIONER ANDERSEN: But the only thing is --

18 COMMISSIONER FERNANDEZ: Yeah. I'm sorry.

19 COMMISSIONER ANDERSEN: My question is -- sorry.  
20 Well, okay. My question is -- you know, content looks  
21 very interesting. Is this the actual size of, like the,  
22 quote, insert or the tear-off piece? Because if so, you  
23 know, part of the reason this is for also people who, you  
24 know, might be older, which case, you can't read this.

25 COMMISSIONER KENNEDY: Yeah.



1 COMMISSIONER ANDERSEN: It's too small.

2 COMMISSIONER KENNEDY: No, it's supposed to be  
3 legal, but I don't have legal paper here.

4 COMMISSIONER ANDERSEN: Okay.

5 COMMISSIONER KENNEDY: So it's formatted for legal,  
6 but you end up printing it out on letter. And it scales  
7 down to fit --

8 COMMISSIONER ANDERSEN: Okay.

9 COMMISSIONER KENNEDY: --- on the letter-sized paper.  
10 But the idea is that it would be legal size.

11 COMMISSIONER ANDERSEN: Okay. And the font is -- I  
12 don't recall -- remember when we had the disabilities  
13 group come in and say its best font was -- was it Arial  
14 in size 10 point --

15 COMMISSIONER TURNER:: 14 point.

16 COMMISSIONER AKUTAGAWA: 14 point.

17 COMMISSIONER KENNEDY: Yeah, I think it is 14. If  
18 you'll give me a second now, I'll find the original.

19 COMMISSIONER ANDERSEN: Yeah. With those with those  
20 changes, I like it.

21 COMMISSIONER KENNEDY: And actually it's currently  
22 in 12 point, but I can certainly bump it up to 14.

23 COMMISSIONER FERNANDEZ: Commissioner Akutagawa,  
24 were you able to go to the prior meeting and pull it up?

25 COMMISSIONER AKUTAGAWA: Yeah, I saw it. So I also



1 want to mention that Commissioner Turner has her hand up.

2 But can I just quickly ask --

3 COMMISSIONER FERNANDEZ: Yes.

4 COMMISSIONER AKUTAGAWA: Do you have other examples  
5 of COI input, as Commissioner Sinay said that it's a  
6 little long, and maybe multiple examples that show it in  
7 different ways will give people an idea that it doesn't  
8 have to be just this one way.

9 COMMISSIONER FERNANDEZ: Okay. Thank you.

10 Commissioner Turner? Sorry, I've got -- I'm looking  
11 at the other computer, too. So I apologize for not  
12 catching you.

13 COMMISSIONER TURNER: No worries. Thank you. I  
14 wanted to state that I really like the example. We keep  
15 telling people that there's no set way, but I really  
16 thought it was helpful to have the language here and  
17 would for sure like maybe an additional -- maybe a  
18 shortened example. But I hope we don't lose the example  
19 to give people something to think through. And maybe it  
20 says example, so I don't know about how to make it any  
21 clearer that this is just an example. And then with  
22 that, I'm ready to second the motion.

23 COMMISSIONER FERNANDEZ: And thank you.

24 So can I amend my motion then, Commissioner -- or  
25 Chair Ahmad?





1 CHAIR AHMAD: Yeah, you definitely don't need my  
2 permission to do that.

3 COMMISSIONER FERNANDEZ: Okay. That we approve the  
4 paper, Communities of Interest Tool, that we will go back  
5 and add maybe another shortened example. So I don't know  
6 if we need to make two motions or one motion, because the  
7 second part to that would be also to then translate the  
8 document into the 12 languages.

9 And Commissioner Turner, do you second my --

10 COMMISSIONER TURNER: Absolutely.

11 COMMISSIONER FERNANDEZ: Thank you.

12 COMMISSIONER TURNER: I absolutely do.

13 COMMISSIONER FERNANDEZ: Is it -- are you okay with  
14 that, Commissioner Kennedy?

15 COMMISSIONER KENNEDY: Yes.

16 COMMISSIONER FERNANDEZ: Okay.

17 CHAIR AHMAD: All right. We have a motion on the  
18 floor and a second, so discussion on the motion.

19 (No audible response.)

20 CHAIR AHMAD: Seeing none, we will move to public  
21 comment.

22 MR. MANOFF: I can take care of that for you, Chair.

23 CHAIR AHMAD: Sure.

24 MR. MANOFF: In order to maximize transparency and  
25 public participation in our process, the Commissioners

1 will be taking public comment by phone. To call in, dial  
2 the telephone number provided on the livestream feed. It  
3 is 877-853-5247. When prompted, enter the ID number  
4 provided on the livestream feed. It is 92804650888 for  
5 this meeting. When prompted to enter a participant ID,  
6 simply press the pound.

7       Once you've dialed in, you'll be placed in a queue.  
8 To indicate you wish to comment, please press star nine.  
9 This will raise your hand for the moderator. When it is  
10 your turn to speak, you'll hear a message that says, the  
11 host would like you to talk, press star six to speak. If  
12 you'd like to give your name, please state and spell it  
13 for the record. You are not required to provide your  
14 name to give public comment.

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

20       And there is no one in the queue at this time,  
21 Chair.

22       And the instructions are complete on the stream,  
23 Chair.

24       CHAIR AHMAD: Great. Thank you.

25       Can we have a roll call for a vote?



1 MR. HERNANDEZ: Commissioner Fernandez, just to  
2 confirm, the motion is to approve the paper version of  
3 the My California Community Tool with noted changes, a  
4 short example, and to have the document translated into  
5 the 12 non-English languages approved by the Commission.  
6 Is that correct?

7 CHAIR FERNANDEZ: Yes.

8 MR. HERNANDEZ: Thank you. And we'll begin the  
9 vote.

10 Commissioner Akutagawa?

11 MR. HERNANDEZ: Commissioner Akutagawa?

12 COMMISSIONER AKUTAGAWA: Yes.

13 MR. HERNANDEZ: Commissioner Andersen?

14 COMMISSIONER ANDERSEN: Yes.

15 MR. HERNANDEZ: Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 MR. HERNANDEZ: Commissioner Fornaciari?

18 COMMISSIONER FORNACIARI: Yes.

19 MR. HERNANDEZ: Commissioner Kennedy?

20 COMMISSIONER KENNEDY: Yes.

21 MR. HERNANDEZ: Commissioner Le Mons?

22 COMMISSIONER LE MONS: Yes.

23 MR. HERNANDEZ: Commissioner Sadhwani?

24 COMMISSIONER SADHWANI: Yes.

25 MR. HERNANDEZ: Commissioner Sinay?

1 COMMISSIONER SINAY: No.

2 MR. HERNANDEZ: Commissioner Taylor?

3 CHAIR TURNER: Yes.

4 MR. HERNANDEZ: Commissioner Toledo?

5 COMMISSIONER TOLEDO: Yes.

6 MR. HERNANDEZ: Commissioner Turner?

7 CHAIR TURNER: Yes.

8 MR. HERNANDEZ: Commissioner Vasquez?

9 COMMISSIONER VASQUEZ: Yes.

10 MR. HERNANDEZ: Thank you.

11 Commissioner Yee?

12 COMMISSIONER YEE: Yes.

13 MR. HERNANDEZ: And Commissioner Ahmad?

14 COMMISSIONER AHMAD: Yes.

15 MR. HERNANDEZ: The motion passes.

16 CHAIR AHMAD: Great. Thank you.

17 Is there anything else from the Materials

18 Development Subcommittee?

19 COMMISSIONER FERNANDEZ: No.

20 CHAIR AHMAD: Okay. Great. Thank you.

21 Moving along. Website Subcommittee, Commissioners

22 Kennedy and Taylor, you have the floor.

23 COMMISSIONER KENNEDY: Thank you, Chair. I had  
24 submitted to the executive director a recommendation that  
25 the Commission delegate authority over the website to the



1 executive director, and that the Website Committee  
2 continue to monitor the website and forward  
3 recommendations to the executive director, who may then  
4 direct staff to make any necessary changes to the  
5 website. I also solicited his input as to whether he was  
6 okay with that or wanted to reword that.

7       The rationale was that we really need to shift our  
8 focus to receiving and reviewing public input on  
9 Communities of Interest and eventually on district lines.  
10 The executive director and staff are, by now, familiar  
11 with our objectives for the website. Delegating  
12 authority over the website to the executive director with  
13 ongoing monitoring by the Website Subcommittee will allow  
14 the website to be kept up-to-date without distracting the  
15 Commission from its main tasks. And if any major changes  
16 are required, the website can -- they can still bring  
17 those before the full Commission for consideration.

18       So at the point, I would ask  
19 Executive Director Hernandez if he has any reaction to  
20 that recommendation, and we can proceed from there.

21       MR. HERNANDEZ: I am comfortable with the  
22 recommendation. Thank you.

23       COMMISSIONER KENNEDY: Commissioner Taylor, any  
24 further input on this?

25       COMMISSIONER TAYLOR: No, that was very well said.



1 I'm in complete agreement, and as we look at it, I am  
2 definitely in the position to second any motion.

3 COMMISSIONER KENNEDY: Okay.

4 Chair, I will move that we delegate authority over  
5 the website to the executive director, that the Website  
6 Subcommittee continue to monitor the website and forward  
7 any recommendations to the executive director.

8 COMMISSIONER TAYLOR: And I second that.

9 CHAIR AHMAD: All right.

10 Commissioner Kennedy has made a motion.  
11 Commissioner Taylor has seconded. Discussion on the  
12 motion only.

13 Commissioner Andersen?

14 COMMISSIONER ANDERSEN: Thank you. Just a question  
15 for clarification. If authority -- if we find issues  
16 with the website, so we now go directly to the executive  
17 director instead of through the communications director.  
18 Is that correct, or what is the chain of command here?

19 COMMISSIONER KENNEDY: The chain of command -- you  
20 know, my sense is that the chain of command should always  
21 be instructions go through the executive director and  
22 then the executive director has our authority to direct  
23 staff as he sees fit.

24 COMMISSIONER ANDERSEN: Okay. Thank you.

25 CHAIR AHMAD: Any other discussions on this motion?



1 (No audible response.)

2 CHAIR AHMAD: Seeing none, can we call for public  
3 comment?

4 PUBLIC COMMENT MODERATOR: Here I am. I made a  
5 water run. I apologize.

6 In order to maximize transparency and public  
7 participation in our process, the Commissioners will be  
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24 call. Once you are waiting in the queue, be alert for  
25 when it is your turn to speak. And again, please turn



1 down the livestream volume.

2 And the Commission is taking public comment on the  
3 motion that is on the floor at this time.

4 And there is no one in the queue.

5 CHAIR AHMAD: Yes, Commissioner Andersen?

6 COMMISSIONER ANDERSEN: While we're waiting, if  
7 there is a question on the -- I do have a comment on the  
8 website specifically in the meetings, the -- where it  
9 says the Public Input Meeting, could it also say -- we  
10 have a couple of statewide and then the zones? Could it  
11 also state the zones, because at this point it just says  
12 public input meeting. And so no one would happen to know  
13 if it is their particular zone. So if we could possibly  
14 add that. And so --

15 PUBLIC COMMENT MODERATOR: The instructions are  
16 complete on there, Chair, and there is no one in the  
17 queue.

18 CHAIR AHMAD: Thank you, Katy.

19 And thank you, Commissioner Andersen, for you  
20 thoughts at this time, but I think we should close out  
21 the vote and then we will have a clearer picture on the  
22 process of how to make those changes.

23 Can we call roll for vote?

24 MR. HERNANDEZ: Yes, Chair. The motion on the floor  
25 is the Commission delegate authority over the website to





1 the executive director, and that the website subcommittee  
2 continue to monitor the website and forward  
3 recommendations to the executive director, who can -- who  
4 may then direct staff to make necessary changes. Motion  
5 made by Commissioner Kennedy and seconded by  
6 Commissioner Taylor. We'll begin the vote.

7 Commissioner Akutagawa?

8 MR. HERNANDEZ: Commissioner Akutagawa?

9 COMMISSIONER AKUTAGAWA: Yes.

10 MR. HERNANDEZ: Commissioner Andersen?

11 COMMISSIONER ANDERSEN: Yes.

12 MR. HERNANDEZ: Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 MR. HERNANDEZ: Commissioner Fornaciari?

15 COMMISSIONER FORNACIARI: Yes.

16 MR. HERNANDEZ: Commissioner Kennedy?

17 COMMISSIONER KENNEDY: Yes.

18 MR. HERNANDEZ: Commissioner Le Mons?

19 COMMISSIONER LE MONS: Yes.

20 MR. HERNANDEZ: Commissioner Sadhwani?

21 COMMISSIONER SADHWANI: Yes.

22 MR. HERNANDEZ: Commissioner Sinay?

23 COMMISSIONER SINAY: Yes.

24 MR. HERNANDEZ: Commissioner Taylor?

25 COMMISSIONER TAYLOR: Yes.



1 MR. HERNANDEZ: Commissioner Toledo?

2 COMMISSIONER TOLEDO: Yes.

3 MR. HERNANDEZ: Commissioner Turner?

4 COMMISSIONER TURNER: Yes.

5 MR. HERNANDEZ: Commissioner Vasquez?

6 COMMISSIONER VASQUEZ: Yes.

7 MR. HERNANDEZ: Commissioner Yee?

8 COMMISSIONER YEE: Yes.

9 MR. HERNANDEZ: And Commissioner Ahmad?

10 COMMISSIONER AHMAD: Yes.

11 MR. HERNANDEZ: The motion passes, Chair.

12 CHAIR AHMAD: Thank you.

13 Website Subcommittee, is there anything else you all  
14 need from us at this time?

15 (No audible response.)

16 CHAIR AHMAD: No?

17 All right. Moving right along, 9I, Data Management.

18 Commissioner Turner, I will pass it over to you.

19 COMMISSIONER TURNER: Can you hear me? Oh, there we  
20 go. Yes. Thank you.

21 On behalf of the Data Submanagement Committee  
22 wanting to -- I have a motion that I'd like to make that  
23 we accept Airtable as our official database for  
24 redistricting purposes. Also --

25 COMMISSIONER SINAY: I'll second.



1 COMMISSIONER TUNER: Great.

2 CHAIR AHMAD: We have motion by Commissioner Turner,  
3 seconded by Commissioner Sinay. Discussion on this item.  
4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: I just want to make sure  
6 that, in terms of accepting Airtable, that our line  
7 drawers and state -- our database, I mean, it's all going  
8 to -- I think there might have been some issues related  
9 to that. I just want to make sure it's all been worked  
10 out and --

11 COMMISSIONER TURNER: Mm-hmm.

12 COMMISSIONER FERNANDEZ: --- everybody's playing well  
13 on the sand.

14 COMMISSIONER TURNER: Yes. Thank you for asking  
15 that question.

16 COMMISSIONER FERNANDEZ: Thank you.

17 COMMISSIONER TURNER: Just trying to keep it very in  
18 brevity in mind. We asked all of those questions. We  
19 had a lovely meeting with our line drawers with Phil from  
20 USDR, and all security questions were settled. There are  
21 no concerns that was reported -- reported from both  
22 hacks. The line drawers said they had no concerns after  
23 all was disgusted -- discussed. Statewide database hack  
24 had no concerns.

25 And so any other piece, parts that would seem to be



1 loosened will be addressed by protocols that we will put  
2 in place, once we have our data manager on board. But it  
3 was -- everyone is playing nicely, to use your words, and  
4 are excited about the tool and believe that it will serve  
5 this Commission well.

6 COMMISSIONER FERNANDEZ: Great. Thank you.

7 CHAIR AHMAD: Any other points of discussion on the  
8 motion on the floor at this time?

9 Yes, Commissioner Andersen?

10 COMMISSIONER ANDERSEN: I'm just wondering if that  
11 discussion did include the idea of will Airtable have the  
12 capacity to also handle redistricting maps in addition to  
13 the COI tool map?

14 COMMISSIONER TURNER: Let's see. Alvaro, what did  
15 we say about that?

16 Let me see if I have notes about that. I do know  
17 that with Karin and Jaime and all of their -- everyone  
18 online, they were comfortable with it doing exactly what  
19 it needs to. Going back, Commissioner Andersen, through  
20 my notes to see if they asked specifically about what it  
21 clarified. Looks like -- see if it has --

22 MR. HERNANDEZ: We did have a brief discussion with  
23 Phil from USDR, who confirmed that we would be able to do  
24 that.

25 COMMISSIONER TURNER: We'd be concerned --



1 Wonderful. Thank you.

2 CHAIR AHMAD: Yes, Commissioner Sinay?

3 COMMISSIONER SINAY: I know that in the past we were  
4 giving a timeline that was kind of maybe, you know, it  
5 was kind of tentative. Do we know when we'll have  
6 everything up and running? I --

7 COMMISSIONER TURNER: I would -- I believe it will  
8 be within the next two to three weeks or so. If -- it  
9 was not long off at all. They're really close on it.

10 CHAIR AHMAD: All right. Seeing no other hands --

11 Oh, Commissioner Akutagawa?

12 COMMISSIONER AKUTAGAWA: Yeah, I -- I don't know if  
13 this is a different discussion, but I wanted to come back  
14 to that question about whether or not people can give  
15 video testimony.

16 CHAIR AHMAD: That will be a different discussion.  
17 And the motion on the floor right now is to approve the  
18 use of Airtable as a data management system.

19 COMMISSIONER AKUTAGAWA: Yeah, I was asking because  
20 I wanted to know whether or not that that could be used  
21 as part of Airtable. So that's why I'm asking this  
22 question.

23 COMMISSIONER TURNER: Airtable has the ability to  
24 attach files to it. So if that wasn't decided, it would  
25 probably be as an attachment.

1 COMMISSIONER AKUTAGAWA: Thank you.

2 COMMISSIONER TURNER: Mm hmm.

3 CHAIR AHMAD: All right.

4 Seeing no other hands, Katy, can we move to public  
5 comment on the motion on the floor?

6 PUBLIC COMMENT MODERATOR: Yes, Chair.

7 In order to maximize transparency and public  
8 participation in our process, the Commissioners will be  
9 taking public comment by phone. To call in, dial the  
10 telephone number provided on the livestream feed. It is  
11 877-853-5247. When prompted, enter the meeting ID number  
12 provided on the livestream feed. It is 92804650888 for  
13 this meeting. When prompted to enter a participant ID,  
14 simply press the pound.

15 Once you have dialed in, you'll be placed in a  
16 queue. To indicate you wish to comment, please press  
17 star nine. This will raise your hand for the moderator.  
18 When it is your turn to speak, you'll hear a message that  
19 says, the host would like you to talk and to press Star  
20 six to speak. If you'd like to give your name, please  
21 state and spell it for the record. You are not required  
22 to provide your name to give public comment.

23 Please make sure to mute your computer or livestream  
24 audio to prevent any feedback or distortion during your  
25 call. Once you are waiting in the queue, be alert for



1 when it is your turn to speak. And again, please turn  
2 down the livestream volume.

3 The Commission is taking public comment on the  
4 motion on the floor.

5 And there is no one in the queue at this time.

6 The instructions are complete, Chair.

7 CHAIR AHMAD: Thank you, Katy.

8 Can we move to roll call for vote?

9 MR. HERNANDEZ: Yes, Chair.

10 The motion on the floor is to adopt Airtable as the  
11 Commission's primary database management system.

12 Is that correct, Commissioner Turner?

13 COMMISSIONER TURNER: Yes, thank you.

14 MR. HERNANDEZ: Thank you.

15 The motion was seconded by Commissioner Sinay. And  
16 we will begin the vote.

17 MR. HERNANDEZ: Commissioner Akutagawa?

18 COMMISSIONER AKUTAGAWA: Yes.

19 MR. HERNANDEZ: Commissioner Andersen?

20 COMMISSIONER ANDERSEN: Yes.

21 MR. HERNANDEZ: Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 MR. HERNANDEZ: Commissioner Fornaciari?

24 COMMISSIONER FORNACIARI: Yes.

25 MR. HERNANDEZ: Commissioner Kennedy?



1 COMMISSIONER KENNEDY: Yes.

2 MR. HERNANDEZ: Commissioner Le Mons?

3 COMMISSIONER LE MONS: Yes.

4 MR. HERNANDEZ: Commissioner Sadhwani?

5 COMMISSIONER SADHWANI: Yes.

6 MR. HERNANDEZ: Commissioner Sinay?

7 COMMISSIONER SINAY: Yes.

8 MR. HERNANDEZ: Commissioner Taylor?

9 COMMISSIONER TAYLOR: Yes.

10 MR. HERNANDEZ: Commissioner Toledo?

11 COMMISSIONER TOLEDO: Yes.

12 MR. HERNANDEZ: Commissioner Turner?

13 COMMISSIONER TURNER: Whoo hoo and yes.

14 MR. HERNANDEZ: Commissioner Vasquez?

15 COMMISSIONER VASQUEZ: Yes.

16 MR. HERNANDEZ: Commissioner Yee?

17 COMMISSIONER YEE: Yes.

18 MR. HERNANDEZ: And Commissioner Ahmad?

19 COMMISSIONER AHMAD: Yes.

20 MR. HERNANDEZ: The motion passes, Chair.

21 CHAIR AHMAD: Great. Thank you.

22 Is there anything else from the Data Management  
23 Subcommittee that you need from us at this time? No,  
24 there is not.

25 COMMISSIONER TURNER: There is not.





1 CHAIR AHMAD: All right.

2 COMMISSIONER TURNER: Thank you.

3 CHAIR AHMAD: All right. Thank you.

4 Next item is 9J. However, we will take that up  
5 after break. Our break is at 5:30, so we'll skip that  
6 for now, and we'll take it up after break. Moving right  
7 along to some of the other items that we did not get to  
8 last week. Item 10, Legal Affairs Committee Update.

9 Legal Affairs Committee, I turn it over to you. I  
10 don't know who is taking lead on this.

11 COMMISSIONER YEE: I chair this month. Thank you,  
12 Chair Ahmed.

13 We have a handout for you, which gives -- summarizes  
14 what we've been up to, and we could just highlight what's  
15 in that handout. See here. We've been working on the  
16 contracts for litigation counsel with Gibson Dunn and  
17 Strumwasser Woocher. Commissioner Toledo is taking the  
18 lead on that. And I'll share my screen for our summary.

19 So there was some discussion about whether to  
20 designate one or the other of the firms as primary, and  
21 after discussion, we decided not to, that the Commission  
22 with our chief counsel would assign matters to one or the  
23 other or both firms, as we just -- as we saw fit, as  
24 matters come up in the post-map phase. So they  
25 will -- they're being contracted as co-counsel and as

1 equals at this point.

2 We do note that Gibson Dunn's rates are extremely  
3 high, and those are still under negotiation. So that may  
4 bear some discussion. We are hoping to get a further  
5 draft of these contracts moving forward. Of course, this  
6 work is not until the post-map phase, so it's not an  
7 urgent matter. But we're thinking it would be good to  
8 have this in place as soon as possible, since we're going  
9 to be very busy throughout the summer.

10 And meanwhile, we have the VRA council contract.  
11 We've got good news this morning. We have been waiting  
12 on a letter from the Attorney General's office giving us  
13 explicit permission to hire outside counsel. This is  
14 something that through our Constitutional provisions is  
15 a -- is in a sense a given. But we felt it would be good  
16 to have explicit permission from the Attorney General's  
17 office to hire outside counsel, as it -- as was the case  
18 in 2010.

19 So just this morning, we got that letter, thanks to  
20 Commissioner Toledo, for his help in advancing that. And  
21 now the VRA council contract is proceeding to the Office  
22 of Legal Services. Hopefully, we'll actually get it  
23 approved and signed no later than the middle of this  
24 month. We hope to have a VRA strategy session -- our  
25 first VRA strategy session with VRA council and our line



1 drawers on June 22nd, or if the contract still isn't  
2 approved then, at the latest June 30th. So that's where  
3 we're at with Legal Affairs. And I'll stop the screen  
4 share.

5 Commissioner Toledo, did you want to add anything  
6 about the contract negotiations?

7 COMMISSIONER TOLEDO: No, I -- the contract  
8 negotiations are ongoing with Gibson Dunn and also with  
9 Strumwasser Woocher at this point. But there's not -- I  
10 think you did a great job of covering our issues, and  
11 hopefully, we'll be able to bring the contracts for you  
12 to move -- for the whole Commission to move forward on  
13 them at the next meeting.

14 COMMISSIONER YEE: The way the contracts are  
15 structured, there is no retainer fee or any such ongoing  
16 base fee. It's basically the hourly fees and the  
17 expenses. So, you know, regardless of the fee structure,  
18 it's going to be up to us and Chief Counsel to assign  
19 tasks and to monitor hours and to limit hours, you know,  
20 as appropriate. So the actual outlay, you know, would  
21 ultimately still be under our control.

22 Commissioner Andersen?

23 COMMISSIONER ANDERSEN: Thank you for the summary.  
24 I do have a question. You're saying that the litigation  
25 counsel, it's all for post-map litigation. What are we



1 considering, should we have an issue pre-maps?

2 COMMISSIONER YEE: Good question.

3 Commissioner Toledo, do you want to answer that?

4 COMMISSIONER TOLEDO: Yeah, sure.

5 So should we have litigation, pre-maps, we have an  
6 agreement with Strumwasser Woocher. At this point, the  
7 VRA contract that we signed was flexible, but we built in  
8 enough flexibility in there to cover some pre-map  
9 litigation. Also, if we needed to, we could go to the  
10 legislature and seek that our funds be released earlier,  
11 if we needed to bring in, you know, the litigation  
12 counsels earlier as well. So we have some flexibility.

13 And we're building as much flexibility into these  
14 contracts as is possible. Given that we -- there's so  
15 much uncertainty in the environment, we don't know how  
16 many claims we're going to have. We also don't know what  
17 kinds of claims that might arise. So we want to build in  
18 flexibility to allow us to maneuver and also to allow us  
19 to manu -- not just the environment, but also the  
20 political and -- just that environment, but also the  
21 budgetary environment that we might be in as well.

22 We want to be able to make sure that we're able to  
23 take care and pay for our legal Counsel. And so that's  
24 what we're -- building our budget -- our contract as  
25 flexible with enough flexibility, if possible, to move as

1 nimbly as we may need to.

2 COMMISSIONER ANDERSEN: Thank you.

3 COMMISSIONER YEE: Commissioner Sinay?

4 COMMISSIONER SINAY: So you said we could discuss  
5 the rate per hour. Wow.

6 COMMISSIONER YEE: Yes.

7 COMMISSIONER SINAY: I mean, basically, they could  
8 take up our whole budget with just a few days. I know  
9 you're negotiating it, but I'm just curious. Yeah. I  
10 don't know what else you want us to ask, but I do want to  
11 put it on the record, wow.

12 COMMISSIONER TOLEDO: It is a very high rate, and  
13 so -- and they are aware. We also compare -- the Legal  
14 Affairs Committee has compared it to the rates of the  
15 2010 rates. And they were expensive back in 2010. They  
16 remain expensive, and we're trying to get them to a more  
17 reasonable number. They are one of the top firms in the  
18 country, and some of their clients pay these rates.

19 We, of course, are a governmental agency, and we're  
20 dealing with taxpayer dollars, and we've made that very  
21 clear. And they've been working with us to try to bring  
22 that rate down. But they also have -- they've been go --  
23 they've been having some transition at Gibson Dunn. They  
24 have a new CFO and some new leadership, and so that's  
25 slowed down some of the negotiation. But we're,



1 hopefully, going to be able to get better rates in the  
2 next couple of weeks. I don't anticipate they'll be as  
3 great as, or as low as Strumwasser Woocher's, but  
4 hopefully, closer to what they were in 2010.

5 COMMISSIONER YEE: We did hear that the City of  
6 Santa Monica was able to negotiate better rates with  
7 them, although we still have not found out details about  
8 that. Also Gibson Dunn proposed while offering a  
9 10 percent discount off their usual rates, they proposed  
10 a success premium clause, wherein if the maps were  
11 challenged and then the Supreme Court gave a final  
12 approval to our maps, there would be a 25 -- \$250,000  
13 success premium. That did not sit well with us as a  
14 committee. We do not anticipate proceeding with that  
15 provision.

16 COMMISSIONER TOLEDO: Of course, we would expect all  
17 of our firms to achieve success for us, right? And  
18 that's what -- that's why we're doing everything we're  
19 doing to try to get -- position our legal firms to try to  
20 get us to the best legal position possible.

21 COMMISSIONER YEE: Let's see. I think  
22 Commissioner Taylor has had his hand up.

23 COMMISSIONER TAYLOR: No. I think, Commissioner Yee  
24 just discussed it. I want to see if you can further  
25 explain, although it might seem somewhat



1 self-explanatory, what the success premium was. And is  
2 that only attached to Ted Boutros and not the entire firm  
3 of Gibson and Dunn?

4 COMMISSIONER YEE: I believe it's attached to the  
5 whole firm. So that's -- that was my reading.

6 COMMISSIONER TAYLOR: Okay. So the whole  
7 firm -- firm except for Ted Boutros. And he is a staff  
8 attorney for Gibson and Dunn?

9 COMMISSIONER YEE: He is their lead attorney, yes.

10 COMMISSIONER TAYLOR: Okay.

11 COMMISSIONER YEE: Let's see here.

12 MR. PANE: Commissioner Taylor, the point about the  
13 -- with the exception of Mr. Boutros, I think is that on  
14 the rate issue. The success premium, as Commissioner Yee  
15 mentioned, is applied firmwide.

16 COMMISSIONER TAYLOR: Thank you for the  
17 clarification.

18 COMMISSIONER YEE: And Commissioner Akutagawa, then  
19 Commissioner Sinay.

20 COMMISSIONER AKUTAGAWA: So I want to ask the  
21 opposite question. Have you -- you know, in terms of the  
22 success premium, you know, what if there is instead, a  
23 not success premium that they pay, if they do not  
24 successfully represent us?

25 COMMISSIONER YEE: A failure penalty.

1 COMMISSIONER AKUTAGAWA: Yeah.

2 COMMISSIONER YEE: We had not thought of that. I  
3 don't know. Would -- and, you know, both of that kinds  
4 of provisions, I don't know, they struck us as out of  
5 character for a public commission such as ours.

6 COMMISSIONER TOLEDO: It would also be very  
7 difficult to get anything like that through the  
8 governmental process, just because it's not tied to  
9 specific working hours and time worked. And so, of  
10 course, that -- that's going to be a response back, as we  
11 work through the negotiation process.

12 COMMISSIONER YEE: Commissioner Sinay, then  
13 Commissioner Sadhwani? No?

14 Okay, Commissioner Sadhwani?

15 COMMISSIONER SADHWANI: Yeah. And I'll just add,  
16 you know, I think this is, to some extent, tied to those  
17 -- the previous conversation about having a primary  
18 counsel, or just simply having co-counsel. We had a  
19 lengthy conversation yesterday about that idea, and  
20 ultimately wanted to recommend co-counsel -- a co-counsel  
21 situation, in part, because of the cost situation, right.

22 It's greatly -- I think we recognize the value that  
23 Gibson Dunn can potentially bring to the Commission, if  
24 we need it. It'll be great to have them under contract  
25 and certainly to have their expertise available to us.



1 But it also leaves open the door for us to figure out the  
2 best, you know, the best way to manage these funds, as we  
3 move forward, given the different kinds of litigation we  
4 may or may not see. So I do think that those two issues  
5 were tied, and I just wanted to lift that up.

6 COMMISSIONER YEE: Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: And I apologize. I haven't  
8 had a chance to read the contract language, but is there  
9 like a minimum, like, for -- that you have to use each  
10 one. Is that why their rates are so high, or it's just  
11 an open-ended however many hours? It's just for me, I  
12 mean used to contract it's backwards process that relates  
13 to attorneys, where normally when you have a contract  
14 and/or fee, you already know what your dollar amount is  
15 going to be. And obviously, you can't know because you  
16 don't know what the use is going to be.

17 So it -- I'm with Commissioner Sinay. I was like a  
18 sticker shock. I was just thinking, oh my gosh, my mom  
19 might have a heart attack, because she likes to barter,  
20 but I don't know if she would barter down or negotiate  
21 down that far. Yeah, definite sticker shock.

22 COMMISSIONER YEE: Yeah, I believe there is no  
23 minimum. There's, you know, it's hours as assigned.

24 COMMISSIONER TOLEDO: And we could use as much or as  
25 little as we need from both firms. Certainly, I think it



1 goes back to capacity, right. If we are -- and I think  
2 the example that we talked about yesterday, if we had 12  
3 claims, and hopefully, we won't see that many. But if we  
4 had 12 claims and we were -- we'd have to prioritize, and  
5 depending -- and leverage the expertise of the firms that  
6 we do have at our disposal, and manage our legal strategy  
7 that way.

8 Of course, at any given point, we could reopen. If  
9 we didn't have the right expertise within our arsenal,  
10 for lack of a better word, of legal tools, we could  
11 reopen and seek other legal services at that point.  
12 Currently -- but I think this would position us very  
13 strongly to have the capacity, should we need it. And we  
14 may not need as much capacity as we need, but it really  
15 depends on the number of claims. We just don't know well  
16 at this point.

17 And we're planning for the uncertainty, and that's  
18 why it makes sense to have both firms, as our  
19 co-counsels, and to manage each claim separately and then  
20 to determine, I -- what the Committee pushed for  
21 yesterday was to really manage each claim and assign a  
22 lead on each claim as they come around, based on the  
23 expertise that are within the -- both firms.

24 COMMISSIONER YEE: I mean, I suppose it's  
25 theoretically possible that there are no claims or claims



1 that we can handle in-house, and we end up using neither,  
2 you know, I mean, theoretically. We don't expect that,  
3 however.

4 COMMISSIONER TOLEDO: And I do think, like, we'd be  
5 using -- at this point, we'd be using Strumwasser for  
6 preventive -- for preventative purposes, to make sure  
7 that we have all the documentation in place, to make sure  
8 that our legal strategy is sound, and to make sure that  
9 our -- that we've dotted every I and crossed every T.  
10 And so, we'd be using them, at this point, for those  
11 purposes. And that's fully allowed by our VRA contract  
12 to be able to do that for VRA purposes and also for  
13 litigation purposes as well.

14 COMMISSIONER TOLEDO: Commissioner Sinay?

15 COMMISSIONER SINAY: I definitely believe in having  
16 the best, and I definitely believe in using them when you  
17 need them. I'm just afraid that with that hourly rate  
18 that we're going to be hesitant at times when we  
19 shouldn't be to engage their, you know, their services.  
20 So I don't know if we, you know, I don't know how we do  
21 that, but I just want to put that out there that that's  
22 kind of human nature. It's like, oh, I have a question,  
23 but I better not ask, because that's going to be \$1200.

24 COMMISSIONER YEE: That's true. As it happens, I  
25 mean, we are well-budgeted for legal -- our legal needs,



1 both pre- and post-maps at this time. As well, the  
2 legislature is obligated to fund whatever it takes for us  
3 to defend our maps. So we're, you know, we're well  
4 positioned in that regard. But I'm -- yeah, that's  
5 absolutely true. As we -- as our Chief Counsel manages  
6 these firms, he'll have to have that in mind how much to  
7 use them and when.

8 COMMISSIONER TOLEDO: I think Commissioner Turner  
9 has her hand up.

10 COMMISSIONER YEE: I'm sorry. Commissioner Turner?

11 COMMISSIONER TURNER: Thank you. And I'm also  
12 wondering, since I don't utilize attorneys a lot, can our  
13 Chief Counsel just kind of set for me, in my mind, the  
14 success fee? Is this something that is customary? Is it  
15 growing? Is it a brand-new trend? Does it happen  
16 frequently? I just am still trying to get my mind  
17 wrapped around that when we hire in a firm that we think  
18 can be successful, and then there's a penalty for being  
19 successful or different. I just want to know how to  
20 think that through. Because to Commissioner Sinay's  
21 point, it would make you want to not use them after  
22 you've retained them. And so I just want to know, is  
23 that a norm?

24 MR. PANE: So Commissioner Turner, I think the point  
25 is whether that's a norm. I haven't seen that. But



1 I -- what I would -- what I will say is that, and this is  
2 something Commissioner Toledo mentioned in the Committee  
3 meeting yesterday, that it's probably a strategy on the  
4 part of Gibson Dunn to essentially reweigh their fee  
5 structure from the earlier iteration. So I think it's  
6 their attempt at maybe providing the Commission a little  
7 bit of flexibility in -- from their earlier option. And  
8 so I think it's, I think that's probably how  
9 they -- they're responding in a second iteration.

10 But as -- to your point as to or a question as to  
11 whether or not this is something that's common, to the  
12 extent the premium is considered a contingency fee,  
13 contingency fees are common from law firms. The question  
14 is whether you believe, as defined in the second option  
15 that Gibson and Dunn is providing an actual contingency  
16 fee. Because they don't -- the details are that the maps  
17 are essentially sustained. And if you believe the  
18 California Supreme Court, and if that's your version of  
19 success, then perhaps that is accurate to treat it as a  
20 contingency fee.

21 And in that respect, a contingency fee is something  
22 that happens with law firms. Instead of an hourly rate,  
23 so oftentimes, they will utilize -- partially utilize or  
24 fully utilize a contingency fee. As to the amount of  
25 that contingency fee, that will depend on the

1 circumstances. So I'm not in the position to say whether  
2 \$250,000 is a -- as an equivalent contingency fee is high  
3 or low. But that -- it existing as a potential  
4 contingency fee is something that has been done with law  
5 firms.

6 COMMISSIONER TOLEDO: Just a follow up to  
7 Commissioner Turner's point, Mr. Pane. Is -- are the  
8 contingency fees common with governmental contracts? So  
9 when you've used outside Counsel with -- within a  
10 government agency, have contingency fees been a common  
11 occurrence or?

12 MR. PANE: So to your point, Commissioner, that has  
13 not been the experience of the governmental entities.  
14 And I think you've touched on an important point, which  
15 is that government contracts work a bit differently than  
16 the private sector does. And so, to a more specific  
17 hypothetical is, are contingency fees common with  
18 contracting law firms with -- that con -- that contract  
19 with governmental entities? And I believe the answer to  
20 that is no, it is not.

21 COMMISSIONER YEE: Commissioner Andersen.

22 COMMISSIONER ANDERSEN: Oh. Thank you for this  
23 conversation.

24 And, Counsel Pane, if you could sort of clarify, is  
25 it -- contingency fee, isn't that usually when there is



1 no payment, unless it is favorable, which case, that's  
2 the payment? Like it's 30 percent of whatever the  
3 recovery is, and there are no fee -- no charge unless  
4 there is success, which is a very -- it's usually a very  
5 different type of case, not a bill-as-you-go, where this  
6 one, the success premium is -- appears to be in addition  
7 to bill-as-you-go?

8       So could you sort of elaborate? Is that -- am I  
9 correct in that, you know, contingency fees are basically  
10 very different type of case, where it's all or -- it's  
11 you get 30 percent of whatever money is, something like  
12 that or no fee at all?

13       MR. PANE: Commissioner Andersen, I believe your  
14 interpretation is correct. There may be some initial  
15 fees, like a retainer fee in a private sector agreement.  
16 There may be some base fees, but generally, yes, you're  
17 either or an hourly rate or a contingency fee, not both.

18       COMMISSIONER ANDERSEN: Thank you.

19       COMMISSIONER YEE: Yeah, I think on our, you know,  
20 on the Legal Affairs Committee, our inclination was to  
21 negotiate away from contingency fee, you know, and just  
22 seek a lower standard rate. But we've left that up to  
23 Commissioner Toledo to pursue.

24       COMMISSIONER TOLEDO: And staff.

25       COMMISSIONER YEE: And staff.



1 COMMISSIONER TOLEDO Because Mr. Pane and staff are  
2 going to be very helpful in scheduling a meeting and  
3 having the ongoing conversations.

4 COMMISSIONER YEE: All right, Commissioner Sadhwani.

5 COMMISSIONER SADHWANI: Sure. Just to add into this  
6 conversation, one of the other pieces that we mentioned  
7 yesterday was the litigation that was brought against the  
8 2010 Commission. And if all of those lawsuits were  
9 thrown out, some of them seeming fairly frivolous, and so  
10 were we to have frivolous lawsuits and then firm wins,  
11 they would be receiving this contingency fee, you know,  
12 regardless of that fact, right. Because ultimately that  
13 would be seen as a win. So we definitely took that into  
14 consideration as well.

15 COMMISSIONER YEE: So we expect to have a next draft  
16 of these contracts that you'll get to comment on.

17 Any other input?

18 (No audible response.)

19 COMMISSIONER YEE: Okay.

20 Commissioners Toledo and Sadhwani, anything else  
21 from the Legal Affairs Committee that we need to report?  
22 I think that's all.

23 Okay. Thank you, Chair.

24 CHAIR AHMAD: Thank you to the Legal Affairs  
25 Subcommittee for your report out. And we look forward to



1 reading that language once you share it with all of us.

2       Next on our agenda is item number 14. We have  
3 about -- a little less than a half an hour before our  
4 mandatory break, so I just wanted to give a brief intro  
5 of item 14, which is the discussion of future meeting  
6 dates and agenda items. You all probably have already  
7 reviewed the document that was posted for last week's  
8 meeting. That same document was transferred over to  
9 today's meeting handout, so the 6/2/21 handouts page.  
10 The document is labeled 14, Meeting Schedule. This table  
11 of meeting schedules was started when  
12 Commissioner Fernandez and I were serving in the  
13 chair/vice chair role, and it has carried over to myself  
14 and Commissioner Yee, who is now serving in the vice  
15 chair role.

16       Before jumping into this document, there is an  
17 ancillary document that will be coupled with this  
18 document for our conversation, and that was put together  
19 by Commissioner Yee. It is also labeled 14, Chair  
20 Rotation Policy. And you all have seen this document  
21 before. We voted on this document before, but we wanted  
22 to make sure that it's easily accessible for our  
23 conversation that we are to have.

24       Commissioner Fernandez, would you like to review the  
25 schedule, or would you like me to do that?



1           COMMISSIONER FERNANDEZ: I could just briefly.  
2 There were -- at the prior, prior meeting, I believe it  
3 was Mr. Kennedy brought up that some of the  
4 zone -- designated COI input zone meetings were on the  
5 same day of the week, in terms of all Saturdays or  
6 Thursdays. So I went back, and what I did is I just  
7 moved -- so I swapped. I didn't add additional days or  
8 change days, it was just swapping zone designated days to  
9 mix it up a little bit. And I believe it was nine dates  
10 were swapped in order to do -- make it so that not all  
11 of -- was it Is or Js we're on the same day of the week.

12           There may be a zone or two that might have similar  
13 days, might have two Tuesdays or two Thursdays, but that  
14 would be a zone that had four meetings. So we did as  
15 much as we could to try to minimize it with -- and also  
16 take into effect that the meetings wouldn't be  
17 back-to-back, like for the same zone. So I try to ensure  
18 at least a two-week or three-week break in between each  
19 specific zone meeting. And then that was as much as I  
20 did.

21           And then I believe Chair Ahmad, you -- then we  
22 worked on the hours, I believe.

23           CHAIR AHMAD: Yes. Yes. And that was like the  
24 Friday before your term was up.

25           So --

1 COMMISSIONER FERNANDEZ: Yes.

2 CHAIR AHMAD: --- Commissioner Fernandez was working  
3 till the last second possible during her turn as chair.  
4 But we did review the times for these series of COI input  
5 meetings, and our recommendations are within that table.  
6 We did intentionally stop inputting our times very  
7 intentionally to be that mid-July date, as that's when  
8 maybe we will be in person. Who knows? So we didn't  
9 want to tie a specific time for our staff to work around,  
10 if we were to be in person, considering all of the other  
11 items that are necessary to set these meetings up, such  
12 as, you know, travel arrangements, setup, cleanup,  
13 ensuring that the venue is even open during those hours,  
14 other considerations that are the responsibility of our  
15 team to make sure.

16 So the first series of COI input meetings that have  
17 times associated with them on that chart, we are  
18 anticipating those to be held virtually. And then I will  
19 invite Commissioner Yee, who's Vice Chair Yee, to jump  
20 into this conversation as well. So, as you all know,  
21 Commissioner Yee has been working with this chair  
22 rotation schedule since the beginning. And so in his  
23 role as vice chair this time around, we came together and  
24 put in an additional column into this table with that  
25 chair rotation role outlined, so that all of the



1 information is in one table for all of you to be able to  
2 plan and schedule accordingly, given whenever your turn  
3 comes up to serve as chair or vice chair.

4         With the one caveat: Commissioner Yee and I had a  
5 lengthy conversation about how do we handle these COI  
6 input meetings? Who is chairing these COI input  
7 meetings? Is it the chair and vice chair during that  
8 time? Are the leads for these specific zones taking on a  
9 leadership role within those COI input meetings? We  
10 didn't want to make the decision for this group, so we  
11 left those cells blank on that table so we can bring  
12 forward this question to you all, so that we have, you  
13 know, your input and your considerations involved in the  
14 process moving forward, specifically for these COI input  
15 meetings, as they will be a little bit unique compared to  
16 our regular business meetings.

17         So Vice Chair Yee, is there anything else that you  
18 would like to highlight with the chair rotation calendar  
19 that you have posted?

20         VICE CHAIR YEE: Only I -- I'm going to -- I want to  
21 respond to a question that came up, I think, last week  
22 about the chair rotation and what seemed like an uneven  
23 rotation of party flavors of us. And so I went back and  
24 reminded myself, and now I'm here to remind you -- I'll  
25 share screen -- of what we agreed on. So we -- when we

1 decided on this current rotation, we decided on option B  
2 here. So Option B prioritizes mixed-gender chair and  
3 vice chair over even political categories and then also  
4 tried to even out the workload.

5 So in fact, the political representation is not  
6 even, because the chair pool is uneven; three Democrats,  
7 four nons, and five Republicans. And so that are -- that  
8 is -- that -- those are the ratios, three to five --  
9 three to four to five of the chair rotation by political  
10 affiliation. However, the gender rotation is even and --  
11 as even as I could get it, and then the workload is as  
12 even as I could get it. So that's just the reminder is  
13 what we agreed to. We agreed to the lower priority on  
14 party affiliation, higher priority on gender -- mixed  
15 gender chair and vice chair.

16 So going forward for the COI meetings, as we think  
17 about whether to have the current chair at the time chair  
18 the COI meetings as well, or whether to simply have the  
19 zone leads decide between themselves which of them to  
20 chair, that would be the consideration. That's all.

21 CHAIR AHMAD: Thank you, Vice Chair Yee.

22 With that, I'm hoping we can get some direction from  
23 the Commission. Keep in mind, we do have a mandatory  
24 break at 5:30. So if your thought has been shared  
25 already, you can just nod or thumbs up it. But really

1 wanting to give some space for some high-level changes or  
2 recommendations at this time.

3 Commissioner Sinay and then Vazquez.

4 COMMISSIONER SINAY: Can you just give -- help us  
5 understand why the times are all over the place on when  
6 we're having the meeting? Sometimes they're starting at  
7 9:00, sometimes at 10:00, sometimes at 11:00,  
8 sometimes -- I get the 12:00. You know, I get afternoon  
9 versus morning, but it feels like 9 a.m. on a Saturday  
10 seems really early to get community to be there. So I  
11 was just curious on how we chose 9s and 10s and, you  
12 know, how the times are chosen.

13 CHAIR AHMAD: Do you have a recommendation,  
14 Commissioner Sinay?

15 COMMISSIONER SINAY: I would say none should start  
16 earlier than 10:00. But I didn't know if there was a  
17 logic behind why they were going all over the place, and  
18 so I was open to hearing, you know, why.

19 CHAIR AHMAD: Great. Thank you.

20 Commissioner Fernandez, do you have a response to  
21 that question at this time?

22 COMMISSIONER FERNANDEZ: Right. And I think,  
23 although it may seem odd that 9 o'clock on a Saturday  
24 might be early, as a working mom with kids, 9 o'clock was  
25 late in my morning and actually would probably work well



1 for my schedule, or if I'm also, you know, have to go  
2 into work later, although it is a Saturday, there are  
3 many people that work, obviously, different shifts on the  
4 weekend. And so we were just trying to capture maybe the  
5 early morning people that, you know, right before they  
6 head off to whatever they need to head off to, either  
7 work or plans or soccer games or whatever the case may be  
8 versus starting late on Saturday, like at noon and ending  
9 at 8 at night on a Saturday.

10 We just felt shifting it earlier would, hopefully,  
11 capture more people in terms of their job shifts or  
12 whatever the responsibilities are. Of course, it's open  
13 for discussion. That was just kind of the thinking that  
14 we were going through as we're trying to attach times to  
15 this.

16 CHAIR AHMAD: Thank you, Commissioner Fernandez.

17 And my hope is that moving forward, this is a  
18 decision that our team will make, in terms of what  
19 specific times of the day these meetings will be held,  
20 primarily because none of us will be involved in the  
21 setup and the cleanup and all of the other piece parts  
22 that are required to run these meetings successfully and  
23 legally.

24 So Commissioner Vazquez. And then  
25 Commissioner Kennedy.

1           COMMISSIONER VASQUEZ: Yeah. My comment has to do  
2 with the times. I would make a recommendation that for  
3 weekday meetings that they not start before noon and that  
4 we actually go later into the evening. Just thinking  
5 about those who can't participate on weekends or any  
6 other days. We think about a business day, folks are  
7 really going to be able to participate in the evenings on  
8 a weekday. I've been doing community engagement and  
9 organizing. My experience, yes, you can catch a few  
10 people before dinnertime, but really, it's the late  
11 afternoon and into the evening when you get the most  
12 community buy-in. So that would be my recommendation for  
13 weekday meetings is they not start before noon and that  
14 we go later into the evening on those days.

15           CHAIR AHMAD: Thank you.

16           Commissioner Kennedy?

17           COMMISSIONER KENNEDY: Thank you, Chair.

18           I value what Commissioner Vasquez has raised. I  
19 just want to take the opportunity to encourage members of  
20 the public who have an interest in participating to let  
21 us know what time is best for them. I mean, the whole  
22 purpose of this is to make it convenient for people. We  
23 all have experience. All of that experience is useful,  
24 but I really want to hear from members of the public who  
25 want to participate in these events. Thank you.



1 CHAIR AHMAD: Great. Thank you,  
2 Commissioner Kennedy.

3 Yes, Commissioner Sinay?

4 COMMISSIONER SINAY: I agree what you're saying,  
5 Commissioner Kennedy, but I think one of the things that  
6 usually the people who call in are organizations. What I  
7 have noticed since things have gone virtual is that our  
8 county and city councils are able to get a lot of  
9 responses usually by organizations and folks who are  
10 organized. But those who we might want to capture that's  
11 broader than that are not going to call us right now and  
12 tell us, but we know from our experience working in the  
13 community.

14 I know, for instance, I just did a focus group with  
15 Latino -- with parents of kids with special needs, and  
16 they said, don't do anything before 6:30 in the evening,  
17 because we want to make sure we have dinner. And that's  
18 kind of always been that if you're trying to get families  
19 and parents, you do it after 6:30 or you provide  
20 childcare and dinner. So there are some guidelines that  
21 those of us who have done the stuff know.

22 My issue was more about consistency. I just didn't  
23 get why we were starting sometimes at 10:00, sometimes at  
24 11:00, sometimes at 12:00. And it makes it really  
25 difficult for scheduling and just, you know, working,



1 just getting other work done. And so I knew that on  
2 weekdays we're starting from 12:00 to 8:00, and on  
3 weekends we're from 10:00 to 6:00. In my head, it's a  
4 lot easier to organize my other -- my daytime, my day  
5 job.

6 CHAIR AHMAD: Commissioner Fernandez and Akutagawa?

7 COMMISSIONER FERNANDEZ: And I understand the  
8 cons -- wanting to have a consistency, but there's also  
9 the reality that not every individual has the same  
10 schedules -- work schedules. And so that's why we were  
11 shifting it, because if we do every meeting during the  
12 week, noon to 8:00, then we're excluding those that  
13 could -- that have days off during the week that could  
14 make it a prior to noon. So, you know, we're trying to  
15 do a later afternoon evening, but we try to put in a few  
16 that were earlier, just to try to capture. Because,  
17 again, this is the virtual world, so they're not having  
18 to drive anywhere. They can make an appointment, make  
19 their reservation. So it's just trying to catch --  
20 trying to cover more individuals, hopefully. And it may  
21 not work, but anyways, just trying to be more inclusive.

22 CHAIR AHMAD: Commissioner Akutagawa.

23 COMMISSIONER AKUTAGAWA: Yeah, I would absolutely  
24 echo what Commissioner Fernandez said, I think. I think  
25 to that point, I do wonder if we do need to think about



1 times that ended a little later, like closer to 9:00. So  
2 for those who need to make sure that they get dinner  
3 together, they may not be available until after 7:30, and  
4 8 o' -- you know, half an hour may not be enough.

5 On the other hand too, and I don't know. This isn't  
6 always going to be ideal, but perhaps an early morning  
7 time may also be something we need to think about,  
8 something that, excluding those who might have kids who  
9 are trying to get their kids ready and on to, whether  
10 it's the virtual school or off to school. There are also  
11 those who, you know, may be trying to get out to work and  
12 may want to try to see if they could make some type of  
13 testimony. So do we also need to go the opposite way and  
14 think about an earlier morning start? I'm not a morning  
15 person, so I will -- I do say this with that in mind.  
16 But should we be looking at a 7:00 a.m. start? I know it  
17 hurts. But there are some that may want to try to get a  
18 testimony in before they have to leave for work or start  
19 their day, because not everybody is on Zoom, so I do want  
20 to acknowledge that too.

21 CHAIR AHMAD: Thank you, Commissioner Akutagawa.  
22 And we did look at -- Commissioner Fernandez and I, when  
23 we were serving as chair and vice chair, we did see the  
24 data on how many people are watching our meetings, as our  
25 meetings have been more spread out throughout the day,



1 and there was no pattern. I wanted to run a regression  
2 analysis on it, just to try to figure out. There was not  
3 enough data, and there was no pattern. It was just a  
4 hodgepodge. So that was kind of a dead end there.

5 But Commissioner Taylor and then  
6 Commissioner Vazquez.

7 COMMISSIONER TAYLOR: Thank you, Chair. So I'm  
8 understanding that Commissioners, just point of merits to  
9 our arguments. I'm understanding that  
10 Commissioner Fernandez, in her argument, she wants to  
11 capture as many people. I just want to bring note that  
12 if we have inconsistent or different starting times, that  
13 there should be different starting times in each zone so  
14 that each zone has the opportunity to have those  
15 different starting times, that those different starting  
16 times are evenly spread throughout the zones.

17 And I don't know if anyone spoke to it. I think  
18 that the lead should be the chairs for the COI -- zone  
19 COI meetings, largely in part to relieve some of the  
20 pressure from our other commissioners of having the  
21 responsibility and task for so much throughout the  
22 commission process. So I think a little bit of that  
23 workload should be spread throughout, and everything is  
24 not entirely on the chair and vice chair for a given  
25 period of time. Thank you.

1 CHAIR AHMAD: Commissioner Vasquez?

2 COMMISSIONER VASQUEZ: We'll endorse that suggestion  
3 for chairing the meeting for zone leads and just wanted  
4 to encourage us to not try to reinvent the wheel of  
5 community engagement. And I'm telling you, 10 years of  
6 community engagement and organizing, yes, you will get  
7 some folks in the early a.m., you know, working  
8 professionals who are honestly probably really highly  
9 engaged. But community work happens -- it happens in the  
10 evening. It happens after dinner, it happens before  
11 dinner. It happens after 5:00. It happens after you've  
12 put the kids to bed. Community meetings -- schools hold  
13 community meetings in the evenings and on weekends.

14 I'm fairly agnostic as to when they happen on the  
15 weekends. I think, again, community organizers will tell  
16 you after church and before evening events, so probably  
17 not on Sundays. But I really think for weekdays we  
18 should prioritize going later into the evening. And if  
19 that means just, again, for all of our logistics, if that  
20 means starting later, that's what I would highly  
21 recommend that we do.

22 CHAIR AHMAD: So point of clarification,  
23 Commissioner Vasquez. Are you -- is that recommendation  
24 for virtual meetings or for?

25 COMMISSIONER VASQUEZ: Yes, for both. Even in our



1 virtual meetings, my organizations have been planning  
2 things for between 4:00 and 8:00.

3 CHAIR AHMAD: Okay. Okay. I was just thinking  
4 because in-person meetings, I don't know. That's a later  
5 conversation, just because I'm not sure if we'll even  
6 find venues that are open later or what that looks like.  
7 So that's helpful to know that these recommendations are  
8 for virtual.

9 Commissioner -- I thought I saw someone else's hand  
10 up. No?

11 Commissioner Sinay?

12 COMMISSIONER SINAY: Last Commission did do most of  
13 them in the evening, and there -- you can find venues  
14 that are open in the evening, again, because  
15 that's -- usually the venues use those spaces for their  
16 work, and they'll rent out the venues or open them up for  
17 others. The one piece I'm going to say, just because I  
18 don't want to lose this every time. I mean, I know we  
19 sound like a broken record, but let's not forget that the  
20 community input sessions is just one very small slice of  
21 how we're going to get community input, and that we  
22 really do want to encourage the community and others to  
23 organize around the communities input tools and other  
24 ways to get input to us. They will all be equal, no  
25 matter if we get it at an input session or if we receive

1 it through the tool or in some other fashion.

2 CHAIR AHMAD: Thank you, Commissioner Sinay.

3 Can I hear from my colleagues so we have some clear  
4 direction in terms of the chairing role for these COI  
5 input meetings?

6 Yes, Commissioner Kennedy?

7 COMMISSIONER KENNEDY: Yes, I concur with the idea  
8 of having the zone team responsible for leading those  
9 sessions. Thanks.

10 CHAIR AHMAD: All right. Process question for you  
11 Alvaro. How does that interplay with agenda posting and  
12 process-wise?

13 MR. HERNANDEZ: As far as having the outreach zone  
14 leads?

15 CHAIR AHMAD: Mm-hmm, chairing for COI input  
16 meetings.

17 MR. HERNANDEZ: We're putting together a script for  
18 whoever is going to chair those meetings, so that won't  
19 be a problem.

20 CHAIR AHMAD: Okay.

21 MR. HERNANDEZ: As far as the agenda itself, you  
22 know, it's no different than what we're doing now is  
23 updating 14 days ahead of time to post the agenda. So I  
24 don't see that being an issue either.

25 CHAIR AHMAD: Okay. So from what I'm

1 understanding -- please tell me if I'm understanding it  
2 incorrectly -- the zone leads would essentially just step  
3 into the role of the leadership role during that COI  
4 input meeting time.

5 MR. HERNANDEZ: Yeah.

6 CHAIR AHMAD: They'll be provided the script. The  
7 agenda should already be posted.

8 MR. HERNANDEZ: Yes. And so --

9 CHAIR AHMAD: Okay.

10 MR. HERNANDEZ: --- we can include both the -- both of  
11 the commissioners for that outreach zone, and they can  
12 decide between the two of them who will be the moderator  
13 for the day, or they can alternate however they choose to  
14 do so. But it would be the two leads. We would list  
15 them on the agenda, and we can proceed that way.

16 CHAIR AHMAD: Sounds good.

17 Other thoughts?

18 Yes, Commissioner Sinay?

19 COMMISSIONER SINAY: I think that's great. I just  
20 wanted to remind everyone that we've only approved the  
21 agenda for the two statewide sessions, and we have not  
22 created or discussed the agenda for the other sessions  
23 that are in specific zones.

24 CHAIR AHMAD: That opens up a can of worms for me,  
25 Commissioner Sinay.





1 COMMISSIONER SINAY: Well, when we approved the  
2 agenda, we have said it was only for statewide --

3 CHAIR AHMAD: Yes.

4 COMMISSIONER SINAY: --- and that the Public Input  
5 Design Committee was going to have a conversation about  
6 getting better zone ones.

7 CHAIR AHMAD: No, I --

8 COMMISSIONER SINAY: Okay.

9 CHAIR AHMAD: I totally understand that. However, B  
10 Zone, D COI input meeting held on June 21st, that agenda  
11 needs to be posted by June 7th. So the question is, who  
12 does that fall on? Myself and Commissioner Yee.

13 So we do have two minutes left until break. If we  
14 can get these thoughts out before break, I welcome them.  
15 Otherwise, we can hold off until after break.

16 Yes, Commissioner Vazquez? Turner?

17 COMMISSIONER VAZQUEZ: Are we anticipate these  
18 agendas being wildly different from zone meeting to zone  
19 meeting? Okay. For me, that feels --

20 CHAIR AHMAD: I honestly, from my perspective, it's  
21 a cut and paste, change the date and the location and the  
22 time.

23 COMMISSIONER SINAY: Okay.

24 CHAIR AHMAD: Commissioner Turner?

25 Yeah.



1 Commissioner Turner?

2 COMMISSIONER TURNER: Yeah, ditto to what  
3 Commissioner Vazquez said. And then when you said that  
4 was going to fall to you and Commissioner Yee, are you --  
5 is that your zone?

6 CHAIR AHMAD: No, it's not my zone. I serve as  
7 chair during that time, so that's why my process question  
8 to Alvaro --

9 COMMISSIONER TURNER: Okay. Gotcha.

10 CHAIR AHMAD: --- of who's following up with Alvaro  
11 and are multiple people now responsible for following up  
12 with Alvaro?

13 COMMISSIONER TURNER: Yeah. And so, the second part  
14 to that is, is that I guess what I would submit is that  
15 no one should be following up with Alvaro. We should  
16 utilize that cut and paste, and show up and read the  
17 script and go through the session.

18 CHAIR AHMAD: Thank you, Commissioner Turner.

19 I saw Commissioner Fernandez and then Sinay.

20 COMMISSIONER FERNANDEZ: Yes. I was going to agree  
21 that it shouldn't be every -- if it's a generic agenda,  
22 it's -- we would give the executive director approval to  
23 move forward and make the changes, in terms of, okay, now  
24 you're going Zone D, and here's the chair. Executive  
25 director knows who the leads are for that zone. Then

1 it's Zone I, same thing. Because that is just adding way  
2 too much work for our staff to have to coordinate with a  
3 different set of chair three to four times a week. So if  
4 we can disagree on a generic agenda, that would be great.  
5 And then if we need to modify it after the first two,  
6 then we modify it.

7 CHAIR AHMAD: Commissioner Sinay? And then we have  
8 to go to break.

9 COMMISSIONER SINAY: I can speak after the break.

10 CHAIR AHMAD: All right. Remind me so I don't  
11 forget.

12 All right. See you all at 5:45.

13 (Break 5:25 to 5:45)

14 CHAIR AHMAD: Welcome back from break. We left off  
15 on a conversation regarding agenda item number 14 and I  
16 had Commissioner Sinay in the queue.

17 COMMISSIONER SINAY: My only thought -- if you went  
18 on the idea that I keep trying to bring forward but it's  
19 never the right time and that's why, you know, I brought  
20 up that we had only approved the agenda for the first  
21 year because that's how it was presented when we talked  
22 about it, is that I think that when we go into the zones,  
23 it would be really good for us to have a snapshot of the  
24 zones. And to invite an organization, be it the United  
25 Way Community Foundation, it's not hard to identify an

1 organization, who can give us a brief 5 to 10-minute  
2 snapshot of the zone of the regions.

3 I know it gets difficult because there's different  
4 counties. But even in the zone, in Zone B, the United  
5 Way of Northern California has a good sense of that whole  
6 region. Or the Farm Bureau Association. I mean, we've  
7 talked to groups that can give us a good snapshot.

8 And again, I know last time I was watching the  
9 videos, the line drawer did it. But the line drawer did  
10 it based on census data and it was very dry and it wasn't  
11 connected to the visuals since, you know, for me, it is  
12 important to have different visuals and really, you know,  
13 have us understand kind of a big picture. It won't be as  
14 great as if we were there and we were driving. And in  
15 some cases we will. But having that overview so that we  
16 know the difference within each of the regions. Even San  
17 Diego and Imperial County are two very different  
18 counties. And someone like the United Way of San Diego  
19 and Imperial County can get those differences.

20 But I really from the beginning have said a 10-  
21 minute presentation from the local community giving us a  
22 snapshot is important to me.

23 CHAIR AHMAD: Yes. Commissioner Fornaciari and then  
24 Kennedy and then Le Mons.

25

1           COMMISSIONER FORNACIARI: Yeah. So I think we can  
2 do that in the -- for the zone specific -- include that  
3 in the agenda for the zone specific meetings. I guess,  
4 you know, at this point we have -- we're staffing up,  
5 we're pretty -- we're getting pretty robust as far as our  
6 outreach staff go. And so I think, I mean, this notion  
7 of the agenda for the zone specific meetings, I think we  
8 develop a -- we just ask the staff to develop an agenda  
9 that will apply to all the zone meetings. Include the  
10 zone snapshot and have them manage it. I mean, that's  
11 why we have staff and that's their job. I mean, we need  
12 to get out of the business of managing the details and  
13 give direction.

14           I also support the idea of the zone leaders hosting  
15 those meetings -- chairing, hosting, whatever we want to  
16 call it and leave it to the zone leaders to decide how  
17 they're going to manage it. And then finally, I didn't  
18 want to lose Commissioner Andersen's point that she  
19 brought up earlier about the meetings on the website.  
20 Please add which zones those are. If we can direct  
21 Director Hernandez and the staff to -- or Fredy or  
22 whoever is going to do it to add the zone so that people  
23 will know when their zone is coming. Thank you.

24           CHAIR AHMAD: Thank you, Commissioner Fornaciari. I  
25 have Commissioner Kennedy, Le Mons, and then Turner.

1           COMMISSIONER KENNEDY: Thank you, Chair, you know --  
2 recalling all of the different groups that we've had come  
3 to speak to us, as much as I want each of us to have some  
4 familiarity with the zone, my concern is that if we ask  
5 the Farm Bureau, then the Chamber of Commerce is going to  
6 say, me too. If we ask labor, you know, some other  
7 group, if we ask this group, that group, and I don't yet  
8 see a way out of it. I can be convinced but I think that  
9 that could generate more problems than we're looking for  
10 in this. Thank you.

11           CHAIR AHMAD: Commissioner Le Mons and then Turner.

12           COMMISSIONER LE MONS: Yeah. I agree with  
13 Commissioner Kennedy. And I'll take it a step further  
14 and say, I absolutely think that's a horrible idea. We  
15 should not invite any particular group to come and speak  
16 on behalf of the zone because that's going to be a matter  
17 of perspective. If we're looking at the facts of that  
18 zone, if there's some objective source that we can pull  
19 that from or our staff and pull that from to give us a  
20 snapshot of that particular region, great.

21           But to have some group come in who may have a vastly  
22 different perspective, just like two neighbors who have  
23 vastly different descriptions about the area that they're  
24 speaking to. So I think to give credit to some group  
25 that's been invited to be the representation of that area

1 opens us up in a way that I'm completely uncomfortable  
2 with.

3 CHAIR AHMAD: Commissioner Turner.

4 COMMISSIONER TURNER: Thank you. I just wanted to  
5 say, I really appreciate the attempts at creativity and  
6 trying to make the meetings colorful, meaningful,  
7 engaging and all of that. But I am absolutely in  
8 agreement with Commissioner Kennedy and Le Mons in that I  
9 believe it will, no matter who we have present, we will  
10 forget, we will leave out some part of that particular  
11 zone. And I think it would start people calling in  
12 saying that, you know, this is problematic, you didn't  
13 include me, you're already leaning.

14 So anything else would be more of what was already  
15 said. I like the -- for us to continue to think of what  
16 could be helpful. But I think this would probably end up  
17 excluding some that was not included in any set synopsis.

18 CHAIR AHMAD: Marian, I see you have your hand up.  
19 And then Commissioner Vazquez.

20 MS. JOHNSTON: Sorry, I didn't mean to. That was  
21 inadvertent.

22 CHAIR AHMAD: Okay. Commissioner Vazquez.

23 COMMISSIONER VAZQUEZ: I would just like to ask my  
24 colleagues to disagree without categorizing ideas as

25

1 horrible or brilliant if we're disagreeing. Disagree  
2 without being disagreeable, please.

3 CHAIR AHMAD: All right. Thank you. I'm confused,  
4 you all, on the next step. So I'm just making that  
5 known. I would want clarity from Alvaro and Anthony on  
6 whether we need a motion on the schedule. Because that  
7 was their original conversation. It was about that  
8 schedule. And you don't -- you all can think about it  
9 while I go down the line. I see my colleagues having  
10 their hands up. But I need clarity on whether we're  
11 looking for a motion and for which items we are looking  
12 for a motion for. Commissioner Le Mons and then  
13 Andersen.

14 COMMISSIONER LE MONS: Yeah. Adjectives exist for a  
15 reason. And if I choose to use one, I will. And if I  
16 think it's a horrible idea, I'll say I think it's a  
17 horrible idea. It doesn't mean that everybody has to  
18 agree that it's a horrible idea. But how dare you  
19 attempt to censor me as to how I can give my feedback? I  
20 don't appreciate that at all. You give your feedback the  
21 way you want to give it. And I'll give mine the way I  
22 want to give it. I think that's a horrible idea.

23 CHAIR AHMAD: Commissioner Andersen.

24 COMMISSIONER ANDERSEN: I suggest there are some  
25 subtleties between the statewide COI input meetings and





1 the zone COI input meetings. And I suggest that, I  
2 believe is sort of to the time frame, to get it to 14  
3 days advance. Is -- there's a PIDC (phonetic) meeting  
4 Monday the 14th. Is that still within time? In which  
5 case, I would propose that the detail -- the slate  
6 modifications of the zone agenda be tasked to the PIDC  
7 meeting to come forward. And if we have a full meeting  
8 on the 16th, I think you said that was the date. Is that  
9 correct? Is that enough time to bring it forward?

10 CHAIR AHMAD: That's a great idea, Commissioner  
11 Andersen, however, discussing any zone specific agenda  
12 items on the 14th will be within that 14 window -- day  
13 window for the 21st.

14 COMMISSIONER ANDERSEN: It was the 21st?

15 CHAIR AHMAD: Yeah. Yeah, so we'd be a week, week  
16 into it. So at this point, yeah. At this point,  
17 however, I would like to clear --

18 COMMISSIONER ANDERSEN: Could you still -- sorry,  
19 could you still assign it to the PIDC and they can just  
20 come back to the Chair with an idea?

21 CHAIR AHMAD: So that agenda has been posted. If  
22 that agenda item falls within -- in what we've posted,  
23 then we can surely discuss that, for sure.

24 Okay. I want to ask our team -- Marian?  
25

1 MS. JOHNSTON: Just a suggestion. Since the Public  
2 Input Design Committee is a functioning committee, it can  
3 make decisions. You could delegate to that committee the  
4 -- setting the agenda for the next, I don't know, five  
5 meetings or however many you wanted to do it. And then  
6 to have come back for approval to the commission. They  
7 can take action, something like a purely advisory  
8 committee.

9 CHAIR AHMAD: All right, thank you. Alvaro and  
10 Anthony, I need clarity on what you all need to take the  
11 next steps. Yes, Alvaro.

12 MR. HERNANDEZ: So I believe what we were discussing  
13 to begin this conversation was about the timeframes. So  
14 I'd like to get clarity, whether it's a motion. That's  
15 what I would prefer, so that the staff is clear in what  
16 the timeframes are going to be for these meetings.  
17 Whether it's a shorter amount of meetings that we're  
18 looking at that we approve versus the whole lot of them  
19 or however the motion comes forward.

20 Secondly, my hope is that we can decide also on who  
21 will chair the meetings. That was part of the discussion  
22 as well, and that would help staff, in particular me, in  
23 creating the agendas and making sure that the correct  
24 person is on the agenda. So those are the two things  
25 that jump out at me.



1 CHAIR AHMAD: Thank you. With the thought --  
2 Commissioner Fernandez.

3 COMMISSIONER FERNANDEZ: I just realized, chair, one  
4 thing that we forgot to talk about in the schedule was  
5 September 8th through the 11th. Initially, we have the  
6 group presentations or the group meetings and we changed  
7 that to be COI input meeting -- meeting, a time to be  
8 determined.

9 So we put that in there hoping that we have the  
10 census data by then but we won't have the census data, so  
11 we're leaving it as, like, a placeholder in case we feel  
12 that we need additional COI input meetings. So I just  
13 wanted to point that out.

14 CHAIR AHMAD: Thank you, Commissioner Fernandez, for  
15 drawing our attention to that. With that, I'm looking  
16 for, I guess, direction from us to our staff on the two  
17 items that Alvaro has listed that his team needs clarity  
18 on. So the timeframes for the virtual formats as well as  
19 the zone leads, whether they will be moderating those COI  
20 input meetings.

21 MR. HERNANDEZ: And Chair --

22 CHAIR AHMAD: Yeah.

23 MR. HERNANDEZ: -- if I could just recommend that --

24 CHAIR AHMAD: Um-hum.

25



1 MR. HERNANDEZ: -- maybe we take those up separately,  
2 please.

3 CHAIR AHMAD: Okay. Okay, sounds good. So I'll  
4 start with one that I have a lot of clarity on,  
5 hopefully. I move that the zone leads will moderate the  
6 zone COI input meetings -- for the COI input meetings.

7 COMMISSIONER TAYLOR: I'll second that.

8 CHAIR AHMAD: Any discussion on this particular  
9 motion? Commissioner Kennedy.

10 COMMISSIONER KENNEDY: Thank you, Chair. My  
11 suggestion earlier, and I think I heard it echoed by at  
12 least one or two others, was that the zone team take  
13 responsibility for their respective zone events but work  
14 out within the team who does what, when. It may be, you  
15 know, breaking down the time into time blocks and  
16 trading back and forth. It may be that the lead chairs  
17 the whole thing. It may be that, you know, the second  
18 commissioner chairs the whole thing, but leaving it to  
19 the zone team to work that out. Thank you.

20 CHAIR AHMAD: Thank you for that, Commissioner  
21 Kennedy. And I hope that intent was included in the  
22 motion of the zone leads will moderate the COI input  
23 meetings for the respective zones.

24 Any other comments or thoughts on the motion on the  
25 floor? Yes, Commissioner Fernandez.

1           COMMISSIONER FERNANDEZ: I believe what Commissioner  
2 Kennedy is trying to explain is that, in each zone  
3 there's like a lead and then a secondary person. Is that  
4 what you're talking about, Commissioner Kennedy? Where  
5 the first person listed is either from that zone or took  
6 that lead responsibility. So maybe we just need to amend  
7 it that the zone team, I don't know, two commissioners?  
8 I don't -- I'm just -- who knows? We don't need another  
9 reason for a lawsuit.

10           CHAIR AHMAD: Does -- I will amend the motion.  
11 These zone teams, the two people within each zone, will  
12 come together and discuss on how they want to break down,  
13 whether that be four hours each, one minute, and the rest  
14 of the time, however they choose to do so with their --  
15 within their respective zones. That is my amended  
16 motion. Commissioner Taylor, do you still second or  
17 would you like to withdraw your second?

18           COMMISSIONER TAYLOR: I am accepting of that  
19 amendment.

20           CHAIR AHMAD: Thank you. Now, any discussion on the  
21 amended motion that hopefully Alvaro is typing out?  
22 Sorry about that. Anything else, okay? Yes,  
23 Commissioner Yee -- Vice Chair Yee.

24           COMMISSIONER YEE: Thank you, Chair. The only  
25 consideration is, if we do go to in-person meetings and



1 some commissioners may or may not be able to travel.  
2 That could become a consideration. I mean, we could just  
3 cross that bridge when we get there but.

4 CHAIR AHMAD: It's a great -- good thing that  
5 there's two people involved. Commissioner Le Mons, I saw  
6 your hand up as well? Nope, okay.

7 With that, Katy, can we open the line for public  
8 comment on -- actually pause -- actually pause.

9 Can we first make the motion for the other item and  
10 then take public comment all at once on both of those  
11 items? So the other item that our team very explicitly  
12 said they need clarity on are the timeframes that we have  
13 listed out in the proposed schedule. I am looking for a  
14 motion to approve that schedule and/or some variation of  
15 it. Yes, Commissioner Fernandez and then Sinay.

16 COMMISSIONER FERNANDEZ: Yes. And I just wanted to  
17 point out that, in terms of the times, we only noted the  
18 times until July 12th. So that would be almost one  
19 meeting per zone. And then at that point, we were going  
20 to reevaluate to see what was working, what wasn't  
21 working. So I just want to make sure I pointed that out.  
22 And there might have to be another motion with the  
23 language part of it. So we'll talk about that later.  
24 But the only -- okay, I think that's it.

25 CHAIR AHMAD: Okay. Commissioner Sinay.



1           COMMISSIONER SINAY: So that was kind of the clarity  
2 I was looking for earlier, on why there was times -- at  
3 different times was -- okay, this is an experiment, so we  
4 know -- so then we can decide what is the right time.  
5 That's what I thought. And that's why I had opened it up  
6 to ask that question.

7           So now you got me stumped because I was going to  
8 recommend on weekends doing it from 10 to 5 and -- or 10  
9 to 6 and on weekdays doing it from noon to 8 because it  
10 looked like you were -- we were trying to do eight hours.  
11 I understand changing it around. But I also find that it  
12 makes life easier for our day jobs when we have something  
13 more scheduled. That was the motion I was going to make.

14          CHAIR AHMAD: Commissioner Sinay, is it a motion or  
15 is it not?

16          COMMISSIONER SINAY: Yes, I will make that motion.  
17 And then that opens up for discussion. If not a second -  
18 -

19          CHAIR AHMAD: Okay --

20          COMMISSIONER SINAY: -- then someone else can make a  
21 different. On weekends, from 10 to 5 -- or 10 to 6 I'm  
22 sorry, 10 to 6, since it's eight hours. And on weekdays,  
23 12 to 8.

24          CHAIR AHMAD: Is there a second on that motion?

25          COMMISSIONER VAZQUEZ: Second.



1 CHAIR AHMAD: Commissioner Vazquez seconds.

2 Discussion? Commissioner Fernandez.

3 COMMISSIONER FERNANDEZ: I mean, I understand what's  
4 normally done; I do get that. But I would like to have  
5 some of the zone meetings earlier just to see if maybe,  
6 you know, again, experiment, maybe just a couple of them  
7 to see if there is interest in having a couple of them  
8 that start at 10 to capture the early birds or, you know,  
9 whoever has a different schedule than this -- the noon to  
10 8 shift will accommodate.

11 CHAIR AHMAD: Commissioner Akutagawa.

12 COMMISSIONER AKUTAGAWA: I want to go back to -- I  
13 think it was Commissioner Kennedy who suggested that  
14 maybe we try some different timeframes in each zone. So  
15 there's maybe a later one, there's an earlier one.  
16 Because I do like the idea of -- I understand what  
17 Commissioner Vazquez is saying but I also agree with what  
18 Commissioner Fernandez is saying that -- I think we just  
19 need to think about that. The full extent of, you know,  
20 everyone who could possibly want to give testimony, not  
21 everybody's going to want to do it in the evenings. Some  
22 people will want to do it in the mornings.

23 And so I think as you had found, there was no rhyme  
24 or reason. And so I think that that's probably what  
25 we're going to find even going forward with the public



1 input meetings. So I did like his idea of maybe putting  
2 in, you know, some variety within each of the zones.

3 CHAIR AHMAD: And to that, Commissioner Akutagawa,  
4 we did take that into consideration. So we started out  
5 earlier in the day for the zones that are virtual. And  
6 the idea is to meet -- move throughout the day in terms  
7 of timeframe for all the different zones. Obviously, the  
8 calendar doesn't list out the later dates -- the times  
9 for the later dates, I should say.

10 So that is, I think, the idea that our team had in  
11 terms of planning for those meetings. Commissioner  
12 Turner, I saw your hands up.

13 COMMISSIONER TURNER: I was just going to add into  
14 the conversation, Chair, that maybe we could have the  
15 statewide meetings start early. And then for any  
16 Californian that needs an earlier meeting, they can join  
17 in those meetings earlier or attempt to join in on a  
18 statewide meeting, knowing that they can call any meeting  
19 they want to. But then the other zones perhaps could  
20 stay at a set time for scheduling purposes. And it would  
21 -- might give that flexibility for early time that some  
22 Californians may need.

23 CHAIR AHMAD: That's good. Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: I like that idea but  
25 unfortunately, our statewide meetings are the first two

1 and then that's it. Then we go into the zones. So there  
2 are, if you didn't hear about it early on, you're out of  
3 luck. It's kind of how I see it.

4 CHAIR AHMAD: I will put myself in the queue. I  
5 probably won't be voting yes for that second motion.  
6 This schedule was incorporated with feedback from our  
7 team, the people who are the boots on the ground, putting  
8 all of this together for us. So I support, you know, the  
9 work that went into putting this together from our team.

10 Are there any other comments or thoughts, discussion  
11 points on this second motion that was presented by  
12 Commissioner Sinay and seconded by Commissioner Vazquez?

13 Yes, Commissioner Turner and then Le Mons.

14 COMMISSIONER TURNER: I was going to ask you to  
15 repeat the motion at this point.

16 MR. HERNANDEZ: Chair, I don't -- I'm not exactly  
17 clear that this was seconded. So if -- maybe it might be  
18 helpful to just repeat who we have with this particular  
19 motion and then who has seconded it?

20 CHAIR AHMAD: Yeah, definitely.

21 MR. HERNANDEZ: Thank you.

22 CHAIR AHMAD: So this motion was made by  
23 Commissioner Sinay to have the weekday meetings from 12  
24 to 8 p.m. and the weekend meetings from -- Commissioner  
25 Sinay?

1 COMMISSIONER TURNER: 12 to 8?

2 COMMISSIONER SINAY: Yes. Sorry, yes. 12 to 8.

3 CHAIR AHMAD: And the weekday meeting from?

4 COMMISSIONER FERNANDEZ: 10 to 6 is what she said.

5 COMMISSIONER SINAY: Weekend is -- oh, I'm sorry, I  
6 heard -- yeah. So the weekend's 10 to 6, weekdays 12 to  
7 8.

8 CHAIR AHMAD: And the motion was seconded by  
9 Commissioner Vazquez. Commissioner Le Mons.

10 COMMISSIONER LE MONS: Do we have two motions on the  
11 floor --

12 CHAIR AHMAD: Yes.

13 COMMISSIONER LE MONS: -- on the time?

14 CHAIR AHMAD: We have --

15 COMMISSIONER LE MONS: Can we -- can we have two on  
16 the time?

17 MR. HERNANDEZ: Commissioner Le Mons, what I'd  
18 recommend is that we -- there's a motion and it's been  
19 seconded. We should take public comment and then we  
20 would have a vote.

21 If you'd like, what you could do is you could  
22 propose a motion and it were seconded. That could have  
23 further discussion. But at some point there needs --  
24 there should be a vote as the deciding outcome for the  
25 particular motions. And the problem we could run into is

1 that both motions pass and then we don't have any way of  
2 reconciling those. So what I would recommend is we have  
3 a vote after the public comment and perhaps we could have  
4 a second separate vote if we so wanted.

5 COMMISSIONER LE MONS: Okay, thank you.

6 CHAIR AHMAD: Commissioner Turner.

7 COMMISSIONER TURNER: So there was no -- was there a  
8 discussion and I'm hearing now not a motion to accept the  
9 trial schedule as is?

10 CHAIR AHMAD: You are correct. There was no motion  
11 to accept the trial schedule as is with alterations.

12 Commissioner Sinay and then Vazquez.

13 COMMISSIONER SINAY: I'm okay pulling the motion if  
14 that's the motion that more people would like to put  
15 forward so that we can move forward. So are you okay  
16 with that, Commissioner Vazquez?

17 COMMISSIONER VAZQUEZ: Yes.

18 COMMISSIONER SINAY: So we'll pull our motion. No  
19 problem.

20 CHAIR AHMAD: Commissioner Vazquez.

21 COMMISSIONER VAZQUEZ: Yeah. I was just going to  
22 offer that we could have further discussion on the times.  
23 And was also going to say that I acknowledge and  
24 recognize the time that went into creating the proposal  
25 as is. That being said, just again, trying to offer my

1 perspective as an organizer, because I'm not sure that we  
2 have folks who on staff have been doing community work.

3 And wanted to just say again, given my experience,  
4 maybe an end date or more than one that -- that evenings  
5 work best for folks who are going to be giving public  
6 comment. And that folks who are more flexible in other  
7 spaces, like, often choose other forms of input. But  
8 again, this is not something that I am willing to break  
9 with my colleagues on drastically.

10 CHAIR AHMAD: All right. The motion has been  
11 withdrawn, so there is no motion on the floor right now.  
12 I just want to make that clear. So we're going --  
13 reversing back to agenda item 14. The discussion is  
14 still open, Commissioner Kennedy.

15 COMMISSIONER KENNEDY: I just wanted to bring us  
16 back to a discussion that we had a while back about how  
17 hard are these end times? I mean, are we like election  
18 day? If you're in line at the time that the polls close,  
19 you get to vote even if it's midnight. Or are we saying  
20 that if we have established a closing time of 6, that  
21 that's it, sorry, you know, try again next time? Thanks.

22 CHAIR AHMAD: I think that's a legal question maybe.

23 MR. HERNANDEZ: Yes. So Commissioner Kennedy, to  
24 your point, I believe we previously discussed that for --  
25 that these are public input meetings. And as such, we're

1 communicating to the public that we, to use Commissioner  
2 Taylor's phrase, that we are -- the store is open until  
3 the particular end time. And so for these meetings, if  
4 we say we are open until 8, then that is what we are  
5 communicating to the public to expect them to be  
6 available and that the commission would be available  
7 until that time.

8 CHAIR AHMAD: Commissioner Turner and then  
9 Fornaciari.

10 COMMISSIONER TURNER: And in full understanding and  
11 respect to our council, I want to recall also what I  
12 heard in our previous meeting was that we said we were  
13 altering the language in our documentation to state that  
14 the meetings was from one time 12 to 8 or upon conclusion  
15 of business, was one of the things I heard. And then the  
16 other piece was, as far as lines are open.

17 I also heard recalled, my recollection, Marian at  
18 one point giving us counsel that said, if our meeting  
19 time was stated at 12 to 8, if there were people in the  
20 queue, we would continue. We would have to continue  
21 taking them until the queue was exhausted at whatever  
22 hour that was. We didn't have to take new people after  
23 that time period, but we would have to continue hearing  
24 public comment through the exhaustion of whoever was in  
25 the queue.

1 MR. HERNANDEZ: So I agree with Marian's previous  
2 advice. What I would recommend is what we have is -- so  
3 Marian's comment about the queue is correct. That's what  
4 we would want to do. We want to leave people that are in  
5 the queue. We have to hear them out.

6 I believe it was a policy call by the Commission to  
7 -- for these particular meetings, if they communicate  
8 that we are open until 8, we are having a meeting, that  
9 you all wanted to make sure that you were available until  
10 8. So I'm just reiterating that policy that was  
11 previously communicated.

12 CHAIR AHMAD: Commissioner Fornaciari and then  
13 Commissioner Le Mons.

14 COMMISSIONER FORNACIARI: So let's see. I thought  
15 at our last meeting, we went through the agenda. And we  
16 designed the agenda in such a way that there were, in the  
17 first three blocks, I think three blocks of time for  
18 public input, there were appointments. In the final  
19 block of public input, there were no appointments. And  
20 we would take those folks who got in the queue and then  
21 we would allow some time for public comment at the end of  
22 the meeting and that when, you know, we would close the  
23 queue for public comment at the end of the meeting -- at  
24 the end of the meeting time but take all, you know,

25



1 whoever was in the queue. And I thought we had come to  
2 an agreement on that at the last meeting.

3 Am I forgetting that? I thought we voted on that.  
4 Is that correct? Or am I -- have I forgotten already?

5 COMMISSIONER ANDERSEN: That's what I recall.

6 CHAIR AHMAD: Commissioner --

7 COMMISSIONER FORNACIARI: Marcy, is that correct?

8 MS. KAPLAN: Yes.

9 CHAIR AHMAD: Commissioner Le Mons.

10 COMMISSIONER LE MONS: Yeah. I was going to say  
11 that I -- I had a recollection that -- I think  
12 Commissioner Fornaciari -- was actually the meeting  
13 before last but -- when we had that discussion. But I  
14 could be wrong on which meeting it was anyway.

15 I thought there was also, and I don't know where we  
16 -- I don't remember where we landed on this but I do  
17 remember there was also some discussion about the time to  
18 get in the queue did not go until -- there was a cutoff  
19 time to get in the queue, if I recall. And it didn't go  
20 until 8 o'clock to be able to get in the queue. I don't  
21 know if that died on the vine or what happened with that  
22 part. But I do remember there was discussion about that.

23 So can someone pull if we voted on it there's a  
24 record? So is it possible to pull that up and refresh  
25 our memories so we'll know where we are on that?



1 MR. HERNANDEZ: I'm looking that up as we speak.

2 One minute.

3 CHAIR AHMAD: Commissioner Andersen.

4 COMMISSIONER ANDERSEN: On that same note, the one  
5 item that did come up is, people who were this -- there  
6 was -- the idea, they're in the queue, like, i.e. a  
7 reservation queue. And then other people who still, who  
8 had just come in but didn't, like, sign in, something  
9 like that. And we could change the amount of time that  
10 they got once it was beyond -- like the people who are in  
11 the queue, queue, the regular sign up, doesn't matter if  
12 we stay there till the cows come home for the -- then  
13 give them the regular three minutes.

14 But ones who, like, came in for a different point,  
15 they got -- we could reduce that time. And I think  
16 that's where it all got murky and we just kind of  
17 stopped. And as I recall --

18 CHAIR AHMAD: Commissioner Andersen, I think we can  
19 wait for our vote to give us the -- what he has  
20 documented just so that we don't go around in circles on  
21 this. Does anyone have -- oh, yes, Alvaro, go ahead.

22 MR. HERNANDEZ: Okay. So I'm going to go through  
23 the motions that were made.

24 Motion to approve the COI public input meeting  
25 agenda with suggested edits at three-minute notice on

1 item number five and language or upon conclusion of  
2 public input.

3 The next motion was to approve June 10 COI Public  
4 Input Meeting Flier with recommended edits and give  
5 communication director the authority to edit as needed.

6 The next one was motion to approve the protocol as  
7 was indicated to end at three minutes and not allow  
8 callers to go on and direct staff to mute their  
9 microphone.

10 The next one, motion to allow chair to redirect non-  
11 COI public comment.

12 Motion to adopt appointment system.

13 Motion to have video accessibility.

14 Motion to accept staff recommendation not to display  
15 attachments.

16 I don't see anything in -- there's nothing to that  
17 effect. So that was part of the discussion. But I don't  
18 see a motion taking on any of that.

19 CHAIR AHMAD: Commissioner Fornaciari and then  
20 Turner.

21 COMMISSIONER FORNACIARI: If you look at the agenda  
22 that we approved with those changes, it says, finish --  
23 the last section is, finish public input sessions and  
24 this would be our final section of the meeting after the  
25

1 fourth break. Finish public input session four if needed  
2 and then go to public comment.

3 And then it says in there, phone line closes at 8.  
4 So I mean, we did agree the phone line would close at 8.  
5 And it says, may continue if callers still in the queue.

6 So I think, I mean, I think we have captured all  
7 that information and approved.

8 CHAIR AHMAD: Commissioner Turner.

9 COMMISSIONER TURNER: Nope. That was my  
10 understanding, was what Commissioner Fornaciari just  
11 read. That the phone lines would be open until 8 and  
12 then cut off.

13 CHAIR AHMAD: Is there a motion on the proposed  
14 schedule at this time? Or does anyone want to step up to  
15 make that motion? Yes, Commissioner Turner.

16 COMMISSIONER TURNER: Sure, I'm glad to make the  
17 motion that we accept the schedule as submitted. And we  
18 visit it when the timing runs out or before the timing  
19 runs out.

20 CHAIR AHMAD: Is there a second to that motion?  
21 Commissioner Fernandez? Are you seconding?

22 COMMISSIONER FERNANDEZ: Yes.

23 CHAIR AHMAD: All right. Discussion on the motion  
24 on the floor. Yes, Commissioner Le Mons and then  
25 Andersen.

1           COMMISSIONER LE MONS: I just have a question. With  
2 the varying times, is this agenda that Commissioner  
3 Fornaciari just referenced, the agenda that will apply to  
4 these meetings or that's something separate.

5           And if it is, the point just being that those  
6 meetings are going to end at different times. And I  
7 think it explicitly says 8 o'clock. So that's the only  
8 thing I wanted to raise, if this agenda he referenced is  
9 in support of the schedule that we're talking.

10          CHAIR AHMAD: Commissioner Fornaciari or Fernandez  
11 has a response to that?

12          Commissioner Fornaciari.

13          COMMISSIONER FORNACIARI: That agenda was  
14 specifically focused on the -- on the first statewide  
15 meeting. But then counted by default it also applied to  
16 the second statewide meeting. I think we need to --  
17 although the times would be different -- but I think what  
18 we need to do is, again, you know, revise the agenda for  
19 the statewide meetings to apply to the -- to the zone  
20 specific meetings. And then, you know, and then, I mean,  
21 the idea of, you know, the time would have to be  
22 flexible. But what we agreed to in that agenda is that  
23 the phone lines were closed, let's say, at the end of the  
24 meeting. But we would still take the callers and -- who  
25 were in the queue.

1 CHAIR AHMAD: Commissioner Turner, is this on this  
2 point? And if not, then Commissioner Andersen is ahead.  
3 Is it to close out this point?

4 COMMISSIONER TURNER: No. Maybe go with  
5 Commissioner Andersen --

6 CHAIR AHMAD: Okay.

7 COMMISSIONER TURNER: -- talk about the appointment  
8 system --

9 CHAIR AHMAD: Oh --

10 COMMISSIONER ANDERSEN: -- yeah. Mine is just a  
11 quick clarification on Commissioner Turner's -- she might  
12 want to answer my question. On the motion, is this --  
13 because we already have motions out there that were --  
14 and so about the zone chairs. And so I thought this was  
15 just about the hours that are listed. Is that what your  
16 motion is? Is the hours --

17 COMMISSIONER TURNER: Yes.

18 COMMISSIONER ANDERSEN: -- it's not -- because you  
19 said the whole thing and I wasn't sure --

20 COMMISSIONER TURNER: Like I said, yes. Thank you  
21 for -- thank you for clarifying -- the motion is for the  
22 hours that's listed. And we don't have hours for all of  
23 the meetings that's listed. So the motion was to accept  
24 as is and revisit it when it's time to, you know, like,  
25 when it's time to put more hours, we'll know if what we

1 did was a great thing or if there needs to be  
2 adjustments.

3 So the motion is --

4 COMMISSIONER ANDERSEN: Thank you.

5 COMMISSIONER TURNER: -- to accept as is and then  
6 later adjust. And then, Chair, might -- someone lifted  
7 about appointment system or something and I'm just  
8 wondering if it's because we still lack clarity on what  
9 type of appointment system and how it's going to work.  
10 And if indeed people that register for an appointment  
11 system, will they be in a different queue than the  
12 typical queue that people call in, you know, so because  
13 we don't know that, it makes it difficult to wrap -- it  
14 makes it difficult for me to wrap my mind around someone  
15 that set an appointment for a block of time that could be  
16 waiting.

17 And if I just decide to call in to that time, will I  
18 go into that same queue -- one have an appointment, one  
19 don't. Or there are two separate systems. And it came  
20 to my mind when we were talking about how do we close  
21 down which, at the top level of my concern is Marian's  
22 word that says this is a public hearing and we cannot cut  
23 people off early.

24 Now, if the appointment systems impact that, I would  
25 like to know about it.



1 CHAIR AHMAD: That's a great question. And I'm  
2 going to hold -- put a pin in that when we come back to  
3 agenda item number 11. But first, I wanted us to finish  
4 out this vote for the motion that is on the floor.

5 So we have a motion, we have a second. We are in  
6 discussion right now. But if there's no discussion left  
7 on the motion, specifically on the floor, I want to open  
8 the lines for public comment on the motion.

9 MR. HERNANDEZ: And Chair, just to be clear, the  
10 public comment now is regarding --

11 CHAIR AHMAD: For two motions, yeah. Um-hum.

12 All right. Katy, can you open the line for public  
13 comment?

14 PUBLIC COMMENT MODERATOR: Yes, we can help you with  
15 that, Chair.

16 In order to maximize transparency and public  
17 participation in our process. The commissioners will be  
18 taking public comment by phone. To call in, dial the  
19 telephone number provided on the livestream feed. It is  
20 877-853-5247. When prompted, enter the meeting ID number  
21 provided on the livestream feed. It is 928-0465-0888 for  
22 this meeting. When prompted to enter a participant ID,  
23 simply press pound.

24 Once you've dialed in, you'll be placed in a queue.  
25 To indicate you wish to comment, please press star nine.



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

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

12 And we do have someone in the queue, Chair.

13 Go ahead, caller.

14 MS. DIAZ: Good evening, Commissioners. Thank you  
15 for the opportunity to speak today. My name is Karen  
16 Diaz, K A R E N D I A Z. And I'm with the Coalition for  
17 Humane Immigrant Rights, CHIRLA. CHIRLA is an immigrant  
18 rights organization in California with national impact.  
19 Our Mission is to achieve a society for all inclusive  
20 immigrants. CHIRLA is one of the largest and most  
21 effective advocates for immigrant rights that are  
22 organizing community education, civic engagement.

23 We engage immigrant youth at the high school, the  
24 college level, immigrant families, domestic workers and  
25 workers as well as first-time voters and new Americans.





1           Our community members cut across the state in  
2 Sacramento, the Central Valley, all across L.A. County,  
3 Orange County, the San Bernardino region, and the Inland  
4 Empire. And we also contact voters statewide in all of  
5 the counties to increase our participation in civic  
6 activities such as voting, census, and now school  
7 redistricting.

8           Community based organizations like CHIRLA are  
9 calling and monitoring the commission meeting on behalf  
10 of all our community members that we serve. And as some  
11 of you mentioned, many of our community members are not  
12 able to join this meeting and watch them and watch a  
13 commission business. Also, they are also facing language  
14 barriers and trying to call in and ask for language  
15 service and translation. It would take a significant  
16 amount of work and support from our side.

17           So as much as they want to, you know, they join  
18 other meetings and afternoon -- and days.

19           So we are, you know, we are providing you with the  
20 feedback and we are being the voice of our community but  
21 are aware of the process they have joined and we had some  
22 of you present at our community meetings.

23           COMMENTATOR: 30 seconds.

24           MS. DIAZ: So we appreciate that the commission has  
25 been so thoughtful about the times in which the COI



1 public hearings are being held. And we want you to  
2 consider the scheduled times of 12 to 8 p.m. during the  
3 weekdays and more flexibility for the weekends.

4 Many of our Latino community members are often  
5 available --

6 COMMENTATOR: 15 second.

7 MS. DIAZ: -- after 12 p.m. on Sunday evenings due  
8 to our religious services. And Saturdays usually work  
9 better in the mornings from 10 to 6 -- 6 p.m., usually in  
10 the evening. However, the community members that are not  
11 available in spending time with their family.

12 Thank you so much for your time and we look forward  
13 to working together.

14 PUBLIC COMMENT MODERATOR: And as a reminder to  
15 those in the queue, if you'd like to make a comment,  
16 please press star nine.

17 Go ahead, caller.

18 MS. WESTA-LUSK: Hello, this is Renee Westa-Lusk and  
19 I concur with Commissioner Vazquez that you need to have  
20 the weekday meetings at least until 8 o'clock, maybe even  
21 9 o'clock. I attended at least four public input  
22 hearings in person in 2010 and two to three of those  
23 meetings were in the evening and the turnouts were very  
24 good in the evenings. I noticed that there was less  
25 turnout -- I went to a couple weekend meetings and those



1 were less turnout. But you need -- I like that schedule  
2 that you had from 12 to 8 or maybe go 12 to 9 or 1 to 9.  
3 And especially I concur with the speaker that spoke  
4 before me about the Central Valley.

5 I've done precinct work in the Central Valley and  
6 it's very difficult to reach voters Wednesday through a  
7 lot of times Sunday because they're not home. They're  
8 working the whole weekend. They work every night. A lot  
9 of Central Valley workers only have Monday or Tuesday  
10 off.

11 COMMENTATOR: 30 seconds.

12 MS. WESTA-LUSK: And I think you need to be more  
13 flexible. I liked Commissioner Vazquez's original idea  
14 for the weekends and for the weekdays, with the exception  
15 of maybe you need to be flexible, willing to go until 9  
16 o'clock --

17 COMMENTATOR: 15 second.

18 MS. WESTA-LUSK: -- in the evening. Thank you.

19 PUBLIC COMMENT MODERATOR: And again, as a reminder  
20 -- oh, we have no one left in the queue, Chair.

21 CHAIR AHMAD: Thank you. Alvaro, can we call roll  
22 for a vote?

23 MR. HERNANDEZ: Yes. One second. Let me share my  
24 screen.

25



1           So for the first motion, that is a motion to approve  
2 the outreach team moderator to -- "Motion to approve the  
3 Outreach Zone Team to moderate the COI public input  
4 meetings for the respective zones. Amend to have Zone  
5 Team (2 commissioners) determine how they want to lead  
6 the COI input meeting."

7           Is that accurate, Commissioner Ahmad?

8           COMMISSIONER AHMAD: Yes, it is.

9           All right. Is motion by Commissioner Ahmad,  
10 seconded by Commissioner Taylor? We will begin the vote.

11           Commissioner Akutagawa?

12           COMMISSIONER AKUTAGAWA: Yes.

13           MR. HERNANDEZ: Commissioner Andersen?

14           COMMISSIONER ANDERSEN: Yes.

15           MR. HERNANDEZ: Commissioner Fernandez?

16           COMMISSIONER FERNANDEZ: Yes.

17           MR. HERNANDEZ: Commissioner Fornaciari?

18           COMMISSIONER FORNACIARI: Yes.

19           MR. HERNANDEZ: Commissioner Kennedy?

20           COMMISSIONER KENNEDY: Yes.

21           MR. HERNANDEZ: Commissioner Le Mons?

22           COMMISSIONER LE MONS: Yes.

23           MR. HERNANDEZ: Commissioner Sadhwani?

24           COMMISSIONER SADHWANI: Yes.

25           MR. HERNANDEZ: Commissioner Sinay?



1 COMMISSIONER SINAY: Sorry, yes.

2 MR. HERNANDEZ: Thank you. Commissioner Taylor?

3 COMMISSIONER TAYLOR: Yes.

4 MR. HERNANDEZ: Commissioner Toledo?

5 COMMISSIONER TOLEDO: Yes.

6 MR. HERNANDEZ: Commissioner Turner?

7 COMMISSIONER TURNER: Yes.

8 MR. HERNANDEZ: Commissioner Vazquez?

9 COMMISSIONER VAZQUEZ: Abstain.

10 MR. HERNANDEZ: Can you repeat that? Was it  
11 abstain?

12 COMMISSIONER VAZQUEZ: Yes, sorry. Abstain.

13 MR. HERNANDEZ: Thank you. Commissioner Yee?

14 COMMISSIONER YEE: Yes.

15 MR. HERNANDEZ: Commissioner Ahmad?

16 COMMISSIONER AHMAD: Yes.

17 MR. HERNANDEZ: The motion passes, Chair.

18 CHAIR AHMAD: Thank you. And now the second motion.  
19 Sorry, I'll give you a second.

20 MR. HERNANDEZ: The pressure's on; it's p.m. I got  
21 it right today. All right. The second motion.

22 "Motion to accept schedule as submitted with the  
23 hours listed."

24 Is that correct, Commissioner Turner?

25 COMMISSIONER TURNER: Yes.



1 MR. HERNANDEZ: Okay. It was seconded by  
2 Commissioner Fernandez. And we will begin the vote.

3 Commissioner Akutagawa?

4 COMMISSIONER AKUTAGAWA: Yes.

5 MR. HERNANDEZ: Commissioner Andersen?

6 COMMISSIONER ANDERSEN: Yes.

7 MR. HERNANDEZ: Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 MR. HERNANDEZ: Commissioner Fornaciari?

10 COMMISSIONER FORNACIARI: Yes.

11 MR. HERNANDEZ: Commissioner Kennedy?

12 COMMISSIONER KENNEDY: Yes.

13 MR. HERNANDEZ: Commissioner Le Mons?

14 COMMISSIONER LE MONS: Yes.

15 MR. HERNANDEZ: Commissioner Sadhwani?

16 COMMISSIONER SADHWANI: Yes.

17 MR. HERNANDEZ: Commissioner Sinay?

18 COMMISSIONER SINAY: No.

19 MR. HERNANDEZ: Commissioner Taylor?

20 COMMISSIONER TAYLOR: No.

21 MR. HERNANDEZ: Commissioner Toledo?

22 COMMISSIONER TOLEDO: Abstain.

23 MR. HERNANDEZ: Commissioner Turner?

24 COMMISSIONER TURNER: Yes.

25 MR. HERNANDEZ: Commissioner Vazquez?

1 COMMISSIONER VAZQUEZ: Abstain.

2 MR. HERNANDEZ: Commissioner Yee?

3 COMMISSIONER YEE: Yes.

4 MR. HERNANDEZ: Commissioner Ahmad?

5 COMMISSIONER AHMAD: Yes.

6 MR. HERNANDEZ: The motion passes.

7 CHAIR AHMAD: Thank you and I believe that is all we  
8 had for agenda item number 14.

9 So now going back, we did skip over agenda item 9-J  
10 that we did not finish discussing last week. So I wanted  
11 to give some space for that. So I will turn it over to  
12 the Outreach Contracts Subcommittee, which is listed  
13 still as Grants as the name change was made after the  
14 agenda was already posted. I will turn it over to  
15 Commissioner Akutagawa and Le Mons.

16 COMMISSIONER AKUTAGAWA: Commissioner Le Mons, do  
17 you want to go ahead and get us started on this?

18 COMMISSIONER LE MONS: Sure. So as you all know,  
19 we've had two motions to fail on this. And the  
20 subcommittee met post that and didn't really see a path  
21 forward. So we are asking staff to look at what other  
22 options might be available to us. So we'll have to get  
23 back to you.

24 CHAIR AKUTAGAWA: Is there any -- go ahead,  
25 Commissioner Fernandez.

1           COMMISSIONER FERNANDEZ: Yes. I wanted to discuss  
2 this just a little bit more because after last week's  
3 meeting, I felt like it was all rushed and we really  
4 didn't get to discuss. Commissioner Sadhwani had brought  
5 up impartiality. And you know, after the meeting, I  
6 really, like, it started to bother me in terms of -- I  
7 didn't see that, like, this RFP, I don't see that  
8 different than impartiality with the litigation RFP or  
9 with the VRA RFP or any other RFP that we've done.

10           So I guess I'm still -- I'm still supportive of  
11 moving forward with the RFP for this outreach. And I'm  
12 trying to see how we can get beyond this impartiality  
13 because as a commission and a staff we're going to go  
14 through the same process that we did to review the RFP  
15 submittals as we did for all the other RFP.

16           And again, it's going to be incumbent upon the staff  
17 to ensure that whoever is awarded the contracts are doing  
18 what they said they're going to do. And at the end of  
19 the day, I just feel -- like, I just feel strongly that  
20 we still need to be -- move forward with this because we  
21 need the assistance from our -- from someone else to help  
22 us reach more people. And I feel this is the way we can  
23 do it. And the longer we wait to try to use the funding  
24 or to try to figure out some other way to get help, it's  
25 going to be too late.



1           So I just want to throw that out there that I -- it  
2 was bothersome to me, the impartiality when we have it,  
3 when we move forward and we've -- and we've accepted the  
4 work of the subcommittee in terms of the diligence  
5 they've done, everything they've gone through, and  
6 there's always going to be that little piece that  
7 somebody can criticize us on.

8           But at the end of the day, we were moving forward  
9 with the right intentions and we're just hopeful. And  
10 we'll have -- we'll have our staff that will be  
11 monitoring it as well. So I just don't feel that it's --  
12 It's a dead issue, I guess that's probably the way I want  
13 to put it.

14           COMMISSIONER AKUTAGAWA: I see. Commissioner Ahmad,  
15 do you want to do this or do you want me to?

16           CHAIR AHMAD: No. I just wanted clarity on whether  
17 you would be taking this role or if you need my support.

18           COMMISSIONER AKUTAGAWA: I could go ahead and do it.

19           CHAIR AHMAD: Okay.

20           COMMISSIONER AKUTAGAWA: Commissioner Kennedy.

21           COMMISSIONER KENNEDY: Thank you. I agree that I  
22 would like to see this not come to a grinding halt at  
23 this point. I do still agree that we need to find a  
24 mechanism to establish greater arm's length. One of the  
25 projects that I worked on, you know, internationally, the

1 national government wanted to provide funding to election  
2 observers. So the national government appropriated the  
3 money to the election body. But the election body knew  
4 that they couldn't, you know, fund observers directly who  
5 were going to be observing them, because that would  
6 appear to be a huge conflict of interest.

7 So they brought the United Nations in as that third  
8 party to administer the selection of the observers and  
9 the managing of the observers to give it that at arm's  
10 length. And I'm wondering, you know, I may have  
11 mentioned this previously. Is there a way, for example,  
12 and this is not intended to exclude any other options,  
13 but could we approach the State auditor's office and ask  
14 if there is a way to engage them as the selection body in  
15 this process so that we can continue to move this process  
16 forward without the appearance of a huge conflict of  
17 interest? Thank you.

18 COMMISSIONER AKUTAGAWA: Actually, I am going to ask  
19 Alvaro about this. We did at length consider your  
20 question, Commissioner Kennedy, when you brought it up  
21 previously in -- Alvaro, would you mind addressing this  
22 one?

23 MR. HERNANDEZ: Sure. So there's two pieces that  
24 you have to consider: whether or not the State auditor  
25 or whomever wishes to take it on, and secondly, if they

1 do take it on, they're going to essentially do the RFP  
2 and do it the way that they feel. So we won't have any  
3 ownership on it. We won't have that piece, which I think  
4 the Commission really wants to make sure it's clear how  
5 it's done and who it is intended for.

6 So those two pieces would not be within the scope of  
7 us having a third party, another agency doing that on our  
8 behalf. And then finally, ultimately, the Commission is  
9 still responsible for who is awarded the contracts or the  
10 funding. The Commission cannot absolve itself from that  
11 responsibility.

12 COMMISSIONER AKUTAGAWA: Commissioner Vazquez.

13 COMMISSIONER VAZQUEZ: Yeah. I guess I'm wondering  
14 what the alternative would be for all of this outreach  
15 funding that we have. That we either give it back, we  
16 give it back to the State or we hire, you know, we hire -  
17 - we do this work internally, which also doesn't really  
18 get at this impartiality thing either.

19 I'm not sure what the path is to even spending --  
20 our goal is just to spend the money. How do we do that?

21 COMMISSIONER AKUTAGAWA: Yeah. And I think that  
22 that's what we -- I think Commissioner Le Mons and I, in  
23 speaking with the staff, I think that's what we  
24 determined, that we need to give them some time to figure  
25 out what would be then the alternative. Given the time

1 that we have for this meeting, we didn't feel that we had  
2 the time to really give it the proper amount of  
3 consideration, both in terms of proposing alternatives.  
4 There was a lot of what-ifs and we feel that, you know,  
5 for the sake of a more fruitful discussion, it would be  
6 better for us to have the staff be able to consider all  
7 the possibilities and then come forward with some  
8 alternatives so that then we are looking at all of the  
9 different alternatives.

10       Anyone else have any other questions or --  
11 Commissioner Kennedy.

12       COMMISSIONER KENNEDY: Thank you. Going back to  
13 Director Hernandez's point, I guess, based on my  
14 experience, you know, the election body and the United  
15 Nations. Either the election body gave the United  
16 Nations a set of parameters or the two -- but the two  
17 entities agreed on a set of parameters to guide the  
18 selection to ensure that the purpose of the funds as  
19 given by the national government was satisfied by the  
20 arrangement without involving the election body in the  
21 selection process.

22       So I'm still wondering if there is a way to engage  
23 another entity, the Auditor or any other entity that we  
24 might engage, without giving up so much control that we  
25 don't feel like we can conscientiously do that and still

1 remain responsible for (indiscernible). So that may be a  
2 question for Counsel. It may be a question for Director  
3 Hernandez. I don't know, but I just wanted to put that  
4 out there. Thank you.

5 COMMISSIONER AKUTAGAWA: It looks like Commissioner  
6 Le Mons has a response.

7 COMMISSIONER LE MONS: I don't have a direct repon -  
8 - I don't have an answer to Commissioner Kennedy's  
9 question. I do have a response. If my understanding is  
10 correct, at the end of the day, we still have to approve  
11 -- the Commission has the responsibility for approving  
12 the final awards. So whatever selection body selects  
13 them, they're still put before us to support.

14 So what I want to understand is from the logic in  
15 this approach and how it really removes us from the  
16 ultimate decision of approving the award. We're still  
17 stamping it. So if someone can help me, meaning  
18 commissioners who have this as the proposed solution,  
19 this idea that we're going to be able to distance  
20 ourselves completely from the final outcome, it doesn't -  
21 - I am not -- I -- maybe Counsel can help us with this.  
22 I don't think we can.

23 And so we might need to get that clearer so we can  
24 start there because if we're trying to figure out these  
25 paths to say, oh, well, it wasn't us, which is, to me,

1 I'm just, you know, calling it like it is. We either  
2 have to -- if we're going to do this, we have to take  
3 responsibility for it and do it in a way that we can  
4 stand for. And this idea that we can create some  
5 alternative path that we get to just do like this, I  
6 don't think is realistic.

7 COMMISSIONER AKUTAGAWA: So Commissioner Kennedy, I  
8 see you. Do you -- would you like Counsel Pane to  
9 respond first before you ask your question? Okay. Go  
10 ahead, Commissioner Kennedy.

11 COMMISSIONER KENNEDY: So this is also for Counsel -  
12 - Chief Counsel Pane. You know, is the distinction  
13 between a substantive role and a ministerial role in this  
14 process a useful distinction? Thank you.

15 MR. PANE: In this contracts process, I would say  
16 the answer is, yes, it is -- it is helpful and important.  
17 What I -- what I'd be happy to do is, to Commissioner Le  
18 Mons' point, I'm -- I'd be happy to look into the extent  
19 to which the -- Commissioner Le Mons raised the  
20 possibility, or maybe the unlikely possibility, that  
21 because the Commission always has to -- will have to  
22 approve it, is it sort of a fruitless exercise, futile  
23 exercise, to try to provide arm's length transactions.

24 If the Commission so wishes, I'd be happy to work  
25 with the Executive Director to see if there is a way to

1 still allow the Commission to approve it, but also  
2 provide that arm's length transaction that I'm hearing  
3 from the Commission that they would like to see. I don't  
4 know that that's possible, but I'd be happy to look to  
5 see to the extent to which we can meet that goal.

6 But if -- if that would obviously have to be up to  
7 the Commission to give direction to me or to Executive  
8 Director Hernandez to look into that issue, but I would  
9 be happy to look into that and see the extent to which we  
10 can meet that goal.

11 COMMISSIONER AKUTAGAWA: Commissioner Andersen and  
12 then Commissioner Toledo.

13 COMMISSIONER ANDERSEN: Yeah. Thank you, everyone,  
14 for bringing this up, because I think that is the crucial  
15 issues. Can we be at arm's length? And then we have to  
16 come up to the point of if we cannot be at arm's length,  
17 then, you know, there's a lot of impartiality here, which  
18 a lot of Commissioners are completely -- we just can't do  
19 -- we can't do that. And so is there any point, you know  
20 -- you know, basically, if there's an impartiality way we  
21 can do that, great. If there isn't, then we have to  
22 address that now.

23 You know, we have to -- we have to be able to -- we  
24 have to be able to wrap our heads around that. And is  
25 that worth, you know, as Commissioner Le Mons said, you

1 know, we have to come to grips with a few things. Is  
2 that one of them?

3 COMMISSIONER AKUTAGAWA: Thank you, Commissioner  
4 Toledo.

5 COMMISSIONER TOLEDO: Thank you. I mean, for me, I  
6 think -- I'm at this point, I'm worried about time line  
7 and time constraints, given that how long contracts are  
8 taking and have taken and -- historically, and the fact  
9 that we're starting public input in a couple of -- a  
10 couple of days now, and we're going to be very busy doing  
11 that.

12 And so I do think we have a great staff, we have a  
13 great outreach, and -- and marketing staff that could  
14 potentially put together a strong program together with  
15 using radio ads. I remember hearing from a couple of  
16 Commissioners that how they found out about the  
17 Commission was through the radio. And so I think there's  
18 many ways of doing media buys and using the funds to  
19 engage the community through alternative means that would  
20 be, while not perfect, what -- because, ultimately, we  
21 all want to engage grassroots communities and invest in  
22 the communities to bring folks up.

23 Maybe an alternative route of getting peop --  
24 getting more people and more involvement in the  
25 committees or in the -- in our public input process as





1 well as potentially -- and we've talked about having a  
2 Spanish interpretation, language interpretation on staff.  
3 Potentially, this could be a source of funding for that  
4 as well, or for community engagement, right? So I mean,  
5 I'm not -- certainly the staff will take the lead on  
6 making proposals around this if that's the direction that  
7 the Commission wants to go in, but --

8 But I agree with Commissioner Fernandez. We'll need  
9 support to get people to Commission meetings and to  
10 promote our -- the work that we're doing and to --  
11 especially with the hard-to-reach population. And so  
12 having a plan B for this outreach -- for these outreach  
13 dollars is important. I mean, I think that's what the  
14 committee is, at this point, proposing, if I'm  
15 understanding correctly.

16 COMMISSIONER AKUTAGAWA: Yes, that's correct. Any  
17 other comments? Commissioner Andersen and then  
18 Commissioner Vazquez.

19 COMMISSIONER ANDERSEN: I want to really thank the  
20 subcommittee for working so hard on this issue and coming  
21 up with, you know, despite all their best efforts, kind  
22 of being a bit slammed. And I don't want them to feel  
23 underappreciated because the amount of work that's gone  
24 into this and the real genuine need for it, I think is  
25 greatly, greatly appreciated. And I'd love to see a path

1 forward, if at all possible, and I really appreciate the  
2 subcommittee's work on this. I think we all do. I  
3 wanted -- really wanted to say that and uplift that.

4 COMMISSIONER AKUTAGAWA: Thank you, Commissioner  
5 Andersen. And I'd like to also make sure that that  
6 extends to the staff. It really was them that did the  
7 heaviest of the lifting, so I just want to also bring  
8 them into the fold on this as well, too.

9 Commissioner Vazquez.

10 COMMISSIONER VAZQUEZ: Mostly the same. Wanted to  
11 thank the subcommittee and the staff for pushing forward  
12 on this very sticky issue. This un -- unexpectedly  
13 sticky issue and just wanted -- yeah. I would like to  
14 see a path forward, if at all possible so that -- my big  
15 -- my big concern -- I guess I have two big concerns.

16 One is that we end up giving the money back, which  
17 would -- is wild to me, and then, two, I also don't hope  
18 that, like -- I hope that we aren't so far behind the  
19 eight ball once we do make a decision to spend the money  
20 that it -- it's not used well in any direction that it  
21 goes.

22 COMMISSIONER AKUTAGAWA: Thank you. Anyone else?  
23 Okay. Seeing no other comments, I believe we -- I don't  
24 think we need to make an actual proposal, but what we are

25

1 going to do is instruct the staff to come up with a plan  
2 B.

3 And Commissioner Ahmad, I'm turning this back over  
4 to you.

5 CHAIR AHMAD: Thank you, and thank you for your  
6 report out. All right. So now looking at our agenda, I  
7 just wanted to give a snapshot.

8 Commissioner Turner, I have noted down your point  
9 about appointment systems, so we will come back to that.  
10 But now, since we had our agenda posted, I just want to  
11 move through the agenda. Many of these items we've  
12 already covered last week. So if you don't have anything  
13 new to report, please feel free to share that. If you  
14 do, now is the time to move through those items.

15 So I'll start with going backwards. We're going to  
16 go back to Agenda Item 6. Outreach Director, is there  
17 anything new to report?

18 MS. KAPLAN: I didn't prepare anything for today's  
19 meeting.

20 CHAIR AHMAD: Thank you. Agenda item number 7.  
21 Chief Counsel report. Is there anything new to report at  
22 this time?

23 MR. PANE: Not for this meeting. For the next  
24 meeting, we will be reporting out on Commissioner  
25

1 Kennedy's ask as well as a Bagley-Keane refresher, I  
2 believe.

3 CHAIR AHMAD: Great. Looking forward to it.

4 MR. PANE: Oh. Looks like -- looks like Marian has  
5 a comment.

6 CHAIR AHMAD: Yes, Marian.

7 MS. JOHNSTON: Just one thing that Chief Counsel had  
8 asked me to follow up on the cases that I was monitoring  
9 before. And on the Alabama case, Kellington (ph.) Census  
10 Bureau's timing of releasing the data. There is a  
11 hearing scheduled for a three-judge federal court  
12 tomorrow, and as soon as we get any results from that,  
13 I'll be letting you know.

14 The other thing to keep in mind is that a case  
15 that's still pending before the U.S. Supreme Court is  
16 from Arizona which will give further insight as to what -  
17 - how the Voting Rights Act is going to be applied to  
18 specific statutes where challenged. One about discarding  
19 ballots that were sent to the wrong precinct and one  
20 about assisting people in returning ballots, and both of  
21 those would not have been approved under the system pre-  
22 Shelby County. But afterwards, when that was removed,  
23 the State did impose those restrictions and the Lower  
24 Courts found that that was a violation of Section 2 of  
25

1 the Voting Rights Act, and that will be decided by the  
2 end of June.

3 CHAIR AHMAD: Thank you. Any questions for our  
4 legal team on their report out? Seeing none.

5 Communications Director, report out.

6 MR. CEJA: I have nothing to report other than we're  
7 still working on the ads campaign, and we'll have  
8 obviously more money, hopefully, to apply to that. So  
9 we'll get a robust plan to you soon.

10 CHAIR AHMAD: All right. Any questions for our  
11 Communications Director report out? Commissioner Turner.

12 COMMISSIONER TURNER: Thank you. Public comment  
13 earlier from Renee Westa-Lusk, I believe, asks concerning  
14 the COI flier, the communications flier that went out  
15 about the difference between registration to attend or  
16 registration to speak. And so I just wanted to lift that  
17 if there's a way, Director, if you could make a slight  
18 adjustment to what's posted so there's clarity for people  
19 so they'll recognize they don't have to register to  
20 listen in and register to speak. Thank you.

21 MR. CEJA: If I can respond? We actually did change  
22 that this morning. So we added two lines in there. One  
23 is you can actually call in if you prefer to remain  
24 anonymous or not give any personal information, and there  
25 is no requirement to register to participate in the

1 meeting. So those have been made clear on line, on the  
2 flyer, and on social media.

3 COMMISSIONER TURNER: Beautiful. Thank you.

4 MR. CEJA: Yep.

5 CHAIR AHMAD: Any other questions for our  
6 Communications Director? Seeing none, subcommittee  
7 report out. So we had -- earlier today, we skipped over  
8 a majority of the subcommittees given we reported out  
9 last week, but I want to give you all a chance in case  
10 there's something new between last Tuesday and today. So  
11 government affairs subcommittee.

12 COMMISSIONER SADHWANI: Very briefly, we heard back  
13 from the Governor's Office regarding our letter about the  
14 executive orders overseeing Bagley-Keene during COVID.  
15 They said that those executive orders will not terminate  
16 on June 15th, and until further order issues, which we  
17 don't know when that would be, all entities may continue  
18 to rely on those executive orders.

19 So I think as of right now, we are in good standing  
20 to continue virtually. We are trying to schedule a  
21 follow-up call with their key policy adviser on this  
22 topic to just learn more about whether or not, you know,  
23 they -- there's any intention to change that executive  
24 order in the future or, you know, if they do have such  
25

1 intention that we can at least have a heads up for our  
2 planning purposes.

3 CHAIR AHMAD: Great. Thank you. Are there any  
4 questions for government affairs subcommittee?  
5 Commissioner Andersen.

6 COMMISSIONER ANDERSEN: This is just along those  
7 same lines. Cal OSHA is voting tomorrow on their  
8 recommendations, which would say that's nice, you know,  
9 to lift everything on the 15th. That's not what they  
10 approve for in-place workers -- inside workers, which  
11 would go -- essentially. Keep a version of masking and  
12 other things through July 31st. So that will impact, I'm  
13 sure, what the governor eventually comes up with  
14 depending on how the vote goes tomorrow.

15 CHAIR AHMAD: Thank you, Commissioner Andersen. Any  
16 other questions for our government affairs subcommittee?  
17 Seeing none, finance and administration. Commissioners  
18 Fernandez and Forniciari.

19 COMMISSIONER FERNANDEZ: We don't have anything.

20 CHAIR AHMAD: Gantt chart subcommittee,  
21 Commissioners Kennedy and Taylor.

22 COMMISSIONER KENNEDY: Nothing significant to report  
23 at this time.

24 CHAIR AHMAD: Great. VRA compliance subcommittee,  
25 Commissioners Sadhwani and Yee.

1 VICE-CHAIR YEE: Nothing to report.

2 CHAIR AHMAD: Outreach and engagement subcommittee,  
3 Commissioner Sinay and Forniciari.

4 COMMISSIONER SINAY: Nothing to report at this  
5 moment.

6 CHAIR AHMAD: Language access subcommittee,  
7 Commissioners Akutagawa and Fernandez.

8 COMMISSIONER FERNANDEZ: Nothing to report.

9 CHAIR AHMAD: Community of Interest tool,  
10 Commissioners Akutagawa and Kennedy.

11 COMMISSIONER KENNEDY: Chair, we have an update on  
12 user statistics. As of this past Friday, there were a  
13 total of 308 registered users and there had been 262  
14 submissions so far. None of the new submissions were in  
15 non-English languages.

16 CHAIR AHMAD: Thank you. Any questions for our COI  
17 tool subcommittee? Seeing none, cybersecurity  
18 subcommittee, Commissioners Forniciari and Taylor.

19 COMMISSIONER FORNICIARI: Nothing to report.

20 CHAIR AHMAD: Great. Incarcerated populations,  
21 state and local facilities, Commissioners Fernandez and  
22 Sinay.

23 COMMISSIONER FERNANDEZ: Nothing to report.

24 CHAIR AHMAD: Incarcerated populations subcommittee  
25 for federal facilities, Commissioners Kennedy and Turner.



1           COMMISSIONER KENNEDY: Nothing significant to report  
2 at this time.

3           CHAIR AHMAD: Lessons learned subcommittee,  
4 Commissioner Kennedy.

5           COMMISSIONER KENNEDY: Please keep them coming.

6           CHAIR AHMAD: And then IT recruitment subcommittee,  
7 Commissioners Andersen and Forniciari.

8           COMMISSIONER ANDERSEN: Nothing at this point.

9           COMMISSIONER FORNICIARI: Nothing significant to  
10 report at this time.

11          CHAIR AHMAD: Great. Thank you. And just wanted to  
12 put on your radar something to think about. Let's not  
13 open this can of worms today, but eventually, I foresee  
14 some of the subcommittees sunseting as our  
15 responsibilities for those subcommittees are completed  
16 and/or handed off to our team members, our staff. So  
17 just something that I wanted you all to think about as I  
18 am thinking and reflecting myself on how to best utilize  
19 all of the time for the commissioners and how to best  
20 utilize the expertise that we have within our team.

21          So that leaves two remaining things left. I'll  
22 cover the first one, which is nobody posted in the agenda  
23 Google Doc. What happened, everyone? Our next agenda to  
24 be posted is for the June 16th meeting, which is due  
25 today, and I did not see anyone post on the Google doc.

1 So if you have anything substantial that you do need to  
2 cover on June 16th, please, please, please forward that  
3 item so we can include that.

4 That meeting is an as-needed meeting, so it's  
5 truncated from 4 to 8 p.m. I have included on there the  
6 debrief that we wanted for the full Commission after our  
7 -- following our June 10th first COI input meeting. But  
8 aside from that, I haven't received any agenda items that  
9 folks want to discuss. So please include that into the  
10 Google doc and I will get to it tonight and make sure  
11 that we have it included in the agenda for posting.

12 And then lastly, agenda item number 11, the public  
13 input design subcommittee, myself and Commissioner  
14 Forniciari. I heard a question from earlier uplifted by  
15 Commissioner Turner regarding the appointment system. We  
16 do have three minutes until break, so if you think that  
17 we can address the question or hear the question at least  
18 once again before we head to break, then we can start  
19 that conversation when we return.

20 So Commissioner Turner, can I put you on the spot  
21 here real quick?

22 COMMISSIONER TURNER: Absolutely. And I think we  
23 were -- we don't have any information about what system's  
24 being used. I understand that staff was still  
25 researching what system to be used, and based on what it



1 is, my question is just, for those that's calling in to  
2 make reservations to speak within a chunk of time, is it  
3 the same queue that regular, public -- a regular  
4 Californians would dial into, and are they waiting in the  
5 same space so that we would be able to take all  
6 reservations and know who's in a queue, all one in the  
7 same group or people dialing into a cruise -- into a  
8 queue is in a separate queue and it only impacts, I'm  
9 thinking, when we're getting ready to end meetings to  
10 know if we've cleared out all appointments and now we  
11 have other people that's dialing in as well and we need  
12 to stay and take all of those calls, or are we able to  
13 shut -- and if you're shutting down the queue at 8:00,  
14 what does it do if we're running behind and people are  
15 still stuck in the queue with an appointment if it's the  
16 same?

17 So just questions about the queue, about the  
18 appointment system, and it doesn't have to be answered  
19 today. I'm just wondering how does it work?

20 CHAIR AHMAD: Great. So given that we do have two  
21 minutes until our mandatory break, I'm not sure if our  
22 team has an answer that can be encompassed in two  
23 minutes.

24 Yes, Marcy? Maybe?

25 MS. KAPLAN: I can try to, and if we need more time.



1 CHAIR AHMAD: Sure. Go ahead.

2 MS. KAPLAN: So we did set up appointment chunks.  
3 and so just to distinguish those first three chunks of  
4 time, so if you go on the June 10th meeting are four  
5 appointments. So we did leave a fourth chunk of time, a  
6 four -- fourth 90-minute slot that is for people without  
7 appointments, and that's when the phone lines would be  
8 open for people who don't have appointments.

9 So we would finish off the people who had their  
10 appointments in the time slots, and then, during that  
11 last time frame, the phone lines would be open to anyone  
12 without an appointment.

13 CHAIR AHMAD: Yes, Commissioner Forniciari.

14 COMMISSIONER FORNICIARI: So if I could -- if I  
15 could just add. So there are a set number of appointment  
16 slots for the first three sessions, and those -- the  
17 people who have those appointments will be given a link  
18 to join in, and that -- that's -- and then we'll be able  
19 to see them when they're giving their public comment.

20 The fourth block is a phone-in, so it's a complete -  
21 - to answer your questions, it's a completely different  
22 queue. So we'll get through everybody who's got the  
23 appointment. They have a link. We'll get through all  
24 those people before we go to the phone queue. And then -  
25 - and then that block would have time for people to

1 provide COI input, and then we transition into general  
2 public input in that -- in the -- at the end of that  
3 block, and that would be in the queue, too. And then the  
4 plan was to close the queue at 8, and then everybody  
5 still in the queue, we would -- we would -- the phone  
6 queue, we would take their input.

7 CHAIR AHMAD: Great, Commissioner Forniciari. I  
8 have Commissioner Fernandez and then Turner on the -- in  
9 the queue here, but we do need to take our break. So I  
10 will see you all at 7:31.

11 (Whereupon, a recess was held)

12 CHAIR AHMAD: Welcome back from break, everyone. We  
13 left off with a question and some conversation around the  
14 appointment system which is being taken under agenda item  
15 number 11 right now. I do want to just give everyone a  
16 heads up that we have a hard stop at 8 p.m. as that's  
17 when we have our Teams ASL interpreter, language access,  
18 and et cetera here, so I just want to keep everyone on  
19 track with that hard stop. And also keep in mind, we do  
20 have to take general public comment before we close out,  
21 so I want to leave about 15 -- ten to 15 minutes for that  
22 process as well.

23 So I believe we were having a conversation about the  
24 appointment system. Commissioner Forniciari, I will hand  
25 it back over to you.



1 COMMISSIONER FORNICIARI: Oh. I did -- I was done.  
2 I think it --

3 CHAIR AHMAD: Commissioner Turner?

4 COMMISSIONER FORNICIARI: -- Commissioner Fernandez  
5 or -- oh.

6 CHAIR AHMAD: Yeah.

7 COMMISSIONER TURNER: Okay. Yeah. So if I -- and  
8 thank you, Commissioner Forniciari and Director Kaplan.  
9 That was helpful. So if I understand you, you said that  
10 the last block, the last chunk of time -- and it was two  
11 different systems, great -- but the last block of time is  
12 one and the same of those that are calling in to give  
13 their -- they didn't register for a slot or anything.  
14 They're calling in to give their community of input, and  
15 that's -- those are three-minute folk.

16 And are you saying there then will be mixed in to  
17 that same block with those that's calling in for general  
18 public comment which is only two minutes, and will we,  
19 whoever is moderating that service being the Chair, will  
20 you be able to differentiate between the two or will it  
21 be up to the Chair to say, you know, I -- regardless of  
22 what you said, this sounds like now this is general  
23 comment. So that's two minutes as opposed to the general  
24 slot for community of interest that didn't have an  
25 appointment.



1           So I'm just asking about that last block because it  
2 sounds like they are still lumped in together, which  
3 means we have three-minute people lumped in with two-  
4 minute people. And maybe it'll be as simple as them  
5 identifying themselves and that the -- you know, but  
6 that's my question. Last chunk of time is both, right?

7           CHAIR AHMAD: Yes. Marcy.

8           MS. KAPLAN: So it's to have a last chunk for public  
9 -- for COI public input and then transitioning to then  
10 public comment.

11          COMMISSIONER TURNER: So can I follow right up real  
12 quick? So Director Kaplan --

13          MS. KAPLAN: But they would be in the same queue,  
14 essentially --

15          COMMISSIONER TURNER: Yes, so --

16          MS. KAPLAN: -- with one another.

17          COMMISSIONER FORNICIARI: And when you say  
18 transition, they'll be in the same queue. Because if we  
19 get into the point and we do want a lot of people to  
20 participate, if we work off of the meeting that we said  
21 ended at 8:00 and if the community of interest people are  
22 in that block and it goes beyond 8 into 9:00 or whatever,  
23 something after 8:00, now we've closed the -- we're not  
24 going to open it then again for public comment. They

25



1 would have also needed to get into that same block for  
2 8:00?

3 MS. KAPLAN: Yeah. I actually had just OneNoted  
4 that as something to follow up with because I was  
5 thinking --

6 COMMISSIONER TURNER: Okay.

7 MS. KAPLAN: -- that also what if we got more, so I  
8 think that would -- I would --

9 COMMISSIONER TURNER: Okay.

10 MS. KAPLAN: -- defer to legal on that or if we need  
11 to switch how we transition to public comment in that  
12 section should it go past -- we see that it's going past  
13 8 p.m.

14 CHAIR AHMAD: Yes. Fredy.

15 MR. CEJA: Yeah. Also wanted to note, because we've  
16 talked about this extensively at our dry runs, is that  
17 the Chair will have to remind folks that if they don't  
18 want to stick around and wait for an hour or so in the  
19 queue that they should go online and fill out a COI on  
20 Draw My California Community. So if you want to skip the  
21 line, go online. We'll be mentioning that throughout the  
22 night so that, hopefully, people that have been waiting  
23 for a long time in the queue just drop off and go online  
24 and do it. So we'll be encouraging that throughout the  
25 night.





1 CHAIR AHMAD: Great. So with that, are there any  
2 other agenda items that I may have missed or that anyone  
3 else, whether that be commissioners or our team members,  
4 that we need to revisit before we close out this meeting?

5 Yes, Commissioner Turner.

6 COMMISSIONER TURNER: I'm sorry. Every now and  
7 then, there just is something that I can't let go. Let  
8 me just say it one more time a different way. If we get  
9 past 8:00, the lines will close. And I guess we have  
10 said that we need to have public comment at the end of  
11 our meetings. Maybe it's not important, but if indeed --  
12 or maybe it won't be required in these sessions, but if,  
13 indeed, public comment runs late the lines will be  
14 closed, and so we really won't -- unless someone decided  
15 to wait through all the public comment to give their  
16 regular general comment, there's really not a different  
17 way or opportunity for people to call in and give public  
18 comment at the end of a community of interest meeting  
19 that ran past the time is I guess what I want to just  
20 state is what it sounds like because the lines will be  
21 closed. That's all.

22 CHAIR AHMAD: Is that a question -- is that a  
23 question, Commissioner Turner?

24 COMMISSIONER TURNER: I think it's a comment. And  
25 if it works differently, they'll tell me, but it sounds



1 like we've said we're going to close the lines at 8:00.  
2 And so unless they waited through all the public input  
3 portion of it that can go however long -- when we open it  
4 up for public comment, unless they've waited through that  
5 time period, they really can't call in for public  
6 comment. That's all, because we'll be after our time.

7 CHAIR AHMAD: Marian, I see your hand's up.

8 MS. JOHNSTON: There will just be -- it'll be like  
9 the people who are just waiting online now to call in.  
10 You won't know what they're going to be talking about  
11 until the person is called upon. So you may be getting  
12 general public comment mixed in with public input on line  
13 drawing.

14 So I think it will be up to the moderator to decide  
15 which it is and what the time limit is, which will be a  
16 bit tricky, but you have to adapt and do your best and --  
17 you can't -- you have to take public comment even if it's  
18 not on COI matters. And if they're in the queue at 8:00,  
19 they get to talk. You can reduce the time if you want  
20 to.

21 CHAIR AHMAD: Commissioner Le Mons and then Marcy.

22 COMMISSIONER LE MONS: This a question for Marian, I  
23 guess. Can we take public comment in a structured time  
24 block?

25

1 MS. JOHNSTON: You can. You'd have to have that on  
2 your agenda and then still allow people to call in and  
3 get in queue. If you're running late, the queue for that  
4 would have to be open.

5 COMMISSIONER LE MONS: Yeah, that's presuming it's  
6 at the end of the day. So where I was going with this is  
7 -- and I know we've set for these meetings and we can see  
8 how it goes, but what we might want to consider is having  
9 our public comment at a structured time other than the  
10 end, like, at the beginning or someone -- somewhere else  
11 that's general public comment for a block of time and --

12 MS. JOHNSTON: You can but --

13 COMMISSIONER LE MONS: -- that way --

14 MS. JOHNSTON: then it's going to -- you're going to  
15 throw off everybody who's waiting with an appointment  
16 then if public comment --

17 COMMISSIONER LE MONS: Well, no, no.

18 MS. JOHNSTON: -- we're getting runs longer.

19 COMMISSIONER LE MONS: Well -- well, not necessarily  
20 if -- not adjusting the ones we're currently working on  
21 because those have already -- those appointments are  
22 already structured as to when they're going to be. But  
23 if you did it in the morning -- let's say public comment  
24 was the first hour and it's set from whatever time,  
25 whatever time we start to whatever time is general open



1 public comment about anything, and the appointments start  
2 --

3 MS. JOHNSTON: But suppose you had a hundred people  
4 that called in for general public comment, you'd have to  
5 take them even if it lasted more than an hour.

6 COMMISSIONER LE MONS: I see. Okay. So you can't  
7 have it for -- unlike the appointments which are  
8 structured, you can't have public comment in a structured  
9 block of time that can --

10 MS. JOHNSTON: Right.

11 COMMISSIONER LE MONS: -- that can be cut off based  
12 on time.

13 MS. JOHNSTON: You can cut off the length of time an  
14 individual speaks, but you can't cut off someone from  
15 speaking at all.

16 COMMISSIONER LE MONS: Okay.

17 CHAIR AHMAD: Any other -- Marcy.

18 MS. KAPLAN: This is a clarity question. Can we --  
19 should the public input go -- keep going and we're  
20 seeing, like, like at 7:30, can we say for people who  
21 have public comment, call in so before the line closes  
22 even if we're not transitioned to public comment, and so  
23 that maybe we need to flag that 30-minute -- like --

24 MS. JOHNSTON: That's a good idea.

25



1 MS. KAPLAN: Like, that 30 minutes before, we make -  
2 -

3 MS. JOHNSTON: That a good idea.

4 MS. KAPLAN: -- an announcement. Okay. So will  
5 that -- thank you.

6 CHAIR AHMAD: Great. And maybe we can include that  
7 in the script -- in our rehearsal sessions that we'll  
8 have Commissioner Yee. With that, is there any other  
9 items on the agenda that we haven't had a chance to cover  
10 that we were supposed to cover? And it has to be listed  
11 on the agenda.

12 Yes, Commissioner Akutagawa.

13 COMMISSIONER AKUTAGAWA: I'm just saying this  
14 because I feel like we -- it's something -- some things  
15 that need to be said. So I just also want to make sure  
16 that we'll have multiple points between, let's say, 7:30  
17 and 7:59, reminding people if you have public comment you  
18 do need to call in, like, before we close the lines at  
19 8:00. Okay.

20 CHAIR AHMAD: All right. With that, let's move to  
21 public comment. Oh, I'm sorry. Commissioner Vazquez, I  
22 didn't see you. Can we pause on public comment for a  
23 second?

24 Yes, Commissioner Vazquez.

25



1           COMMISSIONER VAZQUEZ: Yes. Apologies, Chair. I  
2 don't want to derail your agenda, but I do need to draw a  
3 boundary for myself in the way that Commissioner Le Mons  
4 spoke to me earlier today.

5           I was scolded like a child for not being as direct  
6 as I should have been about how the impact of your words  
7 not only impacts, I imagine, the folks who are receiving  
8 them as they did when you scolded me, but they impact,  
9 you know, me when I hear them vicariously when they're  
10 directed at others.

11           I had an emotional reaction to the way that you  
12 responded to Commissioner Sinay's idea, and I do not  
13 think that it is fair or right that you essentially  
14 accused me of censoring you when I asked you, again,  
15 poorly to choose your words with more kindness because  
16 their impact -- I'm not going to assume intent because I  
17 can't read minds and I don't intend to, but the impact of  
18 your words was hurtful and doubly hurtful when you again  
19 scolded me.

20           And I just refuse to be spoken to like that in  
21 public, and I don't -- I don't agree that that response  
22 should go unrecognized by myself. That's all I have to  
23 say about that.

24           COMMISSIONER LE MONS: Well, you have your opinion  
25 and I have mine. So I thought it was a horrible idea and

1 I'm not backtracking on that, and I don't think that that  
2 is hurtful. It's not intended to hurt. It's an  
3 adjective that describes how I feel about it. Some  
4 people think something's a great idea. Great.

5 And so you, in a passive way, tried to tell me what  
6 I can and cannot say. And I, in a direct way, told you  
7 that you cannot. So you may not like what I said, and  
8 that's okay. Everybody's not going to like what I say,  
9 and that's not what I'm invested in. So I didn't say  
10 anything directly to you. The fact that you were  
11 triggered has nothing to do with me.

12 COMMISSIONER VAZQUEZ: If I may. I just -- I don't  
13 appreciate you accusing me of censoring you when, in  
14 fact, you were weaponizing your own emotions to my  
15 indirect -- my indirect attempts to avoid this exact  
16 exchange by accusing me of censoring you. And again,  
17 it's not always just what you say, it's how you say it.  
18 And I think everyone can understand where that saying  
19 comes from. And so, again, I just -- I don't accept the  
20 way that you scolded me.

21 COMMISSIONER LE MONS: And I don't accept the way  
22 you scolded me. Like I said, we have a difference of  
23 opinion. You corrected me in public based upon how you  
24 felt about what should or should not be said, and I  
25 wasn't even talking to you. So you were triggered by



1 something I said to somebody else, and that's on you. So  
2 I wasn't directing anything to you.

3 I thought the idea was not a good idea. I thought  
4 it was a horrible idea, and I don't see anything wrong  
5 with that. That's how I feel about it. Doesn't make it  
6 right. It's just my opinion, and I'm entitled to it. So  
7 the fact that my opinion offends you, okay, I accept  
8 that. So you did yours in a nice, nasty way. I just did  
9 mine in a direct way.

10 And this goes back -- you know, this is -- it's  
11 interesting you say that this was the conversation you  
12 wanted to avoid having. This feels like the same way  
13 things were handled very early on in our communication  
14 around this Commission, that there's a way you would drop  
15 little things into the conversation about men, about all  
16 kinds of things.

17 I don't know what your points of reference are or  
18 what your feelings are, but I'm not trying to figure it  
19 out. I know I'm going to say --

20 CHAIR AHMAD: All right.

21 COMMISSIONER LE MONS: -- what I want to say, and  
22 that's how it's going to be. Period.

23 CHAIR AHMAD: I'm going to interrupt us here and  
24 move us along. Thank you for sharing your thoughts on  
25



1 this topic, but we do have to move along on -- in the  
2 agenda.

3 So Katy, can we please open the line for public  
4 comment?

5 MS. MANOFF: Yes, Chair. In order to maximize  
6 transparency and public participation in our process, the  
7 Commissioners will be taking public comment by phone. To  
8 call in, dial the telephone number provided on a  
9 livestream feed. It is 877-853-5247.

10 When prompted to enter the meeting ID number  
11 provided on the livestream feed, it is 92804650888 for  
12 this meeting. When prompted to enter a participant ID,  
13 simply press the pound key. Once you have dialed in,  
14 you'll be placed in a queue. To indicate you wish to  
15 comment, please press star nine. This will raise your  
16 hand for the moderator.

17 When it is your turn to speak, you'll hear a message  
18 that says the host would like you to talk and to press  
19 star six to speak. If you would like to give your name,  
20 please state and spell it for the record. You are not  
21 required to write your name to give public comment.

22 Please make sure to mute your computer or livestream  
23 audio to prevent any feedback or distortion during your  
24 call. Once you are waiting in the queue, be alert for  
25



1 when it is your turn to speak, and again, please turn  
2 down the livestream volume.

3 And at this time, there is no one in the queue.

4 CHAIR AHMAD: Great. We will wait a few minutes to  
5 allow the live stream to catch up.

6 Commissioner Kennedy, is this related to any agenda  
7 item that we have remaining?

8 COMMISSIONER KENNEDY: This was relating to Marian's  
9 response a few moments ago, and I just wanted to seek  
10 clarification.

11 CHAIR AHMAD: Sure. Yeah.

12 COMMISSIONER KENNEDY: Just going through our  
13 handbook that we were given at the very beginning.  
14 Bagley Keane, I guess, Section 11125.7, opportunity for  
15 public to speak at the meeting. Subsection B says the  
16 state body may adopt reasonable regulations to ensure  
17 that the intent of Subdivision A is carried out,  
18 including but not limited to regulations limiting the  
19 total amount of time allocated for public comment on  
20 particular issues and for each individual speaker.

21 So does that mean that we can, in fact, establish a  
22 limitation on the total amount of time for general public  
23 comment?

24 MS. JOHNSTON: The way I understand it, and Chief  
25 Counsel may want to weigh in on this, too, but my

1 understanding has always been that you can limit the  
2 amount of time for an individual speaker but you can't  
3 say if someone may not speak at all.

4 COMMISSIONER KENNEDY: Well, it goes on to say that,  
5 yes, you can limit the amount of time allocated for each  
6 individual speaker. But before that, it says,  
7 regulations limiting the total amount of time allocated  
8 for public comment on a particular issue.

9 So I guess on a --

10 MS. JOHNSTON: (Indiscernible) --

11 COMMISSIONER KENNEDY: -- on a vote, the Chair could  
12 say, you know, we're open for ten minutes if -- as long  
13 as we believe that ten minutes is reasonable, and whoever  
14 gets to speak during those ten minutes could speak. I  
15 mean, that's how I read it.

16 MS. JOHNSTON: It's a tricky situation, but if  
17 you're allowing some person to speak and not someone else  
18 to speak, it leads to bad feelings and could lead to  
19 claims.

20 MR. PANE: And Commissioner --

21 CHAIR AHMAD: Perhaps we can --

22 MR. PANE. Commissioner Kennedy, another point, this  
23 is more -- I don't think we're going to be able to solve  
24 this here and now, but the point you raised about  
25 reasonable regulations, you -- the Commission would have

1 to, I think, pretty justifiably and pretty fairly explain  
2 how they come to a particular time allotment and how  
3 that's fair. And barring any sort of, I think, pretty  
4 persuasive rationale for that, I would recommend against  
5 putting what would otherwise perhaps be viewed as an  
6 arbitrary time limit on caps because then I think you are  
7 getting to sort of Marian's point, which is you're  
8 arguably preventing public comment at that point.

9 COMMISSIONER KENNEDY: Okay. Thanks. I just wanted  
10 to understand what I was reading.

11 CHAIR AHMAD: Thank you. We do --

12 MS. MANOFF: We have a --

13 CHAIR AHMAD: -- have a caller.

14 MS. MANOFF: Oh. Thank you, Chair. I will open the  
15 line.

16 Go ahead. The floor is yours.

17 UNIDENTIFIED SPEAKER: Hi. My name is Emma, and I'm  
18 a California resident and voter. I live in Oakland.  
19 First of all, I really appreciated this, like, structure  
20 change at these meetings today with providing  
21 subcommittee updates and any motion language at the  
22 start. It actually made it a lot easier to call --  
23 follow the conversation and, you know, kind of see where  
24 this discussion was going. And so I appreciate that. If  
25 you want to continue doing that, that would be great.

1           Also, I'd really like to address the implications of  
2 the interactions between Commissioners during these  
3 public meetings. I have attended every single Commission  
4 meeting thus far and never have I heard a commissioner  
5 speak to a colleague in the way that Commissioner Le Mons  
6 did today. Whether you agree with that or not is neither  
7 here or there, but I'd like to remind the Commission that  
8 the way you speak to one another is the way that it is  
9 perceived you will speak with members of the public.

10           These meetings and how you act and what you say  
11 during them is all that we, the public, see. So as a  
12 member of the public, I plan to participate in the public  
13 input meetings and engage in this process as I have  
14 continued -- as I've done so far.

15           You all have encouraged time and time again for  
16 folks who aren't otherwise involved in this to be  
17 involved in this process, and many of us will be  
18 submitting ideas reflecting communities of interest that  
19 are just that -- they are ideas, ones that we have  
20 discussed with our community and come to you with.

21           So with all of that, I really encourage the  
22 Commission to discuss setting guidelines for how  
23 Commissioners will respond to public input during the  
24 public input meetings when we do contribute. I do urge  
25

1 you to determine guidelines that don't inflict subjective  
2 language, and yes, that includes --

3 MR. MANOFF: 30 seconds.

4 UNIDENTIFIED SPEAKER: adjectives that -- the  
5 opinion such as horrible or terrible onto others as we do  
6 participate. I've really appreciated the way that you  
7 have tried to maintain an environment that is, honestly,  
8 very welcoming, and today really --

9 MR. MANOFF: 15 seconds.

10 UNIDENTIFIED SPEAKER: -- put a damper on that. So  
11 please continue to do the work you are doing and to  
12 encourage public input that you've made very, very clear  
13 that you'd like to gather. Thank you so much.

14 MS. MANOFF: Thank you. And I would like to remind  
15 those calling in to press star nine to raise their hand  
16 indicating their wish to comment. And thank you for the  
17 raised hand. And we do have one more caller. And go  
18 ahead. The floor is yours.

19 MS. WESTA-LUSK: Yes. This is Renee Westa-Lusk  
20 again. I have a concern. It's about the -- the public  
21 input at these virtual public hearings. Is there any way  
22 -- since you are not allowed to have the person divulge  
23 who they are or where they're from, is there any way to  
24 verify that they're actually from California, that they  
25 actually live here?



1 I guess that's a concern I have, and I don't know if  
2 the Commission's discussed this, but I worry about  
3 outside entities trying to purport that they may be from  
4 a certain region or they're from -- they're not -- or  
5 they're from California, and then they give some kind of  
6 public input, and then people think they were but maybe  
7 they really weren't. That's where I'm coming from. I'd  
8 appreciate some feedback. Thank you.

9 MS. MANOFF: And that was our last caller at this  
10 time.

11 CHAIR AHMAD: Great. Thank you, Katy, for that.  
12 Looking at our calendar, our next meeting is scheduled  
13 for June 9th, and that is a full commission meeting, not  
14 an as-needed meeting. So we will see everyone on June  
15 9th. Thank you, everyone.

16 Meeting adjourned.

17 (Meeting adjourned)

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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.

*Brittani Rolf*

BRITTANI ROLF

August 10, 2022

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