

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

CRC BUSINESS MEETING

WEDNESDAY, JUNE 2, 2021

9:00 a.m.

Transcribed By:

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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 PresentPublic 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?



1 COMMISSIONER SINAY: Here.

2 MR. SINGH: Commissioner Taylor?

3 COMMISSIONER TAYLOR: Present.

4 MR. SINGH: Commissioner Toledo?

5 COMMISSIONER TOLEDO: Here.

6 MR. SINGH: Commissioner Turner?

7 COMMISSIONER TURNER: Here.

8 MR. SINGH: Commissioner Vazquez?

9 COMMISSIONER VAZQUEZ: (No audible response.)

10 MR. SINGH: And Commissioner Yee?

11 COMMISSIONER YEE: Here.

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

13 CHAIR AHMAD: Thank you.

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

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



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

8 Yes, Commissioner Andersen?

9 COMMISSIONER ANDERSEN: Item 12 is not happening.

10 Thank you.

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

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

19 PUBLIC COMMENT MODERATOR: Thank you, chair.

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



1 this meeting. When prompted to enter participant ID,
2 simply press the pound key.

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

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

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

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

19 CHAIR AHMAD: Yes, Commissioner Sinay?

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



1 COMMISSIONER TOLEDO: Oh, thank you.

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

4 Go ahead. The floor is yours.

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

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

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

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

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

20 CHAIR AHMAD: Great. Thank you.

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

23 MR. HERNANDEZ: Yes. Thank you.

24 Good afternoon, Commissioners. I don't have a whole
25 lot today, but I did want to share that the budget



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

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

15 CHAIR AHMAD: Thank you.

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

25 So I'm hoping that the leads for the subcommittee

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

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

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

22 CHAIR AHMAD: Is --

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

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

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

7 Commissioner Sinay?

8 CHAIR AHMAD: Commissioner Sinay?

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

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

25 COMMISSIONER FERNANDEZ: Okay. I -- I'm sorry. I

1 don't remember receiving your email, so I'll have to go
2 back and review redo the COI -- just --

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

7 COMMISSIONER FERNANDEZ: Okay. Thank you.

8 CHAIR AHMAD: Any other comments?

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

16 Commissioner Akutagawa?

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

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

24 COMMISSIONER AKUTAGAWA: Yeah. Yeah, exactly.

25 COMMISSIONER FERNANDEZ: So it's -- so the first

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

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

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

18 COMMISSIONER FERNANDEZ: Oh.

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

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

25 COMMISSIONER AKUTAGAWA: Yeah, there's only one



1 page. That's why, I guess maybe --

2 COMMISSIONER FERNANDEZ: Okay.

3 COMMISSIONER AKUTAGAWA: Yeah.

4 COMMISSIONER TURNER: Just the insert is posted.

5 COMMISSIONER FERNANDEZ: Just the first page?

6 COMMISSIONER TURNER: It says insert.

7 COMMISSIONER FERNANDEZ: Okay.

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

9 Commissioner Andersen?

10 Yeah, Commissioner Kennedy, can you -- are you

11 looking for it, or am I doing the questions?

12 COMMISSIONER KENNEDY: It's in the last -- it's in

13 the handout from last meeting.

14 COMMISSIONER FERNANDEZ: From last week? Okay.

15 COMMISSIONER KENNEDY: Yes.

16 COMMISSIONER FERNANDEZ: All right.

17 So if you go to --

18 COMMISSIONER ANDERSEN: But the only thing is --

19 COMMISSIONER FERNANDEZ: Yeah. I'm sorry.

20 COMMISSIONER ANDERSEN: My question is -- sorry.

21 Well, okay. My question is -- you know, content looks

22 very interesting. Is this the actual size of, like the,

23 quote, insert or the tear-off piece? Because if so, you

24 know, part of the reason this is for also people who, you

25 know, might be older, which case, you can't read this.

1 COMMISSIONER KENNEDY: Yeah.

2 COMMISSIONER ANDERSEN: It's too small.

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

5 COMMISSIONER ANDERSEN: Okay.

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

9 COMMISSIONER ANDERSEN: Okay.

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

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

16 COMMISSIONER TURNER:: 14 point.

17 COMMISSIONER AKUTAGAWA: 14 point.

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

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

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

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

1 COMMISSIONER AKUTAGAWA: Yeah, I saw it. So I also
2 want to mention that Commissioner Turner has her hand up.
3 But can I just quickly ask --

4 COMMISSIONER FERNANDEZ: Yes.

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

10 COMMISSIONER FERNANDEZ: Okay. Thank you.

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

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

24 COMMISSIONER FERNANDEZ: And thank you.

25 So can I amend my motion then, Commissioner -- or



1 Chair Ahmad?

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

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

10 And Commissioner Turner, do you second my --

11 COMMISSIONER TURNER: Absolutely.

12 COMMISSIONER FERNANDEZ: Thank you.

13 COMMISSIONER TURNER: I absolutely do.

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

16 COMMISSIONER KENNEDY: Yes.

17 COMMISSIONER FERNANDEZ: Okay.

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

20 (No audible response.)

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

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

24 CHAIR AHMAD: Sure.

25 MR. MANOFF: In order to maximize transparency and



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

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

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

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

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

25 CHAIR AHMAD: Great. Thank you.



1 Can we have a roll call for a vote?

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

8 CHAIR FERNANDEZ: Yes.

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

11 Commissioner Akutagawa?

12 MR. HERNANDEZ: Commissioner Akutagawa?

13 COMMISSIONER AKUTAGAWA: Yes.

14 MR. HERNANDEZ: Commissioner Andersen?

15 COMMISSIONER ANDERSEN: Yes.

16 MR. HERNANDEZ: Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 MR. HERNANDEZ: Commissioner Fornaciari?

19 COMMISSIONER FORNACIARI: Yes.

20 MR. HERNANDEZ: Commissioner Kennedy?

21 COMMISSIONER KENNEDY: Yes.

22 MR. HERNANDEZ: Commissioner Le Mons?

23 COMMISSIONER LE MONS: Yes.

24 MR. HERNANDEZ: Commissioner Sadhwani?

25 COMMISSIONER SADHWANI: Yes.



1 MR. HERNANDEZ: Commissioner Sinay?

2 COMMISSIONER SINAY: No.

3 MR. HERNANDEZ: Commissioner Taylor?

4 CHAIR TURNER: Yes.

5 MR. HERNANDEZ: Commissioner Toledo?

6 COMMISSIONER TOLEDO: Yes.

7 MR. HERNANDEZ: Commissioner Turner?

8 CHAIR TURNER: Yes.

9 MR. HERNANDEZ: Commissioner Vasquez?

10 COMMISSIONER VASQUEZ: Yes.

11 MR. HERNANDEZ: Thank you.

12 Commissioner Yee?

13 COMMISSIONER YEE: Yes.

14 MR. HERNANDEZ: And Commissioner Ahmad?

15 COMMISSIONER AHMAD: Yes.

16 MR. HERNANDEZ: The motion passes.

17 CHAIR AHMAD: Great. Thank you.

18 Is there anything else from the Materials

19 Development Subcommittee?

20 COMMISSIONER FERNANDEZ: No.

21 CHAIR AHMAD: Okay. Great. Thank you.

22 Moving along. Website Subcommittee, Commissioners

23 Kennedy and Taylor, you have the floor.

24 COMMISSIONER KENNEDY: Thank you, Chair. I had

25 submitted to the executive director a recommendation that



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

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

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

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

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



1 COMMISSIONER TAYLOR: No, that was very well said.
2 I'm in complete agreement, and as we look at it, I am
3 definitely in the position to second any motion.

4 COMMISSIONER KENNEDY: Okay.

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

9 COMMISSIONER TAYLOR: And I second that.

10 CHAIR AHMAD: All right.

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

14 Commissioner Andersen?

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

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

25 COMMISSIONER ANDERSEN: Okay. Thank you.

1 CHAIR AHMAD: Any other discussions on this motion?

2 (No audible response.)

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

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

7 In order to maximize transparency and public
8 participation in our process, the Commissioners will be
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22 your name to give public comment.

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

5 And there is no one in the queue.

6 CHAIR AHMAD: Yes, Commissioner Andersen?

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

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

19 CHAIR AHMAD: Thank you, Katy.

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

24 Can we call roll for vote?

25 MR. HERNANDEZ: Yes, Chair. The motion on the floor

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

8 Commissioner Akutagawa?

9 MR. HERNANDEZ: Commissioner Akutagawa?

10 COMMISSIONER AKUTAGAWA: Yes.

11 MR. HERNANDEZ: Commissioner Andersen?

12 COMMISSIONER ANDERSEN: Yes.

13 MR. HERNANDEZ: Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 MR. HERNANDEZ: Commissioner Fornaciari?

16 COMMISSIONER FORNACIARI: Yes.

17 MR. HERNANDEZ: Commissioner Kennedy?

18 COMMISSIONER KENNEDY: Yes.

19 MR. HERNANDEZ: Commissioner Le Mons?

20 COMMISSIONER LE MONS: Yes.

21 MR. HERNANDEZ: Commissioner Sadhwani?

22 COMMISSIONER SADHWANI: Yes.

23 MR. HERNANDEZ: Commissioner Sinay?

24 COMMISSIONER SINAY: Yes.

25 MR. HERNANDEZ: Commissioner Taylor?



1 COMMISSIONER TAYLOR: Yes.

2 MR. HERNANDEZ: Commissioner Toledo?

3 COMMISSIONER TOLEDO: Yes.

4 MR. HERNANDEZ: Commissioner Turner?

5 COMMISSIONER TURNER: Yes.

6 MR. HERNANDEZ: Commissioner Vasquez?

7 COMMISSIONER VASQUEZ: Yes.

8 MR. HERNANDEZ: Commissioner Yee?

9 COMMISSIONER YEE: Yes.

10 MR. HERNANDEZ: And Commissioner Ahmad?

11 COMMISSIONER AHMAD: Yes.

12 MR. HERNANDEZ: The motion passes, Chair.

13 CHAIR AHMAD: Thank you.

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

16 (No audible response.)

17 CHAIR AHMAD: No?

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

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

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

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



1 COMMISSIONER SINAY: I'll second.

2 COMMISSIONER TUNER: Great.

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

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

12 COMMISSIONER TURNER: Mm-hmm.

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

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

17 COMMISSIONER FERNANDEZ: Thank you.

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

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

7 COMMISSIONER FERNANDEZ: Great. Thank you.

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

10 Yes, Commissioner Andersen?

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

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

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

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



1 COMMISSIONER TURNER: We'd be concerned --
2 Wonderful. Thank you.

3 CHAIR AHMAD: Yes, Commissioner Sinay?

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

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

11 CHAIR AHMAD: All right. Seeing no other hands --
12 Oh, Commissioner Akutagawa?

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

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

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

24 COMMISSIONER TURNER: Airtable has the ability to
25 attach files to it. So if that wasn't decided, it would

1 probably be as an attachment.

2 COMMISSIONER AKUTAGAWA: Thank you.

3 COMMISSIONER TURNER: Mm hmm.

4 CHAIR AHMAD: All right.

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

7 PUBLIC COMMENT MODERATOR: Yes, Chair.

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

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

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



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

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

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

7 The instructions are complete, Chair.

8 CHAIR AHMAD: Thank you, Katy.

9 Can we move to roll call for vote?

10 MR. HERNANDEZ: Yes, Chair.

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

13 Is that correct, Commissioner Turner?

14 COMMISSIONER TURNER: Yes, thank you.

15 MR. HERNANDEZ: Thank you.

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

18 MR. HERNANDEZ: Commissioner Akutagawa?

19 COMMISSIONER AKUTAGAWA: Yes.

20 MR. HERNANDEZ: Commissioner Andersen?

21 COMMISSIONER ANDERSEN: Yes.

22 MR. HERNANDEZ: Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 MR. HERNANDEZ: Commissioner Fornaciari?

25 COMMISSIONER FORNACIARI: Yes.



1 MR. HERNANDEZ: Commissioner Kennedy?

2 COMMISSIONER KENNEDY: Yes.

3 MR. HERNANDEZ: Commissioner Le Mons?

4 COMMISSIONER LE MONS: Yes.

5 MR. HERNANDEZ: Commissioner Sadhwani?

6 COMMISSIONER SADHWANI: Yes.

7 MR. HERNANDEZ: Commissioner Sinay?

8 COMMISSIONER SINAY: Yes.

9 MR. HERNANDEZ: Commissioner Taylor?

10 COMMISSIONER TAYLOR: Yes.

11 MR. HERNANDEZ: Commissioner Toledo?

12 COMMISSIONER TOLEDO: Yes.

13 MR. HERNANDEZ: Commissioner Turner?

14 COMMISSIONER TURNER: Whoo hoo and yes.

15 MR. HERNANDEZ: Commissioner Vasquez?

16 COMMISSIONER VASQUEZ: Yes.

17 MR. HERNANDEZ: Commissioner Yee?

18 COMMISSIONER YEE: Yes.

19 MR. HERNANDEZ: And Commissioner Ahmad?

20 COMMISSIONER AHMAD: Yes.

21 MR. HERNANDEZ: The motion passes, Chair.

22 CHAIR AHMAD: Great. Thank you.

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

1 COMMISSIONER TURNER: There is not.

2 CHAIR AHMAD: All right.

3 COMMISSIONER TURNER: Thank you.

4 CHAIR AHMAD: All right. Thank you.

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

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

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

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

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

1 will -- they're being contracted as co-counsel and as
2 equals at this point.

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

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

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



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

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

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

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

23 Commissioner Andersen?

24 COMMISSIONER ANDERSEN: Thank you for the summary.
25 I do have a question. You're saying that the litigation



1 counsel, it's all for post-map litigation. What are we
2 considering, should we have an issue pre-maps?

3 COMMISSIONER YEE: Good question.

4 Commissioner Toledo, do you want to answer that?

5 COMMISSIONER TOLEDO: Yeah, sure.

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

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

23 We want to be able to make sure that we're able to
24 take care and pay for our legal Counsel. And so that's
25 what we're -- building our budget -- our contract as

1 flexible with enough flexibility, if possible, to move as
2 nimbly as we may need to.

3 COMMISSIONER ANDERSEN: Thank you.

4 COMMISSIONER YEE: Commissioner Sinay?

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

7 COMMISSIONER YEE: Yes.

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

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

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



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

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

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

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

24 COMMISSIONER TAYLOR: No. I think, Commissioner Yee
25 just discussed it. I want to see if you can further



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

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

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

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

11 COMMISSIONER TAYLOR: Okay.

12 COMMISSIONER YEE: Let's see here.

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

17 COMMISSIONER TAYLOR: Thank you for the
18 clarification.

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

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

1 COMMISSIONER YEE: A failure penalty.

2 COMMISSIONER AKUTAGAWA: Yeah.

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

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

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

15 Okay, Commissioner Sadhwani?

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

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

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

7 COMMISSIONER YEE: Commissioner Fernandez?

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

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

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

25 COMMISSIONER TOLEDO: And we could use as much or as



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

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

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

25 COMMISSIONER YEE: I mean, I suppose it's



1 theoretically possible that there are no claims or claims
2 that we can handle in-house, and we end up using neither,
3 you know, I mean, theoretically. We don't expect that,
4 however.

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

15 COMMISSIONER TOLEDO: Commissioner Sinay?

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

25 COMMISSIONER YEE: That's true. As it happens, I



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

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

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

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

25 MR. PANE: So Commissioner Turner, I think the point



1 is whether that's a norm. I haven't seen that. But
2 I -- what I would -- what I will say is that, and this is
3 something Commissioner Toledo mentioned in the Committee
4 meeting yesterday, that it's probably a strategy on the
5 part of Gibson Dunn to essentially reweigh their fee
6 structure from the earlier iteration. So I think it's
7 their attempt at maybe providing the Commission a little
8 bit of flexibility in -- from their earlier option. And
9 so I think it's, I think that's probably how
10 they -- they're responding in a second iteration.

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

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



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

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

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

22 COMMISSIONER YEE: Commissioner Andersen.

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

25 And, Counsel Pane, if you could sort of clarify, is



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

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

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

19 COMMISSIONER ANDERSEN: Thank you.

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

25 COMMISSIONER TOLEDO: And staff.



1 COMMISSIONER YEE: And staff.

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

5 COMMISSIONER YEE: All right, Commissioner Sadhwani.

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

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

18 Any other input?

19 (No audible response.)

20 COMMISSIONER YEE: Okay.

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

24 Okay. Thank you, Chair.

25 CHAIR AHMAD: Thank you to the Legal Affairs

1 Subcommittee for your report out. And we look forward to
2 reading that language once you share it with all of us.

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

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

25 Commissioner Fernandez, would you like to review the



1 schedule, or would you like me to do that?

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

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

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

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

1 So --

2 COMMISSIONER FERNANDEZ: Yes.

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

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

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

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

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

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

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

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

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

22 CHAIR AHMAD: Thank you, Vice Chair Yee.

23 With that, I'm hoping we can get some direction from
24 the Commission. Keep in mind, we do have a mandatory
25 break at 5:30. So if your thought has been shared

1 already, you can just nod or thumbs up it. But really
2 wanting to give some space for some high-level changes or
3 recommendations at this time.

4 Commissioner Sinay and then Vazquez.

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

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

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

20 CHAIR AHMAD: Great. Thank you.

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

23 COMMISSIONER FERNANDEZ: Right. And I think,
24 although it may seem odd that 9 o'clock on a Saturday
25 might be early, as a working mom with kids, 9 o'clock was

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

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

17 CHAIR AHMAD: Thank you, Commissioner Fernandez.

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

25 So Commissioner Vazquez. And then



1 Commissioner Kennedy.

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

16 CHAIR AHMAD: Thank you.

17 Commissioner Kennedy?

18 COMMISSIONER KENNEDY: Thank you, Chair.

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

1 want to participate in these events. Thank you.

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

4 Yes, Commissioner Sinay?

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

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

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



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

7 CHAIR AHMAD: Commissioner Fernandez and Akutagawa?

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

23 CHAIR AHMAD: Commissioner Akutagawa.

24 COMMISSIONER AKUTAGAWA: Yeah, I would absolutely
25 echo what Commissioner Fernandez said, I think. I think

1 to that point, I do wonder if we do need to think about
2 times that ended a little later, like closer to 9:00. So
3 for those who need to make sure that they get dinner
4 together, they may not be available until after 7:30, and
5 8 o' -- you know, half an hour may not be enough.

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

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

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

6 But Commissioner Taylor and then
7 Commissioner Vazquez.

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

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

1 period of time. Thank you.

2 CHAIR AHMAD: Commissioner Vasquez?

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

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

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

1 COMMISSIONER VASQUEZ: Yes, for both. Even in our
2 virtual meetings, my organizations have been planning
3 things for between 4:00 and 8:00.

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

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

12 Commissioner Sinay?

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



1 matter if we get it at an input session or if we receive
2 it through the tool or in some other fashion.

3 CHAIR AHMAD: Thank you, Commissioner Sinay.

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

7 Yes, Commissioner Kennedy?

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

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

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

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

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

21 CHAIR AHMAD: Okay.

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

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

6 MR. HERNANDEZ: Yeah.

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

9 MR. HERNANDEZ: Yes. And so --

10 CHAIR AHMAD: Okay.

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

17 CHAIR AHMAD: Sounds good.

18 Other thoughts?

19 Yes, Commissioner Sinay?

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

25 CHAIR AHMAD: That opens up a can of worms for me,



1 Commissioner Sinay.

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

4 CHAIR AHMAD: Yes.

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

8 CHAIR AHMAD: No, I --

9 COMMISSIONER SINAY: Okay.

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

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

17 Yes, Commissioner Vazquez? Turner?

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

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

24 COMMISSIONER SINAY: Okay.

25 CHAIR AHMAD: Commissioner Turner?



1 Yeah.

2 Commissioner Turner?

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

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

10 COMMISSIONER TURNER: Okay. Gotcha.

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

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

19 CHAIR AHMAD: Thank you, Commissioner Turner.

20 I saw Commissioner Fernandez and then Sinay.

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

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

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

10 COMMISSIONER SINAY: I can speak after the break.

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

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

14 (Break 5:25 to 5:45)

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

18 COMMISSIONER SINAY: My only thought -- if you went
19 on the idea that I keep trying to bring forward but it's
20 never the right time and that's why, you know, I brought
21 up that we had only approved the agenda for the first
22 year because that's how it was presented when we talked
23 about it, is that I think that when we go into the zones,
24 it would be really good for us to have a snapshot of the
25 zones. And to invite an organization, be it the United

1 Way Community Foundation, it's not hard to identify an
2 organization, who can give us a brief 5 to 10-minute
3 snapshot of the zone of the regions.

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

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

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

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

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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CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, of the videoconference recording of the proceedings provided by the California Citizens Redistricting Commission.

Brittani Rolf

BRITTANI ROLF

August 10, 2022

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