

STATE OF CALIFORNIA  
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:  
CRC BUSINESS MEETING

WEDNESDAY, AUGUST 26, 2020  
9:30 a.m.

Transcription by:  
eScribers, LLC



APPEARANCESCOMMISSIONERS

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

STAFF

Raul Villanueva, Interim Administrator  
Marian Johnston, Interim CRC Staff Counsel

TECHNICAL CONTRACTORS

Kristian Manoff, AV Technical Director/Comment Moderator

**Also Present**PUBLIC COMMENT

Anne O'Connor  
Anne Coal  
Daphne Harris  
Rosalind Gold, NALEO Educational Fund  
Alejandra Ponce de Leon, Advancement Project California



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P R O C E E D I N G S

1 August 26, 2020

9:30 a.m.

2 MS. JOHNSTON: Good morning, everyone. I'm  
3 Marian Johnston, your interim counsel. And I would like  
4 to call this first meeting of the full 2020 Commission to  
5 order. And we'll do a roll call, please.  
6

7 MR. VILLANUEVA: Thank you, Marian.

8 Isra Ahmad?

9 COMMISSIONER AHMAD: Here.

10 MR. VILLANUEVA: Linda Akutagawa.

11 COMMISSIONER AKUTAGAWA: Here.

12 MR. VILLANUEVA: Jane Andersen?

13 COMMISSIONER ANDERSEN: Here.

14 MR. VILLANUEVA: Alicia Fernandez?

15 COMMISSIONER FERNANDEZ: (No response.)

16 MR. VILLANUEVA: Neal Fornaciari?

17 COMMISSIONER FORNACIARI: Here.

18 MR. VILLANUEVA: Did I pronounce that right,  
19 Commissioner?

20 COMMISSIONER FORNACIARI: Yeah.

21 MR. VILLANUEVA: Thank you.

22 Commissioner Kennedy?

23 COMMISSIONER KENNEDY: Present.

24 MR. VILLANUEVA: Commissioner Le Mons?

25 COMMISSIONER LE MONS: Here.



1 MR. VILLANUEVA: Commissioner Sadhwani?

2 COMMISSIONER SADHWANI: Here.

3 MR. VILLANUEVA: Commissioner Taylor?

4 COMMISSIONER TAYLOR: Here.

5 MR. VILLANUEVA: Thank you.

6 Commissioner Toledo?

7 COMMISSIONER TOLEDO: Here.

8 MR. VILLANUEVA: Commissioner Turner?

9 COMMISSIONER TURNER: Here.

10 MR. VILLANUEVA: Commissioner Sinay?

11 COMMISSIONER SINAY: Here.

12 MR. VILLANUEVA: Commissioner Vazquez?

13 COMMISSIONER VAZQUEZ: Here.

14 MR. VILLANUEVA: Thank you.

15 And Commissioner Yee?

16 COMMISSIONER YEE: Here.

17 MS. JOHNSTON: Good morning, everyone. We're just

18 missing one of the new six Commissioners, Alicia

19 Fernandez. And hopefully she'll be joining us. But for

20 the five of the new ones that are here, welcome to the

21 Commission. And now Commissioner Andersen will be

22 swearing you in. If you would raise your right hands,

23 please?

24 Commissioner Andersen?

25 COMMISSIONER ANDERSEN: Good morning. It's my



1 privilege and honor to administer the -- this oath of  
2 office. And if -- I was just going to say, if you're --  
3 everyone has their right hand raised? Please repeat  
4 after me. I --

5 COMMISSIONER YEE: I.

6 COMMISSIONER ANDERSEN: State your name.

7 COMMISSIONER YEE: Russell Yee.

8 COMMISSIONER AKUTAGAWA: I, Linda Akutagawa.

9 COMMISSIONER SINAY: Patricia Sinay.

10 COMMISSIONER VAZQUEZ: Angela Vazquez.

11 COMMISSIONER ANDERSEN: Do solemnly swear.

12 COMMISSIONER YEE: Do solemnly swear.

13 COMMISSIONER AKUTAGAWA: Do solemnly swear.

14 COMMISSIONER LE MONS: Do solemnly swear.

15 COMMISSIONER ANDERSEN: Or affirm.

16 COMMISSIONER YEE: Or affirm.

17 COMMISSIONER ANDERSEN: That I will support and  
18 defend.

19 IN UNISON: That I will support and defend.

20 COMMISSIONER ANDERSEN: The Constitutions of United  
21 States and the State of California.

22 IN UNISON: The Constitutions of the United States  
23 and the State of California.

24 COMMISSIONER ANDERSEN: Against all enemies.

25 IN UNISON: Against all enemies.



1 COMMISSIONER ANDERSEN: Foreign and domestic.

2 IN UNISON: Foreign and domestic.

3 COMMISSIONER ANDERSEN: That I will bear true faith.

4 IN UNISON: That I will bear true faith.

5 COMMISSIONER ANDERSEN: And allegiance to.

6 IN UNISON: An allegiance to.

7 COMMISSIONER ANDERSEN: The Constitutions.

8 IN UNISON: The Constitutions.

9 COMMISSIONER ANDERSEN: Of the United States.

10 IN UNISON: Of the United States.

11 COMMISSIONER ANDERSEN: And the State of California.

12 IN UNISON: And the State of California.

13 COMMISSIONER ANDERSEN: That I take this obligation  
14 freely.

15 IN UNISON: That I take this obligation freely.

16 COMMISSIONER ANDERSEN: Without any mental  
17 reservation.

18 IN UNISON: Without any mental reservation.

19 COMMISSIONER ANDERSEN: Or purpose of evasion.

20 IN UNISON: Or purpose of evasion.

21 COMMISSIONER ANDERSEN: And that I will well and  
22 faithfully.

23 IN UNISON: And that I will well and faithfully.

24 COMMISSIONER ANDERSEN: Discharge the duties upon  
25 which.





1 IN UNISON: Discharge the duties upon which.

2 COMMISSIONER ANDERSEN: I'm about to enter.

3 IN UNISON: I'm about to enter.

4 COMMISSIONER ANDERSEN: Congratulations.

5 MS. JOHNSTON: Thank you all very much. And if you  
6 would sign your oath of office, and send it to our office  
7 at your convenience. There's no rush on that.

8 Opening statements. Since six of you don't know the  
9 other eight of you at all, we may not always want to go  
10 alphabetically, but for this morning's ease, let's start  
11 by doing that.

12 Commissioner Ahmad, was there anything you'd like to  
13 say to begin the meeting?

14 COMMISSIONER AHMAD: Sure. Thank you for the floor.  
15 Welcome, everyone. I feel whole now that we are  
16 fourteen. There's no old Commission and new Commission.  
17 It's just one Commission. I'm really looking forward to  
18 working with everyone to achieve that common goal.

19 MS. JOHNSTON: Commissioner Akutagawa?

20 COMMISSIONER AKUTAGAWA: I'd like to say that it's a  
21 pleasure. I'm looking forward to working with all of  
22 you. This is important work, although I've been told  
23 it's unappreciated. And so I just want to just say that  
24 this is going to be something that I am looking much  
25 forward to.



1 MS. JOHNSTON: Well, we appreciate you.

2 Commissioner Andersen?

3 COMMISSIONER ANDERSEN: I'd just like to say  
4 welcome, and it's wonderful to not have my mask on and to  
5 see everyone's faces here and to actually be a full  
6 Commission. I really look forward to working with  
7 everyone.

8 MS. JOHNSTON: Commissioner Fornaciari?

9 COMMISSIONER FORNACIARI: Yeah. I -- it's great to  
10 see everyone. Welcome aboard. I'm glad we're all  
11 together and ready to get going. I'm looking forward to  
12 it.

13 MS. JOHNSTON: Commissioner Kennedy.

14 COMMISSIONER KENNEDY: Thank you. I'm going to  
15 break the chain and go for a little bit longer, so I  
16 would ask your patience. I'll try to be as brief as  
17 possible. Now that we're fourteen, I want to welcome our  
18 new colleagues and believe that we have succeeded in  
19 building a Commission that is reasonably representative  
20 of California's diversity. We're all fortunate to live  
21 in such a diverse state. I personally find it both  
22 intellectually and spiritually enriching.

23 Unfortunately, it would be impossible to fully  
24 reflect the diversity of our great state within a  
25 fourteen-member Commission. But what we can do, what



1 we're expected to do, is appreciate the full diversity of  
2 our state, think it out, engage with every community in  
3 the State. And as I said towards the close of the final  
4 meeting of the first eight Commissioners, we're not here  
5 to represent a specific population.

6 If that were the case, far too many Californians  
7 would indeed be excluded from the process of citizen  
8 redistricting. We will only succeed if we understand  
9 that each of us is here not so much to represent as we  
10 are to serve the entire population of California. We're  
11 all challenged by the current health crisis, but I trust  
12 that each of my colleagues is fully committed to doing  
13 everything we can within the time and technology  
14 available to us creatively to reach out beyond what the  
15 2010 Commission was able to achieve in the limited time  
16 that it had available.

17 We want to hear as many voices of our state as  
18 possible at every step in this process. But let's keep  
19 in mind another important objective, proving to those  
20 both inside and outside California who don't believe that  
21 a citizen-led process is the best way to draw lines, that  
22 we, the people of this great state, are indeed capable of  
23 working together for our common good, not elbowing each  
24 other out of the way.

25 I remain inspired by the wisdom and commitment of my



1 fellow Commissioners and hope that we can succeed in our  
2 ultimate task, just as we did in our selection of the  
3 final six Commissioners. Let's always seek to inspire  
4 participation in our input sessions, as Commissioner  
5 Taylor phrased it in his interview, and lift up the  
6 missing, as Commissioner Turner phrased it in her  
7 application. To me, those are two profoundly important  
8 elements to keep in mind as we move forward.

9 I know I have ideas that I'm looking forward to  
10 sharing now that we have the full Commission in place.  
11 But we're also looking to the public for ideas on how to  
12 maximize our contact with the many communities that make  
13 up this wonderful place called California. We'll also  
14 continue to depend on community leaders, whether formally  
15 seated at the table or participating through the various  
16 forms of public comment, to help ensure the success of  
17 the 2020 California Citizens Redistricting Commission, so  
18 that we do indeed serve as a positive model for the rest  
19 of the country.

20 Thank you for entrusting us with this critically  
21 important task. And please continue to share your  
22 thoughts with us as we move through the process. We're  
23 just getting started, just getting to know each other,  
24 and just understanding how we can best work together for  
25 the people of California. We may occasionally stumble,



1 but we're determined to do our best, and we count on the  
2 public to help us. Thank you.

3 MS. JOHNSTON: Thank you.

4 And I believe that Commissioner Fernandez has joined  
5 us now.

6 Kristian?

7 Commissioner Fernandez?

8 MR. MANOFF: Yes, she got audio.

9 MS. JOHNSTON: Commissioner Fernandez, if you can  
10 hear us, can you check your audio, see if you've muted  
11 yourself?

12 MR. VILLANUEVA: Actually, I just received a text  
13 that she was looking for the call-in number, if you could  
14 send that to her.

15 MR. MANOFF: (Indiscernible) number she's already  
16 (indiscernible).

17 MR. VILLANUEVA: Correct. And there were some  
18 issues with that. Otherwise I wouldn't have gotten a  
19 text.

20 MR. MANOFF: Okay. We've been calling her. So you  
21 know, I'm not sure what else I can do at this point.

22 MS. JOHNSTON: Has she even received the call-in  
23 numbers in case her --

24 MR. MANOFF: She's received all of them, yes. And  
25 our tech support is trying to contact her as well.



1 MS. JOHNSTON: Okay. Well, hopefully, she will join  
2 us soon then.

3 Commissioner Le Mons, pardon the interruption.

4 COMMISSIONER LE MONS: No worries. Good morning,  
5 everyone. Welcome to the additions to the Commission.  
6 I'm excited that you're all here, and I echo everything  
7 Commissioner Kennedy said. Well done.

8 MS. JOHNSTON: Commissioner Sadhwani?

9 COMMISSIONER SADHWANI: Thank you so much. Welcome  
10 to all. I'm very -- also very excited to be here, and I  
11 look forward to getting to know everyone better in the  
12 many months and years ahead of us. I echo everything  
13 Commissioner Kennedy said as well. This is only the  
14 second Citizens Redistricting Commission to be formed  
15 here in the State of California.

16 And I certainly echo the -- Commissioner Kennedy's  
17 words and confirm that we have an opportunity to show  
18 that the citizens can play an important role in  
19 redistricting and creating fair maps for our state and  
20 that this is a possibility for the future of our country  
21 as well. We have an enormous task in front of us,  
22 especially during these extraordinary times, and I look  
23 forward to working through this entire process.

24 MS. JOHNSTON: Commissioner Taylor. We're not  
25 hearing you, Commissioner Taylor. Commissioner Taylor,



1 could you unmute yourself, please? Oh, well --

2 COMMISSIONER TAYLOR: Can you hear me now?

3 MS. JOHNSTON: Yes. Wonderful.

4 COMMISSIONER TAYLOR: Good morning. Good morning.

5 No great points. Just look forward to the work. Look

6 forward to everyone. Hey.

7 MS. JOHNSTON: Commissioner Toledo?

8 COMMISSIONER TOLEDO: Just thank you for the warm  
9 welcome, and I look forward to working with each of you.  
10 Thank you.

11 MS. JOHNSTON: Commissioner Turner?

12 COMMISSIONER TURNER: Good morning, everyone. To  
13 all of my fellow Commissioners, I am elated that we are  
14 all now present and accounted for and ready to begin this  
15 journey that we have over the next several years. So I'd  
16 just like to say welcome to all. Good to see the others  
17 back. And I'm looking forward to our time together.

18 MS. JOHNSTON: Commissioners Sinay?

19 COMMISSIONERS SINAY: Good morning. I wrote down a  
20 few comments, too, so I didn't want to leave  
21 Commissioner Kennedy as the only one. First of all, I  
22 want to -- I do want to say you can call me [Pat-'ree-  
23 sia] or [Pa-'tri-sha], and it is Sinay. But whatever  
24 feels natural, I will try to respond to. It is an honor  
25 to serve California and all her people. Thank you to all



1 who served and participated in the 2010 Citizen  
2 Redistricting Commission. We will build on your  
3 foundation and success.

4 We may be the second Citizens Commission, and as  
5 others have said, we are the first to do this work during  
6 a pandemic. I invite us all to take advantage of the  
7 many opportunities that working during COVID-19 offers us  
8 to implement innovative and creative techniques and tools  
9 that promote inclusive and participatory democracy.  
10 Let's not look at this as a negative, but as a positive,  
11 because there's a lot we can do.

12 The People of California, as we have been told, and  
13 I believe we all agree on, is the fifteenth member of  
14 this Commission. Your input will be a critical piece of  
15 this big, big puzzle. I thank you for your past  
16 engagement, and I anticipate learning from you. Lastly,  
17 I want to say gracias to my kid and my family. Kids, we  
18 are doing this for you and for all kids' future. And  
19 again, just however you feel comfortable addressing me, I  
20 will respond. Thank you so much.

21 MS. JOHNSTON: Commissioner Vazquez.

22 COMMISSIONER VAZQUEZ: Hi. Thank you, everyone.  
23 I've also prepared some remarks. So we're in good  
24 company, Commissioner Kennedy and Commissioner Sinay. So  
25 Good morning, Commissioners, staff, and members of the





1 public. What an impressive group we have here today.  
2 Firstly, I would like to thank the Commission tasked with  
3 finalizing our composition. I'm excited to join a group  
4 of such thoughtful and committed public servants.

5 Redistricting is a core component of our  
6 representative democracy and one that I, like you all,  
7 and like every person and organization who participated  
8 in any way in the selection process, take especially  
9 seriously. Political representation, or lack thereof, is  
10 one of the more pernicious ways we have kept certain  
11 communities marginalized, and I'm proud to live and serve  
12 in a state that chose to lead progress toward a more just  
13 elections process by entrusting the boundaries of  
14 political representation to the people themselves, rather  
15 than continuing to entrench political power with those  
16 who already wield it.

17 The Commission as a body should be representative of  
18 the incredible diversity of our state, but I do not view  
19 myself as a representative of any one constituency.  
20 Rather, I view my role and our collective role as  
21 stewards of a process that is inclusive of all voices,  
22 perspectives, and lived experiences, mindful of the  
23 historical injustices communities of color have faced  
24 across California, and informed by all data available to  
25 us, both quantitative and qualitative.



1           My many identities certainly informed my perspective  
2 and sensitized me to the experiences of others, both like  
3 me and unlike me. So I look to my colleagues on the  
4 Commission and to the public to hold me accountable to a  
5 360-degree view of the tradeoffs we will inevitably face  
6 in drawing fair maps. And I welcome being called in to  
7 think more deeply about those tradeoffs.

8           I would also like to thank the State Auditor and her  
9 staff for the work that they've done to date in  
10 supporting the application, selection, and orientation of  
11 the Commission. The global pandemic hit just as their  
12 office was trying to convene in-person interviews and  
13 their nimbleness in adjusting to what has become our new  
14 virtual reality was impressive, especially for a State  
15 agency that specializes in standard operating procedures.

16           The pandemic has also impacted me personally and  
17 deepened my commitment to increasing political access. I  
18 became sick with COVID-19 in late March and have since  
19 developed complications that have severely limited my  
20 physical abilities and preclude any travel for the time  
21 being. I'm extremely privileged. I have access to the  
22 internet and devices that allow me to participate and  
23 lead in the redistricting process in spite of my illness  
24 and current disability.

25           Yes, there are nearly two million households without



1 internet access in California. The pandemic has not only  
2 made historically-marginalized communities harder to  
3 count in the census, but it also has the potential to  
4 limit the participation of poor and rural communities in  
5 our redistricting process. Having come from community  
6 organizing, I look forward to working with community-  
7 based organizations across the State as partners and  
8 collaborators to ensure that their community's voice is  
9 heard throughout this process and that simply being too  
10 poor to have internet or a computer with Zoom is not a  
11 barrier to political representation in the next ten  
12 years.

13 I'll wrap up by thanking the public for embarking on  
14 this process with us, and I look forward to the work  
15 ahead. Thank you.

16 MS. JOHNSTON: Commissioner Yee.

17 COMMISSIONER YEE: Good morning. And here I am in  
18 my home in Oakland. And it's -- my only regret today is  
19 that I can't be with you all in person. Here we are in  
20 the midst of a pandemic and another record-setting fire  
21 season and a stormy political season. And in the midst  
22 of all of that, it's so good to be part of something so  
23 constructive and so positive as this Commission is. So  
24 I'm just very grateful to be here, and I look forward to  
25 our work together. Thank you.



1 MS. JOHNSTON: Thank you.

2 And at this time, are there any public comments,  
3 Justin (ph.)?

4 PUBLIC COMMENT MODERATOR: And just a reminder,  
5 ladies and gentlemen, it is pressing 1, followed by 0, if  
6 you'd like to place yourself in the queue for public  
7 comment.

8 MR. VILLANUEVA: Do you want me to read it?

9 MS. JOHNSTON: Go ahead.

10 PUBLIC COMMENT MODERATOR: It looks like we do have  
11 a comment from the line of Anne O'Connor (ph.).

12 Your line is open.

13 MS. O'CONNOR: Good morning. My name's  
14 Anne O'Connor. Congratulations to all fourteen members  
15 of the first meeting. I heard about this meeting just  
16 this morning, and I wanted to make sure that we didn't  
17 miss this meeting. I'm one of the leaders, and I'm not  
18 sure that this is the meeting that I should be talking  
19 about. You can advise me.

20 I'm one of the leaders of an area of Sherman Oaks in  
21 Los Angeles, which won our renaming to Sherman Oaks from  
22 Van Nuys in July of 2009. We were able to attend the  
23 Redistricting Commission meetings in 2010 and '11 and  
24 advocated successfully to be added to the Councilman  
25 Ryu's district CD4. We had been in Wendy Greuel's



1 district CD2.

2 We wanted to be included as part of the greater  
3 Sherman Oaks district. However, the congressional  
4 district had already been redrawn, and we missed getting  
5 into Brad Sherman's District 30 with our greater Sherman  
6 Oaks partners. So after ten years, we would like to be  
7 added to Brad Sherman's District 30. Our boundaries are  
8 approximately Burbank Boulevard to Oxnard and 405 to  
9 Hazeltine. So I would appreciate your advice in next  
10 steps for us in moving our goals forward. Thank you very  
11 much.

12 MS. JOHNSTON: Thank you.

13 Any other public comments?

14 PUBLIC COMMENT MODERATOR: There are no other public  
15 comment at this time.

16 MS. JOHNSTON: Thank you.

17 All right. Moving to item 4, I'm sorry, item 3,  
18 which is the approval of the minutes of the first eight.  
19 And only the eight of you would participate in approving  
20 those minutes. And I understand there's already one  
21 correction from Commissioner Turner?

22 COMMISSIONER TURNER: Yes. Thank you, Madam Chair.  
23 In reviewing the notes, it appears that it reflects that  
24 I was late on August 7th and August -- 6th and August  
25 7th. And I believe I was only late to one of the



1 meetings.

2 MS. JOHNSTON: Do you recall which one it was? I  
3 wasn't here then.

4 COMMISSIONER TURNER: I am thinking it was perhaps  
5 the 6th. I believe it was the 6th.

6 COMMISSIONER KENNEDY: It was the 6th. I have it in  
7 my notes.

8 COMMISSIONER TURNER: Oh, great. Thank you.

9 MS. JOHNSTON: Okay. Any further corrections?

10 COMMISSIONER KENNEDY: Yes. On -- at the top of the  
11 first day, we have two vice chairs listed, so a vice  
12 chair needs to be removed from Commissioner Taylor's  
13 name. Then a couple of paragraphs down, where it's  
14 talking about discussing item 5, "Ms. Saxon also  
15 clarified that multiple slates could be considered at one  
16 time, but only one slate per Commissioner". And I would  
17 ask that we add there, at any time, because I believe  
18 that will help the public at some point in the future, if  
19 they're trying to follow what happened during the course  
20 of the meeting.

21 MR. VILLANUEVA: Commissioner Andersen (sic), excuse  
22 me, could you specify where in the document you are?  
23 Page number, paragraph number? And what would you like  
24 to change?

25 COMMISSIONER KENNEDY: We're still on the first

1 page. First page. "At 9:53 a.m., the Commission began  
2 discussing item 5".

3 MR. VILLANUEVA: Okay. And what would you like to  
4 change, please?

5 COMMISSIONER KENNEDY: Twenty-two, twenty-four --  
6 fifth line down, after "one slate per Commissioner", just  
7 add, at any time.

8 MR. VILLANUEVA: Thank you.

9 MS. JOHNSTON: Any further corrections?

10 COMMISSIONER KENNEDY: Yes. On the next page, page  
11 2, "At 11:55 Chair Andersen presented a draft slate".  
12 Mr. MacPhail's name is William Roy MacPhail. I don't  
13 know where Matthew came from.

14 MS. JOHNSTON: Did you get that?

15 Any further corrections?

16 COMMISSIONER KENNEDY: I'm checking. That's all I  
17 have.

18 MS. JOHNSTON: Anyone else?

19 Okay. Do you have the roll call for the first  
20 eight? You want me to call the first eight?

21 MR. VILLANUEVA: Oh, yeah, if you want to.

22 MS. JOHNSTON: Okay.

23 COMMISSIONER TAYLOR: I have a question.

24 MS. JOHNSTON: Yes.

25 COMMISSIONER TAYLOR: And I don't know if it would

1 have to be at the will of the first eight, but are we  
2 able to sort of add a small statement? I know I've seen  
3 it in other minutes. And just the start, a small  
4 statement after we elected a slate, that can read  
5 something such as, after vigorous debate and  
6 consideration of all options, respective of California's  
7 diversity, the Commission came to a consensus.

8 MS. JOHNSTON: I think that would take a motion,  
9 since it's not actually on the minutes; it's not a  
10 correction. Would you like to make a motion to that  
11 effect? Commissioner Taylor?

12 COMMISSIONER TAYLOR: I would. I would like to make  
13 a motion that after -- on page 10, let me see, after it  
14 says, "the motion passed unanimously", that the record  
15 reflect that it says, the Commission reached consensus  
16 after vigorous debate and consideration of all options  
17 respective of California's diversity. And I think that's  
18 just to put a record that we were inclusive and  
19 considered everyone in California.

20 MS. JOHNSTON: Did you get that, or do you need him  
21 to repeat it? Raul, do you need him to repeat it?

22 MR. VILLANUEVA: Yes, please.

23 MS. JOHNSTON: Please repeat it, Commissioner  
24 Taylor.

25 COMMISSIONER TAYLOR: It's the Commissioner (sic)





1 reached their consensus after vigorous debate and  
2 consideration of all options respective of California's  
3 diversity.

4 MS. JOHNSTON: Is there a second?

5 COMMISSIONER TURNER: I'll second the motion.

6 MS. JOHNSTON: Commissioner Turner seconds it. All  
7 right, let's vote first on that amendment.

8 Commissioner Ahmad?

9 COMMISSIONER SADHWANI: Oh, yes. Is it possible to  
10 have discussion first?

11 MS. JOHNSTON: Oh, I'm sorry. Of course.

12 COMMISSIONER SADHWANI: Yeah, I don't -- if I may, I  
13 don't have any problems adding it. I do just kind of  
14 feel like it adds some additional perspective, as opposed  
15 to simply stating the minutes -- simply stating the facts  
16 of the -- of the meeting. I don't personally have a  
17 problem with that, Commissioner Taylor. I actually like  
18 it.

19 But I don't know how others feel, and so I --  
20 because it does fit the idea of vigorous debate that  
21 begins to get an impression of the debate as to the fact  
22 that there was simply -- factually that there was debate.  
23 So I just put that out there for folks to think about  
24 before we engage in changing the minutes in this way.

25 My only concern is that if this becomes common



1 practice, then we can, you know, it opens the door to  
2 potentially changing the minutes to -- in, you know, to  
3 describe various kinds of emotions and such things in the  
4 future. And I don't know how we feel about that.

5 MS. JOHNSTON: Just a point of clarification.  
6 Probably when the full Commission meets, there will not  
7 be separate minutes kept. The record of the meeting will  
8 be the video that's recorded and posted on the website.  
9 So the record will be the video itself. Any other  
10 comments from the first eight?

11 Any public comments, Justin?

12 PUBLIC COMMENT MODERATOR: Just a reminder, press 1  
13 then 0 to place yourself in queue for us.

14 At this time, we have no one queuing by phone.

15 MS. JOHNSTON: Okay. Unless there's any further  
16 comment, I will do a vote first on the motion by  
17 Commissioner Taylor.

18 Commissioner Ahmad.

19 COMMISSIONER AHMAD: Yes.

20 MS. JOHNSTON: Commissioner Andersen.

21 COMMISSIONER ANDERSEN: Yes.

22 MS. JOHNSTON: Commissioner Fornaciari.

23 COMMISSIONER FORNACIARI: Yes.

24 MS. JOHNSTON: Commissioner Kennedy.

25 COMMISSIONER KENNEDY: Present.



1 MS. JOHNSTON: Commissioner Le Mons.

2 COMMISSIONER LE MONS: Yes.

3 MS. JOHNSTON: Commissioner Sadhwani.

4 COMMISSIONER SADHWANI: Yes.

5 MS. JOHNSTON: Commissioner Taylor.

6 COMMISSIONER TAYLOR: Yes.

7 MS. JOHNSTON: Commissioner Turner.

8 COMMISSIONER TURNER: Yes.

9 MS. JOHNSTON: Okay. That amendment passes. Now, a  
10 vote on the minutes as amended.

11 Commissioner Ahmad.

12 COMMISSIONER AHMAD: Yes.

13 MR. VILLANUEVA: Don't you have to make a motion  
14 to --

15 MS. JOHNSTON: There would be a motion. I'm sorry.

16 A motion to approve the minutes as amended.

17 COMMISSIONER TURNER: I can move that.

18 COMMISSIONER AHMAD: I'll second. Oh.

19 MS. JOHNSTON: Who moved it?

20 COMMISSIONER TURNER: I'll move that the motion be  
21 approved as amended with all of the corrections.

22 MS. JOHNSTON: And who seconded it?

23 COMMISSIONER AHMAD: I did.

24 MS. JOHNSTON: Commissioner --

25 COMMISSIONER AHMAD: Commissioner Ahmad.



1 MS. JOHNSTON: -- Ahmad. Now we'll do it. I  
2 apologize for my lack of familiarity with the procedures,  
3 but soon there'll be one of you.

4 Commissioner Ahmad.

5 COMMISSIONER AHMAD: Yes.

6 MS. JOHNSTON: Commissioner Andersen.

7 COMMISSIONER ANDERSEN: Yes.

8 MS. JOHNSTON: Commissioner Fornaciari.

9 COMMISSIONER FORNACIARI: Yes.

10 MS. JOHNSTON: Commissioner Kennedy.

11 COMMISSIONER KENNEDY: Yes.

12 MS. JOHNSTON: Commissioner Le Mons.

13 COMMISSIONER LE MONS: Yes.

14 MS. JOHNSTON: Commissioner Sadhwani.

15 COMMISSIONER SADHWANI: Yes.

16 MS. JOHNSTON: Commissioner Taylor.

17 COMMISSIONER TAYLOR: Yes.

18 MS. JOHNSTON: Commissioner Turner?

19 COMMISSIONER TURNER: Yes.

20 MS. JOHNSTON: Thank you.

21 All right. Turning to your item 5, which is a vote  
22 on the chair and vice chair. First of all, to let you  
23 know that there are special rules that apply to this  
24 vote. First of all, the law requires that there be three  
25 from each group -- each subgroup that supports any vote

1 on a chair or vice chair.

2 COMMISSIONER ANDERSEN: I can -- Madam -- well,  
3 Madam -- I would say Madam Chair, but -- I know  
4 introduced yourselves to the eight of us. I don't know  
5 if all six of the new Commissioners were present. And  
6 item number 4 is actually introducing yourselves to us,  
7 so I --

8 MS. JOHNSTON: Thank you.

9 COMMISSIONER ANDERSEN: -- don't know if you want to  
10 give a little bit intro for the six, please.

11 MS. JOHNSTON: Certainly. I am Marian Johnston. I  
12 was counsel for the 2010 Commission and served during the  
13 past ten years doing things that came up, such as an  
14 amicus brief in the Arizona case and response to the  
15 Legislature v. Padilla case on extending the time for the  
16 Commission. I've been asked by the State Auditor to  
17 represent you as your counsel in this interim time, and  
18 whether or not I continue will be up to you.

19 I'm not applying to be the chief counsel, but I  
20 would be willing to serve as an R.A. Would anyone like  
21 to hear anything more about my background?

22 Seeing none, Raul, why don't you introduce yourself?

23 MR. VILLANUEVA: Good morning, Commissioners. My  
24 name is Raul Villanueva, and I've been working with the  
25 auditor's office. I'm the former office manager for the



1 2010 Commission, and I guess they brought me back to get  
2 the operations rolling. You've probably seen a lot of my  
3 emails in the last few days, and so hopefully my  
4 responses to you have been, you know, helpful.

5 MS. JOHNSTON: Anything further, questions people  
6 have of Raul?

7 Thank you, Commissioner Andersen.

8 All right. Now turning to item 5, which is the  
9 election of the chair and vice chair. Under the rules  
10 that govern you all, two special rules. One, the chair  
11 and vice chair must be of different subgroups. So if one  
12 is a Republican, the other has to be a Democrat or an  
13 other, and so on for all the other categories.

14 Secondly, you need at least three votes from each  
15 group. And we call this a special vote, and it applies  
16 not only to the chair and vice chair, but in two other  
17 situations. One, in hiring your employees, and secondly,  
18 in approving your final maps. So -- but for this, we do  
19 need the special vote of three from each of the  
20 subgroups.

21 And we'll be governed by Robert's Rule of Order,  
22 Section 14 -- Chapter 14, Section 46. I will call for  
23 nominations from the floor. No seconds are required.  
24 You can nominate yourself or anyone else.

25 Yes, Commissioner Kennedy.



1           COMMISSIONER KENNEDY: Well, go ahead and finish  
2 what you're about -- what you were in the process of  
3 saying, and then I'll come in.

4           MS. JOHNSTON: Once there are no further nominations  
5 from the floor, the nominations will be closed, and we'll  
6 have a vote. We'll vote by voice vote and as many times  
7 as necessary to get the required three, three, and three  
8 minimum to elect a chair. Then we'll repeat the same  
9 process for the vice chair, which, again, must be of  
10 another subgroup from whoever is elected chair.

11           Yes, Commissioner Kennedy?

12           COMMISSIONER KENNEDY: Two things. One, this -- and  
13 I think we've had this discussion before. Either that,  
14 or it was something brought up by the previous  
15 Commission. It just feels rushed. I mean, we don't know  
16 each other. And electing someone chair and vice chair at  
17 this point just seems amazingly rushed.

18           I take the 2010 Commission's recommendation of a  
19 rotating chair generally positively, although I would  
20 propose that we rotate somewhat less frequently, because  
21 I think it would assist us in maintaining accountability,  
22 particularly as far as the Commission channeling  
23 instructions to the executive director through the Chair,  
24 which has been the practice on commissions that I've been  
25 involved in.

1           So my suggestion, and it's not yet a motion, because  
2 I guess I need counsel's input on this. My suggestion is  
3 that we retain our current temporary chair and vice chair  
4 through the end of September. That would basically be  
5 for one quarter, July and August, September, and that we,  
6 before the end of September, elect chair and vice chair  
7 for the following quarter and that we continue to rotate  
8 on a quarterly basis.

9           MS. JOHNSTON: Thank you. I don't think you can  
10 continue the same, because it was not elected by the full  
11 Commission and doesn't have the three, three, and three  
12 requirements. But you certainly could nominate the same  
13 people to serve for that extended time. As to the term  
14 of office, I suggest that we save that for a discussion  
15 at the next meeting when you all have a chance to work  
16 with each other a little bit.

17           We do need a decision today, if possible, on a chair  
18 and vice chair just for our working relationship and  
19 being able to make certain decisions that have to be made  
20 by the officers of the Commission.

21           Yes, Commissioner?

22           COMMISSIONER SINAY: And I just wanted to add that  
23 even before I had read any of the documents, and I was --  
24 I really appreciated that during the selection process,  
25 they used a rotating chair. And I understand there were



1 only three. But a rotating chair, I remember hearing you  
2 all ask who has experience and who doesn't have  
3 experience chairing. And hopefully by the end of this,  
4 we all have all experiences, and it allows us to reflect  
5 the community that's there.

6 And other -- also a chair is a facilitator, is --  
7 and so they can't necessarily participate as much. And  
8 it allows us to participate -- kind of share in the --  
9 when we participate and when we facilitate. So I would  
10 really like us to consider doing that rotating chairs.  
11 And I liked how they have three set up, so you already  
12 knew who the -- you know, there was a -- the way they had  
13 done it before was one from each category and they  
14 rotated.

15 I understand there's standard operating procedures,  
16 and there's Robert's Rules, but it is our opportunity --  
17 you know, there are -- some things are written in stone  
18 and -- and are done that way because that's the way they  
19 are done traditionally. And others we can actually  
20 influence and reflect the participatory democracy that  
21 we're looking for.

22 MS. JOHNSTON: And on that, I think that if you wish  
23 to impose the term limits and do the rotating chair at  
24 this time, you could make a motion to that effect.

25 Yes? I saw Commissioner Akutagawa.

1           COMMISSIONER AKUTAGAWA: Yeah. So I -- I'd like to  
2 also support that, that idea of the rotating chair and  
3 vice chair. When I read through the previous  
4 Commission's report, I took that part very seriously, in  
5 the sense that there were a number of positive benefits  
6 that I think would be brought upon the Commission and  
7 also, I think all of us as a body as well, to be able  
8 to -- to rotate that that that leadership role.

9           I also like the idea of what Commissioner Sinay also  
10 said about having something in advance similar to what  
11 the other Commission did as well too, so that we were  
12 also better prepared to also anticipate when our turn  
13 will also come up as well too. I notice that they're  
14 doing the rotation. Each person at some point had more  
15 than one opportunity to -- to the chair and the vice  
16 chair.

17           I think that that was -- that was also good. I will  
18 say that I'm not necessarily committed to deciding today  
19 what those terms are. But I'd like to hear what others  
20 may think about. I feel like I'd like to know a little  
21 bit more information before we actually set up some type  
22 of cadence. But I am also hearing what you said about  
23 just from a process point of view.

24           I'm also perfectly comfortable renominating the  
25 current chair and vice chair to start us off, since

1 they've already been in this role. And it'll give  
2 potentially the rest of us some time to just get our --  
3 get our kind of feet solid, so.

4 MS. JOHNSTON: Any other Commissioners?  
5 Commissioner Yee?

6 COMMISSIONER YEE: Yes. As -- seeing reviews and  
7 reports from the 2010 Commission, it seems like the  
8 rotating chair is routinely cited as a positive aspect of  
9 their work. And it just -- it's good optics. It's good  
10 practice. It seems like a good idea, even though there  
11 may be some costs to continuity and so on.

12 If it would help, so thinking about this last night,  
13 I thought, well, what if we just rotated through  
14 alphabetically, alternating the parties? And I actually  
15 set out a rotation, which I've shared with you in Google  
16 Drive. And Commissioner Andersen, conveniently, is  
17 actually the first alphabetically Republican. And so  
18 that rotation starts off smoothly.

19 So in such a rotation, Commissioner Kennedy would  
20 come next, then, as alphabetically the first Democrat,  
21 with Commissioner Ahmad first no party preference, and  
22 then -- and so on and so on. So if that would help. It  
23 doesn't set any particular timing, but it gets all of  
24 fourteen of us paired up in order, chair and vice chair,  
25 by alphabetical order and party.

1 MS. JOHNSTON: The one question I would have about  
2 that, it certainly would be appropriate to making a  
3 motion that effect. But I am not -- we should make sure  
4 that all Commissioners would like to serve as chair or  
5 vice chair.

6 COMMISSIONER YEE: Sure. Absolutely.

7 MS. JOHNSTON: In the last Commission not everyone  
8 wished to do that. But certainly for everyone who wishes  
9 to, we could set up something like that chair.

10 COMMISSIONER YEE: Sure.

11 MS. JOHNSTON: Yes? Commissioner Sinay?

12 COMMISSIONER SINAY: Just a real small point, but  
13 I -- I don't want the public to think that we don't know  
14 how to put things in alphabetical order. I've been put  
15 after the Ts, though Sinay would fit after it would be in  
16 the Ss. And --

17 COMMISSIONER YEE: That's correct. But since we  
18 have to go by party --

19 COMMISSIONER SINAY: No, no, no. I understand  
20 for -- oh, for all -- but the -- but the list, when we do  
21 the alphabetical order. Not for you. I'm not critiquing  
22 what you were saying, just when the -- when we do roll  
23 call and such.

24 COMMISSIONER YEE: Oh, yeah.

25 COMMISSIONER SINAY: I keep coming up --



1 MS. JOHNSTON: Oh, you're right.

2 COMMISSIONER SINAY: -- after the Ts.

3 COMMISSIONER YEE: That's very good.

4 MS. JOHNSTON: I think that's because of being added  
5 later. I apologize for that. You certainly are correct.  
6 Are there any Commissioners -- well, I feel uncomfortable  
7 not -- asking people in public to say if they don't wish  
8 to serve as a chair. So what I would suggest is that we  
9 ask for a motion to appoint people for this -- until the  
10 next meeting as chair and vice chair.

11 And then if anyone is not willing to serve as the  
12 chair vice chair, they contact either Raul or myself  
13 before then, and we would then take Commissioner Yee's  
14 list and modify it as necessary, if anyone wishes to be  
15 excluded.

16 COMMISSIONER VAZQUEZ: And just to clarify, when you  
17 say this meeting, it's then over the next five days.

18 MS. JOHNSTON: Correct?

19 COMMISSIONER VAZQUEZ: -- for when we --

20 MS. JOHNSTON: Correct.

21 COMMISSIONER VAZQUEZ: -- officially adjourn. Got  
22 it.

23 COMMISSIONER AKUTAGAWA: I also want to just -- what  
24 Commissioner Sinay also got me thinking too, I -- I'm --  
25 I'm going to say that I think in this kind of environment



1 that we're in, it's hyper-partisan. I also want to  
2 suggest that instead of saying we're going to go with a  
3 Republican first, then a Democrat, then -- then either  
4 nonaffiliated or nonpartisan, independent, whatever word  
5 you want to use for the no party preference.

6 I suggest maybe for the ease of also ensuring that  
7 there's no accusations of being partisan, that we go in  
8 alphabetical order and that we start with the Democrat,  
9 no party preference, and then Republican in that order,  
10 in terms of what the rotation is going to be, if that's  
11 what we're going to do.

12 I'm not saying that that's what we have to do, but  
13 that's just from a process point of view, I would suggest  
14 that just to ease any other kinds of concerns that could  
15 come up in terms of why is the Republican going first,  
16 why is the Democrat going first, et cetera.

17 MS. JOHNSTON: Any other Commissioners have  
18 comments?

19 Any public --

20 COMMISSIONER AHMAD: I do have a question.

21 MS. JOHNSTON: Oh, Commissioner Ahmad?

22 COMMISSIONER AHMAD: So for the process point, if we  
23 are selecting a chair and vice chair for this particular  
24 meeting, would we revisit and go through this process  
25 again at the start of the next meeting?

1 MS. JOHNSTON: Well, which would be -- the next  
2 noticed meeting, not for the -- not for this series of  
3 days. The next meeting.

4 COMMISSIONER AHMAD: Right. Right. The next  
5 noticed meeting.

6 MS. JOHNSTON: Well, by that time, I would hope that  
7 the Chair would appoint a nominating committee of two  
8 people who could work on coming up with a proposal that  
9 would be submitted to you all as a proposed plan of  
10 rotation.

11 COMMISSIONER AHMAD: Right. Got it.

12 MS. JOHNSTON: Any other public -- comments from the  
13 Commissioners?

14 Any public comments?

15 MS. JOHNSTON: Oh, Commissioner --

16 COMMISSIONER SADHWANI: Sadhwani.

17 MS. JOHNSTON: Sadhwani.

18 COMMISSIONER SADHWANI: Thank you. Yeah, I  
19 definitely support this conversation. I really love the  
20 idea of the rotating chairs. I think -- just going back  
21 to Commissioner Kennedy's perspective here. I hear you  
22 on the quarterly, but I also recognize that the bulk of  
23 our work is going to be done within the first year and a  
24 half. And therefore, I think having those rotating  
25 chairs, as the previous Commission had, at least until

1 the maps are done, what might make sense for us at this  
2 point in time. And then perhaps afterwards for the  
3 following eight years or however long it is that's left,  
4 then we might move probably year to year to year, like  
5 that.

6 It sounds like we have multiple things happening  
7 here at -- all at one time. We're discussing what our  
8 plan will be moving forward as well as today. I -- you  
9 know, it -- it sounds to me from counsel like you're  
10 pushing us to choose someone for today. I hear you. You  
11 know, and then that a nominating committee might be --  
12 might be happening, or it sounds like we might also  
13 already be agreeing to this idea of rotating chairs using  
14 some form of alphabetical order.

15 So I just want to clarify where exactly we're at,  
16 because I think we're conflating the two. At least I  
17 feel like we're conflating the two a little bit. It  
18 sounds to me like what we are saying is that what we need  
19 to choose a chair and vice chair for today. Some of that  
20 conversation has been coming back to, perhaps we choose  
21 alphabetically, and that would put Commissioner Andersen  
22 back in the -- in the seat of chairing again.

23 I don't know if she wants that seat. She did a  
24 wonderful, marvelous job before. But I think that's a  
25 question for Commissioner Andersen as well. And I would



1 certainly respect if she wouldn't want to decline on  
2 that. She certainly oversaw quite a many days of  
3 Commission meetings. So I think having the conversation  
4 more about what we do today would be helpful.

5 And I like the idea -- I didn't realize that this  
6 was the plan, but I like the idea that we would have a  
7 nominating committee and that one of the first orders of  
8 agenda would be identifying those rotating chairs or  
9 however we want to -- to proceed forward at the next  
10 meeting. Thank you.

11 MS. JOHNSTON: That is just a suggestion. You  
12 certainly could go ahead and do the full thing today if  
13 you wish to.

14 COMMISSIONER SADHWANI: Right.

15 MS. JOHNSTON: Commissioner Le Mons.

16 COMMISSIONER LE MONS: Yeah, I wanted to clarify  
17 something, because I understood this a little bit  
18 differently. I think Commissioner Yee was simply saying  
19 that, in the spirit of if we wanted to continue with the  
20 previous chair, that Commissioner Andersen, by alphabet,  
21 would be the first of the Republicans. And if we were  
22 doing it by party separation, then that would be possible  
23 with the cadence and formula or process he was using.

24 Actually, Commissioner Andersen would not be the  
25 first by sheer alphabetical order. She actually would be

1 third. So I just wanted to make that distinction -- not,  
2 you know, of course, whether she wants to or not, and all  
3 that remains the same. But I just heard what  
4 Commissioner Yee was saying a little bit differently, and  
5 I think we kind of went off on a path like we were  
6 insisting that Commissioner Andersen would be the person.

7 Actually, I believe Commissioner Ahmad would  
8 actually be the first person, followed by  
9 Commissioner Akutagawa. So I just wanted to make that  
10 clarification.

11 MS. JOHNSTON: Thank you. Any further comments from  
12 the Commissioners? Any public comment?

13 Oh, Commissioner Yee.

14 COMMISSIONER YEE: Yes. Thank you for that  
15 clarification.

16 That's correct. I started with Commissioner  
17 Andersen just because she happened to be the interim  
18 chair for the first eight. And in the proposed rotation  
19 document that I put out, I just -- I, you know, I would  
20 love to have her back. She did a great job. But just  
21 assuming that she wanted to rotate off, then starting  
22 with the first alphabetically, the first Democrat,  
23 although we could, you know, change that to make it first  
24 no party preference to be the -- the next chair as well.  
25 You know, and just go in that rotation just to change

1 that a little bit. But either way, just alphabetically.

2 MS. JOHNSTON: Commissioner Sinay?

3 COMMISSIONER YEE: Yeah.

4 MS. JOHNSTON: Commissioner Sinay?

5 COMMISSIONER SINAY: And I just wanted to clarify.  
6 I believe what I had said, and I think this is what  
7 Commissioner Yee did, was we have to look at all three  
8 subgroups. And when we do the rotating chairs, have one  
9 person kind of up front from each of the three subgroups,  
10 and then you rotate and then you add someone on the back  
11 every time.

12 So the three that -- that Commissioner Le Mons  
13 mentioned, yes, they're alphabetically top three, but two  
14 of them are no party preference. So we would need to  
15 go -- go to the next person in alphabetical order that's  
16 actually a Democrat. So that's what -- that's how  
17 Commissioner Yee came up with the list that he came up  
18 with.

19 MS. JOHNSTON: Any --

20 COMMISSIONER SINAY: It's a Rubik's cube.

21 MS. JOHNSTON: Any other commissioners? Did someone  
22 almost speak?

23 COMMISSIONER ANDERSEN: Commissioner Andersen here.

24 MS. JOHNSTON: Yes?

25 COMMISSIONER ANDERSEN: Yes. So since I, you know,



1 my name's been coming up here, and you know, do I really  
2 want to do this again? It was -- it's been a privilege  
3 and an honor. As Commissioner Sinay said, it does  
4 dominate your part of the meeting. You don't have --  
5 as -- as the chair, I mean, there's good and bad. You  
6 get to put your opinions in, but you do not get to sit  
7 back, contemplate, and really participate in the  
8 discussions as well. Because there is, particularly --  
9 well, this is with the eight.

10       You know, we didn't have an executive director. We  
11 had a counsel and then me. So there's a lot of  
12 administrative things that I end up doing, and it did  
13 cause confusion at times. And it -- because people were  
14 there, and I -- that's -- that is one of the reasons why  
15 I did go to Sacramento every single day. Because it  
16 really, really helped facilitate the meeting.

17       You know, because you have to deal with the court  
18 reporter. You have to deal with all these different  
19 things. Having an executive director, however, will  
20 change that. The executive director can do quite a bit  
21 of that as well as the -- counsel will be there. So it  
22 isn't quite as much administrative, but there is a fair  
23 amount of administrative.

24       That said, I agree with Commissioner -- I do like  
25 the rotation. I think it is a good idea, although I also

1 agree with Commissioner Kennedy in that a time frame, or  
2 like, the way we have it right now, set up with a meeting  
3 and a person is chair for the entire meeting, however  
4 many days that includes. If it's still the same type of  
5 items, it would make sense to have the chair continue.  
6 So I do think at this time -- and again, for  
7 administrative purposes, we need to have a chair or vice  
8 chair for today for this meeting.

9       So a nominating committee would probably be a very  
10 good idea. I do like the rotation schedule. Now, that  
11 said, I'm more than willing to step down. And I was  
12 going to say that since the Republican did that first, I  
13 also think it would be appropriate that -- and -- and my  
14 vice chair was Ms. Turner -- Commissioner Turner, a  
15 Democrat, that I do believe a -- and also the Democrats  
16 are the largest party in our state.

17       I was going to, you know, if it panned out that I  
18 was probably going to nominate a Democrat. And so I --  
19 that's kind of, I would think, it would not be a  
20 Republican chair right now. It would switch. But again,  
21 it should be who would like to do this job? I just want  
22 to give people a little head's up on what's involved with  
23 it before we walk into that.

24       And so I don't mean to say, you know, that  
25 Republicans, sorry, you can't do this. You can't -- I --

1 of course, you certainly could. But those are my two  
2 cents, for what that's worth.

3 MS. JOHNSTON: Thank you.

4 Any other Commissioners?

5 Yes, Commissioner Akutagawa?

6 COMMISSIONER AKUTAGAWA: Just from a process point  
7 of view, if I can make a suggestion, maybe two  
8 suggestions. One is either we just for the purposes of  
9 this meeting, we go forward with Commissioner Andersen  
10 and Commissioner Turner as the chair and vice chair. The  
11 other option is as Commissioner Andersen had just said,  
12 as vice chair, it seems to make sense that then  
13 Commissioner Turner would then be moved up to the chair  
14 position since she was in that role. And in a sense,  
15 that's typically what a vice chair is -- is there for is  
16 to be then the next person in line for the chair.

17 And then if Commissioner Turner is then elevated to  
18 the chair, for the vice chair, we put in somebody who's a  
19 no party preference and then I think then we just  
20 continue the rotation after that. So two kinds of  
21 things -- two suggestions that I have here.

22 MS. JOHNSTON: Any other Commissioners?

23 Justin, is there any public comment?

24 PUBLIC COMMENT MODERATOR: Yes, we do have public  
25 comment from the line of Anne Coat. If you would please



1 spell your name for the reporter.

2 MR. VILLANUEVA: You should probably read the  
3 instructions.

4 PUBLIC COMMENT MODERATOR: Your line is open.

5 MR. VILLANUEVA: Do it next time.

6 MS. COAT: Hi. Thank you very much. My name Anne  
7 Coates, A-N-N-E, C-O-A-T. I have a question about, I  
8 guess, the limits and the opportunities and Bagley-Keane,  
9 particularly with the wonderful work that Commissioner  
10 Yee did and shared with you on the Google Drive, that  
11 unfortunately the public doesn't have access to. And so  
12 it does seem like a small, trivial thing.

13 And if we were all in the room, it could perhaps be  
14 shared on the screen, and the public could also see that.  
15 And so maybe an option is to have a screen that is  
16 available to us. And I realize that it's just, like, a  
17 list of alphabetical names, but I wanted to early on  
18 point this out. I may be wrong in my interpretation, but  
19 my understanding from the last meetings was that anything  
20 that was sort of presented and that the Commissioners had  
21 on their screens should be available to the public. And  
22 I'm open on -- to if I've made an error.

23 MS. JOHNSTON: No, that is correct.

24 MS. COAT: Thank you.

25 MS. JOHNSTON: And if we were to go with



1 Commissioner Yee's announcement, we would have to make  
2 sure, one, that it has public -- access to a public, and  
3 two he could read it out loud.

4 MS. COAT: Right. And so would it be possible to  
5 have a screen available for things? Because in this  
6 collaborative world, like, I respect what Commissioner  
7 Yee has done. I just want to be able to see it as well.

8 MS. JOHNSTON: Of course.

9 COMMISSIONER ANDERSEN: Just for clarification, I  
10 don't see it. I haven't -- I don't believe we have.  
11 That has not been shared with anyone, so.

12 COMMISSIONER AKUTAGAWA: Yeah, I haven't seen it  
13 either.

14 MS. COAT: Okay. That's -- that's wonderful. Yee  
15 said that he had shared it. And so that was really the  
16 only reason for my call. And I don't -- I don't want to  
17 be a burden or a complainer, but I just -- I wanted to  
18 clarify and -- and get advice on Bagley-Keane if needed.  
19 Thank you so much.

20 COMMISSIONER YEE: That's an excellent comment. And  
21 yeah, as we get started, it's great to learn -- start  
22 practicing best practices in terms of sharing things.  
23 I'm just not quite sure what the procedure is. I shared  
24 it on Google Drive, just so that it would be easily  
25 accessible if it came up for discussion. I could share





1 screen, but I don't know how to introduce it as a, you  
2 know, as an official document for the Commission.

3 MS. JOHNSTON: The normal procedure would be to  
4 provide it to staff, and they would have that posted as a  
5 document with the other documents that are posted for the  
6 meeting.

7 COMMISSIONER YEE: Okay. So I -- I shared it with  
8 the whole Commission on Google Drive. Does staff have  
9 access to that?

10 MS. JOHNSTON: I -- I don't.

11 MR. VILLANUEVA: No, not yet.

12 MS. JOHNSTON: No, we don't.

13 COMMISSIONER YEE: Okay. I mean, I could share  
14 screen right now, but I don't know if --

15 MR. VILLANUEVA: No.

16 COMMISSIONER YEE: -- that's really useful.

17 MS. JOHNSTON: That really wouldn't be legible.

18 COMMISSIONER YEE: Yeah. I should -- I'll say just  
19 on Commissioner Akutagawa's point, yes, it would be --  
20 make a lot of sense to simply rotate that -- rotate up to  
21 the -- the vice chair, Commissioner Turner. However, if  
22 we do want to go with the alphabetical rotation, so that  
23 we can say that's how the rotation was set up, we would  
24 need to start with, let's see, it would be Commissioner  
25 Kennedy as Democrat new chair and Commissioner Ahmad as

1 the vice chair.

2 That would be the strictly alphabetical way to  
3 started with the rotation, if we chose to do so.

4 MS. JOHNSTON: And does your proposed rotation take  
5 into account that there are only four of the others and  
6 five of Democrats and Republicans?

7 COMMISSIONER YEE: Yes, it does.

8 MS. JOHNSTON: Okay. Commissioner Le Mons?

9 COMMISSIONER LE MONS: Yes. I wanted to thank the  
10 caller for the public comment, first off. I thought the  
11 same thing when Commissioner Yee said that he had shared  
12 it on Google Drive. I haven't seen it. I don't -- we  
13 weren't instructed on how to access it, so I personally  
14 haven't seen it. I do think that this is a good  
15 opportunity for us to be very careful about how we move  
16 forward and not take actions without checking in with our  
17 counsel and our administrators, just if we could do that  
18 as a group, decide that -- you know commit to that,  
19 because I think this is a -- some of us are more  
20 experienced than others with Bagley-Keene and other  
21 things. So this way we just don't get ourselves into  
22 tricky waters unnecessarily. So that's on that point.

23 And then as it relates to the discussion, I think  
24 that there is a few options that have been presented.  
25 I'd like to suggest that we make this a topic in our next

1 meeting and get to the business of choosing a chair  
2 today. I think we can always pivot with Commissioner  
3 Yee's proposal. If it looks ninety-nine percent like he  
4 proposed it, we could probably live with it. So we don't  
5 have to be strict to, it has to be alphabetical starting  
6 at A. It could be alphabetical starting at T. And then  
7 continue through Z and get to A.

8 But anyway, I think we can figure that part out. I  
9 think there's been a lot of good suggestions. You know  
10 me, I like to comment more. If we can move along, kind  
11 of thing, and choose a chair, and then this -- however  
12 we're going to go about that next process is agendize  
13 that. And then we can be prepared too to have whatever  
14 discussions we want to have, and the public will be  
15 aware, and all that good stuff. So that's my two cents.

16 MS. JOHNSTON: Commissioner Sinay? Commissioner  
17 Sinay, did you have a comment?

18 COMMISSIONER SINAY: Yes, I did. I'm sorry, I  
19 couldn't unmute. I would like to propose a motion for  
20 our chair, vice chair, and the third seat, the third  
21 rotating, based on all the conversations that's been had;  
22 if that's okay?

23 MS. JOHNSTON: Yes.

24 COMMISSIONER SINAY: I would like to -- Commissioner  
25 Turner for chair. Commissioner Ahmad for vice chair, and



1 Commissioner Fernandez for the third chair, whatever we  
2 call it.

3 MS. JOHNSTON: With the -- if I understand you  
4 correct --

5 COMMISSIONER SINAY: Rotating in line.

6 MS. JOHNSTON: -- Ahmad would become chair at the  
7 following meeting, and the third person would become --  
8 I'm sorry, who was the third person?

9 COMMISSIONER SINAY: Fernandez.

10 MS. JOHNSTON: Would become the vice chair at that  
11 meeting and then move on up?

12 COMMISSIONER SINAY: Um-hum.

13 MS. JOHNSTON: Is there a second to that motion?

14 COMMISSIONER AKUTAGAWA: I second it. This is --

15 MS. JOHNSTON: Who is that?

16 COMMISSIONER AKUTAGAWA: -- Commissioner Akutagawa.

17 MS. JOHNSTON: We need to turn to public comment.

18 Raul, do you want to read the instructions for  
19 public comment?

20 MR. VILLANUEVA: Yes, I would.

21 COMMISSIONER SADHWANI: I think we can have comment  
22 from Commissioners --

23 MS. JOHNSTON: I'm sorry. I didn't know there was  
24 more comment. Yes, please, go ahead.

25 COMMISSIONER SADHWANI: Thank you, Commissioner

1 Sinay. And I very much appreciate this. I fully support  
2 Commissioner Turner and Commissioner Ahmad as our chair  
3 and cochair. My only question is, do we have any update  
4 on Commissioner Fernandez, if she is on the phone? I  
5 just don't -- I have no problem with having her be in  
6 that third spot. I just wanted an update if she's here.  
7 If she has any reservations, I would certainly want to  
8 hear them first. And I just wasn't sure where we're at  
9 with having her on there, but otherwise I perfectly  
10 support the motion.

11 MR. MANOFF: Commissioners, this is --

12 MS. JOHNSTON: Wait. Commissioner -- Kristian?

13 MR. MANOFF: This is Kristian Manoff, the  
14 videographer. We have made multiple attempts to contact  
15 Commissioner Fernandez and have not gotten a response at  
16 this time, by email or phone.

17 MS. JOHNSTON: You could amend the motion so that  
18 you don't include Fernandez at this time. That can  
19 always be added at the next meeting when it would be --  
20 yes, Commissioner Le Mons?

21 COMMISSIONER LE MONS: I'd like to recommend to  
22 Commissioner Sinay to amend the motion to not include the  
23 third position, and also not include the frequency.

24 MS. JOHNSTON: Do you accept that amendment? Yes,  
25 she accepts. All right.



1           COMMISSIONER LE MONS: And then finally, don't we  
2 have to, like, nominate the person, and the person has to  
3 say, like, yes or no? I mean can we just motion them in,  
4 and they vote on it?

5           MS. JOHNSTON: We do. And we also have to ask if  
6 there are other nominations.

7           COMMISSIONER LE MONS: Oh, okay.

8           MS. JOHNSTON: So the current motion is for  
9 Commissioner Turner to be chair at the next meeting -- at  
10 this meeting. Commissioner Ahmad to be vice chair, to  
11 become chair at the next meeting. Are there other  
12 nominations?

13           COMMISSIONER TURNER: Yes, I have a nomination.  
14 It's Commissioner Turner. I'd like to nominate  
15 Commissioner Kennedy as the chair and Commissioner Ahmad  
16 as the vice chair.

17           MS. JOHNSTON: Commissioner Le Mons?

18           COMMISSIONER LE MONS: Yeah, I just -- I'd like us  
19 not to have it be just for this meeting. I think we  
20 still need to sort out the frequency in all of that. So  
21 if we're -- they would become the chair, whoever gets  
22 chosen would be the chair and vice chair, until we make  
23 some change based on whatever that criteria is that we  
24 have yet to figure out. Is that what we're doing?

25           MS. JOHNSTON: We can arrange that the agenda for

1 next meeting, that the first item would be the terms and  
2 the rotation. And then we would have a motion as to who  
3 would be chair and vice chair.

4 COMMISSIONER LE MONS: Okay.

5 MS. JOHNSTON: Yes, Commissioner Sinay?

6 COMMISSIONER LE MONS: As long as we're not limiting  
7 their role, whoever gets elected today. As long as we're  
8 not limiting their role to this meeting. That's the only  
9 thing I'm asking us not to do.

10 MS. JOHNSTON: That would be up to the next meeting  
11 to decide.

12 Commissioner Sinay?

13 COMMISSIONER SINAY: I'm concerned, as I'm hearing  
14 Commissioner Le Mons speak, that maybe the amendments to  
15 my motion and nomination, I guess, was the right word,  
16 versus. So I apologize for making a motion versus a  
17 nomination.

18 Do we first need to vote -- make a motion that we do  
19 want rotating chairs to make sure that that's in place,  
20 because I feel like a lot of people have said yes? But  
21 now, at the next meeting we're going to end up discussing  
22 it again, and it might not happen. But if we could at  
23 least say we would like to have rotating chairs and what  
24 it's going to look like, we'll talk about at the next  
25 meeting.

1 MS. JOHNSTON: I think the nominating committee, if  
2 the chair decides to appoint one, could certainly take  
3 into account all the discussion at this meeting. But if  
4 you wanted to make a motion that it be rotating in some  
5 form, that would certainly be appropriate.

6 MR. VILLANUEVA: We currently have a motion that  
7 hasn't been seconded.

8 MS. JOHNSTON: We don't need a second for  
9 nominations. For nominations don't need to be seconded.

10 MR. VILLANUEVA: Okay, because it was stated as a  
11 motion.

12 MS. JOHNSTON: I'm sorry. It was nomination. And  
13 do I see that we have Commissioner Fernandez now?

14 COMMISSIONER FERNANDEZ: Yes, I'm here. Can  
15 everybody hear me?

16 MS. JOHNSTON: Welcome.

17 COMMISSIONER FERNANDEZ: Oh, my goodness. I so  
18 apologize; I'm not sure if word got to you, but all of  
19 the information was being sent to my spam folder. So I  
20 had no idea there was a meeting today, until I received  
21 the Zoom notification this morning. So I apologize.

22 I'm Alicia Fernandez. I'm from Clarksburg,  
23 California. I'm sure you all know where that is. It's a  
24 sprawling town of 2,000 people, I think, something like  
25 that. But it's a farming community. But anyway, just so





1 grateful and thankful to be here and I look forward to  
2 working with all of you. So I apologize for the delay,  
3 but I'm here and okay, let's get going.

4 MS. JOHNSTON: May I suggest that Commissioner  
5 Andersen and you get together after this meeting and have  
6 you formally sworn in. If you want to do it now, we  
7 could do it. You can't vote until you're sworn in. So  
8 it would be the pleasure of the Commission whether you  
9 want to have her sworn in now or wait until next meeting.

10 Sworn in now?

11 COMMISSIONER FERNANDEZ: I should be sworn in, I  
12 would think.

13 COMMISSIONER ANDERSEN: I would prefer to swear in  
14 Commissioner Fernandez. If I see any dissent, which I do  
15 not. And then we can actually proceed as the full  
16 Commission.

17 MS. JOHNSTON: Fine. Commissioner Andersen, would  
18 you, please, swear in Commissioner Fernandez?

19 COMMISSIONER ANDERSEN: Yes. So Commissioner  
20 Fernandez, welcome. Please, raise your right hand and  
21 repeat after me. I, state your name.

22 COMMISSIONER FERNANDEZ: I, Alicia Fernandez.

23 COMMISSIONER ANDERSEN: Do solemnly swear or  
24 affirm --

25 COMMISSIONER FERNANDEZ: Do solemnly swear or



1 affirm --

2 COMMISSIONER ANDERSEN: -- that I will support and  
3 defend --

4 COMMISSIONER FERNANDEZ: -- that I will support and  
5 defend --

6 COMMISSIONER ANDERSEN: -- the Constitutions of the  
7 United States and the State of California.

8 MS. JOHNSTON: Could you repeat that, please?

9 COMMISSIONER FERNANDEZ: (Audio interference) and  
10 the State of California.

11 MS. JOHNSTON: That was very garbled, at least on  
12 this end.

13 COMMISSIONER ANDERSEN: That was very garbled. The  
14 Constitutions of the United States and California, State  
15 of California --

16 COMMISSIONER FERNANDEZ: The Constitutions of the  
17 United States and the State of California --

18 COMMISSIONER ANDERSEN: -- against all enemies --

19 COMMISSIONER FERNANDEZ: -- against all enemies --

20 COMMISSIONER ANDERSEN: -- foreign and domestic.

21 COMMISSIONER FERNANDEZ: -- foreign and domestic.

22 COMMISSIONER ANDERSEN: That I will bear true faith  
23 and allegiance --

24 COMMISSIONER FERNANDEZ: That I will bear true faith  
25 and allegiance --



1 COMMISSIONER ANDERSEN: -- to the Constitutions of  
2 the United States and the State of California.

3 COMMISSIONER FERNANDEZ: -- to the Constitutions of  
4 the United States and the State of California.

5 COMMISSIONER ANDERSEN: That I take this obligation  
6 freely --

7 COMMISSIONER FERNANDEZ: That I take this obligation  
8 freely --

9 COMMISSIONER ANDERSEN: -- without any mental  
10 reservation --

11 COMMISSIONER FERNANDEZ: -- without any mental  
12 reservation --

13 COMMISSIONER ANDERSEN: -- or purpose of evasion.

14 COMMISSIONER FERNANDEZ: -- or purpose of?

15 COMMISSIONER ANDERSEN: Evasion.

16 COMMISSIONER FERNANDEZ: Invasion?

17 MS. JOHNSTON: Evasion.

18 COMMISSIONER ANDERSEN: Evasion.

19 COMMISSIONER FERNANDEZ: Evasion. Okay, I'm sorry.

20 It's just, I'm clicking in and out. I apologize.

21 COMMISSIONER ANDERSEN: And that I will well and  
22 faithfully --

23 COMMISSIONER FERNANDEZ: And that I will well and  
24 faithfully --

25 COMMISSIONER ANDERSEN: -- discharge the duties --

1 COMMISSIONER FERNANDEZ: -- discharge the duties --

2 COMMISSIONER ANDERSEN: -- upon which I'm about to  
3 enter.

4 COMMISSIONER FERNANDEZ: -- upon which I'm about to  
5 enter.

6 COMMISSIONER ANDERSEN: Congratulations.

7 MS. JOHNSTON: Thank you. And would you please sign  
8 that and return it to the office as soon as possible?

9 So right now, there are two nominations pending.  
10 First, is for Commissioner Turner as chair and  
11 Commissioner Ahmad as vice chair. The next, is  
12 Commissioner Kennedy as chair and Commissioner Ahmad as  
13 vice chair.

14 Are there any other nominations? Commissioner  
15 Kennedy?

16 COMMISSIONER KENNEDY: This is not a nomination. I  
17 just want to say that while I'm certainly willing to  
18 serve at some point, I would prefer not to serve right  
19 now.

20 MS. JOHNSTON: So we have one nomination pending.  
21 Commissioner Akutagawa?

22 COMMISSIONER AKUTAGAWA: Sure. Just a quick  
23 question, I think in terms of the question that was  
24 asked. Do we need to also, I think the question that was  
25 asked is, do we need to codify or at least vote on

1 whether or not we're going to rotate? What also then  
2 brought up the question for me, is do we also need to do  
3 something similar with the nominating committee?

4 I know that you had suggested that, but is that  
5 something that formally, as a Commission, we also have to  
6 do.

7 MS. JOHNSTON: No. The chair establishes the  
8 committees. So once you have a chair, that can be done.

9 COMMISSIONER AKUTAGAWA: Great.

10 MS. JOHNSTON: And it's your pleasure whether you  
11 want to vote today on establishing a rotating system or  
12 not.

13 So let's have the rules for public comment read.

14 MR. VILLANUEVA: Okay. In order to maximize  
15 transparency and public participation in our process, the  
16 Commissioners will also be taking public comments during  
17 their meeting by phone. There will be opportunities to  
18 address the Commissioners regarding the items on the  
19 agenda and the process in general.

20 In addition, for each agenda item that requires a  
21 vote, the public may provide comment on that particular  
22 item. Each time that the Commissioners will bring up an  
23 action item, the viewing audience will be informed that  
24 it is time to call in if they wish to make a public  
25 comment. The Commissioners will then allow at least two

1 minutes for those who wish to comment to join the public  
2 comment queue.

3 To make a public comment, please, dial 877-226-8163.  
4 After dialling the number, you will speak to an operator.  
5 You will be asked to provide either the access code for  
6 the meeting, which is 5185236, or the name of the  
7 meeting, which is the CRC First Commission's Meeting.

8 After providing this information, the operator will  
9 ask you to provide your name. Please note that you are  
10 not required to provide your actual name if you do not  
11 wish to. When the operator asks for your name, you may  
12 provide either your own name or a name other than your  
13 own.

14 When it is your turn to make a public comment, the  
15 moderator will introduce you by the name you provided to  
16 the operator. Providing a name helps AT&T, which is  
17 hosting this public comment process, to ensure that  
18 everyone holding for public comment has a chance to  
19 submit their comments.

20 Please be assured that the Commission is not  
21 maintaining any list of callers by name and is only  
22 asking for some name so that the call moderator can  
23 manage multiple calls simultaneously and can let you know  
24 when it's your turn to speak.

25 After providing a name and speaking with the



1 operator, you will be placed in a listening room, which  
2 is a virtual waiting room, where you will wait until your  
3 turn to speak. In this room, you will be able to listen  
4 to live audio of the meeting and you should mute your  
5 computer or livestream audio, because the online video  
6 and audio will be approximately sixty seconds behind the  
7 live audio that you are hearing on your telephone.

8       Moreover, if you fail to mute your computer or  
9 livestream audio, it will be extremely difficult for you  
10 to follow the meeting and difficult for anyone to hear  
11 your comment due to feedback issues. Therefore, once you  
12 are waiting in the queue, be alert for when you may be  
13 called upon to speak, and please turn down the livestream  
14 volume.

15       For the listening room, listen to the meeting and  
16 the call moderator. When you decide that you want to  
17 make a comment about the agenda action item currently  
18 being discussed, press 1-0, and you will be placed in the  
19 queue to make a public comment about the item under  
20 consideration. When joining the queue to make a public  
21 comment, you should hear an automatic recording informing  
22 you that you have been placed in the queue. You will not  
23 receive any further instructions until the moderator  
24 brings you in to make public comment.

25       The moderator will open your line and introduce you



1 by the name that you provided to the operator. Once  
2 again, please make sure that you have muted any  
3 background noise from your computer. And please do not  
4 use a speakerphone, but rather speak directly into your  
5 phone.

6 After the moderator introduces you, please state the  
7 name you provided to the operator and then state your  
8 comment clearly and concisely. Comments will be limited  
9 to two minutes. After you finish making your comment,  
10 the Commissioners will move on to the next caller. At  
11 that point, please hang up your phone.

12 If you would like to comment on another agenda item  
13 at a later time, please check back when the Commissioners  
14 open up public comment for that item and repeat this  
15 process.

16 If you are disconnected for any reason, please call  
17 back and explain the issue to the moderator. Then report  
18 this process and re-join the public comment queue by  
19 pressing 1-0.

20 The Commissioners will take comment for every action  
21 item on the agenda. As you listen to it on the online  
22 video stream, public comments will be solicited, and this  
23 is the time to call in. The process for making a comment  
24 will be the same each time beginning by dialling 877-226-  
25 8163 and following the steps that I've just described,





1 which are also available on the website. Thank you.

2 MS. JOHNSTON: Justin, are there any public  
3 comments?

4 PUBLIC COMMENT MODERATOR: Just a reminder, pressing  
5 1 then 0, we do have a comment from the line of Daphne  
6 Harris. If you could please spell your name for the  
7 reporter. Your line is open.

8 MS. HARRIS: My name is D-A-P-H-N-E, Harris,  
9 H-A-R-R-I-S. First, I wanted to just thank all of the  
10 Commissioners for volunteering for this service. And  
11 just watching the presentation thus far has been very  
12 informative. One thing I do want to just suggest to all  
13 of you is, if we all could just put our party preferences  
14 aside and do the work that's best for California; I would  
15 appreciate.

16 Understanding the alphabetical order that you have  
17 selected in order to do chair and cochair, something that  
18 may be helpful is to look at how Sacramento County does a  
19 random selection for placement on the ballot. That way  
20 you don't get as bogged down into the political aspects  
21 of what party you're in and conducting yourself for the  
22 work. But I do appreciate everybody's participation on  
23 the Commission.

24 MS. JOHNSTON: Thank you. Any other public  
25 comments?



1 PUBLIC COMMENT MODERATOR: There are no other  
2 comments in queue to address the board.

3 MS. JOHNSTON: And just a response to that one. To  
4 remind the Commissioners that it is in the Constitution,  
5 a requirement that you have people from different groups  
6 as your chair and vice chair. So it could be done  
7 randomly, taking that into account. But it cannot be  
8 done totally randomly.

9 All right, if my memory is clear, we just have one  
10 nomination on the floor since Commissioner Kennedy  
11 declined at this time. Are there any other nominations?

12 COMMISSIONER ANDERSEN: Yes.

13 MS. JOHNSTON: Commissioner.

14 COMMISSIONER ANDERSEN: Before we sort of -- we do  
15 have nominations. But as -- and I don't want to put her  
16 on the spot. But as Commissioner Turner nominated  
17 someone else, should we at this time actually say who of  
18 our Commissioners at this time, would not like to serve?

19 MS. JOHNSTON: Why don't we ask Commissioner Turner  
20 if she would accept the nomination at this time?

21 COMMISSIONER TURNER: I do accept the nomination. I  
22 nominated Kennedy just because I was in favor of going  
23 alphabetical and he would start that for the Democrats.  
24 And I am not opposed to serving as chair.

25 MS. JOHNSTON: And Commissioner Ahmad, I believe you



1 said that you would be willing to serve?

2 COMMISSIONER AHMAD: Yes, I would.

3 MS. JOHNSTON: And I think that for further  
4 rotations, the nominee the chair decides to select a  
5 nominating committee, or the chair directly could hear  
6 from any Commissioners who do not wish to serve, and they  
7 could be kept out of whatever rotation is proposed.

8 Any other nominations? Then I would call for a  
9 vote -- Commissioner Andersen?

10 COMMISSIONER ANDERSEN: Well, I was going to  
11 nominate, just because of the experience. I was actually  
12 going to nominate Commissioner Le Mons. My understanding  
13 was it was chair, we vote, and then vice chair. So that  
14 way it could be either Democrat or a nonparty or  
15 Republican.

16 MS. JOHNSTON: That's correct. So would you like to  
17 propose a different slate of Commissioner Turner and  
18 Commissioner Le Mons?

19 COMMISSIONER ANDERSEN: I'm sorry, what?

20 MS. JOHNSTON: Are you proposing a different slate  
21 of Commissioner Turner and Commissioner Le Mons?

22 COMMISSIONER ANDERSEN: No, I'm proposing a slate  
23 of -- I'm not proposing a full slate. I'm proposing a  
24 chair and then a following -- depending on what party  
25 gets picked for the chair, then, as opposed to

1 (indiscernible) it's a Democrat and a no party. I'm  
2 proposing that I just do a chair and then whatever party  
3 that is, then that will decide who could be eligible for  
4 vice chair.

5 MS. JOHNSTON: Would you like to make that into a  
6 motion?

7 COMMISSIONER ANDERSEN: I was just going to nominate  
8 a chair.

9 MS. JOHNSTON: Well, we have to decide whether  
10 you're going to nominate a chair and a vice chair, or  
11 just a chair at this time. Whether you're going to have  
12 one vote for the two or two separate votes. And I'm not  
13 sure which way the Commission is leaning. Commissioner  
14 Le Mons?

15 COMMISSIONER LE MONS: Yes. So I'm like  
16 Commissioner Kennedy. First of all, thank you,  
17 Commissioner Andersen, but I would not be interested in  
18 being the chair at this time. I certainly would love to  
19 be the chair at some point, but not the chair at this  
20 time. But thank you so much, Commissioner Kennedy -- I  
21 mean, Commissioner Andersen for the nomination. I  
22 appreciate it.

23 COMMISSIONER ANDERSEN: And that said, I will  
24 withdraw what I've said and stand down.

25 MS. JOHNSTON: So is it the sense of the Commission

1 you would like to vote for a chair and a vice chair  
2 together? Nodding or raising your hand.

3 Yes, Commissioner Ahmad?

4 COMMISSIONER AHMAD: I would like to make a motion  
5 for a vote, nomination of Commissioner Turner for chair  
6 and myself, Commissioner Ahmad, for vice chair, for  
7 purposes of this meeting.

8 MS. JOHNSTON: Okay. A nomination does not need to  
9 be a motion, but your motion, as I understand it would be  
10 to nominate a slate, at this time, of two?

11 COMMISSIONER AHMAD: Yes.

12 MS. JOHNSTON: A second to that motion?

13 COMMISSIONER YEE: I second.

14 COMMISSIONER ANDERSEN: I'll second.

15 MR. VILLANUEVA: Who second?

16 MS. JOHNSTON: Who seconded it?

17 COMMISSIONER SADHWANI: I think several of us  
18 seconded.

19 MS. JOHNSTON: I think it was Fornaciari.

20 MR. VILLANUEVA: Sure.

21 MS. JOHNSTON: Do you want to call the roll call on  
22 that motion?

23 MR. VILLANUEVA: Yes. So as I understand it, a  
24 motion has been made for Commissioner Turner as chair and  
25 Commissioner Ahmad as vice chair.

1 MS. JOHNSTON: The motion is to do a slate of the  
2 chair and a vice chair --

3 MR. VILLANUEVA: Together?

4 MS. JOHNSTON: -- and vote.

5 MR. VILLANUEVA: Okay. That's why I'm asking,  
6 because both were occurring.

7 COMMISSIONER AHMAD: I'm sorry. I believe you are  
8 correct, Raul. We are nominating individual people into  
9 the slots of chair and vice chair at this time.

10 MS. JOHNSTON: All right, without objection we will  
11 follow and nominate one slate for both the chair and the  
12 vice chair. And the slate would be Commissioner Turner  
13 and Commissioner Ahmad. Any objections?

14 All right. Now, we can call the roll to accept that  
15 nomination.

16 MR. VILLANUEVA: Okay. So in alphabetical order.  
17 Commissioner Ahmad?

18 COMMISSIONER AHMAD: Yes.

19 MR. VILLANUEVA: Commissioner Akutagawa?

20 COMMISSIONER AKUTAGAWA: Yes.

21 MR. VILLANUEVA: Commissioner Andersen?

22 COMMISSIONER ANDERSEN: Yes.

23 MR. VILLANUEVA: Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 MR. VILLANUEVA: Commissioner Fornaciari?



1 COMMISSIONER FORNACIARI: Yes.

2 MR. VILLANUEVA: Commissioner Kennedy?

3 COMMISSIONER KENNEDY: Yes.

4 MR. VILLANUEVA: Commissioner Le Mons?

5 COMMISSIONER LE MONS: Yes.

6 MR. VILLANUEVA: Commissioner Sadhwani?

7 COMMISSIONER SADHWANI: Yes.

8 MR. VILLANUEVA: Commissioner Sinay?

9 COMMISSIONER SINAY: Yes.

10 MR. VILLANUEVA: Commissioner Taylor?

11 COMMISSIONER TAYLOR: Yes.

12 MR. VILLANUEVA: Commissioner Toledo?

13 COMMISSIONER TOLEDO: Yes.

14 MR. VILLANUEVA: Commissioner Turner?

15 COMMISSIONER TURNER: Yes.

16 MR. VILLANUEVA: Commissioner Vazquez?

17 COMMISSIONER VAZQUEZ: Yes.

18 MR. VILLANUEVA: And Commissioner Yee?

19 COMMISSIONER YEE: Yes.

20 MS. JOHNSTON: The motion passes. Thank you, all.

21 And I'm delighted to turn the chair over to Commissioner  
22 Turner. Congratulations.

23 CHAIR TURNER: Thank you. Thank you, I appreciate  
24 it. What I'd like to do --

25 MS. JOHNSTON: One moment, please. We're going to



1 be taking a break at 11, Commissioner Turner, if that  
2 helps your planning?

3 CHAIR TURNER: Yeah. So actually my plan was for us  
4 to take a break now.

5 MS. JOHNSTON: Okay.

6 CHAIR TURNER: So that we don't get into the middle  
7 of the next agenda item. And so it's 10:54 now. And so  
8 we will come back at 11 --

9 MS. JOHNSTON: 11:10?

10 CHAIR TURNER: 11:10? Help me do the math. 11:10,  
11 we'll be back. So we'll break at this time, thank you.

12 MS. JOHNSTON: Thank you very much.

13 (Whereupon, a recess was held)

14 CHAIR TURNER: Thank you. Okay, we're going to  
15 reconvene our meeting. And we'll start with, I'd like to  
16 just hear a little bit of discussion from the Commission.  
17 Are you feeling like -- do you want to go with a  
18 nominating committee or individual? Or do we want to  
19 just save that for an agenda topic item on our next  
20 meeting? Commissioner Sadhwani?

21 COMMISSIONER SADHWANI: I think in the interest of  
22 being able to move forward, our plans having a nominating  
23 committee makes a lot of sense to me. My understanding  
24 from the advice that counsel just said that moving on,  
25 that makes sense and then in that way, whoever those two



1 are can come up with, perhaps a couple of different plans  
2 or just one, whatever they choose to do. That we could  
3 review those plans at the next meeting and hopefully move  
4 forward in a more timely manner.

5 As Commissioner Le Mons had mentioned, right, being  
6 able to move at an efficient rate.

7 CHAIR TURNER: Okay. Well, barring any objections  
8 we will move forward with a nominating committee. And  
9 let's see, are there volunteers and we can do this  
10 expeditiously too -- that have that energy. I know that  
11 Commissioner Yee expressed some interest. Are you  
12 interested and is there someone else that is interested  
13 in serving on the Commission -- oh, not the Commission.  
14 Toledo? Commissioner Toledo. Okay.

15 And Counsel, we have Commissioner Toledo.  
16 Commissioner Yee, you're interested in being on that  
17 committee?

18 MS. JOHNSTON: You can appoint the committee; you  
19 don't need to commit any action.

20 CHAIR TURNER: Commissioner Yee, is that a yes?

21 COMMISSIONER YEE: I'm happy to serve, yes.

22 CHAIR TURNER: Okay.

23 COMMISSIONER YEE: But also happy to defer to anyone  
24 else.

25 CHAIR TURNER: Okay. Well, I'm not seeing anyone



1 else jumping up and down, waving their hands excitedly.

2 So yes.

3 MS. JOHNSTON: Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: I just have a question,  
5 because I'm late to the game, right now. What would  
6 encompass this committee? I'm sorry, and the purpose of  
7 it?

8 CHAIR TURNER: Yes. So the purpose of it is really  
9 to kind of expedite time. What they will do is to meet  
10 offline and come back with a recommendation to the full  
11 Commission about how we should move forward with rotating  
12 or naming our chair and vice chair.

13 COMMISSIONER FERNANDEZ: Okay. All right, thank  
14 you.

15 MS. JOHNSTON: And terms of office.

16 CHAIR TURNER: And the terms of office, thank you.

17 Okay, so with that, we'll go ahead. I would like to  
18 appoint Commissioners Yee and Toledo as our committee  
19 for -- the nominating committee.

20 Okay. So can we move now to the next agenda item?

21 MS. JOHNSTON: Yes. So that's the --

22 CHAIR TURNER: Okay.

23 MS. JOHNSTON: -- Raul Villanueva will handle that  
24 part of the agenda.

25 CHAIR TURNER: Thank you. Our next agenda item is

1 agenda number 6. And I ask at this time, to have the  
2 report from Mr. Villanueva for discussion and action on  
3 his reports.

4 MR. VILLANUEVA: Thank you, Commissioner.

5 Did everybody receive the budget notice that I'd  
6 sent? Very good.

7 COMMISSIONER FERNANDEZ: I just got it this morning,  
8 by the way.

9 MR. VILLANUEVA: Very good. Congratulations. Thank  
10 you.

11 So this is your budget condition as of June 20,  
12 2020. Your appropriation was made in the 2019  
13 legislative cycle. At that time, 16,811,000 was  
14 appropriated for the entire Commission engagement. So  
15 that's basically from the beginning the process for  
16 actually selecting the Commissioners. Which resulted  
17 here in all fourteen. And then moving forward all the  
18 way to post-maps and litigation.

19 Okay. So you have basically two programs. The 731,  
20 which is 12,514,000 and then the 732, which is the post-  
21 redistricting, which is really aimed at litigation. And  
22 that's 4,297,000.

23 The budget details that I'm providing you are from  
24 the Budget Act of 2019. And what it does is, it  
25 segregates certain amounts of the money to certain



1 occasions or times. So for example, for the California  
2 State Auditor, for the entire selection process, 5.2  
3 million dollars. And then there's 1.3 million dollars  
4 and 2.065 million dollars available after August 15th.  
5 The former is for operational costs and the latter is  
6 segregated for outreach efforts.

7 Both of those are available after August 15th. What  
8 we'll have to do is send a notice to the Department of  
9 Finance and to the Joint Legislative Budget Committee,  
10 indicating that the purpose of the funds and that you're  
11 requesting those funds to be made available.

12 And then finally, the litigation, which is the 4.297  
13 million dollars available right now. In other words,  
14 that hasn't been indicated on any of those, is 3.9  
15 million dollars. So as of June 30, you started out with  
16 a 12,514,000. The State Auditor, 5.2 million went to  
17 those efforts. In fiscal year 2019/2020, 69,702 dollars  
18 were expended in terms of the budget for the 2010  
19 Citizens Redistricting Commission.

20 I can only give you the condition of the funds as of  
21 June 30. We don't have July and August. Some of those  
22 figures are pending in that they're still closing out  
23 requests for per diem and travel expense claims by the  
24 2010 Commission. And hopefully that will be complete  
25 before the end of the month.

1 MS. JOHNSTON: Commissioner Sinay has a question.

2 MR. VILLANUEVA: Yes. Commissioner Sinay, I think  
3 you're on mute.

4 COMMISSIONER SINAY: Sorry. On the amount to the  
5 State Auditor for the first, do we get -- since the  
6 process work differently than originally intended, it  
7 seems like the costs might be lower. It might not be.  
8 But it seems like the costs would be lower since there  
9 wasn't as much travel. Do they still get the full  
10 amount, or does it have to be accounted and then what's  
11 not used rolls forward to this base?

12 MR. VILLANUEVA: So that's a really good question.  
13 So that part of the appropriation, it goes to the State  
14 Auditor, pretty much to be assured that they will be  
15 really documenting all of that. And if there is any  
16 underage or overage, that that will be pretty detailed.  
17 We don't have that yet. But hopefully by the end of the  
18 month or -- actually, probably into October, we'll  
19 probably have those figures.

20 MS. JOHNSTON: Commissioner Vazquez?

21 MR. VILLANUEVA: I can --

22 COMMISSIONER VAZQUEZ: Yes. Along those lines,  
23 specifically I'm curious about how much on Southwest  
24 flights and travel for interviewee candidates that were  
25 not used during the transition to virtual interviews.



1 How much of that are we able to claw back?

2 MR. VILLANUEVA: I understand the concern and I say,  
3 we should have more set figures towards the end of  
4 September, possibly into October. Right now, some of the  
5 services that we're using, even today, videography,  
6 transcription, et cetera, those are contracts made on  
7 your behalf as part of the process for the California  
8 State Auditor to get these operations up and running.

9 I don't know if you remember, or for the last six,  
10 when I introduced myself to the first eight, one of the  
11 issues that we had to work with is, it's kind of a gray  
12 area on who actually has authority to contract on behalf  
13 of the Commission. Which that means, right now then,  
14 is -- which actually is one of the agenda items we're  
15 about to run into, is getting authority to do some of  
16 this contracting. That's a longwinded way of saying  
17 that's why some of these figures won't be ready until  
18 into September and October, because there are still going  
19 to be expenditures going into September.

20 Commissioner Sinay?

21 CHAIR TURNER: So have you concluded their report  
22 all the way to the end?

23 MR. VILLANUEVA: Pardon me?

24 CHAIR TURNER: Were you complete with your report?

25 I know we had a question that came in. Were you finished



1 with the end of this report?

2 MR. VILLANUEVA: Yes.

3 CHAIR TURNER: Oh, okay.

4 MR. VILLANUEVA: So I'm taking questions based on  
5 the information I just provided.

6 CHAIR TURNER: Okay, good.

7 MR. VILLANUEVA: Yes. Yes, Chair.

8 CHAIR TURNER: Commissioner Sinay?

9 COMMISSIONER SINAY: How does this budget compare to  
10 the budget for the 2010 Commission? Just because there  
11 was different advice that they had given us in their  
12 report. Also, I think it's important to note that the  
13 Irvine Foundation had granted out significant amount into  
14 the community for outreach and the Irvine Foundation has  
15 moved on to other priorities. So I don't know that who  
16 would be funding that at this time. So if we could have  
17 an idea of what was the budget last time.

18 MR. VILLANUEVA: Okay. I can get you those figures.  
19 If you want something specific in relation to the Irvine  
20 Foundation monies, that's probably part of the reason  
21 that you have, as part of this appropriation, 2,065,000  
22 dollars specifically for outreach efforts.

23 I can tell you this, that there was one million  
24 dollars that was appropriated in 2009, and that really  
25 wasn't enough. That was for the whole process, okay.

1 That wasn't just -- so that was selection, everything.  
2 And you know, to be fair, part of that was because they  
3 really couldn't anticipate how much this would cost. And  
4 as such then the Commission had, I think, three requests  
5 for additional funding over that six-month period. At  
6 the end of -- when we closed operations in 2012, June of  
7 2012, we put all of those figures together and made  
8 projections. Those recommendations then were part of the  
9 consideration, I do believe, that helped create your 2019  
10 appropriation.

11 CHAIR TURNER: And with that, I think I would agree  
12 that it would be helpful to have the initial budgeted  
13 amount and the actual dollars that was either expenses or  
14 leftover in these various from the 2010. It would be  
15 helpful, probably, in kind of giving us heads up as to  
16 where we might be able to get what we have to get.

17 COMMISSIONER SADHWANI: Just as a follow-up question  
18 for Commissioner Sinay or anyone else. Do you have a  
19 sense, was the Irvine Foundation funds, was that directly  
20 given to the Commission or was that given -- that was  
21 given to organizations, correct? And is it possible to  
22 get a report? Do they have a report somewhere available  
23 and is that something you could share with us or tell us  
24 where we could find that?

25 COMMISSIONER SINAY: Yeah. There's a public report





1 that was drafted by the -- sorry, I don't know if I  
2 interrupted you.

3 COMMISSIONER SADHWANI: No, go ahead.

4 COMMISSIONER SINAY: There was a public -- there's a  
5 report that's public about those grants and the whole  
6 process. It was drafted by the League of Women Voters  
7 California, and I can forward it to staff to have staff  
8 share with everybody. It's a good complementary report  
9 to the one that was done by the Commissioners. But the  
10 grants were given out to community groups.

11 MR. VILLANUEVA: Correct.

12 COMMISSIONER SINAY: Both at the time to identify,  
13 you know, volunteers or people to apply, and then through  
14 the outreach process and then the mapping process. And  
15 they were significant grants and significant parts of the  
16 process.

17 COMMISSIONER SADHWANI: And if I can ask a follow-up  
18 question? It sounds like we have information that Irvine  
19 is not going to be doing that again this time, or is  
20 it -- I mean, this sounds very similar to kind of census  
21 outreach activities. Is it that once the census is  
22 finished, can we anticipate the Foundation will be  
23 engaging in similar activities? And I ask because I  
24 think that having that participation, particularly of  
25 communities that may be underserved or that we often

1 don't hear from. Certainly one of the conversations that  
2 we have talked about before was some of the northern --  
3 the much further northern counties, et cetera. As well  
4 as, of course, we know there's a number of communities  
5 that are not represented on this Commission. As we had  
6 discussed in previous meetings, certainly I think would  
7 be important. So I am curious what our -- as a  
8 Commission, what our conversation might be about how do  
9 we outreach to those communities and to the extent that  
10 we may or may not want to coordinate with various kinds  
11 of philanthropic foundations to ensure that that happens.

12 MR. VILLANUEVA: And if I might suggest, that sounds  
13 like an excellent topic for an agenda item, which we'll  
14 be doing at the end of the meeting. And so it's really  
15 good then to keep a list of those and keep yourself  
16 propelled in a forward direction.

17 Any other questions about the budget?

18 So as I understand it then, there's been a request  
19 to get some of the figures off the 2010 appropriations.  
20 And then understood you want -- the budget detail is for  
21 the current expenditures and costs of the 5.2 million,  
22 correct? But then I also heard, and I'm asking, you  
23 wanted something more detailed on expenditures for the  
24 2010?

25 CHAIR TURNER: Yes. The expenses from 2010. I



1 thought what I heard was, when you were talking  
2 specifically about the operational -- I don't know what  
3 area it was, about the outreach efforts. What made me  
4 think along these lines was, is for the outreach efforts  
5 you said that in 2010 that they were only allowed one  
6 million and they found that was not enough, of course,  
7 because it was the first time. This time we've been  
8 allowed two million. I was interested in knowing what  
9 were the expenses for outreach and for each of these  
10 areas. What did they actually end up spending?

11 MR. VILLANUEVA: Right. Okay. Understood. Thank  
12 you for the clarification, Chair.

13 CHAIR TURNER: Commissioner Sinay?

14 COMMISSIONER SINAY: Who makes the actual line item  
15 budget? Is that a staff -- ones hired by the executive  
16 director or do we need to create a finance committee who  
17 sets up, who designs the budget for the Commission?

18 MR. VILLANUEVA: Basically, your staff do. There's  
19 certain processes with the State. I'll get into some of  
20 the contracted services. But one of them is for budget  
21 and fiscal services. And that's to ensure that your  
22 budget and accounting practices are compliant with the  
23 State and its requirements. But yes, so basically in  
24 terms of your staffing, this is an item, another agenda  
25 item. Which is my only hesitation, but I'll provide you

1 more detail in terms of the staffing structure last time  
2 and why it was used. Ultimately, you know, that's  
3 something that, in consideration of your executive  
4 director and their preferences, will come into play. So  
5 it's really more for informational purposes. But  
6 Commissioner, I will be going into that in more detail in  
7 another agenda item.

8 So shall I move on to the interagency agreements?

9 CHAIR TURNER: Any more questions, Commissioners?  
10 Yes, Commissioner Vazquez?

11 COMMISSIONER VAZQUEZ: Yes. I just wanted to  
12 confirm that we will get final expense reports for the  
13 application process. Again, I'm really interested and  
14 hoping that we are able to claw back some of the expenses  
15 initially spent on traveling for candidates that  
16 ultimately wasn't used.

17 MR. VILLANUEVA: Right. And I understood that. And  
18 I will be requesting that on your behalf. There are a  
19 bunch of attorneys and accountants over there. They're  
20 really good at this. So you'll get it. I'm sure you'll  
21 get a very detailed report.

22 CHAIR TURNER: Okay. Oh, yes, Commissioner  
23 Akutagawa?

24 COMMISSIONER AKUTAGAWA: Just, this may be obvious,  
25 but I think just for clarification and for the record.

1 So on Commissioner Vazquez's point, just for  
2 clarification. So any refunds, any additional monies  
3 that would have been saved as a result of having to go  
4 virtual during the early part of the selection process,  
5 is that money that then could be applied to other  
6 activities should it be needed? Or is it a, we don't use  
7 it we lose it, kind of situation? I just want to be  
8 clear about what the State of California, how they work  
9 on their budgets?

10 MR. VILLANUEVA: You know, and that's something that  
11 I would have to ask Department of Finance, in terms of  
12 how they're approaching that part of the appropriation.  
13 I will ask.

14 COMMISSIONER VAZQUEZ: Thank you.

15 CHAIR TURNER: The other last, I guess, kind of  
16 point along those lines I would say, Mr. Villanueva, is  
17 that because I did not need to travel, I'm not certain if  
18 individuals all went through the State to book travel;  
19 and I'm hoping so. And that people were not booking  
20 themselves, because then for most airlines that's being  
21 held strictly as credits for future use. And so with  
22 that said, even when we checked, indeed those are credits  
23 being held at the State level, then I would imagine,  
24 Commissioner Akutagawa, as we travel we'll be able to  
25 pull from those funds as well. But I just noted that as

1 something else we could confirm.

2 MR. VILLANUEVA: Right. There was a number of  
3 staff, and I don't know if -- does this stay part of the  
4 topic?

5 MS. JOHNSTON: It's fine.

6 MR. VILLANUEVA: Okay. Very good. So there was a  
7 number of staff who were actually doing the travel  
8 arrangements. So if an applicant decided to do the  
9 travel themselves, they still had to provide  
10 documentation of the how, when, and how much. I  
11 understand your concerns in terms of, if there was travel  
12 made and then canceled. So there is a certain amount or  
13 record for that. But on an ongoing basis, as these  
14 arrangements were being made, there was staff there in  
15 place and documenting it.

16 All that to say is that I'm trying to assure you  
17 that there is a record of what occurred. And what I'm  
18 doing is listening to the different concerns and so be  
19 able to put that in terms of the request to state your  
20 concerns.

21 CHAIR TURNER: Thank you.

22 I see you, Commissioner Vazquez.

23 COMMISSIONER VAZQUEZ: Yes, sorry. And to be a  
24 broken record on this, but my concern is that I don't  
25 just want a report of what was expended. But I want some

1 documentation of action to get those credits back from  
2 Southwest. I don't want the report of sunk cost. I want  
3 that money back, if we didn't use it for travel. I don't  
4 want Southwest to have that, and I don't necessarily want  
5 it to go back to the State. I think if it was allocated  
6 for the Commission and for our work, and we didn't use  
7 it, someone didn't take a flight to Sacramento for their  
8 interview, I want that money back. That's my concern.

9 MR. VILLANUEVA: Understood. Acknowledged and  
10 understood. I got it. Yes.

11 CHAIR TURNER: It looks like we're ready to move on.

12 MR. VILLANUEVA: No, and they're very legitimate  
13 concerns. And I understand that, yes, I hear you and  
14 I'll be in contact with them. Okay.

15 Chair, shall we go to the interagency agreements?

16 CHAIR TURNER: Please do. Thank you.

17 MR. VILLANUEVA: Okay. So the interagency  
18 agreements are predominantly with the Department of  
19 General Services, who provides these types of services to  
20 small departments, commissions, throughout the State.  
21 They have to do with, I guess, the ones that I've  
22 presented to you are for human resources services. Which  
23 would then entail payroll, which is a critical function  
24 for you. The timekeeping, of course. Assisting with  
25 getting your staff into the system, because it has to go

1 through -- from HR to the Controller's office, through  
2 budgets, and finally into the payroll process. So these  
3 folks would take care of all that type of thing.

4 With DGS Fiscal Services, again that's for your  
5 budgeting and accounting. The FI\$Cal, that's the State  
6 budgeting and accounting system.

7 CHAIR TURNER: Well, can I interrupt you for a  
8 minute --

9 MR. VILLANUEVA: Yes. Thank you.

10 CHAIR TURNER: -- (indiscernible)?

11 MR. VILLANUEVA: And I appreciate that.

12 CHAIR TURNER: And so when you mention the human  
13 resources services, I was looking at the one that you  
14 sent. It had a standard agreement, kind of a blank form.  
15 And then (indiscernible) behind it --

16 MR. VILLANUEVA: Yes.

17 CHAIR TURNER: -- to select Department of General  
18 Services, Human Resource Services.

19 MR. VILLANUEVA: Right.

20 CHAIR TURNER: Is this that document you're  
21 referring to?

22 MR. VILLANUEVA: Yes.

23 CHAIR TURNER: Okay. Does everyone have that?  
24 Okay. Okay, I'm sorry. Go ahead.

25 MR. VILLANUEVA: Okay. And so the one with FI\$Cal,



1 is really a memorandum of understanding. Meaning that  
2 for any entity to participate with the State budget and  
3 fiscal entry systems, that there's an agreement in areas  
4 regarding information security, the knowledge of the  
5 people who are involved with the process, designated  
6 individuals of responsibility. So that one carries a  
7 personnel time cost and attention cost and not a budget  
8 cost.

9 The HR IAA, interagency agreement, is for 3,500  
10 dollars. The fiscal services, which is budgets and  
11 accounting, is for 10,000 dollars. And so what I would  
12 need is for each one of those, a motion to either accept  
13 or reject the interagency agreement. Knowing that you're  
14 not going to replace with staff, in terms of staffing  
15 costs, what it's going to cost you to have this agreement  
16 and have somebody else do it for you.

17 So that's one of the considerations to look at. As  
18 well as the expertise that's needed, especially with the  
19 State's budgeting and accounting practices, again, to  
20 have experienced people doing that for you.

21 CHAIR TURNER: Are you looking for a motion at this  
22 time?

23 MR. VILLANUEVA: Is there any questions?

24 COMMISSIONER SINAY: This has already been started  
25 though, right? I mean, has it moved forward without us

1 signing it already? Is it some expenditures, already?

2 MR. VILLANUEVA: So except for the FI\$Cal, these are  
3 contracts that I helped put in place back for the 2010  
4 Citizen's Redistricting Commission. Right now, they're  
5 done in terms of fiscal year, because the fiscal year  
6 ends June 30, begins July 1st. And so right now, these  
7 parts of the Department of General Services are providing  
8 these services on behalf of the Commission on an invoiced  
9 basis. So they're waiting for the interagency agreement  
10 to get signed, but they're not penalizing the Commission.

11 So even after the 2010 Commission ceases operations,  
12 effectively July 2nd of 2020, all of the invoices,  
13 requests for per diem, travel expense claims and other  
14 items that are running through fiscal services,  
15 accounting, and budgets, still need to be processed. And  
16 so they've been doing that on your behalf, rather than  
17 just saying well, alto.

18 COMMISSIONER FERNANDEZ: Okay. I make a motion to  
19 pass -- you said the HR and the FI\$Cal, because that is  
20 something that's going to be needed. It is the  
21 accounting system and obviously the HR that we're going  
22 to need. And because it is paid, it does have to go  
23 through the FI\$Cal system for the accounting purposes.  
24 So I do make a motion to approve both of it.

25 COMMISSIONER YEE: I'll second the motion.



1 CHAIR TURNER: Is there any other -- that's been  
2 motioned and seconded. Before we go to vote, is there  
3 any other discussion that needs to be had on this? And  
4 do we have to take this to public comment, while in the  
5 middle of it, as well.

6 MS. JOHNSTON: You do need public comment on any  
7 action item.

8 COMMISSIONER LE MONS: Yes.

9 COMMISSIONER ANDERSEN: I do have one question, just  
10 for discussion purposes. The 10K, is that just a budget  
11 amount? That has also been audited, you know, like you  
12 get a report or is that a broken down, like, so much per  
13 quarter? That was the FI\$Cal.

14 MR. VILLANUEVA: Okay, but that's with DGS Fiscal  
15 Services. The FI\$Cal is the memorandum of understanding  
16 of operational necessities and constraints to engaging  
17 the budgeting and accounting system. The fiscal services  
18 is the 10,000-dollar one. So yes, theoretically it's  
19 allocated across the months on a more or less equal  
20 basis. Obviously, at the end of the year cycle there's a  
21 lot more work, so there May, June, July. So it's not  
22 completely a hundred percent equitably partitioned across  
23 months, but I mean that's one way of looking at it.

24 COMMISSIONER ANDERSEN: But my question is, is this  
25 bill actual expenses, or this is a 10,000 that's all they

1 can charge us?

2 MR. VILLANUEVA: So it's 10,000 billed -- so  
3 billing-wise, we'll see a bill every month, an invoice.

4 COMMISSIONER ANDERSEN: And so is this a total, it's  
5 a 10,000 cap? Or you know, if they go over we pay it, or  
6 under, we get money back. That's the question.

7 MR. VILLANUEVA: I'm sorry, I misunderstood the  
8 question. No, it's a 10,000 dollar for all services  
9 rendered throughout the fiscal year. Okay. And I  
10 apologize, these won't be invoiced. Once, should you  
11 decide to accept them, they'll probably just hit in one  
12 payment.

13 COMMISSIONER ANDERSEN: And so these are numbers  
14 that matched, you know, 2010? These numbers are common  
15 practice?

16 MR. VILLANUEVA: Yeah, they're very comparable.  
17 They didn't go -- so like, HR didn't go up very much at  
18 all. The budgets and fiscal services across ten years,  
19 went up a little bit.

20 COMMISSIONER ANDERSEN: Thank you.

21 CHAIR TURNER: Commissioner Sadhwani?

22 COMMISSIONER SADHWANI: I understand that there's a  
23 motion on the table and I'm prepared to vote on it. But  
24 I, also, just to throw out there as a possible idea. I  
25 personally don't feel like I have enough information

1 about just how the State budgeting system works. From  
2 what I can understand this what we need to do, but at the  
3 same time I'm wondering if it makes sense, as we  
4 developed a nominating committee, if perhaps, even if  
5 it's a short-term component or something like that.  
6 Perhaps one to two Commissioners might want to serve in  
7 some sort of budgetary or operations kind of oversight  
8 capacity? Just to make sure that, of the fourteen of us,  
9 that we're making sure that we get full information, that  
10 we're fully prepared in understanding how our budget  
11 works. How the State's budgeting process works. I just  
12 want to, like, throw that out there as a possible idea.

13 CHAIR TURNER: And I'm certainly not opposed to  
14 that. The question I'd like to layer on top of that, the  
15 question is, is that, does that function under either  
16 yourself or the executive director or any of the  
17 positions that we're going to be hiring on for them to  
18 present that information for the Commission?

19 MR. VILLANUEVA: If I might answer that? Your  
20 executive director, your budget officer, if they have  
21 accounting staff, those would be the individuals who  
22 would be putting together, say if you wanted a monthly  
23 report, in a month report, a quarterly report. Those  
24 would be the individuals who would be preparing that for  
25 you. If you do have, let's say, a fiscal operations

1 subcommittee, they would be then working with those two  
2 Commissioners in terms of that report.

3 COMMISSIONER FERNANDEZ: I just want to provide a  
4 little bit of background, because I have worked for the  
5 State for many years. And I am familiar with the whole  
6 budget process --

7 CHAIR TURNER: Commissioner Fernandez, I'd like to  
8 ask that you hold and I'd like to recognize Sinay that  
9 had her hand up and then we'll go to you next.

10 COMMISSIONER FERNANDEZ: Okay, I wasn't sure how you  
11 do that. If you do it physically raising hand or down  
12 here where you raise your hand on the --

13 CHAIR TURNER: Don't use the down here when you  
14 raise your hand.

15 COMMISSIONER FERNANDEZ: Oh, that's too bad.

16 CHAIR TURNER: Okay. Commissioner Sinay?

17 COMMISSIONER SINAY: Thank you. Thank you,  
18 Commissioner Turner. I think having a finance committee  
19 always makes sense. I'm using my nonprofit background  
20 and best practices, but I don't want to say we don't  
21 trust staff, but we have to -- staff has to hold us  
22 accountable and we have to hold staff accountable and so  
23 I would recommend -- I don't want to be on it, but I do  
24 recommend we have one.

25 CHAIR TURNER: Commissioner Fernandez?



1 COMMISSIONER FERNANDEZ: Sorry about that.

2 Okay, yes, I do have many years with the State in  
3 terms of the FI\$Cal that they've used to track all the  
4 expenditures for every State agency. And I've also  
5 worked in the budget shop. And aside from that, I've  
6 also been on a school board and we've had monthly  
7 meetings, obviously, just as -- I'm not sure how often  
8 we'll have meetings here on the Commission.

9 But as Raul did mention that we do have an action  
10 item or a regular ongoing item that actually, a fiscal or  
11 budget person would present and then they also present  
12 all of the detail that goes behind there in terms of all  
13 the expenditures that have occurred during that month.  
14 So it does provide us a picture of what has been spent  
15 and then they also do a projection in terms of what they  
16 project to spend.

17 So it gives us a two-fold, to question what has been  
18 spent and look at it from month to month and we can try  
19 to evaluate the difference spikes, if there are spikes.  
20 And then also looking forward to try to project to ensure  
21 that we stay within our budget.

22 So I would recommend that that be an ongoing agenda  
23 item in future meetings. I think it's fiscally prudent  
24 for us to do that.

25 CHAIR TURNER: Seeing how that's relayed to us that



1 that's something that I can do. Why don't I appoint,  
2 then, a subcommittee of two to be able to serve as that  
3 fiscal oversight? What was the name you gave it,  
4 Commissioner Sadhwani?

5 COMMISSIONER SADHWANI: I mean, I think fiscal  
6 oversight would be fine. I don't have any problem with  
7 that.

8 CHAIR TURNER: Okay. And Commissioner Fernandez, I  
9 saw that you have that experience and would like to  
10 serve. Is there someone else that has the background,  
11 that would like to serve as the fiscal oversight  
12 committee with Commissioner Fernandez?

13 Running from the numbers. I see you, Commissioner  
14 Fornaciari. Wonderful. Okay. So then I'd like to  
15 appoint the two of you. And so Raul, the two of them  
16 will work with, once we have the path in place, we'll  
17 have Commissioner Fernandez and Commissioner Fornaciari,  
18 as the commission of financial oversight committee to --

19 MR. VILLANUEVA: Very good.

20 CHAIR TURNER: I want to say something real quick  
21 before you go with the other parts, just because it's  
22 helpful to our latest Commissioners.

23 On this particular process, on Zoom, this is  
24 different for all of us and I certainly want to ensure  
25 that as a Chair for the time that I'm here, that I'm



1 recognizing everyone in the proper order. So what we  
2 typically do is to just raise -- I know there is the hand  
3 raise function and all that on Zoom, but I don't believe  
4 it's activated. At least I'm not seeing it on my screen.

5 So if you could just put up and then the Chair will  
6 recognize you. And if I don't see, you say, you know,  
7 Madam Chair, Commissioner Turner, whatever, and then I'll  
8 make sure I'm looking at you as well. But I do have us  
9 on our Brady Bunch screen, trying to see everyone at one  
10 time. So that's helpful for the new people.

11 COMMISSIONER ANDERSEN: Madam Chair. Madam Chair?

12 CHAIR TURNER: Yes, Commissioner Andersen.

13 COMMISSIONER ANDERSEN: Having done that, it really  
14 does help as the Chair, if you do say Madam Chair,  
15 because it's an unusual sound, as opposed to Commissioner  
16 so and so. Which, you know, we're all calling each other  
17 Commissioner. And it does help the chair find out, you  
18 know, where on this Brady Bunch you are, because it  
19 changes. It's not everyone is in the same location. And  
20 so I really strongly recommend you say Madam Chair, and  
21 then the Chair can kind of note who comes in when and  
22 then recognize you. It really will help. And I know  
23 it's hard to remember that, because I just did. But just  
24 for the process, it will really help.

25 CHAIR TURNER: Thank you, all. Raul?



1 MR. VILLANUEVA: So we had a motion to accept the HR  
2 and -- so just for clarification, as that the fiscal  
3 services or the MOU for the FI\$Cal?

4 CHAIR TURNER: Actually, and you can -- oh, go ahead  
5 Commissioner Fernandez. I'll hold.

6 COMMISSIONER FERNANDEZ: It was actually the 10,000.

7 MR. VILLANUEVA: So that one --

8 COMMISSIONER FERNANDEZ: It's for both of them.

9 CHAIR TURNER: Yes.

10 COMMISSIONER FERNANDEZ: It's for the 3,500 and for  
11 the 10,000. Those were the two that you were asking for,  
12 correct?

13 MS. JOHNSTON: No, there's a third one?

14 MR. VILLANUEVA: For all three?

15 COMMISSIONER FERNANDEZ: Oh, there's a third one?

16 MR. VILLANUEVA: Yes, for all three.

17 COMMISSIONER FERNANDEZ: For all three.

18 MS. JOHNSTON: And we need to ask for public comment  
19 before we have a vote.

20 MR. VILLANUEVA: I don't think it's been seconded.

21 CHAIR TURNER: I was going to --

22 MS. JOHNSTON: It was seconded.

23 CHAIR TURNER: -- go for clarification before we go  
24 to public comment. Are we wanting the Commission, the  
25 newly appointed committee, to review the document first

1 or are we going to accept them now? What's the desire of  
2 those that made the suggestion?

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: So my desire at this point  
5 would be to accept them now.

6 CHAIR TURNER: So Commissioner Akutagawa?

7 COMMISSIONER AKUTAGAWA: I apologize. For whatever  
8 reason, I have been looking through my documents and I  
9 cannot find the one with the 10,000 dollars. So I'm  
10 uncomfortable voting on anything that I have not yet  
11 seen. So I just wanted to make that known. There was a  
12 lot of documents. I may have missed it, but I can't find  
13 it.

14 COMMISSIONER ANDERSEN: Madam Chair, I also agree  
15 with Commissioner Akutagawa, that I did not see the 10K.

16 MR. VILLANUEVA: Okay. I'd go ahead and resend  
17 those, and we can table --

18 COMMISSIONER ANDERSEN: Can you tell us what the 10K  
19 was in? Was that 6B or 6C?

20 MR. VILLANUEVA: It's a 6B. The quickest --

21 COMMISSIONER ANDERSEN: I think -- pardon.

22 MR. VILLANUEVA: I was going to suggest the quickest  
23 way would be, either I could just send it, or it is on  
24 the website and available. But due to considerations of  
25 what's been brought up, may I suggest, let me do that.

1 We can table this motion and pick it back up --

2 MS. JOHNSTON: After lunch?

3 MR. VILLANUEVA: After lunch or even when we do the  
4 contracts.

5 COMMISSIONER SADHWANI: May I just ask? I'm looking  
6 at the documents that are online, since that's what's  
7 also would be available to everyone. Do we know, for the  
8 10,000, I'm also having trouble finding it, do we just  
9 know what the title for it is online?

10 MR. VILLANUEVA: Let me get you an exact title.

11 COMMISSIONER SADHWANI: We started with minutes,  
12 budget, the human resources services piece, the FI\$Cal.

13 MR. VILLANUEVA: It's there at the very bottom,  
14 2020/2021 fiscal services IAA.

15 COMMISSIONER SADHWANI: Thank you.

16 MR. VILLANUEVA: So it's right there at the very  
17 bottom. So is there a consideration then to table this,  
18 Madam Chair?

19 CHAIR TURNER: Maybe we should push it to the top of  
20 tomorrow morning, because in keeping with what I said  
21 earlier, I don't necessarily want to have people to have  
22 to find it and read it on lunch or whatever. And it may  
23 be at the top of our meeting tomorrow.

24 Commissioner Le Mons?

25 COMMISSIONER LE MONS: Do we need to push it that

1 far?

2 CHAIR TURNER: No, we don't.

3 COMMISSIONER LE MONS: The only reason why I ask  
4 that, I mean, now that Commissioner Akutagawa and  
5 Andersen has located it or sees it, is it something that  
6 we can address when we come back from lunch? Does it  
7 really need to be pushed back to tomorrow? It seems that  
8 we have a lot of infrastructure and business to handle,  
9 and so I don't know, you know, how they feel about how  
10 complicated it is. I have my opinion. So I would just  
11 say that I ask that we not get into the habit of pushing  
12 stuff so far forward, because we have a question. So  
13 that's all.

14 CHAIR TURNER: Yeah. I agree. I guess we can hear  
15 from them. My thought process and what I want us also to  
16 get in the habit of not doing, is conducting business  
17 while we go on health breaks and ensuring that we are --  
18 ensuring health. And that when we take a break, we are  
19 breaking and taking lunches, we are lunching. And so if  
20 someone chooses to work on break or lunch, then certainly  
21 that is your option, but I don't ever -- I'm hopeful that  
22 we don't, from a Commission standpoint, assign work to  
23 people on breaks or lunches, was my only thought about  
24 it. But you're right. Looking at it quickly, they may  
25 say I don't need to take much time on it, but that would

1 be then up to those Commissioners. That was my, kind of,  
2 rationale behind it.

3 COMMISSIONER LE MONS: I understand. And I support  
4 that as well.

5 COMMISSIONER ANDERSEN: If someone just told me  
6 where it was, I, again, I don't see it. Like, what day  
7 or where are you guys finding it.

8 COMMISSIONER LE MONS: Well, Raul offered to send  
9 it. I recommend that Raul just send it to you, it'll be  
10 at the top of your email box.

11 COMMISSIONER ANDERSEN: Thank you.

12 COMMISSIONER LE MONS: And that way you don't have  
13 to look for it.

14 COMMISSIONER ANDERSEN: Good, that will be  
15 wonderful. Thank you.

16 MR. VILLANUEVA: And I can certainly do that at the  
17 top of lunch, so everybody has it.

18 CHAIR TURNER: Thank you. Okay, Raul, you had  
19 interagency agreement, interim signature authority. You  
20 have a few more things to cover still, right?

21 MR. VILLANUEVA: Yes.

22 CHAIR TURNER: Okay.

23 MR. VILLANUEVA: Do you want me to proceed, Madam  
24 Chair?

25 CHAIR TURNER: Please.

1 MR. VILLANUEVA: Okay. So as a kind of an  
2 introduction to the interim signature authority. I have  
3 an example here. The CALNET CATR/ATR form that was sent,  
4 that's an authorization designating an individual  
5 authorized by the agency to obtain telecommunications  
6 services. So in other words, to get you your phones.

7 So ten years ago, I was the person who was  
8 designated chief agency telecommunications  
9 representative, the CATR. That lapsed. The Commission  
10 no longer has a designated individual to get you your  
11 phone service. And so to get you your phone service, you  
12 would need to basically give me the authority to get you  
13 the service.

14 One of the problems is that gray area in terms of  
15 who can contract or enter into agreements on behalf of  
16 the Commission. And basically until you do so for your  
17 executive officer, your executive director, you need  
18 something in the interim. So Marian and I, we're looking  
19 at various means that you could consider. One is, the  
20 chair has to sign and approve everything on your behalf.  
21 So that means everything goes to the chair and I have to  
22 wait for it to come back to get you your services. You  
23 can designate a subcommittee to do the same thing. I get  
24 the documents together it goes to them. I can wait for  
25 it to come back and then I can get you your services.

1 But then you'll also be signing invoices. You'll also be  
2 signing pretty much everything that comes through.

3 The other thing to do is you can set it up to where  
4 you can give me partial interim authority, which means  
5 that I would have a designated individual, or here, if  
6 you wanted to designate your subcommittee. And I would  
7 go to them and I'd say here, here's what I have. Do I  
8 have authority to sign on your behalf. And they would  
9 either go aye or nay.

10 And the last one would be, if you just gave blanket  
11 authority. So those are the different options that  
12 Marian and I are bringing to you to consider.

13 CHAIR TURNER: Thank you. Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes. I just had a  
15 question, because this is something that we just recently  
16 are going to, is a DocuSign which is online signatures.  
17 Instead of you having to wait until you receive an actual  
18 signature from Madam Chair Turner. Then if we can do it  
19 online, that might expedite the process. So I'm just  
20 wondering if that's a possibility?

21 CHAIR TURNER: Commissioner Sinay?

22 COMMISSIONER SINAY: Well the rotating chairs,  
23 getting signature of the chair may be complicated for  
24 staff. And I'm wondering if it makes sense, since we  
25 have a finance committee, to give kind of, whoever wants



1 to head up the -- it's not the finance committee, the  
2 fiscal oversight committee. If want to give the fiscal  
3 oversight committee that responsibility. So I see  
4 Commissioner Kennedy saying no. But I'm just trying to  
5 think, that committee's not changing.

6 CHAIR TURNER: Well, as I was understanding it, one  
7 of the options too, as an interim signature authority, we  
8 could have you do it -- and is this for the telephones  
9 we're talking about right now, right?

10 MR. VILLANUEVA: Basically it's for the telephones,  
11 for the different contracts that are coming up. To sign  
12 on behalf for your invoices. So if an invoice comes in,  
13 somebody has to sign it and approve it. You know, I did  
14 the math, but right now I can't sign it.

15 CHAIR TURNER: Okay. Commissioner Sadhwani?

16 COMMISSIONER SADHWANI: Just for clarity, when we  
17 talk about the phones, are these phones in the office  
18 or -- and one of the things, and this might be separate  
19 from this conversation and that's perfectly fine, but we  
20 were also given --

21 CHAIR TURNER: Temporary cell phones.

22 COMMISSIONER SADHWANI: Yes, temporary cell phones  
23 that I don't, like, I don't even use.

24 MR. VILLANUEVA: Yes. So --

25 COMMISSIONER SADHWANI: That communication? Are we

1 talking about the AT&T caller? Like, what kind of  
2 telecommunications are we talking about; because I think  
3 I'll have a better idea and will be able to better judge.  
4 It might just make more sense for the executive director  
5 to have that power as we determine, from oversight as we  
6 determine perhaps the fiscal committee powers.

7 MR. VILLANUEVA: Okay, so --

8 COMMISSIONER SADHWANI: I don't, like -- I think I  
9 need a little bit more clarity on what are the boundaries  
10 of telecommunications that we're talking about before we  
11 can have this.

12 MR. VILLANUEVA: So --

13 CHAIR TURNER: My understanding was that it's to  
14 replace the temporary phones that we have, that kind of  
15 antiquated.

16 MR. VILLANUEVA: It's your office phones, right?  
17 Your landlines, your 1-800 number, your fax number, your  
18 cell service. All of these are State master service  
19 agreements. They've already been bid. The different  
20 entities were providing the services, have been  
21 designated. They have to provide them within very  
22 certain prescribed constraints. And the costs have all  
23 been pre-negotiated also.

24 So when you talk about the signature authority  
25 there, what you're really authorizing is somebody to say

1 yes, we want the service, and then to go get it for you.

2 CHAIR TURNER: Okay. Any other questions,  
3 Commissioners, or thoughts?

4 Commissioner Sinay?

5 COMMISSIONER SINAY: I'm sorry. I'm confused on  
6 this conversation. Are we mixing a lot of apples and  
7 oranges right now? Is the main question that's being  
8 asked right now, in the interim not having a staff member  
9 who does these things, can we give that authorization to  
10 you? And we're not necessarily talking about phones,  
11 that that was just an example you had provided to us?  
12 But it's the bigger question of during this interim, who  
13 wants to be -- how do we want to deal with the  
14 administration; some of these pieces of work that  
15 eventually staff will actually be doing?

16 MR. VILLANUEVA: Exactly.

17 CHAIR TURNER: Right. It's the signing authority,  
18 and I think Raul listed a few different options. One  
19 being the chair, one being some of the middle option, and  
20 then also again as the interim signing authority. Thank  
21 you for the clarification.

22 Yes, Commissioner Fornaciari? You're on mute, sir.

23 COMMISSIONER FORNACIARI: Yeah. Took me a minute to  
24 find the button. Well, just to put in my two cents. I  
25 kind of like the option of just delegating authority to



1 Mr. Villanueva and have an oversight by the financial  
2 oversight committee.

3 CHAIR TURNER: Commissioner Andersen, were you  
4 saying something?

5 COMMISSIONER ANDERSEN: Thank you. Yes, I was.  
6 Now, I misunderstood that. Is this just temporarily  
7 until we establish that? So we'll have to answer this  
8 whole question again once we get staffing? Or is this,  
9 we're setting up a procedure that is going to continue  
10 on?

11 MR. VILLANUEVA: This is temporary. Right now, you  
12 have a staff of one, okay. And so one of the other  
13 things I'll be asking you is to authorize me to pick up  
14 some retired annuitants, some additional staff to assist  
15 me. But yes, once you have an executive director, as  
16 many of you know, it's customary that they have that  
17 authority. They have that authority up to some, you  
18 know, 250,000, 500,000, whatever you decide on. And then  
19 they go out. You have a discussion. You say, these are  
20 the services we want. Your staff get the information.  
21 Say here's what it looks like, here are the costs, here  
22 are your choices. You make the choices. And your  
23 executive director carries it through, signs for it, and  
24 obtains those services. All of that is really pending  
25 your hiring of an executive director.

1           What my job here at this point is, is to make sure  
2 that those services that keep you operating until that  
3 time are in place and functioning and are being paid for  
4 appropriately.

5           CHAIR TURNER: Okay. Thank you. I also agree with  
6 Commissioner Fornaciari. Any comments, questions?

7           Yes, Commissioner Le Mons?

8           COMMISSIONER LE MONS: I just wanted to say, I agree  
9 also, and the good news is, Raul's done this before. And  
10 I think there's some interim steps that we need to do in  
11 order to get to the business and I think we should feel  
12 comfortable, hopefully, and not too suspicious. Not  
13 about you, Raul. Just generally speaking.

14           That we need the infrastructure to move forward. We  
15 need a interim infrastructure. So I think these are  
16 things that are operational, we can undo whatever we do.  
17 So I don't think we have to be so nervous about. And  
18 yeah, so I agree. I'd like to recommend that we make  
19 Raul in interim signing authority. He's right there. I  
20 know Commission Fernandez will keep a eye on him, so we  
21 won't have to worry.

22           I'm also trying to bring a little levity.

23           MR. VILLANUEVA: Yeah.

24           MS. JOHNSTON: Is that a motion? Is that a motion?

25           COMMISSIONER LE MONS: Yeah, that's a motion. Yes,



1 that's a motion. Yes.

2 VICE CHAIR AHMAD: Actually, Madam Chair, I believe  
3 the motion from previously was still on the table. So I  
4 think we would just have to amend that motion to include  
5 the last item that Raul just went over, which is the  
6 interim signature authority. And I guess other matters  
7 are really important too.

8 MS. JOHNSTON: The prior motion had to do with the  
9 three interagency agreements.

10 MR. VILLANUEVA: Correct.

11 MS. JOHNSTON: This is to give Raul the interim  
12 signing authority.

13 VICE CHAIR AHMAD: Okay. So would we have to vote  
14 on that motion or withdraw it?

15 MS. JOHNSTON: That one's been tabled.

16 VICE CHAIR AHMAD: Okay.

17 CHAIR TURNER: Thank you. Is there a second on the  
18 motion? Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: I'll second that. And I'll  
20 try to keep an eye on that, Commissioner Le Mons.

21 MR. VILLANUEVA: I did want to make one comment.  
22 You know, we joke and yeah, it is funny. But at the end  
23 of the day, we're working with public funds. And so on  
24 behalf of the Commission, to have some kind of oversight  
25 into ensuring that those public funds are being expended

1 appropriately, is just the right thing to do. And so  
2 myself, I completely support working with your fiscal  
3 oversight committee to ensure that while you're getting  
4 off to a good start, that fiscally and budgetarily you're  
5 making sure of doing that also until your executive  
6 director comes in.

7 CHAIR TURNER: That's beautiful. So we have a  
8 motion -- yes, Commissioner Sadhwani?

9 COMMISSIONER SADHWANI: Thank you, (indiscernible).  
10 I also just wanted to add. Earlier you had mentioned  
11 that there might be some -- in the spirit of, you know,  
12 good governance and budget oversight, that there might be  
13 some limit that we set to your authority so that it's not  
14 signing a check for a million dollars to your family  
15 member or something; not that you would do that.

16 But would it make sense to include some kind of sort  
17 of maximum limit and at such time it has a greater  
18 oversight or something of that nature? Is that something  
19 that we would want to consider adding onto this motion?

20 And I largely raise it because you had mentioned it  
21 yourself.

22 MR. VILLANUEVA: As I understood the motion, it's  
23 for me to have signing authority with oversight from your  
24 fiscal oversight committee. The way I would understand  
25 that then is if something comes in, I minimally have to

1 communicate to them and say, this is what has come in.  
2 Do you want to go over it together? Or those things that  
3 are -- an invoice for example. Those things that are  
4 higher level than an invoice, then it's up to me to be  
5 responsible and go, hey, this came in, can we set time to  
6 talk about it because it entails these other factors. So  
7 as I understand it, then I have zero independent  
8 signature authority.

9 CHAIR TURNER: Thank you for that clarification.  
10 Commissioner Sadhwani, does that satisfy you?

11 COMMISSIONER SADHWANI: That satisfies me, if  
12 everybody feels comfortable with it. I was actually  
13 under the assumption that we would be giving greater  
14 authority to Raul to sign off on some of these things  
15 that we know need to get down, kind of to Commissioner Le  
16 Mons's point. But I'm actually, I'm fine with this  
17 motion of the fiscal oversight committee involving all of  
18 the --

19 CHAIR TURNER: So we had Commissioner Le Mons that  
20 made the motion. I believe it was Commissioner  
21 Fornaciari --

22 COMMISSIONER FERNANDEZ: Fernandez.

23 CHAIR TURNER: Oh, Fernandez had seconded it. So  
24 before we vote, I think we need to go to public comment.

25 MS. JOHNSTON: Correct.





1 CHAIR TURNER: Okay. So --

2 MS. JOHNSTON: Justin?

3 CHAIR TURNER: Take it away Justin.

4 PUBLIC COMMENT MODERATOR: Right. Hi, good  
5 afternoon. This is Tom. I took over from Justin.

6 But ladies and gentlemen, to ask a question please  
7 press 1, followed by the 0 at this time. Right?  
8 Followed by the 0. One moment, I'll just connect you up.

9 All right, first question will come from Daphne  
10 Harris. Please, go ahead.

11 MS. HARRIS: Hello, Commission, again. I noticed  
12 that on the documents that are online, there was an  
13 executive branch listing. And I'm just curious if there  
14 was a structural listing that existed for the 2010  
15 Commission? And maybe seeing what subcommittees would be  
16 needed in order to function properly on a tactical basis,  
17 sounds like it needs to be done. And it would help us,  
18 in the public, to just see how things are supposed to be  
19 done procedurally.

20 If we have a procedural document for the Commission,  
21 that would be helpful. And then also I few have a  
22 structural document for the Commission and how it  
23 interfaces with the executive branch, that would also  
24 help us.

25 CHAIR TURNER: Thank you. Is there another comment?



1 PUBLIC COMMENT MODERATOR: And for additional  
2 questions or comments, please press 1-0.

3 And nobody else is queueing up.

4 CHAIR TURNER: Thank you. At this point, is there  
5 any other last discussion, comment, anything, because if  
6 not, we'll go to vote.

7 Commissioner Kennedy?

8 COMMISSIONER KENNEDY: Yeah. If Raul could respond  
9 to the caller's question about an organigram of the 2010  
10 Commission, please.

11 MR. VILLANUEVA: Absolutely. So as part of the  
12 agenda item regarding your staffing, I do have for you  
13 what the staffing structure was at that time and a  
14 discussion about those roles and responsibilities. Also  
15 looking at the salary structure that was existent at that  
16 time, why it was selected the way it was. I'll be asking  
17 for a motion on consideration of accepting that, a  
18 similar type of salary structure.

19 All of that is kind of a preliminary, on the one  
20 hand, in terms of looking at a personnel budget. The  
21 other side of it is in terms of starting the discussion  
22 that you will have then later with your executive  
23 director, in terms of the actual staffing structure, what  
24 these men and women can and will do for you.

25 So that's -- which the segue then is the



1 recruitments that are out there right now. So that was a  
2 bigger explanation, but I wanted to give you more of a  
3 big picture of why that's waiting until then.

4 MS. JOHNSTON: I don't think that there is a thing  
5 about what committees the 2010 Commission --

6 MR. VILLANUEVA: No.

7 MS. JOHNSTON: -- had, but we can certainly give  
8 that to you if you wish.

9 MR. VILLANUEVA: They have that in terms of the  
10 policy and procedures, I do believe.

11 MS. JOHNSTON: Ah-ha. Good.

12 MR. VILLANUEVA: I'll look to make sure, but I  
13 thought it was included in there.

14 CHAIR TURNER: Is that agenda 14, or where is that,  
15 (indiscernible)?

16 MR. VILLANUEVA: Okay. Let me look.

17 COMMISSIONER SINAY: I believe a lot of the  
18 committees and which ones they found helpful and not  
19 helpful was in their report. And again, though there was  
20 a Commission in 2010, 2020 different than 2010 for  
21 different reasons and we have different expertise on  
22 the -- and we'll have different staffing, so --

23 MR. VILLANUEVA: Um-hum.

24 COMMISSIONER SINAY: -- I think what's important for  
25 the public to know is that we're building our plane as

1 we're flying it right now and they're getting to watch us  
2 do that.

3 MR. VILLANUEVA: Yes.

4 CHAIR TURNER: Thank you. Raul, if you have -- you  
5 mentioned that it was there already. Is that agenda 14  
6 or no?

7 MR. VILLANUEVA: In regards to the staffing  
8 selection?

9 CHAIR TURNER: Yes.

10 MR. VILLANUEVA: I do believe so. Let me check and  
11 make sure. That is correct. That is correct, Madam  
12 Chair.

13 CHAIR TURNER: Thank you.

14 MR. VILLANUEVA: And really so I'm just going to be  
15 describing those pieces of the plane and what they do  
16 because Commissioner Sinay is actually -- is absolutely  
17 correct. It's up to you and your executive director  
18 exactly what kind of plane you're going to put together,  
19 how you want it to fly, how fast. They're all going to  
20 need an engine, wings, tail, ailerons, things like that,  
21 landing gear.

22 CHAIR TURNER: Thank you. Can we call to vote at  
23 this time?

24 MS. JOHNSTON: Okay. The motion is to give interim  
25 signature authority to Raul Villanueva subject to review

1 by the fiscal oversight committee.

2 Commissioner Ahmad.

3 VICE CHAIR AHMAD: Yes.

4 MS. JOHNSTON: Commissioner Akutagawa.

5 COMMISSIONER AKUTAGAWA: Yes.

6 MS. JOHNSTON: Commissioner Andersen.

7 COMMISSIONER ANDERSEN: Yes.

8 MS. JOHNSTON: Commissioner Fernandez.

9 COMMISSIONER FERNANDEZ: Yes.

10 MS. JOHNSTON: Commissioner Fornaciari.

11 COMMISSIONER FORNACIARI: Yes.

12 MS. JOHNSTON: Commissioner Kennedy.

13 COMMISSIONER KENNEDY: Yes.

14 MS. JOHNSTON: Commissioner Le Mons.

15 COMMISSIONER LE MONS: Yes.

16 MS. JOHNSTON: Commissioner Sadhwani.

17 COMMISSIONER SADHWANI: Yes.

18 MS. JOHNSTON: Commissioner Sinay.

19 COMMISSIONER SINAY: Yes.

20 MS. JOHNSTON: Commissioner Taylor.

21 COMMISSIONER TAYLOR: Yes.

22 MS. JOHNSTON: Commissioner Turner.

23 CHAIR TURNER: Yes.

24 MS. JOHNSTON: Commissioner Vazquez.

25 COMMISSIONER VAZQUEZ: Yes.



1 MS. JOHNSTON: Commissioner Yee.

2 COMMISSIONER YEE: Yes.

3 MS. JOHNSTON: Motion passes.

4 CHAIR TURNER: Thank you. We'll move to agenda 7,  
5 training on the Commission for per diem, travel rules,  
6 and reimbursements. And we're -- yes, Commissioner  
7 Kennedy?

8 COMMISSIONER KENNEDY: Sorry. We received a CRC org  
9 chart from the 2010 Commission, but I'm not finding that  
10 on the handouts on the web page for today's meeting.

11 That was the information that the caller was seeking.

12 MR. VILLANUEVA: Correct. There were some issues  
13 regarding how to post it so it would be accessible, and  
14 so they were looking into that, the web folks, because  
15 that's a -- that's JPEG, basically, and not a PDF and  
16 some of the factors that go along with that.

17 CHAIR TURNER: It's very simple to convert from a  
18 JPEG to PDF.

19 MS. JOHNSTON: Part of the problem is, right now,  
20 the posting is not within our control. It's still within  
21 the control of the State Auditor's Office, so we have to  
22 go through them to get things posted.

23 COMMISSIONER KENNEDY: The caller had perfect --  
24 perfectly good reason to hold us to account on that.

25 MR. VILLANUEVA: It should be available when the



1 item actually comes up in the agenda, which is item 14.

2 But I understand your concern, and I share it.

3 CHAIR TURNER: Thank you. It looks like they're  
4 going to get to work on it and we'll have it available by  
5 item 14.

6 MR. VILLANUEVA: Yes.

7 CHAIR TURNER: So if you would proceed then, please,  
8 with the training for the per diem, travel rules, and  
9 reimbursement.

10 MR. VILLANUEVA: Okay. So I sent the -- a draft of  
11 a fillable travel expense claim form and the instructions  
12 and an example filled-out form. Did everybody get a  
13 chance to look at those? So I'd rather start in terms of  
14 questions. Are there any questions about filling out  
15 that form? I mean, here at the top.

16 Yes, Commissioner Sinay.

17 COMMISSIONER SINAY: Sorry. Are we going to have an  
18 employee number or are we going to have to use our Social  
19 Security number?

20 MR. VILLANUEVA: We'll have all those on file, and  
21 so --

22 COMMISSIONER SINAY: Okay.

23 MR. VILLANUEVA: -- and so that's why the  
24 instructions were -- are saying to, you know, on file,  
25 so --

1 COMMISSIONER SINAY: Okay. Sorry.

2 MR. VILLANUEVA: No, no. That's a really good  
3 question. Also, too, please know that while I'm here and  
4 available for you, as you fill those out, you can reach  
5 out and we'll -- we can fill the first ones out together.  
6 They go from very simple to really obtuse. Commissioner  
7 Fernandez is smiling because she knows it looks -- it  
8 looks really simple one way, but it can get crazy, so I  
9 have no problem with that. And I just got my Commission  
10 phone, and so I should be able to make that number  
11 available to you.

12 CHAIR TURNER: Commissioner Fornaciari?

13 COMMISSIONER FORNACIARI: So then we have to sign  
14 them and get you a hard copy? Is that the requirement?

15 MR. VILLANUEVA: Right now, under the COVID-19  
16 rules, I can go with an electronic copy, with an --

17 COMMISSIONER FORNACIARI: Do we have to have --

18 MR. VILLANUEVA: -- electronic signature.

19 COMMISSIONER FORNACIARI: -- a new signature, or  
20 what do we -- what do we do there?

21 MR. VILLANUEVA: So you can take it, print it out  
22 for yourself, sign it, PDF, and send it to me as a PDF,  
23 signed PDF. I'm able then to take the signed PDF, print  
24 it, put on my signature, PDF it, and send it in for  
25 payment.





1 CHAIR TURNER: That's where that DocuSign would be  
2 great, huh?

3 MR. VILLANUEVA: Yeah.

4 COMMISSIONER FORNACIARI: Sounds like a lot of  
5 scanning.

6 MR. VILLANUEVA: It --

7 COMMISSIONER FORNACIARI: Okay.

8 MR. VILLANUEVA: Well, it is. And yet, DocuSign is  
9 wonderful. We don't have access to that service at this  
10 point in time, but that could be a procurement to look at  
11 for the future.

12 CHAIR TURNER: Yes, Commissioner Akutagawa.

13 COMMISSIONER AKUTAGAWA: This is going to sound kind  
14 of silly, but I'm taking the -- I guess, our counsel's  
15 word very seriously about trying not to have any  
16 comingling of Commission-related documents on personal  
17 laptops or even my phone, but to be able to scan, I  
18 guess, it -- my concern is just being able to do  
19 something as simple as that without having to work it  
20 through my own laptop to then get it to this email to  
21 then send it on to you.

22 I feel like that's what I have to do right now, and  
23 I may resort to faxing.

24 CHAIR TURNER: I think you're absolutely right --

25 MS. JOHNSTON: Unless --



1 CHAIR TURNER: -- because the computer that was  
2 provided does not completely scan.

3 COMMISSIONER AKUTAGAWA: Yeah.

4 COMMISSIONER SINAY: What if we took pictures and  
5 sent it in with our modern phones?

6 CHAIR TURNER: Commissioner Ahmad.

7 VICE CHAIR AHMAD: I don't even know how to use a  
8 fax machine, but if there is a feature -- and I want to  
9 defer to Counsel and Raul if this is allowed as well --  
10 on the PDFs on our issue -- State-issued laptops that  
11 allows us to draw a signature and save that as a PDF and  
12 then you can just send it directly from your laptop.

13 MR. VILLANUEVA: Um-hum.

14 MS. JOHNSTON: I have no idea --

15 VICE CHAIR AHMAD: Is that something that's  
16 permissible or it would require to have --

17 MS. JOHNSTON: That would be permissible --

18 VICE CHAIR AHMAD: -- a wet signature?

19 MS. JOHNSTON: -- if it worked. Again, we did not  
20 pick out these computers. They were picked up by the  
21 State Auditor's Office, so we had no control over them.  
22 At some point, you may wish to decide if you want to get  
23 a different computer system or --

24 MR. VILLANUEVA: Oy. Don't say that.

25 MS. JOHNSTON: -- whatever.



1 VICE CHAIR AHMAD: Right. For the time being, is  
2 that permissible or is it required to have a wet  
3 signature?

4 MS. JOHNSTON: It's not -- a wet signature is not  
5 required.

6 VICE CHAIR AHMAD: Okay.

7 MR. VILLANUEVA: No. No, what Commissioner Ahmad's  
8 asking about is using the PDF, the Acrobat software, to  
9 create a signature for yourself and then use that. Let  
10 me check on --

11 VICE CHAIR AHMAD: Yes.

12 MR. VILLANUEVA: -- that to make sure. I know that  
13 when it's been scanned or copied, it's appropriate when  
14 it's been done through DocuSign, they'll accept. So just  
15 let me make sure for you.

16 VICE CHAIR AHMAD: Okay. As a matter of  
17 functionality and feasibility, that is feasible on our  
18 laptops and through the software. I just wanted to make  
19 sure that it's allowed.

20 MR. VILLANUEVA: Right. Well, I would hate to tell  
21 you yes, something gets submitted, and then two weeks up  
22 the road when you're waiting for it, we got to tell you  
23 it got kicked back. So just please let me make sure that  
24 I have a solid answer for you on that.

25 CHAIR TURNER: Thank you. Commissioner Sinay.



1           COMMISSIONER SINAY: I was just curious, what items  
2 do we need an actual receipt for and how -- you know,  
3 how -- is there a minimum or max -- minimum that you need  
4 to submit the receipts? Because that complicates things  
5 on the scanning and all that.

6           MR. VILLANUEVA: I think business -- business  
7 expenses over it's either twenty or twenty-five dollars.  
8 I would always have them for your hotel. If you have  
9 meal expenses beyond the maximum per diem amounts, you're  
10 probably going to need to have them. Gas, tolls,  
11 parking. All of those are going to require receipt for  
12 reimbursement. It's probably easier to ask what don't  
13 you need a receipt for?

14           COMMISSIONER SINAY: With all those requirements for  
15 receipt, the scanning piece becomes a -- as an  
16 independent contractor, that can become --

17           MR. VILLANUEVA: Right.

18           COMMISSIONER SINAY: -- a pain.

19           MR. VILLANUEVA: What we used to do back in the old  
20 days, as you would -- and I only read about this, I  
21 didn't actually do it. But you would you take the  
22 receipts and you would Scotch tape them onto the back,  
23 right? Copy that, and then that would be your scan for  
24 all the receipts and you'd be able to hand them in,  
25 originals, and keep your copies that way.

1 CHAIR TURNER: Commissioner Fernandez.

2 COMMISSIONER FERNANDEZ: Thank you. Well, I just  
3 have like a -- since I've been with the State forever,  
4 just have a few questions for those that -- and  
5 clarifications --

6 MR. VILLANUEVA: Okay.

7 COMMISSIONER FERNANDEZ: -- for those that aren't  
8 familiar with the whole State system. One, how long --  
9 how quick of a turnaround is the reimbursement time from  
10 the time we turn in the travel claim to when we get paid?

11 MR. VILLANUEVA: Approximately two to three weeks.

12 COMMISSIONER FERNANDEZ: Okay. Which is actually  
13 better than my agency right now, so that's good. I  
14 applaud you for that. And then also, just for  
15 clarification, all of our expenses, we pay the expenses  
16 initially and then we get reimbursed, right? There  
17 aren't travel advances. How is this going to work?

18 MR. VILLANUEVA: Under customary -- right now, under  
19 customary basis, it's probably -- requesting a travel  
20 advance, I mean, you could, but kind of why?

21 COMMISSIONER FERNANDEZ: No, that's fine.

22 MR. VILLANUEVA: Right?

23 COMMISSIONER FERNANDEZ: I just wanted --

24 MR. VILLANUEVA: In the future, let's say you are  
25 traveling across the state now, and we can anticipate a

1 whole body going. You're going to be on the road for a  
2 week and a half, and so you don't want to start maxing  
3 out your credit card, that would be the appropriate time  
4 then to work out a good solid travel budget and do a  
5 travel advance. It takes a while to get it. And so that  
6 that type of planning, then, is really important for  
7 that.

8 MS. JOHNSTON: Isn't there a credit card for CRC for  
9 travel --

10 COMMISSIONER FERNANDEZ: Right.

11 MR. VILLANUEVA: We're not --

12 MS. JOHNSTON: -- for the plane?

13 MR. VILLANUEVA: We're not -- we can't right now --

14 MS. JOHNSTON: We didn't -- we didn't have that last  
15 year?

16 COMMISSIONER FERNANDEZ: I've asked about their --

17 MR. VILLANUEVA: No, no.

18 COMMISSIONER FERNANDEZ: Are there any direct pays  
19 in terms of, at some point in time before flying or even  
20 with the lodging, do we have a direct pay with the State  
21 so that it doesn't come out of our --

22 MS. JOHNSTON: Christina (ph.) had a credit card  
23 that she --

24 MR. VILLANUEVA: So the travel card, there is a Cal  
25 travel card that -- actually the Commission has one. At

1 this point now, I can go ahead and start -- see, by  
2 giving me authority, I can go, hey, we have a travel  
3 account. Here are the folks, go -- here's what I'm going  
4 to need in terms of documents that we can get your Cal  
5 travel card in your name now. So that's the wonderful  
6 thing about why we're doing some of these items that had  
7 to wait, so that would be available.

8       There's a credit card, per se, but in terms of  
9 contracting, we don't have what is known as delegated  
10 authority. So I'll be talking about that in terms of the  
11 contracting, which also segues into the staffing a little  
12 bit, again, in terms of the choices that are available to  
13 get that type of authority.

14       By the way, very soon now, we need to break for  
15 lunch, if I may. Every ninety minutes, we are -- as you  
16 know, the captioners need to take a break, and we're  
17 pretty much right at that, couple minutes.

18       CHAIR TURNER: We have, I think, until 12:40.

19       MR. VILLANUEVA: Until 12 --

20       CHAIR TURNER: Um-hum. We could probably finish  
21 this discussion.

22       MR. VILLANUEVA: Very good.

23       CHAIR TURNER: Commissioner Sadhwani.

24       COMMISSIONER SADHWANI: Yes. Thank you. I just  
25 also wanted to clarify, I recall the previous counsel had

1 advised me to keep track of hours that I had spent doing  
2 work of the Commission, right, in terms of for the first  
3 eight reviewing of applications and such, and that there  
4 is a per diem for each day of work for the -- towards the  
5 Commission work. Do we use the same travel form for  
6 that, and is there a preferred way in which we should be  
7 documenting those kind -- those hours and time?

8 MR. VILLANUEVA: So your per diems, yes, you do earn  
9 a per diem per day. And I've got some forms that have  
10 been recommended for you to start using. Not to go into  
11 the past process too much and how they were doing it, one  
12 of the things to keep in mind, even for State employees,  
13 it takes a good thirty days to get on -- to get on to the  
14 system, and that's kind of what's going on now. I'm  
15 working with different agencies to get you on the system  
16 so you can be paid.

17 But yes, you do need to be keeping track of the  
18 time. One of the things that you may want to consider  
19 is, for Commission business, here during a Commission  
20 meeting it's pretty clear-cut. In terms of those  
21 activities outside of a Commission meeting, do you want  
22 to make a discussion and consideration for what's going  
23 to be allowable time or not?

24 One of the things to keep in mind is the previous  
25 Commission had decided that they could collect time over





1 multiple days and collect one day, eight hours. I think  
2 they designated their day as six hours. When I was  
3 looking at the law, it specifically identifies your day  
4 as one twenty-four-hour period, not over, across multiple  
5 days. So that's something to look at.

6       You know, I'm working with Marian. We can send you  
7 that part of Government Code. It's actually Government  
8 Code 8250 through 55, which is the code that has to do  
9 with California Civil -- I mean, Citizens Redistricting  
10 Commission. So right now, I'm going to send you those  
11 forms. Do start collecting your days as there's a part  
12 on there to document the day and what you did, and  
13 that'll be good here on the front end. But that's as far  
14 as we can go right now. Like I said, I'm working those  
15 departments to get you on the system.

16       CHAIR TURNER: Commissioner Sinay.

17       COMMISSIONER SINAY: My understanding, just from  
18 reading the different reports and hearing you say this is  
19 how they did it in the past was that we set up kind -- I  
20 mean, we still -- I think the training piece of the per  
21 diem we still need. I don't think you've explained --

22       MR. VILLANUEVA: Yeah.

23       COMMISSIONER SINAY: -- to us, you know, what the  
24 per diem is per day and all that, but that we can design  
25 how we want to use the budget. Unfortunately, we don't

1 know what the line -- that budget line item is for per  
2 diem for us, but that it -- that there was different  
3 recommendations that had -- that were kind of put forward  
4 on thinking about this.

5 One is they did it -- people kept track and some  
6 people ended up with more, using much larger budget --  
7 portions of the budget than others did. Or there's  
8 looking at just getting monthly all the way through the  
9 ten years, which means, we'll be low on one year in the  
10 end, but that there are different models.

11 And one of the things that came up often in reading  
12 about the past Commission is really understanding how  
13 much are commissioners on other commissions being paid  
14 and how are they being paid? So we're not creating it  
15 out of nothing, but we have something to compare because  
16 we will be use -- this is going to take a significant  
17 amount of time on us, and we need to figure -- you know,  
18 figure out our budget -- our personal budgets for life,  
19 but I -- and so I'm wondering when we get some of that  
20 information and get a more in-depth training on this so  
21 that we can make some of these decisions.

22 MR. VILLANUEVA: Right. And when you talk about a  
23 budget item for per diem, fourteen commissioners at about  
24 378 per hour, you're talking about almost 5,300 dollars  
25 an hour in per diem when all fourteen commissioners are



1 present. It's a very, very large budget item.

2 That being said, when you look at the law in the way  
3 it was set up, it appears that the intent in having a  
4 one-day per diem for the full amount, it serves as a way  
5 of equalizing, not so much now, but in the future when  
6 all fourteen commissioners, say, are on the road or  
7 you're doing multiple days of meetings and you can't go  
8 to work, right? You're meeting. Okay. That's going to  
9 impact individuals at different socioeconomic levels more  
10 than others.

11 What this does then is it helps to equal some of  
12 that out, and so that an individual who is at a more  
13 moderate level of income isn't penalized for being a  
14 member in the -- of the Commission and doing the  
15 Commission's business. In other words, if I make a -- if  
16 I have a fairly high level of salary, then I wouldn't be  
17 as disadvantaged, quite frankly. And so it's one of  
18 those equalizing things.

19 So as you look at this, yes, it's a budgetary item,  
20 but you have to do your work. And so maybe the way to  
21 look at it isn't so much as a budgetary item because your  
22 staff will keep track of that for you and look at that  
23 expenditure. Maybe the better way to look at it is on  
24 what basis do you earn it outside of the meeting?  
25 Because when you're in the meeting, by law, that's what

1 you earn, right?

2 So anyway, those discussions, I think, are fruitful  
3 for you to have because I can talk to you about the  
4 mechanics of here's how you -- here's the paperwork you  
5 fill out so that you can get your per diem, here's the  
6 process, here's how long it takes for you to get it.

7 COMMISSIONER SINAY: You just said 378. What is  
8 that? I'm --

9 MR. VILLANUEVA: I'm sorry. That was per day. It  
10 was not per hour.

11 COMMISSIONER SINAY: So that's 378 dollars per day  
12 for a six-hour day is the way it's set up right now?

13 MR. VILLANUEVA: No.

14 MS. JOHNSTON: Well, it's set up for 300 with a cost  
15 of living increase, and so that's how you get to the 378.

16 MR. VILLANUEVA: Yeah, approximately. Yeah. And  
17 it's per day, and it's not --

18 MS. JOHNSTON: In a statutory.

19 MR. VILLANUEVA: The law defines day as that twenty-  
20 four-hour period.

21 MS. JOHNSTON: The last Commission decided that on  
22 their work away from actual Commission meetings, they  
23 would not claim -- some of them would not claim until  
24 they had accrued six hours and then they'd put in a  
25 claim, but that may not work for everybody.

1 COMMISSIONER SINAY: And is that the 378 across all  
2 commissions or that was a specific number they came up  
3 for this Commission?

4 MR. VILLANUEVA: Oh, no. That --

5 MS. JOHNSTON: That's only this Commission. Most  
6 commissions do not get paid anywhere near that. It's  
7 usually either nothing or 100 dollars a day.

8 MR. VILLANUEVA: It varies. There are quite a few  
9 commissions and committees, over 100 some odd of them.  
10 But if your Counsel's correct, for the vast majority,  
11 it's reimbursement and 100 dollars per diem. Others get  
12 paid more.

13 MS. JOHNSTON: We get more money because --

14 MR. VILLANUEVA: Many get paid less. For those who  
15 do have a per diem like this, they turn it in pretty much  
16 almost like a timesheet and timekeeping system. And so  
17 once a month that -- it's submitted for payment, it's  
18 documented, it goes through the process, and a check is  
19 issued. That's what common across commissions with this  
20 type of payment.

21 CHAIR TURNER: I see Commissioner Fernandez. I want  
22 to call to your attention the ability to break within  
23 three minutes, if you have something quick or you want to  
24 wait till we get back.

25 COMMISSIONER FERNANDEZ: Yeah. Just quickly, I



1 think it is important that we have some parameters in  
2 terms of what we determine a day is because we are -- we  
3 do have limited funding overall. I'm not sure if that's  
4 another subcommittee, but it's probably something that  
5 should be thought -- thought out and looked at our budget  
6 as well, you know, because we don't want to do a -- you  
7 work two hours so you get paid for the full day. You  
8 know, that may not be appropriate. So I think probably  
9 sooner rather than later if we can come up with those  
10 parameters, I think it would benefit us.

11 CHAIR TURNER: Okay. Sounds like we still need to  
12 have more discussion on this particular item, and a few  
13 more questions, I know, but we are up against our time to  
14 break for lunch, speaking of requirements. So if it's  
15 okay with the Commission now, we'll go ahead and recess  
16 for lunch.

17 COMMISSIONER SADHWANI: I just wanted to mention --

18 CHAIR TURNER: Commissioner Sadhwani?

19 COMMISSIONER SADHWANI: -- Madam Chair, that I  
20 may -- it might take me a little bit longer to get back  
21 after lunch, but please go ahead without me and I will  
22 join back in as soon as I can.

23 CHAIR TURNER: Okay. Thank you. Okay.

24 PUBLIC COMMENT MODERATOR: Please excuse me. This  
25 is the operator. Are you just going to keep your line

1 connected, then?

2 MS. JOHNSTON: No, you can disconnect until 1 --

3 MR. VILLANUEVA: No, no, no, no, no. We're going to  
4 go ahead and keep it open.

5 MS. JOHNSTON: We are?

6 MR. VILLANUEVA: Yes.

7 PUBLIC COMMENT MODERATOR: Okay. Wonderful.

8 MS. JOHNSTON: For public comment?

9 PUBLIC COMMENT MODERATOR: You just wanted to keep  
10 open in the main room or do you want to be transferred in  
11 a private host room or just want to stay here so that you  
12 can just start whenever you're ready?

13 MR. VILLANUEVA: Okay. If you'll hold out a minute,  
14 we'll get back to you outside of the meeting and --

15 PUBLIC COMMENT MODERATOR: Okay.

16 MR. VILLANUEVA: Thank you. So for the  
17 Commissioners --

18 PUBLIC COMMENT MODERATOR: Thank you. Right now,  
19 you're the only line on.

20 MR. VILLANUEVA: Yeah. This is the AT&T operator  
21 that we're working with, so to let you guys go ahead and  
22 take lunch and we'll take care of this business for you.

23 CHAIR TURNER: Okay. So we will reconvene at 1:40.  
24 Thank you.

25 (Whereupon, a recess was held)



1 CHAIR TURNER: Thank you, all, and welcome back from  
2 lunch. We'll reconvene our meeting, and we were on  
3 agenda item number 7. Wondering if we want to hear  
4 public comment before we go back into further discussions  
5 over (audio interference).

6 MR. VILLANUEVA: Do you want me to read the blurb?

7 CHAIR TURNER: Will you call for public comment at  
8 this time if there's --

9 MR. VILLANUEVA: Marian --

10 CHAIR TURNER: -- anyone (indiscernible).

11 MR. VILLANUEVA: -- do you want me to read the  
12 blurb?

13 MS. JOHNSTON: Yes.

14 MR. VILLANUEVA: Okay.

15 MS. JOHNSTON: Read it, please.

16 MR. VILLANUEVA: Okay. I'm going to read the  
17 instructions for the public comment.

18 MS. JOHNSTON: Thank you.

19 MR. VILLANUEVA: In order to maximize transparency  
20 and public participation in our process, the  
21 Commissioners will be taking public comment during their  
22 meeting by phone. There will be opportunities to address  
23 the Commissioners regarding the items on the agenda and  
24 the process in general.

25 In addition, for each agenda item that requires a





1 vote, the public may provide comment on that particular  
2 item. Each time that the Commissioners bring up an  
3 action item, the viewing audience will be informed that  
4 it is time to call in if they wish to make public  
5 comment. The Commissioners will then allow at least two  
6 minutes for those who wish to comment to join the public  
7 comment queue.

8 To make a public comment, please dial 877-226-8163.  
9 After dialing the number, you will speak to an operator  
10 and you will be asked to provide either the access code  
11 for the meeting, which is 5185236, or the name of the  
12 meeting, which is the Citizens Redistricting Commission,  
13 First Commission Meeting.

14 After providing this information, the operator will  
15 ask you to provide your name. Please note that you're  
16 not required to provide your actual name if you do not  
17 wish to. So when the operator asks for your name, you  
18 may provide your own name or a name other than your own.  
19 And when it's your turn to make a public comment, the  
20 moderator will introduce you by the name you provided to  
21 the operator.

22 As such, providing a name helps AT&T, which is  
23 hosting this public comment process, to ensure that  
24 everyone holding for public comment has a chance to  
25 submit their comments. Please be assured that the



1 Commission is not maintaining any list of callers by name  
2 and is only asking for some names so that the call  
3 moderator can manage multiple calls simultaneously and  
4 can let you know when it's your turn to speak.

5       After providing a name and speaking with the  
6 operator, you will be placed in a listening room, which  
7 is a virtual waiting room where you will wait until it is  
8 your turn to speak. In this room, you will be able to  
9 listen to live audio of the meeting, but remember to mute  
10 your phone, computer, or livestream audio because the  
11 online video and audio will be approximately sixty  
12 seconds behind the live audio that you are hearing on  
13 your telephone. Moreover, if you fail to mute your  
14 computer or livestream audio, it will be extremely  
15 difficult for you to follow the meeting and difficult for  
16 anyone to hear your comment due to feedback issues.

17       Therefore, once you are waiting in the queue, be  
18 alert for when you may be called upon to speak and please  
19 turn down the livestream volume. From the listening  
20 room, listen to the meeting and the call moderator. When  
21 you decide that you want to make a comment about the  
22 agenda item currently being discussed, press 1-0, that's  
23 1-0, and you will be placed in a queue to make a public  
24 comment about the action item under consideration.

25       When joining the queue to make a public comment, you



1 should hear an automatic recording informing you that you  
2 have been placed in the queue. You will not receive any  
3 further instruction until the moderator brings you in to  
4 make your public comment. At that time, the moderator  
5 will open your line and introduce you by the name that  
6 you provided, and once again, make sure that you have  
7 muted any background noise from your computer. Please do  
8 not use a speakerphone, but rather speak directly into  
9 your phone.

10       When the moderator introduces you, please state the  
11 name you provided to the operator and then state your  
12 comment clearly and concisely. Comments will be limited  
13 to two minutes. After you finish making your comment,  
14 Commissioners will move on to the next caller. At that  
15 point, please hang up your phone. And if you would like  
16 to comment on another agenda item at a later time, please  
17 call back when the Commissioners open for public comment  
18 for that specific item and you can repeat this process.

19       If for any reason you are disconnected, please call  
20 back and explain the issue to the operator, that way, you  
21 can repeat this process and rejoin the public comment  
22 queue by pressing 1-0. The Commissioners will take  
23 comment for every action item on the agenda. As you  
24 listen to the online video stream, public comments will  
25 be solicited and that is the time to call in. The



1 process for making comment will be the same each time and  
2 will begin by dialing 877-226-8163 and following the  
3 steps I just gave. And these steps are also posted on  
4 the website. Thank you.

5 CHAIR TURNER: Thank you, Raul.

6 MR. VILLANUEVA: You're welcome.

7 CHAIR TURNER: (Indiscernible).

8 MS. JOHNSTON: AT&T, do we have any comments? AT&T?

9 PUBLIC COMMENT MODERATOR: Yes.

10 MS. JOHNSTON: Do we have any comments?

11 PUBLIC COMMENT MODERATOR: Yes. For public  
12 comment --

13 MS. JOHNSTON: Yes.

14 PUBLIC COMMENT MODERATOR: -- please press 1-0 at  
15 this time. Please press 1-0. One moment, please.

16 Nobody is queuing up at this time, Madam Chair.

17 MS. JOHNSTON: Thank you.

18 CHAIR TURNER: Okay. So we can continue with  
19 discussion. We were, at the time we recessed for lunch,  
20 we were still on agenda item number 7, discussing the  
21 specifics of the reimbursement, the travel, and how we  
22 wanted to handle ours that was, again, outside of actual  
23 meeting time.

24 So if we want, we kind of have Commissioner Le Mons  
25 and maybe the good counsel that we may want to try to

1 limit what we are putting off but we also don't want to  
2 rush the process. So I'm wondering if we're at a point  
3 where we have a suggestion on how we want to move forward  
4 with handling the reimbursement, or what time period, the  
5 hours?

6 Commissioner Sinay.

7 COMMISSIONER SINAY: This is, I guess, to Counsel.  
8 You had said that the law says that a day is a twenty-  
9 four-hour period. So do we have a choice on how we're  
10 defining it? I'm a little confused on that.

11 MS. JOHNSTON: You have a choice in that you don't  
12 have to claim it every time you're eligible for it. If  
13 you wanted to wait until you had accumulated enough hours  
14 that you considered it a day, you could then submit that  
15 day for your one-time payment. That's what the last  
16 commission decided to do.

17 MR. VILLANUEVA: Marian, I think she's asking for  
18 clarification on the Government Code and how it defines a  
19 day.

20 MS. JOHNSTON: Well, it does define a day, but it  
21 doesn't require you to submit a claim for every day that  
22 you meet.

23 CHAIR TURNER: Commissioner Le Mons?

24 COMMISSIONER LE MONS: Yeah. I'm asking for that  
25 clarification as well. It sounds like we -- there was



1 something that the previous Commission did that they did  
2 whatever they did. But then we're getting guidance, it  
3 sounds like, that suggests that a day is considered a one  
4 twenty-four-hour period and maybe that we can't sort of  
5 accrue over multiple twenty-four-hour period even though  
6 they are subsets.

7 MS. JOHNSTON: Well --

8 COMMISSIONER LE MONS: So I'm a little bit confused  
9 as to how do we move forward with a -- putting together a  
10 practice that respects whatever guidelines and legalities  
11 that we need to respect.

12 MS. JOHNSTON: You are entitled to submit a claim  
13 for every day that you work for any -- within any twenty-  
14 four-hour period that you work, you may submit a claim  
15 for the 300 dollars. What the prior Commission decided  
16 to do was they had sometimes where you'd spend an hour  
17 one day and maybe two hours the next day, and it really  
18 didn't amount to a lot of time.

19 So they decided that they would not submit a claim  
20 for any day that they only worked a limited amount of  
21 time until they accrued six hours, and then they'd submit  
22 a claim for the day -- the day that they were entitled to  
23 claim the 300, but they had, in fact, accrued six hours,  
24 they would submit a claim on that day. That's not to say  
25 that's something that's binding or even recommended for

1 this Commission. It's totally up to you.

2 CHAIR TURNER: Senator Akutagawa. Senator.  
3 Commissioner.

4 COMMISSIONER AKUTAGAWA: So I think let me just -- I  
5 just want to make sure I didn't -- I'm with the other  
6 commissioners where I was a little confused. So if I  
7 think I'm -- if I'm hearing it correctly that by  
8 Commission rule, if we were to say -- let's just say even  
9 if we worked an hour or two hours, we would have the  
10 right to submit as if we had worked the whole entire day.

11 However, by maybe -- by agreement within the last --  
12 what they chose to do instead of submitting for an entire  
13 day even though that entire day was maybe an hour or two,  
14 the Commissioners decided to just wait until they felt  
15 that they had acquired or accumulated (audio  
16 interference) like a six to eight-hour equivalent of work  
17 regardless of when it happened. And then at some point,  
18 they then submit for per diem for a full day's work.

19 MS. JOHNSTON: On the day that they had accumulated  
20 the six hours. Even if they'd only worked for one hour  
21 that day, they would be entitled to claim the 300  
22 dollars. So that's why they would wait until that day to  
23 submit the 300-dollar claim.

24 COMMISSIONER AKUTAGAWA: Okay. I think I understand  
25 now. Thank you.

1 MS. JOHNSTON: And that's not a decision you all  
2 need to make now. For the next few days, you'll be  
3 earning your money by long days.

4 MR. VILLANUEVA: Um-hum.

5 CHAIR TURNER: Le Mons.

6 COMMISSIONER LE MONS: So I guess my question is --  
7 I'll just be direct. Was there a question of whether or  
8 not that approach that was chosen was considered proper  
9 as it was backed into the framework that suggests that a  
10 day is a one twenty-four-hour period?

11 MS. JOHNSTON: It was proper because they only  
12 submitted a claim on a day where they had, in fact,  
13 worked during that day. What they're -- just because --

14 COMMISSIONER LE MONS: I see.

15 MS. JOHNSTON: -- the Commission is --

16 COMMISSIONER LE MONS: I get it. I get it. I get  
17 it now. Okay. Thank you.

18 MS. JOHNSTON: And that's not to say that that's  
19 something that you all should -- I mean, your economic  
20 situation may be totally different. There are  
21 commissions I've worked with before where commissioners  
22 didn't submit any claim at all for the -- for their daily  
23 per diem. It depends on the commission, depends on the  
24 individual.

25 CHAIR TURNER: Commissioner Fernandez?





1           COMMISSIONER FERNANDEZ: Yes, I did -- she just  
2 answered the same responses. Even if you work one hour a  
3 day, you don't have to claim it.

4           MS. JOHNSTON: Correct.

5           COMMISSIONER FERNANDEZ: And as mentioned, once you  
6 get to your six hours, if that's what we choose to do,  
7 then at that point, you can charge your one day. I mean,  
8 I think the six hours is probably a good measure to use.  
9 Personally, I think that would be good for a full day,  
10 but obviously that's up to discussion.

11          CHAIR TURNER: I'd like to just have -- gain  
12 clarity, ask a question of probably Counsel. And I won't  
13 try to flip it over now, but I did read on the website  
14 for Shape California the wording in how Commissioners  
15 would be paid. I recall that there was a 370-dollar  
16 amount that was -- and I believe the way it's stated is,  
17 is per day there -- you do Commission work or something.  
18 Do you have that, what is actually quoted on the website?

19          MS. JOHNSTON: I don't, but I agree with that.  
20 You're entitled to -- I was saying 300 because that's  
21 what the statute says, but it's with the cost of living,  
22 which is now apparently 378. And you are entitled to  
23 claim it any day that you work. Yes.

24          CHAIR TURNER: Okay. Commissioner Le Mons.

25          COMMISSIONER LE MONS: Just so I make sure that I'm



1 clear, it sounds like the previous Commission came up  
2 with sort of a good-faith approach that they decided to  
3 use. While the rule is you're entitled to claim it on  
4 any day that you do Commission work, the group said,  
5 well, let's come up with a measure that we'll use as  
6 guidance for when we claim when we have these partial  
7 days or they aren't official meeting days or public days,  
8 et cetera. Am I understanding that correctly?

9 MS. JOHNSTON: Yes.

10 COMMISSIONER LE MONS: And is that what we're trying  
11 to determine right now probably is my second -- the  
12 second part of my question.

13 MS. JOHNSTON: You may or you may decide to not even  
14 consider that and just do it any day that you work.

15 CHAIR TURNER: Commissioner Ahmad?

16 VICE CHAIR AHMAD: Yeah. I think just -- in the  
17 spirit of discussion, I think we should determine some  
18 type of metric to measure that because what I'm seeing is  
19 it's written as, quote, engaged in Commission business,  
20 and that is very broad. It could be I opened my email  
21 and responded to one email. That is considered engaging  
22 in Commission business and would I charge the full per  
23 diem amount for that day?

24 So I think it definitely would help us for our own  
25 timekeeping purposes and fidelity to our public funds to

1 determine some sort of standardized metric that we would  
2 use across all fourteen of us to charge as per diem.

3       The other thing that I think we need to consider is  
4 that we are determining or potentially determining some  
5 sort of metric at this point, but there were eight people  
6 who conducted Commission business prior to this  
7 determination so we might have to have a conversation  
8 about how we're going to be charging those days because  
9 there -- we didn't really determine at that point on day  
10 one that, hey, this is what's considered a Commission  
11 day. So that's just something for us to consider as we  
12 continue our discussions.

13       CHAIR TURNER: And I will obviously and for sure be  
14 comfortable with whichever direction we decide and  
15 determine to go. I guess the thing that I wanted to  
16 raise and why I went back to what was originally stated,  
17 you mentioned earlier that each of us are in different  
18 economic income brackets.

19       And what I want to do is have us consider setting  
20 guidelines that for all of us that -- all of -- everyone  
21 that can will follow those guidelines, but I don't want  
22 to also have someone on that -- was going by what was  
23 listed and now having the Commission do something  
24 different if it's going to negatively impact.

25       So yes, Commissioner Kennedy.



1           COMMISSIONER KENNEDY: Thank you, Madam Chair. I  
2 think part of the problem that I'm having with this  
3 discussion and some of our other discussions is how we  
4 read the 2010 Commission's report and their narrative  
5 that they were building the airplane as they went down  
6 the runway and hoped that we could avoid it. And it  
7 seems like we end up in the same situation because,  
8 somehow, the 2010 Commission ceased to exist and  
9 everything that they did ceased to exist with them and  
10 we're having to start from scratch.

11           To me, it's more like the legislature or some other  
12 body where there are discrete terms of office, but the  
13 institution continued. And so to me, I'm happy to go  
14 with what was the policy established by the 2010  
15 Commission, you know, until such time as we decide  
16 otherwise. But it seems to be that policies like that  
17 should carry over so that we're not be the situation of  
18 having to recreate.

19           I mean, it doesn't seem -- as Commissioner Ahmad  
20 said, it doesn't seem right that eight of us were, you  
21 know, working on the reviewing the application materials  
22 of the remaining candidates without any idea of what the  
23 payment for the time that went into that would be. I  
24 mean, it was on faith there would eventually be some sort  
25 of payment for it --

1 MR. VILLANUEVA: I agree.

2 COMMISSIONER KENNEDY: You know, I think that upon  
3 this and in general, if we can approach it as policies  
4 and procedures put in place by the 2010 Commission exist  
5 unless or until we change them, then we'll have less  
6 engineering and construction work to do as we go speeding  
7 down this runway. Thank you.

8 CHAIR TURNER: Thank you for that. Commissioner  
9 Sinay.

10 COMMISSIONER SINAY: I hear what you're saying, and  
11 I support what you're saying. My only concern, it -- for  
12 me, some of this has been set up a little -- the agenda's  
13 not organized the way I would have organized it  
14 because -- like, for instance, this section's supposed to  
15 be a training, but we weren't trained. We're just  
16 have -- we're kind of training each other and we're  
17 looking at documents like that, and then the number 378  
18 was thrown out there like we knew about it, but we  
19 didn't.

20 And so I would actually -- I'm having an  
21 uncomfortable time because I want to understand -- and  
22 this -- when I was on the school board, this is where I  
23 drove people crazy, too, is what is the legal, what is  
24 what we do it because that's the way we've always done  
25 it, and what can we do differently?



1           And so on -- that's the only reason, Commissioner  
2 Kennedy, I wouldn't say, yes, let's do -- you know, let's  
3 just take the plane of the way it was and tweak it. I  
4 think ten years is a long time. I think policy, we're in  
5 a really exciting time right now because a lot of  
6 policies, a lot of rules and regulations that were very  
7 black and white are very gray because of COVID-19, and  
8 they may end up actually staying gray and going to white  
9 versus black.

10           And so I -- that's why I keep asking the questions  
11 and don't want to just fall back to what the former  
12 Commission did and what the former Counsel said. And  
13 even what our current Counsel said, I will always ask is  
14 that the law or is there room around it because we're  
15 going to have to be creative on how we engage the public,  
16 how we gave each other, and how we get to know each  
17 other.

18           And so I don't want -- it's going to be painful to  
19 sit through these meetings. It's going to be, hopefully,  
20 fun and we can make jokes like Commissioner Le Mons said,  
21 but I don't -- I want us all to appreciate the smarts  
22 that we have and what we bring to 2020 moving forward.

23           MS. JOHNSTON: If I may just answer, you should have  
24 been provided -- hopefully, the State Auditors did give  
25 everyone a copy of the statutes and the constitutional

1 provisions governing the Commission. And Government Code  
2 8253.5 says that members of the Commission shall be  
3 compensated at the rate of 300 dollars for each day the  
4 member is engaged in Commission business. For each  
5 succeeding Commission, the rate of compensation shall be  
6 adjusted each year ending in nine by the cumulative  
7 change in the California Consumer Price Index or its  
8 successor.

9 MR. VILLANUEVA: All right. And a day is defined.

10 MS. JOHNSTON: Day is defined in a statute as being  
11 24 hours so that any day where you do Commission  
12 business, you are entitled to claim the 300-plus dollars.

13 MR. VILLANUEVA: Well, actually, Marian, if I may be  
14 more specific, because 8251(a)(2), day means a calendar  
15 day except that if the final day of a period within which  
16 an act is to be performed is a Saturday, Sunday, or  
17 holiday, the period is extended to the next day that is  
18 not a Saturday, Sunday, or holiday. So that's  
19 specifically when you ask what's in the law, that's the  
20 Government Code section for Citizens Redistricting  
21 Commission.

22 CHAIR TURNER: Commissioner Vazquez and then  
23 Commissioner Akutagawa.

24 COMMISSIONER VAZQUEZ: Yeah. My question was,  
25 did -- I think, and Commissioner Le Mons started to ask

1 this before we went on break, do we need to decide this  
2 now and do we -- I'm sort of curious if we need to decide  
3 this at all.

4 Do we need a formal policy? Can we create an  
5 informal policy or -- sorry, not a practicum -- an  
6 informal practice, an agreement that you claim to the  
7 extent that that you need it so that we're not putting  
8 someone in a particular position to not claim something  
9 that they had made financial planning arrangements  
10 around. And also that we are making the best use of what  
11 is ultimately a limited funding for this work.

12 MS. JOHNSTON: That would be perfectly fine. It's  
13 up to you to submit a claim, and if you do or don't  
14 submit it claim is your personal decision.

15 MR. VILLANUEVA: You know, as far as the  
16 documentation of work, though, you might want to consider  
17 including that in some way, and that's to protect your  
18 interests as a Commission and to be able to demonstrate  
19 that the per diem was paid -- earned as required by  
20 statute when performing Commission business. Just an  
21 aside there.

22 CHAIR TURNER: Commissioner Akutagawa.

23 COMMISSIONER AKUTAGAWA: Thank you, and thank you  
24 for, as well, for --

25 MS. JOHNSTON: I'm have trouble hearing you. Can



1 you speak closer to the mic?

2 COMMISSIONER AKUTAGAWA: Sure. So thank you all for  
3 bringing that up. I think that that was partially my  
4 question that I wanted to ask. There is what's legal?  
5 There's been what's been precede (sic)? And then  
6 there's what we can change and do differently. And I  
7 think we're in a different kind of time frame than we  
8 were in 2010.

9 We're a much more polarized society, and I,  
10 unfortunately, I think I'm looking at it through this  
11 lens of whatever we do, there was an earlier point that  
12 we made that we are also stewards of our taxpayer  
13 dollars. I think how we use it, I think we would want to  
14 be able to prove to all of our constituents, all of our  
15 residents, all of our fellow Californians that what we're  
16 doing is, you know, with the best interests of all  
17 Californians in mind.

18 And so I think partly what I want to understand is I  
19 know what's on the -- you know, what's on the policy, but  
20 it would be helpful to know what would be, I guess,  
21 (audio interference) aspect of should we be aware of what  
22 could be construed illegally or unethically. And then  
23 beyond that, I think some of the other comments that were  
24 made about being about to I think clearly document what  
25 it is that we're claiming in terms of our time so that

1 should we be challenged, we can, with confidence, all  
2 stand behind each other, this is legitimate work that  
3 we're doing.

4 And then lastly, I want to ask what budget is money  
5 coming out of?

6 MR. VILLANUEVA: Okay. If I may, please, Madam  
7 Chair.

8 CHAIR TURNER: Go ahead.

9 MR. VILLANUEVA: The last question first. It's  
10 coming out of your operational money, okay? So there's 3  
11 million for that right now, and you can -- there's -- you  
12 can request an additional, I think, is, what, 1.7 million  
13 after August 15.

14 Something for you to consider, just kind of maybe  
15 looking at this from a slightly different perspective.  
16 The letter of the law says that the day is a calendar  
17 day. It goes on to say that you earn your per diem by  
18 day as long as you are engaged in Commission business.  
19 That's pretty much what the law is saying.

20 What the group is discussing is -- because that's  
21 very broad, the group is discussing, well, maybe one hour  
22 in a day isn't enough for me to get my per diem of 300-  
23 plus. Maybe I should have to work more to get that. And  
24 so you're narrowing that. We have to do six hours over  
25 this many days, but the law doesn't say that.

1           And so just for your consideration, the bra (sic)  
2 take -- the law takes a much broader approach as you look  
3 at how you document it, as you look at how you come to an  
4 agreement that we're going to agree that our day is at  
5 least this, you're narrowing the letter of the law. The  
6 law was created broadly. It appears to be on the basis  
7 of allowing folks of multiple socioeconomic backgrounds  
8 to be able to participate equitably. Anyway, I think  
9 it --

10           CHAIR TURNER: Thank you. Commissioner Taylor?

11           COMMISSIONER TAYLOR: Yeah, I think, you know,  
12 hopefully, I can put it succinctly. I think this is  
13 where Raul was going. Counselor, you can correct me if  
14 I'm wrong.

15           So we're entitled to take that per diem when you  
16 open up that email, as Commissioner Ahmad said. However,  
17 the past Commission decided -- or their spirit was that  
18 that per diem is earned after six hours. So I think  
19 that's what their thing was. You're entitled to take it  
20 once you do business on a given day, but they wanted you  
21 to -- their spirit was that you've earned it after six  
22 hours. So that would be what we are agreeing on, whether  
23 or not we want to meet that threshold or not.

24           MS. JOHNSTON: That's correct.

25           CHAIR TURNER: Thank you. Yeah.



1 Commissioner Yee?

2 COMMISSIONER YEE: Agreeing with everyone's  
3 concerns. You know, I think when it comes to per diems  
4 with public money it really has to absolutely pass the  
5 smell test, right? I mean, we have to be absolutely  
6 comfortable, if anyone asks, explaining what the policy  
7 was. And I think the six-hour minimum as practiced by  
8 the 2010 Commission sounded like a good practice. I  
9 would be comfortable, you know, defending that or  
10 explaining it to someone from the public.

11 But also as Commissioner Sinay discussed, you know,  
12 to be open as well to how things may change, especially  
13 as we do so much more on Zoom. But I'm comfortable with  
14 that continued practice and also comfortable with  
15 retroactively applying it to the first day and all the  
16 hard work you did in the early going to get us to this  
17 point.

18 Just a point of procedure, so do we need a motion  
19 about this or how do we -- is this a policy decision or  
20 what happens?

21 MS. JOHNSTON: You can either make it a policy  
22 decision of the Commission or you can each individually  
23 decide how you're going to claim your compensation.

24 MR. VILLANUEVA: It should probably be --

25 COMMISSIONER YEE: Well, I should say also -- I'm



1 sorry. It would also help probably to be more explicit  
2 about what constitutes Commission work just so that we  
3 have that in writing, you know, and that would be part of  
4 our ability to explain the policy to others.

5 CHAIR TURNER: One of the things that I've -- I know  
6 that we did receive from previous counsel instructions to  
7 track daily -- the suggestion to track daily to keep up  
8 with time. I'm just wondering, because it was said --  
9 how do I say this? It wasn't a definitive. It was like,  
10 keep up with your time, you know? And so I'm thinking if  
11 anything needs to be determined with this whole  
12 Commission is that, yes, indeed, we will go back, or we  
13 will not go back. And then for me, I'm comfortable with  
14 everyone making their decision as far as following the  
15 letter of the law, the intent, and the fact of feeling  
16 good about the amount of time that you worked on for the  
17 Commission. But I think we need to, because it was left  
18 so vague as far as the first eight, perhaps set something  
19 to say that yes, indeed, we will claim that time.

20 CHAIR TURNER: Commissioner Sinay?

21 COMMISSIONER SINAY: I so move that the  
22 Commissioners that were the first eight Commissioners get  
23 compensated for their time in the way that it was agreed  
24 upon in the 2010 Commission for six hours equals a day of  
25 work.



1 CHAIR TURNER: Commissioner Fernandez? You did the  
2 opposite. You're on now.

3 COMMISSIONER FERNANDEZ: I did. I did. I just want  
4 to clarify, when we talk about six hours, I would see  
5 that as cumulative, nonmeeting days, because I'm thinking  
6 on meeting days, we may actually go beyond the six hours.  
7 So in my opinion, if it goes beyond the six hours, like  
8 let's say we do ten hours. Personally, I don't think  
9 it's appropriate to take those extra four hours and add  
10 it to another partial day, but maybe you feel  
11 differently. But I do agree that the cumulative of six  
12 hours on nonmeeting, or whenever we actually do outreach  
13 and it does go beyond the six hours in a day. I don't  
14 think it's appropriate to claim beyond -- if you're going  
15 to claim it for that day, you can't -- I wouldn't think  
16 that you could claim overage to the next day, if that  
17 makes sense, or maybe I'm confusing everyone, but if  
18 you're going to claim it for that day, that's for that  
19 day, and you're not carrying any hours over to another  
20 day. So I just wanted to clarify that.

21 CHAIR TURNER: Thank you.

22 Commissioner Sinay?

23 COMMISSIONER SINAY: Scratch that first motion. Let  
24 me see if I can be more articulate on the second take on  
25 it. I move that we use the six hour per day for work



1 that is when we're not all convened, and we and that it  
2 goes retroactively to the first eight Commissioners, to  
3 the work of the first eight Commissioners.

4 And if someone can be more articulate, I allow you  
5 to amend it any way you want.

6 CHAIR TURNER: Commissioner Yee?

7 COMMISSIONER YEE: Okay. So Commissioners Fernandez  
8 and Sinay, so the question is, when the first eight had  
9 their deliberations, and I know a lot of you, after the  
10 meetings, went home and viewed videos and put in midnight  
11 hours. So the question is whether that would count,  
12 since you already met that day, but you did after-work  
13 work at home. The question is whether, per Commissioner  
14 Fernandez, we should actually not allow those hours to be  
15 counted towards a different day, or whether they could  
16 be. I'm trying to get the sense of the smell test. I  
17 don't quite know.

18 CHAIR TURNER: Commissioner Kennedy?

19 COMMISSIONER KENNEDY: Yeah. I mean, just in  
20 response to Commissioner Yee, I will say that in all of  
21 my professional experience, I would not expect to collect  
22 per diem for hours spent later in the day after an all-  
23 day meeting. That to me, that's in the course of a day,  
24 and if I work six hours in that day, or twelve hours in  
25 that day, or eighteen hours in that day, that's a day.



1 So I'm perfectly happy submitting a claim for one day of  
2 per diem, no matter how many hours I spent on that day.  
3 If it's a -- if it's a meeting day, or really any day. I  
4 mean, if I spend eight hours in a day viewing videos  
5 before the selection of the final six, I would still say  
6 that's one day of per diem, and the two hours beyond the  
7 six are just -- they're bundled in with the six, and  
8 that's one day per diem.

9 CHAIR TURNER: Commissioner Fernandez, and then  
10 Commissioner Le Mons?

11 COMMISSIONER FERNANDEZ: Yes. That's what I was --  
12 I was agreeing with Commissioner Kennedy, where let's say  
13 I claim eight hours today. I have no carryovers after  
14 today. It's like the clock resets tomorrow, if that  
15 makes sense. Yeah, because I've been on boards, also,  
16 and -- well, we don't get reimbursed, but if we did get  
17 reimbursed, sometimes you've got a two-hour day and  
18 sometimes you have a twelve-hour day, and that's just the  
19 way it is. And at the end of the day, we all have to  
20 feel comfortable with what we're doing. We have a  
21 fiduciary responsibility to the tax holders of the  
22 State -- taxpayers of the State, and so I guess,  
23 ethically, we just really need to look at the best way to  
24 spend the funding that's been allotted to this  
25 Commission.





1 CHAIR TURNER: Thank you.

2 Commissioner Le Mons?

3 COMMISSIONER LE MONS: Yes. I wanted to delineate,  
4 because I don't believe that at any point we were  
5 suggesting that we were defining a day as six hours. So  
6 it sounds like we're kind of shifting there now,  
7 determining that a day is six hours, and anything over  
8 six hours doesn't carry over, but that wasn't the spirit,  
9 I thought, of this discussion at all. It was more on  
10 days where we did minimal work, like if you just opened  
11 an email, or you spent an hour on something, and at what  
12 point do you accumulate that time to count it as a day?  
13 That was my understanding as to really what this  
14 discussion was about.

15 So I'd like to be clear that we're not determining  
16 that a day's work is six hours. I don't think that's  
17 what we were trying to do, and I don't support defining  
18 what the day is. The day is a twenty-four-hour period.  
19 We've already been told that, basically. So it really is  
20 about the smaller increments of time that we may choose  
21 on any given day. So we used the example of all-day  
22 meetings and viewing videos, et cetera.

23 I think what would have been a more accurate example  
24 in the context of this conversation would be that prior  
25 to meeting, we review videos, and all of those things

1 that have nothing to do with a meeting day. And so  
2 depending on the amount of time that you spent doing  
3 those things, that would fall more clearly into this  
4 framework that I think that we're discussing, and then  
5 saying, okay, six hours sounds like a reasonable amount  
6 of time, whether you did that over the weekend prior to  
7 the meeting, or you did it over one day, whatever period  
8 of time, and then counting that time in this six-hour  
9 framework. So it sounds like we're trying to determine  
10 those smaller increments of time and how we would bundle  
11 them to charge a day's per diem.

12 I'll close with saying simply, I think we have had a  
13 pretty robust conversation about this, and I think we all  
14 share the respect for the proper use of State funds and  
15 all of those things, and I personally am comfortable with  
16 each Commissioner using their judgment and prudence in  
17 being able to submit their per diem claims as appropriate  
18 for their effort, their ethics, and everything else  
19 involved, so I don't personally feel like it's necessary  
20 to design a very specific number that has to be the  
21 number.

22 CHAIR TURNER: Thank you.

23 Commissioner Sinay?

24 COMMISSIONER SINAY: I don't know where I got this.

25 I agree with everything everybody's actually said even



1 though it may not seem like we're all saying the same  
2 thing. But somewhere I heard that the reason the six  
3 days was created was -- I mean, six hours was to figure  
4 out -- so here's my question. There will be -- now that  
5 we're doing things virtually, something that would have  
6 taken a whole day, because we would have had to travel to  
7 a hearing and then travel home or whatnot, now may only  
8 take two hours or three hours, just the time that people  
9 are gathered.

10       And so that's where some of this came from, I  
11 believe, that they did the six days, and sometimes we  
12 meet for a short period of time, and because some  
13 Commissions don't get paid at all, they felt that they  
14 needed the day, to define what the day was so that it was  
15 equal, it was fair compared to other Commissions. But I  
16 think everything that's being said, I agree with.

17       CHAIR TURNER: Thank you. And what I'd like to say  
18 is I believe this Commission is not like other  
19 Commissions, and so I don't think we necessarily need to  
20 keep doing the comparison about who doesn't get paid. I  
21 think the salary was set based on the level of work, the  
22 intent, the intensity of the work that's being done here.  
23 And as was pointed out, there will be a number of days  
24 where we are out of town -- out of town, but it won't  
25 last forever, we're hoping, that we will spend extensive

1 amount of hours and days for which we will claim the one  
2 per diem for that day.

3         So for me, I'm not even as concerned about a three  
4 hour, or two and a half, or four. If I'm comfortable on  
5 one hand working ten and twelve hours, or being out of  
6 town a week, working on Commission business, I don't feel  
7 it's an indicator of lack of integrity or concern to  
8 claim per diem for something less than six hours. But  
9 certainly, you know, pulling up an email and those kind  
10 of things like that would be like a no-brainer that was  
11 not any pull on your time, but I just wanted to also  
12 state that, too, since we're having the conversation, I  
13 think that it swings both ways, perhaps not equally, but  
14 I wanted to say that.

15         Commissioner Sinay?

16         COMMISSIONER SINAY: I don't mean to hog the time.  
17 I just had a just training question for staff. You had  
18 said, don't worry, you're getting paid. So do we not  
19 need to submit anything for the days that we're all  
20 meeting together, staff does that for us, or do we also  
21 have to do that?

22         MS. JOHNSTON: You have to do that.

23         MR. VILLANUEVA: So it's best if you document your  
24 time and submit it rather than to have somebody submit it  
25 for you. And like I said, I'll have those forms out to

1 you today.

2 CHAIR TURNER: Commissioner Andersen?

3 COMMISSIONER ANDERSEN: Oh, just another similar  
4 question. I heard you say that Saturdays and Sundays are  
5 not considered days, and we're getting ready for things,  
6 and yeah, sure, have I worked on the weekends? Yes.  
7 Does that mean though rather than claiming that day,  
8 we're actually supposed to be claiming either the Friday  
9 or the Monday closest to it?

10 MS. JOHNSTON: That's not the way I read it.

11 Do you?

12 MR. VILLANUEVA: No. What it actually says is if  
13 the period within which an act is to be performed is a  
14 Saturday, Sunday, or a holiday, the period is extended to  
15 the next day that is not a Saturday, Sunday, or holiday.  
16 Given that if you start working -- you're doing work on  
17 Sunday, it'll -- the day with the calendar day being  
18 considered would extend into Monday, which would be the  
19 next day that is not considered a Saturday, or Sunday, or  
20 a holiday. That's very clear, right?

21 COMMISSIONER ANDERSEN: So basically, how you  
22 document it, you put it on the actual -- a workday must  
23 be a legal workday; is that correct?

24 CHAIR TURNER: Before you answer, Commissioner  
25 Kennedy?

1           COMMISSIONER KENNEDY: Thank you, Madam Chair. My  
2 reading of that, and I was discussing this with our  
3 previous counsel in regards to the filing of our Form  
4 700s, my reading of it is that that's for things like  
5 that, that have a statutory deadline. So our Form 700s  
6 were due on a Saturday, and my reading of that provision  
7 is because that deadline fell on Saturday, it was not  
8 actually due, not legally due, until Monday. I read it  
9 as not having anything to do with how we account for our  
10 time. It's a matter of complying with statutory  
11 deadlines.

12           COMMISSIONER ANDERSEN: I just wanted to make sure  
13 we're all consistent, so that's the reason I brought this  
14 up.

15           Can we have a clarification on it?

16           MS. JOHNSTON: Well, I think that Commissioner  
17 Kennedy is correct. If you have a legal obligation to do  
18 something, and that day falls on a Saturday or a Sunday,  
19 that time is extended to the next business day, but I'm  
20 not sure how that applies in this situation.

21           CHAIR TURNER: Thank you.

22           Commissioner Fernandez?

23           COMMISSIONER FERNANDEZ: I believe that what  
24 Commissioner Andersen was asking is if we put in time on  
25 a Saturday, we can claim our time on a Saturday, correct?

1 MS. JOHNSTON: Yes.

2 MR. VILLANUEVA: Yes.

3 COMMISSIONER FERNANDEZ: Right? Okay. And then I  
4 have one more thing. I do agree with Commissioner Le  
5 Mons, where I think it should be up to us individually to  
6 decide how we claim for our time.

7 CHAIR TURNER: Well, with that -- yes, Commissioner  
8 Yee?

9 COMMISSIONER YEE: I trust everyone. And here we  
10 are, acting in good faith. At the same time, smell test,  
11 I think we need something we can explain to people that  
12 they will feel comfortable with when they ask -- I don't  
13 want a news story to go out saying Commissioners were  
14 paid for days when each judged he or she did work, so I  
15 still think the six-hour standard is usable, and  
16 workable, and defensible, and would be worth considering.  
17 So potentially, do we need -- so I heard previously, we  
18 could just have a policy decision so we don't need a  
19 formal motion?

20 MS. JOHNSTON: And I don't believe that Commissioner  
21 Sinay's motion had been seconded. I didn't hear a  
22 second.

23 MR. VILLANUEVA: No.

24 COMMISSIONER YEE: I think she withdrew it as well,  
25 did she not?

1 MR. VILLANUEVA: No. She made an initial motion,  
2 amended it, made that motion, which is to use the six  
3 hours per day of work when not in session, my words, and  
4 to take that back to the time it applied --

5 COMMISSIONER YEE: Oh, right. Right.

6 MR. VILLANUEVA: -- to the time of the first eight  
7 Commissioners.

8 COMMISSIONER YEE: Right.

9 MS. JOHNSTON: But it was not seconded, so.

10 MR. VILLANUEVA: But it was not seconded.

11 COMMISSIONER YEE: And do we -- I mean, do we need a  
12 motion for this? Because then we'll have to have public  
13 comment and so forth.

14 MS. JOHNSTON: You don't need a motion if you want  
15 to just do it individually.

16 COMMISSIONER YEE: Oh, I see.

17 MR. VILLANUEVA: If I could just --

18 COMMISSIONER YEE: So I guess to build consensus,  
19 then that would just be up to us individually to  
20 implement, and it's not actually binding. Whereas if we  
21 have a motion, it's actually binding on all of us?

22 MS. JOHNSTON: No, it wouldn't be binding because  
23 you have a legal right to claim the money if you work any  
24 time during that day. So you couldn't be punished if you  
25 claimed time contrary to a policy the Commission has



1 adopted.

2 COMMISSIONER YEE: But if we made it a formal  
3 motion, then --

4 MS. JOHNSTON: No, you still couldn't -- each  
5 individual has the right to -- I mean, just a motion  
6 would be the consensus of the Commission said we should  
7 not do it.

8 CHAIR TURNER: Commissioner Ahmad?

9 VICE CHAIR AHMAD: I believe my question was just  
10 answered. I was still trying to grapple with the comfort  
11 of claiming hours that are subjective, right? So one  
12 hour for me, as someone who doesn't have children,  
13 doesn't care for an elderly, is quite privileged in this  
14 moment of COVID with a stable income, et cetera, et  
15 cetera, might look very different to someone else who has  
16 all these other obligations, and how much effort it takes  
17 to commit that same amount of time for work and being  
18 compensated differentially across the board.

19 But Counsel answered my question that we have a --  
20 we are legally allotted to claim an hour -- or claim time  
21 for Commission work if we engage in Commission business  
22 for the day. So I guess it is truly what Commissioner Le  
23 Mons said, you might that it's up to each one of us  
24 individually. And I know for myself, when I do claim  
25 time, I'm going to make sure I have a laundry list of

1 items to defend that time if it ever comes up.

2 CHAIR TURNER: Thank you.

3 MS. JOHNSTON: By the way, Madam Chair, I think you  
4 should ask for public comment just because it's been such  
5 A robust discussion that it might be good to have the  
6 public viewpoint, if any, expressed.

7 CHAIR TURNER: Thank you, Counsel.

8 Commissioner, are we ready? Any other comments from  
9 the Commission, because after public comment, that's  
10 (indiscernible). Okay. Well call for public comment at  
11 this time, please.

12 MS. JOHNSTON: AT&T, is there any member of the  
13 public?

14 PUBLIC COMMENT MODERATOR: Ladies and gentlemen on  
15 the phone lines to ask a question, please press 1  
16 followed by the 0. 1 followed by 0. One moment, please.  
17 Nobody is queuing up at this time.

18 CHAIR TURNER: Thank you so much.

19 As far as the agenda training, et cetera, there are  
20 no action items after all of the discussion that we had,  
21 and so I believe we can move to the next agenda item.

22 Commissioner --

23 COMMISSIONER SINAY: Do I need -- do I need to  
24 remove my motion? Oh, it wasn't seconded.

25 MS. JOHNSTON: No, it wasn't seconded.



1 COMMISSIONER SINAY: Perfect.

2 CHAIR TURNER: Commissioner Andersen?

3 COMMISSIONER ANDERSEN: Yes, Commissioner Turner --  
4 or Madam Chair, could we go back to item 6 that we  
5 tabled? I'm prepared to put -- if we want to handle that  
6 item? I don't know if Commissioner Akutagawa also had a  
7 chance.

8 CHAIR TURNER: Commissioner Akutagawa, did you get a  
9 chance to look at the document? Thank you.

10 Was there anyone else? Commissioner Sadhwani?

11 COMMISSIONER SADHWANI: Yes, thank you, Madam Chair.  
12 And I do apologize. I came into this conversation late.  
13 I do not want to take up anyone's additional time, but  
14 just before we move away from this agenda item, can I  
15 just get clarity on what exactly are we agreeing to at  
16 this point in time in terms of that per diem?

17 MS. JOHNSTON: I think --

18 COMMISSIONER SADHWANI: For myself, I'll just add, I  
19 am open to whatever we choose, but Commissioner Ahmad's  
20 point, I definitely am someone with kids at home and  
21 another job, and it is challenging for me. So I'm happy  
22 to do whatever we decide as a Commission, and certainly,  
23 I want to uphold the --

24 CHAIR TURNER: Yes. So what the decision was is  
25 that we came to the conclusion, or understanding, that

1 legally, a Commissioner is entitled to a per diem for  
2 every day that they engage in Commission business. That  
3 will, again, be based on -- at the discretion of each  
4 Commission member as to whether or not they choose to  
5 take that time, allow some accumulation of hours, or not,  
6 but we will trust -- and what was noted in Commissioner  
7 Ahmad's response is that, again, and was per the counsel  
8 and our staff, that we'll keep good records of how we're  
9 using that time, should we ever need to defend it, you  
10 know, vague activity, that kind of thing. But it's going  
11 to be to the discretion of each Commissioner.

12 Commissioner Yee, did I see your hand, sir?

13 COMMISSIONER YEE: Yes. So well said. I'm just  
14 wondering whether, as a general understanding, then, we  
15 do agree that this does not include any additional hours  
16 on meeting days spent outside of meeting days -- I mean,  
17 spent outside of meeting hours, right? And that in  
18 general, are we not -- are we not thinking the six-hour  
19 standard at all, or we're just leaving that to people's  
20 discretion, or is that going to be our rule of thumb?

21 CHAIR TURNER: If I can answer, and then Counsel or  
22 other Commissioners, the agreement we're walking away  
23 from is that it is based on individual discretion, how  
24 they will use those hours, and my understanding is that  
25 we were talking about a daily per diem, which if you've

1 claimed it for a meeting, you wouldn't be claiming  
2 additional hours in that day, is what I'm walking away  
3 with, and would love to know if there's any difference of  
4 thought.

5 MS. JOHNSTON: I would just add, I think that  
6 legally, the most you can claim for a twenty-four-hour  
7 period is 300 dollars.

8 CHAIR TURNER: Okay. Perfect. And so Commissioner  
9 Andersen, as it seems like everyone has had an  
10 opportunity to look at item number 6 now on the --

11 COMMISSIONER LE MONS: Madam Chair, I think Raul  
12 wants to say something.

13 CHAIR TURNER: Oh, thank you.

14 MR. VILLANUEVA: Thank you, Madam Chair. I was just  
15 going to suggest, just listening to the conversation,  
16 that it might be helpful for at least one of you to  
17 collect different comments. There's a lot of informal  
18 agreements that occurred during that discussion, and for  
19 somebody to maybe just collect them because you're kind  
20 of creating an informal policy, and it might be good to  
21 have those on the table then.

22 CHAIR TURNER: Commissioner Le Mons?

23 COMMISSIONER LE MONS: I want to respectfully  
24 disagree with Raul. I think that the jump-off point for  
25 this whole discussion was looking at what the previous

1 Commission did in relationship to per diem, and that  
2 guided our discussion around to accept that, to do  
3 something similar to it, et cetera. It sounds like we  
4 had a pretty robust discussion, but what we defaulted to  
5 was basically the letter of the law and the regulation,  
6 period. So I don't think we established any particular  
7 guidance or policy at all. I think we simply said that  
8 was a great discussion, great considerations. We had a  
9 lot of different points, all of them very valid, but at  
10 the end of the day, as it is laid out in the law, each  
11 Commissioner has the right to per diem for days of doing  
12 any Commission business, and that's where we simply  
13 landed. And whatever each individual Commissioner  
14 spirit, intent, however they want to interpret how they  
15 go about filling out that form within the letter of the  
16 law is on them. That's my understanding.

17 CHAIR TURNER: I would agree. Thank you,  
18 (indiscernible). With that, the document in question  
19 from agenda number 6, with the 2021 fiscal services IAA,  
20 that is for 10,000-dollar budget allotment for this  
21 document. And so we wanted to, I think this one did call  
22 for action or --

23 MS. JOHNSTON: There was a motion pending, if I may,  
24 Madam Chair, that Commissioner Fernandez moved and  
25 Commissioner Yee seconded to approve the HR, the FI\$Cal,

1 and the fiscal services understandings.

2 MR. VILLANUEVA: (Indiscernible), yes.

3 CHAIR TURNER: And because we tabled it, we did not  
4 call for public comment on that item.

5 MS. JOHNSTON: No action was taken then, so but we  
6 should, before you vote on this, call for public comment.

7 CHAIR TURNER: Right. So for those that are just  
8 reviewing it, is there any discussion, questions, or  
9 comment that you have before we go to public comment?

10 Yes, Commissioner Andersen?

11 COMMISSIONER ANDERSEN: I have no comment. I have  
12 read it, and have -- I am prepared to vote.

13 CHAIR TURNER: Okay. We've got public comment at  
14 this time, please.

15 MS. JOHNSTON: AT&T, any public comment?

16 PUBLIC COMMENT MODERATOR: Once again, ladies and  
17 gentlemen, for public comment, please press 1-0 at this  
18 time.

19 Madam Chair, there's nobody queuing up at this time.  
20 Thank you.

21 CHAIR TURNER: Thank you. So we will call for a  
22 vote on the motion that's on the floor.

23 MS. JOHNSTON: Commissioner Ahmad?

24 VICE CHAIR AHMAD: Yes.

25 MS. JOHNSTON: Commissioner Akutagawa?



1 COMMISSIONER AKUTAGAWA: Yes.

2 MS. JOHNSTON: Commissioner Andersen?

3 COMMISSIONER ANDERSEN: Yes.

4 MS. JOHNSTON: Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 MS. JOHNSTON: Commissioner Fornaciari?

7 COMMISSIONER FORNACIARI: Yes.

8 MS. JOHNSTON: Commissioner Kennedy?

9 COMMISSIONER KENNEDY: Yes.

10 MS. JOHNSTON: Commissioner Le Mons?

11 COMMISSIONER LE MONS: Yes.

12 MS. JOHNSTON: Commissioner Sadhwani?

13 COMMISSIONER SADHWANI: Yes.

14 MS. JOHNSTON: Commissioner Sinay?

15 COMMISSIONER SINAY: Yes.

16 MS. JOHNSTON: Commissioner Taylor?

17 COMMISSIONER TAYLOR: Yes.

18 MS. JOHNSTON: Commissioner Toledo?

19 COMMISSIONER TOLEDO: Yes.

20 MS. JOHNSTON: Commissioner Turner?

21 CHAIR TURNER: Yes.

22 MS. JOHNSTON: Commissioner Vazquez?

23 COMMISSIONER VAZQUEZ: Yes.

24 MS. JOHNSTON: Commissioner Yee?

25 COMMISSIONER YEE: Yes.



1 MS. JOHNSTON: Raul has the authority.

2 CHAIR TURNER: Thank you so much.

3 MR. VILLANUEVA: So I'll get those signed.

4 CHAIR TURNER: Say again?

5 MR. VILLANUEVA: And the other one was for the

6 telephone services, the telecommunication services.

7 Those were not included in that.

8 CHAIR TURNER: (Indiscernible) --

9 MR. VILLANUEVA: That's not an interagency  
10 agreement. It's to give me authority to go ahead and

11 order you your phone services. (Indiscernible) --

12 CHAIR TURNER: Right. We did that one already.

13 MS. JOHNSTON: We did that one. That passed.

14 (Indiscernible) --

15 MR. VILLANUEVA: Really? For the CATR?

16 MS. JOHNSTON: Subject to the review by the --

17 MR. VILLANUEVA: No, no. So the one that Marian is

18 talking about is as these things come in -- well, yeah.

19 I guess so because it would fall under that.

20 MS. JOHNSTON: Yeah.

21 MR. VILLANUEVA: I stand corrected.

22 MS. JOHNSTON: You were given interim signature  
23 authority.

24 MR. VILLANUEVA: Yes.

25 CHAIR TURNER: So we'll move to agenda item number



1 8, the required training on defensive driving and sexual  
2 harassment prevention.

3 MR. VILLANUEVA: So that's an easy one. You were  
4 each sent an email with the addresses to access the  
5 online training. As you access it, just please remember  
6 to send me a copy of the certificates. I believe several  
7 of you have taken some of the training, and I thought  
8 this would be a good opportunity for you to share your  
9 experiences. Was it good? Was it worth it? Was it easy  
10 to access?

11 CHAIR TURNER: Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Actually, I just wanted to  
13 ask Raul a question on this because for my work, I have  
14 to already take these classes, so do I have to retake  
15 them? I actually just did the defensive driving one  
16 yesterday online. Very stimulating and exciting two  
17 hours of my life.

18 MS. JOHNSTON: I believe if you're already -- if  
19 you're a State employee, and you've already done the  
20 State training, that that's sufficient.

21 COMMISSIONER FERNANDEZ: Yes. So I just need to  
22 forward you copies of the certificates?

23 MR. VILLANUEVA: Please.

24 COMMISSIONER FERNANDEZ: Okay. And the training,  
25 the training's good. I don't want to say it's bad, but

1 it's good. It's easy to get through.

2 CHAIR TURNER: Okay. Commissioner Ahmad?

3 VICE CHAIR AHMAD: For folks who haven't taken the  
4 sexual harassment prevention training, spoiler alert,  
5 Ross from Friends is in one of the videos. I was paying  
6 attention, and then I heard the voice, and I was like,  
7 wait a second. That can't be real. And so it was quite  
8 a surprise in the middle of the training to reengage me  
9 in the topic. Very important topic.

10 MS. JOHNSTON: And hold on to that sheet, because it  
11 also had the web address of your ethics training that  
12 you're required to take within six months.

13 CHAIR TURNER: Commissioner Yee?

14 COMMISSIONER YEE: Got a quick question for Raul.  
15 For the harassment training, there's an option whether to  
16 take it as a supervisor. I assume that we're considered  
17 supervisors for the purposes of the training?

18 MR. VILLANUEVA: Yes. Well, I didn't think you had  
19 an option because as I understood it, that training  
20 substitutes for both. It's the Department of Fair  
21 Employment and Housing training to meet the recent law  
22 changes for California.

23 COMMISSIONER YEE: I had a choice at the beginning,  
24 click one or the other.

25 MR. VILLANUEVA: Okay. Well, yes, for all of you,



1 then, click supervisor.

2 COMMISSIONER YEE: Very good.

3 CHAIR TURNER: And the question on -- looking at the  
4 agenda item, it leaves off the ethics. Is that because  
5 we had up to six months? Because I did that one. Should  
6 that be there as well, the required training on ethics,  
7 defensive driving, and sexual harassment?

8 MS. JOHNSTON: You are required to do it within six  
9 months of assuming office.

10 CHAIR TURNER: Okay.

11 MS. JOHNSTON: I'll cover that on the conflict of  
12 interest section training, but if you have done it  
13 already, that's perfect.

14 CHAIR TURNER: I think that would have been my only  
15 comment, is to just -- they're much longer and more  
16 robust than ones I've done in the past.

17 MS. JOHNSTON: Yes.

18 CHAIR TURNER: So prepare for those two- and three-  
19 hour increments. Okay. Cool.

20 We can move if that's -- any other comments,  
21 questions? We'll all get it done, signed off, sent to  
22 you.

23 Commissioner Sadhwani?

24 COMMISSIONER SADHWANI: Help me locate the links for  
25 these trainings? Was this sent to our CRC emails, or

1 there were a few initial emails sent to our personal  
2 emails addresses.

3 MR. VILLANUEVA: For those folks who hadn't verified  
4 their CRC email, I went ahead and sent it to both, but I  
5 can go ahead and make sure that that goes to you again.

6 COMMISSIONER SADHWANI: Okay. Thank you.

7 MR. VILLANUEVA: No problem.

8 COMMISSIONER SINAY: It's in the email that says  
9 handout 8 and 9.

10 COMMISSIONER FERNANDEZ: Oh, handout 8 and 9. Okay.  
11 Got it. Thank you.

12 MR. VILLANUEVA: Also, if I may, Madam Chair, before  
13 we move off of item 6, so we communicated with some  
14 representatives of the Legislature.

15 CHAIR TURNER: Oh, Raul, hold on. Let's finish the  
16 conversation --

17 MR. VILLANUEVA: Oh.

18 CHAIR TURNER: -- because we did move off of that.  
19 I'll come right back, but Commissioner Le Mons and  
20 Fornaciari, were you still on training?

21 COMMISSIONER LE MONS: Yeah. For all intents and  
22 purposes, this is actually a request to Raul, if  
23 possible.

24 Is it possible, Raul, to send us a glossary of  
25 attachments? And the reason I say that is we've had a

1 couple of situations, and I'm -- no fault of anyone, but  
2 I think if we know what we should have, it'll give us an  
3 opportunity to cross-check and make sure that we have  
4 everything, and then if we don't, we can reach out to  
5 your office to request that item, et cetera.

6 MR. VILLANUEVA: I could certainly do that.

7 CHAIR TURNER: Commissioner Fornaciari?

8 COMMISSIONER LE MONS: So in the -- like with each  
9 meeting, I'm sorry, with each meeting, and any time we're  
10 going to be getting attachments, that if we just have  
11 that glossary, I think that'll be helpful. Thank you so  
12 much.

13 MR. VILLANUEVA: And absolutely, because this  
14 meeting was just exceptional in the amount of handouts  
15 that you folks had to go through.

16 COMMISSIONER LE MONS: Thank you, Raul.

17 MR. VILLANUEVA: You're very welcome. I understand.

18 CHAIR TURNER: Commissioner Fornaciari?

19 COMMISSIONER FORNACIARI: Yeah, no. I don't have a  
20 comment.

21 CHAIR TURNER: Oh, I thought you did. And  
22 Commissioner Vazquez?

23 COMMISSIONER VAZQUEZ: Sorry about that. This is  
24 also Commissioner Le Mons's point, can we talk about,  
25 maybe not today, but in the future, about how best to

1 share documents amongst each other between staff, and  
2 Commissioners, committees, et cetera? Personally, I find  
3 file management via email extremely confusing and prone  
4 to losing things. I'm happy if we move to something  
5 cloud-based that we can sort of share and coedit  
6 documents, however. And I get, again, this is  
7 exceptional, and we might not have an infrastructure yet,  
8 but would like to have something other than email.

9 MS. JOHNSTON: My only question about that would be  
10 the coediting. You cannot do coediting outside the  
11 public record, but you certainly -- the easiest way would  
12 be to have everything come to staff and then have staff  
13 put it, if we can create a Google file.

14 COMMISSIONER VAZQUEZ: In a central space.

15 MS. JOHNSTON: But not to have Commissioners  
16 individually put things up there that we don't know  
17 about.

18 CHAIR TURNER: Commissioner Sinay?

19 COMMISSIONER SINAY: There's a lot of different  
20 formats where dockets can be put in. That would be --  
21 because if we also are going to want to go back to some  
22 of these dockets, and the way it was sent out this time  
23 won't allow for that at all. So when we hire -- I think  
24 when we hire staff, we can ask them to look at which ones  
25 are usable because I don't even think a Google Doc's

1 going to be -- Google files are going to be safe enough  
2 for this, or whatever the right word is. So I'll write  
3 it down on our list for future agenda items.

4 COMMISSIONER VAZQUEZ: Yes. Thank you.

5 CHAIR TURNER: (Indiscernible). Raul, you wanted  
6 us, sir, to go back to agenda item number 6 again?

7 MR. VILLANUEVA: I just wanted to mention -- and  
8 thank you, Madam Chair -- that we reached out and  
9 communicated with representatives of the Legislature who  
10 can provide some additional information on how the money  
11 was appropriated in the budget. That was a topic that  
12 had been brought up, and as such, they could have  
13 somebody come in later on during this meeting, or if you  
14 wanted to agendize it as an actual presentation, like,  
15 for example, when I provide the 2010 closeout  
16 information. Anyway, I just wanted to bring that to your  
17 attention before we move too much further.

18 CHAIR TURNER: Thank you. Commissioner Fernandez,  
19 was that something you'd requested? I remember when it  
20 came up, I just don't remember the genesis of it.

21 MS. JOHNSTON: Someone did ask how the amount was  
22 calculated. I don't recall who asked.

23 MR. VILLANUEVA: Yes.

24 MS. JOHNSTON: Commissioner Sinay?

25 CHAIR TURNER: (Indiscernible) Commissioner Sinay.



1 And with that information, is that something we want  
2 agendized? (Indiscernible) --

3 MS. JOHNSTON: If it's a member -- comment from a  
4 member of the public that you're not going to discuss, it  
5 could be done at any time, but if you want it as a  
6 discussion item, we'll put it on for a future agenda.

7 COMMISSIONER SINAY: Just for clarification, the  
8 question was, what was the -- how much money did -- what  
9 was the budget for the 2010 Commission versus the 2020  
10 question? Is that what we're saying?

11 MS. JOHNSTON: Right.

12 MR. VILLANUEVA: Correct.

13 MS. JOHNSTON: Raul is going to get you the budget  
14 for the 2010 Commission, and it was, I guess, the auditor  
15 working with legislative staff that came up with the  
16 budget for the 2020 Commission.

17 MR. VILLANUEVA: No, no, no. They're asking about  
18 the appropriation that the Legislature -- the moneys  
19 appropriated by the Legislature for the Commission. And  
20 I would -- right? On what basis certain amounts were  
21 allocated for different things because they weren't there  
22 for the 2010? So for example, the public outreach.

23 COMMISSIONER SINAY: Yeah. For me, the reason I  
24 think that the 2010 budget is important is so that we,  
25 when it comes time, create, and you had said that staff

1 creates the line item budget on what we're spending  
2 where, but we approve it, and therefore, it would be  
3 helpful to know what 2010 looked like based on the  
4 comments that they had provided us.

5 MR. VILLANUEVA: Okay.

6 CHAIR TURNER: Commissioner Fernandez?

7 MR. VILLANUEVA: And that's something that  
8 (indiscernible) --

9 COMMISSIONER FERNANDEZ: Yes. I think, one,  
10 definitely helpful to have the 2010 budget, and also  
11 showing what the expenditures were per line item. And I  
12 think another concern, when we talked about earlier for  
13 the 2020 budget, was to see potentially, I think this was  
14 maybe Commissioner Vazquez, correct me if I'm wrong, to  
15 see potentially if we could move money around from line  
16 items because if there wasn't this huge expenditure up  
17 front where you're having to fly in for one on -- for the  
18 interviews and other situations, like right now, we're  
19 not spending money. So I think part of it was wanting to  
20 know if we can move money from different line items going  
21 forward. I believe that was the point of it.

22 MR. VILLANUEVA: And the only reason I'm bringing  
23 this up again is because we can get folks from the  
24 Legislature to talk about the 2019 appropriation, but  
25 that's what it's about, is the 2019 appropriation, not

1 the use of those funds. That would include how the  
2 funding amount was determined, which is different from  
3 many of the things you're bringing up now. So I just  
4 wanted to come back to it. That's what I'm presenting to  
5 you, is I can have somebody come in this meeting, or if  
6 you want to put it on your agenda in the future.

7 MS. JOHNSTON: And it always is true that you can go  
8 back and ask for more funding. If you want a project and  
9 you're running out of money, the Legislature is the place  
10 to go to see if you can get additional funding. And last  
11 time around, they did give us the funding necessary.

12 CHAIR TURNER: Commissioner Sadhwani, and then  
13 Commissioner Sinay?

14 COMMISSIONER SADHWANI: I have no comment.

15 CHAIR TURNER: Oh, I'm sorry.

16 Commissioner Sinay?

17 COMMISSIONER SINAY: That's an interesting question  
18 about having someone come in and tell us how that was  
19 created. One of the suggestions from the 2010 Commission  
20 was to create those relationships with the Legislature  
21 earlier versus later. So that seems like it would be a  
22 good opportunity for us, even though there's a -- yeah,  
23 it's not the best way, but I think it could be an  
24 opportunity to start those relationships.

25 MS. JOHNSTON: So perhaps for your next agenda, we

1 should put that on, is developing contacts with the  
2 legislative staff?

3 MR. VILLANUEVA: No. They don't want to do that.

4 MS. JOHNSTON: No?

5 MR. VILLANUEVA: Those are the -- invite somebody  
6 from the, say, one of the budget staff to come talk to  
7 you about the appropriation. Because there has to be a  
8 certain distancing just because of the nature of the  
9 work, so when you talk about fostering relationships,  
10 that's important to keep in mind.

11 CHAIR TURNER: Okay. So as far as putting Raul's  
12 proposal on the agenda, on a future agenda, can we just  
13 get a sense of, yes, that's what we want, and no, we  
14 don't?

15 Yes, Raul, please. Thank you.

16 Commissioner Le Mons?

17 COMMISSIONER LE MONS: Okay. I had a question about  
18 that. So it sounds like there were two options. I'm  
19 sorry. That either we could just have someone come and  
20 give us some information, and one of the agenda items in  
21 this current meeting, or we could agendize it for a  
22 future meeting.

23 MR. VILLANUEVA: If you wanted a fuller discussion.

24 COMMISSIONER LE MONS: Correct. So I think based on  
25 that it -- and I think it's a great piece of information

1 to have, and it sort of is the precursor to some of the  
2 other more intentional budget and fiscal questions that  
3 we're waiting for documentation for. I propose that we  
4 just have them come and give us some information in this  
5 meeting with, I think you said item 8 or 9, whichever  
6 item you thought it would be appropriate, Raul, rather  
7 than making it a whole -- that one piece, a whole  
8 agendized item for a future meeting. That's sort of  
9 my -- that's my thought.

10 MS. JOHNSTON: It would be item 6.

11 CHAIR TURNER: Okay. And so we would -- now we've  
12 passed item 6, so would we need to still agendize it  
13 later? I mean, what would that look like?

14 MS. JOHNSTON: It would be public comment, which  
15 could come, for instance, the end of any day or at the  
16 end of the meeting as a whole, to invite somebody to talk  
17 as part of public comment. You would not be able to  
18 discuss it then, but you can receive the information.

19 CHAIR TURNER: Okay. And for our finance numbers  
20 people on the Commission, the ability to discuss, are you  
21 good with that?

22 Commissioner Akutagawa?

23 COMMISSIONER AKUTAGAWA: Could this be resolved with  
24 just having Raul get the information and just sharing it  
25 with us? Do we need to have somebody come in and present

1 it to us? Unless there's a lot more questions that the  
2 other Commissioners would like to ask.

3 CHAIR TURNER: So I'm trying to determine if there  
4 would be a matter of questions or not, because if there's  
5 not a matter of questions, that's one of either could  
6 happen. Either Raul could get the information and share,  
7 but it was also suggested by the former Commission that  
8 we built the relationship with the Legislature, so I'm  
9 thinking the intent for them coming directly is to start  
10 building some of that relationship as well, even though  
11 it would be one way, and we wouldn't talk about it, we  
12 wouldn't ask questions.

13 Commissioner Fernandez? Well, actually, it was Le  
14 Mons first, but Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Thank you. I think part of  
16 the purpose, it would be much easier just to get the  
17 information and we're good to go, but I think earlier,  
18 when we were talking about agenda item number 6 is some  
19 of the Commissioners wanted information, or more of an  
20 educational background in terms of how money is allotted  
21 to different agencies, commissions annually, statewide.  
22 And I think this would be a good opportunity for all of  
23 the Commissioners to ask questions about the process, not  
24 only the process, what we went through, but in the  
25 future, what if, like we mentioned earlier, what if we

1 are running out of funds, and what that process would be  
2 like in terms of requesting additional funding?

3 So yes, we could just get the information, which  
4 would be fine, but I think we might have some other  
5 questions that they could answer. I'm comfortable either  
6 way, because like I said, I've been in the State budget  
7 cycle for years, so I understand it, but I also  
8 understand that it can be a confusing process, so.

9 CHAIR TURNER: Commissioner Le Mons, and then  
10 Commissioner Kennedy?

11 COMMISSIONER LE MONS: Yeah. I just thought this  
12 was limited to just the appropriations, so I was thinking  
13 it was a very focused, very specific piece of  
14 information. We weren't going to get into all those  
15 other questions that we have, and that Raul is still  
16 moving forward with his charge to get us that additional  
17 detailed information that we asked for. So I'd just like  
18 some clarification on that part. That was my  
19 understanding.

20 CHAIR TURNER: Okay. Okay. Commissioner Kennedy,  
21 and then, Raul, if you can confirm for us, clarify.

22 COMMISSIONER KENNEDY: Thank you, Madam Chair.  
23 We're all still learning how all of this works, and I'm  
24 reading on our agenda that the Commission may consider  
25 parts of an agenda item without closing the item, and

1 agenda items may continue from day to day. So my  
2 question then is, could we not just resume discussion of  
3 item 6 and hear from whoever our interim administrator is  
4 able to bring in to speak to us, without that having to  
5 be considered part of the public comment period? I mean,  
6 my reading of this item on the agenda is that we should  
7 be able to resume discussion of item 6 at a later point  
8 in time during this meeting, if that's what we'd like to  
9 do.

10 CHAIR TURNER: Okay. Counsel?

11 MS. JOHNSTON: It's a fine point. If you invite  
12 someone to come and talk to you, that should be an agenda  
13 item that they are on the agenda so that people would be  
14 on notice that that person is coming to talk to you on  
15 that item. If a member of the public or a member of the  
16 State employees wanted to come and make a presentation as  
17 a member of the public, that would not have to be  
18 agendized. The key is whether or not you're going to  
19 give -- what notice you give to the public about what's  
20 going to happen at the meeting.

21 CHAIR TURNER: And Raul, Commissioner Le Mons raised  
22 a point of clarification. Can you clarify what -- back  
23 to the --

24 MR. VILLANUEVA: The offer of information was  
25 specifically about discussion on the appropriation, it's



1 basis for determining the amounts, and any questions  
2 about the appropriation. Very specific.

3 But Commissioner Le Mons, you are also correct.  
4 What I am going to do is get you, the Commission, the  
5 information about the 2010, that closeout, and I also  
6 have on my do list to reach to the State Auditor's Office  
7 for basically the expenditures on that 5.2 million.

8 CHAIR TURNER: Well, with that, how does the  
9 Commission feel? Do you want them to just come in, then,  
10 share the information, no discussion? Have them part of  
11 the agenda?

12 Commissioner Andersen?

13 COMMISSIONER ANDERSEN: Yes. I would like to hear  
14 that, just for background information, and as well as  
15 thinking, should we need further appropriations, we have  
16 an idea about where to start. Whether or not we have to  
17 have questions on it is another matter, and if it's  
18 easier not to have an ability to ask questions, if that's  
19 easier to do now, I still think that's okay. It's  
20 information I think would be very valuable, even if it's  
21 just sort of a public comment situation, where we cannot  
22 discuss it. I still think that would be very valuable.  
23 It would also be a little shorter, probably, but the  
24 information would be very valuable.

25 CHAIR TURNER: Thank you. Commissioner Toledo?



1           COMMISSIONER TOLEDO: I would agree as well with  
2 Commissioner Andersen that it would be helpful to have  
3 the presenters come, even if we might need to invite them  
4 again for a fuller discussion in the future, should we  
5 need that. Thank you.

6           CHAIR TURNER: Okay. I think we're all good with  
7 that, looking at faces.

8           Raul, that's what we'll go with, please.

9           MR. VILLANUEVA: Very good. So I'll contact them.  
10 And at the end of the day, when you're looking at agenda  
11 items, let me know about when you're going to want to  
12 agendize that, I'll reach out to them, and I'll get some  
13 speakers for you. I think it might be good, too, to  
14 consider then, for additional moneys, maybe somebody from  
15 the Department of Finance, because that's who you'd go to  
16 first.

17           CHAIR TURNER: Commissioner Kennedy?  
18 (Indiscernible). Commissioner Kennedy, you're still on  
19 mute. It looked like it was funny, but you're still on  
20 mute. (Indiscernible).

21           COMMISSIONER KENNEDY: Sorry. Somehow, my screen  
22 minimized to a little tiny box, and I couldn't figure out  
23 how to get unmuted on that.

24           I've just done a very quick search, and Raul, you  
25 can probably provide even more, but there are handbooks

1 and videos about the California budget process that we  
2 might want to review individually beforehand. I mean,  
3 for those who need an overview, there are materials  
4 already out there that can give us a good overview.

5 CHAIR TURNER: Thank you. Commissioner Andersen? I  
6 see you.

7 MR. VILLANUEVA: (Indiscernible).

8 COMMISSIONER ANDERSEN: Yes. I did have a question.  
9 So I'm sorry. Are we saying that we're not asking  
10 someone to come in as public comment right now, but we're  
11 going to agendize this for a meeting at a later date?

12 CHAIR TURNER: No, I thought we were saying that  
13 we're going to have them come in now for comment.

14 MS. JOHNSTON: (Indiscernible).

15 CHAIR TURNER: That's what I --

16 MR. VILLANUEVA: Oh, oh. Got it. Okay.

17 COMMISSIONER ANDERSEN: That's what I thought, too.  
18 Just postpone public comment, and then adding, at a later  
19 date, if we also agree at that time.

20 MR. VILLANUEVA: Got it. Okay.

21 CHAIR TURNER: (Indiscernible) but thank you.

22 MR. VILLANUEVA: So for public comment, and not to  
23 extend the agenda item?

24 MS. JOHNSTON: Right.

25 MR. VILLANUEVA: Understood.



1           COMMISSIONER ANDERSEN: Further clarification, as  
2 Commissioner Kennedy said, we can indeed add that as a  
3 public comment to a particular item, if we have it  
4 tabled, if we can come back to items. So you know how  
5 there's general public comment at the end, that there's  
6 public comment on each item? This could be public  
7 comment on item number 6.

8           MS. JOHNSTON: That's true.

9           COMMISSIONER ANDERSEN: That's what I thought we  
10 we're talking about. If that's not the case, I mean,  
11 I --

12          CHAIR TURNER: I think that's what we're talking  
13 about, public item. And someone read a statute, policy,  
14 something that said for sure, we could continue, you  
15 don't have to end agenda item number 6, and so we will  
16 have them speak public comment on number 6 when we --  
17 later on in the meeting.

18          COMMISSIONER ANDERSEN: Yeah. And that was  
19 Commissioner Kennedy, and it's from our actual just  
20 agenda item.

21          CHAIR TURNER: Okay. Commissioner Le Mons?

22          COMMISSIONER LE MONS: Sorry about this, but that  
23 made me need some further clarification. I felt like  
24 what Commissioner Kennedy raised, Counsel gave us a  
25 framework that, yes, in the public comment context, the

1 person can speak. Absolutely. But we couldn't tack on a  
2 speaker to item number 6. And I don't think it matters,  
3 and this is a question for Counsel, whether this public  
4 comment that we're getting from the Legislature is  
5 associated with number 6, specifically, or it could be  
6 associated with one of the other agenda items, because I  
7 think Raul mentioned a different number, actually, in his  
8 first introduction of the idea. So that part now has me  
9 a little bit confused as to this needing to extend agenda  
10 item 6 versus -- or when the person will speak, I guess.

11 MS. JOHNSTON: I'm sorry. I'd like to try and try  
12 to explain this better. If you're talking about the  
13 budget and the current appropriations, that is on your  
14 agenda, and it's no problem talking about it and  
15 discussing it later on during your meeting. If you're  
16 talking about how to increase the Commission's funding in  
17 the future, that's a new item. You can have someone talk  
18 on the procedure for that, but you couldn't discuss that  
19 at this time. Is that any clearer? No. Sorry about  
20 that.

21 COMMISSIONER LE MONS: Because now you're starting  
22 to talk about the content. I thought that we were clear  
23 on the content. The content was just an overview of the  
24 appropriations process --

25 MS. JOHNSTON: Right.



1 COMMISSIONER LE MONS: -- and how it came to be.

2 MS. JOHNSTON: But that's different than going --  
3 how you would go about getting additional money  
4 appropriated.

5 COMMISSIONER LE MONS: Correct. No, I'm clear on  
6 that.

7 MS. JOHNSTON: Okay.

8 COMMISSIONER LE MONS: I'm clear on that part.

9 MS. JOHNSTON: That's all I was trying to explain to  
10 Commissioner Kennedy.

11 COMMISSIONER LE MONS: I see. My question to Raul  
12 is, when you first introduced the idea of this person  
13 coming, you mentioned -- was it item 6, or did I mishear?  
14 I thought you mentioned a different item number.

15 MR. VILLANUEVA: Whatever.

16 COMMISSIONER LE MONS: Okay. Okay. Fine.

17 MR. VILLANUEVA: The intention was item 6.

18 COMMISSIONER LE MONS: Okay. No worries.

19 MR. VILLANUEVA: Cause now I'm getting confused.

20 COMMISSIONER LE MONS: I apologize. I apologize.

21 MS. JOHNSTON: It's late in the day.

22 COMMISSIONER LE MONS: I'm good. So it sounds  
23 like -- my takeaway is we're inviting someone, we'll  
24 speak on 6. We can do that. It's all good. It'll be in  
25 the frame of public comment. We just can't discuss it.

1 And --

2 MS. JOHNSTON: You can discuss it. You can't  
3 discuss how to go about getting more money appropriated.

4 COMMISSIONER LE MONS: Okay. Yeah. We don't want  
5 to -- I don't think we're asking about doing that. We're  
6 asking for the money we have, right?

7 MS. JOHNSTON: Well, somebody at some point did.  
8 The last Commission went through its money much too fast.  
9 They kept going back for more.

10 MR. VILLANUEVA: So we know how to do it.

11 MS. JOHNSTON: Is it time for a break --

12 MR. VILLANUEVA: It is.

13 MS. JOHNSTON: -- Madam Chair?

14 MR. VILLANUEVA: It is. It's time for a break.

15 CHAIR TURNER: Well, we'll invite them for the  
16 overview of the appropriations, and just to comment.

17 And yes, I think it is time for break at 3:08, back  
18 at 3:23. Okay? So we'll recess at this time.

19 MS. JOHNSTON: Thank you.

20 CHAIR TURNER: 3.3, please.

21 MR. VILLANUEVA: Thank you.

22 CHAIR TURNER: Thank you.

23 (Whereupon, a recess was held)

24 CHAIR TURNER: Welcome back, Commissioners, from  
25 break. We'll go ahead and resume our meeting, and we're



1 resuming with item on the agenda number 9, which is the  
2 discussion and possible action on the Legislature v.  
3 Padilla and the census. And so I believe this is a area  
4 that our counsel, Marian Johnston, will lead us through.

5 MS. JOHNSTON: Thank you. And I apologize, the  
6 people on the first eight have heard part of this before,  
7 but for your information, I'll repeat some material. The  
8 census was originally intended to give material to each  
9 state by April of 2021. Then, due to COVID last spring,  
10 the Census Bureau issued a statement saying it was going  
11 to be delayed about four-and-a-half months so that it  
12 wouldn't be getting the data into -- it wouldn't finish  
13 collecting the data until October 31st. And it wouldn't  
14 get the data to the states until July 31st of 2021.

15 Which obviously would have presented a problem to the  
16 Commission, since you're supposed to do your maps by  
17 August 15th. That would give you fifteen days. And with  
18 the fourteen-day notice period, you'd be in big trouble.

19 So the Legislature, being aware of the problem filed  
20 a suit against the Secretary of State. They did not name  
21 the Commission. However, when the -- they filed it  
22 directly with the California Supreme Court. When the  
23 California Supreme Court got the petition, it sent a  
24 letter to the 2010 Commission asking for input. And so  
25 on -- working under the direction of the chair and vice



1 chair of the 2010 Commission, I filed a brief with the  
2 court explaining the substantial amount of public input  
3 that was required and all the steps that the last  
4 Commission took and how it wanted to preserve your  
5 opportunity to do substantial public outreach.

6 And in mid-July, the California Supreme Court issued  
7 a decision. And that decision, I believe, has been  
8 posted. And you've all been provided copies with it.

9 But basically, instead of requiring you to release  
10 your first map -- first draft maps by July 1st of next  
11 year, it gave you until November 1st, 2021. And you were  
12 to certify your final maps by December 15th instead of  
13 August 15th. And then they put a caveat in it, that if  
14 the federal government transmits the census data to the  
15 State later, the number of days of additional delays  
16 shall be considered the additional federal delay and your  
17 time would be extended proportionately.

18 It also said that in the event the federal  
19 government transmits the census data earlier, the  
20 Commission should make every effort to expedite its  
21 process in advance of the deadlines that -- the new  
22 deadlines the court had given.

23 Then, about two weeks after that decision came down,  
24 the Census Bureau issued a new directive saying that, in  
25 fact, it was going to speed up its record collection



1 process and get it done a month earlier than had  
2 originally been intended. And no one was quite sure what  
3 that process would involve. But obviously it would be  
4 not doing as much outreach as was originally intended  
5 because it simply couldn't do it given the time it had  
6 been off because of COVID.

7       So substantial discussion has been held around the  
8 country about this new speed up by the Census. And at  
9 last Commission meeting I mentioned that there were a  
10 couple of bills that were pending. And I gave you copies  
11 of them this time. One is S.4048 from the Senate. And I  
12 think it's virtually identical in the House -- is  
13 H.R.7034.

14       And then I also provided you with a copy from the  
15 letter from the Senate, forty -- I believe, forty members  
16 of the Senate to the Bureau saying what problems it would  
17 cause, particularly for tribal governments who had  
18 assumed they would have additional time to provide  
19 information. They're traditionally one of the harder  
20 groups to get accurate counts on.

21       There has also been a new lawsuit filed by the  
22 National Urban League, the League of Women Voters, Black  
23 Alliance for Just Immigration, and a bunch of individual  
24 counties and cities, including the City of Los Angeles,  
25 the City of Salinas, the City of San Jose, saying that

1 the speeded up -- new, speeded up scheduling of the  
2 census would be inadequate to do a sufficient, accurate  
3 count.

4 So the question came up last meeting, when the first  
5 eight were meeting, about what, if anything, this  
6 Commission would want to do. So that would be your  
7 choice at this time to decide if you wanted to take any  
8 action now that the Census Bureau has decided to speed up  
9 and do an abbreviated count.

10 CHAIR TURNER: Thank you. (Indiscernible).  
11 Commissioner Sadhwani.

12 COMMISSIONER SADHWANI: I'll just chime in because I  
13 think it was me that had raised that suggestion or idea  
14 at that last meeting. So just to put it out there,  
15 right, I mean, as we have discussed, in order to get this  
16 far in the Commission in the selection of final six --  
17 California is an extraordinarily diverse place and  
18 (indiscernible) of the census, particularly during COVID,  
19 could certainly have detrimental impact to our work as a  
20 redistricting commission, you know, whether it's weighing  
21 in with a letter to the U.S. Secretary of state or to  
22 members of the -- I mean, I think there's a multitude of  
23 avenues in which we could potentially weigh in. But I  
24 think, I wanted to put it out there for you all it if it  
25 would make sense to send a letter saying that from --

1 from the perspective of the Commission -- the  
2 redistricting -- the Citizens Redistricting Commission of  
3 California, which is bipartisan in nature, that we have  
4 tremendous concerns about the speed-up because we would  
5 potentially be having a complete undercount of very  
6 significant communities through that process.

7 So I wanted to -- that was -- that was what I had  
8 raised at last time. And I thank you, you know, to  
9 Counsel for including this on the agenda. I mean, you  
10 know, I put it out there for discussion.

11 CHAIR TURNER: Thank you. Commissioner Sinay.

12 COMMISSIONER SINAY: I'm definitely worried about  
13 the census and cutting it short. And you know, that's  
14 the foundation for the work that we're doing. And also,  
15 it's supporting the infrastructure and that -- this isn't  
16 our role, but that those who are out there right now  
17 engaging the -- the nonprofits have been sent out  
18 throughout the -- throughout The State of California --  
19 received contracts and stuff to do the outreach. And  
20 that's the same groups that we would want to be engaged  
21 in what we're doing. And conversations that we've had  
22 locally in San Diego have been, how can we also use those  
23 individuals who are promotoras (sic) and community  
24 organizers and trusted individuals to help with the COVID  
25 and the tracing?

1           You know, so that whole infrastructure is just  
2 critical for us. As well as making sure that the data is  
3 accurate. So I was really hoping that we would talk  
4 about this and really support Commissioner Sadhwani's  
5 desire to draft a letter and present it.

6           CHAIR TURNER: Commissioner Akutagawa.

7           COMMISSIONER AKUTAGAWA: I also wanted to echo what  
8 was said, too. I absolutely believe that our voice  
9 should be heard in this case. I'm particularly  
10 concerned, I know that the earlier meetings that we had,  
11 that there were concerns raised about Native American  
12 communities. I also wanted to make sure that we also  
13 address the fact that the Native Hawaiian and Islander  
14 communities are being adversely impacted as well as  
15 communities of color, Latino, and also the African-  
16 American communities --

17          CHAIR TURNER: Commissioner Akutagawa.

18          COMMISSIONER AKUTAGAWA: Yes.

19          CHAIR TURNER: Were not able to hear a lot of what  
20 you're saying.

21          COMMISSIONER AKUTAGAWA: Oh, I'm sorry. Okay, so if  
22 I move closer to the --

23          CHAIR ANDERSEN: You sound better already.

24          COMMISSIONER AKUTAGAWA: Yeah. This whole camera  
25 thing, this is just separate thing. This is not what I'm



1 used to. And I'm trying to figure out to make it all  
2 work and getting closer to this.

3 I was just saying that I do echo what was said about  
4 the letter I highly support it. I think we need to make  
5 our voice known. I'm particularly concerned about, not  
6 only the Native American communities that were brought up  
7 in your earlier meetings. But also I want to say that  
8 the Native Hawaiian and Pacific Islander community -- a  
9 relatively small community but it is one that is being  
10 adversely impacted as well too, along with, I know  
11 specifically the Latino and African-American communities  
12 particularly.

13 And then depending on which Asian ethnic  
14 communities, there's also adverse impacts to them as well  
15 too. And I think my concern is to ask them to put  
16 themselves out on the line. I think there are community  
17 organizations that are trying to ensure that there is an  
18 accurate census count but at the same time trying to  
19 balance, you know, safe, I guess, outreach. And I think  
20 we need to be conscious of the fact that it's just going  
21 to take longer to do that outreach because we want people  
22 to stay safe. And so I think for the record, I just  
23 wanted to say that out loud.

24 CHAIR TURNER: Thank you. Commissioner Ahmad.

25 VICE CHAIR AHMAD: I echo what's been said. I also

1 support voicing our concerns related to the expedited  
2 deadline of the census. And we all know COVID has been  
3 happening and that's impacting. But Northern California,  
4 actually, a lot of California is in flames right now as  
5 well. And that has displaced thousands and thousands of  
6 people from their homes. And guess what? The census  
7 goes to addresses and nonresponse follow-up folks go to  
8 different addresses. And we have to consider how that's  
9 going to impact the overall count as well, which will  
10 feed into our fair maps and equitable maps. So I, too,  
11 support saying something to the people in power about  
12 this.

13 I do have a question for Counsel. Given the census  
14 deadline of September, end of September, does this mean  
15 that the U.S. Census Bureau is planning to uphold their  
16 original time line and deliver data to the states by  
17 April 2021 or --

18 MS. JOHNSTON: They've actually moved it up one  
19 month.

20 VICE CHAIR AHMAD: Oh, okay.

21 MS. JOHNSTON: But the information you'd be getting  
22 would be, I would say, incomplete.

23 VICE CHAIR AHMAD: Right, right. Okay, so  
24 theoretically, the states would be getting the data a  
25 month earlier. And how would that impact what we're



1 discussing for this item in terms of our time line?

2 MS. JOHNSTON: It depends on how you want to respond  
3 to the Supreme Court's suggestion. It asks that, if the  
4 government transmits the census data earlier, the  
5 Commission should make every effort to expedite its  
6 processes.

7 VICE CHAIR AHMAD: Okay.

8 CHAIR TURNER: Commissioner Sinay and then at the  
9 end I might want to say something.

10 COMMISSIONER SINAY: I would ask that  
11 (indiscernible), but I would also ask that we be overt on  
12 the topic of undocumented immigrants, because that's --  
13 there's several different approaches that are being taken  
14 to not count undocumented immigrants. And that's going  
15 to affect the census count. First, they're not answering  
16 the census because they're afraid. And those who are  
17 answering it, there has been efforts to try to find out  
18 at the household level which ones might be undocumented  
19 so that they can be -- those numbers can be taken out.

20 And so we won't have accurate numbers of the -- of  
21 who lives in what -- who lives and -- in where. And the  
22 census is about counting all individuals. Not counting  
23 all documented individuals or adults or any of that.  
24 It's about all individuals.

25 MS. JOHNSTON: And there is there are a number of



1 lawsuits across the United States. There is one filed by  
2 The State of California, by the people in the Attorney  
3 General's office. And I have been in contact with them.  
4 So far, the federal government had been delaying filing a  
5 response. And they just got an order from the court  
6 setting a briefing deadline. But nothing has happened in  
7 that case, as far as I know. Nothing substantive.

8 CHAIR TURNER: So -- Commissioner Akutagawa.

9 COMMISSIONER AKUTAGAWA: How does that, or how --  
10 given the lawsuit, how would that impact our time line,  
11 given what the Supreme Court -- the California Supreme  
12 Court also said?

13 I know they encouraged moving up our time line  
14 should we receive it earlier, but given that there's a  
15 lot of uncertainty and who knows how long this will wind  
16 its way through through the courts, can we still retain  
17 the original current deadline without moving this up  
18 earlier?

19 MS. JOHNSTON: It's hard to say. It depends on what  
20 the federal courts decide. These are litigation in  
21 federal court. I think the Commission could make a  
22 strong argument that if the census is delayed for any  
23 reason, whether it's because of the Census Bureau's time  
24 line or because of a lawsuit requiring it to do  
25 additional outreach, that those conditions would justify

1 you all extending your time. But probably we want to go  
2 back to the court just for clarification, because we  
3 wouldn't want to be wrong and have you miss out on your  
4 time to do your maps.

5 CHAIR TURNER: And the question I have for Counsel  
6 is, in writing the letter, I'm in total agreement and  
7 support, is that the strongest avenue that we can take on  
8 behalf of Commission or is there a suit that we can join  
9 or what -- what are the other options other than writing  
10 the letter? Because it seems like there's been two or  
11 three that's been sent written without response. I'd  
12 like to know what else can we do?

13 MS. JOHNSTON: You certainly could either join the  
14 litigation filed by the Urban League, or you could just  
15 file an amicus brief in that one, which doesn't make you  
16 officially a party, but can make your views known. You  
17 could also file your own action. But we really don't  
18 have the resources for that.

19 CHAIR TURNER: The amicus brief or join the  
20 litigation. And who all is on the litigation? Couple of  
21 (indiscernible).

22 MS. JOHNSTON: Yeah. It's being handled by private  
23 counsel, pro bono. The firm of Latham and Watkins. And  
24 the current plaintiffs are the National Urban League, the  
25 League of Women Voters, Black Alliance for Just

1 Immigration. And then there's Harris County in Texas,  
2 King County in Washington, as I mentioned, the City of  
3 Los Angeles, City of Salinas, City of San Jose, and then  
4 a few individuals.

5 CHAIR TURNER: Thank you. Commissioner Kennedy.

6 COMMISSIONER KENNEDY: Thank you, Madam Chair. My  
7 experience working with commissions elsewhere, I'm  
8 wondering if we have a somewhat unique opportunity at  
9 this point. I mean, when a new commission is formed,  
10 it's, in my experience, good form and helpful to  
11 introduce the Commission to the public at large.

12 And you know, yes, we're livestreamed, but I'm  
13 thinking, you know, is there an opportunity that we could  
14 use our voices? I'm enjoying the Brady Bunch screen and  
15 the diversity that we are and thinking, you know, can we  
16 use the opportunity to introduce ourselves to the people  
17 of California and encourage everybody to be counted?

18 MS. JOHNSTON: By a press release, or how are you  
19 thinking?

20 COMMISSIONER KENNEDY: Well, I know that we don't  
21 have a director of communications yet, but I think we've  
22 got a good talent pool among us. And it could be, you  
23 know, a fifteen-second spot. It could be a newspaper ad.  
24 It could be any number of things. It could be, you know,  
25 a YouTube video of us and put it out there. There are

1 all sorts of options.

2 MS. JOHNSTON: Those are all possible.

3 CHAIR TURNER: Commissioner Sinay.

4 COMMISSIONER SINAY: Commissioner Kennedy, I thought  
5 you were going to say to do a TikTok video.

6 COMMISSIONER KENNEDY: No idea what it would  
7 involve.

8 COMMISSIONER SINAY: Well, anyway, I -- building on  
9 what Commissioner Kennedy said, that is there is that  
10 infrastructure that's out there for census. And there  
11 are -- they are feeling a little desperate right now to  
12 have more content and more -- and so it may not be  
13 difficult to, you know, a lot of us may know the lead  
14 agencies in our cities. So if we had a press release,  
15 you know, we may be able to ask them, hey, you know, how  
16 could we help you? Especially if we're, you know, a lot  
17 of us are multilingual and we can speak to the ethnic  
18 press. And that'd be kind of the kickoff to also talking  
19 about that redistricting is happening and this is  
20 important for that piece.

21 CHAIR TURNER: I like that. I'm game for TikTok or  
22 others. I'd just rely on those of us that can do it.  
23 But I also feel that a release such as what you're  
24 speaking of, Commissioner Kennedy, I think it will have  
25 great weight to it. But I also think it's more of the

1 same. I know that for my organizations in the Central  
2 Valley, it's what we've been doing from the beginning, of  
3 releasing Zoom video, regular video, social media, kind  
4 of overload. It's almost on a schedule, and that's good.  
5 All of that has to happen.

6 But I say that for this second part. Because of the  
7 competing priorities in people's lives right now as it  
8 relates to COVID and the fear of COVID and the fires and  
9 everything else in California, we also have to weigh in,  
10 how many people are actually sitting down to look at,  
11 read a newspaper or a press brief, or what have you. I  
12 say that -- I think it's necessary that we do it for  
13 those that we can catch. But I'm also warning us not to  
14 get past or let, you know, let others off the hook as  
15 well.

16 I think we definitely still should look toward some  
17 sort of an amicus brief, adding in, I mean, I think that  
18 we have to stop that time line or slow it down as well.  
19 To me, it's totally contradictory to speed up a time line  
20 and then suggest we speed up as well. It's almost as if  
21 you, because you've set it up, we need to take more time  
22 to do the due diligence that was not done. So I just  
23 wanted to say that.

24 Other comments? Yes, Commissioner Akutagawa.

25 COMMISSIONER AKUTAGAWA: Just a thought. I do like

1 this idea of the maps getting out there and encourage the  
2 participation (audio interference) --

3 CHAIR TURNER: Closer to the mic.

4 COMMISSIONER AKUTAGAWA: -- (indiscernible) -- I'll  
5 get closer.

6 I do like what you're saying about, you know, just  
7 how people have been bombarded with -- I do wonder if  
8 maybe this might be an opportunity, thinking about the  
9 outreach that we would do normally around redistricting,  
10 I wonder if we start that outreach process early to  
11 encourage participation. And time to introduce all of  
12 ourselves in some type of, even Zoom forum meeting, where  
13 we reach out to our community partners and ask if they  
14 would be willing to host us for a meeting so that we can  
15 try to speak to communities.

16 Maybe even just encourage those who are doing the  
17 work that what they're doing is important. I think  
18 continue to motivate them to keep doing the hard work  
19 too. And when I introduced myself, I said that I was  
20 told that this was unappreciated work. But I think those  
21 who are doing the get out the census, you know, and  
22 making sure everybody's counted is also unappreciated  
23 work. And I think that might also help to build that  
24 kind of relationship with folks. To just say, you know,  
25 we're partners in this. We want to help to encourage

1 more participation. And if it's something that we can  
2 do, might help with that, and invite media. Ethnic media  
3 might also help as well, too. And it could be recorded  
4 and then it could be distributed out via, you know,  
5 YouTube in some of those places.

6 CHAIR TURNER: Commissioner Sinay.

7 COMMISSIONER SINAY: It feels like there's two  
8 conversations going on. And Trena, you really helped.  
9 I'm sorry, not Trena, Commissioner Turner. I'd rather  
10 have everyone call me Patricia. So any time you want,  
11 feel free to call me Patricia. The one is, let's make  
12 sure people get counted. But there is this other one  
13 that's much more important. And it's urgent. And is  
14 what I think Commissioner Sadhwani and Commissioner  
15 Turner and Commissioner Ahmad is saying is, hey, you  
16 can't cut the deadline. We need this extra time to get  
17 an accurate count.

18 And I think that's the one that we need to act on  
19 right now. If we don't have staff, you know, it's  
20 limited. I'm hoping that our counsel can help us on an  
21 amicus brief, but that might be, as Commissioner Turner  
22 was saying, that might -- I'm glad you asked that  
23 question, because I hadn't thought about the lawsuits,  
24 but that might be the quickest, best way.

25 I think that the letter, I would say, is second,

1 because some public letter shows the community that we're  
2 aware and that we care about the broader community and  
3 their voice.

4 And third, would be trying to do that outreach  
5 piece. Because I don't think we all know enough to be  
6 able to be out there yet talking about it. So that  
7 that's just the way I kind of see it based on all the  
8 conversations we're having.

9 CHAIR TURNER: Commissioner Andersen, did you have  
10 your hand up? No.

11 COMMISSIONER ANDERSEN: I did not, but you're  
12 reading my mind. I'm concerned that -- I agree with what  
13 Commissioner Sinay has been saying. There is multiple  
14 step. I also like the perspective of, there was an  
15 arrangement put in place and all of these outreach  
16 groups, all of the communities, all the Census Bureaus  
17 themselves, laid out a time line. And then he changed it  
18 on them. And that you can't do. And that's -- the tone  
19 of the letter that the senators wrote, I think that is  
20 a -- it's more a defensible position. As I say, it's a  
21 stronger position -- you have changed the procedure. And  
22 can't do that because everyone counted on that. And now  
23 you yanked it back a month, will prevent us -- it's going  
24 to -- it's going to make what was already bad even worse.  
25 And our account -- it's, you know, it's already very



1 important but right now, it is also now being impacted by  
2 other disasters. So you can't do that.

3 Some other point I had. You know, well, I know the  
4 second point after I -- I didn't write it down. I wasn't  
5 quite prepared to speak, so --

6 CHAIR TURNER: Well, go ahead and call back in when  
7 you're ready.

8 COMMISSIONER ANDERSEN: Thank you.

9 CHAIR TURNER: Commissioner Ahmad and then  
10 Commissioner Fernandez.

11 VICE CHAIR AHMAD: I like the way the Commissioner  
12 Sinay laid out the different avenues that we can take  
13 this issue to voice our collective concern about this.  
14 But I do think these things can happen simultaneously. I  
15 don't think that it has to be one completed and then  
16 another. And it might benefit us as Californians,  
17 drawing these maps, to approach it more in a simultaneous  
18 manner so that we can show the community and Californians  
19 that, hey, we are taking these steps and this is what we  
20 did. We filed an amicus brief at the federal level. And  
21 we can show the federal level, like, hey, you know, we're  
22 really concerned about this because of the work of the  
23 Commission and what we have to do.

24 So I really like the way that she laid it out,  
25 assuming your identity is "she" and we didn't do gender

1 pronouns. But so I like that and I think that we can  
2 start hopefully creating some tangible next steps.

3 CHAIR TURNER: Commissioner Fernandez and then  
4 Sadhwani.

5 COMMISSIONER VAZQUEZ: Madam Chair. I'm not sure if  
6 you can see me, but I also had my hand up.

7 CHAIR TURNER: Oh, I'm sorry. Thank you.  
8 Commissioner Fernandez.

9 COMMISSIONER FERNANDEZ: Just a couple of comments.  
10 Just a reminder that we all know that it's -- we're a  
11 nonpartisan body. And my only concern with joining a  
12 lawsuit that's already out there is, if it's already been  
13 filed by other groups, is what does that signify?  
14 Because we do need to be nonpartisan.

15 Also, I do like the idea of doing a letter that  
16 would be independent, which I think would be good. It  
17 would be our voice. And I just have to -- my very first  
18 job was, once I graduated college, was a lecturer. So I  
19 always -- the back in my mind it's always scope -- so we  
20 have to remember what our mission and our scope is. And  
21 granted, yes, the census plays such a major role in what  
22 we're doing. But it's also not our responsibility, per  
23 se, to ensure that those that have that responsibility  
24 are doing what they're supposed to be doing.

25 So I just want to make sure that we stay true to our

1 scope and our focus is. I don't like that they did try  
2 to move up the date and census. It just feels like  
3 they're trying to purposely, maybe, count -- not count  
4 some people. And I've grown up in an agricultural area.  
5 So right now, if you go knock on people's doors, is  
6 anyone home? No, because they're working in the fields,  
7 the farms. Well, not school. School's back in.

8 But so it's just interesting. But I just want to  
9 remind ourselves that, where our focus and our mission is  
10 and to try to be independent like we're supposed to be.  
11 So but thank you. Wonderful discussion. Good ideas. I  
12 truly appreciate it.

13 CHAIR TURNER: If you would, Commissioner Sadhwani,  
14 let's go Commissioner Vazquez first.

15 COMMISSIONER VAZQUEZ: Thank you. So I would like  
16 us to consider joining the lawsuit, especially  
17 considering -- my understanding is that a couple of  
18 government entities have joined, like the City of Los  
19 Angeles. So yes, I would really like us to consider  
20 joining. I think it makes a statement to, I think,  
21 Commissioner Andersen's point about moving the goalposts.  
22 And that there are -- there were statutory deadlines put  
23 in place based on a particular understanding and legal  
24 framework for executing the census, right.

25 So our redistricting process relies on another

1 statutorily driven process. So for me, I believe there's  
2 a nonpartisan, legal, defensible position to joining a  
3 lawsuit that argues as such. And I think that also then  
4 creates an opportunity, to Commissioner Kennedy's point,  
5 to introduce ourselves to the communities, that is in  
6 many ways free media for the Commission and its work to  
7 say, look, this is our first big action toward ensuring  
8 fair, representative maps for California. That we take  
9 our work very seriously. And unless we have good data,  
10 and good data includes counting everybody, our maps are  
11 going to be as good as the data that informs it.

12 And for me, I think that, you know, potentially  
13 radio spots, right, talking to local radio, local media  
14 about why it's important for the Commission to take this  
15 position in joining the lawsuit.

16 And that gives us an opportunity to talk about the  
17 need for community engagement, whether or not, you know,  
18 we're successful in moving the deadline. But, again, I  
19 think we can start as soon as possible getting our work  
20 out there. And this is a really high -- sort of high  
21 octane media opportunity for us to start that community  
22 engagement work, which is, to Commissioner Fernandez's  
23 point, that is our mission. Our mission is to draw fair,  
24 representative maps. And I just, I can't imagine how we  
25 would do that with bad data. Junk in, junk out.



1 CHAIR TURNER: Yes. Commissioner Sadhwani.

2 COMMISSIONER SADHWANI: Yes. Thank you. I love  
3 this conversation and I'm glad, I mean, what I'm hearing  
4 is that there's definitely a lot of support in general  
5 for us to do something, and I'm glad to hear that. I  
6 think a couple of -- a whole bunch of things, actually.  
7 So I'm going to try to go through them one at a time.

8 In terms of this piece about whether or not we join  
9 the lawsuit, I think before we can actually -- we  
10 probably need to get a little more information about  
11 the -- from the community groups and other cities that  
12 have joined onto that lawsuit as well as the attorneys,  
13 but I would just put that as something that we --  
14 additional information that we need to glean in order to  
15 better inform such a decision. But in the meantime, kind  
16 of going back to Commissioner Sinay's comments as well as  
17 Commissioner Ahmad, that there are these pieces that we  
18 can move forward sooner rather than later. It sounds  
19 like time is of the essence.

20 So a letter, an amicus brief, potentially some sort  
21 of -- maybe a press release that goes along with a  
22 letter, amicus brief, you know, potentially, those are  
23 pieces that we can begin to work on now. In terms of  
24 action steps, I would be happy to help work on those in  
25 some regard, in terms of perhaps creating some sort of

1 draft that could be brought back to the full Commission's  
2 review. And you know, if we want two people on it the  
3 way we did for other -- what are we calling them -- that  
4 would be -- that sounds great. Or if someone else wants  
5 to do it, that's totally fine, too. You know, I like the  
6 idea of moving something forward while we can continue to  
7 have the conversation around if we wanted to actually  
8 join the lawsuit.

9 I think also separately -- and we don't need to have  
10 this discussion now per se, but it kind of keeps coming  
11 up in this conversation, is we do at some point, need a  
12 fuller conversation about as a Commission, what is our  
13 relationship to the media or the press?

14 So you know, previously I had received requests from  
15 the media and at the advice of the previous counsel had  
16 turned them down for fear of Bagley-Keene issues. Is  
17 that still the case? If we were talking about, like, you  
18 know, everyone's going to go out and do radio ads saying  
19 this and that. And in general, I support, I definitely  
20 support that community engagement and the idea of doing  
21 that. But what are some of the consequences of that?

22 What might we need -- what might we need to be  
23 cautious about or fearful of? And to what extent might  
24 we have those talking points that are crafted that we are  
25 all kind of sort of referring to? So it just raises a

1 whole number of questions around what our media strategy  
2 might look like? And I know we've talked about the  
3 hiring of a (audio interference). So I think that's a  
4 longer conversation, one I definitely want to have. I'm  
5 not sure how to what extent we want to have that now.  
6 But I do think a letter and amicus brief, those are  
7 things that we should be working on.

8 CHAIR TURNER: Thank you. Commissioner Andersen,  
9 did you remember your other point?

10 COMMISSIONER ANDERSEN: Thank you, Madam Chair.  
11 Yes. It's about our State of California, had to do with  
12 the undocumented immigrants. And in the State of  
13 California, we are very, very specific; everyone counts.  
14 Our lines are drawn on everybody -- anyone who's here, no  
15 matter how they're here. That's how our lines are drawn.  
16 And that's not true for many other states. We have  
17 different criteria. So that's another -- that's  
18 something that we would bring up.

19 However, that said, we need to be very careful  
20 because there are many, many groups out there who would  
21 be very interested in discrediting our Commission so  
22 someone else can draw the lines. So we have to be  
23 extremely careful about, you know, the talking point,  
24 something like that. We have to be very, very careful.  
25 And I was going to ask Counsel, in terms of joining a

1 lawsuit, we have no control over, then, what that group  
2 is saying; is that correct?

3 MS. JOHNSTON: That's correct. And so I would  
4 probably recommend is an amicus letter setting out your  
5 position rather than actually joining it. The other  
6 possibility that just occurred to me while you were  
7 talking, given that the State of California does have  
8 this lawsuit about undocumented, I don't know if the  
9 Attorney General's office would be willing to expand its  
10 lawsuit, add cause of action on the census timing and how  
11 they're speeding it up and not doing a full count.

12 COMMISSIONER ANDERSEN: What's -- that's -- my  
13 concern was, indeed, we have several, as you said, very  
14 defensible points. And this is coming from a bipartisan  
15 group, which we are. We're looking at the numbers, the  
16 accuracy, and credibility. And we don't want to come  
17 across as any direction or any partisan. We want to be  
18 fair all the way across. And that's how we need to --  
19 and that's how we need to stand.

20 And there are clearly things that we know that are  
21 hindering the actual documents and the numbers, and  
22 that's our concern. So however we could write those, I  
23 think, those are the points that we really need to  
24 emphasize. We are concerned about everybody being  
25 counted. So however -- I don't know if a letter,



1 multiple things, but I think an amicus brief would be  
2 where we'd go so we can control it rather than join the  
3 lawsuit. That's what I -- that's what I would say.

4 But we do have the undocumented immigrants because,  
5 again, we need full numbers for California. And then  
6 also, if you've already done a statutory deadline, then  
7 you shift it, that affects everybody.

8 So those are the points I want to bring. And thank  
9 you Commissioner and Madam Chair for coming back to me on  
10 that.

11 CHAIR TURNER: Thank you. We're at eight minutes  
12 before break. Can we take eight minutes of public  
13 comment, just to hear from the public on this (audio  
14 interference) we need to come back? Okay.

15 MS. JOHNSTON: AT&T, do we have any public comment?

16 PUBLIC COMMENT MODERATOR: Ladies and gentlemen on  
17 the phone lines, if you wish to make a comment, please  
18 press 1 followed by 0.

19 And we do have one queued up. We will go to our  
20 Rosalind Gold. Please go ahead.

21 MS. GOLD: Hi. Good afternoon, Commissioners. My  
22 name is Rosalind Gold. I'm chief public policy officer  
23 with the National Association of Latino Elected and  
24 Appointed Officials. That's the NALEO Educational Fund.  
25 Some of my colleagues have had a chance to talk with you,



1 but this is the first time I have.

2       So I did want to congratulate you and thank you so  
3 much for your dedication and service. My understanding  
4 is there might have been a little bit of a lack of  
5 clarity about the state of play with regard to the  
6 deadlines for the delivery of apportionment and  
7 redistricting deadlines and the deadlines for how the  
8 census is proceeding with this operation. I just wanted  
9 you to be aware that our organization is cochair of the  
10 Census Task Force with Asian-Americans Advancing Justice  
11 of the Leadership Conference on Civil and Human Rights.  
12 We are very active in census outreach and census policy  
13 work.

14       Our chief executive officer, Arturo Vargas, has  
15 served in the past on the National Advisory Committee to  
16 the Census Bureau. So you know, this is an issue that is  
17 very, very close and dear to the mission of the  
18 organization, and one in which we have done a lot of work  
19 and are continuing to monitor and advocate on very  
20 closely.

21       So first of all, I wanted just to clarify, and if I  
22 misunderstood my apologies, but the statutory deadline of  
23 December 31st for the delivery of apportionment data and  
24 the statutory deadline of March 31st for the delivery of  
25 redistricting data have not been changed. Okay. Those



1 are still in statute. And a statutory action by  
2 Congress, legislation, or court order, would be required  
3 to change those to get the extension.

4 What's going on with census operations is that  
5 initially the administration had indicated they would  
6 support an extension of 120 days in both of those  
7 deadlines. And so the Census Bureau came up with a plan  
8 that would have self-response and nonresponse follow-up  
9 go through October 31st. The administration changed  
10 course, changed its mind, does not appear to be  
11 supporting that extension.

12 MR. VILLANUEVA: Five seconds, please.

13 MS. GOLD: And when the Bureau found out they were  
14 going to essentially have to live with the current  
15 deadline, they truncated --

16 MR. VILLANUEVA: That's two minutes.

17 MS. GOLD: -- the self-response period and the  
18 follow-up period. So those are going to end right now in  
19 September 30th for both nonresponse follow-up and for  
20 self-response.

21 So the December 31st deadline for the delivery of  
22 the data is still the statutory deadline. You know, from  
23 our perspective, we are advocating both legislatively and  
24 following the Court cases on the extension. You know,  
25 our concerns, I think, are concerns you're very much

1 aware of that trying to not only get nonresponse follow-  
2 up done and self-response done in a truncated schedule,  
3 especially during the pandemic, will lead to an accurate  
4 data.

5 But even more troubling is that after that data is  
6 collected, the Census Bureau has to go through all sorts  
7 of quality checks, all sorts of work to review it. And  
8 normally they would have about six months to do it. And  
9 with the truncated deadline and then sticking to December  
10 31st as the statutory delivery deadline, they're just not  
11 going to be able to do the kind of quality control and  
12 quality checks and work that needs to be done.

13 So you know, I very much appreciate the Commission  
14 talking about ways how they could be helpful in terms of  
15 seeking in some way or another to get that deadline  
16 extended or weighing in on that dialogue. It is a  
17 nonpartisan issue. Again, people should be aware the  
18 Secretary of Commerce did indeed request an extension of  
19 those deadlines but the administration changed its mind.  
20 And so I am not necessarily in a position right now to  
21 comment on what might be the best way for the Commission  
22 to weigh in. But I just felt this particular dialogue  
23 might be helpful and I wanted to provide these comments,  
24 and I'd be happy to take any questions.

25 MS. JOHNSTON: Just to clarify, my understanding was



1 the reason why the Census Bureau asked for the additional  
2 time was that in light of COVID, they initially said they  
3 would be unable to complete a complete count within the  
4 statutory time lines. Is that your understanding?

5 MS. GOLD: Yes, they actually -- several people in  
6 the Bureau, top officials as of May were saying, we can't  
7 do a quality count in light of COVID. We can't do a  
8 quality count by December 31st. And that's why they came  
9 up with several extensions of different operations,  
10 including self-response and a nonresponse follow-up to  
11 October 31st. And frankly, their challenges -- not only  
12 are they being challenges -- challenged by the truncation  
13 in the schedule, they've now truncated to September 30th,  
14 but sort of literally a perfect storm is hitting. If you  
15 look at the hurricanes, people trying to do door-to-door  
16 where there's hurricanes, where there's natural  
17 disasters, where there's wildfires, people trying to do  
18 non-response follow-up in those conditions. It's very,  
19 very challenging.

20 CHAIR TURNER: Thank you. Thank you. Counsel?

21 MS. JOHNSTON: Yes. Thank you.

22 MS. GOLD: Thank you.

23 PUBLIC COMMENT MONITOR: Ms. Gold, would you please  
24 spell your first and last name for the record?

25 MS. GOLD: Sure. R -- first name R-O-S-A-L-I-N-D.



1 Gold is just as it sounds, G-O-L-D. And for the record,  
2 I am chief public policy officer with the NALEO  
3 Educational Fund. And again, Commissioners,  
4 congratulations. It looks like you're jumping in and  
5 dealing with some tough issues right off the bat. So  
6 thank you for your service.

7 CHAIR TURNER: Thank you. And we --

8 PUBLIC COMMENT MODERATOR: Thank you very much. And  
9 our -- go ahead.

10 CHAIR TURNER: I was going to say, we're 4:10 so we  
11 are required to take a break now.

12 PUBLIC COMMENT MODERATOR: Okay. We do have one  
13 more person queued up. Would you like to take that after  
14 the break?

15 CHAIR TURNER: We would have to.

16 MS. JOHNSTON: We did -- didn't we just come back  
17 at --

18 PUBLIC COMMENT MODERATOR: Okay. Thank you much.

19 MS. JOHNSTON: -- when did we return?

20 CHAIR TURNER: We returned at 1:30? Am I off on my  
21 time?

22 MS. JOHNSTON: But we took a break already.

23 CHAIR TURNER: Well, I didn't take a break. Did I?

24 MR. VILLANUEVA: At 3. And change.

25 CHAIR TURNER: Well, okay, then. We are good then.



1 Let's go ahead. Thank you. Let's go ahead and take the  
2 other call. (Indiscernible) thank you, though. Public  
3 comment, please.

4 PUBLIC COMMENT MODERATOR: We are opening the line  
5 now. Are we opening the line?

6 CHAIR TURNER: Yes.

7 PUBLIC COMMENT MODERATOR: Okay. Thank you very  
8 much. Next, we'll go to the line of our Alejandra Ponce  
9 de Leon. Please spell your name for the record. Thank  
10 you.

11 MS. PONCE DE LEON: Hi. Good afternoon,  
12 Commissioners. My name is Alejandra Ponce de Leon,  
13 spelled A-L-E-J-A-N-D-R-A. Last name, P-O-N-C-E, D-E,  
14 L-E-O-N. I'm calling with the Advancement Project  
15 California, on behalf of the Redistricting Alliance, a  
16 coalition of fifteen regional and statewide networks  
17 committed to racial and economic equity.

18 We greatly appreciate the initiative from all of you  
19 to discuss how the census time line will impact  
20 California's redistricting process. And we really are on  
21 board with your, you know, possible decision to take  
22 action and to at least either submit a letter or create  
23 your own amicus brief on this topic. We are encouraging  
24 you to send a letter to the U.S. Census Bureau, strongly  
25 urging that the Bureau return to the enumeration that



1 lined up October 31st for the census or -- for the 2020  
2 census in order to have a complete and accurate count of  
3 our population.

4 Many of our partners are actually working, having  
5 efforts on the ground as we speak, you know, to outreach  
6 to hard to count communities to fill the census. And so  
7 for them, this deadline, this change in the deadline, is  
8 really impacting their work. And ultimately, it's going  
9 to impact everybody's ability to be counted and to have  
10 accurate data to be reflected in the redistricting  
11 process.

12 In addition, we highly encourage the Commission to  
13 take any additional time that is allowed by the  
14 California Supreme Court decision allowing for a modified  
15 redistricting time line so that it enables more time for  
16 community residents and community-based organizations to  
17 fully engage in the process.

18 So definitely looking into that and ensuring that if  
19 you are able to take additional time with this decision  
20 that was recently made by the California Supreme Court,  
21 that for you to take it into consideration, and we hope  
22 that you're able to move forward with that. Thank you  
23 very much for your time.

24 CHAIR TURNER: Thank you, Ms. Ponce de Leon.

25 Are there any other callers in queue?





1 PUBLIC COMMENT MODERATOR: There are no other  
2 participants queued up at this time.

3 CHAIR TURNER: Okay. Thank you. Okay,  
4 Commissioners. I think we can go back to our discussions  
5 then with the information that was shared with the  
6 comment and from our counsel.

7 Yes. Commissioner Toledo. You're on mute, sir.  
8 Are you -- might be your audio. You don't show on mute  
9 but we can't hear you. Commissioner Toledo?

10 MS. JOHNSTON: It says he's connecting to audio. I  
11 don't know what the problem is.

12 CHAIR TURNER: Okay. What we'll do while we're  
13 waiting for him to connect, and I hope he can still hear  
14 us, we'll go to Commissioner Taylor.

15 COMMISSIONER TAYLOR: Yeah. I just would like to  
16 add that I think I agree with the Commissioner Andersen.  
17 I think if we provide a brief, we control more of the  
18 dialogue and we can pinpoint the issues that we know are  
19 at hand. So I think I would agree that that rather than  
20 attach that, we should put out our own statement.

21 CHAIR TURNER: Um-hum. Thank you.

22 Commissioner Toledo, let's try your audio again. Is  
23 it your volume on your -- I don't know what to say.

24 COMMISSIONER TOLEDO: Can you hear me now?

25 CHAIR TURNER: Yeah.



1 MS. JOHNSTON: Yeah, yeah.

2 COMMISSIONER TOLEDO: I'm sorry about that. I was  
3 just thinking that perhaps we should maybe put a couple  
4 people together. Maybe two individuals together to draft  
5 a letter that we can all agree on. And that that might  
6 be a good course of moving this whole word -- would be  
7 just to begin the process of drafting.

8 I think we all agree on the importance of having an  
9 accurate count and a complete and accurate count, that's  
10 something that, as Californians, we all would agree on.  
11 And making that point to the Census Bureau would be  
12 important, and starting there. And then perhaps from  
13 that, we can begin the process of also thinking about  
14 whether -- or what type of argument we would make for --  
15 in an amicus brief. And what would be the most effective  
16 and the most appropriate argument based on our  
17 bipartisan -- the bipartisan nature of our Commission.

18 CHAIR TURNER: I like that. I think -- do we need a  
19 motion that we, as a Commission, is in agreement that --

20 MS. JOHNSTON: Yeah, if --

21 CHAIR TURNER: -- (indiscernible) --

22 MS. JOHNSTON: -- if it's appointing a committee,  
23 you can do that yourself, Madam Chair.

24 CHAIR TURNER: Right. But as far as the decision to  
25 actually write or send in an amicus brief.



1 MS. JOHNSTON: You could make that now. I would  
2 personally prefer that we get the draft of the letter  
3 first, because right now I have no idea if everything  
4 you'd like to have included. I don't know if the  
5 committee would be able to meet and come back with  
6 something before the end of this series of meetings, the  
7 series of days.

8 CHAIR TURNER: Commissioner Akutagawa.

9 COMMISSIONER AKUTAGAWA: Just a clarification. One,  
10 are we going to ask or are we asking counsel to write the  
11 amicus brief for us? Two, is that possible for the  
12 actual writing of the amicus brief to be done and  
13 (indiscernible) by Commissioner Toledo --

14 MS. JOHNSTON: We can't hear you.

15 COMMISSIONER AKUTAGAWA: -- outlining what should be  
16 on it.

17 CHAIR TURNER: Okay, what's your second point? So  
18 we heard the first point. Should --

19 COMMISSIONER AKUTAGAWA: Oh, sorry about that. One,  
20 are we asking the counsel to do -- write the amicus brief  
21 on our behalf? And can she do so?

22 And then secondly, is the committee that  
23 Commissioner Toledo has suggested, is that more just to  
24 get the guidelines on what should be included in the  
25 amicus brief on our behalf?

1 CHAIR TURNER: Counsel, you'd have to answer if  
2 you're willing or able. But I think earlier,  
3 Commissioner -- was that Sadhwani, there was -- that  
4 agreed to draft the amicus brief for us. I wanted to  
5 just put that back on the table as well.

6 Commissioner Toledo, you wanted to add in?

7 COMMISSIONER TOLEDO: I was suggesting maybe  
8 drafting the letter. And by drafting the letter, I think  
9 that'll help us think about the arguments that are  
10 potentially -- can be made in an amicus brief. But the  
11 letter first and then maybe the amicus brief afterwards.

12 MS. JOHNSTON: Would it be possible to do the work  
13 on drafting the letter before the end of next week when  
14 you all are still meeting, and bring it back to the  
15 Commission at that time?

16 CHAIR TURNER: Commissioner Sadhwani.

17 COMMISSIONER SADHWANI: Yes. I know I offered to do  
18 that. I don't have to be the one, by the way. Anyone  
19 else can do it. But yes, that was my idea, is that if we  
20 leave this agenda item open within the next couple of  
21 days, a letter could be drafted before we end this  
22 meeting of multiple days. But before we completely close  
23 out this meeting or adjourn this meeting, that we could  
24 all review such a letter, make edits to it, and actually  
25 finalize something, because time is of the essence and

1 we're up against a very short deadline.

2       So that would be my thought. And I agree with  
3 Commissioner Toledo, if we can do a letter fairly  
4 quickly, that that can help us help to form an amicus  
5 brief that, you know, if Counsel could write. I can help  
6 write. You could write it. I mean, either way, I think  
7 that there's options.

8       MS. JOHNSTON: I'd be happy to work with an advisory  
9 committee on that.

10       CHAIR TURNER: The question that I had that I want  
11 still clarification for Counsel is just, one, a matter of  
12 protocol, and this will just help for my training going  
13 forward. It seems like a lot of time and investment for  
14 something that the counsel has -- that the Commission has  
15 not agreed to do. And so I know you're saying the letter  
16 that it would turn into the amicus brief and then we will  
17 vote and do the amicus brief -- I am questioning the  
18 timing of it.

19       Should we -- or I don't know. It feels like we  
20 should be in agreement that that is what we want to do  
21 because there were a few things that was thrown out  
22 initially. And if we're in agreement that that is the  
23 direction, then I see the investment of time by the  
24 Commissioner Sadhwani or Toledo or whoever is going to  
25 take it on, and so that that was my question.

1 MS. JOHNSTON: I would certainly appreciate a draft  
2 letter from the committee or the Commission, the  
3 Commission can discuss the draft letter, to give me  
4 guidance in what you'd like to have said in an amicus  
5 brief.

6 CHAIR TURNER: Okay. Thank you. One more way, we'd  
7 write the letter to give guidance, we write the amicus  
8 brief, and then for whatever reason we determine we don't  
9 want to do any of it, we don't want to go that route?

10 MS. JOHNSTON: You could do that.

11 CHAIR TURNER: Yeah. But it seems like then it's a  
12 lot of wasted time on behalf of the Commission.

13 MS. JOHNSTON: Well, given the --

14 CHAIR TURNER: And that my -- my duty  
15 (indiscernible) --

16 MS. JOHNSTON: -- sentiments, I doubt you would not  
17 want to do the letter even, but --

18 CHAIR TURNER: -- why should we be getting  
19 (indiscernible) first. I'm sorry. What were you saying?

20 MS. JOHNSTON: Yeah. I can do it either way. I  
21 would just -- in either case, I would need guidance from  
22 the Commission.

23 CHAIR TURNER: Sure. You need that.

24 Commissioner Akutagawa?

25 COMMISSIONER AKUTAGAWA: I think, so -- if I'm

1 hearing this correctly, and just maybe this is a question  
2 for everybody. I don't know if it needs a motion, but  
3 what I'm hearing is do we have agreement among all of the  
4 Commission whether or not the appetite or letter or  
5 amicus brief? I know that there was several of us that  
6 have spoken out, but I will say that not everybody has  
7 commented on it one way or the other, and so perhaps, I  
8 don't know if we can motion or whether we just take an  
9 informal poll and then that may then alleviate the  
10 question that you're asking for, Madam Chair --

11 CHAIR TURNER: Absolutely.

12 COMMISSIONER AKUTAGAWA: -- and save time on the  
13 other end.

14 CHAIR TURNER: Yeah. Yes. And there were a couple  
15 of other hands. Would you show them to me, again, that  
16 wanted to speak?

17 Commissioner Le Mons.

18 COMMISSIONER LE MONS: Yes. I was going to say  
19 exactly what Commissioner Akutagawa said. So I think  
20 that we should come to some consensus whether we should  
21 go down this path. I think that's the step, and I think  
22 you're asking counsel procedurally --

23 CHAIR TURNER: Um-hum.

24 COMMISSIONER LE MONS: -- what are our options to  
25 come to that consensus?

1 CHAIR TURNER: Um-hum.

2 COMMISSIONER LE MONS: So Counsel, that's the  
3 question. Is do we need to make a motion that this is  
4 something we as a Commission want to do? Is this  
5 something we can just all do a head nod? I mean, that's  
6 what, I think, Chair -- Madam Chair is asking.

7 MS. JOHNSTON: I think you could do it either way.  
8 You could decide now that you want to file a letter and  
9 do an amicus brief and then have something drafted to  
10 give guidance to me and to have a letter drafted. Or you  
11 could have the draft come back to the Commission and then  
12 decide if you want to turn that into an amicus brief or  
13 whatever. It's really your choice.

14 MR. VILLANUEVA: No. They're asking should they do  
15 a motion to have it decided --

16 MS. JOHNSTON: Oh. I -- that's up to the Chair.  
17 You can either appoint a committee now to bring to  
18 something back to the Commission, or you could make a  
19 decision now. And I can't imagine that what the  
20 committee would come up with would be unsatisfactory to  
21 the Commission. So if you want to decide now to go ahead  
22 and do it, it can be done either way.

23 CHAIR TURNER: And I have one point to clarify. Let  
24 me try it one more time. To clarify, and the reason I  
25 asked procedurally is not even just for this discussion.



1 We're now -- and thank you. I understand that I can  
2 appoint a commission and I'm grateful for those that is  
3 willing to write a letter to present to you for an  
4 amicus. I'm saying that's a lot of time and investment  
5 for something we have not agreed to do. So whether we're  
6 talking about this topic or future topics, my question  
7 is, is should we not come to consensus, agreement,  
8 motion, vote, or otherwise that we're going to take a  
9 particular path before we invest work down that path.  
10 That was the question.

11 MS. JOHNSTON: Well, since you all seem to be  
12 substantially in agreement as to the general direction, I  
13 don't think -- I think it would be fine to have a motion  
14 now. I think if it was -- there have been other  
15 situations I have dealt with in the past where maybe  
16 there's disagreement among the Commission, and you don't  
17 know which way they want to come out, in which case I'd  
18 really want to have more direction before I'd proceed.  
19 But if there -- if you think there's a consensus of the  
20 Commission now, then certainly a motion to appoint this  
21 subcommittee and come back with a draft later on during  
22 this meeting, and then to proceed with an amicus brief,  
23 would be fine.

24 CHAIR TURNER: Commissioner Yee, was your hand up?

25 MS. JOHNSTON: I'm sorry?



1           COMMISSIONER YEE: Yes. So I definitely support  
2 doing something. I think having a draft, which I think  
3 you -- Madam Chair can just appoint a committee to work  
4 with counsel to develop, will give us a lot better sense  
5 of what's going forward. But I do think we all seem to  
6 be agreed, you know, more time and a better count,  
7 absolutely. I support that. On the other hand, I am  
8 worried of mission creek as well, and you know, taking on  
9 a task that really isn't our task, although it does  
10 affect us very directly. But I definitely support doing  
11 something.

12           CHAIR TURNER: Commissioner Le Mons. No?

13           Oh, Sinay. Commissioner Sinay.

14           COMMISSIONER SINAY: I think your question, Madam  
15 Chair, was a really good one about how do we want to do  
16 work? And I'm hearing what counsel's is saying. There  
17 are going to be times where we may be very divided and so  
18 we want to see the draft before we make a decision. And  
19 there may be other times where we want to make a motion  
20 versus -- make a motion to support so that -- and move  
21 forward. Because we'll still want to have another motion  
22 to approve the letter. And so I think that's up to you,  
23 Madam Chair, which way you feel. I think for something  
24 like the census, maybe a vote is in -- you know, having a  
25 motion is important.

1 But I also want to speak to Commissioner Le Mons's  
2 comment around consensus. And we haven't had that  
3 conversation, and I was hoping we would have a lot more  
4 conversation at the beginning of this meeting on how we  
5 want to work together. And if there is this -- if we  
6 feel that we want to work in consensus building a  
7 consensus -- coming to things as a consensus or do we  
8 just vote and the majority, you know, wins type thing.  
9 And that can either be blended as well, but I do feel --

10 CHAIR TURNER: Yeah.

11 COMMISSIONER SINAY: -- that we're missing some key  
12 conversations about how we want to work together as a  
13 group. That we kind of jumped forward and that's where  
14 some of the tension is lying right now.

15 CHAIR TURNER: Okay. Commissioner Andersen.

16 COMMISSIONER ANDERSEN: Thank you for that,  
17 Commissioner Sinay. Yes. I think how we are going to  
18 work together is extremely important. And that's a  
19 discussion we really need to have. And I have a -- what  
20 I thought from listening to Commissioner Toledo, is that  
21 the subcommittee would put together and write a letter,  
22 in which case, all -- and as we review this letter, it  
23 will become sort of apparent about who likes this,  
24 doesn't like it, or what points would even go into --  
25 should we at that point say, yes, we do want to do an

1 amicus brief, or you know what, all we can agree to right  
2 now is a letter? So I think we can sort of possibly vote  
3 on doing a letter with the idea being if we come to an  
4 agreement, then we would proceed with an amicus brief or  
5 not, based on results of our discussion with the letter.

6 CHAIR TURNER: Commissioner Vazquez.

7 COMMISSIONER VAZQUEZ: Question for counsel. If we  
8 vote on doing a letter, does that close this discussion  
9 item at which point in order to review the letter and  
10 talk about an amicus brief, do we have to create a new  
11 agenda note and notice?

12 MS. JOHNSTON: No. No.

13 COMMISSIONER VAZQUEZ: Okay.

14 CHAIR TURNER: Commissioner Le Mons.

15 COMMISSIONER LE MONS: Yeah. I just wanted to voice  
16 my support for the subcommittee and coming back with a  
17 draft letter and then that setting the stage for whatever  
18 our next steps might be. So if this contributes to the  
19 decision to do that, I'm doing that now outside of a  
20 vote. I don't know if we need a vote or not, but there  
21 we go.

22 CHAIR TURNER: Commissioner Fernandez or Fornaciari.  
23 Fernandez --

24 COMMISSIONER FERNANDEZ: I'll second that.

25 CHAIR TURNER: -- Fornaciari, and then Akutagawa.

1           COMMISSIONER FERNANDEZ: I will second Commissioner  
2 Le Mons's motion that we draft a letter, because it's  
3 just a draft letter. It doesn't mean that we're going to  
4 approve it. It doesn't mean we're going to send it, but  
5 it is a very good starting point for all of us. And  
6 although I didn't know what an amicus brief was because  
7 I'm not a lawyer, I haven't played one on TV either, so.  
8 But now that I know what it is, I think it's a good  
9 avenue and at least it's taking us in a direction where I  
10 believe most of us want to go, so. I'm seconding that.

11           CHAIR TURNER: Wonderful.

12           Commissioner Fornaciari.

13           COMMISSIONER FORNACIARI: Yeah. Me, too. I'm on  
14 board.

15           CHAIR TURNER: You, too.

16           And Commissioner Akutagawa.

17           COMMISSIONER AKUTAGAWA: I'm on board with that, but  
18 I wanted to come back to something that Commissioner  
19 Sinay said, which is about, I'm going to call it just  
20 basic team building. And I realize, and I should have  
21 known better, too, but I think we skipped over some steps  
22 maybe because we just jumped into the agenda in the way  
23 that we did and it may help facilitate future meetings if  
24 we may consider taking a step back and doing some basic  
25 team building, as was suggested in the previous

1 Commission's report to us.

2       But the team building that I'm talking about is not  
3 just, like, let's have, like, a virtual lunch together.  
4 I think we should perhaps take some time -- first off, I  
5 think -- I know that we all read each other's stuff,  
6 right? All our applications and everything like that,  
7 but I think it would be interesting to hear from each of  
8 us individually how we would talk about ourselves, what  
9 we would choose to share with this group, at least to  
10 begin with.

11       I also would suggest that we also consider thinking  
12 about what are our expectations in terms of all of what  
13 we are tasked to do? I know what our charter is. I know  
14 what our mission is. However, what are our expectations?  
15 What are our needs in terms of being us -- us being able  
16 to get to the end goal? I would also suggest that we  
17 also think about just going forward, what kind of  
18 cadence, what kind of decision-making styles are we going  
19 to use as we think about this?

20       I think it would also be helpful for us to share,  
21 perhaps, our communication styles as well, too. That may  
22 be helpful in terms of knowing, you know, how we may  
23 communicate or maybe not communicate and having an  
24 expectation that we're all going to do the same things in  
25 certain ways.



1           And then lastly, I would also suggest that we come  
2 up with some standard ground rules in terms of how we're  
3 going to work. I know we have the Robert's Rules of  
4 Order. However, I do want to say that there are informal  
5 rules, and I think we need to just spell them out. And I  
6 think that that may help us maybe accelerate our team  
7 building.

8           CHAIR TURNER: Thank you.

9           Commissioner Le Mons.

10          MS. JOHNSTON: Just --

11          CHAIR TURNER: Commissioner Sadhwani -- oh,  
12 Fornaciari.

13          MS. JOHNSTON: Should I --

14          COMMISSIONER FORNACIARI: I agree 100 percent with  
15 both of the last comments. We really need to spend some  
16 time figuring out how we're going to work together and  
17 figuring out what we're all bringing to the table.

18           Just a little note on my communication style, if I  
19 don't have anything to add, I'm not going to add  
20 anything. And it doesn't mean I don't agree, it just  
21 means that I don't have anything to add. So yeah. 100  
22 percent on board with that.

23           I'll add a little bit. I think Commissioner  
24 Fernandez and I both have a little bit of project  
25 management background. And Commissioner Akutagawa said



1 it, I know what our mission and our goal are. I think we  
2 need to be pretty explicit about writing that down and  
3 taping it to the wall and so that when we -- you know,  
4 when we get in a place where things are getting funky, we  
5 turn around and point at it. Okay. This is our mission.  
6 This is our goal. These are our grand rules about how  
7 we're all going to work together. So outstanding.  
8 Thanks.

9 CHAIR TURNER: Thank you.  
10 Commissioner Sadhwani.

11 COMMISSIONER SADHWANI: Yes. So we've crept away  
12 from the conversation of the census and that piece, and  
13 that's okay, because I think this is so important. I  
14 agree with everything that has been said from  
15 Commissioners Fornaciari, from Akutagawa, Sinay. I also  
16 just -- just to throw it out there, I think that this is  
17 part and parcel the fact that thus far, we, as a  
18 Commission, had never had the power to set our own  
19 agenda, right?

20 It's kind of this agenda that's thrust upon us. We  
21 can't change it because of the Bagley-Keene rules and  
22 that there's this ten-day -- or now fourteen-day notice.  
23 And so I do think -- I'm not suggesting that we change  
24 those rules, but simply acknowledging that that's kind of  
25 what led us here. And that as we move forward, I think



1 we're going to need to take the reins of agenda setting  
2 so that we can ensure that these kind of conversations  
3 can happen, so that we can talk about our mission and our  
4 communication styles. Because at this point, it's not  
5 part of our -- any of -- it hasn't been a part of any  
6 agenda yet, and hopefully, it can be.

7 MS. JOHNSTON: And that is an item on the agenda,  
8 for you all to do that.

9 MR. VILLANUEVA: It's on your agenda to set your  
10 agenda.

11 COMMISSIONER SADHWANI: Thank you.

12 CHAIR TURNER: Thank you.

13 Commissioner Sinay.

14 COMMISSIONER SINAY: Thank you, Madam Chair.

15 To move us forward, Commissioner Sadhwani, I will  
16 partner with you on that letter, if you -- it would be an  
17 honor to work on that.

18 MS. JOHNSTON: There is a motion pending, unless you  
19 want to withdraw it.

20 COMMISSIONER SINAY: Oh, sorry. I thought people  
21 were still asking. You're right.

22 CHAIR TURNER: So and was the motion for Sadhwani  
23 and Toledo? Le Mons? Yes, sir. Commissioner Le Mons.

24 MS. JOHNSTON: I don't think you specified who in  
25 your motion, Commissioner Le Mons.

1 COMMISSIONER LE MONS: I didn't. And what's funny  
2 is I didn't even really make a motion. That's why I kind  
3 of laughed, but --

4 MS. JOHNSTON: Oh.

5 MR. VILLANUEVA: I didn't think there was a motion  
6 either.

7 MS. JOHNSTON: I thought it was seconded.

8 COMMISSIONER LE MONS: Well, there was but --

9 MR. VILLANUEVA: Yeah. But there was no motion.

10 COMMISSIONER LE MONS: But it didn't exist. So  
11 thank you, Commissioner Fernandez.

12 MS. JOHNSTON: Okay.

13 COMMISSIONER SINAY: He was trying not to make a  
14 motion.

15 MS. JOHNSTON: Motion's withdrawn.

16 COMMISSIONER LE MONS: But I will make one. I don't  
17 mind making one. So I'd like -- but I was going to  
18 nominate -- I mean -- yeah. I was going to suggest  
19 Commissioner Sadhwani and Commissioner Toledo because  
20 they had both kind of stepped forward, if they were open  
21 to it.

22 But so the motion was to establish the subcommittee  
23 that would establish a letter -- draft letter, and then  
24 from that letter, we would also talk about whether or not  
25 we wanted to move forward with an amicus brief and go

1 from there. And so I was pinpointing the two particular  
2 Commissioners. I know Sadhwani said it didn't have to be  
3 her, but anyway. It seems like a lot of passion was  
4 coming from the two of them, so.

5 CHAIR TURNER: Then I wonder if we --

6 COMMISSIONER LE MONS: That's my motion.

7 CHAIR TURNER: Thank you. I wonder if we could  
8 save, then, time, since it is a subcommittee that, as I  
9 understand, it doesn't require a motion. And we just  
10 name write so we can -- if I can, I'd like to just name  
11 Sadhwani and have Toledo and then we have someone else  
12 that wanted. I know it's only one other person.

13 MS. JOHNSTON: You can only have two people.  
14 Otherwise, you've got to comply with Bagley-Keene.

15 CHAIR TURNER: Thank you. That's exactly what I  
16 said. So we have either Toledo or Sinay -- so Toledo.  
17 Okay. Great. So subcommittee Sadhwani and Toledo will  
18 work on the letter to submit to our counsel to appoint  
19 for an amicus brief.

20 MS. JOHNSTON: And it will be brought before the  
21 Commission before you conclude this meeting. And I'll be  
22 happy to work with you on drafting that if you wish my  
23 help.

24 CHAIR TURNER: Okay. Great.

25 Commissioner Yee.



1           COMMISSIONER YEE: I just wanted to remind  
2 Commissioner Toledo, you're also working with me on the  
3 nominations committee. You're going to be a busy man.

4           COMMISSIONER TOLEDO: Yeah. That's fine.

5           COMMISSIONER YEE: Okay.

6           CHAIR TURNER: Commissioner Andersen.

7           COMMISSIONER ANDERSEN: Well, sorry. Just -- the  
8 subcommittee right now is doing the letter, which is  
9 coming to the whole group so we can go over it.

10          CHAIR TURNER: Um-hum.

11          COMMISSIONER ANDERSEN: After we go over it, then it  
12 would go to the amicus brief, if we decide at that point.

13          MS. JOHNSTON: Well, you could decide who you want  
14 to send a letter to, whether you want to send it to the  
15 court, whether you want to send it to the Census Bureau,  
16 whether you want to send it to the bill authors. There  
17 could be a variety of uses for the letter.

18          COMMISSIONER ANDERSEN: Right. So I just don't want  
19 us to commit the subcommittee right now to kind of  
20 starting to work on the amicus brief until it comes back,  
21 I don't want to waste anyone's time if it turns out that  
22 we go, you know what? A letter is where we're going to  
23 go. So that's what I'm just saying. Let's just make  
24 sure that -- I'm not -- I don't mean we can't go that  
25 way, but I really think we need to take our time and make

1 sure that -- I mean, I don't mean to slow it down, but  
2 let's do a letter, bring it back in this meeting, and  
3 then discuss.

4 COMMISSIONER SADHWANI: That was my understanding as  
5 well. For the end of this meeting of multiple days,  
6 there will be a letter -- a draft letter for everyone to  
7 review and at that time, we can change the language as  
8 well as determine if we want to turn sort of the contents  
9 of that letter into an amicus brief, and that would be a  
10 decision we would have to make as a Commission.

11 CHAIR TURNER: Very good. All right. Any other  
12 comments on this particular agenda item before we're  
13 concluding for the day?

14 MS. JOHNSTON: Do you want to make the announcement  
15 about item 10?

16 MR. VILLANUEVA: Oh.

17 CHAIR TURNER: No?

18 MS. JOHNSTON: What other -- go ahead.

19 MR. VILLANUEVA: Madam Chair, you asked -- you were  
20 asking the Commission a question?

21 CHAIR TURNER: Yes. I was asking because we won't  
22 be move -- my thought is to not move to the next agenda  
23 item until tomorrow morning.

24 MR. VILLANUEVA: Right. That's what I understood.

25 MS. JOHNSTON: Right. But we should let people

1 know.

2 CHAIR TURNER: So what I was asking is if there's --

3 MR. VILLANUEVA: Let her finish.

4 CHAIR TURNER: -- anything else that the  
5 commissioners or you, Raul or Counsel, have before we  
6 conclude our -- recess, I mean, until tomorrow?

7 MR. VILLANUEVA: I just wanted to let you know that  
8 item number 10 has been -- they'll actually be doing  
9 their presentation on Friday at 10 a.m. I'll have  
10 available for the Commission, for all the presentations,  
11 they're set times now.

12 CHAIR TURNER: Okay.

13 MR. VILLANUEVA: I'll provide that for you tonight  
14 and read it out for you tomorrow morning so the public  
15 can hear it. Only because I'm looking at the time, and  
16 we'll go over for the captioner very soon.

17 CHAIR TURNER: Okay. Will that include the document  
18 that the -- one of the callers called in about for agenda  
19 12?

20 MS. JOHNSTON: We should get to that without any  
21 problem tomorrow.

22 CHAIR TURNER: There was a document, though, I think  
23 was going to be sent out.

24 MS. JOHNSTON: Document for 12?

25 CHAIR TURNER: Um-hum. The caller -- I think it

1 was Commissioner Kennedy kind of helped --

2 COMMISSIONER SINAY: I think it's agenda 11.

3 CHAIR TURNER: -- the caller called in and was  
4 requesting --

5 MS. JOHNSTON: You were going to send out the --

6 MR. VILLANUEVA: No. I think it was actually agenda  
7 item 14 on the staffing, that JPEG, the --

8 MS. JOHNSTON: That was it.

9 MR. VILLANUEVA: -- right?

10 COMMISSIONER LE MONS: Yeah. It was 14.

11 MR. VILLANUEVA: Yes. So I'll be checking on that  
12 tonight and see if they found a solution for it.

13 CHAIR TURNER: Okay. Are we good? Okay. And we're  
14 going to recess for the day.

15 MS. JOHNSTON: Do you want to ask if there's any  
16 public comment waiting?

17 MR. VILLANUEVA: No.

18 CHAIR TURNER: Oh.

19 MR. VILLANUEVA: Yes, they have to.

20 CHAIR TURNER: All public comment, please.

21 MS. JOHNSTON: AT&T, any public -- members of the  
22 public waiting?

23 PUBLIC COMMENT MODERATOR: Thank you. And as a  
24 final reminder, ladies and gentlemen, if you'd like to  
25 make a public comment at this time, please press 1



1 followed by the 0.

2 And Madam Chair, nobody is queuing up at this time.

3 CHAIR TURNER: Commissioner Sadhwani.

4 COMMISSIONER SADHWANI: It may not need to be said,  
5 but because we'll be starting a new agenda item when we  
6 begin tomorrow, perhaps we could begin with public  
7 comment. I just -- I always worry, like, when we have  
8 these meetings, then, and now we go to public comment,  
9 like, how difficult must that be for people that actually  
10 provide public comments.

11 So I liked that in our previous meetings we would  
12 start the morning with public comment, and I just put  
13 that out there to kind of, you know, keep that as a --  
14 somewhat of a practice where it makes sense. So that if  
15 there are people that want to call in, they don't have to  
16 wait all day for that -- you know, when it's convenient  
17 for us.

18 CHAIR TURNER: Okay. So they would start tomorrow  
19 morning with public comment on what?

20 MR. VILLANUEVA: It'd be general.

21 COMMISSIONER SADHWANI: Either a general public  
22 comment or because we will be starting a new item, it  
23 could be on that item. But to me, it's about -- it's  
24 more so about creating opportunities for folks to  
25 actually call in if they so choose.



1 CHAIR TURNER: Okay.

2 COMMISSIONER SADHWANI: That is easy and convenient  
3 for the public.

4 MS. JOHNSTON: Um-hum. Right.

5 CHAIR TURNER: Okay. I just wanted to be sure.

6 MS. JOHNSTON: You are required to have public  
7 comment on every item, but you can also have general  
8 comment whenever you wish.

9 CHAIR TURNER: So then we will agree to open the  
10 meeting with general comment tomorrow for a time period  
11 and then we will begin.

12 Commissioner Sinay.

13 COMMISSIONER SINAY: Just so that the public knows  
14 what item -- agenda item we will be doing, since agenda  
15 number -- item number 10 is moved to Friday, will we be  
16 beginning on training a general -- training on the  
17 general government structure?

18 MS. JOHNSTON: Yes.

19 COMMISSIONER SINAY: Okay. I just want to make  
20 sure.

21 CHAIR TURNER: Yeah. Raul, you said there were  
22 different times that you were going to assign tonight,  
23 but can we count on starting with 11, or is there  
24 something else first with the times?

25 MR. VILLANUEVA: The only things that have changed

1 out of sequence are the presentations --

2 CHAIR TURNER: Okay.

3 MS. JOHNSTON: By outside people.

4 CHAIR TURNER: Okay. So yes.

5 MR. VILLANUEVA: I'm sorry. Yes. By outside  
6 entities, yes.

7 CHAIR TURNER: Okay. So we are starting then with  
8 counsel Marian Johnston on agenda item number 11 after  
9 public comment.

10 COMMISSIONER SINAY: And can I clarify one more  
11 thing? Can we do public comment at the beginning and  
12 then public comment after she presents? Because some  
13 people may have -- there might be public comments after  
14 they hear.

15 CHAIR TURNER: Um-hum. I think to provide the  
16 maximum opportunity, what has been suggested is that we  
17 start with public comment, general, then go into our  
18 first agenda item, which tomorrow will be item 11. And  
19 after that presentation, we'll have public comment. I  
20 think one of the other things we can do is to come back  
21 from lunch with public comment, so we can put out that as  
22 well.

23 Commissioner Akutagawa.

24 COMMISSIONER AKUTAGAWA: I have a question. So what  
25 I heard is that agenda item number 10 is going to be

1 delayed to Friday or is being moved to Friday at 10 a.m.  
2 I do want to just let everybody know that I have a  
3 standing commitment that I cannot move, so I will be  
4 unavailable from 11:45 to probably 3:15, 3:30, our time  
5 here. So I just wanted to just say that out loud and  
6 then (indiscernible) if there are other items that are  
7 possibly (audio interference).

8 CHAIR TURNER: You were really bad on us hearing  
9 you, but I think you were telling us you would not be  
10 here Friday between --

11 COMMISSIONER AKUTAGAWA: 11:45 and about, say, 3:30.  
12 And so I just want to ask if there any other items that  
13 are being moved to Friday around that time?

14 MS. JOHNSTON: I don't think so, are there?

15 MR. VILLANUEVA: It depends on where we are on  
16 the -- it really depends on where the group is on the  
17 agenda.

18 COMMISSIONER AKUTAGAWA: Okay.

19 MS. JOHNSTON: There's nothing else on Friday.  
20 There's -- there is a 1:30 on Friday. A training on --

21 COMMISSIONER AKUTAGAWA: A 1:30 presentation?

22 MS. JOHNSTON: -- diverse demographics and  
23 geography.

24 MR. VILLANUEVA: Yes.

25 COMMISSIONER AKUTAGAWA: Okay.

1 MR. VILLANUEVA: At 1:30, yes.

2 MS. JOHNSTON: Number 19.

3 COMMISSIONER AKUTAGAWA: Okay.

4 MS. JOHNSTON: But all of this is being  
5 videographed -- video -- videotaped, and that will be  
6 available for you to review later if you miss a meeting.

7 COMMISSIONER AKUTAGAWA: Okay. Thank you.

8 CHAIR TURNER: Okay. One last question I have then  
9 before we close is, which of the agenda items will allow  
10 us to talk about any -- such as Commissioner Akutagawa  
11 just named, if there are any other days, times, et  
12 cetera, that we should avoid? Is that something that's  
13 going to come up on the agenda or do we need to set it as  
14 an agenda item?

15 MS. JOHNSTON: Do you want to give them the times  
16 now, then?

17 MR. VILLANUEVA: No. What -- as I understood the  
18 question is, is the suggestions about the team building,  
19 communication --

20 CHAIR TURNER: Um-hum.

21 MR. VILLANUEVA: -- all that discussion, what you're  
22 asking is where could it fit or does it fit on any agenda  
23 item for the current meeting; is that correct?

24 CHAIR TURNER: That's good. And what I was asking  
25 specifically, if, indeed, we know in advance that

1 Commissioner Akutagawa will not join us Fridays from 11  
2 to 3 --

3 MR. VILLANUEVA: Right.

4 CHAIR TURNER: -- perhaps as we go forward, we will  
5 plan around that and any other such dates that a  
6 Commissioner may have that we know is not -- some of the  
7 Commissioners, some of us still work full-time jobs, some  
8 of us, you know, are off, retired. And so I just wanted  
9 to know when do we establish what will work optimally and  
10 then understand that we'll all make changes where we can?  
11 But we need to have that discussion.

12 Commissioner Le Mons.

13 COMMISSIONER LE MONS: Yeah. I was going to ask,  
14 can we -- I guess you're asking, when can we have that  
15 discussion? I think that we're a fourteen-member  
16 Commission. We have a quorum. I've mentioned this  
17 before. Sometimes we won't be here. And I would prefer  
18 that we don't get in the habit of trying to build agendas  
19 around personal schedules. So that's what I want to say  
20 to that.

21 CHAIR TURNER: Yeah. I hear you.

22 MR. VILLANUEVA: Do you have an answer to your  
23 question that you asked?

24 CHAIR TURNER: Oh, yes.

25 MR. VILLANUEVA: Okay. So the very last agenda



1 item, number 23, will -- the discussion of meeting dates  
2 and future agenda items, that's really where that  
3 belongs --

4 CHAIR TURNER: Oh, thank you.

5 MR. VILLANUEVA: -- in terms of identifying not just  
6 your agenda items, but look at your calendar, be prepared  
7 to talk about your future meeting, the things you would  
8 like to include there. If you want us to have certain  
9 presentations available for you. That's the time to have  
10 that discussion. So as we move forward to item number  
11 23, that's something to keep in the back of your mind to  
12 make the best use of that agenda item.

13 CHAIR TURNER: Um-hum.

14 MR. VILLANUEVA: Thank you, Madam Chair.

15 CHAIR TURNER: Thank you for answering that, because  
16 I'd asked the question.

17 Commissioner Sinay. Okay. Someone else had one --  
18 had their hand up. No.

19 COMMISSIONER SINAY: I did have my hand up, but he  
20 answered it. I was going to say 23.

21 CHAIR TURNER: Okay. So we're at 4:49, and this  
22 meeting is recessed until tomorrow morning, 9:30. Thank  
23 you all.

24 MS. JOHNSTON: Have a good evening, everyone.

25 (Whereupon, the CRC Business Meeting adjourned)



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July 14, 2022

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