

STATE OF CALIFORNIA
2020 CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

PUBLIC MEETING

721 Capitol Mall, 2nd Floor
Sacramento, California 95814

THURSDAY, APRIL 29, 2021

9:30 A.M.

Reported by:
Peter Petty

APPEARANCES

2020 Citizens Redistricting Commission:Commissioners

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

Staff

Alvaro E. Hernandez, Executive Director
Marian Johnston, Legal Counsel
Fredy Ceja, Communications Director
Ravindar Singh, Administrative Assistant
Marcy Kaplan, Director of Outreach

Technical Contractors

Public Comment Moderator
Kristian Manoff, AV Technical Director

Also PresentPublic Comment

- 1: Debra Levine
- 2: Rosalind Gold, NALEO Educational Fund
- 3: Peter Cannon
- 4: Sandra Barreiro, California School Employees Association
- 5: Renee Westa-Lusk
- 6: Timothy Hulett
- 7: Sky Allen, Inland Empire United
- 8: Kirk Samuels, Community Coalition
- 9: Julia Gomez, ACLU of Southern/Northern California
- 10: Stuart Waldman, Valley Industry Commerce Association
- 11: Jonathan Mehta Stein, Common Cause

Public Comment (Cont'd.)

12: Tho Vin Banh, Disability Rights California

13: Connie Malloy

14: Toni Trigueiro, California Teachers Association

15: Samuel Sukaton, California League of California Voters
Education Fund

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P R O C E E D I N G S

1 Thursday, April 29, 2021

9:30 a.m.

2 CHAIR FERNANDEZ: Good morning, everyone and
3 welcome to the April 29th California Citizens Redistricting
4 Commission meeting.

5 I'd like to take roll call, please.

6 MR. SINGH: Thank you, Chair. Commissioner
7 Ahmad.

8 VICE CHAIR AHMAD: Here.

9 MR. SINGH: Commissioner Akutagawa.

10 (No audible reply.)

11 MR. SINGH: Commissioner Andersen.

12 (No audible reply.)

13 MR. SINGH: Commissioner Fernandez.

14 CHAIR FERNANDEZ: Here.

15 MR. SINGH: Commissioner Fornaciari.

16 COMMISSIONER FORNACIARI: Here.

17 MR. SINGH: Commissioner Kennedy.

18 COMMISSIONER KENNEDY: Here.

19 MR. SINGH: Commissioner Le Mons.

20 COMMISSIONER LE MONS: Here.

21 MR. SINGH: Commissioner Sadhwani.

22 COMMISSIONER SADHWANI: Here.

23 MR. SINGH: Commissioner Sinay.

24 COMMISSIONER SINAY: Here.

1 MR. SINGH: Commissioner Taylor.

2 (No audible reply.)

3 MR. SINGH: Commissioner Toledo.

4 COMMISSIONER TOLEDO: Here.

5 MR. SINGH: Commissioner Turner.

6 COMMISSIONER TURNER: Here.

7 MR. SINGH: Commissioner Vasquez.

8 (No audible reply.)

9 MR. SINGH: Commissioner Yee.

10 COMMISSIONER YEE: Here.

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

12 CHAIR FERNANDEZ: Thank you. Thank you, Ravi.

13 Great timing, Commissioner Toledo. Perfect.

14 Okay. So, in closed session yesterday the
15 Commission took action and moved forward with the hiring of
16 one of the chief counsel candidates.

17 And just a brief little breakdown. We're going
18 to go over everything in the agenda today, so we're going
19 to be very efficient, very precise, and very direct.

20 The agenda items we have already covered are 13,
21 14, 15. We do not anticipate going back into closed
22 session. And then following the adjournment of our
23 meeting, the Legal Affairs Committee will meet.

24 And with that, I will open it up to public
25 comment. Kristian, can you please.

1 MR. MANOFF: Yes, chair. In order to maximize
2 transparency and public participation in our process, the
3 Commissioners will be taking public comment by phone. To
4 call in, dial the telephone number provided on the
5 livestream feed. It is 877-853-5247. When prompted, enter
6 the meeting number provided on the livestream feed. It is
7 98199802683 for this meeting. When prompted to enter a
8 participant I.D., simply press pound.

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

12 When it is your turn to speak, you'll hear a
13 message that says, "The host would like you to talk. Press
14 star six to speak."

15 If you'd like to give your name, please state and
16 spell it for the record. You are not required to provide
17 your name to give public comment.

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

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

24 And we do have quite a few callers. Just a
25 moment while we get them queued up, Chair. Stand by.

1 CHAIR FERNANDEZ: Thank you. While we wait for
2 Kristian, I was going to say this afterwards, and everyone
3 is very excited. The Commission is excited and very happy
4 to announce that Marcy Kaplan is our director of outreach.
5 Marcy has been our outreach manager, and we're very excited
6 to have her continue to lead us into this outreach effort.
7 So, congratulations, Marcy.

8 MR. MANOFF: And once again as a reminder to the
9 callers in our queue, if you would like to make a comment,
10 please press star nine to raise your hand. I have several
11 hands raised at the moment. We'll be getting to you
12 shortly.

13 All right, we're ready for our first caller.
14 Stand by. And we will be imposing a two-minute time limit,
15 callers. I will let you know when you have 15 seconds
16 remaining, and we will let you know when you are 15 seconds
17 over time in increments of 15 seconds.

18 Go ahead, caller.

19 MS. LEVINE: Good morning. My name is Debra
20 Levine. D-E-B-R-A, L-E-V-I-N-E. You might remember my
21 voice from when I've called in previously about hyperlinks,
22 and page limits, and RFPs.

23 By doing a quick review of your website I've
24 observed that it's pretty clear that you have a lot of
25 details to deal with, including half a dozen staff roles to

1 fill, \$2,000,000 in outreach grants to dispense, a data
2 management system to set up, and federal prisoners to
3 figure out, over 11,000 of them.

4 All of those are big decisions that have little
5 nuances similar to prior considerations about whether to
6 count hyperlinks against page limits in an RFP.

7 So, I'm actually worried about how much time is
8 being spent on this timeline question and, particularly,
9 the recommendation to drag the discussion out for at least
10 another month.

11 As Commissioner Andersen has pointed out several
12 times, that early testimony before census data is released
13 is the most important, it is the opportunity for the public
14 to give you information about their own communities, free
15 from partisan and special interest groups advocating for
16 specific lines.

17 So, the time spent now finding ways to make it
18 easier for groups to lobby you at the end of the process
19 comes away from the time spent figuring out how to get the
20 best community of interest testimony that is possible.

21 The data is coming. You only have a narrow
22 window to gather testimony before the data begins the
23 possibility of changing public feedback. So, please take
24 advantage of these days.

25 Thanks again for all the work that you are doing.

1 CHAIR FERNANDEZ: Thank you, Ms. Levine.

2 MR. MANOFF: Go ahead, caller.

3 MS. GOLD: Yes. Hi. Good morning,
4 Commissioners. This is Rosalind Gold with the NALEO
5 Educational Fund. R-O-S-A-L-I-N-D, G-O-L-D.

6 And again, thank you so much for your
7 thoughtfulness and your comprehensive review of the factors
8 related to the final date for approval of the maps and the
9 ability to obtain input from the public.

10 There are no easy choices here. This is a very
11 tough decision, and we really appreciate how you have
12 really been thoughtful about it.

13 From our perspective I'm working with Latino
14 members of the community, both to mobilize them to comment
15 on redistricting 10 years ago and in other civic engagement
16 mobilization.

17 We do feel it is critical that there must be time
18 after the release of the draft maps for community members
19 to analyze the draft maps, to understand them, and to
20 provide informed feedback.

21 You know, community input isn't just crucial for
22 the overall transparency, but those draft maps have to
23 comply with the Voting Rights Act. They have to comply
24 with criteria with respect to communities of interest, and
25 until there are actual lines to look at, there is just as

1 much need and value for community input after the maps have
2 been released as there is for that input before.

3 We just believe that, again, unfortunately,
4 regrettably trying to get that thorough input over the
5 holidays is going to be very, very challenging to the
6 community members we work with. So, if we have to make a
7 very tough choice --

8 MR. MANOFF: Fifteen seconds.

9 MS. GOLD: -- we would like the Commission to,
10 you know, look at a schedule that might involve a change in
11 the primary date, if on balance we have to mobilize our
12 community to vote in a primary that has a different date --

13 MR. MANOFF: Two minutes.

14 MS. GOLD: Okay. -- we've done that before.
15 We've had to deal with situations like the COVID pandemic,
16 changes in voting locations, changing in vote by mail. So,
17 you know if that is something we have to be aware --

18 MR. MANOFF: Fifteen seconds over time.

19 MS. GOLD: Right. -- we would be willing to do
20 that.

21 And I just finally want to say, you know, again,
22 community-based organizations help bring the voice of the
23 community to the commissioners and to the process --

24 MR. MANOFF: Thirty seconds over time.

25 MS. GOLD: -- to help ensure that the maps comply

1 with the Voting Rights Act and other criteria.

2 Thank you so much.

3 CHAIR FERNANDEZ: Thank you, Ms. Gold.

4 MR. MANOFF: Go ahead, caller.

5 MR. CANNON: My name is Peter Cannon. I have
6 called in several times previously, most recently about the
7 importance of Bagley-Keene in the importance of
8 transparency. That is why I am calling in again, to
9 elevate a few other callers from Tuesday.

10 Former Commissioner Filkins-Webber expressed
11 concerns about discussions outside of public meetings with
12 advocacy groups. From what I heard, those meetings
13 probably complied with Bagley-Keene, but her comments
14 highlight just how easy it is to lose transparency as a
15 value. Doing so has real consequences.

16 Another caller whose name I missed expressed
17 concern with the term "unity maps" to describe outside
18 groups' proposals. I found it pointed when he said if the
19 public believes certain groups are getting special
20 treatment, fewer people will participate. That is
21 fundamentally the same problem Commissioner Filkins-Webber
22 identified.

23 It is a challenge when well-intentioned but well-
24 organized groups call in to say, in essence, meet with us,
25 decide with us, then go out and tell everyone else what we

1 decided. When transparency is sacrificed, when certain
2 voices are elevated above others, it tells regular people
3 that their voices matter less.

4 I am not a member of a coalition; I am a retired
5 citizen with free time, but I hope my voice can be heard,
6 too.

7 CHAIR FERNANDEZ: Thank you, Mr. Cannon.

8 MR. MANOFF: Go ahead, caller.

9 MS. BARREIRO: Hi. My name is Sandra Barreiro.
10 I'm calling on behalf of the California School Employees
11 Association. That's S-A-N-D-R-A, B-A-R-R-E-I-R-O.

12 And I'm calling in regard to Item 9A. Our
13 ultimate goal should always be to maximize participation in
14 the democratic process and changing when 22,000,000 people
15 vote should be a last resort rather than a first option
16 because of the obvious negative impacts on voter turnout.

17 If groups are correct that a January 28th
18 deadline would allow for a June 21st primary, then we
19 should be considering a deadline before January 14th for a
20 June 7th primary.

21 We also need election officials to weigh in
22 before landing on a specific date.

23 We think it's possible to provide some relief
24 from the holidays while still preserving the traditional
25 primary date.

1 And when the legislature allocated 2,000,000 for
2 outreach they were not considering doing voter outreach
3 over the holidays. It's completely reasonable to ask for
4 additional funds to ensure voter participation at the end
5 of the year.

6 You're already asking the Legislature to approve
7 an 8.6-million-dollar budget increase. If you ask for 10
8 million instead, that's about one extra nickel for every
9 voter who wouldn't have to change when they vote.

10 We recognize this isn't an ideal solution, but
11 it's far preferable over disengaging millions of voters by
12 changing the traditional primary date.

13 Thank you.

14 CHAIR FERNANDEZ: Thank you, Ms. Barreiro.

15 MR. MANOFF: Go ahead, caller.

16 MS. WESTA-LUSK: Hello, commissioners. This is
17 Renee Westa-Lusk, and I have four questions.

18 One is once the executive order for having
19 meetings with large groups is lifted by the governor
20 because of the COVID does that mean the only way the public
21 can participate is to travel to the meetings themselves,
22 physical site for the meetings? Will there be no
23 telephonic technology provided to call into the meetings
24 and listen? That's my first question.

25 And then, second one is how do I get to the

1 commissioners a group that was mentioned yesterday that
2 they're trying to outreach to so that they get the
3 opportunity, if they want, to give public input about where
4 they want their lines drawn. I need to know who do I
5 email? Where do I email it? How do I make sure that the
6 commissioners get the information?

7 And my third question is I had some input that I
8 wanted to give regarding that draft letter to Senator
9 Padilla, if you haven't already sent it, and I assume
10 that's under Governmental Affairs Subcommittee.

11 And then I also had a comment about the COI
12 overview input meetings, the number of them and how you're
13 going to do the zones because it looks like most zones are
14 only going to get one hearing. I wanted to know when you
15 say one hearing is that just going to be one day of
16 hearings or will you give two or three days in a row,
17 because there's big swathes of the state in many of those
18 one-zone areas, and to be fair you're going to need to
19 allow major cities more than one day --

20 MR. MANOFF: That's two minutes.

21 MS. WESTA-LUSK: -- if there's mostly major
22 cities in one zone and they can't all testify just in one
23 day.

24 Those are my comments. Thank you.

25 CHAIR FERNANDEZ: Thank you, Ms. Westa-Lusk, and

1 we will be addressing most of those questions that you had
2 throughout the meeting.

3 And in terms of the Padilla letter, that would be
4 under Agenda Item 9N, as in Nancy.

5 MS. WESTA-LUSK: Thank you.

6 CHAIR FERNANDEZ: Thank you. And, also, just
7 before we get to the next caller, something that Ms. Westa-
8 Lusk did bring up is how to get ahold of the commissioners.
9 If you go to our website wedrawthelinesCA.org. there will
10 be information on how to provide outreach, how to email us.
11 So, if you email a public input or your communities of
12 interest, that information will get to all of the
13 commissioners. Thank you.

14 MR. MANOFF: Would the caller, last four digits
15 2790 could please follow the prompt to unmute. Go ahead,
16 caller. Go ahead caller 2790.

17 MR. HULETT: Hi. This is Tim Hulett from Chino
18 Hills. Timothy, T-I-M-O-T-H-Y, Hulett, H-U-L-E-T-T.

19 And I wanted to call. I was very interested in
20 the discussion yesterday related to the -- I'm sorry,
21 earlier this week when it came to the LGBTQ panel, and that
22 was really great to see the work being done with that
23 community.

24 That's not why I'm calling, though. I was
25 interested in one of the leaders of the discussion, Paul

1 Thomas. He pointed out that you had already been going
2 longer than 2010 census, the Citizens Redistricting
3 Commission did in 2010, and you still had longer left than
4 the last Commission had from start to finish.

5 I was kind of tuning in and out, but I wanted
6 some clarity on a couple of things. You know, in browsing
7 the other documents for the meeting, you know, I was really
8 trying to have -- I didn't have clarity on a couple of
9 things and it was a little hard to follow.

10 It seemed to me that the census is arriving two
11 weeks late from this, that you automatically get a two-week
12 extension because of that. But for the holidays some folks
13 want you to get a additional four weeks. That's what I
14 heard in part of the discussion, and then that would cause
15 the primary to be delayed two weeks. I hope I got that
16 right. That's what it seems like, one side says right now.

17 Anyway, I think there would be some clarity about
18 what's going on in that if you try to talk about this in
19 weeks not just sort of dates on the calendar, but just
20 really what the impact --

21 MR. MANOFF: Fifteen seconds.

22 MR. HULETT: -- just really what the impact these
23 delays will have on the Commission's work. They really
24 help regular people follow what the results of the census,
25 what are the requests for the holidays, and so on, and what

1 are, you know, these impacts.

2 MR. MANOFF: Two minutes.

3 MR. HULETT: Anyway, thank you for all your great
4 service and good luck.

5 CHAIR FERNANDEZ: Okay. Thank you so much, and I
6 just wanted to let you know that if you will still be
7 listening in on our meeting, Agenda Item 9A, we will
8 actually be discussing that. So, hopefully, you can
9 continue to watch our meeting.

10 MR. MANOFF: Go ahead, caller.

11 MS. ALLEN: Good morning, Commissioners. My name
12 is Sky Allen from Inland Empire United. The name is
13 spelled S-K-Y, A-L-L-E-N. We are a collective impact table
14 serving Riverside and San Bernardino Counties. We are
15 facilitating the Inland Empire Redistricting Hub, and we
16 submitted a letter earlier this week in collaboration with
17 a number of local and statewide redistricting partners
18 around Item 9E.

19 I was listening to the Public Input Committee
20 meeting last night. I was unable to call in, but I did
21 want to thank you all for so strongly considering our
22 recommendations and for being open to raising the floor of
23 meetings from the original 17 plan to the 27-region based
24 meetings as proposed.

25 Thank you also for clarifying that it was always

1 your intent to offer Spanish interpretation at every
2 meeting and for raising the issue of broadband access,
3 which we are also very really concerned about.

4 We're hoping these recommendations could raise
5 the floor as opposed to creating these ceilings, and would
6 encourage you, if possible, to schedule additional meetings
7 on top of those, hopefully, even in-person meetings offered
8 particularly in rural and low-income communities later this
9 year where broadband issues will make virtual meetings hard
10 or impossible to attend.

11 One of the commissioners mentioned the
12 northernmost parts of the state, which we agree with in
13 terms of focusing in on areas that would have difficulty
14 with broadband, but it should be noted that there are
15 numerous communities all over the state, mine included,
16 that face those same issues.

17 We would be eager to continue to think with you
18 about strategies for that hybrid model if you're open to
19 it, but we also just wanted to thank you so much for being
20 open to our suggestions and recommendations in the first
21 place.

22 Thank you for your time and for your
23 consideration.

24 CHAIR FERNANDEZ: Thank you, Ms. Allen.

25 MR. MANOFF: And we do have several more callers

1 in the queue, Chair. As a reminder to those who have
2 called in, if you would like to make a comment, please
3 press star nine to queue. Please press star nine to raise
4 your hand.

5 All right, moving to our next caller. Go ahead,
6 caller.

7 MR. SAMUELS: All right. Aloha. Good morning,
8 Commissioners. My name is Kirk Samuels, K-I-R-K, S-A-M-U-
9 E-L-S, and I'm with Community Coalition.

10 Community Coalition is a nonprofit social justice
11 organization working to address the social and economic
12 conditions in south LA by empowering residents to fight for
13 policy solutions that build up the community. We elevate
14 the voices of our members, shift power to the community and
15 tackle the root causes of poverty, crime and violence.

16 Community Coalition also serves as colead for the
17 People's Block with the Advancement Project California.

18 Now, the People's Block is a countywide
19 redistricting coalition comprised in the grass roots
20 organizations focused on racial solidarity and balanced
21 maps that increase political power in BIPOC communities.
22 And we're a member of the IVE Redistricting Alliance as
23 well.

24 So, I'm calling today to uplift our
25 recommendation to January 28, 2022 as the deadline to

1 finalize maps and to express our support to move the
2 primary election to no later than June 21, 2022 to
3 accommodate any necessary shifts to the 2022 elections
4 calendar as a result. We believe that we need adequate
5 time to engage, prepare and mobilize residents for
6 submitting maps and providing input to the Commission's
7 draft maps. And we want to ensure that we have enough time
8 for community to input into the redistricting process
9 because we believe that it's imperative and no community is
10 disempowered for the next 10 years.

11 So, thank you for your time, and I look forward
12 to the meeting.

13 CHAIR FERNANDEZ: Thank you, Mr. Samuels.

14 MR. MANOFF: Caller last four digits 9500, please
15 follow the prompt to unmute. Go ahead, caller.

16 MS. GOMEZ: Good morning. My name is Julia
17 Gomez. I am calling on behalf of the Voting Rights Team of
18 the ACLU of southern and northern California. Together we
19 seek to ensure that all communities, and in particular
20 historically underrepresented communities, have meaningful
21 and fair access to engage in our democracy.

22 This morning we submitted a letter to the
23 Commission respectfully requesting that the Commission
24 adopt a timeline that includes sufficient time for the
25 post-map process. We are extremely concerned that the

1 overlap of the post-map process with the holiday season
2 will shut out many Californians. Holding post-map public
3 hearings adopting a final map during this time will no
4 doubt prevent Californians from being able to attend
5 hearings, submit proposed maps and review and provide input
6 on the maps you ultimately do adopt, including on whether
7 the maps capture the communities of interest.

8 We are also concerned that the current schedule
9 does not provide the Commission with adequate time to
10 ensure compliance with the Federal Voting Rights Act.

11 Redistricting is an iterative process, and after
12 the Commission releases the first set of draft maps the
13 public will need time to assess whether the maps comply
14 with the VRA and propose amendments to the maps or even
15 propose their own maps.

16 In response to public input the Commission will
17 then tweak existing maps and/or propose entirely new maps.
18 At every step of the way you will need to assess whether it
19 is necessary to draw majority/minority districts. The
20 Commission will also have to confirm that any districts you
21 do create actually provide minority communities with an
22 opportunity to elect candidates of choice.

23 These analyses take time, and the current
24 timeline makes these tasks difficult, and rushing through
25 this process may make the final maps vulnerable to legal

1 challenge. We, therefore, urge the Commission to set a
2 schedule that provides adequate time to confirm that none
3 of the final maps dilute the vote of minority communities
4 in California.

5 Thank you for your leadership in finding
6 necessary solutions to these challenges as well as your
7 commitment to a fair and inclusive redistricting process.

8 CHAIR FERNANDEZ: Thank you, Ms. Gomez.

9 MR. MANOFF: Go ahead, caller.

10 MR. WALDMAN: Thank you. My name is Stuart
11 Waldman. I am president of Valley Industry and Commerce
12 Association, VICA. We represent the northern portion of
13 Los Angeles, the San Fernando Valley, and we're working
14 with community groups for a fair and balanced redistricting
15 process.

16 We support for a deadline in late January to
17 allow maximum time for the process. We believe that it's
18 the Commission's duty to provide fair representation to
19 California residents, not preservation of the primary
20 election date or accommodating interest of elected
21 officials.

22 We're concerned about the ability to develop maps
23 with sufficient public input and confidence if the process
24 is rushed.

25 A deadline in December overlaps with the holidays

1 which provides a challenge for drafting and adopting maps
2 with sufficient public buy in and input.

3 The state's decision to extend its own deadline,
4 the Commission's deadline, could have a beneficial ripple
5 effect, paving the path for cities and counties to have
6 more time to redistrict as well. We're concerned about a
7 rush process, obviously. Allowing for more time to
8 redistrict allows the Commission and local jurisdictions to
9 carry out a redistricting process that prioritizes
10 community input, and the success of redistricting process
11 will determine public space in state and local government
12 for the next decade.

13 And I think you all for your service. It's an
14 important Commission to be part of.

15 CHAIR FERNANDEZ: Thank you, Mr. Waldman.

16 MR. MANOFF: Go ahead, caller.

17 MR. MEHTA-STEIN: Good morning, Commissioners.
18 This is Johnathan Mehta-Stein, executive director of
19 California Common Cause.

20 As you know, Common Cause is a champion of
21 independent community centered redistricting and was the
22 proponent of the initiative that created California's
23 independent redistricting process.

24 I haven't spoken to you in a while and I want to
25 express my thanks for the enormous time you are dedicating

1 to your role as commissioners, and for your deep commitment
2 to an independent and inclusive redistricting process. We
3 all know this has not been an easy job.

4 Common Cause and the League of Women Voters
5 submitted written comment last weekend that highlights the
6 principles enshrined in the State Constitution that we
7 believe should guide your decision-making about the time
8 needed to successfully complete your line drawing process.
9 At the heart of that process is the California public.
10 Input from communities across our state should drive your
11 work, and hopefully, protecting opportunities for that
12 input should be a top priority.

13 I'm calling this morning to voice support for the
14 January 28th deadline proposed in the letter submitted by
15 organizations from across the state representing a wide
16 swathe of California. That deadline allows the public to
17 be in the driver's seat of this process at the very end,
18 likely the most critical period in your work.

19 As you know, Common Cause's redistricting
20 consultant previously did a presentation for you on various
21 deadline scenarios. She would be happy to adapt those to
22 map out the timelines that would result from a January 28th
23 deadline if that would be helpful. And she and I, of
24 course, remain available to answer any questions.

25 As a final note, I didn't catch whether an

1 earlier caller suggested that you consult with election
2 officials or elected officials to examine questions of the
3 election's timeline and the primary date. Of course,
4 election officials and their needs need to be part of the
5 conversation to ensure our democracy can function properly.
6 By contrast, though, considering the partisan political
7 needs --

8 MR. MANOFF: Fifteen seconds.

9 MR. MEHTA-STEIN: -- of incumbents would be
10 contrary, of course, to our independent process here in
11 California.

12 Thank you again for your service and for your
13 leadership.

14 CHAIR FERNANDEZ: Thank you, Mr. Mehta-Stein.

15 MR. MANOFF: And we do have some more callers in
16 our queue. As a reminder, if you would like to give a
17 comment, please press star nine to raise your hand. And
18 we'll let the next caller in. Stand by. Go ahead, caller.

19 MS. BAHN: Thank you so much. My name is Thos
20 Vinh Bahn, and with Disability Rights California. My name
21 is spelled T-H-O, V-I-N-H, B-A-N-H, and my position is I'm
22 special counsel for strategic partnerships and community
23 engagement at Disability Rights California.

24 So, I wanted to -- what I called to share with
25 the Commission today is that with the current advent of the

1 census results, California lost a seat, and I think with
2 California losing a seat there's going to be some angst and
3 some anxiety from Legislative members. I think we can have
4 sympathy for them, but I would remind this committee and
5 this board -- this Commission and this body that your
6 charge is at the core of the people of California. And I
7 think if at any time you're needing to be grounded in terms
8 of the directions, in terms of who you should respond to,
9 in terms of what your work should look like, turn to none
10 other than your own document that created this very body
11 which says to conduct an open and transparent process in
12 aiding full public consideration and comment on the drawing
13 of district lines. And it actually warns against
14 influences of the Legislature as well. So, I think to be
15 very mindful that in these very uncertain times there may
16 be additional pressure on this body, potentially from power
17 players that may not represent the views of the American
18 public and the common folks that may not have the power
19 structure to lean on, to share.

20 But I want to assure you that because this is a
21 beautiful California you're not doing this work alone, that
22 you've got lots of allies who are -- of course, you're on
23 the Commission because --

24 MR. MANOFF: Fifteen seconds.

25 MS. BAHN: -- you've got some (indiscernible) and

1 you've got connections to communities. But you don't have
2 to do this work alone. There's a lot of folks waiting to
3 help you. Get folks to provide comments that are from the
4 public, itself. So I appreciate all that you do and I
5 thank you for this opportunity.

6 CHAIR FERNANDEZ: Thank you, Ms. Banh.

7 MR. MANOFF: We do have several members of the
8 public called in and listening. As a reminder to those who
9 have called in, if you'd like to make a comment, please
10 press star nine to raise your hand.

11 CHAIR FERNANDEZ: And, Kristian, I think some of
12 them have already provided comments. I'm not sure.

13 MR. MANOFF: We do have someone else who wants to
14 give a comment, Chair.

15 CHAIR FERNANDEZ: Okay, great.

16 MR. MANOFF: Stand by. I'll let them in.

17 CHAIR FERNANDEZ: Thank you.

18 MR. MANOFF: Go ahead, caller.

19 MS. MALLOY: Good morning, Commissioners. This
20 is Connie Malloy. I recently retired from a 10-year term
21 on the inaugural Citizen's Redistricting Commission here in
22 California. I have been cheering you on from the
23 sidelines, and the topic at hand regarding the timeline is
24 so important I'm calling you internationally today so as to
25 weigh in.

1 I've been in your shoes and I'm just wanting to
2 really remind and encourage you that the California voters
3 intentionally put you in the driver's seat, and the most
4 important thing that you have to do is ensuring fair maps.

5 My experience being in your shoes was that a
6 primary way that we were able to develop fair maps that
7 stood up against seven court cases and won every time was
8 really by an effective public process and incorporating the
9 really robust and complicated communities of interest
10 testimony.

11 From the experience that we had, we did a round
12 of COI testimony before we did our first draft maps, and it
13 was only once we had draft maps developed that the public
14 comment became clear, detailed and actionable enough that
15 it was really able to fine tune the maps that we did from
16 there on out.

17 The public really needs time to be able to
18 analyze, to dialog and respond, and for the Commission to
19 be able to process the information that you get back from
20 their responses. That's true whether you're talking about
21 groups of stakeholders, and particularly true when you're
22 talking about everyday people and individuals who may not
23 have staff. This is just something that people are doing
24 around the living room table.

25 MR. MANOFF: You have 10 seconds.

1 MS. MALLOY: So, there may be a cost and an
2 inconvenience by extending the timeline, but it is a much
3 greater cost to come out the other side with not creating
4 fair maps and risking the appearance of --

5 MR. MANOFF: Two minutes.

6 MS. MALLOY: -- influence by politicians, or
7 candidates, or election administrators. And, so, I'll just
8 close by saying, you know, you are the decision makers.
9 You are independent by design.

10 MR. MANOFF: Fifteen seconds over time.

11 MS. MALLOY: You're the ones driving the
12 timeline, and, you know, we're all counting on you to do
13 the right thing on behalf of everyday people like myself.
14 So, good luck. I know that it's a tough job and we're all
15 really grateful for you being willing to do this for the
16 state.

17 MR. MANOFF: Plus 30.

18 CHAIR FERNANDEZ: Thank you, Ms. Malloy.

19 MR. MANOFF: Go ahead, caller.

20 MS. TRIGUERIO: Commissioners, my name is Toni
21 Triguero with the California Teachers Association, T-O-N-
22 I, T-R-I-G-U-E-R-I-O.

23 We're calling today about Item 9A, and we realize
24 the turnout is historically lower in primary elections, and
25 in particular, gubernatorial elections.

1 In California, while 81 percent of the registered
2 voters cast ballots last November, just 38 percent cast
3 ballots in 2018 primary.

4 In that primary Latinos made up just 16 percent
5 of those who voted. Asians voted at eight percent, and
6 those at 35 years of age or younger voted at 14 percent.

7 After the 2020 historic voter turnout, it is
8 tempting to minimize the impact changes to the electoral
9 calendar on historically underrepresented populations may
10 or may not have.

11 It's easy to develop a false sense of confidence,
12 but for the very first elections in which your lines will
13 be used it is important to remember in the last
14 gubernatorial primary three out of four registered Latinos
15 did not vote, two out of three Asians did not vote, and
16 four out of five under 35 years of age did not vote.

17 We face a huge task next year turning out voters.
18 We urge you to show caution before making that task even
19 harder by changing the primary date in June, 2022.

20 Thank you for your time.

21 CHAIR FERNANDEZ: Thank you, Ms. Triguero.

22 MR. MANOFF: As a reminder to those who have
23 called in, if you would like to make a comment, please
24 press star nine. And we have nobody with their hand raised
25 at this time, Chair.

1 CHAIR FERNANDEZ: Okay. Thank you, Kristian.
2 We'll move on to the next agenda item which is Agenda Item
3 3. Are there any general announcements or commissioner
4 updates for areas of interest? Okay. We'll keep moving.

5 Agenda Item 4 is the Chair report. I kind of
6 gave my chair report earlier with announcing Marcy as our
7 director of outreach.

8 And then, also, I noted what our schedule looked
9 like today.

10 And with that we will go on to Agenda Item Number
11 5, Executive Director's Report. Executive Director
12 Hernandez.

13 EXECUTIVE DIRECTOR HERNANDEZ: Yes, thank you,
14 Chair Fernandez.

15 As you heard, the director of outreach has been
16 selected. Welcome aboard, Marcy. Looking forward to
17 working with you some more.

18 And then also, as the Chair mentioned, the chief
19 counsel has been -- is being worked on and I'll defer to
20 the subcommittee to provide additional information.

21 We are going to be moving forward with the field
22 lead staff. We'll be conducting interviews on Monday,
23 Marcy and I, for all the different regions. We are
24 currently working on and looking forward to seeing many
25 applications for the outreach coordinator. As you all may

1 recall, Patricia Vasquez Topete will be leaving the
2 Commission as of today, in fact, the 29th. So, we are
3 working to replace her and find someone who can help us
4 with the outreach coordinator activities.

5 We'll also be posting for a data manager, the
6 vacancy that was just created, and we're going to move
7 forward on that hire as well when we get that announcement
8 out.

9 I think I mentioned last time videography, the
10 RFP. We have signed a contract with our videography folks,
11 VSS, and so we're moving forward with that. Thank you so
12 very much.

13 Full schedule for the Commission to consider,
14 we'll be discussing that later on today as far as the
15 schedule, but I truly think that we need to start putting
16 dates on the calendar for the various activities, and I
17 know that will be coming up with the Public Input Design
18 Committee.

19 As far as the budget, we have and will continue
20 to track our expenditures. We are going to provide
21 information to the Legislature. We'll be scheduling a
22 meeting with them just to go over the proposal for our
23 budget. We did submit the May revised letter, and we're
24 waiting to hear back if they have any questions.

25 That's the extent of my report. Thank you.

1 CHAIR FERNANDEZ: Thank you, Director Hernandez.
2 I believe -- you said that you're moving forward with I
3 thought you said data manager. I believe it was outreach
4 manager position, correct?

5 EXECUTIVE DIRECTOR HERNANDEZ: That is correct.

6 CHAIR FERNANDEZ: Okay, great. Are there any
7 questions or any comments for Executive Director Hernandez?
8 Commissioner Sinay.

9 COMMISSIONER SINAY: Do we know when the data
10 manager position is going to be posted?

11 EXECUTIVE DIRECTOR HERNANDEZ: We will be working
12 on that, and I'll defer to the subcommittee. The position
13 that we requested has been approved, or was approved, and
14 so we're just moving forward to create the job announcement
15 that we'll post as soon as it's ready.

16 CHAIR FERNANDEZ: Any other questions? Move on
17 to Agenda Item 6, outreach director, Ms. Kaplan.

18 OUTREACH DIRECTOR KAPLAN: Thank you so much.
19 Good morning, Commissioners. I am so thrilled to be here
20 today in my new capacity as the director of outreach, and
21 as Alvaro noted, I look forward to building our team to
22 further engage all Californians in the redistricting
23 process.

24 I know that you have a lot to cover today, so
25 I'll quickly go over my report also.

1 I just want to thank all of you for the great
2 work that you've been doing to present to organizations
3 across the state. Today we received 129 requests. We have
4 79 presentations that have been completed, and 33 upcoming
5 that are scheduled, and then we're in the middle of
6 processing the remaining requests.

7 And just a quick note. Please make sure to
8 redirect organizations as much as possible to the speaker
9 request form just so that we can streamline scheduling now
10 that we're a little limited on staff, but hopefully just
11 for the short term.

12 And I also wanted to highlight that this month we
13 held two successful CRC hosted Redistricting Basics
14 presentations. One was in English and one was in Spanish.
15 Both of these presentations also included sign language and
16 closed captioning. And those recordings are now posted on
17 our website, on the YouTube page, and were also both sent
18 out to our email list after the event, so thank you to the
19 Coms team for that support.

20 The April 20th English presentation had 61
21 attendees and several folks calling in with questions. And
22 the Spanish presentation had 147 attendees. We're also
23 going to be posting the Spanish PowerPoint presentation and
24 the script on the website, and also just wanted to
25 highlight to the public that commissioners are also

1 available to do the Redistricting Basics presentation in
2 Spanish.

3 And I just want to thank everyone involved, the
4 commissioners, Alvaro, Fredy, and Cecelia for helping with
5 promotion, the translation from Spanish and also to the
6 public and partners for tuning in and promoting the events.

7 We've also begun working with USCR to more
8 efficiently track our outreach efforts, so this process
9 will help to streamline our receipt of requests as well as
10 reporting, tracking and measuring our outreach activities
11 for the field staff.

12 And I've been working on going with the Outreach
13 and Engagement Language Access and Grants Subcommittees and
14 I'll refer to them during their subcommittee reports.

15 Thank you again, everyone. Hopefully I didn't
16 talk too fast.

17 CHAIR FERNANDEZ: It was great. Thank you so
18 much. And I did want to echo your -- thank you to
19 yourself, your team, Communications, Executive Director
20 Alvaro and all the effort that went into the Spanish and
21 the English presentations. Definitely it takes a village,
22 so thank you so much for all those efforts. And also thank
23 you all that tuned into the presentations. Again, they're
24 on the website that you can use for your own use.

25 Any questions for outreach?

1 Okay. We're going to move onto our
2 Communications Director report. Mr. Ceja.

3 COMMUNICATIONS DIRECTOR CEJA: Yes, hi. Thank
4 you so much, Chairwoman. Congratulations Marcy. It's
5 awesome to see you step up to the director position, so
6 congratulations.

7 Wanted to just keep it short, advising
8 commissioners that we do have the official Redistricting
9 Basics video up on our website. This is the video where
10 you all participated and took turns reading slides, so we
11 will send that out whenever commissioners are not
12 available.

13 Just for the public listening, if you have -- if
14 you're an organization that has multiple affiliates or
15 chapters, this would be a great opportunity for you to send
16 out the video in lieu of having commissioners who are tied
17 up with other commitments to present directly to each one
18 of your chapters. The presentation is exactly the same as
19 the commissioners are presenting out in the community, so
20 by all means please feel free to reach out to us for that.

21 And I just want to let you know that this week
22 was super busy with media. We sent out a statement earlier
23 about the reapportionment data announcement. And, of
24 course, California wanted to hear from our commissioners,
25 so we continue to plug them in. I won't go over what

1 interviews we did. I'll shoot out a report actually.
2 Commissioner Sinay suggested that we put together a report
3 for every meeting that encompasses media mentions, social
4 media, analytics and website analytics. So, we'll do that.
5 We'll send it out so that you have a better picture as to
6 how the public is responding to our social media, our
7 website and the videos that we're producing.

8 That's it.

9 CHAIR FERNANDEZ: Great, thank you. Are there
10 any questions of Communications? Again -- oh, Commissioner
11 Sadhwani.

12 COMMISSIONER SADHWANI: I'm just going to say,
13 and, Fredy, you know you and I have talked about this, and
14 this came up yesterday or was it two days? These are all
15 kind of running together for me this week. But in the
16 question I think it's coming up with one seat being lost,
17 where is it coming from. I think there's a lot of
18 speculation in the media about where that seat has to come
19 from. So, you know, I would just ask, you know, Fredy, if
20 you could help develop some talking points on that. I know
21 you and I have kind of talked about that, but it would be
22 great just to know we're all on the same page at what we're
23 seeing.

24 MR. CEJA: Yes, we can do that.

25 CHAIR FERNANDEZ: Commissioner Sinay.

1 COMMISSIONER SINAY: I just wanted to thank the
2 Comms team for putting together that video, the PowerPoint
3 of all of us, and encourage the public to see our -- my
4 favorite slide. I think other commissioners have said it
5 as well, the one where it's introducing all of the
6 commissioners. It's kind of a fun slide. And if there's
7 any unique way that we can actually embed that into the
8 PowerPoint that we're already doing, so that when we get to
9 that slide, you know, wherever we go everyone gets to hear
10 a little bit from everyone. But thank you for putting that
11 together, and thank you, everybody, for participating. It
12 always makes me smile.

13 Also, I want to give kudos to my colleagues who
14 did the presentation in Spanish. I've looked into it
15 several times just because I had to prepare for a Spanish
16 interview, and each time it makes me smile as well because
17 I feel like I got to know my colleagues in a different way.

18 You know, those of us who speak multiple
19 languages know that sometimes it feels like you have
20 multiple personalities, depending on the language, so it's
21 been fun getting to know you all in that language.

22 CHAIR FERNANDEZ: Thank you. Yes, I want to
23 triple the thanks to Fredy, you and your team, on the
24 video. I really do like it and I love all of us being a
25 part of it, so thank you so much.

1 Any other questions for Communications? And I'm
2 going to go back to number 7. I can't believe I skipped
3 right over you, Ms. Johnston, so for chief counsel's
4 report.

5 MS. JOHNSTON: The only thing I have to report is
6 that we don't have any news yet on what's going to happen
7 after June 15th when California is supposed to be lifting
8 the COVID restrictions. So, whatever the new rules are,
9 the Commission will be adapting its processes to satisfy
10 those rules. And once we have clarity on that, we will let
11 the public know.

12 CHAIR FERNANDEZ: Great. Thank you for that.
13 Any questions for chief counsel? Okay.

14 We are going to start with our subcommittee
15 reports. We are going to go straight into it. 9A, we're
16 going to go into 9A, the Government Affairs and Census with
17 Commissioners Sadhwani and Toledo.

18 COMMISSIONER SADHWANI: All right, here we go.
19 So, we actually have many things to give a couple of
20 updates on. Of course, the census delay will be one of
21 them.

22 So, perhaps, Commissioner Toledo, if you're okay
23 if we start off with some of the ones that might move a
24 little bit faster.

25 After coming out of the last meeting we had a

1 list of four things that were requested of us, assistance
2 on prisoner reallocation for Federal -- folks housed in
3 Federal prison, a further memo on Legacy data census action
4 and COVID regulations and Bagley-Keene. So, perhaps we can
5 start with the prisoner reallocation, just providing very
6 initial support to Commissioner Kennedy and Commissioner
7 Turner to connect with Senator Padilla's office, and I'm
8 sure that they'll give an update there on the letter that
9 they're drafting. And I know that had been one of the
10 things that a caller had asked about, so that will be
11 forthcoming from our colleagues.

12 Secondly, we actually had connected a while back
13 via email with the City of Los Angeles Redistricting
14 Commission, so we had had a meeting with them, also with
15 Alvaro. And it was really interesting just to kind of
16 learn more about their process that's very different from
17 our state-based process, so it was interesting to kind of
18 hear about their timeline and their structure, as well as
19 also just talking through the fact that as we're in
20 development and gather COI input, it's entirely possible
21 that while people are giving us input on their communities
22 of interest and we presumably are going to be mapping those
23 and having everything available on our website, that other
24 Commissions around the state could potentially want to tap
25 into some of that, that testimony while it's being

1 submitted to the State Commission, you know, if its
2 neighborhood based in the City of Los Angeles, or in the
3 county of San Diego, or Santa Barbara, or wherever else.
4 But other Commissions might actually want to use that, so
5 something we might just want to think about as we plan for
6 the transparency and how we're going to post all of those
7 pieces of input that we're collecting.

8 And, you know, I was kind of curious, you know.
9 Alvaro and Commissioner Toledo, we haven't really debriefed
10 from that yet, so I wasn't sure if that was helpful or if
11 it's necessary to do more if you feel like there's -- you
12 know, one of the things we had also talked about in that
13 meeting is the possibility of coordinating potentially with
14 various Commissions around the state, either to utilize
15 resources together or even simply to share information,
16 because redistricting can become a very confusing process.
17 Folks who want to get involved may not necessarily know the
18 difference between their local redistricting commission
19 that they might be talking to versus the state.

20 So, I don't know if either of you have anything
21 else you want to add to that, you know, in terms of
22 feedback from that conversation.

23 COMMISSIONER TOLEDO: I think the only thing I
24 would add is that, you know, we're doing outreach to our
25 communities, and some other localities like the counties

1 and other governmental groups. And it makes sense for us
2 to coordinate so the community doesn't have to provide --
3 so they have an opportunity to provide input to us and to
4 other groups knowing that it might be slightly different,
5 but potentially it's the same people giving input, right,
6 the same hard-to-reach populations that we're all
7 targeting, you know, in the public. So, as much as we're
8 able to coordinate and able to work together to increase
9 public participation in a meaningful way, I think that
10 would be helpful, especially in areas where there are other
11 outreach efforts going on.

12 EXECUTIVE DIRECTOR HERNANDEZ: And I would just
13 agree with that, absolutely.

14 CHAIR FERNANDEZ: Commissioner Sinay. I wasn't
15 sure.

16 COMMISSIONER SINAY: I just wanted to add that
17 Commissioner Ahmad and I have given a presentation with
18 someone from the CHULA (indiscernible) and then the League
19 of Women Voters of San Diego sponsored a presentation with
20 me and a commissioner from the county, San Diego County
21 Redistricting Commission, and that came out really well
22 because we were able to talk about redistricting in general
23 and then give the differences. We didn't do two
24 PowerPoints. We turned it into a conversation.

25 So, for those who are interested in doing that or

1 have counties, another belief shared it with the whole,
2 entire state. So, feel free to use that script.

3 And if you're interested in talking to the San
4 Diego Commission, we've been, obviously, in contact with
5 the staff so we can connect you.

6 We've also -- Commissioner Ahmad and I have also
7 spoken to the City of San Diego's staff.

8 COMMISSIONER SADHWANI: Chair Fernandez.

9 CHAIR FERNANDEZ: And I think that's great. I
10 think something that might -- I don't want to say a glitch,
11 but if it's -- if we coordinate the efforts from the public
12 input that's very different than an education, and so when
13 we think of public input, again, I don't believe the full
14 Commission needs to be there. That's a great opportunity,
15 so, I mean, definitely worth talking about and maybe
16 discussing what that would look like, but, yes, I
17 definitely think that's a great opportunity to try to
18 combine our resources. But thank you so much.

19 COMMISSIONER SADHWANI: Yeah, absolutely, and,
20 you know, I think for me what I'm realizing, a lesson
21 learned that we can share with 2030, is as more and more
22 local areas are using independent commissions, come 2030 I
23 think that there could be a lot of planning around how
24 resources could be shared or how input could be shared, how
25 education could be shared. I think we're kind of far along

1 at this stage to have a robust coordination with the other
2 commissions around the state, but, you know, in general I
3 think passing an olive branch wherever it's possible to do
4 so makes a lot of sense to me, but I don't think we have
5 the capacity at this point, given all of the other things
6 we have still to do, to have that coordinated effort. But
7 I think certainly for 2030, that's something to think about
8 moving forward.

9 The other piece was the request to draft a letter
10 regarding COVID regulations that is posted for the
11 Governor. That is posted on the website as a part of our
12 handouts for today, and I would just ask if there are
13 drafting issues around the language, please email that to
14 us or to Alvaro or Marian who can get it to us.

15 But I wanted to just talk about the general
16 concept of that letter. Marian helped me draft certainly
17 the legal components of that letter to make sure that it
18 was accurate to the executive orders and then, you know, we
19 just added to that a little bit.

20 So I want to just open a discussion if we're
21 comfortable with that letter, if there are any substantive
22 changes that you would like to see. But again, ultimately
23 it's asking the Governor to maintain the executive orders
24 at this point in time so that -- and I think it was Ms.
25 Westa-Lusk who had called in saying, well, if we go back to

1 meeting in person, does that mean that the public has to
2 then travel to Sacramento. I don't think that that's
3 something that any of us would want. I think that actually
4 limits public input in many ways. So, the request at this
5 point in time is just to maintain those executive orders
6 for the time being and certainly that in the future
7 there's, you know, if there's an opportunity to discuss
8 modernizations to Bagley-Keene, that we would happy to be a
9 part of that or provide recommendations.

10 Commissioner Fernandez.

11 CHAIR FERNANDEZ: Yes, I do appreciate the
12 letter. I definitely want to be able to do some sort of
13 hybrid in the future, that is if the executive order is
14 lifted. And I'm going to go ahead and give you my comment
15 now because I'll probably forget to give it to you.

16 I appreciate the wording. It's great. The only
17 addition I would like to see, it's the second to the last
18 paragraph, and the last sentence says, "We ask for clarity
19 on the direction you intend to take as to these key
20 executive orders so that we can appropriately plan and not
21 be sidelined by a return to Bagley Keene provisions that
22 would necessarily end our ability to meet virtually."

23 And I think it would be helpful to add to that
24 and say, and we'll also -- and would end the ability for
25 Californians to meet virtually. So, not just us, but also

1 the people we're trying to get input for. But I appreciate
2 the letter. It's great. Thank you so much.

3 And when would you like to get this out so if
4 there are other comments they can get back to you.

5 COMMISSIONER SADHWANI: You know, whenever the
6 Commissioner wants to get it out. Do you want to take the
7 weekend to review it or --

8 CHAIR FERNANDEZ: Sure. So, by Monday if anyone
9 has comments if you could just forward that to both
10 Commissioner Sadhwani and Toledo. Is that okay? Is that
11 good to both of you? Great.

12 COMMISSIONER SADHWANI: Sounds great, and then
13 we'll move forward with sending that letter off to the
14 Governor's office, and I know, Marcy, I think you have
15 contacts there, so perhaps if I can lean on you to help
16 make sure that it reaches the appropriate staff members.

17 MS. KAPLAN: Just adding, also, I'm not sure if
18 this is an opportunity to encourage other partners in the
19 field to support on this letter that's just a call to
20 action for the public who are listening to support this
21 effort as well.

22 COMMISSIONER SADHWANI: I agree with you on that.
23 Do you have a sense, especially from an outreach
24 perspective of how you would want to go about doing that?
25 Is it that you want to make this like a sign on letter or

1 another kind of form for other folks to sign onto? I love
2 the idea, if you have thoughts on how to do it.

3 MS. KAPLAN: I think coordinating with the Comms
4 team to see part of that approach, but, Angela, I think
5 maybe you have something on that as well.

6 MS. VASQUEZ: I was just going to say I think a
7 press release would be great so that we could get it out.
8 Other boards are thinking about this, hopefully, other
9 commissions are thinking about this, and so, even if we're
10 not asking them to sign on to this particular letter,
11 because that could get a bit unwieldy given our limited
12 administrative capacity, I think if we put out a copy and
13 urge folks to consider something similar and asking, you
14 know, if you're a citizen ensuring that your local
15 commissions and boards, et cetera, are talking about
16 bringing up this issue. I think that's maybe like our act
17 two to the public is to urge local commissions and boards
18 to take this issue up as an agenda item.

19 COMMISSIONER SADHWANI: I love that. I saw
20 Commissioners Turner, Sinay and Akutagawa with their hands
21 up.

22 COMMISSIONER TURNER: Thank you. Commissioner
23 Sadhwani, I wanted to just express my support to you and
24 Commissioner Toledo for the letter. I like the upgrade
25 including all -- making the adjustment for all Californians

1 for virtual meetings. In total agreement. Yes, Ms.
2 Kaplan, beautiful. I do not think we should hold it up for
3 a sign-on attempt. I think that the letter should go out
4 as soon as possible after commissions have had their
5 opportunity to give any other feedback by Monday.

6 Love the press conference and the call to action
7 for those that are watching now, and we can incorporate
8 that in the press conference, as I think Commissioner
9 Vasquez has said as well, so that I think it benefits
10 everyone to continue in this format and have opportunity to
11 continue and then also be able to have virtual or in-person
12 meetings where possible. So, thank you all for the work.

13 COMMISSIONER SADHWANI: Perfect. Thank you.
14 Commissioner Sinay.

15 COMMISSIONER SINAY: Yeah, I thought that you all
16 did a great job on that. Thank you. Commissioner
17 Fernandez, that was a great input.

18 And just on -- I don't think we should hold up
19 the letter, as Commissioner Turner said. I also would like
20 -- two reasons. One is I think sooner the better, but
21 also, two, we need to be careful who we ask to sign on
22 things because we are an independent redistricting
23 commission, and as we heard from comments today,
24 independent means from all sides to a certain extent, and
25 so this letter is stronger coming from us for us and other

1 commissions because then, you know, then there's a unit
2 there.

3 But I do encourage the public to send their own
4 separate letters and separate requests.

5 COMMISSIONER SADHWANI: Thank you for that.
6 Agreed. Commissioner Akutagawa.

7 COMMISSIONER AKUTAGAWA: Thank you. And thank
8 you, Commissioner Sinay for what you just said. I think
9 that that was a point well taken. I think -- I was going
10 to suggest and I guess I'll just still put it out there and
11 would love to hear what the other commissioners have in
12 terms of this thought.

13 I love the idea of I think making the
14 announcement about what we're proposing to have happen, you
15 know, the retention of these executive orders so we can
16 continue to meet virtually. I do think that actually -- to
17 me I think that actually ensures greater transparency, you
18 know, as intended by Bagley-Keene.

19 I am curious as to whether or not what our role
20 is in encouraging the public, you know, all Californians
21 regardless of what their opinions are, you know, to weigh
22 in on this. Is it appropriate for us to perhaps put
23 something on our website where we can direct people to
24 either make comment, perhaps provide draft of language they
25 could use and/or a -- not a sign on to our letter, but a

1 easy way where they can just fill out a form to then have
2 sent to the Governor's office so that they can see it, or,
3 and this is to Commissioner Sinay's point, or does that get
4 us into an area that would be a little bit less independent
5 and perhaps more, you know, just letting people just do
6 their own communication.

7 So, just trying to see if we could make it
8 easier, but at the same time I also, you know, point
9 talking about, you know, ensuring that our neutrality and
10 impartiality is also retained as well, too.

11 COMMISSIONER SADHWANI: So -- oh, Commissioner
12 Vasquez.

13 COMMISSIONER VASQUEZ: You can go ahead and
14 respond. I have a different question.

15 COMMISSIONER SADHWANI: So what I was hearing,
16 though, is that we should most certainly move forward with
17 sending out the letter, definitely a press release at
18 minimum, with a call for others to support this letter and
19 support the ask that we are able to remain in a virtual
20 space and location, even as the COVID situation begins to
21 improve in California so that we can continue to maintain
22 this.

23 If the Commission feels comfortable after Monday
24 on any final edits to the letter I'd like to hand it off to
25 staff to really think through how to move all of this

1 forward and to make sure that it's put on a beautiful
2 letterhead and sent over. Certainly happy to still be that
3 point of contact in terms of the Commission, but would love
4 to just bring in our experts on this to think through all
5 of the implications on how to best put all of this
6 together.

7 Commissioner Vasquez, did you just have a
8 comment?

9 COMMISSIONER VASQUEZ: Yeah. This is -- I mean
10 this is self-interested but also in thinking about in
11 placing community access. This maybe more a question for
12 Marian.

13 I'm not sure what the travel like requirements in
14 the statute are for the Commission, like if that was a
15 requirement that we agreed to when we applied to be on the
16 Commission. I am growing increasingly concerned that we
17 will open up before I am able physically to travel.

18 And, you know, there's a few things in terms of
19 the requirements that I find a bit both ageist and ableist
20 in terms of requirements for being able to serve. So,
21 again, self-interested but also just thinking for folks
22 with disabilities who can't travel like this is an issue,
23 but, personally for me, I am growing a bit concerned that
24 the order will be lifted and I will be left having to make
25 a choice.

1 MS. JOHNSTON: If Bagley-Keene is in effect you
2 have to -- a commissioner would have to participate from a
3 location that's open to the public. So, if you're not able
4 to leave you home, that would mean the only way to be would
5 be if you were willing to post your address and allow
6 anyone who wanted to to come to your home, which is
7 difficult. So, that is one of the provisions that would
8 need to be addressed.

9 MS. VASQUEZ: Got it, but there's no -- in our
10 statute there's not a requirement to travel.

11 MS. JOHNSTON: No.

12 MS. VASQUEZ: Got it.

13 COMMISSIONER SADHWANI: So, we will move forward
14 with the letter and hopefully -- hopefully we won't have to
15 even worry about that, and that you can remain safe, and we
16 can all remain safe and all Californians can remain safe
17 and still meaningfully participate in this process is our
18 greatest hope.

19 Yes, Chair Fernandez. I wasn't sure if you
20 wanted to facilitate, but happy to have you facilitate as
21 we move forward.

22 CHAIR FERNANDEZ: Okay.

23 COMMISSIONER SADHWANI: The final piece, of
24 course, is the census delay. I know that we're missing a
25 couple of commissioners, I think might be missing a couple

1 commissioners today. So, we'll see how far we can get in
2 this conversation, and I think I had spoken with Chair
3 Fernandez yesterday I believe it was about whether or not
4 we want to have a full and final conversation today or if
5 we want to hold some of this conversation for next week on
6 May 4th, which we have that day reserved as action items
7 that we might want to take.

8 So, I will go ahead and start and at least give
9 some of the background. Commissioner Toledo, please feel
10 free to jump in at any point in time. Commissioner Toledo
11 has been actively working also on behalf of the Legal Affairs
12 Committee on all of our contracts with attorneys coming in,
13 so we are certainly both working on the governmental affairs
14 piece together and jointly. But I'll at least get us started
15 with some of the background.

16 I wanted to first address some of the callers'
17 concerns about Bagley-Keene, and just remind everyone, as
18 well as the public, that we are operating somewhat
19 differently than the 2010 Commission, but as advised by our
20 counsel we operate with subcommittees of two members, and
21 we're only advisory, right. So, our subcommittees aren't
22 making any decisions. That's why we created the memo and
23 why we're doing this report back. So, we believe we are
24 fully compliant with Bagley-Keene. I certainly understand
25 the concerns or considerations of the optics of the

1 subcommittees moving forward, but most certainly
2 transparency is something that we all take very seriously.

3 At our last meeting we had discussed the
4 Governmental Affairs Subcommittee hosting another meeting
5 of what we've been referring to as key stakeholders.
6 Certainly Common Cause had made several requests to us and
7 to me to hold such a meeting.

8 As I wrote in the memo that is posted on line,
9 that meeting included a number of key stakeholders. Over
10 the last several months we've had conversations about what
11 the impact of the census delay means, right, so it means
12 that we will have to figure out when exactly -- excuse me
13 -- when exactly we will deliver the maps based on the
14 Padilla ruling last summer.

15 To me, this is a legal issue, or at least needs
16 to be considered through a legal lens, because if we don't
17 uphold our legal obligations under that ruling, then we are
18 leaving ourselves open to having our powers to actually
19 draft those maps taken away.

20 And most certainly, our counsel, Ms. Johnston,
21 has helped me understand the ramifications of the Padilla
22 ruling as it stands right now. And I certainly understand
23 that it's entirely possible for us to go back to the courts
24 and ask for additional time. But to do so we're going to
25 need to make a legal argument as to why to do that.

1 And so that's what Commissioner Toledo and I have
2 really tried to lay out in this memo, are the options that
3 we might potentially have before us.

4 I would also just encourage us to remember and
5 consider that we are in the process of, hopefully, hiring a
6 chief counsel and contracting two litigation firms to be a
7 part of our legal team.

8 So, to the extent that we need to have a legal
9 strategy around the timeline, if we wanted to go beyond the
10 timeline permitted under the Padilla ruling, you know, my
11 sense is that we would really want to develop that in
12 concert with all of these legal experts that we are
13 bringing on board to be a part of our team.

14 You know, I have full confidence in the advice
15 that Ms. Johnston has provided to us, but I don't -- I feel
16 uncomfortable giving a recommendation that we should just
17 go forth and do whatever we want when we know that we're
18 going to have a lot more legal advice to bring on and to
19 coordinate with.

20 The meeting that was held last week, I do want to
21 talk a little bit about that. It has all of those same
22 folks that were a part of the initial meeting with some
23 additional folks as well, and that included representatives
24 from the Secretary of State's office, representatives from
25 the CACEO, the organization of county -- I always forget

1 the acronym. County election officials, and, Commissioner
2 Kennedy, you can correct me on that.

3 COMMISSIONER KENNEDY: California Association of
4 Clerks and Election Officials.

5 COMMISSIONER SADHWANI: Thank you very much. So,
6 there were two representatives there, representatives from
7 both the Democrats and the Republicans from the
8 Legislature, as well as from Common Cause. The Legislature
9 also asked the attorney who litigated the Padilla case on
10 behalf of the Legislature to join and provide her input on
11 the ruling of that case, and you have a memo from that
12 attorney posted on line.

13 We also were joined by the California Black
14 Census and Redistricting Hub at the request of Common
15 Cause.

16 It was very clear, you know, earlier on in this
17 process that we were being encouraged to think about a
18 share the pain perspective, that all of these different key
19 stakeholders are going to have to adjust a little bit given
20 the delay in the census that that could mean that various
21 states and deadlines for the primary would shift, that the
22 Legislature might have to shift them, that we might need to
23 have additional time for our processes. But what became
24 very apparent throughout the conversation was that I think
25 people were really digging in their heels about the

1 perspectives that they had, right, and the community groups
2 very much wanting that January 28th deadline, or end of
3 January as it is. Legislature and others wanting us to
4 maintain an earlier deadline so that the primary doesn't
5 have to move.

6 I'll be very honest. It became quite heated. I
7 also left the meeting feeling a little salty when I offered
8 that perhaps there's somewhere in between the end of
9 January and December 31st that we could think about in
10 which we could have additional time and yet not have to
11 move the June primary date, which I think actually caller
12 number four today had suggested, Sandra, I think her last
13 name was Barreirio. I may have had that wrong.

14 I was accused of not being independent and I -- I
15 -- I took offense to that, actually because I saw myself as
16 listening to the advice of our counsel, and it was a stark
17 reminder that as much as we need to be independent of the
18 legislature, we also need to be independent of interest
19 groups that have a singular interest or desire.

20 As I thought more about this process, I do think
21 that there's a number of potential options for us to
22 consider. I have not laid them out in the memo that is
23 before you today. However, the recommendations that are in
24 this memo as of right now are, first, a conversation around
25 the Legacy data and the adoption of it.

1 As far as we can tell, the Legacy data is the
2 census data. That's certainly something that we can
3 further discuss, and that might be a part of a legal
4 strategy. But given all of the information that we have
5 received from the statewide data base thus far, the Legacy
6 data is entirely usable, and so I think if we were to go to
7 the courts and say we can't use the Legacy data we would be
8 asked why, right, and we would have to have a response as
9 to why that is the case. So, that's certainly one area
10 that we can talk more about.

11 A second one is that we as the Commission just
12 need to have a conversation about realistically how much
13 time do we need, right.

14 We have a whole lot of extra time in comparison
15 to the 2010 Commission to go out and start getting
16 community of interest input before we ever receive census
17 data. We could be doing it now.

18 So, how much time do we realistically need to
19 draw the maps? And if our timeline is falling somewhere in
20 and around the holidays, how are we as a Commission going
21 to handle that? How do we anticipate getting public input
22 during that time period? Do we believe it will be stymied
23 or not, right? And that should inform our legal strategy,
24 what we as a Commission actually want.

25 And then finally, I do think we should take a

1 wait-and-see approach as we learn more and more from the
2 census bureau. Just this past week we saw another letter
3 saying no later than August 16th, so the timeline keeps
4 kind of creeping up in terms of when that Legacy data will
5 be released.

6 Commissioner Toledo.

7 COMMISSIONER TOLEDO: I have a couple of things.
8 I think we're not the only entity dealing with this issue,
9 right. Every state across the country is dealing with the
10 timeline, the constrained time, with various interests from
11 all sides. You know, I mean I could -- any conversation
12 around the issue is going to have some level of tension,
13 and I think that's what we saw from meeting with
14 stakeholders, and that's to be expected because it is a
15 very difficult conversation.

16 We're starting to see some litigation bubble up
17 across the country. The Michigan Commission has filed a
18 lawsuit, and I encourage anyone on the Commission to take a
19 look at it. They have novel -- some interesting arguments
20 around the Legacy data and the -- that potentially might be
21 useful should we decide to move forward in that direction.

22 Interesting arguments as well. Different context
23 and different set of facts, but they have some interesting
24 legal arguments.

25 And so, certainly I agree with Commissioner

1 Sadhwani that we need to -- when we think about our
2 timeline and what we need -- how much time we need to
3 meaningfully engage the public, especially once the draft
4 maps are created. Because certainly engaging, everyone
5 agrees we need to start getting feedback now with
6 communities of interest -- community of interest
7 information and get as much of it from the public now.

8 But, there has been a couple of commentators and
9 previous commissioners who have pointed out that really the
10 feedback starts to get a little bit more nuanced once the
11 draft maps are created, and I think that is a point well
12 taken. And, so, I do think we need to have a conversation
13 about that. I know that's been ongoing in various
14 committees, and I certainly absolutely agree with more of a
15 wait and see approach. We do have various options, so we
16 are able to drive the conversation, and that's why we're
17 getting this -- we're getting quite a bit of communication
18 from the public because stakeholders are looking to us to
19 help other stakeholders move this conversation forward.

20 And, so, whether it's us asking the Legislature
21 to look at different options and explore different options
22 with regards to moving the elections deadline, adopting
23 other types of wavers, I mean there's various other
24 strategies that can be implemented, asking for additional
25 funding. Those are some of the things that have been

1 brought up during public comment, more outreach. I think
2 what we've been trying to do is to figure out what are the
3 options -- as the Government Affairs Committee what are the
4 options available to us and then for this Commission to
5 give us some direction as to what we should be advocating
6 for, right. And, so, continued conversations with
7 stakeholders I think is important, as long as we have the
8 direction as to where we want to be headed, and I think
9 that can only happen we know how much time we need post-
10 draft maps.

11 CHAIR FERNANDEZ: We're getting close to break,
12 so should we take a break right now? It appears to be a
13 good stopping point. I'm sure there's going to be a full
14 discussion of this. So, thank you so much. I appreciate
15 the thoroughness and all the information, as well as all
16 the comments that we received in public comment. So, let's
17 take a break and be back at 11:15.

18 (Off the record at 10:59 a.m.)

19 (On the record at 11:15 a.m.)

20 CHAIR FERNANDEZ: Okay. So, here we go again.
21 It's going to be déjà vu right now. So, welcome back
22 everyone. We are continuing our discussion on Agenda Item
23 9A regarding the delay of census data. And I was checking
24 with Commissioners Sadhwani and Toledo to see if we're
25 ready for questions or was there more information you

1 wanted to provide?

2 COMMISSIONER SADHWANI: I think we're ready for
3 questions. Commissioner Toledo, anything more to add?

4 COMMISSIONER TOLEDO: No, I think we're ready for
5 questions.

6 CHAIR FERNANDEZ: Okay. And before the break I
7 know I saw Commissioner Kennedy and then Commissioner
8 Sinay, and then Commissioner -- wait, hold on.
9 Commissioner Fornaciari and then Commissioner Turner.
10 Anyone else. I'll put myself in the queue, too, then.

11 Okay, Commissioner Kennedy.

12 COMMISSIONER KENNEDY: Thank you, Chair. I have
13 spent a lot of time since last week going through all of
14 the handouts, some of the multiple times. I've gone back.
15 I've reread the Supreme Court decision. I've reread
16 Secretary Padilla's filing before the decision, and I have
17 prepared some remarks. So, if you will bear with me, it
18 won't take too long, but I've spent a lot of time thinking
19 about this.

20 Any date that we might imagine for the final maps
21 that we set before the census data are received by the
22 state is speculative. The Padilla decision sets a deadline
23 that is relative to the date on which the state receives
24 the data. As I count it, we're looking at 93 days after
25 that date as the deadline for the display of the

1 preliminary draft maps, and 137 days after the state
2 receives the data for the submission of our approved final
3 maps.

4 To me, the most significant difference between
5 using Legacy data and newer format data is the additional
6 time, whether it's one week or two, required to make the
7 Legacy data usable, and we should be discussing how to
8 recover that time.

9 The subcommittee's memo also doesn't mention the
10 potential impact on the general election, which cannot be
11 moved. As commissioners we are sworn to uphold the
12 Constitution of the State of California, including the
13 requirement for periodic elections.

14 Now, while I may be more sensitive to the demands
15 placed on election officials as a result of having been
16 involved in administering elections in various places, I
17 believe we should all do our best to understand the bigger
18 picture here. We cannot function in a bubble.

19 And while one of the purposes of last year's suit
20 and ruling was to give us and election officials certainty
21 regarding our timeline, we remain, nonetheless at the mercy
22 of decisions taken elsewhere, whether they be changes in
23 the data release schedule from the Census Bureau or suits
24 by other states to speed up or slow down the release of
25 redistricting data.

1 While it is important to take certain decisions
2 regarding the direction we will take, we must retain the
3 flexibility to respond to those external factors.

4 Even this week Secretary Raimondo said, "Work
5 isn't over. We look forward to delivering the
6 redistricting data no later than September 30th," and later
7 in that press conference Acting Director Jarmin said,
8 "States will receive the data they need to begin
9 redistricting by August 16th." So, we're not even getting
10 clear messages from the Commerce Department and the Census
11 Bureau.

12 While we can debate the intent of the 26th March
13 letter from the Legislature, but there really should be no
14 question about this Commission's commitment to independent
15 public participation and transparency. We are drawing
16 lines, not the Legislature. We are doing it in public, not
17 in private. And we are encouraging public participation in
18 every way we can think of.

19 Even if we proceed with drawing preliminary draft
20 maps on the basis of the Legacy data as prepared by the
21 Statewide Data Base, the people of California will have had
22 at least six months since the launch of the communities of
23 interest tool to provide input on their communities of
24 interest, even before we receive the census data. And if
25 we can, indeed, recover the time required for statewide

1 data base to reformat the data, we will have the same
2 amount of time as in the 2010 cycle for the community to
3 provide input on the various draft maps.

4 Four-and-a-half months, the time between the
5 State's receipt of the data and the deadline for our maps
6 as set in the Padilla decision is four-and-a-half months.

7 Thank you.

8 CHAIR FERNANDEZ: Thank you, Commissioner
9 Kennedy. Commissioner Sinay.

10 COMMISSIONER SINAY: I just wanted to share that
11 I think that we've really -- yeah, it's a perfect storm,
12 what we have walked into, and I think we need to sometimes
13 start there because we're just living it and this is our
14 normal.

15 But, you know, we've had the pandemic. We've had
16 major census delays. I don't even want to say census delay
17 anymore. Let's just be honest, it's a major. We have a
18 recall election which the groups are talking about in
19 public their concerns about how do they engage individuals
20 in the recall election, which is probably around the time
21 of our first -- you know, if you use kind of the path I'm
22 using, and we're losing and San Diego and California has 52
23 seats versus 53 seats.

24 So, I just want to remind us that we are in the
25 perfect storm. I'm very proud to be working with all of

1 you through this perfect storm. I feel like we've all been
2 very graceful and have great, yeah, humor through it all,
3 and it's just our normal. But just to be kind to ourselves
4 and remind ourselves that what our reality is. So, when
5 others say, you know -- in Commission 2010 we just -- or
6 whatever. This is a whole different. No one ever could
7 have predicted that this was going to happen. So, I have
8 complete faith in the 14 of us moving forward in the right
9 way.

10 CHAIR FERNANDEZ: Thank you, Commissioner Sinay.
11 Commissioner Fornaciari.

12 COMMISSIONER FORNACIARI: Yeah, I want to thank
13 Commissioner Kennedy, well said Commissioner Sinay, well
14 said to Commissioners Sadhwani and Toledo, thank you two,
15 wow. I mean, oh, my gosh, this is -- I mean it's a tidal
16 wave coming at you and you have been able to distill it
17 down to an understandable and digestible form for us. You
18 know, I appreciate that.

19 I want to -- I just want to emphasize a point
20 that Commissioner Sadhwani made. This is a legal issue at
21 its core, and we have to be prepared to stand up in front
22 of the Supreme Court of the State of California to defend
23 any decisions that we make.

24 And, you know, I mean I wanted to emphasize that,
25 and I know we don't take it lightly, and I know it's all

1 obvious, but I mean the Supreme Court made the Padilla
2 decision, and I think it's pretty clear, you know, the
3 direction that they've given us based on the Padilla
4 decision.

5 And, so, if we want to go a different direction,
6 you know, we have to have some basis in law and a basis to
7 defend that. You know, I feel in some ways that this end
8 of January date is -- I mean I don't know where that's
9 coming from, and I don't understand the basis in law that
10 is being used. You know, I looked at the memos and
11 handouts that we've been given, and, you know, maybe, I
12 don't know, Commissioner Sadhwani or Commissioner Toledo
13 can help us understand what the defense of that date would
14 be or how we might defend that date. But I also want to
15 say I agree with Commissioner Sadhwani that, you know,
16 ultimately getting our legal team as quickly as we can is
17 important.

18 And again, I just want to reiterate my personal
19 thanks for your hard work on this.

20 CHAIR FERNANDEZ: Thank you, Commissioner
21 Fornaciari. Commissioner Turner.

22 COMMISSIONER TURNER: Thank you. Thank you so
23 much. What an exciting time to be a commissioner.

24 I do want to also thank you. Thank you
25 Commissioner Sadhwani and Toledo for the work that you've

1 done.

2 Commissioner Kennedy, I wanted to actually have
3 you probably read what you said, your statements, twice. I
4 was trying to stay in tune with every line and take a
5 couple of notes and what have you, because I'm coming from
6 a totally different perspective.

7 I deeply resonate with a lot that has been shared
8 from a community side. It's where I've lived and hung out
9 for a while in representing community groups. Even
10 earlier, I think Commissioner Sadhwani, I think when you
11 said we must be independent of interest groups and
12 independent of legislature, I kept thinking through that
13 and it sounds like -- and then I kept thinking for the
14 different coalition partners that's speaking, I don't think
15 -- I'm part of enough coalition groups in my other day job.
16 I don't think any of us think of ourselves as having a
17 voice from a coalition. I don't think we think of
18 ourselves as an interest group. We represent people and
19 only reflect and show up with the will, the wishes, the
20 testimony, the shared experience of people.

21 I'm thinking about the public comment that came
22 in from the individuals, particularly the one, and if
23 you're still listening, that said will my retired, single,
24 independent voice matter and count, and, yes, it absolutely
25 will. But I want to just kind of talk through -- try not

1 to totally make my mind, so I'll have to -- you'll just
2 have to listen to me talk through this for a bit.

3 There is another, I think, element at play here
4 because we know historically that the people that -- the
5 voices, we're trying to have all California voices show up
6 and represent and weigh in. But we know the fight is not
7 for all California voices. There are Californians that
8 have always participated, have always been aware, and have
9 always had the time to participate, and we want them to
10 continue. And in addition to that, if we're going to
11 engage in the voices, it cannot be based in the way that
12 we've engaged in the past.

13 A caller a couple of days ago talked about
14 redistricting to be something that's not easily
15 approachable. Yes, we've had more time now to talk about
16 redistricting and communities of interest, and it's not
17 more time enough. Because it's been an additional four
18 months, it's not been forty years, it's not been a couple
19 of hundred years that we've talked about redistricting.
20 This is still very new. In our Redistricting Basics we
21 talk about we're trying to make redistricting sexy. You're
22 trying to make them accessible, interesting, and it's been
23 a struggle.

24 As you talk to people, and I'm sure all of the
25 commissions have, as we're out talking to people, people

1 are either already very well familiar with redistricting or
2 they're like what. What is it? Okay, why does it matter?
3 And after I give it my best opportunity -- I'm so grateful.
4 I wondered about coming on to this Commission initially,
5 and I've not been shy, I've not been private about saying I
6 did not know a whole lot about redistricting coming into
7 this space. I'm so glad that I didn't because I can fully
8 relate to people now that's saying how difficult this will
9 be to get people to engage and to be able to lean in and
10 understand the importance.

11 It's taken me all of this time through, you know,
12 COVID and a whole bunch of other things, it's taken me all
13 of this time to get my mind kind of wrapped around. A lot
14 of the earlier meetings I was really quiet, really in a
15 learning mode just trying to -- felt like the kid at the
16 front of the seat, desperately leaning and trying to catch
17 up to where some of you have been for years in your
18 background, have (indiscernible) it, have lived it, have
19 traveled it, and it's like, indeed, if this is a process
20 that all Californians should participate in, then certainly
21 I should be able to grasp what it is that's being asked.

22 I'm starting to put it together; I'm starting to
23 get it, but it's taken all of that. So, to me, to have
24 four weeks, six weeks, two months, and oh well, you should
25 get it now participate, jump in. Let's make it happen.

1 This is enough time, and to ask it over a holiday period
2 where holiday family is the only thing a lot of our
3 communities have to celebrate in life. So, for those that
4 are retired, and sit back, and just doing this voluntarily
5 and weighing in because this is their entertainment in the
6 time that they have in the day, good. Not made at that.
7 That's a wonderful aspirational place to be. For most
8 people that's working, struggling in life, competing
9 priorities, things that they're trying to work on, and now
10 to have to also understand redistricting, this is a
11 difficult process.

12 I'm grateful for the community groups out there
13 that's really trying to hold people's face with two hands
14 to say, listen, this is important. This will shape your
15 future for the next 10 years. I need you to get this. I
16 need you to weigh in. And people desire to do that and
17 then life happens and they're focused and pay attention to
18 something else. I'm not certain. We've got some bright
19 folks here. I'm sure we can figure out how to go back to
20 the Supreme Court or whatever else it takes to say we do
21 need to look at this differently. We do need to figure out
22 how do we allow, if our focus is getting all Californians
23 hearing their voice, if that's our primary focus, I want to
24 say that I am concerned that for us to -- and, oh, by
25 communities of interest right now, yes, people are starting

1 to submit.

2 I heard another caller that said it did not -- I
3 think it was Malloy that did redistricting before -- talked
4 about it did not land for people. They really did not
5 begin to understand it until they saw draft maps, and then
6 it was like a minute, I don't care what you said, I don't
7 care how you told me about it, and how you trained me and
8 everything, now it's starting to make sense. Oh, my, I do
9 need to engage.

10 I feel like we'd be penalizing those folks that
11 can't get it until they get it to say that do it right now,
12 participate, understand it. You just should. I think that
13 we owe them the additional time after we present draft maps
14 to kind of now do education. Why aren't they educating
15 now? They are, but it will land differently once they see
16 draft maps, and I think that additional amount of time is
17 needed. And so I'll pause there and probably come back
18 later with, oh yeah, and I wanted to say, but for right now
19 that's just some of my initial thoughts.

20 CHAIR FERNANDEZ: Thank you, Commissioner Turner.
21 Okay. I am going to bypass me and I have Toledo, Vasquez
22 and Akutagawa.

23 COMMISSIONER TOLEDO: So, in going back to
24 Commissioner Fornaciari's point and Commissioner Sadhwani's
25 point, that this is a legal issue, I certainly agree that

1 it is a legal issue, and I think, you know, certainly legal
2 arguments can be made either way, but I think we need to
3 base them on our facts.

4 So, I think if we determine as a Commission
5 independently that our time -- that we don't have enough
6 time to meet our Constitutional requirements of engaging
7 the public, and providing a transparency, and getting the
8 feedback that we need to do our job, then certainly there
9 would be an argument there for additional time that we
10 would be able to make.

11 Now, that's -- it has to go back to our timeline.
12 We have to go back to figuring out do we have enough time
13 after the draft maps, after we begin the mapping process,
14 to be meaningfully engaged and involved as a public, and
15 end up with maps that we feel will reflect the voices of
16 Californians. So, otherwise, I think, you know, we have a
17 weaker argument.

18 And, so, if we want to have a strong one, it has
19 to be based on our assessment of the timeline that we need
20 to get the work done and get the public's feedback on the
21 maps, and be able to use that feedback effectively.

22 That would be my comment. Thank you.

23 CHAIR FERNANDEZ: Thank you, Commissioner Toledo.
24 And I have Commissioner Vasquez.

25 COMMISSIONER VASQUEZ: I won't repeat what

1 Commissioner Turner shared, but I think you put into words
2 the attention that I've been wrestling with for some time
3 now in my head but didn't have the words to describe.

4 That said, there is a word that has been
5 particularly on my mind that I've been sort of teasing out,
6 and it's this idea of independent, and we're an independent
7 commission. And I think for me that downplays the
8 interdependence of this process in the process that came
9 before, which is the census, and we're very much seeing how
10 dependent we are on that process and the quality of that
11 process. And likewise, elections which is -- I mean that's
12 -- the end game is elections. The end game for all of this
13 is people putting in their ballot on election day, or
14 election week, or what have you, right. That's the end
15 game.

16 This process is interdependent in a bigger civic
17 engagement electoral process, and I don't want -- I don't
18 want us to get into a conversation where we neglect -- we
19 neglect those facts, right. Like the quality of our work
20 directly impacts the end game, which is voting. And, so, I
21 do want us to be mindful of those particular facts.

22 And I also just want to echo a particular point
23 that Commissioner Turner made in that I don't necessarily
24 think that it's fair to characterize community input as
25 interest groups or sort of like one voice. These folks

1 represent their communities, and I think are independent
2 and ability to be impartial, those are requirements so that
3 we can be influenced.

4 The whole point -- the whole point of community
5 engagement is so that we can weigh all considerations and
6 know inherently that we are all bringing biases to this
7 process, and that we were selected because we are mindful
8 enough to know that we have biases and that we can
9 hopefully bracket those to the extent humanly possible and
10 be open to influence. That's the point. That's why we
11 have public comment. That's why we do all of this in
12 public, because we are necessarily in a dialogue with
13 community.

14 And because we cannot have a conversation with
15 every single Californian, we are dependent on community and
16 community groups and community representatives to help us
17 have this conversation.

18 For me, I think sometimes we get hung up on this
19 idea that we're independent and that we're just sort of
20 like up here on Mount Olympus doing maps, and that's the
21 gold standard for this process. And for me, that's the
22 antithesis of a democratic republic, right, that we're
23 representative and we actually have to -- in my opinion we
24 have to be open to influence from communities. That's why
25 we are here. Otherwise, we could give it back to Olympus

1 if we want it, right.

2 So, for me, it's been bugging me the way
3 sometimes we as a group frame our independence, and I don't
4 want the other pieces -- our dependence, our
5 interdependence on community and this whole wider electoral
6 process to get lost in the conversation.

7 CHAIR FERNANDEZ: Thank you, Commissioner
8 Vasquez, and Commissioner Akutagawa, and then we've got
9 Kennedy, Toledo and Sadhwani.

10 COMMISSIONER AKUTAGAWA: First off, I just want
11 to just acknowledge this great conversation, and I think
12 this is part of the reason why the work that we're doing is
13 so important and I appreciate, you know, this full range of
14 comments.

15 I think I kind of fall in the -- and maybe this
16 was expressed by Commissioner Toledo. I may be falling in
17 the middle and I'm just trying to think about, you know,
18 what are the other ways.

19 I will say that coming into this I was just
20 thinking, you know, what do we need to do to ensure that we
21 are at least minimally following what is legally required
22 so that our maps are not invalidated. And I think to me
23 that's the most important perspective that I think we need
24 to keep in mind.

25 With that said, I mean, and hearing everything

1 that's being said, I think one thought is, okay, do we move
2 up our own timeline, do we move up our own schedule and
3 release draft maps earlier so that then we could increase
4 the comment time and still retain, you know, the timing
5 that we need to ensure that we don't have to move the
6 primary.

7 Because I'm hearing -- the issue really is
8 ensuring adequate time for community to comment, so that's
9 one thought I want to put out there for perhaps
10 consideration and discussion.

11 The other thought is, okay, and I think
12 Commissioner Toledo kind of -- at least this is what I
13 heard and interpreted from what he said is. I think we
14 just need to then come up with the case to go back to the
15 Supreme Court and say we need to clarify, but we also want
16 to suggest moving and saying that we will submit final maps
17 by, you know, X date in January, whether it's end of
18 January, mid-January, whatever. If there's any questions
19 about us being on a bubble where the date that we'll be
20 maybe working towards could be outside of what could be
21 legally required. This way, then, if we have confirmation
22 from the Supreme Court we know that we will be within the
23 legal limits of what we need to follow so that our maps
24 will not be invalidated.

25 So, just wanted to add those two things.

1 CHAIR FERNANDEZ: Thank you, Commissioner
2 Akutagawa. Commissioner Kennedy.

3 COMMISSIONER KENNEDY: Thank you, Chair. You
4 know, Commissioner Turner's comment about it not sticking
5 with people until they see the maps, because all literature
6 on making things sticky and, you know, I've enjoyed that
7 literature on stickiness and I agree. You know, I can see
8 how that's the case.

9 And that was, in fact, one of the reasons that I
10 had tossed onto the table early on the idea of going out
11 and getting people's reaction to the current districts.
12 You know, not necessarily anything to do with not
13 necessarily basing new districts on the old districts. But
14 at least if we could get public input on how they felt
15 about their existing districts, that might be enough to
16 really engage people and get them interested. This was
17 part of the early conversation, I think, that we had, and
18 we were talking about, you know, we're approaching this or
19 we're looking at putting in place a new paradigm. It was
20 the 2010 paradigm which had a very short timeline, the
21 newness of the Commission, et cetera. We're dealing, as
22 Commissioner Sinay said, with a completely different set of
23 circumstances and thinking of this in new ways is, I think,
24 part of our challenge.

25 And, yeah, Commissioner Akutagawa's idea of

1 putting out preliminary maps earlier, I've seen
2 conversations in the press about states that are, you know,
3 taking ACS data, so, no, they're not actual 2020 census
4 data, but taking ACS data and at least using the ACS data
5 to put out preliminary maps that can be a focus for
6 discussion.

7 So, you know, I'm happy with the course of this
8 discussion. I just -- you know, let's all keep in mind
9 that we are charting our own road on this, and, yeah, I
10 loved Commissioner Vasquez's formulation of
11 interdependence. I think that really is phenomenal
12 thinking and something that we always need to keep in mind.

13 Thanks.

14 CHAIR FERNANDEZ: Thank you, Commissioner
15 Kennedy. Commissioner Sadhwani.

16 COMMISSIONER SADHWANI: Many thoughts here. Let
17 me get myself in order here.

18 First, on the piece on interest groups, I chose
19 that term with purpose. I, too, have a long background
20 working in community-based organizations. I think there
21 are differences there, however, and I think in the last two
22 weeks it was a healthy reminder for me of the differences
23 between various kinds of organizations who are making
24 requests of us, and also, even just as we are seeing in the
25 comments that we received today, that communities come in

1 many different forms and have many different opinions and
2 perspectives. And I think we heard from many different
3 kinds of community folks today who were calling in.

4 And I will just say -- I'm trying to choose my
5 words carefully, I -- you know, I think that throughout the
6 last several months we have received a lot of really great
7 input from a host of organizations who are very involved in
8 this process throughout the creation of the RFIs, the RFPs,
9 excellent feedback from many of the organizations that were
10 a part of the creation of independent redistricting -- this
11 independent redistricting commission here in California,
12 and who are charting the path for good government reforms
13 across the country. And I think that that's entirely
14 important work, and I really want to uplift that work.

15 But I think also some of those organizations wear
16 multiple hats and, so, if you're promoting good government
17 while at the same time promoting a very specific
18 recommendation for a set of community-based organizations.
19 And part of this is that the accusation came at me because
20 I didn't want to follow exactly what that organization
21 wanted us to do, that I'm not independent. I didn't -- I
22 didn't appreciate that at all and I felt like, no, you
23 don't get to have kind of a paternal relationship with this
24 Commission because you were a part of forming us and, you
25 know, push us and accuse us of not being independent when

1 we don't follow exactly what you say.

2 So, I just wanted to kind of uplift that because
3 I take the considerations of community-based organizations
4 to heart. I absolutely agree. I think there are barriers
5 to this process. I think it's incredible that this process
6 exists and I am an ardent supporter of independent
7 commissions across the country and having a fully
8 community-based informed process across the country.

9 But I do also think that, you know, we are term
10 limited, right. We only get one shot at this and then
11 we're out. We come in inexperienced and we're going to do
12 this, and then we're gone for the next round.

13 And there's also, you know, many studies that
14 look at term limits for legislators, and one of the
15 prevailing wisdoms that come out of that is that while term
16 limits open pathways for new folks to join the process,
17 they're relatively inexperienced and then ultimately will
18 have to rely on interest groups. And I wonder if that's a
19 little bit of what's happening here. And, so, for myself I
20 wanted to be really mindful of that.

21 I wanted to uplift -- I agree with so much of
22 what has been said here. I wanted to uplift Commissioner
23 Akutagawa's perspective, as well as Commissioner Kennedy.
24 I didn't want to bring specific dates for us here today
25 because I think we need to talk in general terms, but I

1 actually do agree very much that I think that there's a
2 real opportunity to draw maps before the deadline for draft
3 maps and post them and get plenty of feedback.

4 And, as we talked about, I know Commissioner
5 Andersen and I talked for months as we were thinking about
6 the line drawer contract and thinking about, well, what
7 does this process look like? What are the lessons learned
8 from 2010? The lesson that we kept hearing was make sure
9 you leave more time so you can take your draft maps and go
10 back to community and hear about everything that we did
11 wrong, because, undoubtedly, there's going to be a lot of
12 people that don't like our draft maps, and that's okay,
13 right. That's kind of the whole purpose.

14 So, if we plan -- if we were to set a deadline in
15 advance of what is set forth in the law, right, and then --
16 and I can share all those dates with you if you want. That
17 would put us at actual line drawing in the month of
18 October, potentially releasing draft maps in early
19 November, so that we have plenty of time to solicit
20 feedback and make changes to those maps, right.

21 I think that there's a lot of potential options
22 in front of us to ensure community feedback, and I think
23 that we can figure this out, and I think as Commissioner
24 Kennedy said from the very get-go, we don't know when we're
25 getting the Legacy data just yet, and so, until we have a

1 clear sense of that, it's all speculation. But it can be
2 informed speculation as we move forward. And I do think we
3 have to continue to lift up the legal component of this to
4 make sure that we are on solid legal footing.

5 CHAIR FERNANDEZ: So, I have Commissioner Toledo,
6 Vasquez and Yee.

7 COMMISSIONER TOLEDO: So, I just wanted to touch
8 on something that Commissioner Vasquez spoke about, and
9 that's, you know, we are dealing with people's fundamental
10 right to participate in democracy, their ability to vote.
11 And our timeline will impact that ability to vote --
12 potentially could impact I should say.

13 And when we started off the conversations with
14 our key stakeholders we start off with the core value of
15 wanting to be collaborative, but wanting to work together
16 to make the timeline work for everyone so that the
17 paramount, fundamental right of the public and of our
18 citizens of all Californians is upheld until we can have an
19 election where the people of California decide who
20 represent them. And so, that's when we went into these
21 conversations with our partners, and so far, you know, from
22 my opinion, and I do have -- from my personal perspective,
23 all of the groups have been collaborative and have given
24 their perspectives. We may not actually agree with and
25 some of them might be a little bit less, you know, flexible

1 than others. Some have very strict timelines. But we have
2 to do our internal work of figuring out how we can work on
3 our calendar to be as collaborative, but also go without
4 stakeholders and ask each one of them to also be -- to do
5 the same. And, so, identify areas -- and they've been
6 doing this. The Legislature, the Secretary of State's
7 Office, the local elected -- the local elections registrars
8 (indiscernible), and so -- and others, and all the
9 community-based organizations as well.

10 And, so, I think as much as possible I think we
11 need to continue to have an open conversation with these
12 groups and identify a path forward that protects people's
13 fundamental rights to elect who they want, understanding
14 that the timelines are, you know, are intersectional and
15 depend on -- are interdependent, and we're interdependent
16 with all of these different -- to come up with some
17 decision jointly. And I do believe that if we were to go
18 back to the courts, it would be best if we were aligned on
19 a deadline.

20 So, if we all can agree -- if we can agree on our
21 time limit and everybody else can agree on theirs, and we
22 come together and we make it work, and we go to the court
23 as a joint -- as a united front, I think that would be a
24 stronger position and potentially the stronger position in
25 the public, the stronger position with the court and the

1 stronger position with the public as well.

2 So, thank you.

3 CHAIR FERNANDEZ: Thank you Commissioner Toledo.
4 Commissioner Vasquez.

5 COMMISSIONER VASQUEZ: Thank you. First wanted
6 to apologize to Commissioner Sadhwani. I was not implying
7 that you should not have taken offense to, you know, being,
8 you know, sideswiped, if I can use that term, or feeling
9 sideswiped, whatever the intent was with focus on impact.

10 To that end, again, I think for me I'm trying to
11 push us to be more clear with our language, because I think
12 also when we talk about community and community groups,
13 we're lumping in a wide variety of community groups, and it
14 may be clear to us as a Commission, but it's not
15 necessarily clear to the public, and I'm probably going to
16 make some people mad by telling these secrets out of
17 school, but there's a hierarchy in these groups. There's
18 the grass tops groups and there's the grass roots groups,
19 and often they work together, but not always.

20 And, you know, we're sort of -- we're in this
21 world of, and I'm part of it because I'm employed by a
22 grass tops group. You know, we're part of the nonprofit
23 industrial complex where, you know, that's also about
24 power, right.

25 And, so, when we are talking as a commission

1 about working with communities and community groups and how
2 we respond to community and how we have conversations with
3 community, you know, for me it feels important to be a
4 little bit more clear when it makes sense about, you know,
5 we're talking about grass roots groups.

6 And I think this is going to be more important,
7 honestly, again as we start to actually go into community
8 for feedback as we start to receive feedback on maps and
9 get communities of interest.

10 When we're talking about the grants, you know, we
11 want the grants to go as close to the ground to the people
12 as possible, at least that's my understanding. And, so,
13 that's a very different set of stakeholders than, you know,
14 sort of folks who are representing, I think, larger
15 communities and perspectives and have sort of broader
16 lenses than someone, the neighborhood groups, right.
17 That's just how the hierarch of information in
18 relationships work.

19 So, just also wanted to flag that in the same way
20 that, you know, I want us to be clear when we call
21 ourselves independent, what that means. When we talk about
22 community I think we should also be clear about sort of
23 what we're talking about when we say community and when we
24 say community groups, because it's not always clear to the
25 public in the space or in these conversations on a regular

1 basis.

2 CHAIR FERNANDEZ: Thank you, Commissioner
3 Vasquez. Commissioner Yee.

4 COMMISSIONER YEE: Yes. Really appreciating all
5 the hard work that went into the background for this
6 discussion and the discussion, itself. It's really very
7 engaging as well as very important, and this is why we're
8 here, to talk about these things.

9 Very quick observations. For members of the
10 public who might be confused by the term "Legacy data," I
11 know that may sound like old data. It's not old data.
12 It's Legacy format data that the census is promising to put
13 out mid-August. So, it will be the fresh, new 2020 census
14 numbers in an older format and will take some processing.

15 This whole discussion about interest groups, I
16 mean I think we wanted both in, right. We absolutely want
17 to give the fullest, fairest opportunity for individual
18 citizens to be heard as well as to encourage and give full
19 hearing to more organized groups and so forth.

20 The 2010 Commission, the public input meetings
21 were mostly designed for individuals to give comment, but
22 there was also, I believe, at least one special session set
23 aside for groups to present, and I don't know how those
24 groups were selected, but, you know, they get more time
25 than the two or three minutes that an individual would have

1 at a meeting.

2 So the hope is both and, I believe, and, of
3 course, that will include us making, you know, a legitimate
4 effort to hear, to discover, to unearth the concerns of
5 groups that are less organized or not even organized,
6 right, but do have legitimate community of interest
7 concerns that should be reflected in our maps. So,
8 hopefully, that is both and, but not to pretend that -- I
9 mean we've had some groups given an hour of time, right, to
10 present to us, whereas an individual only gets two minutes.
11 So, not to pretend that that isn't a distinction we do
12 make.

13 About the deadline. So, yes, I mean the
14 discussion starting with Commissioner Fornaciari about the
15 legal considerations, I mean that's a hard consideration,
16 you know. That's -- the January 28th date, you know, as
17 nice as that is, I mean if that doesn't have a legal basis
18 then it's a nonstarter.

19 And what we've read so far, I mean the things
20 I've seen, some of the memos and comments, I'm not seeing a
21 promising route to making a strong argument for additional
22 time. Maybe we can come up with one, but so far I'm not
23 seeing that.

24 So, assuming we are in an end of year deadline
25 situation, I do like the idea that Commissioner Akutagawa

1 started about perhaps giving ourselves an earlier deadline,
2 let's say early November, let's say Monday, November 1st,
3 for our draft maps. That means a very busy October, right,
4 if we don't get our full redistricting data until September
5 28th, possibly, probably, then that means we have exactly
6 -- almost exactly one month to actually produce the draft
7 maps. So, of course, preloading tons of work before that,
8 maybe some pre-draft maps based on ACS data and so forth,
9 tons of community of interest work to really key in, focus
10 in on the issues that are most (indiscernible) are most --
11 have, you know, high demands on judgment and debate over
12 where lines fall, to preload as much as possible and to
13 come into October just really ready to get those draft maps
14 done.

15 That's a discussion. Is a month really feasible
16 with any -- with an amount of preloaded work that we can
17 actually anticipate? I guess that's the discussion,
18 especially getting testimony from or input from our line
19 drawers and our VRA counsel that comes in would be very key
20 to making that decision.

21 CHAIR FERNANDEZ: Thank you, Commissioner Yee. I
22 have Commissioner Toledo and Commissioner Sinay.

23 COMMISSIONER TOLEDO: Well, I'm not sure if we're
24 going to be able to make a decision today. I do think it
25 would be helpful to get direction from the Commission, or

1 at least guidance from the Commission, on our ask, right.
2 But I certainly do think that we should, at minimum, be
3 asking our partner or key stakeholders for additional --
4 either additional conversations around or at least more
5 information about the flexibilities that are available to
6 us should we move them? In order to ensure that the
7 elections occur in a way to -- occur in a way that we're
8 protecting people's fundamental rights to vote in June, and
9 so, whether we have a specific ask or a general ask, we may
10 want to consider -- and it could be as simple as asking the
11 Legislature, because we have not done this. We have not
12 asked the Legislature to even to have a conversation about
13 potentially looking at other methods of waiving some of the
14 electoral -- maybe not the -- we have not asked the
15 Legislature to consider moving the election cycle calendar,
16 but we also haven't asked about other potential waivers
17 that they might have at their disposal to help with making
18 sure that the election does happen.

19 So, is that something that we could do? We're
20 looking at -- we're looking at all of our flexibilities and
21 ask them to look at all flexibilities, and I'm sure they
22 are, but have that conversation with us as well.

23 CHAIR FERNANDEZ: Thank you Commissioner Toledo.
24 I have Commissioner Sinay and then Commissioner Turner.

25 COMMISSIONER SINAY: Thank you, Chair. I keep

1 going to back to what are the legal issues, and, you know,
2 the Supreme Court said if you need to seek further relief
3 in the court, feel free to come back. And that was one of
4 my questions was why weren't we, and I know in the memo it
5 says that Marian doesn't advise it, that we weren't part of
6 the original lawsuit, and what are we legally asking for.

7 But I think that they did open the door for the
8 Redistricting Commission to come back to them, even if --
9 you know, you don't necessarily always hear a court say
10 come back if you have more questions, so, I think they did
11 open that up directly to the Commission. I don't think --
12 you know, and I'm not a lawyer and I'm not pretending to be
13 one, but that's not legalese. That's actually one piece I
14 could understand without looking it up.

15 The other piece that's concerning me, and that I
16 think we're not bringing up as a legal issue and we do need
17 to talk about as well is if we agree to use the Legacy
18 data, how much does that leave us open for the potential of
19 being sued? Because the census has been very clear that
20 they'll do the best they can. You know, they've got some
21 language around it that they're not standing up behind it
22 as much as the data that's being released later. And I
23 think that's the question that we also need to ask our
24 legal counsel once we've got the full team.

25 And, so, there are some critical legal questions,

1 and I don't feel that comfortable moving forward until we
2 can actually write down these questions and talk to legal
3 counsel because I am a strong believer in civic engagement
4 and the promotion of democracy and making sure that people
5 feel that they are a part of this process.

6 I'm not that concerned about moving the primary
7 date because I think most people don't know what the
8 primary date is right now. So, I think that argument -- I
9 mean I don't want to mess up the November, 2022 date, but I
10 do feel that your -- the question of this is a legal issue
11 is a good one, but what are the legal issues that we need
12 some clarification on, and I think that's a place to start.

13 CHAIR FERNANDEZ: Thank you, Commissioner Sinay.
14 Commissioner Turner.

15 COMMISSIONER TURNER: Thank you. And to start
16 there, Commissioner Sinay, I think we could actually move
17 the primary all the way to sometime in July before it
18 impacts the general. But beyond that, I don't think that's
19 necessarily what's being asked.

20 A couple of things. I think I want to start when
21 we -- I also want us at some point to have a conversation
22 again about the limitations of the time. Commissioner Yee
23 reminded me of it when you brought up the people, the hour
24 for special groups and then two minutes for the other
25 people.

1 The community groups that typically go out into
2 the community and kind of pull together what the community
3 wants and, you know, bring it forth a synopsis of what they
4 heard. The alternative, I guess, would be for community
5 groups to just do turnouts, because two minutes, that's 30
6 people. They can do turnout of 300 people and we'd be
7 there for days listening to all of the various individual
8 voices and what have you. So, I think we are really going
9 to have to think about what that should look like and the
10 amount of time that they should be given.

11 We, again, I keep being driven by the testimony
12 by our initial mandate providing best opportunity for all
13 Californians to participate here, weigh in. I'm really
14 intrigued by the opportunity lifted by Kennedy and others
15 -- actually I think it was someone else. Akutagawa talked
16 about the earlier maps and being able to maybe try that on,
17 that conversation, to see what that looks like and getting
18 responses that will even provide a better training base for
19 people, et cetera.

20 That's the -- but our driving factor to provide
21 all Californians an opportunity to participate, I also
22 wanted to just name the thread that keeps being lifted as
23 far as our maps being invalidated, whether or not we
24 respond in a manner that the Legislature wants us to one
25 way or the other. I really do want at some point to have

1 more conversation about that. I don't think -- or I don't
2 come from the perspective so much so that we have to
3 maintain a law that may or may not still work for
4 Californians. I think we should try to be mindful of it.
5 I appreciate Commissioner Toledo saying and others if we're
6 going to go back we do need to determine what is the just
7 cause, what's the rationale, be really sure that we've done
8 everything else. But the threat, you know, if we, you
9 know, move wrong, if we whatever our maps will be
10 invalidated, I would love to have clear cut, these are the
11 taboo cannot be moved, cannot be -- I don't want that to
12 govern all of our conversations, and if this happens, well,
13 then our maps can be invalidated, and then our maps can --
14 because I think it even keeps us from having conversation.
15 I think if the law is set and was set at a time that could
16 not have known, there wasn't such a thing at the time of a
17 Legacy data, there wasn't the pandemic. A lot of this
18 other information has shifted, then I think we could go
19 back and say what your best thinking was at the time is not
20 working right now for whatever the reasons are.

21 Laws are changed, shifted all the time, and even
22 when we get our chief counsel on I'm hopeful that those
23 that are the ones that are coming on is, yes, I'm
24 interpreting the law, but not using it, again as something
25 that says that we can't imagine something different and

1 begin to push for something that works for today for people
2 currently as opposed to what was historically or even 10
3 years ago. Things are rapidly shifting and changing.

4 And, so, I want us not to be afraid to explore
5 what would it look like to shift the guidelines we've been
6 given, and I think with all the due diligence in us trying
7 to include all the voices that we area, I think we're all
8 doing a really good job trying to make sure that we draw
9 maps that are appreciated by the masses at the least.
10 Nothing will make probably everyone happy. I don't think
11 we should be the punished or made to feel that we can't do
12 our best for fear of though we are independent, there is
13 some governance over us for doing what I think we were
14 called to do.

15 So, I can hear more on that, but it starts to
16 feel like don't think, don't move, don't do anything
17 different about this threat about invalidating maps. And
18 right now we're just having conversations, and so we know
19 we don't want our maps invalidated, but I also don't want
20 us to get to the end of the process for 2030 and anyone
21 else is looking saying we didn't do all we could because we
22 wanted to be cautions that we didn't have our maps
23 invalidated.

24 CHAIR FERNANDEZ: Thank you, Commissioner Turner.
25 Commissioner Kennedy and then Commissioner Sadhwani.

1 COMMISSIONER KENNEDY: Thank you, Chair. You
2 know, I go back to the one issue that I think is very clear
3 as far as what harm we might suffer and, therefore, what
4 standing we might have to take something to the Supreme
5 Court is this question of the time required to process the
6 data. That is a nonzero length of time. We don't know if
7 it's one week, two weeks, 10 days, whatever, but it is an
8 amount of time that we would otherwise lose from the
9 timeline that the Supreme Court had in mind.

10 So, as I said, I think that's where we really
11 need to start from. If we can come up with some other, you
12 know, concrete harm that we as a Commission would suffer or
13 the -- you know, that would give us standing to take
14 something to the Supreme Court, let's have that discussion.
15 But in my mind we already have that, and I will be happy to
16 move forward with that.

17 The one thing that I really, you know, want to
18 continue to emphasize, you know, we're talking about an
19 earlier deadline for maps. Are we talking about maps based
20 on ACS data or are we talking about maps based on actual
21 redistricting data? If we're talking about maps based on
22 actual redistricting data, I want to remind everybody that
23 we are talking about not four maps. Four maps makes it
24 sound very easy. We are talking about 176 discreet
25 districts that we have to draw. That is a lot of work.

1 And I think I did the math at one point and said, you know,
2 if we're lucky and we only take Sundays off we're looking
3 at having to draw four to five of those maps per day. You
4 know, maybe we have two hours per map. So, please, please,
5 please keep that in mind and imagine, imagine us sitting
6 down trying to draw each of these 176 maps in the course
7 of, you know, two hours. I think I'll stop there. Thanks.

8 CHAIR FERNANDEZ: Thank you, Commissioner
9 Kennedy. Commissioner Sadhwani.

10 COMMISSIONER SADHWANI: Thank you. A couple
11 thoughts. Just in response to Commissioner Kennedy, I
12 would not recommend drawing maps using ACS data. Given the
13 presentation that we had the other day, I think what we --
14 what that lacks of the ability to go all the way down to
15 the census block level.

16 So then we're drawing it based on estimations
17 that -- when we're talking about being precise about the
18 lines, themselves, I don't think the ACS data ultimately
19 will allow us to get there, but I think your other point
20 can we just get feedback on the current maps, that, to me,
21 is a point well taken. I completely agree with that,
22 especially as it relates to assembly and senate, the number
23 of those seats are not changing, so getting feedback on the
24 current maps makes a whole lot of sense to me.

25 And what I ultimately actually had raised my hand

1 about was Commissioner Turner and Commissioner Sinay's
2 point about let's leave no stone unturned, right. And I
3 think, for me, that's why the recommendation and the memo
4 that Commissioner Toledo and I developed was let's wait and
5 see, right, because all these legal kinds of questions,
6 let's not close the door on them, but instead, let's -- we
7 know that we are ramping up our entire legal team. As we
8 do so, let's have a strategy session and figure out like
9 what are our potential options. What would it look like to
10 go back to the Supreme Court if we wanted to? What kinds
11 of legal arguments would we need to make in order to do
12 that.

13 And I wondered also if Marian would -- I'm sorry
14 putting you on the spot here, Marian, but if you'd like to
15 just jump in and share a little bit about like if we wanted
16 to go back to the Supreme Court and ask for an alternative
17 timeline based upon whatever we decide we want, what might
18 that look like? What would we need to have kind of in our
19 back pocket ready to go?

20 MS. JOHNSTON: The problem you're facing is that
21 you're dealing with time that was set up by initiative by
22 the two propositions that were passed. And those
23 propositions set out specific time limits for how long you
24 had to do your first draft maps and how long you had to
25 complete your mapping process.

1 I don't know of any legal argument that would
2 allow you to expand that time. The only question is when
3 does the time start to run? The point of going to the
4 court was with the Padilla case was that we thought the
5 census was going to be delayed for so long and we wanted
6 the time not to start running until the census data came.

7 So, Commissioner Kennedy's point about whether or
8 not you want to consider the Legacy data, and if so, it
9 shouldn't be until that data becomes usable. That might be
10 an argument that you still need to have after the two-week
11 waiver period of time it is. You still should have the
12 amount of time that the initiatives provided to the
13 Commission to do its work.

14 I don't see an argument, a legal argument, of how
15 you could say it's not -- the initiative did not give the
16 Commission enough time. If you have all the time -- if
17 you're given all the time that is proposed by the
18 initiatives, you may not think it's enough time, but that's
19 not a legal basis for challenging the amount of time that
20 you have. And that's my dilemma.

21 I'd be happy to answer any questions about that.

22 CHAIR FERNANDEZ: Okay. Thank you, Marian, for
23 that. I do know that Commissioner Kennedy has something
24 else, but I've been waiting to go ahead and give my two
25 cents.

1 I do think it's valid to hold off this
2 conversation because I do feel once we get our chief
3 counsel and all of the other VRA and litigation, I believe
4 it is -- it would be a good strategy to have a strategy
5 session with them to kind of schedule that out and see what
6 it looks like.

7 I really like the idea of getting maps out
8 earlier. I think with most of us, and I think we've said
9 it in meetings, if you have a blank page it's kind of hard
10 to provide feedback versus if you have something, at least
11 you have something to respond to and to react to. So, I
12 really like that idea of, you know, not waiting until the
13 last day that we're supposed to have our drafts and put
14 something out, because, again, I think that it does make
15 sense that a valuable part of our feedback will be after
16 the draft maps.

17 But then I also feel that we can move up that
18 draft release earlier, because I'm hoping and hopeful that
19 quite a bit of the public input would already be in our COI
20 tool if we're doing a great job and, you know, Commissioner
21 Andersen is great at advertising, hey, go out there and put
22 it in the COI tool. You don't even have to come to a
23 Public Input Meeting, which is great. I'm just reminding
24 everyone that's out there as well.

25 Sometimes when I share some communities say, I

1 think in our Public Input Meeting yesterday, oh, we're
2 waiting for you to go back to our communities. Don't wait.
3 Go to your communities. Let them know to put in their
4 public input. We've got a tool that's set up for that.

5 I know there's other activities that they're
6 waiting for as well, which I truly appreciate.

7 So, I will look to you, Commissioner Kennedy, but
8 I think it's been a great conversation, and I just feel
9 like we need to really make a decision on how much further
10 we need to discuss. I think everyone had a chance to
11 provide their input, and we do need to provide direction,
12 obviously, to the subcommittee.

13 So, my opinion is let's hold off. There's still
14 time. Oh, my other opinion is I agree with Commissioner
15 Kennedy and Ms. Johnston that I think the only piece we can
16 argue will be the one to two weeks extra that it takes to
17 -- the extra time that it's going to take with this Legacy.
18 I'm still a little upset about deciding to take the Legacy
19 data. I wish we would have just waited until the
20 (indiscernible) because then we wouldn't have to worry
21 about there potentially being issues with this Legacy data,
22 and that I'm not comfortable with.

23 So, I think that's it. I'm just going to let it
24 go, and I'm going to pass it on to Commissioner Kennedy and
25 then Commissioner Turner right after.

1 COMMISSIONER KENNEDY: Thank you, Chair. Just
2 very briefly. You know, looking at the Padilla decision,
3 again, it seems like, you know, part of the reason we find
4 ourselves in this, and I'm reading a very interesting book
5 entitled "Upstream," about anticipating problems. You
6 know, no one anticipated, as one of the other commissioners
7 said, no one anticipated the existence of Legacy data. All
8 everyone was thinking about was there's the PL94-171 and
9 that's it.

10 If the decision had based -- had been based on
11 the date on which the Commission received the data, there
12 would be no doubt as to what the timeline is, but because
13 the decision is based on when the data are received by the
14 State, then we have this added issue of the time required
15 for additional processing that was not part of the 2010
16 timeline, was not anticipated by the court last year.

17 Thanks.

18 CHAIR FERNANDEZ: Thank you, Commissioner
19 Kennedy. Commissioner Turner.

20 COMMISSION TURNER: I just think -- I had a
21 question. If we adopt the Legacy data, I didn't think we
22 had to share.

23 CHAIR FERNANDEZ: Good. Good point. Thank you.
24 Commissioner Sadhwani.

25 COMMISSIONER SADHWANI: We have not formally

1 adopted it, so one of the recommendations of the memo is to
2 formally adopt the data. The reasoning that we have behind
3 that is certainly that's something we can discuss. I don't
4 see us doing that today, but I could be wrong.

5 But in conversations, in particular with
6 Statewide Data Base, looking at the memo that they sent to
7 us as well as in that meeting that was held, Karin
8 MacDonald reported that this is for all intents and
9 purposes PL-94 data, just not in the format that they would
10 otherwise send it.

11 The memo that she had laid out for us some months
12 ago, and it's linked within the memo that we prepared for
13 you all today, laid out the useability of that data, and in
14 particular, that the State of California has the
15 infrastructure from the Statewide Data Base as well as the
16 State demographer to receive format and handle that data.

17 And so I do think that if we're going to go to
18 the courts and say we can't use the Legacy data, we're
19 going to have to have a good reason as to why we can't,
20 because we received documentation that it would be useable.

21 And, so, I think that -- I think that if we want
22 to say that we won't use it, that's one strategy. I don't
23 know how well that's going to hold up for us in the long
24 term. Again, I think this comes back to ultimately being a
25 legal issue if we don't use it. It could be a legal issue

1 if we do use it.

2 So, I think that we're going to need some
3 strategy on this as well. Certainly, if other states are
4 deeming the Legacy data useable as redistricting, that's an
5 activity that's going to have to occur in all 50 states,
6 we're going to have to have a really good reason of why we
7 don't think it's useable given all of the infrastructure
8 that we have here to handle it.

9 CHAIR FERNANDEZ: Okay, and then we'll have one
10 -- thank you, Commissioner Sadhwani -- one more comment
11 from Commissioner Toledo, and then we can move forward to
12 what you need.

13 COMMISSIONER TOLEDO: So, within that I -- you
14 know, in reading the Michigan court cases, they're pressing
15 forward, they talk about the risks of accepting the Legacy
16 data and the balancing act, the balance that they had to
17 make, and so, as well as -- and part of that is -- so, my
18 understanding in my reading of it is, or the history of it
19 is, that they accepted the Legacy data to begin work on
20 some of the map drawing, but have given themselves the
21 discretion to -- or are pushing, rather, to not -- you
22 know, until there's a reconciliation of the official data
23 from the census and the state data, so they're essentially
24 saying what if -- because the risk is what if the data is
25 not -- not perfect or doesn't match -- rather to be exact,

1 doesn't match the Federal census data numbers. So, if the
2 State numbers don't match those Federal numbers, then that
3 would leave them in a precarious situation, so they're
4 basically tying it to the reconciliation of the receipt of
5 the Federal numbers, and at that point if the data is
6 correct, then using the Legacy moving forward for their map
7 drawing. So, there is some tension. I don't think it's as
8 clear cut.

9 I think we're a little bit more comfortable in
10 California because we have Karin McDonald and her -- just
11 one of the best line drawers in the country and the depths
12 of knowledge in the State of California through CalTech and
13 UC Berkeley, so we're more comfortable with moving forward
14 with the data, but that doesn't mean that there might not
15 be errors and that the reconciliation isn't important. In
16 fact, the reconciliation is part of that process in making
17 sure that the data is correct. And, so, I just wanted to
18 bring that up and highlight Commissioner Fernandez's point.

19 CHAIR FERNANDEZ: Thank you, Commissioner Toledo.
20 Okay. We have Commissioner Turner and Commissioner
21 Andersen.

22 COMMISSIONER TURNER: So, in regards to the
23 Legacy data, because I know that's a conversation we need
24 to have, it seems to me when we first heard of the Legacy
25 data that it was presented in a manner that said it may

1 take up to four weeks is what I recall in order to be able
2 to translate the data. And then we learned that it was two
3 weeks, and then we learned that it was one week.

4 So, I still have healthy skepticism over the
5 Legacy data. I'd like to know, is it being worked on
6 before we've approved it or why the change. Why is it four
7 weeks, to three weeks, to two weeks?

8 I'm curious about the Legacy data, too, and I'm
9 wondering about interest of those that would prefer us to
10 use it and thus move the timeline as opposed to just
11 utilizing the PL data when it comes forth. And, so, we're
12 not talking about the shifting date, but I also have
13 questions about that in trying to determine should we be
14 using the Legacy data or not.

15 CHAIR FERNANDEZ: Thank you, Commissioner Turner.
16 I do recall the presentation. They had initially said it
17 was -- they anticipated two weeks to do whatever they
18 needed to do with the Legacy data and then four weeks for
19 all of the other whatever they needed to do with the data
20 that included part of it, that included like the
21 incarcerated people.

22 Commissioner Andersen.

23 COMMISSIONER ANDERSEN: Thank you, everyone for
24 the wonderful conversation, and, yes, Commissioner Turner,
25 basically they did say the two weeks -- this is Statewide

1 Data Base said there's the two weeks to filter, verify the
2 data as such that it gets to the point where it would be at
3 the same level as it was straight appeal 91 data. And then
4 after that, for prisoner reallocation it takes about a
5 month, which is the four weeks. So, that's why -- the four
6 week, we kept on talking about that. It was the two-week
7 window to work with the Legacy data.

8 My understanding is that -- well, so there's
9 that. What I would recommend because there are legal
10 issues which we do not quite define. We're trying to
11 define them, trying to define them, but we don't have
12 answers for and we still have more questions.

13 Also, virtually every day the census data is
14 putting out more data and more refined. It seems like
15 they're getting all the people who had been shifted to good
16 reapportionments at different times are now just back doing
17 their regular jobs, and it's like data is coming out very
18 quickly now. So I think it's going to get more exact.

19 And so what I kind of recommend here is that we
20 do the tour with our legal group here, that is asking for a
21 recommendation, is that we do sort of their recommending
22 that we essentially "wait and see." It's not quite just
23 the wait and see, but please come back to us with what
24 actually are legal issues. Who do we need to then address
25 those with, and we need to get more information from the

1 Statewide Database? So, that's what I would like to see on
2 this. I totally agree, right now we cannot say, great,
3 we'll take June 28th -- January 28th. We cannot do that
4 right now. We don't have the understanding. We don't know
5 what that would mean. It's like take an arbitrary date.

6 And while I loved Commissioner Vasquez's whole
7 description of the integration, yes, we're independent, but
8 we're not in a vacuum. You know, we have to -- there are
9 certain players who we're told to depend upon, you know,
10 the Census Bureau, and want to have people's input and we
11 want people to be able to vote on these maps, so, which
12 leads go back to the map.

13 So, that's my recommendation is that we say yes,
14 let's go with the wait and see, provided you ask for this
15 additional information and plan to come back to us with.

16 As far as the draft maps early, great idea. But
17 I want those to be good quality maps, which is why I'm
18 saying please, everyone out there, you're realizing, whoa,
19 this is really important. We're talking about the January
20 28th date. Now that we have your attention please use that
21 COI tool and give us as much information as you want. You
22 know where your communities are.

23 This is true. This is not me. Not everyone
24 understands redistricting. We don't understand
25 redistricting. I've never done this before. But I do

1 understand what's involved in creating maps and drawing,
2 and looking ahead, which is why, Commissioner Sadhwani, we
3 are saying we can do early maps but we want those good
4 quality maps and we cannot do that if the community waits
5 for the maps to be drawn. Then it's like we could draw
6 something now. It's like, well, what the heck. And that's
7 not it. We want the community input. And it doesn't mean
8 we're going to get everybody, but all the groups who have
9 connections here, start your people putting those in. If
10 they start looking at the COI maps, it will be a process
11 that they have, oh, now I understand, and then their
12 information will be on that draft map. We can loop that
13 up.

14 There are a couple of others. I do love
15 Commissioner Kennedy's idea of what do you like about your
16 districts right now, what do you not like. And,
17 specifically, don't just think, well, the line is here. If
18 there is information about why that line was not drawn
19 someplace else, we need to know that information, too,
20 because we might say, oh, sure, we'll divide -- I don't
21 have a good example right now, but, you know, like a
22 freeway. You know, yeah, that freeway was there for a
23 reason, and say we don't want it there. Okay. But what
24 did you not want it someplace else? Because, oh, no, you
25 can't do that. So, that's the information we could get if

1 we go around with the districts, which is a great idea.

2 And I agree with Commissioner Sadhwani, we have
3 to use the current information, and we could move the draft
4 maps up early.

5 I do have one question to Marian. If we move the
6 drafts up early, that does not change -- please refresh
7 everyone's memory here. The date of the draft doesn't then
8 cause sequencing for anything else, does it?

9 MS. JOHNSTON: That's correct.

10 MS. ANDERSEN: Great, okay. Then, yes, we can
11 easily move that draft up early, but only if we get
12 everyone's input in. And it's still 176 maps. Brace
13 yourself, everybody.

14 CHAIR FERNANDEZ: Okay. Thank you, everyone.
15 We've got about 12 minutes left before our lunch break.
16 Commissioner Kennedy, I was trying to move forward here.

17 COMMISSIONER KENNEDY: I wanted to maybe
18 tantalize people, give you just something to think about,
19 not to discuss. A best-case scenario for us, which I would
20 love to see happen, you know.

21 The apportionment data came out four days earlier
22 than we expected. If the reapportionment data comes out a
23 week before we expect them, then we have data received date
24 of 9 August. We have a data reformatted date of
25 approximately 19 August. We have data submitted to the

1 Commission of approximately 16 September. We would have a
2 preliminary draft maps posted deadline of 10 November. We
3 could do it earlier, but 10 November. If it is 10
4 November, the public review period would close out before
5 Thanksgiving, and then we would have until Christmas Eve,
6 until the 24th of December, to finish the process.

7 So, you know, that's just a best-case-scenario if
8 the data happened to arrive in the state a week early, I
9 think we're looking at, you know, what could be a fairly
10 comfortable scenario.

11 CHAIR FERNANDEZ: Okay. Thank you for that. So,
12 we need to provide direction to the subcommittee.
13 Commissioner Sadhwani and Toledo, did you want to lead that
14 discussion?

15 COMMISSIONER TOLEDO: So, what I'm hearing is
16 that commissioners are asking for some kind of memo, legal
17 memo, with our options and detailing, you know, and have it
18 in writing. I think it would be good for us to have a
19 legal memo, because we've heard from Marian for maybe
20 having it written out in terms of our options, and we can
21 determine whether we want to have that as attorney
22 privilege or we want to have that as a sh document. At
23 this point it makes sense to have it open, since we want to
24 be transparent around these issues, then to bring back --
25 to gather more additional information about possible

1 options with our stakeholders and not just the Legislature
2 and the Secretary of State and our local elected elections
3 officials, but also the data base, the Statewide Data Base
4 and their timing issues, and I think to continue to be
5 collaborative to get input through this process and bring
6 it back to the full Commission in a transparent manner.

7 So, that's what I'm saying. Commissioner
8 Sadhwani?

9 COMMISSIONER SADHWANI: Yeah. I mean I think
10 that's right. I guess for clarity, is this legal memo that
11 you all would like to see an outline of potential courses
12 of action in terms of those dates and the legal
13 ramifications of them? Is that -- is that -- am I hearing
14 that correctly? And, if so, I would just say I'm happy to
15 also receive input perhaps through Marian or some other
16 channel from the Gantt Chart Committee that I know has also
17 thought a lot about the timeframe and timelines as
18 Commissioner Kennedy just kind of outlined as well. Is
19 that correct?

20 And also, in terms of the timeframe of receiving
21 such a memo, next meeting or after we have chief counsel on
22 board, then litigation counsel, I guess just a little bit
23 more clarity of that next step I think would be really
24 helpful.

25 And I would also just say, I am certainly of the

1 belief, I think one of the callers was saying don't wait,
2 don't wait, and I very much agree, but I don't think we
3 should have -- have us be holding off from collecting
4 communities of input information which we must certainly be
5 moving forward, and beginning those hearings, or meetings,
6 or however you want to call them, you know, in the very
7 near future.

8 CHAIR FERNANDEZ: Okay, thank you. Right to you,
9 Commissioner Andersen. Let me just -- my opinion is that
10 we wait for the chief counsel because this is -- it's
11 something that the chief counsel needs to be involved with,
12 and we should have his or her opinion and research on it.

13 Commissioner Andersen.

14 COMMISSIONER ANDERSEN: Yeah. I was saying what
15 I envision this memo is actually to have the holes in it of
16 this is what we don't know. This is what we don't know,
17 not say, oh, here are all the answers. This is -- you
18 know, these are the things we do know, and we don't know
19 which is why we can't go here, you know, that sort of
20 scenario. Because there will be holes in here, and the
21 idea is who do we need to talk to to fill those holes, you
22 know, where can this information come from. Some of it
23 might be our California Supreme Court. This, there's
24 several options. With our counsel we might be able to
25 resolve that. This, Statewide Data Base. That's how I'm

1 kind of envisioning just a little bit more of a layout.
2 Here, this was a great document. It has lots of robust
3 information, more of a -- now filtered.

4 CHAIR FERNANDEZ: Commissioner Toledo, are you
5 responding, and I have Commissioner Kennedy also.

6 COMMISSIONER TOLEDO: Commissioner Kennedy first
7 and then I can --

8 COMMISSIONER KENNEDY: Thanks, and you may be
9 able to answer what I'm about to say.

10 Yes, chief counsel should be involved as soon as
11 possible. I'd like the delay in order for chief counsel to
12 be involved to be as short as possible. So, maybe once we
13 have a formal acceptance, salaries negotiated, et cetera, I
14 mean I'm hoping that's not going to take the entire two
15 weeks that we expect, you know, between now and the time
16 chief counsel starts. So, is there a way after there's a
17 formal acceptance, even if it's before the two weeks has
18 run out, to share this with chief counsel? Thanks.

19 COMMISSIONER TOLEDO: In terms of timelines,
20 certainly for the hiring of the chief counsel, you know,
21 Commissioner Andersen and I are doing reference checks.
22 So, we're hoping to do those today actually, and then
23 shortly thereafter we'll be contacting the candidate if
24 everything is good and working with Commissioner Fernandez
25 and Commissioner Ahmad on a -- on compensation and the

1 offer process.

2 So, certainly I think -- and I would hope or want
3 Executive Director Hernandez to chime in. Certainly I
4 think we can't require them to work before they're hired,
5 but if this is an area where the applicant may want to
6 provide -- become involved a little bit earlier on a pro
7 bono basis, that might be possible. On a volunteer basis
8 is probably the better word for it. But I would want to
9 hear from Executive Director Hernandez because there may be
10 some government -- and from Marian. There may be some
11 government regulations that prevent that.

12 CHAIR FERNANDEZ: And before I go to Executive
13 Director Hernandez, I just want to remind everyone that we
14 do have a meeting scheduled for May 4th, on Tuesday, so we
15 could finalize -- potentially finalize what we're talking
16 about right. Executive Director Hernandez.

17 EXECUTIVE DIRECTOR HERNANDEZ: Yeah. We can ask,
18 but we can't require them to do any of the work before
19 they're actually hired. We can at least put it out there
20 that that is what they will begin on on day one. That way
21 they know what to expect on that first day.

22 CHAIR FERNANDEZ: And Commissioner Sadhwani.

23 COMMISSIONER SADHWANI: And I'm hoping this is a
24 wrap-up comment on my part. But, you know, I think hearing
25 all of this, I think what does make sense, as Commissioner

1 Andersen was suggesting, perhaps laying out the various
2 scenarios that we have discussed today, including the
3 January 28th suggestion from many groups who have called
4 in, including many of the other scenarios that we've
5 discussed today, an August 9th drop of census data is
6 included, and laying out what are some of the open
7 questions about any of those, so that we as a Commission
8 can have that, but also it can almost serve as an on
9 boarding memo for our chief counsel so they can have a
10 brief of really the kinds of conversations we've had and
11 hopefully be pretty specific about the kinds of questions
12 we have for them once they get started. And, I mean, I'm
13 assuming also working with Marian in that capacity as we
14 figure out that relationship.

15 CHAIR FERNANDEZ: Okay. Thank you, Commissioner
16 Sadhwani.

17 COMMISSIONER TOLEDO: In addition to that, it
18 would be helpful, I think, given all of the community
19 input, both in favor and opposed, to explore the questions
20 about whether there's a legal argument to be made because
21 it doesn't -- certainly our counsel doesn't believe that
22 there is an argument at this point based in terms of
23 communities' ability to give input, but might there be --
24 you know, to develop that a little bit further and try to
25 understand what the best argument would be for that, and

1 even if it's not a strong one, so that we know what the
2 argument would be and would be able to weight that as well.
3 So, we would want to at least understand, given all of the
4 public feedback on that issue whether it's even possible to
5 take that into consideration, or how to weigh that a little
6 bit better, because at this point it doesn't look like
7 we'll be able to, but potentially, I mean, we should at
8 least look at that issue a little bit more and delve into
9 it and analyze it and have a memo on it.

10 CHAIR FERNANDEZ: Okay, thank you. We are out of
11 time right now, and I think is everyone in agreement in
12 terms of moving forward as Commissioner Sadhwani and
13 Commissioner Toledo have mentioned.

14 Again, I want to thank both of you for doing just
15 an outstanding job pulling all this information, meeting
16 with stakeholders. It is a sensitive and people can become
17 very passionate about it, so, thank you so much. And, yes,
18 we are independent, so just a reminder to all of us.

19 Everyone is okay with that? Just give thumbs up.
20 Okay.

21 So, thank you so much again. We'll move forward
22 with that. We are going to break for lunch, and please be
23 back at 1:45. Thank you, everyone.

24 (Off the record at 12:46 p.m. for lunch.)

25 (On the record at 1:46 p.m.)

1 CHAIR FERNANDEZ: Welcome back, everyone. We are
2 going to continue on this journey of getting through the
3 subcommittees.

4 We have, as far as I'm aware, Commissioner
5 Sadhwani and Toledo, we are done with 9A, correct? Yes.
6 Okay, good. So, we're moving on to 9B, Finance and
7 Administration, Commissioner Fernandez and Fornaciari.
8 Commissioner Fornaciari.

9 COMMISSIONER FORNACIARI: I don't think we have
10 anything. No, nothing to report.

11 CHAIR FERNANDEZ: No, but I didn't want to say
12 anything.

13 Oh, the only thing I did want to follow up on,
14 Executive Director Hernandez, if you could please -- I sent
15 an email yesterday or the day before asking for -- what was
16 I asking for? Oh, the transcripts, because I noticed that
17 there haven't been any transcripts that have been uploaded.
18 So, if we could please find out what's going on with that.

19 EXECUTIVE DIRECTOR HERNANDEZ: Okay. We're still
20 working on that, but I will get back to you.

21 CHAIR FERNANDEZ: Okay, thank you. And we're
22 moving on to 9C, The Gantt Chart, Commissioners Kennedy and
23 Taylor. Commissioner Kennedy.

24 COMMISSIONER KENNEDY: Nothing further to report
25 after this morning's discussion. Once we have a little

1 more clarity I can go back in and update the Gantt chart.

2 CHAIR FERNANDEZ: I guess you can't hear me when
3 I said that. Thank you. I'm sitting here talking to
4 myself.

5 Okay. 9D is the VRA Compliance, Commissioner
6 Sadhwani and Yee.

7 COMMISSIONER SADHWANI: I don't think we have
8 anything more to update. Commissioner Yee?

9 COMMISSIONER YEE: I would hope that the report
10 from Eric McGhee was helpful to everyone. We'll continue
11 to digest what he presented as we think about our maps.

12 COMMISSIONER SADHWANI: And the VRA counsel, I
13 think that contract is being worked on, and Commissioner
14 Toledo will give that update as part of Legal Affairs.

15 COMMISSIONER YEE: That's all.

16 CHAIR FERNANDEZ: Commissioner Andersen.

17 COMMISSIONER ANDERSEN: I do have a quick
18 question. If the subcommittee please look at and bring
19 back to us the idea of starting just for general viewing,
20 not working with, but the CVAPS maps before we get counsel
21 on, you know, get that rolling now, so when counsel does
22 come aboard we can actually be ready to go. If the
23 subcommittee could look into that.

24 COMMISSIONER YEE: We can do it.

25 COMMISSIONER ANDERSEN: Thank you.

1 CHAIR FERNANDEZ: Okay, thank you. And Item 9E,
2 Outreach and Engagement. Commissioner Sinay and
3 Fornaciari.

4 COMMISSIONER FORNACIARI: I'll go. I think
5 Commissioner Sinay is chewing. So, let's see, we kind of
6 are at a transition point in education outreach stage here,
7 transitioning to, you know, public input. You know we'll
8 still obviously continue our education program, but we're
9 looking at transition to begin to really push to get COI
10 input.

11 And in looking at ways to do that we had this
12 idea of a COI blitz where we could engage community
13 partners, you know, as trusted messengers and kind of train
14 the ideas to -- you know, to work through them to get them
15 to, you know, generate input for the process. So, we're
16 working on that. You know, it's probably going to be
17 closely connected with the grant-making process and what
18 that ends up looking like.

19 So, you know more to come over the next couple of
20 weeks on exactly, you know, what the thought is and how
21 that's going to roll out.

22 We have the labor panel coming on what date? I
23 forgot the date.

24 CHAIR FERNANDEZ: The 14th, I believe.

25 COMMISSIONER FORNACIARI: The 14th I thought it

1 was.

2 CHAIR FERNANDEZ: May 14th.

3 COMMISSIONER FORNACIARI: Yeah. And, so, that
4 will probably be the last panel that we bring forward, I
5 think, and that's kind of where we're at. Did I capture it
6 all? Okay. Any questions? Thanks.

7 CHAIR FERNANDEZ: Agenda Item F is Language
8 Access. It's Commissioners Akutagawa and myself, and
9 Commissioner Akutagawa is not back yet.

10 So, we've been -- we have biweekly meetings with
11 our outreach staff, and right now I just want to make sure
12 everyone is aware that the translated materials are on
13 line. It's just very exciting for us. And we just
14 continue to have discussions regarding language access, and
15 also we bring forward information to the public, what is
16 it, Public Input Design Committee meetings. Any questions
17 with that?

18 Okay, we'll move on to 9G is Materials
19 Development, Commissioners Fernandez and Kennedy.
20 Commissioner Kennedy.

21 COMMISSIONER KENNEDY: Just to say that I think
22 at this point you and I had started talking about sitting
23 down with the Redistricting Basics presentation one more
24 time and some of the other materials just to go over and
25 make sure. We have small things like updating the language

1 about how many U.S. House seats California has, and the
2 fact that we already know now how many we will have in the
3 future. So, there are a few minor updates that we need.

4 I guess we would like to get an update from staff
5 on the status of the paper COI tool, for one.

6 CHAIR FERNANDEZ: Yes. Director Ceja.

7 COMMUNICATIONS DIRECTOR CEJA: So, we did chat
8 about that with yourself and Chair Fernandez. So, I made
9 the changes and I just shot it over back to both of you to
10 make sure that I captured it correctly. We can meet one
11 more time before we present it to the full Commission and
12 then send it off to the printer.

13 CHAIR FERNANDEZ: Great, thank you. And
14 Commissioner Sinay, I saw your hand up.

15 COMMISSIONER SINAY: Yeah. Part of the COI blitz
16 that we're envisioning is to actually shift -- you know, go
17 to the intermediate -- redistricting intermediate that
18 focuses more on communities of interest. And, so, we have
19 been sharing some ideas with Fredy, but just wanted to put
20 that bug in your ear as well to start looking at moving
21 that way so we can focus on people to do the action, not
22 just learn.

23 CHAIR FERNANDEZ: Great, thank you. Any
24 questions on that? Okay, we're moving right along to 9H,
25 which is the website. Commissioner Kennedy and Taylor, so,

1 Commissioner Kennedy.

2 COMMISSIONER KENNEDY: Okay. I have gone
3 through, or I am going through the website. I've got a few
4 things that I need to discuss with Commissioner Taylor
5 first, and then we can come up with some further
6 recommendations.

7 CHAIR FERNANDEZ: Any questions regarding the
8 website? Okay. We're moving on to --

9 COMMISSIONER YEE: Commissioner.

10 CHAIR FERNANDEZ: Oh, Commissioner Yee, sorry. I
11 was just anxious.

12 COMMISSIONER YEE: No problem. Just a quick
13 note. Not our website, but the auditor's website and the
14 Shape California's Future, the old selection website that
15 we all went through, that's down now. I just found that
16 out. Maybe you already knew that, but --

17 COMMISSIONER KENNEDY: Yeah, I had brought that
18 up at the last meeting and had asked Director Ceja to
19 liaise with the auditor's office to see if there's a way to
20 get that content for our website. So, he has said we have
21 to keep ability of posting the information. It's just a
22 question of getting in touch with the auditor's office and
23 actually getting the material so that we can put it on our
24 website.

25 COMMISSIONER YEE: Very good. Sorry old news, my

1 bad.

2 CHAIR FERNANDEZ: Not old news because some of us
3 may not have known that, so thank you. Director Ceja.

4 COMMUNICATIONS DIRECTOR CEJA: Yeah. So, it is
5 not old news because there was an article about that today
6 from the California Globe blasting the auditor's office for
7 having broken links. So, it's not just us that are asking
8 for that website to come back up.

9 Raul did check in with the auditor's office
10 working to get us at least the initial applications for all
11 the commissioners so we can add that to our website. It
12 would be nice to have the whole website up, but if there
13 are additional items you want to transfer over, let myself
14 or Raul know and we'll make sure we get that information.

15 And I just wanted to mention briefly that in the
16 conversation with the LA City Redistricting Commission,
17 they were boasting about our website, and I'm not just
18 saying that because I created it, but they said everything
19 makes sense, all the information makes sense, and they said
20 it's very easy for people to follow along to the point that
21 they want to redesign their website to mirror ours, so
22 that's awesome.

23 CHAIR FERNANDEZ: That is awesome, and that's
24 wonderful news and it is a great website, so thank you.

25 And I have Commissioners Kennedy and Fornaciari.

1 COMMISSIONER KENNEDY: Okay. Mr. Ceja, if I
2 understand you correctly, you're looking for the
3 application materials for the current commissioners, or for
4 the entire application pool, or for the 35 that went into
5 the random draw?

6 COMMUNICATIONS DIRECTOR CEJA: Just the current
7 commissioners for our website.

8 COMMISSIONER KENNEDY: Okay. So, when the first
9 eight sat to review the remaining applications we were
10 given all of that material, so I have all of that material
11 on my computer. I transferred it over from the old
12 computer to this computer, so if you need that, I can
13 provide it.

14 COMMISSIONER FORNACIARI: So I think, in addition
15 to that, I mean we talked about archival interests with the
16 information and all the deliberations that the first eight
17 did. I don't know if we have that now, but we should have
18 that on our website, too, because the auditor's office
19 hosted all those meetings.

20 CHAIR FERNANDEZ: Great points, and there
21 possibly could be some press releases, I believe, when the
22 first eight were appointed that might have already been
23 transferred over. I did ask for that to be transferred
24 over.

25 Commissioner Andersen.

1 COMMISSIONER ANDERSEN: And also, the training
2 for the different phases of line drawing, have a look at
3 all that. That was very, very valuable and would be
4 extremely helpful for any onboarding. I was actually
5 trying to share that with people and all of a sudden it was
6 gone.

7 And there were two sessions, what they trained
8 the advisory panel, and then training the first eight, and
9 they're slightly different. So, that would be very good to
10 have over.

11 CHAIR FERNANDEZ: Commissioner Kennedy.

12 COMMISSIONER KENNEDY: If it's going to help to
13 have a letter from the subcommittee to the auditor's
14 office, I'm happy to draft that.

15 CHAIR FERNANDEZ: Okay, great. And so just
16 Director Ceja and Executive Director Hernandez, if you do
17 need a letter, please reach out to Commissioners Kennedy
18 and Taylor for that. Thank you.

19 And other questions regarding the website?

20 Okay, we're going to move on then to 9I which is
21 Data Management, Commissioners Ahmad and Turner, and
22 hopefully everyone had a chance to download the document
23 that was posted. So, I'm turning it over to you.

24 COMMISSIONER AHMAD: Thank you, Chair. Well,
25 first you all have heard the update from earlier today that

1 the position for the data manager has been established, so
2 that is going to move forward, hopefully quickly. So,
3 that's great news to start with.

4 Commissioner Tuner and I have posted a document
5 for your review. I'm hoping everyone had a chance to look
6 at that document. It is a high-level overview of what our
7 recommendation is in terms of a data management software.

8 We have met with USCR and our line drawers
9 multiple times to go over the pros and cons of various
10 platforms that exist out there. We're looking for
11 something that's off the shelf, not looking to create
12 something from scratch. And we have landed on the
13 recommendation of purchasing a pro license for Airtable.
14 And then we will be working -- if that is approved by the
15 Commission, we will then work with USCR to start building
16 out that data base which we were told will be relatively
17 quickly so we have a skeleton format and start testing out
18 how that input, whether it be from the COI tool, whether it
19 be from snail mail, whether it be from verbal testimony,
20 how that input will land into that centralized data base
21 that will be accessible to the commissioners and to the
22 public.

23 Commissioner Turner, am I forgetting anything
24 else?

25 COMMISSIONER TURNER: No, I think that's all we

1 need for an update.

2 COMMISSIONER AHMAD: Okay. And I know in some of
3 the previous meetings you all had given us the blessing to
4 go forward with the data management piece, but Commissioner
5 Turner and I felt the need to bring this forward as we are
6 looking to start some expenditures on this. The pro
7 license is \$20 per month for a user, so it's extremely less
8 expensive than we were anticipating.

9 And we're going to lean on staff and the data
10 manager that we hire to determine the number of users for
11 that and how it will be accessed with our internal data
12 management team as well as the line drawers.

13 So, that is our recommendation. We're here for
14 questions from commissioners, and after that we are ready
15 to make a motion.

16 So, I see Commissioner Sinay.

17 COMMISSIONER SINAY: Thanks. I think this
18 recommendation is great. My only concern that relatively
19 quickly doesn't really give us a lot. Do we have a better
20 sense of the timeline, or can we get a timeline with, you
21 know, a more concrete timeline?

22 COMMISSIONER AHMAD: A timeline for what?

23 COMMISSIONER SINAY: For when it will be built
24 and up and going so that we can do the other things we want
25 to do with the data.

1 COMMISSIONER AHMAD: At this point I am not
2 comfortable giving a date as to when it will be up and
3 running. This is the first step in getting that process
4 moving forward, and once we have run our internal tests to
5 see how that data flow works, we'll be able to better
6 determine how -- what that timeline will look like. But,
7 unfortunately, at this time I'm not comfortable providing a
8 date.

9 CHAIR FERNANDEZ: So, Commissioner Ahmad, your
10 estimated timeline on the document, is that -- that's
11 something we can refer to now in terms of estimates, right?

12 COMMISSIONER AHMAD: Sure. You can refer to the
13 estimates, and this is based off the expertise from our
14 partners on this, but again, it was very intentional that
15 we didn't put a date on this.

16 CHAIR FERNANDEZ: I get it.

17 COMMISSIONER AHMAD: I think we all know things
18 shift and change, so we just wanted to make sure we account
19 for that.

20 CHAIR FERNANDEZ: Commissioner Fornaciari and
21 then Commissioner Sadhwani.

22 COMMISSIONER FORNACIARI: Yeah, this is great.
23 Looks great. Outstanding. This version of Airtable, we
24 can -- you have, I think, unlimited basis, right, with this
25 level, and so, I mean, cause we're talking about using

1 Airtable for the outreach thing we're building and, you
2 know, if we're going to build a queueing system for public
3 input meetings, you know, that might be an Airtable, too.
4 So, I was just wondering if this license could be applied
5 to all those things. I think it can, but --

6 COMMISSIONER TURNER: I think my recommendation,
7 and we still will need to talk about that in conjunction
8 with the table that they're building for the other queueing
9 purposes is to keep this one pure. There -- our
10 understanding is that it's not unlimited. There's a
11 records limits base of 50,000, and we do have plans should
12 we start to approach that number for getting a secondary
13 license, but we would not want to go in using the same
14 license for the queueing system.

15 CHAIR FERNANDEZ: Okay. Thank you for that.
16 Commissioner Sadhwani.

17 COMMISSIONER SADHWANI: Thanks. I feel like you
18 have said this before, so I just wanted to confirm -- now
19 I've lost the memo in front of me, but you have on her
20 ability to make restricted views of data publicly
21 available. And just remind me, does that mean that the
22 system is set up in such a way that if we can link it to
23 our website when we receive an input into Airtable it can
24 automatically be generated onto our website from the
25 perspective of making sure all of the input we receive is

1 publicly available? Is that what that means, or after we
2 input it into Airtable would we secondarily have to post it
3 to the website? Is it auto-generated or --

4 COMMISSIONER AHMAD: I think this tool, the
5 reason why we landed on it is because -- it can be -- let
6 me figure out the right word. It can be displayed on line
7 without replicating it. So, there won't be an additional
8 touch to the data from the database to make it available
9 for the public.

10 COMMISSIONER SADHWANI: That's exactly what I was
11 asking, and that's really super exciting news.

12 CHAIR FERNANDEZ: Any other -- I do have a
13 question. You probably -- I'm going to say the same thing
14 that Commissioner Sadhwani said. You probably already
15 mentioned this. But, so will be -- I'm trying -- like in
16 my head I'm trying to just get it altogether. Will the
17 public input from the COI tool automatically cede into the
18 database that we're going to build or how will that -- I
19 mean is it going to be like almost like a real time, you
20 know, coming into the system or -- you understand what I'm
21 asking?

22 COMMISSIONER AHMAD: No, my dream would be to get
23 an API from Statewide Database that connects the COI tool
24 directly to Airtable, and then as you punch in that data
25 into the COI tool it will automatically move over to

1 Airtable.

2 I'm not a tech expert; I won't pretend to be one.
3 So, that's where we're leaning on USCR and Statewide
4 Database, their technical side of the team to give us the
5 information, if that's possible. Currently what we have
6 learned is that it's more batch loads. It's more batch
7 loads that will jump into Airtable, but there's an
8 opportunity to try something differently and use some of
9 the new technology that's out there to expedite and make
10 our processes more efficient. So, as soon as we learn more
11 we'll definitely bring that forward.

12 CHAIR FERNANDEZ: Great. Thank you. Are there
13 other questions for the data management? It's actually
14 exciting news.

15 So, at this point do we -- Marian, do we need to
16 have a motion to move forward with the Airtable? Is Marian
17 here?

18 MS. JOHNSTON: I think you can leave that just up
19 to staff if you direct staff to do it.

20 CHAIR FERNANDEZ: Okay. Is everyone okay with
21 just moving forward with that? Okay, great. So, thank you
22 so much. Great update. Love it.

23 Okay, now we're going to J, 9J is Grants. It's
24 Commissioner Akutagawa and Le Mons.

25 COMMISSIONER LE MONS: Good afternoon.

1 CHAIR FERNANDEZ: Oh, he's here, great.

2 COMMISSIONER LE MONS: Good afternoon. So, we're
3 prepared to give an update. As you all know, we entered
4 into this process pioneering our approach to expand
5 community involvement at a grass roots level and really
6 support those efforts through this process. And we thought
7 we had had it all sorted out, and we talked about it for
8 months and explored various paths.

9 And the hang-ups -- I know you've probably been
10 wondering what is going on with that subcommittee because
11 we've been deferring each meeting to the subsequent meeting
12 with regard to a more substantive update.

13 So, what we were grappling with was this question
14 of our authority as a Commission to actually grant. And,
15 so, we have consulted with -- we've gotten advice, legal
16 advice from multiple sources to support the new
17 recommendation which is to go with an RFP, so we're going
18 to need to go with an RFP process. It was also what is the
19 path to make this happen.

20 So, we're in the process right now of putting
21 together that draft RFP, working with staff and plan to
22 have a -- I'm hoping as early as tomorrow a draft scope of
23 work that we can put forward.

24 So, there's two things that we think is really
25 important because the seemingly complexity of this process,

1 as well as being very, very intentional and direct of what
2 we're asking a contractor who would be dispensing this
3 money on our behalf, making sure that we're very, very
4 clear in what the work product on the back end needs to be.

5 So, our goal is to have posted a draft scope of
6 work for the Commission's review. We will agendize it so
7 that we can have a robust discussion about it, as well as
8 have the public be able to weigh in on it as well. And
9 depending upon -- and we're trying to do that as early as
10 the series of meetings attached to make our team. And then
11 dependent upon on far we get and the discussion, itself,
12 we'll dictate whether or not there will be any formal
13 action taken at that time. We're not wanting to rush this,
14 as much as we understand that timing is of the essence, we
15 feel like it's going to be very important that
16 commissioners fully understand and feel like they've had
17 appropriate buy in and support to what the final scope of
18 work will look like as well as the public.

19 So, I know some of the feedback we've gotten in
20 the past is that, you know, people don't have enough time
21 to really digest and feel comfortable with a full
22 understanding of the process before the process sort of
23 moves ahead. So, we're really managing for that as well
24 while keeping in mind that we still need to move
25 expeditiously on this process, because it's several steps,

1 in order to get the resources to the community so that the
2 work can be done.

3 What we anticipate is the primary focus of the
4 work is going to be at the map response level, so, it's not
5 going to be a high emphasis on this early education piece
6 that we've been doing ourselves. That's not going to be
7 the primary focus of the work. It's going to be more
8 focused on the community involvement or feedback with the
9 draft maps and subsequent follow-up maps.

10 So, that's where we are. It's a little bit more
11 information. Again, you can anticipate, I'll know better
12 tomorrow whether we're going to be able to have that draft
13 scope of work ready to post in time for that May 13th
14 meeting -- no, I'm sorry, take that back. It will be
15 posted. Our goal is to get it posted as early as possible
16 to give commissioners as much time and the public as much
17 time to review it prior to that next series of meetings.

18 That's where we are.

19 CHAIR FERNANDEZ: Okay, thank you. I guess it's
20 -- the direction is different I guess in my understanding.
21 I thought it was more -- the outreach was more for the
22 public input prior to the maps, like the education phase,
23 and so I guess it's a little different than what I thought.

24 Any questions from the commissioners?

25 COMMISSIONER LE MONS: I'll just say that's not

1 in stone, of course, and we also have to manage this
2 against timing, right. So, we've got to get the most
3 result for the money as to where we are in the process.
4 So, we're already in May might as well say, right.
5 Saturday is May. So, we're going to be -- and I think
6 considering the robust discussions we've had earlier today
7 about the possibility of then moving what we might do
8 sooner, I think it's got to be -- I guess the long and
9 short of it is going to have to be aligned with our
10 timetable, so that will influence the scope. But it is
11 going to focus more on really getting that feedback to the
12 maps, which is what's really, really important, right, in
13 our work. But again, that's not in stone and we want to
14 give commissioners as much time to review the scope ahead
15 of time and provide -- and we're going to set aside enough
16 time in the agenda to have robust discussion about it, and
17 again, also be able to get any feedback from the community
18 as well.

19 CHAIR FERNANDEZ: Okay. I had Commissioner Sinay
20 and then Toledo. Are you passing, Commissioner Sinay?
21 Okay, Commissioner Toledo.

22 COMMISSIONER TOLEDO: No, I'm just remembering
23 that the timeline that was proposed back in January had us
24 releasing funds I believe, if my memory serves me, in
25 March, and correct me if I'm wrong. So, I'm just

1 wondering, when we come back with the package, when would
2 you -- and maybe this is too early, I don't know, but I'm
3 just wondering when would the release of funds be in the
4 revised budget to the community groups or to the
5 foundation, or if the subcommittee has thought about that.

6 COMMISSIONER LE MONS: Well, we certainly have
7 thought about the impact at previous times (indiscernible).
8 And I am going to respond quite like Commissioner Ahmad.
9 I'm not comfortable addressing the timeline at this time or
10 direct release, but that will be a part of that discussion
11 in our next series of meetings.

12 COMMISSIONER TOLEDO: Okay. Appreciate that.
13 Thank you.

14 COMMISSIONER LE MONS: Of course.

15 CHAIR FERNANDEZ: Commissioner Sinay.

16 COMMISSIONER SINAY: Commissioner Le Mons, if
17 there are ideas on how -- well, let me put it this way.
18 Yeah, the libraries are going to be critical for the
19 community of interest input and over summer, especially in
20 rural areas.

21 You know, is there a way to have a conversation
22 with the Grants Committee to see how we can support that
23 over the summer versus, you know, wait to support them at
24 the map drawing.

25 COMMISSIONER LE MONS: Absolutely. I would say

1 if there's any strong request as it relates to focus to
2 send that to staff, and then that way, even if it's put
3 down as discussion points, because again, none of this
4 scope is moving forward until we've had the discussion I've
5 described. And, so, I think that that will be the time,
6 but if you have some strong desires now, I would say move
7 those forward, send them to the director of outreach, Ms.
8 Kaplan and Raul, and they will make sure that at least
9 they're noted in the documentation that's going to come
10 forward, and then we'll have that discussion at that time.

11 I think that's a very good point you're raising,
12 and again, we're going to have to look at what are our
13 priorities. Some things will be specific based upon that
14 operation, like libraries, where the summer is the optimal
15 time, you know, how does that impact what we're doing? How
16 does that impact timelines? So, I think those are all
17 considerations for that discussion.

18 COMMISSIONER SINAY: Thank you.

19 COMMISSIONER LE MONS: You're welcome.

20 CHAIR FERNANDEZ: Any other questions? Okay.

21 Thank you, Commissioner Le Mons.

22 We will move on to 9K, Communities of Interest,
23 Commissioners Akutagawa and Kennedy, so Commissioner
24 Kennedy.

25 COMMISSIONER KENNEDY: Thank you, Chair. We did

1 receive a report that we requested from Statewide Data Base
2 regarding the communities of interest tool. So, as far as
3 statistics there were as of earlier this week 221
4 registered users of the communities of interest tool from
5 which 167 submissions had been received. They have chatted
6 with 34 individuals via the chat function, and so far there
7 is one submission in Spanish. The remainder are in
8 English. They've had no phone calls for support as far as
9 FAQ's.

10 Apparently there are quite a few account
11 verification emails ending up in people's spam folders, but
12 Statewide Data Base does not have any way to override, you
13 know, internet mail providers spam filters and so forth, so
14 it doesn't seem that there's a whole lot we can do for that
15 other than to advise people to check their spam folders to
16 see if their account verification email has landed there.

17 They are continuing to recruit staff for the
18 access centers. The Statewide Data Base and their
19 legislative counterparts have asked be added to the agenda
20 for our May 24th and 25th meeting. I believe that's on the
21 agenda document.

22 Now, as far as the issue of a heat map showing
23 where communities of interest input is coming from, the
24 response from Statewide Data Base is that that is not
25 something that they are offering. So, this may be

1 something that we need to take up with the data management
2 team or find some other way. But we continue to believe
3 that it would be very helpful for us to be able to show the
4 public the areas in the state from which we are receiving
5 communities of interest input through the online tool.

6 CHAIR FERNANDEZ: Thank you. Commissioner
7 Fornaciari.

8 COMMISSIONER FORNACIARI: Yeah. Commissioner
9 Kennedy, did you get a chance to talk with the Statewide
10 Data Base about the content of the email that gets sent
11 back to the -- you know, people who put COI input. I don't
12 know if you recall at the last meeting while we were having
13 the meeting I submitted it. The website was wrong and it
14 also said there were going to be several attachments, but
15 only the PDF was attached.

16 COMMISSIONER KENNEDY: Okay. I have not yet, but
17 I will pick that up and get back to --

18 COMMISSIONER FORNACIARI: I think I forwarded you
19 the email.

20 COMMISSIONER KENNEDY: Yes.

21 COMMISSIONER FORNACIARI: Okay, very good. Thank
22 you.

23 CHAIR FERNANDEZ: Thank you. Commissioner
24 Kennedy, when the Statewide Data Base, when they said
25 that's something they're not offering, does that mean they

1 have the capability? You may not know. Does that mean
2 they do have the capability or don't have the capability,
3 and if they do have the capability, that's just not
4 something they're offering?

5 COMMISSIONER KENNEDY: That I do not know. I
6 will remind colleagues that the whole idea of the
7 communities of interest tool is something that was
8 developed before this 2020 Commission was established. It
9 was discussed, negotiated between Statewide Data Base and
10 the Legislature. I have asked on multiple occasions for
11 any documentation as to scope of work or anything, and I've
12 been told that there is no such documentation that we'd be
13 able to get. So, can't help you.

14 CHAIR FERNANDEZ: Okay, interesting. It's
15 interesting there wouldn't be a statement of work. If
16 you're giving someone funding to create something, you
17 would think there would be some sort of deliverables. So,
18 interesting. Thank you, though, I really appreciate you
19 bringing that forward.

20 Any other questions for community of interest
21 tool? Commissioner Andersen looks perplexed.

22 COMMISSIONER ANDERSEN: Yeah, that's certainly
23 not the understanding that we had in discussions. I'm
24 wondering why. Is it a distinction of roles? Is it not
25 tough? Could you give us a little more feedback of this

1 is what we are doing, these three things, that's that?

2 COMMISSIONER KENNEDY: The response was in terms
3 of the map showing the areas covered by submissions, this
4 is not something the Statewide Data Base is offering. This
5 may be a question that you intended to direct to Haystaq/Q2
6 as a part of the line drawing RFP. While it would not have
7 been something that I would have posed to Q2 and Haystaq,
8 if anything, I think it is something that our data
9 management team might be able to assist us with.

10 COMMISSIONER ANDERSEN: No, this is -- okay, this
11 is a question of roles, then. Okay. And we'll continue
12 that conversation with the line drawers.

13 CHAIR FERNANDEZ: Thank you. Commissioner Sinay.

14 COMMISSIONER SINAY: What Commissioner Kennedy is
15 saying is exactly what they said to me way back when I did
16 the first -- you know, when we did the first -- when we
17 played with the COI tool the first time and gave them
18 input, and I asked about a heat map and can we do it. They
19 said you can do whatever you want, but that part is going
20 to fall on the Commission, not on us. You know, we just do
21 the tool. So, what Commissioner Kennedy is saying is, you
22 know, after it that we do need to think how we are going to
23 do it with the database and the website subcommittee.

24 CHAIR FERNANDEZ: Commissioner Sadhwani.

25 COMMISSIONER SADHWANI: Yeah. I think this is a

1 line drawer question. In the proposal that Q2/Haystaq had
2 sent us they had in it that they would create a -- I think
3 they referred to it as a PinMap, not a heat map, but
4 ultimately whatever we want, right. I'm assuming whatever
5 we want.

6 So, I do think that the Q2/Haystaq team would
7 develop it as a part of their contract with us, not
8 Statewide Data Base. That was my understanding.

9 COMMISSIONER ANDERSEN: And there is a -- the way
10 the contract actually reads is they will work with a
11 contractor, so it covers, and that's part of the line
12 drawing, so who's exactly doing what. And, so, we
13 requested the information from Statewide Data Base. Now we
14 will go back and talk to the line drawer with data
15 management as well. So, that's certainly something that we
16 will bring up with the line drawers and then proceed,
17 because it is part of the contract.

18 CHAIR FERNANDEZ: Okay. Any other questions for
19 the community of interest tool?

20 Okay. We're moving on to 9L, Cybersecurity,
21 Commissioners Fornaciari and Taylor, so Commissioner
22 Fornaciari.

23 COMMISSIONER FORNACIARI: Yeah, sure. I mean
24 nothing substantial to report other than just think about
25 password and password protection, strong passwords.

1 Probably not the best idea to write your password on a post
2 note and then take a picture of your computer and share
3 that. It's a thought.

4 CHAIR FERNANDEZ: Okay. I'd better take it down,
5 then.

6 Any questions for Cybersecurity? Thank you for
7 the useful information.

8 Okay, 9N is Incarcerated Population. So, we
9 opted to split out Incarcerated Populations. One is state
10 and local facilities, which his Commissioner Sinay and
11 myself, and then another one is for federal facilities,
12 which is Commissioners Kennedy and Turner.

13 Commissioner Kennedy, do you have a question for
14 the Cybersecurity?

15 COMMISSIONER KENNEDY: No. This is a point of
16 clarification on this.

17 CHAIR FERNANDEZ: Oh, okay.

18 COMMISSIONER KENNEDY: There was a proposal to
19 set up a separate subcommittee on federal facilities. I
20 was chair at the time and did not act on that suggestion,
21 so what we have is Commissioner Turner and I acted as an ad
22 hoc drafting committee to draft a letter to Senator Padilla
23 which we have done, and that is among the handouts for
24 today's meeting, so we're happy to receive feedback and
25 direction on that letter.

1 CHAIR FERNANDEZ: Okay. So I'll officially
2 establish a subcommittee of incarcerated people for federal
3 facilities with Commissioners Kennedy and Turner, but first
4 we'll go to 9M, which is incarcerated populations for state
5 and local facilities, and that's Commissioner Sinay and
6 myself. Commissioner Sinay.

7 COMMISSIONER SINAY: Yeah. We have nothing to
8 report right now. We will be working on outreach plan to
9 bring back to the full Commission.

10 CHAIR FERNANDEZ: All right. Thank you. Any
11 questions? We'll move on to 9N, incarcerated populations
12 for federal facilities. Commissioners Kennedy and Turner.

13 COMMISSIONER KENNEDY: You have before you our
14 draft letter.

15 CHAIR FERNANDEZ: Commissioner Sinay.

16 COMMISSIONER SINAY: I thought the letter was
17 excellent, and I just -- I just wanted to clarify, did we
18 send you the update from the Statewide Data Base on what
19 they had? Okay. So, I didn't know if that changed
20 anything for the letter.

21 COMMISSIONER KENNEDY: Well, the letter was
22 obviously drafted before we received that, so we're happy
23 to receive suggestions or direction from the full
24 Commission as to how we might change the draft letter.

25 CHAIR FERNANDEZ: Any comments? I did write

1 something down. I put federal inmates can claim residency
2 in other states as long as they have a family or someone
3 that sponsors them, which is vice versa if there's inmates
4 in -- incarcerated people in other states, they can claim
5 residency in California. But I can't remember where I was
6 thinking that should go in the letter. But thank you so
7 much for drafting the letter. It's good.

8 COMMISSIONER KENNEDY: Commissioner Turner.

9 COMMISSIONER TURNER: Thank you. And in response
10 to Commissioner Fernandez, I think for me the intent of the
11 letter -- that is, what you stated is corrected. I think
12 the letter was just basically seeking support from Padilla
13 to encourage the release of the data from Federal Bureau.
14 We -- instead of just waiting until 2030. This was our
15 attempt to push it along and hopefully receive information
16 that will be reusable for now in this particular cycle, and
17 if not, it begins conversation for where we certainly
18 believe we should be going by 2030.

19 CHAIR FERNANDEZ: Yes, great. Thank you. Any
20 other comments or feedback regarding the letter to Senator
21 Padilla? Commissioner Andersen.

22 COMMISSIONER ANDERSEN: First of all, great
23 letter. And to follow on exactly what Commissioner Turner
24 just said, we're actually sort of asking for two things,
25 but we need like another sort of punch line after, you

1 know, we're requesting for the April 2nd because it blurs
2 right into the next one, and until Commissioner Turner
3 brought that to my attention I didn't catch that those are
4 two distinct things.

5 And you know how when they're really busy they're
6 going to zip right through this, and so I think adding --
7 you know, I'm not sure exactly what, but adding something
8 else under the first one to emphasize that, then we further
9 ask is the secondary because I didn't catch that, you see.
10 See, it's basically just one sentence. You need to have
11 another sentence in there. I'm not exactly sure what, but,
12 otherwise, it's very good.

13 COMMISSIONER TURNER: So the -- go ahead.

14 COMMISSIONER KENNEDY: I was going to say maybe
15 we can just bullet the two requests.

16 CHAIR FERNANDEZ: Commissioner Sinay.

17 COMMISSIONER SINAY: Yeah. So, the Statewide
18 Data Base let us know that they were able to get from the
19 Bureau of Prisons on April 1, 2020, they claim the State of
20 California, those who claimed as State of California that
21 were in their residence was 10,326, but it's not broken
22 down. And, so, they -- we still need to have the
23 conversation of what we do -- you know, if we can get
24 better information and what we do with that, with the
25 number that they did give. And, so, I just want to know,

1 we'll have that discussion at a later date or just wait
2 until we hear back from (indiscernible), we can get more
3 information -- more detailed information.

4 COMMISSIONER TURNER: One piece that we may
5 consider, and Commissioner Kennedy is just incorporating
6 because the key for me in the request, it says any useful
7 information, and again, that bulk number does not
8 necessarily provide us with the level of detail that I
9 would consider useful, so we can perhaps mention, though,
10 we received this, the 10,000 figure, and, you know,
11 grateful for that, and still looking for this other
12 information so that we're able to actually allocate the
13 population of individuals in their proper places.

14 CHAIR FERNANDEZ: That's a good point because to
15 receive the input in 10,000 in California, yet 14,000 are
16 in the facilities, so there's a gap there, too, so we have
17 no idea where they're located throughout the state, in
18 which facilities.

19 Somebody else's hand was up. I apologize.
20 Commissioner Andersen.

21 COMMISSIONER ANDERSEN: Okay. I have something
22 like -- we are requesting your assistance, blah, blah,
23 blah, April 2nd. Our purpose is to have data in a form
24 that would enable us to reallocate Californians into their
25 -- using the same word you used before, into their -- I

1 don't want to say where they live, but however you used the
2 word before. Does that help?

3 COMMISSIONER KENNEDY: Yes.

4 COMMISSIONER ANDERSEN: So, our purpose is to
5 have data in a form that would enable the reallocations of
6 Californians into --

7 CHAIR FERNANDEZ: Okay. Commissioner Fornaciari.

8 COMMISSIONER FORNACIARI: I'm just going to put
9 my Finance and Administration Subcommittee hat on, and
10 remind us all that if this is going to go out on behalf of
11 the entire Commission, the policies that we approve it, and
12 we can approve it with revisions.

13 So, if we're comfortable with the revisions that
14 we've asked for at this point and want them to go ahead,
15 then we can make a motion, or, you know, if you want to
16 bring it back to the next meeting, that's fine, too, but I
17 just want to remind everybody of the process.

18 CHAIR FERNANDEZ: Thank you. Commissioner Sinay.

19 COMMISSIONER SINAY: So, should we approve all
20 three letters we talked about today with revisions at the
21 same time, because we also had the letters that Government
22 Affairs drafted. Maybe it was one letter. I can't
23 remember, Commissioner Toledo.

24 COMMISSIONER TOLEDO: I believe it's one letter.

25 COMMISSIONER KENNEDY: Yeah, one at a time

1 probably.

2 CHAIR FERNANDEZ: Okay. Commissioner Fornaciari,
3 remind me again of the policy that you and I drafted. It's
4 been a while.

5 COMMISSIONER FORNACIARI: Yeah. Well, I just
6 reread it to remind myself. Yeah, if correspondence on
7 behalf of the entire Commission, it will be drafted by the
8 appropriate people, reviewed by the ED Legal and the
9 current Chair and Vice Chair. The final will be brought
10 forward to the full Commission, and the Commission will
11 then vote to determine what action to take, approve, deny
12 revise. And then the current Chair or designee will sign
13 the final version prior to release.

14 So, we're at the last bullet points, I guess. So
15 we could approve with revisions and then, you know, go
16 ahead and finalize the letter, and then you, you know, put
17 it on letterhead, you sign it and send it.

18 CHAIR FERNANDEZ: I thought -- I don't remember.
19 When we were talking about if it's a letter under the full
20 Commission we thought it was like everyone pretty much
21 signing it, like it's their signature versus a subcommittee
22 that is sending the letter. That's a different process,
23 correct?

24 COMMISSIONER FORNACIARI: Well, the other process
25 is just a response by the Chair. So, if there's a request

1 that comes in that doesn't need the full Commission's
2 approval, the chair, you know, at the time can send a
3 response.

4 But this one is on behalf of the entire
5 Commission, so it requires the Commission to approve it

6 CHAIR FERNANDEZ: Okay. All righty then. So, we
7 will -- based on that -- maybe we'll go back to the policy.
8 We'll look at the policy again to see if there's another
9 way to do this that might be a little bit more efficient.

10 So, part of it is we could actually approve the
11 letter, right, with potential changes based on if -- and
12 I'm talking about the one for the governors -- for the
13 governor regarding COVID and lifting the executive order.
14 Potentially we could have a motion that would move to
15 finalize the letter, and move forward with the revisions.
16 We don't have to have the actual final, final language,
17 right, Commissioner Fornaciari. Okay.

18 COMMISSIONER FORNACIARI: Right. We can approve
19 it with the requested revisions and have those incorporated
20 in the letter sent.

21 CHAIR FERNANDEZ: And we could do the same with
22 the letter to Senator Padilla, then. So we could take both
23 of them with the changes, similar to how we did the policy,
24 the policies would have changes and then (indiscernible).
25 Okay.

1 Okay. Any other comments regarding the Padilla
2 -- the letter to Senator Padilla? Okay. So we would need
3 a motion to move forward, unless we want to wait for two
4 weeks, which I don't know if we want to wait two more weeks
5 for this to get started, conversation. I think the sooner
6 the better.

7 Commissioner Kennedy.

8 COMMISSIONER KENNEDY: I will also report that I
9 was advised that I could send a letter as Chair alerting
10 the office to the issue and telling them that a formal
11 letter from the full Commission would be forthcoming.

12 So, this was because time was of the essence to
13 get this onto the Senator's radar in time for the hearing
14 that was being held like 48 hours after we discussed this
15 last time.

16 So, I was able to get a letter to his office just
17 in my capacity as chair, not on behalf of the entire
18 Commission, and I did speak with staff who said that they
19 weren't sure whether he was going to have enough time to
20 bring this up in the hearing but that he would ensure that
21 the question was at least entered into the record and the
22 staff would follow up with BOP for a reply to the question
23 that was entered into the record.

24 I have not heard further from him, but that is --
25 so, in my mind you're not under time pressure because we

1 were able to get the question in front of the Senator
2 before the hearing. This is, you know, the promised formal
3 letter from the full Commission that I indicated would be
4 forthcoming.

5 CHAIR FERNANDEZ: Okay. So, would you prefer for
6 us to wait or -- I mean my preference would be to move
7 forward with it.

8 COMMISSIONER KENNEDY: That's fine. That's fine.

9 CHAIR FERNANDEZ: Okay, all right. Okay. I will
10 make a motion that we move forward, and I think I'm going
11 to make two motions and do both letters and then go to
12 public comment at one time.

13 So, this will be that we move forward with the
14 letter to Senator Padilla with the discussed changes as a
15 Commission. So, that's my first one.

16 And then the other one is we move forward with
17 the letter to Governor Newsom. Thank you for someone
18 helping me. To Governor Newsom regarding the COVID -- the
19 potential executive order being lifted and the impact that
20 would have on the Commission.

21 COMMISSIONER TURNER: I second.

22 COMMISSIONER YEE: Second.

23 CHAIR FERNANDEZ: Wow, it's a tie between --
24 okay. So, I need to write this down. Executive Director
25 Hernandez, did you get it?

1 EXECUTIVE DIRECTOR HERNANDEZ: Yes. That's what
2 I'm trying to do right now. So, I have the motion to move
3 the finalized letter to Senator Padilla regarding federal
4 incarcerated population with discussed changes; is that
5 correct?

6 CHAIR FERNANDEZ: Yes.

7 EXECUTIVE DIRECTOR HERNANDEZ: And that motion
8 was brought by yourself, Chair, and then it was seconded by
9 whom?

10 CHAIR FERNANDEZ: We'll give the second to
11 Commissioner Turner.

12 EXECUTIVE DIRECTOR HERNANDEZ: Okay, thank you.
13 And then I'll have to do the second letter separately. As
14 you know, we're trying this new system and process where
15 we're capturing the information real time so that we can do
16 the vote. Thank you.

17 CHAIR FERNANDEZ: Wait. So, you're not writing
18 it down right now?

19 EXECUTIVE DIRECTOR HERNANDEZ: I wrote down the
20 first one. That one is ready to go. I can share it on my
21 screen if you'd like. I know that we have to more than
22 likely go to public comment, then we take a vote.

23 CHAIR FERNANDEZ: Right. So, I wanted to go to
24 public comment for both of them at one time instead of
25 having to do one vote and then having the public comment,

1 and then do the other vote, public comment. So, I'm trying
2 to be a little bit efficient.

3 EXECUTIVE DIRECTOR HERNANDEZ: Yes. I will do my
4 best to incorporate that second request here. And this is
5 the letter to the Governor's office regarding COVID?

6 CHAIR FERNANDEZ: Yes. And while you do that,
7 does anyone have questions before we go to public comment?
8 Is Katy back for public comment, Kristian, or is it still
9 you? Oh, Katy's back. Yay. I'm pretty sure Kristian
10 missed you this morning.

11 PUBLIC COMMENT MODERATOR: He sent me a text. I
12 felt very bad. I was on another job, though. Okay, so are
13 we good to go?

14 CHAIR FERNANDEZ: We are good to go. Thank you.
15 And this is public comment for the two letters, one letter
16 to Senator Padilla, and the other letter to Governor
17 Newsom.

18 PUBLIC COMMENT MODERATOR: Okay.

19 CHAIR FERNANDEZ: Thank you.

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

1 is -- wanted to make sure I had the right number --
2 98199802683 for this meeting. When prompted to enter a
3 participant I.D., simply press the pound key.

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

7 When it is your turn to speak, you'll hear a
8 message that says, "The host would like you to talk, and to
9 press star six to speak."

10 If you would like to give your name, please state
11 and spell it for the record. You are not required to
12 provide your name to give public comment.

13 Please make sure to mute your computer or
14 livestream audio to prevent any feedback or distortion
15 during your call.

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

19 And the public comment at this time is the two
20 motions that are on the floor relating to the two letters,
21 one to the -- I know it's a Senator.

22 CHAIR FERNANDEZ: One to Senator Padilla.

23 PUBLIC COMMENT MODERATOR: You said Secretary of
24 State, though.

25 EXECUTIVE DIRECTOR HERNANDEZ: That's correct.

1 PUBLIC COMMENT MODERATOR: And then the other
2 letter is to --

3 CHAIR FERNANDEZ: Governor Newsom.

4 PUBLIC COMMENT MODERATOR: -- the governor, okay.
5 We do not have anybody in the queue at this time.

6 CHAIR FERNANDEZ: Okay. We'll wait another
7 minute or so. We did kind of give a forewarning that it
8 was coming, so, hopefully, people are dialing in if they
9 would like to comment now. And we have a comment.

10 PUBLIC COMMENT MODERATOR: We do have a caller.
11 I would like to remind all callers to press star nine to
12 raise your hand indicating you're calling in to make a
13 comment. Star nine will raise your hand. Perfect. Thank
14 you so much. I will open the line. And go ahead, the
15 floor is yours.

16 MS. WESTA-LUSKE: Hello. This is Renee Westa-
17 Luske. I support sending both letters, but I would like to
18 make a suggestion regarding the one for Senator Padilla's
19 office. I think you should make a bold subject, colon, and
20 then put, urgent, need previous residence of individuals
21 held at federal facilities for CRC accurate census data, so
22 that it grabs their attention right away. They're going to
23 pay attention to it quickly, and it hones in on the most
24 important point of that letter is you really want the data
25 this year and not have them thinking, oh, I don't have to

1 do this until 2030. I think it needs to be made to look
2 urgent, which it is and important for accurate census data
3 for this year's redistricting.

4 That's my comment. Thank you.

5 CHAIR FERNANDEZ: Thank you for your comment, Ms.
6 Westa-Luske.

7 PUBLIC COMMENT MODERATOR: And that was our
8 public comment at this time.

9 CHAIR FERNANDEZ: Okay, thank you. Okay.
10 Executive Director Hernandez, are you ready? Okay.

11 EXECUTIVE DIRECTOR HERNANDEZ: I am ready.

12 CHAIR FERNANDEZ: Okay.

13 EXECUTIVE DIRECTOR HERNANDEZ: So, again, this is
14 the first motion, a letter to Senator Padilla to move the
15 finalized letter regarding federal incarcerated population
16 with discussed changes. Motion made by Commissioner
17 Fernandez. Time of the motion 2:43. Motion seconded,
18 public comment would be one. And we will begin here.

19 CHAIR FERNANDEZ: It's 2:43 p.m.

20 EXECUTIVE DIRECTOR HERNANDEZ: Thank you. It
21 feels like a.m. What can I say? All right. And we will
22 begin here after Commissioner Fernandez. So, Commissioner
23 Fornaciari.

24 COMMISSIONER FORNACIARI: Yes.

25 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner

1 Kennedy.
2 COMMISSIONER KENNEDY: Yes.
3 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner Le
4 Mons.
5 COMMISSIONER LE MONS: Yes.
6 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
7 Sadhwani.
8 COMMISSIONER SADHWANI: Yes.
9 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
10 Sinay.
11 COMMISSIONER SINAY: Yes.
12 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
13 Taylor.
14 (no audible reply)
15 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
16 Toledo.
17 COMMISSIONER TOLEDO: Yes.
18 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
19 Turner.
20 COMMISSIONER TURNER: Yes.
21 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
22 Vasquez.
23 COMMISSIONER VASQUEZ: Yes.
24 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner Yee.
25 COMMISSIONER YEE: Yes.

1 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
2 Ahmad.

3 VICE CHAIR AHMAD: Yes.

4 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
5 Akutagawa.

6 (No audible reply)

7 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
8 Andersen.

9 COMMISSIONER ANDERSEN: Yes.

10 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
11 Fernandez.

12 CHAIR FERNANDEZ: Yes.

13 EXECUTIVE DIRECTOR HERNANDEZ: The motion passes.

14 CHAIR FERNANDEZ: Thank you. Now the second.

15 EXECUTIVE DIRECTOR HERNANDEZ: Yes. The second
16 motion is letter to the Governor's office, move to finalize
17 letter to the Governor's office regarding COVID-19
18 restrictions; is that correct, with changes?

19 CHAIR FERNANDEZ: With -- yes. And again, it's
20 p.m., not a.m. Thank you.

21 EXECUTIVE DIRECTOR HERNANDEZ: Ah, yes. It
22 defaults to a.m., so I've got to remember that. Okay.

23 Again, it was made by yourself, the Chair
24 Fernandez, and seconded by Commissioner Turner, correct?

25 CHAIR FERNANDEZ: Yes.

1 EXECUTIVE DIRECTOR HERNANDEZ: All right. We
2 will begin.

3 COMMISSIONER FORNACIARI: Yes.

4 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
5 Kennedy.

6 COMMISSIONER KENNEDY: Yes.

7 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner Le
8 Mons.

9 COMMISSIONER LE MONS: Yes.

10 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
11 Sadhwani.

12 COMMISSIONER SADHWANI: Yes.

13 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
14 Sinay.

15 COMMISSIONER SINAY: Yes.

16 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
17 Taylor.

18 (no audible reply)

19 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
20 Toledo.

21 COMMISSIONER TOLEDO: Yes.

22 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner
23 Turner.

24 COMMISSIONER TURNER: Yes.

25 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner

1 Vasquez.

2 COMMISSIONER VASQUEZ: Yes.

3 EXECUTIVE DIRECTOR HERNANDEZ: Oh, sorry.

4 Commissioner Yee.

5 COMMISSIONER YEE: Yes.

6 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner

7 Ahmad.

8 VICE CHAIR AHMAD: Yes.

9 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner

10 Akutagawa.

11 (No audible reply)

12 EXECUTIVE DIRECTOR HERNANDEZ: Commissioner

13 Andersen.

14 COMMISSIONER ANDERSEN: Yes.

15 EXECUTIVE DIRECTOR HERNANDEZ: And Commissioner

16 Fernandez.

17 CHAIR FERNANDEZ: Yes.

18 EXECUTIVE DIRECTOR HERNANDEZ: The motion passes.

19 CHAIR FERNANDEZ: Great. Thank you, and thank
20 you, Commissioner Fornaciari, for reminding us of our
21 policies and our protocol.

22 Any other -- anything else on 9N, Incarcerated
23 Populations, Federal Facilities? Okay. We will move on to
24 90, which is Lessons Learned, with Commissioners Ahmad and
25 Kennedy.

1 COMMISSIONER KENNEDY: Commissioner Ahmad, do you
2 have any remarks at this point? I have nothing other than
3 to --

4 COMMISSIONER AHMAD: No new updates. Just
5 continue to send over your lessons learned.

6 CHAIR FERNANDEZ: Okay, thank you. I don't
7 remember if I forwarded this to you, but it would have been
8 nice looking back now as people are submitting their
9 communities of interest public information either through
10 the tool, through mail, or whatever, it would have been
11 good information to know where they heard about and what
12 caused them to actually submit input. And I think it would
13 be helpful for our future outreach efforts. So, maybe for
14 Lessons Learned if we can remember that for next time, that
15 would be great.

16 Okay. We will move on to 9P, which is Outreach
17 Director Recruitment, Commissioners Ahmad and Fernandez.

18 VICE CHAIR AHMAD: We would like to sunset the
19 subcommittee as we have fulfilled our charge.

20 CHAIR FERNANDEZ: I concur. Okay. We're going
21 to move on to 9Q which is Chief Counsel Recruitment,
22 Commissioners Andersen and Toledo.

23 COMMISSIONER TOLEDO: I think we gave our update
24 earlier that are doing reference checks and will be working
25 with Chair Fernandez and Chair Ahmad on, hopefully, making

1 an offer and coming back on the fourth with, hopefully, an
2 acceptance.

3 CHAIR FERNANDEZ: And I did receive more
4 information from Marian on that process, and because we've
5 already taken action we wouldn't actually have to come back
6 on the fourth to continue on with that process.

7 COMMISSIONER TOLEDO: I was just referring to an
8 announcement, hopefully.

9 CHAIR FERNANDEZ: Right.

10 COMMISSIONER TOLEDO: Hopefully be able to make
11 an announcement of who it is.

12 CHAIR FERNANDEZ: Yes. Correct. That would be
13 great. Any questions regarding that?

14 We'll move on to 9R which is IT Recruitment,
15 Commissioners Andersen and Fornaciari.

16 COMMISSIONER FORNACIARI: Now that the IT Manager
17 role has been approved I think what we're going to do is
18 circle back with Director Hernandez to try to understand,
19 you know, what all the roles for IT are and how, you know,
20 whether or not we actually need an IT Manager or what that
21 looks like.

22 So, hopefully, we'll have an update next time we get
23 together.

24 CHAIR FERNANDEZ: Okay. Any questions. Thank
25 you. We'll move on to Agenda Item 10, which is Legal

1 Affairs Committee Update, Commissioners Yee, Toledo and
2 Sadhwani.

3 COMMISSIONER TOLEDO: We have a Legal Affairs
4 committee that is schedule for after this meeting.

5 In terms of updates, we continue to work on the
6 VRA counsel and the litigation counsel agreements. We have
7 a draft contract for VRA that we just received earlier
8 today, and so we continue to work through that process and
9 hopefully we'll bring something back for approval at the
10 next -- at least for the VRA counsel at the next meeting.

11 And, of course, if you have the stamina, you can
12 join us after this meeting for a couple more -- for a
13 little bit longer to go over some of these issues in
14 detail.

15 CHAIR FERNANDEZ: Yes, Commissioner Yee.

16 COMMISSIONER YEE: We'll also be discussing this
17 afternoon two personnel additions. That's Strumwasser,
18 Woocher, Becker, and we'll bring that to you at the next
19 full Commission meeting, hopefully for approval. They look
20 to be routine additions.

21 There's also a couple of memos in the handouts.
22 One is a proposed revision to the RFI language. As you'll
23 recall, we had an issue of ambiguity whether or not
24 individual political contributions had to be reported or
25 only firm political contributions, and so we put together

1 some language that would make that unambiguous. So, I
2 refer that to the Lessons Learned Subcommittee. Hopefully
3 that will help the 2030 Commission.

4 There's also a second memo following up Gibson,
5 Dunn disclosures, and I'm actually losing track of where we
6 are on that story with the full Commission. There were
7 some additional firm contributions by Gibson, Dunn that
8 were not included in their original disclosures, nor the
9 follow up disclosures. When we brought them to the
10 attention of Gibson Dunn they researched it and basically
11 told us they were inadvertent omissions, which does not
12 look great for them, but they were forthcoming about it,
13 and we don't believe this alters our recommendation. The
14 reasons for recommending Gibson, Dunn still hold, we
15 believe. These were publicly available records that we
16 used to find contributions and they were acknowledged
17 promptly by Gibson, Dunn, so that is a consideration, but
18 it is an (inaudible) admonition that we've already moved
19 on.

20 CHAIR FERNANDEZ: Thank you. Commissioner
21 Sadhwani.

22 COMMISSIONER SADHWANI: I'll just add that I was
23 working with Marian last week to try and get a copy of the
24 fee agreement or contract that Gibson, Dunn has with the
25 City of Santa Monica to guide our contracting process with

1 them so that we could have additional access. We put in a
2 request for that contract. Thus far, the response has been
3 that that contract cannot be released.

4 I don't know, Marian, if you've had any -- we
5 haven't had a chance to talk about that since we received
6 that communication. I don't know if you have any
7 additional thoughts about it.

8 MS. JOHNSTON: Well, the question is whether you
9 want to pursue it further. The way to pursue it would be
10 to file an action against them. We could by letter back
11 saying we disagree with their reasoning, but since that's
12 their position, I doubt it would affect anything. They're
13 doing it based on it reveals attorney work product, but
14 we're not asking for what they've paid. We're just asking
15 what the rate of pay is.

16 COMMISSIONER SADHWANI: I know -- we can
17 certainly discuss it more in our Legal Affairs Committee,
18 but also if the full Commission wants to weigh in and give
19 thoughts on this or not, whether or not spend additional
20 time trying to get this information.

21 CHAIR FERNANDEZ: Commissioner Andersen.

22 COMMISSIONER ANDERSEN: So, it's not a ticky
23 tack. Here's another one like, no, sorry, we're not going
24 to give you hours. So I would like the committee to
25 discuss an actually give them point blank, why not. I mean

1 why?

2 So, in terms if we're feeling this frustrated,
3 how does the public feel about any kind of transparency?
4 Now, it's different legal, but --

5 CHAIR FERNANDEZ: This is the request for the
6 contract, not from the --

7 COMMISSIONER ANDERSEN: Oh, no, not --

8 CHAIR FERNANDEZ: Not from Gibson, Dunn, right?

9 COMMISSIONER TOLEDO: No, Gibson, Dunn gave us
10 their hourly rates, so they were transparent with that
11 process. What we're talking about today, and I'm sorry if
12 it was unclear, what we're talking about today is we
13 actually requested the -- through the Public Records Act
14 process, FOIA process, right, we want access to a copy of
15 the rates that they're currently getting paid by other
16 governmental entities that they're doing so that we had a
17 foundational -- so we had a basis to compare what their
18 proposing with us and be able to compare what they're
19 getting paid through other entities.

20 So, it's not really Gibson, Dunn that's not being
21 transparent; in this case it's the City of Santa Monica who
22 is claiming attorney/client privilege here.

23 COMMISSIONER ANDERSEN: Okay, right. I'm sorry.
24 Thank you for that clarification, and I take it back. They
25 might like to, but it's attorney/client privilege so they

1 cannot do that. Thank you.

2 COMMISSIONER TOLEDO: And our issue is where
3 we're asked -- the issue brought forth by Marian is whether
4 it actually constitutes attorney/client privilege, because
5 we want is rates. We're not asking for the scope of work.
6 We're not asking how much they actually billed. We're not
7 asking for anything that can potentially be attorney/client
8 privilege, but just the terms of the contract.

9 COMMISSIONER ANDERSEN: And as usual, Marian is
10 correct.

11 CHAIR FERNANDEZ: Any other comments? And I
12 believe that they should have to disclose that because it's
13 just the terms of the contract. It isn't related to
14 specific litigation, or whatever other work they are doing
15 for the City of Santa Monica, but it's my understanding
16 they should be disclosing that information when requested.

17 MS. JOHNSTON: I agree, but the question is how
18 far you want to push it.

19 CHAIR FERNANDEZ: Right. Any comments regarding
20 that, if we want to push it further, move forward with it?
21 Commissioner Andersen.

22 COMMISSIONER ANDERSEN: I would ask for a
23 clarification and this is just being very, very specific.
24 It's literally for the hourly rates that were involved in
25 the contract. It is not for anything more than that, which

1 should be in public domain. So, thank you.

2 CHAIR FERNANDEZ: Commissioner Turner.

3 COMMISSIONER TURNER: I think I'm leaning towards
4 not pushing it and wondering is that information that can
5 be received from a different source?

6 COMMISSIONER TOLEDO: I'm leaning in that
7 direction as well. I mean we are working and we -- we
8 haven't received their follow up to our request, but we did
9 ask them to come closer to the 2010 rates that were given
10 to us by our previous contractors, and so -- and that's
11 public domain so they know what that is. And that's a
12 little bit more reasonable, so we are working through the
13 negotiation process, and I think we'll be able to get their
14 rates through our process. So, I don't think we'll need to
15 get the Santa Monica rates, although it would be nice to
16 have that to compare, but it's not necessary, especially if
17 we would have to file -- if we would have to take legal
18 action together. I don't think it would be worth it.

19 CHAIR FERNANDEZ: Commissioner Sadhwani.

20 COMMISSIONER SADHWANI: Yeah. Marian, am I on
21 solid footing to report back what was said to me when I
22 checked references and spoke with the --

23 MS. JOHNSTON: Sure.

24 COMMISSIONER SADHWANI: Sure. So, one of the,
25 you know, the interim city attorney of the City of Santa

1 Monica was one of the references that Gibson, Dunn had
2 listed, and so when I had spoken with him upon checking
3 references he did share that when he came on he was able to
4 renegotiate the rate of Gibson, Dunn and get a much better
5 rate. But that was kind of all that was said, and so that
6 was what the impetus was for pursuing this and trying to
7 find out more information about what is that rate so that
8 we have a better sense of what we should potentially be
9 paying.

10 MS. JOHNSTON: The rate they recorded was awfully
11 high.

12 COMMISSIONER SADHWANI: Right. Right. And so I
13 think it would be interesting to know or helpful to know if
14 the City of Santa Monica is also paying such a high rate,
15 or perhaps they were able to negotiate something better.

16 With that being said, again, I don't know how far
17 down the rabbit hole we want to go, so we look to you for
18 any additional input you may have.

19 CHAIR FERNANDEZ: I'm probably leaning towards
20 not continuing to pursue it. I just find it interesting
21 that for legal contracts you go through this process
22 without knowing what the fee structure is going to be, and
23 then potentially it could be way out of your budget. So,
24 it's just an interesting process considering everything
25 else you have to cost information.

1 So, I have Commissioners Andersen and Kennedy.

2 COMMISSIONER ANDERSEN: I believe that the
3 committee has already requested or given our permission to
4 please go ahead with then renegotiating or negotiating
5 realizing that it's a business deal and they're an
6 honorable company certainly, and so we're to negotiate. I
7 believe you already are, so go ahead. That would be my
8 recommendation and not to the legal pursue because that's
9 -- we've gotten the information that we need, negotiate.

10 CHAIR FERNANDEZ: Commissioner Kennedy.

11 COMMISSIONER KENNEDY: Do we have any way of
12 determining whether they have any other public sector
13 clients in the state that we might check with?

14 COMMISSIONER TOLEDO: The City of Santa Monica is
15 certainly the most visible, so it goes in the space of
16 redistricting, and so that's why we went there, but no, not
17 that I'm aware of.

18 CHAIR FERNANDEZ: Any other questions, concerns?
19 Well, it sounds like -- it seems like the best use of our
20 energy at this time is to not pursue it further, but just
21 to continue to negotiate with them. Okay.

22 Anything else for Legal Affairs? Okay.

23 COMMISSIONER TOLEDO: I don't think there's
24 anything else. I think we'll be meeting after this
25 meeting, if you're interested in following along, and we'll

1 be going into all of these issues in a little more depth.

2 CHAIR FERNANDEZ: Great. Thank you for that.
3 I'm actually going to skip to Agenda Item 12 only because
4 11 is somewhat related to future meetings. So, we'll go to
5 12, Line Drawer Updates Training, Commissioners Andersen
6 and Sadhwani.

7 COMMISSIONER ANDERSEN: So, just a very quick.
8 Line drawers are looking forward to hearing about these new
9 dates, and at that point we'll be coming back with
10 suggesting adding on to possible training topics on the
11 agendas, and we'll follow up on that, the COI heat map,
12 with the line drawers. And they happily enjoyed, though,
13 working with the USDR or -- I always get that mixed up --
14 and the Data Management Group.

15 CHAIR FERNANDEZ: Okay, thank you. Any questions
16 for line drawer updates or training?

17 Okay, with that, we'll go onto 11, although
18 Commissioners Ahmad and Fornaciari, we're about five
19 minutes from break. Do you think it's best to take a break
20 and then come back and have this discussion? I'm thinking
21 it probably is. Okay.

22 So, let's take a break now and we will come back
23 at -- oh, the minute time just changed on me. We'll come
24 back at 3:20.

25 (Off the record at 3:11 p.m.)

1 (On the record at 3:25 p.m.)

2 CHAIR FERNANDEZ: Thank you, Kristian. And
3 welcome back. We'll continue on with the agenda. We have
4 two items left, Item 11 and 17. So, we're going to go to
5 Agenda Item Number 11, which is the Public Input Design
6 Committee. That's Commissioners Fornaciari and Ahmad.

7 VICE CHAIR AHMAD: Thank you, Chair. And just so
8 that everyone is aware, Commissioner Sinay had given the
9 opportunity for others to step up during the Public Input
10 Design meeting, not yesterday's meeting, but the meeting
11 before. So, I took that opportunity and stepped up into
12 more of a leadership role with that, and I appreciate you,
13 Commissioner Sinay for offering the opportunity. I also
14 encourage my other colleagues who serve on that
15 subcommittee to please do take the opportunity when you do
16 deem appropriate for yourself. It's a great learning
17 experience.

18 With that, I have asked Chair Fernandez if we can
19 present this item in close proximity to scheduling future
20 CRC business meetings so that we can see a full holistic
21 agenda or schedule for all of the different types of
22 meetings that will be on our calendar moving forward.

23 We had a great conversation yesterday in the
24 Public Input Design meeting about the number of meetings.
25 We talked about, you know, whether these meetings would be

1 held in person, a hybrid approach, or virtually. A lot of
2 that was unclear given that we don't have that clear
3 direction yet from the governor's office about what June
4 15th and beyond looks like. So, just wanting to throw that
5 out there.

6 And then full disclaimer. We did not come to a
7 committee consensus on the proposal that Neal and I had --
8 or Commissioner Fornaciari and I had brought forward to the
9 subcommittee. However, I took diligent notes during the
10 conversation, mapped out the similarities and the
11 commonalities between the different commissioner's requests
12 and suggestions. I spent a little bit too much time
13 yesterday after the meeting putting it altogether so I
14 could bring a more updated draft and version here for the
15 full Commission to consider.

16 So, if you have that document open under Item 17
17 for this meeting you will see that there's a schedule for
18 the day of the week, the date and the meeting type. So, I
19 just want to -- for our agenda item I just want to focus on
20 the COI Input meetings at this point, and then Commissioner
21 Fernandez will take on the full CRC business meeting.

22 So, for the COI input meetings on this tentative
23 proposed schedule we have a total of 33 meetings. Every
24 zone has two meetings scheduled, with Zone C having three,
25 Zone F having three and Zone K having three, and Zone H

1 having four. There are two scheduled statewide COI input
2 meetings and four scheduled group COI input meetings
3 currently on that proposed calendar.

4 COI input meetings are not the only method for
5 the commission to receive COI input. We have the COI tool.
6 Folks can send in mail. Folks can call our office and
7 leave a voice mail. There are other methods to get that
8 COI input to the Commission. This discussion is just
9 focusing on COI input meetings that will be held virtually
10 and "live."

11 I will also throw out there that I, personally,
12 in working through this draft proposed schedule am not and
13 will not be taking into account personal calendars of
14 commissioners to move meetings around. If someone else is
15 interested in taking on that impossible, and I emphasize,
16 impossible charge, by all means I will step back and let
17 you all go for it. But I will not be willing and able to
18 do that at this time.

19 Neal, am I forgetting anything else at this
20 point?

21 COMMISSIONER FORNACIARI: Yeah. I just want to
22 say thank you for putting this together. We had initially
23 come up with kind of a straw proposal that included 17
24 statewide -- or 17 meetings throughout the zones and
25 statewide. And some community partners came forward with a

1 proposal that was focused on calling statewide meetings in
2 the zones in proportion to the population of those zones.
3 So, the number of meetings would be in proportion to the
4 population of those zones.

5 And, so, we took a look at that and, you know, I
6 think in general the community thought that was a
7 reasonable approach, but there were some strong feelings
8 about three of the zones only have one, so we were
9 proposing here a compromise where we move forward with the
10 proposal in the rest of the zones and ensure that each zone
11 has two.

12 We scheduled this in a way where the meetings are
13 as best we kind of could adjacent in adjacent zones, you
14 know. So, as we transition, if we transition from virtual
15 to some sort of hybrid or full in-person meetings, that we
16 can execute the schedule, you know, on kind of a road show
17 basis.

18 So, I mean, that's what we were thinking. Did I
19 miss anything Commissioner Ahmad?

20 COMMISSIONER AHMAD: No, you got it. You got it.

21 I guess then at this point we're looking for
22 input from the commissioners on this schedule, and I will
23 take notes.

24 Commissioner Fernandez, do you want me to
25 facilitate?

1 CHAIR FERNANDEZ: How about if I facilitate so
2 that you can take notes?

3 VICE CHAIR AHMAD: Yes, that works.

4 CHAIR FERNANDEZ: Does that sound good? Because
5 I won't be able to do that. So, any comments, feedback?
6 Commissioner Kennedy.

7 COMMISSIONER KENNEDY: Okay. I've got a number,
8 but yes, thank you for putting this together. This is
9 enormously valuable to be able to look at it in this
10 format.

11 First of all, so that I don't forget it, I do not
12 understand how Zone K has three meetings, and Zone I, which
13 has a million more people and is about, oh, almost three
14 times as large physically has only two. Plus Zone I,
15 particularly western and southwestern Riverside County is
16 an area of significant growth as we saw during the PPIC
17 presentation. You know, I'm happy to work with Zone K.
18 Maybe we can schedule things in very close proximity
19 between the two zones or, you know, going back and forth so
20 that we get the best bang for our buck, but I really don't
21 see that as a fair allocation.

22 Second of all, I'm wondering, the start of the
23 COI input meeting season as I see it, we're looking at June
24 1st, and yet, you know, there's just a big gap starting
25 there, so I'm wondering if we could move some of these up.

1 Both statewide meetings that I'm seeing on here
2 are 9:00 a.m. to 4:30 p.m. I'm thinking it might be good
3 to have one earlier, one later.

4 The first of the meetings in Zone I doesn't
5 happen for almost two months after the start. I'm thinking
6 people are going to get a little antsy if we're not getting
7 round to their zones for almost two months on this.

8 And then -- well, two other things. One, I was
9 curious, all of these dates over all of these months there
10 is one Sunday in the whole batch. There's a Zone H input
11 meeting on Sunday, August 15th, and that's the only Sunday
12 that is scheduled in this whole calendar. So, I was just
13 wondering how that came to be.

14 And finally, the very last of the zone meetings
15 in early September, it seems to me that those would be
16 better moved earlier in the week so that we're not having
17 input meetings on Labor Day weekend when there's available
18 time earlier in the week.

19 I guess the only other thing is did the language
20 issue come up or has that been factored in? What are your
21 thoughts on factoring it into this schedule? Thank you.

22 VICE CHAIR AHMAD: Thank you, Commissioner
23 Kennedy. I only have, I think, one response to all your
24 questions, and maybe multiple.

25 The start date is based off of the lead time that

1 our staff need to get organized and prepared. We heard six
2 weeks would be a good cushion time, and we're not even
3 giving them that. June 10th is not even six weeks away.
4 So, that was a compromise that we came to in the
5 subcommittee meeting. I don't know how strongly folks feel
6 about moving it up versus leaving it where it's at, but
7 obviously this is a draft proposal.

8 In terms of Zone K having three meetings and Zone
9 I having two, why? I don't know. Theoretically we're all
10 in virtual worlds. Anyone can come to any of these zone
11 meetings. Just because someone is attending a meeting as
12 Zone B and they live in Zone A, we can't turn them away,
13 whether it's in person or virtual. So, if there is a
14 strong preference to change things one way or another, I'm
15 definitely here to support the vision and mission of the
16 Commission in this work, so, please let me know.

17 And I totally forgot the other points. Neal,
18 I'll have to bounce to you on that.

19 COMMISSIONER FORNACIARI: Yeah, so, yeah, the
20 proposal that we got had three in Zone I. I think it's an
21 error, so we'll go back and look at that.

22 As far as language goes, the only thing we
23 floated is possibly having a Spanish language input meeting
24 statewide with -- that we would have -- potentially have
25 live translation back into English for the commissioners.

1 And, so, we floated that, but we're floating it again now,
2 I guess, to the full Commission, if we want to do that.

3 And as far as language access goes, you know, we
4 certainly committed to having translation of these
5 meetings, or translation services available for folks.

6 We didn't quite get to the nitty gritty details
7 of the meeting design yesterday, so we don't have that to
8 bring forward at this time. But one of the things we need
9 to talk about and come to some conclusion about a
10 recommendation is an approach for folks to sign up for a
11 time to -- you know, some system for signing up obviously,
12 whatever that looks like. And that system would include a
13 request for interpretation, or we envision that that would
14 include a request for interpretation, then we could group
15 folks together that needed interpretation and language
16 together potentially. But, you know, again, we didn't
17 quite get to that discussion. You know, we spent our time
18 talking about the schedule and the number of meetings at
19 this point.

20 CHAIR FERNANDEZ: Does anyone else --

21 COMMISSIONER FORNACIARI: And I just want, you
22 know, the other thing we talked about that I think deserves
23 some discussion here is -- and it's closely related to the
24 schedule and scheduling -- is whether or not we're going to
25 absolutely require all commissioners to be at these

1 meetings or not. You know, so that's something we need to
2 talk about. I think, you know, if we're going to have that
3 requirement it's going to make it super difficult to
4 schedule. I think that -- so, I won't start that
5 conversation. I just throw that out there.

6 Commissioner Ahmad.

7 VICE CHAIR AHMAD: Yeah, Neal -- Commissioner
8 Fornaciari, that's a really good point. And when we do
9 start that conversation, if we do decide to in this
10 meeting, before we do I would highly, highly recommend that
11 we get the legal opinion on attending these meetings as
12 commissioners and what our role is at these input meetings,
13 and then from there figure out what we want to do in terms
14 of all commissioners attending or not.

15 CHAIR FERNANDEZ: Marian, what's the requirement,
16 because these are public input meetings. We're not making
17 decisions. We're not taking action.

18 MS. JOHNSTON: Since you're not taking any
19 action, you don't need to have a quorum. If you want to
20 have a quorum, that only requires nine, but if there are
21 fewer than nine you can still go ahead and have public
22 input. Since they're all going to be recorded posted,
23 commissioners who cannot attend at that time can catch up
24 later.

25 CHAIR FERNANDEZ: Okay, thank you. Commissioner

1 Sinay.

2 COMMISSIONER SINAY: Just regarding Zone I, we
3 did look at there's a lot of -- you know, counties are
4 fluid in a lot of southern California, and so we did look
5 at your recommendation that far east Riverside with
6 Imperial as well as far east Riverside, Imperial and then
7 maybe west San Bernardino with Orange County. So, we were
8 looking at how do we attract people and do outreach in
9 blended areas.

10 VICE CHAR AHMAD: And I think another good point
11 to keep in mind with these zones, yes, we have a map with
12 delineated zones, but geography is more fluid than that,
13 right. Like we can have a meeting that borders one zone
14 and is geographically close to another. Just because it's
15 labeled a certain zone doesn't mean we can't take input
16 from folks elsewhere.

17 And then I really hope we don't get into the
18 personal calendar piece. I didn't look at my own personal
19 calendar while I put this together. I probably won't be
20 able to make every single meeting that's listed here, but
21 this is a challenge for us as commissioners to the
22 commitment that we made that we will weigh every single
23 piece of input that comes to us equally, whether it comes
24 to us from a live public input meeting, or the COI tool, or
25 a letter in the mail. I should be able to look through

1 that data base and weigh everything equally regardless of
2 where it came from.

3 CHAIR FERNANDEZ: Thank you. And I wanted to
4 talk a little bit about all commissioners attending or -- I
5 feel that for us to come up with a policy that every
6 commissioner has to attend so we have to have a minimum of
7 nine, it might be restrictive. Of course we would never
8 restrict someone from attending, but I would prefer to move
9 forward with something where we're not saying there has to
10 be a quorum.

11 As Commissioner Ahmad mentioned, there's going to
12 be a lot of meetings and there's going to be conflicts with
13 schedules which I've already identified in the chart, and
14 to try to come up with a schedule for the next however many
15 meetings where everyone can attend or is available, it will
16 be impossible. So, I'm just cautioning everyone. And
17 again, all of the input that we receive will be in -- will
18 be in the database that we have, whether we hear it. I'm
19 hoping that the majority of input will not be at a public
20 input meeting; it will be in our COI tool or in some other
21 mechanism. So, that's just my opinion.

22 COMMISSIONER TURNER: Thank you. I wanted to
23 weigh in. I think from the beginning all commissioners
24 aren't at all meetings. We just know we do need to have a
25 quorum. And I think even in scheduling these meetings my

1 preference would be that there is a quorum as we're hearing
2 testimony, as we're receiving community of input
3 information.

4 Stories make a difference, in addition to having
5 data input into the COI tool. I was hearing that today,
6 landed differently for me. So, yes, we want to look at the
7 information that's submitted through the COI tool. I think
8 my reference, given the opportunity, would be that we are
9 sharing from all Californians if we're going to have these
10 meetings as opposed to -- the likelihood of -- yeah, so I
11 still prefer having the hearings attended by and the
12 communities of input meetings held and heard by as many
13 commissioners as possible.

14 Also, on the zone that was presented, the number
15 of community input meetings in each of the zones, we went
16 back and forth with that quite a bit in the previous
17 meeting looking at the updates that's here.

18 I want to know how do we because people can show
19 up and give testimony in any meeting. If we're going to go
20 through this process to ensure that we are at least naming
21 certain days for certain areas how do we -- I guess we
22 can't have those meetings not like hijacked by a certain
23 group. So, you can set up even if you want this is going
24 to be a meeting where, you know, Northern Central Valley is
25 going to participate, and if some other group gets together

1 and says, hey you guys, this is the best day for us, let's
2 just all show up and give our community of input testimony
3 on this particular day. It's still going to push back a
4 group and perhaps not allow them the air time that we would
5 have imagined. And, so, I don't know if there's anything
6 different we can do. I know that people -- Marian has told
7 us a few different times you can give input in any meeting,
8 et cetera, but I am concerned, particularly since we're
9 having such at-length conversations about how many
10 meetings.

11 I love the presentation, the submission, I should
12 say, from the group that submitted earlier that was based
13 on population estimates. I hear the testimony about at
14 least two which changes things, particularly because we're
15 virtual. I thought it was very fair to allow, based on
16 population, voices to be able to call in in a designated
17 time for them. And for me when we I guess strayed from
18 that I'm still looking to see if we're setting as a minimum
19 two. Perhaps there are other areas that we need to build
20 in additional meetings for as well.

21 So, certainly I would be an advocate of the
22 Central Valley having three so that there was one North,
23 Mid and South. And I know that we heard testimony about
24 Sacramento, the same thing with that.

25 So, I don't know. I think this will be a

1 difficult process to try and determine what's best and
2 what's fair, but for me, I'm hoping to be able to hear from
3 as many Californians in as many sessions. And even with
4 the language access, if we have an area that we think is
5 heavily, you know, Spanish speaking, then maybe the whole
6 meeting needs to be held in Spanish and we are listening
7 through technology that's doing the real-time translation
8 for us so that those meetings are held in Spanish and we're
9 getting the interpretation, and so that, you know, is
10 another thought I have. Thank you.

11 CHAIR FERNANDEZ: Commissioner Yee, did you have
12 your hand up?

13 COMMISSIONER YEE: Thank you. At these meetings,
14 so, you know, when they're in a particular zone of part of
15 a zone, of course, anyone can give input on any part of the
16 state in any meeting, but will we not be focusing on
17 geography of that zone, you know, more or less, right, and
18 the majority of comments will be on that zone. We will,
19 you know -- I suppose the line drawer will be there and
20 will be adept, you know, at projecting with whatever is
21 under discussion. But as we announce a meeting would we
22 not announce some focus on the geography of that region,
23 right. Is that not right?

24 CHAIR FERNANDEZ: Yes, and I have Commissioner
25 Ahmad and Kennedy.

1 VICE CHAIR AHMAD: Thank you, Chair. I think
2 that's a fair and valid point, that we are trying to
3 designate specific areas for these public input meetings.
4 But our denominator here is 40 million. It's not
5 population of this zone or that zone. Our denominator is
6 40 million.

7 And another thing that really helps me finally
8 under public input meetings versus line drawing sessions
9 was our purpose at these meetings is to just take in the
10 information, whatever information comes to us. It's going
11 to be each of our individual responsibilities as
12 commissioners to sit down and sift through all of that
13 information in preparation for those line drawing sessions
14 so that we can draw and, hey, in this particular area these
15 comments came in. Some might have come in during these
16 input meetings, some might have come in from the COI tool,
17 some might have been mailed in, but that's going to be on
18 us to organize that.

19 And the way that Neal had drafted out --
20 Commissioner Fornaciari and Commissioner Sinay had drafted
21 out this first iteration that they were working on left
22 time at the end when we paused COI input, not end but
23 paused for us to go back and actually digest that
24 information before we step into our first line drawing
25 sessions. Of course, that's pending all of the census

1 conversation which I'm not going to go back to that, but
2 the intent was there that we would have a couple of weeks
3 to actually through this data base and actually go back and
4 revisit all of these comments, go back and rewatch some of
5 these input meetings and pick up things that we might have
6 not seen the first time around or not heard the first time
7 around. Yeah.

8 COMMISSIONER FORNACIARI: Thank you.
9 Commissioner Kennedy.

10 COMMISSIONER KENNEDY: Thank you, Chair. I'm
11 imaging, and this may be just be me, I'm imaging a
12 situation where, you know, all of these have to be publicly
13 noticed, obviously, but, you know, when we're saying that
14 this one is for zone, you know, C or whatever, that, you
15 know, the bulk of our promotional work is targeted in that
16 zone. So, others from outside the zone have access to the
17 regular, routine public notice of it. But we're not
18 necessarily focusing our promotional efforts outside of
19 that zone for that event. Thank you.

20 CHAIR FERNANDEZ: Thank you. Anyone else?
21 Commissioner Fornaciari.

22 COMMISSIONER FORNACIARI: Yeah. I'll just also
23 highlight this piece of input that we got from the public
24 that suggests an approach for scheduling in the zones, and
25 other public input that we've gotten from community groups,

1 from organizations that will be activating the community to
2 provide us input are pushing for a schedule to see if they
3 can get is so that they can engage and activate in the
4 areas where we're going to focus.

5 So, in addition to our own outreach through Fredy
6 and team, there are organizations that will be reaching out
7 to their constituents, doing some training, doing some
8 activation so that they'll be prepared to engage at our
9 zone so there will be part of that going on, too.

10 CHAIR FERNANDEZ: Commissioner Toledo.

11 COMMISSIONER TOLEDO: Thank you. I know a lot of
12 work has gone into this, and I really appreciate the work
13 of the Public Input Committee and everyone else who has
14 been working so hard on this.

15 I'm just curious. In terms of the grant process
16 that we heard about, you know, and how that plays into this
17 or if the committee had any thoughts on what is considered
18 the grants process and how it might overlay with this or
19 maybe -- well, maybe it doesn't, and I think what I heard
20 is that it may not earlier, and I think Commissioner Sinay
21 may have an answer to the question.

22 CHAIR FERNANDEZ: Commissioner Sinay.

23 COMMISSIONER SINAY: I don't have an answer, but
24 I wanted -- there's two pieces that I think are kind of
25 overlapped in my mind, and, you know, we have heard --

1 yeah, this is virtual, but at the same time we need to keep
2 in mind that seven of our zones have rural communities that
3 have past time with wifi. So, as much as we're virtual we
4 still need to make it accessible. And the Outreach and
5 Engagement Committee is looking at different ways that we
6 might be able to do that.

7 Yeah, some of it may be even creative ways of,
8 you know, so we're looking at that. That also goes into
9 the question I was asking earlier when it was the grants,
10 can we -- how can we -- there's certain libraries that are
11 very excited to be engaged in the process. There's a few,
12 and we're working on getting more excited and kind of
13 giving them guidance, but also to them to kind of propose
14 to us how they can be part of a process. You know, there's
15 a library in most communities, if not two, and that's where
16 a lot of people go for access. So, we're hoping if -- this
17 is kind of a twofer answer because I figured next was the
18 question of accessibility and internet access. So, we are
19 going to follow up with the library and then follow up with
20 the Grants Committee to kind of think through that piece.

21 CHAIR FERNANDEZ: Commissioner Vasquez, did you
22 have your hand up? Commissioner Fornaciari.

23 COMMISSIONER FORNACIARI: Yeah. So, I just want
24 to say yeah, I mean in addition to activating the
25 libraries, you know from a perspective of broad band

1 access, of course, getting the paper COI, you know, input
2 to the libraries, too, and, you know, potentially doing
3 some training with the -- you know, with the librarians in
4 all of areas, you know, on the COI tool so they can help
5 there. So, a number of thoughts about engaging libraries
6 that the Outreach Committee is working on.

7 And as far as how this plays with the grants, it
8 sounds like the grants be out a little late -- a little
9 later. So, I think folks on this library maybe we can, you
10 know, do something with the Grants Committee in libraries.
11 I don't know what, but check in on that.

12 CHAIR FERNANDEZ: Commissioner Vasquez and then
13 Commissioner Sinay.

14 COMMISSIONER VASQUEZ: Now I have something to
15 say. Just wanted to flag, I know we had a great panel with
16 like education stakeholders. The fact of the matter is
17 that we're going to be having summer school for most school
18 districts, and I think even more so potentially than
19 libraries, rural communities, you know, they all have to
20 have at least a school to serve whatever kids are in their
21 sort of reaches. And so, especially during the summer
22 months connecting with schools and the civic leaders in the
23 rural areas would be especially important, because if
24 nothing else, the family hopefully has access to technology
25 for distance learning purposes, so, you know, we may be

1 able -- we may be able to jump in on some of that, and if
2 nothing else, again, they have -- schools will have had the
3 last year to figure out how to reach and engage families,
4 whether through technology or through physically distanced
5 effort, that hopefully we can sort of ride on the coattails
6 of.

7 CHAIR FERNANDEZ: Commissioner Sinay.

8 COMMISSIONER SINAY: Sorry, my brain is a little
9 slow still because of the vaccine. To go back,
10 Commissioner Toledo, to your question, yes, I think one of
11 the things that we said at the public information,
12 whatever, the Public Input Design Committee was that we do
13 need to take, you know, originally when we thought of
14 outreaching grants we thought of, okay, it will be good.
15 Yeah, we'll use the money to help us do outreach as well as
16 get the COI tools as well as the maps piece, and each time
17 that we're going a little later it means that we as a
18 Commission need to take on more of the responsibility, and
19 so we did the education piece and we did it really well.
20 And we're still doing it, you know, and the information
21 said now we also will need, that's what the COI blitz, what
22 Commissioner Fornaciari was saying, was, you know, we'll
23 need to take on more of that piece as well, so we'll work
24 grant training if there's some good ideas that maybe work
25 now. So, that's what we're just trying to -- keeping that

1 in mind.

2 CHAIR FERNANDEZ: Thank you. In terms of I think
3 it was Commissioner Turner probably brought it up, I do
4 agree that if you're purposely going to a zone they should
5 somehow have priority in terms of with public input, and so
6 maybe we can come up with some sort of system where maybe
7 the first few hours are for people specifically from that
8 zone.

9 Also, I'm going to go back to my comment
10 regarding all commissioners being there. If I understood
11 Marian correctly, if we didn't have a quorum we could still
12 receive the input, so I think it's a nonissue, I guess, at
13 this point for that.

14 And then I did in the Public Input Design meeting
15 I did -- for Sacramento I thought there should be one extra
16 -- at least one extra session, and for that -- my reason
17 behind that is there's been a lot of migration from the Bay
18 Area into actually San Joaquin Valley, and also into the
19 Sacramento El Dorado Hills, my Zone D area. So, in terms
20 of what the figures, I don't know the population numbers,
21 how current they are, how recent they are. It would not be
22 reflected in the census because that actually happened
23 after April 1st, after COVID and people realized they
24 didn't have to live in the Bay Area to work.

25 And I think that was it, and thank you,

1 Commissioner Vasquez. I was thinking of the schools as
2 well, like what a great opportunity. Commissioner Ahmad.

3 VICE CHAIR AHMAD: Thank you, Chair. As we speak
4 of internet troubles, am I frozen? I would caution us
5 against giving priority to people from a certain zone
6 because our denominator is not that zone. Our denominator
7 is 40 million, the people of California.

8 It gives the public the opportunity maybe to come
9 forward and say how come you are giving preference to
10 people meeting in Zone A or Zone B, and that's not our
11 purpose. Our purpose, from what I see it as, our purpose
12 is not to prioritize one zone or another. It's trying to
13 maximize our reach to get this input from people who choose
14 or are unable to give us their input through some other
15 mechanism. That's all.

16 CHAIR FERNANDEZ: Commissioner Turner.

17 COMMISSIONER TURNER: Thank you. With -- hearing
18 Commissioner Ahmad's response, I'm wondering if we need to
19 strip the zones. Initially we talked about having zone
20 areas basically to assist the line drawers and those that
21 are doing input. I think that was more so when we were
22 talking about actually drawing maps to have things that
23 were set up and prepared to show. But if we're just going
24 to receive information, and if 40 million and since 40
25 million is our denominator and our base, perhaps we need to

1 just say we're going to do 30 or 35 public input and leave
2 it up to community to determine which of those spaces,
3 which of those times, and then no one will feel like they
4 are prioritized or not prioritized, but they can show up in
5 any one of the meetings, and it will be up to individuals
6 to choose or community partners to rally the folks that
7 they represent and have them go to any one particular
8 meeting.

9 CHAIR FERNANDEZ: I have Commissioner Sadhwani,
10 and Commissioner Andersen, and Commissioner Kennedy.

11 COMMISSIONER SADHWANI: Thank you. A couple
12 thoughts. First of all, thank you for all the work that
13 you've done. This is really expecting to see and I'm super
14 excited to actually get out there and be a part of this
15 work.

16 First, in terms of the quorum issue, I think what
17 we're hearing from Marian is that we don't have to have a
18 quorum, but my sense is that we probably want to strive to
19 have it, right. I hear you, Commissioner Turner. Like I
20 think that being there, seeing folks, hearing those
21 stories, you can watch the video later, but I think that
22 actually interacting with folks is like the -- is the best
23 way, right, where possible.

24 But at the same time I also recognize there's
25 lots of other things that go on in people's lives, and I

1 also just want to put in a pitch that we all have to take
2 care of ourselves, too, and so sometimes -- I'm looking at
3 the schedule and realizing there might be one or two that
4 I'm not able to make. This looks like a grueling schedule,
5 and that's okay also. But I think if we strive to hit a
6 quorum at each meeting, I think that would be really
7 helpful, especially since we're putting in time and
8 resources. I think having plenty of us there makes a lot
9 of sense.

10 In terms of this question of whether or not the
11 zones, if we're focusing on zones, my understanding was
12 that we want to do that so that we can -- but from a
13 mapping perspective we're honing in, we're kind of hearing
14 over and over that we will be able to kind of compare right
15 then and there, if we're getting a lot of communities of
16 interest input from one area. So, this is like the one day
17 that we're really dedicating to, hey, let's go deep in this
18 area, let's start to really understand the boundaries,
19 almost like a steady day for ourselves to some extent to
20 understand, okay, this freeway is here, there's this rail
21 station over here, there's this other consideration that
22 we've never really thought about, and it's a way to really
23 get to know an area by hearing from a lot of different
24 folks from that area, what their considerations and
25 concerns are, recognizing that there's going to be, you

1 know, competing perspectives potentially.

2 So, I was actually always in favor of having the
3 zone perspective. There's a lot of parts of California
4 that I'm not as familiar with or have never been to, so I
5 do look forward to kind of having a coordinated effort in
6 order to really dig deeper into them.

7 I hear this point around, you know, whenever
8 someone can reach us, they should be able to reach us, and
9 I agree with that in principle. I'm wondering if, you
10 know, maybe the last hour of our input session is open to
11 anywhere in the state, or something like that.

12 And then just in terms of like an appointment
13 system, I don't know if this already came up, and I
14 apologize. I had to come a minute or two late here, but I
15 believe Andrew Dressler in one of the meetings that we had
16 with him from Haystaq had mentioned a system called the Q-
17 minder, which kind of like Tableau, it's an off-the-shelf
18 queening system. I don't know if that was like a strong
19 recommendation of his, but I feel like he had mentioned
20 that at one of our meetings at one point in time, so I just
21 want to pass that along. Thank you.

22 CHAIR FERNANDEZ: Thank you. Commissioner
23 Andersen.

24 COMMISSIONER ANDERSEN: Just a couple of things.
25 On the quorum I would recommend for calendaring purposes is

1 that when we are in like that zone, those two commissioners
2 who are kind of the organizer of that zone be there. Other
3 than that, yes. Who can be there I don't know, but I
4 really recommend that.

5 Then the idea of the zones, and this is from the
6 line drawer perspective, is it is that the -- what they
7 were saying is how is the line drawer going to participate
8 in this. And what they told us is they will have the
9 geography. If they know we're going to the zone, they're
10 going to have the geography and they're actually going to
11 have any COIs that they actually have on a map that you can
12 see.

13 And then, now, as far as their input, they will
14 not be putting it on that map as we're looking at it. That
15 would actually have to come in, people would be trying to
16 write that down to put into our COI tool so that it can
17 then be drawn from the map later. But it will actually
18 have -- it will enable the people to say, no, no, no,
19 that's -- so you can kind of with like a laser pointer
20 almost go, now you're talking about this area? Yes. That
21 area, ah. Okay, okay. Got it. So, someone else can be
22 transcribing that information.

23 So, that's the benefit of having a zone. If it's
24 every single person comes up with a different area, I mean
25 you could instantly realize, wait, wait, so now I take that

1 down. I have to reload. So, you've lost all that time,
2 and it's to make things more efficient for everyone who is
3 coming to present. They don't have to go, okay, well now,
4 let's wait until -- oh, sorry, I want to go to a complete
5 different zone. Oh, okay, so hang on for several minutes
6 while we reload and get that information up, or you could
7 just get a straight -- that was the idea, is to make it
8 simpler because one of the huge issues with people is
9 standing in line, waiting forever. The idea of make an
10 appointment and you have -- we're really going to
11 concentrate on this zone now.

12 If we want to and then say at the end, okay, now
13 that's everything, and then they can back out and just have
14 a geography. So, it wouldn't have all the COIs on it, but
15 then that could be accessible. But that's something the
16 particulars of we can work out with the line drawer. But
17 that was the rationale behind it. It would be more
18 efficient for everybody, not just us, but specifically for
19 the public. So, that's it.

20 CHAIR FERNANDEZ: Thank you. I have Commissioner
21 Kennedy and then Commissioner Turner.

22 COMMISSIONER KENNEDY: Thank you, Chair. I'm not
23 opposed necessarily to de-emphasizing the geography when
24 we're doing these. If we are going to de-emphasize the
25 geography, then I think we need to pay more attention to

1 the timings and the days to make sure that we're giving a
2 wide variety of options as far as days of the week and
3 times of the day for people to participate.

4 I know it's going to be hard on us. You know, we
5 may -- I think we've heard that the 2010 Commission was
6 often in meetings, sometimes combined business meetings
7 with input sessions going from, you know, 9:00 a.m. to
8 midnight or something. So, you know, we need to think in
9 terms of making this convenient for the people and not
10 necessarily just convenient for us.

11 That said, you know, de-emphasizing the zones is
12 fine as long as we're in a virtual mode, but if we switch
13 to a face-to-face mode, then the geography suddenly becomes
14 much more important.

15 And as for attendance, you know, I think if we
16 say, all are strongly encouraged to attend. I like
17 Commissioner Andersen's, you know, emphasis on ensuring
18 that the commissioners responsible for that outreach zone
19 be there, but otherwise strongly encourage commissioners to
20 attend and go from there. Thank you.

21 CHAIR FERNANDEZ: Thank you. Commissioner
22 Turner.

23 COMMISSIONER TURNER: Yes. As long as we have to
24 take or we get to take testimony and public comment from
25 anywhere in the state at any meeting, I think our line

1 drawers absolutely have to be prepared to pull up and down
2 maps. We're not going to tell people to wait. It's not
3 your turn just yet. And, so, it makes total sense. Thank
4 you for the word, Commissioner Kennedy, "to de-emphasize"
5 for me. The counties, and to just say we're giving you a
6 broad base, a wide number, 33, 35, whatever it is, meetings
7 that's split between Sundays, and Saturdays, and evenings,
8 and mornings, and allow people opportunity to call in, it
9 is just, again, public input. We're not making decisions
10 on it. We've not yet talked about how much time we're
11 going to give people, but it was two minutes initially, and
12 even if we give them three minutes, they're not going to
13 have a lot of time to say, oh, now redraw it this way, or I
14 want to see based on what else is already on the screen and
15 all of those other things. They're going to need to come
16 prepared to say this is my community of interest. This is
17 the story behind it, almost like a one-way dialogue. And
18 we see now how quick that time runs out. And I don't know,
19 to me it doesn't even seem like line drawers in this
20 particular setting that is going to be doing a lot of
21 interacting right in the moment. I don't see that there
22 will be time for it. So, I think the more the conversation
23 continues, I just really want to make a strong case and
24 push and have us consider making this equitable for all 40
25 million Californians and determine what is the total number

1 that we need, how do we make it accessible throughout the
2 day, and allow people, then, the autonomy to select which
3 dates, which they can do anyway, that they'll show up and
4 give their public comment.

5 CHAIR FERNANDEZ: Commissioner Sinay, did you
6 have your hand up? No. Any other comments.

7 So, I'm going to hand it back to Commissioners
8 Ahmad and Fornaciari. Well, actually, we need to settle on
9 a number, right, and the dates, correct?

10 VICE CHAIR AHMAD: Yes, that would be extremely
11 helpful. I did hear, though, Commissioner Kennedy call out
12 Sundays, and I mean I'm fine with going back and working
13 with Commissioner Fornaciari and the team to start
14 adjusting the days to sprinkle in, some Sundays as well,
15 because I do recognize some people might not be able to
16 make it Monday through Saturday on a consistent basis, and
17 Sunday may be the only day that they are available to
18 provide that input. So, that's a very fair point that we
19 should definitely adjust the schedule for.

20 Are there any other recommendations that the
21 Commission has in terms of adjustments for the schedule so
22 that we can go ahead and make those adjustments and then
23 hand that schedule over to the team so that they can start
24 actually putting together ASL Videographer Translation
25 Services, and all of the other things that I don't even

1 know what goes into planning a meeting of this magnitude so
2 that we can hand that over to the team.

3 CHAIR FERNANDEZ: Yeah, and I think it's very
4 important that we do settle on dates because at some point
5 in time if the executive order is lifted and we're going
6 out, then there's actually quite a bit more involved with
7 staff in terms having to go out and solidify a place, and
8 the arrangements and everything else that goes along with
9 that. Plus, if it's going to be a hybrid or we're allowed
10 to do a hybrid model, I mean that just kind of doubles the
11 effort.

12 So, I just feel it's important to get dates out
13 there. We can all plan. We know what the dates are. If
14 we can't make it, everything fortunately is videotaped, so
15 that definitely helps.

16 Commissioner Vasquez.

17 COMMISSIONER VASQUEZ: I'm good.

18 COMMISSIONER AHMAD: I think also just for future
19 planning, Commissioner Fernandez, if I may, an asterisk to
20 keep in mind. Although we are giving these dates to the
21 team, there might be a situation some time in the future in
22 which we are now required to report in person. And our
23 team will have to find a venue for, I don't know, I'm just
24 going to pull a date out, August 19th at 4:00 p.m. in a
25 certain area, and they may not be able to find a venue.

1 So, we have to be extremely flexible about the
2 dates and the times. Granted, yes, we would want the dates
3 to stay so that we can advertise properly to communities
4 and get everything in order, but that's just something to
5 keep in the back of your mind, that the event is not
6 official until it's over.

7 COMMISSIONER FORNACIARI: And I think along those
8 lines, you know, I mean we're looking at virtual meetings.
9 This is the plan, right, at this point and we're scheduling
10 for virtual meetings.

11 If that changes, then, you know, then we would
12 have to identify regions where we would host in-person
13 meetings and go through that process, and it's -- you know,
14 that's like six-week lead time at least, to do that.

15 So, we'll get this schedule together based on the
16 input that we have and sort of I forget the term
17 Commissioner Kennedy used was, you know, the zone neutral
18 or whatever. Forget it. I forgot, but Commissioner Ahmad
19 has it, and we'll put the schedule back together and get
20 that to staff and get them started. And then we'll regroup
21 when we hear, you know, as the COVID restrictions are
22 listed -- lifted.

23 CHAIR FERNANDEZ: Commissioner Sadhwani and then
24 Commissioner Andersen.

25 COMMISSIONER SADHWANI: Maybe I missed it, but

1 what is the turning point for having a hybrid meeting?
2 Certainly it's not the lifting of the executive order. I
3 guess I don't know exactly where we are yet with -- at what
4 point do we make determination to switch to a hybrid
5 meeting? My personal preference is hybrid, right. I would
6 feel comfortable having at least a couple of us in person
7 while maintaining virtual, of course. For me, in part, I
8 feel like I just want to see some of the places before we
9 start drawing lines around them. I don't know, at what
10 point do we make that decision?

11 CHAIR FERNANDEZ: Refer to Marian.

12 COMMISSIONER SADHWANI: Oh, okay.

13 MS. JOHNSTON: I'm not sure if they do a hybrid
14 in changing what the rules are. If you go back to Bagley-
15 Keene, you still can have locations or electronic ways for
16 people to come to your meeting. So, you may have to be a
17 publicly accessible place that you can also have either
18 telephone or Zoom facilities that actually someone could
19 appear before you virtually. Bagley-Keen more applies to
20 you have to be there in person. You have to be a publicly
21 accessible place. The public can be anywhere.

22 CHAIR FERNANDEZ: Commissioner Andersen.

23 COMMISSIONER ANDERSEN: So, just to clarify,
24 Commissioner Fornaciari, is the idea that we are scrapping
25 the zone concept?

1 COMMISSIONER FORNACIARI: It felt like that was
2 the consensus of the group. If it's not, let us know.

3 COMMISSIONER ANDERSEN: If that's the case, I'd
4 say we have double the meetings because it's going to take
5 us a lot --

6 COMMISSIONER FORNACIARI: We don't have budget
7 for double meetings. We have budget for 30 meetings.

8 COMMISSIONER ANDERSEN: We need to then figure
9 out exactly how these meetings are going to run and
10 timewise.

11 COMMISSIONER FORNACIARI: Right, right. And we
12 didn't get to that conversation.

13 COMMISSIONER ANDERSEN: That's not what the line
14 drawers were saying, so we need to rethink it.

15 CHAIR FERNANDEZ: Commissioner Sinay and then
16 Commissioner Yee.

17 COMMISSIONER SINAY: I don't -- I like keeping
18 meetings with a name, yeah, with a zone number for a couple
19 of reasons. One is people see themselves in it and it adds
20 this urgency that, hey, this one is for us. We'd better be
21 there.

22 Second, it allows us to be more focused on
23 outreach for that session. We can, you know, go through
24 our contact lists and all that and just be very targeted on
25 outreach to assure that people from that zone.

1 And -- and, finally, we will take input from
2 everyone, but I would like us not to just be general
3 because I'm afraid that if we go general people will feel
4 missed, and I feel like the more we can put a name to it,
5 the more people feel like we're calling them to come. If
6 we say this is a Spanish session, I mean we had 150 people
7 come to our Spanish session. Or even if, you know, we say
8 -- we don't call it the zone but we -- we call it by names
9 of counties or whatever. But I think that will bring more
10 people and will help us do outreach.

11 CHAIR FERNANDEZ: Okay, Commissioner Yee,
12 Executive Director Hernandez and then Commissioner Toledo.

13 COMMISSIONER YEE: Yes. I think the zones are
14 fine for our internal planning, you know, since we are
15 organized that way, and just helped us think about this
16 day, and it's fine for the various zone leaders here to
17 advocate for their zones.

18 But from the public point of view, I was just
19 glancing over the 2010 list of input meetings, and, you
20 know, it's just names of cities. And it's just the optics.
21 It should be very clear just glancing over that list that
22 they cover the state and our list will show that we cover
23 the state, and it's legitimately a statewide effort.

24 And, so, I don't think we need to drop the zones,
25 but I think they're really just for our internal planning

1 than for -- you know, nobody from the public is going to
2 say, oh, you know, Zone G, dah, dah, dah. I mean they're
3 not going to think that way. Why should they?

4 CHAIR FERNANDEZ: Executive Director Hernandez.

5 EXECUTIVE DIRECTOR HERNANDEZ: Yes. I concur
6 with Commissioner Yee's comments. The outreach zones were
7 only intended for our purposes in planning and being
8 strategic in our outreach efforts, so it's not for any
9 other purpose than that. And I think focusing our efforts
10 from a staffing perspective allows us to focus on specific
11 cities within a zone in which we can target our outreach
12 and when we do go to in person meetings, it will allow us
13 to focus on locations as well. So, that's it. Thank you.

14 CHAIR FERNANDEZ: Commissioner Toledo.

15 COMMISSIONER TOLEDO: I wanted to go back to
16 Commissioner Sadhwani's point about the trigger for when do
17 we go back to hybrid sessions. And maybe this is a
18 question for Marian.

19 So, my understanding, the Governor has been
20 making and the Public Health Department has been lifting --
21 making it easier for people to meet in public in a public
22 setting. I'm wondering in terms of the trigger, when -- if
23 we wanted to, and that's just a question, if we wanted to
24 couldn't we have a hybrid meeting and invite a limited
25 number of the public to our offices in Sacramento or

1 wherever we wanted to at this time, or is there still a
2 limitation on that?

3 MS. JOHNSTON: I'm not sure. It depends on what
4 he does on June 15th. I think there are different counties
5 now under different rules. I'm not sure there's one rule
6 for the whole state yet.

7 COMMISSIONER TOLEDO: Do we know what the rule is
8 for Sacramento?

9 MS. JOHNSTON: I don't.

10 COMMISSIONER TOLEDO: Okay. Because I know here
11 locally we're able to have public meetings in Sonoma
12 County. It's just limited to the number of people inside a
13 room. So, that's why I was asking. And if we have a
14 county ordinance on that.

15 MS. JOHNSTON: And then it depends on what size
16 location you get, also. You have to decide in planning
17 what size location you can have.

18 COMMISSIONER TOLEDO: So, just going back to
19 Commissioner Sadhwani's point, I think we may be able to do
20 some of, depending on what the requirement is, we might
21 actually be able to start meeting, even invite a limited
22 number of members of the public to meetings, but we need to
23 look into that a little bit more. And maybe that's
24 something staff could come back to us and give us more
25 information on what we can do at this point.

1 CHAIR FERNANDEZ: Yes, that's a good idea.
2 Executive Director Hernandez, if you could just look into
3 that for us. And then I have Commissioner Ahmad.

4 COMMISSIONER AHMAD: So, on that point I was just
5 going to say that if the public held approach of this COVID
6 response has been very patchwork style, and it gets really
7 complicated, like if my county has, you know, opened up
8 certain number of people to me, sure, potentially we can
9 (indiscernible). But if where you live in that county you
10 have a restriction after you travel that you have to be
11 home for two weeks or something like that? Then do you not
12 show up for two more weeks of other public input meetings
13 that are located elsewhere? I don't know. And I think we
14 had this conversation very early on that it would not look
15 good if the Commission were associated with, not causal,
16 but associated with moving hot spots of COVID cases. So,
17 we would want to be very careful about that. I think it's
18 -- never mind. I'll leave my public health perspective
19 elsewhere right now.

20 CHAIR FERNANDEZ: Commissioner Toledo.

21 COMMISSIONER TOLEDO: And I certainly wouldn't
22 want to be known for spreading infectious diseases, and so
23 -- as a Commission and, so, you know, but there may ways to
24 do it safely right, or safer, and so that's the only
25 comment. Thank you.

1 CHAIR FERNANDEZ: Okay. Commissioner Turner.

2 COMMISSIONER TURNER: Thank you. I just wanted
3 to say that I think that zones we've gotten locked into for
4 sure, but I think it would cause just as much frustration
5 for a zone to -- we want people to rally behind whatever
6 their zone area is, and to do turn out, and to make sure
7 people participate. Hopefully, we're doing all that
8 through the COI tool first.

9 But if they're going to show up I think they
10 could be just as much frustrated to show up and somehow
11 they think that they own that day and that time space and
12 have other people also participating, which they should
13 also participate.

14 And to me it's a real clean and easy process
15 since we've discussed and talked this through. It's not
16 where I came into the conversation. But to say that means
17 are all opportunities for people to participate in, and
18 anytime we start to externally promote cities, or zones,
19 or anything else, there is an implied ownership of that
20 particular time period for the folks that we're reaching
21 out to. It makes no -- I would really need to understand
22 why that would double cost because we're ultimately still
23 trying to reach out to the same number of people, whether
24 we put a zone number on it or did not put a zone number on
25 it, its meetings, it's the same meetings and we're want

1 everyone to participate, so I don't know why that would
2 change anything.

3 CHAIR FERNANDEZ: Thank you. And I think the
4 change is going to be right now is virtual. You know,
5 anybody can call in. I think once we get to this point
6 where if we can go out --

7 COMMISSIONER TURNER: Oh, absolutely. My
8 comments are all about our virtual meetings.

9 CHAIR FERNANDEZ: Okay, all right.

10 COMMISSIONER TURNER: All about our virtual
11 meetings.

12 CHAIR FERNANDEZ: Thank you. I think we may have
13 to think that further in terms of do we decide that our
14 meetings are going to be eight hours long. I mean what if
15 we've got a thousand people? So, maybe like the
16 appointment system might work out better that way. You
17 sign up for an appointment like you did with your vaccine.
18 So, I don't know. You could have a thousand people.

19 I saw somebody raise -- oh, Commissioner Toledo.

20 COMMISSIONER TOLEDO: I'm just wondering on the
21 impartiality requirements that we have, right, which
22 reaching everyone across the state and being impartial.

23 If I remember correctly, and this is a question
24 for Marian, the court did look at and appreciated the fact
25 that the Commission did go out many places across

1 California and called those places out, and did specific
2 targeted outreach to them in the public input sessions and
3 the COI sessions. And, so, I'm just wondering if you could
4 speak to the impartiality requirement as it relates to our
5 outreach efforts and then -- and the difficulty in doing
6 what the 2010 Commission did, given that we're in the
7 virtual environment.

8 MS. JOHNSTON: Yes, the virtual environment, and
9 the other difference is that you've got the COI tool.
10 Before if people wanted to submit something, well, I guess
11 they could do it by email, but the main way of submitting
12 information to the Commission was by coming to these
13 meetings, and that isn't necessarily going to be true for
14 this round.

15 COMMISSIONER TOLEDO: Can you speak also to the
16 impartiality requirements.

17 MS. JOHNSTON: It was true that the Supreme Court
18 looked at that, but I think by having electronic
19 availability, either by the COI tool or by appearing
20 electronically in front of the Commission statewide you'll
21 be doing the same thing even if you're not physically in
22 the outlying locations. I don't think anyone is going to
23 fault you for not traveling to locations given COVID.

24 CHAIR FERNANDEZ: Commissioner Turner.

25 COMMISSIONER TURNER: And I wonder if, it sounded

1 to me the tie in, is there a way of thinking and not having
2 named a zone we were being impartial to certain zones or
3 I'm not sure. That's kind of -- I was trying to wait to
4 see if we're going to go down that path, or what have you
5 because right now already we have a grant process that is
6 in play. We're trying to get it figured out. We've done
7 outreach. We've created the zones in advance. We've done
8 outreach. We've put -- made videos. So I think we've
9 already reached into as many areas as we can
10 technologically speaking.

11 We know there is the whole, you know, broadband
12 access issue, which no matter what, if we're talking
13 virtual none of this is going to solve that as an issue.
14 We still do need to figure out something different.

15 But short of that, I think we've been very --
16 we've reached out to all of the areas and will continue to
17 do so, so I don't think we'll be seen as impartial based on
18 our efforts if we do or don't put a zone approach. I think
19 that even with the systems, if we put in our queue system
20 and if we determine we're only going to take however many
21 public comment, that's going to be problematic and limiting
22 if say we're only going to take them until midnight, that's
23 going to be problematic, again, because if someone gets in
24 the queue ahead of that zone area, and that was my day that
25 I thought I should have, I don't know, to me it just feels

1 like what would keep everything equitable, because even if
2 we go back to the virtual -- and I'm just talking virtual
3 meetings -- but even if we go back to the public comment
4 that was submitted based on some formula, I didn't take the
5 time to figure out what it was, we're already, I think, if
6 anything there would be perhaps showing a favor over
7 certain areas just in the way that we're thinking about
8 adding in extra virtual meetings for zone area that anyone
9 can call in that has broadband access at any time.

10 I don't know, I think we're making it -- it feels
11 like we're making it more difficult than we need to, and I
12 think we're already being impartial and already trying to
13 reach out to everyone, and the key would be just to have
14 enough meetings where people, if they can't get into a
15 queue, they have several other opportunities to get into
16 the queue on other days at their will, whatever the date
17 and time, evening, Saturday or Sunday they choose.

18 CHAIR FERNANDEZ: I have Commissioner Vasquez,
19 Commissioner Le Mons and Commissioner Andersen.

20 COMMISSIONER VASQUEZ: I think, for me I'm still
21 really compelled by trying to organize this even externally
22 and digitally through the zones. I think in some ways we
23 talked a little bit about -- earlier today about sometimes
24 people need something to react to and respond to in order
25 to be activated. That's not everybody, but it's a large

1 portion of people who are just sort of interested, but, you
2 know, they're not the diehards, but if there was an
3 opportunity where they feel specifically compelled, you
4 know, the message is for them, there's something to respond
5 to or concrete impact on their community, I think -- I
6 think we -- we potentially would miss a lot of folks if we
7 just sort of say we're holding 40, you know, digital
8 meetings, come when you're ready. I'm not sure how -- I'm
9 not sure how to make sure we get deep into communities in
10 these outreach meetings. Otherwise, we're basically
11 holding office hours, and come one, come all when you're
12 ready, when you have your map, when you've thought about
13 it, and we're leaving it to community organizers to sort of
14 decide what day works best for their community, or maybe
15 we'll do, you know, five people here, and we'll have
16 another -- we'll have people come at every meeting for, you
17 know, to give input, to give public comment. It just seems
18 -- it seems really difficult to both ensure cohesive or
19 like -- not cohesive -- it just seems messy. It seems
20 really messy from start to finish to do what seems to me
21 like office hours across several months versus this is your
22 day, and I think I am comfortable, I understand we're going
23 to have to make tradeoffs. I mean that's our whole
24 process. We're going to have to weigh some tradeoffs. And
25 for me, I feel, at least right now I feel like I'm more

1 comfortable potentially just saying these are your
2 dedicated times. We'll come up with other avenues if you
3 didn't make it, or this time didn't work for you, or what
4 have you. But for me it feels much more intentional and
5 inspires more activism from sort of our mid-tier folks.
6 Like not our diehards. They're going to be there. We
7 don't have to worry about them. They're going to be there.

8 But I'm trying to think about those folks who
9 need that warmer touch to say like this is my day, this is
10 my opportunity. Let's all go and show up to this meeting
11 to talk about our community in this zone, whatever that is,
12 right, or in this county, because the county is in the
13 zone, right. Like I think people are still organizing
14 themselves around their geography, and so, we've created
15 our own geography with our zones, and I think people are
16 savvy enough to understand -- to be able to understand this
17 is the time for my community, and if we don't make it,
18 there are other opportunities to even give public comment
19 and to tell their story. But I just -- I feel like I'm not
20 sure I'm ready to like lose the specificity of the zones
21 for our public outreach.

22 CHAIR FERNANDEZ: Thank you. Commissioner Le
23 Mons.

24 COMMISSIONER LE MONS: Thank you, Chair. I'm
25 conceptualizing a little bit differently because I think at

1 some point there's going to have to be a prioritization. I
2 know what the overall objective is is to reach every
3 Californian. However, every aspect of the state is not
4 going to face the same considerations when it comes to the
5 line drawing specifically.

6 And, so, there's two things that comes to mind.
7 One, and I'm glad that Marian -- I was thinking the same
8 thing before Marian lifted that up. The mechanisms that we
9 have this time around are different, and the COI tool is a
10 big part of that, so, what they did before was limited to
11 what they were able to do in person.

12 In some ways I feel like we're still kind of
13 thinking about what we're going to do in person as similar.

14 I venture to say that as we look at the
15 prioritization that shakes out as to where there's going to
16 be real question of needing to shift here or there based on
17 migration and population change, and competing interest
18 from multiple communities of interest in a particular area,
19 that, to me, would drive where focus would need to be
20 because that's where we need the input.

21 Certain places, say, for example, in LA County
22 will be a moot point, so it's like we don't need to have
23 our meeting there. We don't need to just have a meeting
24 because it exists in the zone, so to speak.

25 The other thing that comes to mind to me, and I'm

1 conceptualizing this idea of hybrid, is where are the -- it
2 would seem to me that we would want to be present in the
3 areas of the state that suffer from access to virtual.
4 Like that's where we want to make sure we have in person
5 because, to me, if you have access to virtual and you
6 choose not to use that to connect with us, oh, well, you
7 chose not to do it.

8 But if we go -- if we say where are the areas
9 where having a virtual meeting or having the input come
10 even vis a vis the COI tool, is prohibitive just based upon
11 the infrastructure, then that makes sense to me that would
12 be a place that we would want to have an in-person meeting.
13 So, I think that we need to be thinking about why we're in
14 person, separate and apart from Bagley-Keene, just why
15 we're in person. I think we have the benefit and the
16 opportunity to have had COVID affect our society in a way
17 because I don't believe we go back. I don't think anybody
18 is ever going back to whatever existed pre-COVID. It ain't
19 happening, throughout all industries, and should it, right.
20 Why do we need to go back? We're continuing to go forward.
21 So, I think that we continue to leverage this virtual
22 opportunity in a way that wasn't available before from a
23 COI perspective but as well as from an input perspective.
24 And at the same time not abandon the analog which we are
25 all committed to, and meeting in person to me, it sounds

1 silly, is kind of more in the (indiscernible) category.
2 It's like we have to go through that personal touch there
3 because there isn't another mechanism to get that feedback.

4 So, I just wanted to add that to the conversation
5 as we continue to grapple with this moving forward, and
6 designing our outreach access plans. Let's maybe think
7 about it not just in how many meetings we're doing and what
8 areas of the zones, but why are we meeting in these
9 particular places and in what format, and does it meet what
10 the community needs are.

11 CHAIR FERNANDEZ: Thank you. We'll have to take
12 a break in about 12 minutes, so I'm just wondering where do
13 we want to go with this at this point because there doesn't
14 really seem like there's an endpoint. But there is
15 direction in terms of how to move forward, and we do have
16 dates out there, and I think maybe at this point it's
17 important to at least get the dates solidified so that
18 people have them on their calendars. I'm not sure. I
19 don't want to take away from the committee of Commissioner
20 Ahmad and Fornaciari. So, what are your thoughts on this?

21 I did have two other commissioners, Andersen and
22 Turner, but I wanted to take a quick break to see where we
23 want to move from here.

24 VICE CHAIR AHMAD: If I may, this was an
25 extremely helpful conversation. We've gotten to a point

1 where we can actually start identifying what the design of
2 each of these meetings will look like and why, the
3 preliminary set being getting these dates on the calendar.
4 The feedback that I've heard so far is that why are Sundays
5 not included, which I will go back and work with the team
6 to edit.

7 But after that, just looking at the dates, is
8 that something that we can move forward with and then take
9 all the feedback that you all have provided here back to
10 that subcommittee to incorporate, you know, why are we
11 having certain meetings in certain locations? Is there a
12 way that we can capitalize on this virtual environment to
13 the best of our abilities? And then if we and when, and
14 when, asterisk, when we move to in person how can we ensure
15 that our meetings, whether hybrid or fully in person --
16 probably won't be fully in person. There will be a hybrid.
17 How can we better utilize the resources and technology that
18 have to best reach as many Californians as possible?

19 But in terms of closing out this conversation, I
20 think we're in a good place if we can get the okay on
21 moving the dates forward and handing that over to our team
22 to start actually planning at least the first set of
23 meetings which will be in the virtual setting.

24 CHAIR FERNANDEZ: Okay. So, Commissioner Turner.

25 COMMISSIONER TURNER: I'll wait on my other

1 comment, but I still do have. But to respond to how we're
2 trying to move the conversation now, what I heard from what
3 Commissioner Ahmad said is that we're going to change the
4 dates to include Sunday and perhaps move some of the other
5 dates around, but then we're saying are these the right
6 days? Are just saying let's change them so that they cover
7 the full week because now we won't have the dates to look
8 at to make that decision?

9 VICE CHAIR AHMAD: So, based off of what I heard
10 was that there are no Sunday meetings. I can keep the
11 schedule as is, or take it back reorganize those dates
12 throughout the week at various times. I intentionally
13 didn't put -- we didn't put times on there yet because we
14 don't know how long these meetings are going to be
15 scheduled for.

16 And, quite frankly, I don't think we'll know the
17 dates until we know the dates. There's just too many out
18 there for us to be able to calendar and then stay married
19 to them as they might change.

20 If you all want Neal and I to bring this back to
21 the full Commission in the same format with the
22 adjustments, we can, or we can take your recommendations on
23 the adjustments and just hand it off to staff to move
24 forward, either way. Just need some direction.

25 CHAIR FERNANDEZ: Okay. We're getting close.

1 Right now we have May 4th, which is Tuesday. This coming
2 Tuesday we have a block of time from 4:00 to 8:00, and I
3 feel that it may be best use of our time if the dates are
4 adjusted, we come back and we take a holistic look at the
5 calendar. Everyone has a chance to go back, look at the
6 calendar, not only the Public Input meetings, but then also
7 look at the full Commission meetings, our business meetings
8 and then be ready to come back to provide feedback for
9 that. Because I think the conversation is going to go
10 longer than this.

11 There's also other agenda items that we have for
12 May 4th, so we will meet regardless. So, I'm just trying
13 to think if we all take the information we learned today,
14 go back, let it sink in, and then hopefully continue and
15 come up with some further recommendation and action items
16 where we can get to the point where we can hand this off to
17 staff so they can start planning. That's my suggestion.
18 Commissioners Andersen and Kennedy.

19 COMMISSIONER ANDERSEN: On this, how does one say
20 if the idea being the two commissioners who have a zone,
21 who if they know already they can't make a particular date
22 that they're supposed to be scheduled for, how do they say
23 that? Who do they tell?

24 CHAIR FERNANDEZ: You could tell Commissioner
25 Ahmad.

1 VICE CHAIR AHMAD: Can I respond to that?

2 CHAIR FERNANDEZ: Oh, sure.

3 VICE CHAIR AHMAD: I will not be taking into
4 consideration anyone's personal calendars on this. We will
5 put together a schedule, you adjust your life around these
6 COI input meetings. If you can't, you go back and watch
7 the recording. But there are 14 of us, 33 meetings, CRC
8 full business meetings in the span of three-and-a-half
9 months. I don't have the capacity to look at everyone's
10 individual calendars to take into preference those aspects.
11 So, if someone else is willing to step up and do that, I
12 will definitely hand over the reins, but I'm not going to
13 do that.

14 CHAIR FERNANDEZ: Commissioner Kennedy.

15 COMMISSIONER KENNEDY: I just wanted to clarify,
16 just in case I'm the source of this understanding about
17 Sundays, my only observation was that in this entire
18 calendar there was one event scheduled on a Sunday. You
19 know, I think we need a day off a week. The day off can
20 rotate from week to week. You know, I was simply observing
21 that it was -- I was curious as to why there was on a
22 Sunday, and it was the only Sunday event in this entire
23 calendar. So, I wasn't necessarily advocating for Sundays.
24 I'm okay with occasional Sundays. So, I just wanted to
25 clear off any misunderstanding.

1 VICE CHAIR AHMAD: Thank you for that,
2 Commissioner Kennedy. I was working off a template from my
3 colleague whose identity I will protect. So, that's why
4 it's like that. But if there is no strong affinity to
5 adjustments sprinkled throughout the week, then we can leave
6 it as is. If there is, just make it known.

7 CHAIR FERNANDEZ: Okay. So, do we have
8 agreement, at least, to move forward -- I don't want to say
9 move forward -- to go back and look at some of the dates,
10 and they'll come back on the full -- I don't believe
11 there's an action item needed right now. Does that sound
12 like a plan with everybody? If we can, please everyone,
13 look at the calendars, look at the dates.

14 Again, as Commissioner Ahmad mentioned, there's
15 14 of us, and the dates it's -- I try to do it for our
16 business meetings and that's difficult enough. Public
17 Input meetings makes it even more difficult. And again,
18 with the Public Input meetings, you don't necessarily need
19 a quorum.

20 And with that, are we okay, because we're coming
21 up on break time, so --

22 VICE CHAIR AHMAD: Just one last clarification.

23 CHAIR FERNANDEZ: Okay, go ahead.

24 VICE CHAIR AHMAD: I need to move forward on
25 this. Why are we going back and looking at the dates if

1 we're not --

2 CHAIR FERNANDEZ: Well, I thought you were going
3 to look at the Sundays.

4 VICE CHAIR AHMAD: Well, Commissioner Kennedy
5 just said, you know, he was just a bit curious about it.

6 CHAIR FERNANDEZ: Okay, fine.

7 VICE CHAIR AHMAD: So --

8 CHAIR FERNANDEZ: Well, I think everyone needs to
9 digest the information, needs to look at the dates, needs
10 to maybe take all of the information that was shared today
11 and maybe go back and see how this can happen to reach out
12 to 40 million Californians.

13 VICE CHAIR AHMAD: That's fine.

14 CHAIR FERNANDEZ: Commissioner Vasquez.

15 COMMISSIONER VASQUEZ: Dumb but simple question.
16 I'm assuming the holidays, any major holidays, have been
17 taken into consideration in this calendar.

18 CHAIR FERNANDEZ: I believe they have. I'll
19 confirm that.

20 COMMISSIONER VASQUEZ: Okay.

21 CHAIR FERNANDEZ: Okay. Oh, Director Kaplan.
22 Sorry.

23 OUTREACH DIRECTOR KAPLAN: There was just that
24 Labor Day, like Friday and Saturday for Labor Day that may
25 want to explore moving.

1 CHAIR FERNANDEZ: Okay. And Commissioner
2 Sadhwani.

3 COMMISSIONER SADHWANI: Does it make sense for
4 the next step to be like thinking through what -- I mean
5 we've talked this out. The why, I really appreciated
6 Commissioner Le Mons' statement about the whys and where we
7 would to emphasize in person the possibility of hybrids. I
8 does there's a reasonable next step include like someone
9 taking that on and thinking about whether that's staff,
10 whether that's the subcommittee and really starting to put
11 like some, what is the phrase, like meet on the bottom, to
12 kind of give this a little bit more -- I'm fine with the
13 dates for the most part. I mean I don't know. I have no
14 idea my calendar. I'm going to try to make it to all of
15 them, but I would love to like see more of like where are
16 we going with this, what's the shape, what does this
17 actually look like. For the first one in June what's the
18 format going to look like? Is that a reasonable next step?

19 CHAIR FERNANDEZ: And in terms of the format, I
20 believe Commissioner Ahmad mentioned that the Public Input
21 Design we haven't gotten to the format piece of it. That's
22 our next discussion in the committee meeting, and so I'm
23 assuming that's what we're going to try to tackle next
24 time. Do you have anything else to add, Commissioner Ahmad
25 or Fornaciari? Okay.

1 So, we only got to this point, so we're getting
2 to the rest.

3 Kristian, I know we're right up on the hour, but
4 I see that there's some callers. Do you want us to move
5 forward with the -- do you want us to take a break or just
6 kind of plow through with the public comment?

7 MR. MANOFF: The captures ask that we take a
8 break, please.

9 CHAIR FERNANDEZ: Okay. All right. So,
10 regardless we need to take a break, so everyone can please
11 be back at 5:15.

12 (Off the record at 4:59 p.m.)

13 (On the record at 5:15 p.m.)

14 CHAIR FERNANDEZ: Okay, great. Thank you.
15 Welcome back.

16 Let's see, from here we have Agenda Item 17 which
17 is Future Meeting Dates and Agenda Items, and that I'm
18 going to put off because it appears that we will need to
19 meet on the fourth, May 4th, on Tuesday.

20 The Legal Affairs Committee meeting will not be
21 meeting after the adjournment. They'll be meeting on the
22 fourth at 4:00 o'clock. So, we at that point also will go
23 over the future meeting dates. And those dates that I'm
24 proposing are based on everybody's information. It's also
25 on the schedule that Commissioner Ahmad put together, so

1 please review that before the meeting on Tuesday.

2 And is there anything else before we go to public
3 comments? Okay.

4 All right, Katy, can we go to public comment,
5 just general comments. Thank you.

6 PUBLIC COMMENT MODERATOR: We can. All right.
7 In order to maximize transparency and public participation
8 in our process, the Commissioners will be taking public
9 comment by phone. To call in, dial the telephone number
10 provided on the livestream feed. It is 877-853-5247. When
11 prompted to enter the meeting number provided on the
12 livestream feed, it is 98199802683. When prompted to enter
13 a participant I.D., simply press the pound key.

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

17 When it is your turn to speak, you'll hear a
18 message that says, "The host would like you to talk, and to
19 press star six to speak."

20 If you would like to give your name, please state
21 and spell it for the record. You are not required to
22 provide your name to give public comment.

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

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

4 The commissioners are taking general end-of-day
5 public comment at this time. And we do have several
6 callers, and we will start opening them up.

7 Go ahead, the floor is yours.

8 MS. GOLD: Yes. Good evening. This is Rosalind
9 Gold, R-O-S-A-L-I-N-D, Gold, G-O-L-D, with the NALEO
10 Educational Fund.

11 And thank you again, commissioners, for your hard
12 work, especially as you're going in through these late
13 evenings.

14 We would like to emphasize that it is -- we
15 actually feel it is extremely critical and important that
16 the Commission retain an approach to the community of
17 interest hearings from a geographic focus or some
18 geographic emphasis with each or with many of the hearings.

19 No, we don't take the position that if you're not
20 in that particular geographic area you don't get to
21 testify, but we really do feel that community members,
22 knowing that there is a sense that a particular hearing is
23 going to focus on a particular geographic area will be
24 beneficial for several reasons.

25 First of all, it will make the testimony that you

1 hear as commissioners, it will add some coherency and
2 cohesiveness, because you'll be looking at the same
3 geographic area, but you will be hearing a lot of different
4 perspectives, diverse perspectives on how different
5 communities within that same geographic area see
6 themselves.

7 Secondly, as we organize, you know, we want to
8 coordinate with each other so we don't duplicate efforts in
9 our ability to coordinate. There are many of us who are
10 doing this work and work with partners who do have
11 geographic focus, it will, you know, really help us
12 leverage our resources and be more effective to have some
13 kind of geographic focus.

14 And then finally, just in terms of civic
15 engagement, you know, we know that people like to engage
16 civically as part of networks. And one of the networks
17 people have are with their community members with people
18 who are in their same geography.

19 MR. MANOFF: Fifteen seconds.

20 MS. GOLD: That's part of the civic institution
21 and engagement. So, we really do want to encourage to keep
22 some kind of geographic focus or approach with respect to
23 the hearings. Thank you.

24 CHAIR FERNANDEZ: Thank you, Ms. Gold.

25 PUBLIC COMMENT MODERATOR: And to our next

1 caller, and I would like to remind those public in the
2 queue to press star nine to raise your hands. We do have
3 raised hands. Just reminding those. Go ahead, the floor
4 is yours.

5 MS. ALLEN: Hello, everyone. My name is Sky
6 Allen, spelled S-K-Y, A-L-L-E-N with Inland Empire United.

7 Quickly, before I get into it, I want to clarify
8 that the letter I submitted earlier this week, the
9 population estimate came from 2018, 2019 ACS data. So,
10 they aren't perfect, but they are reasonably based. That
11 came up a couple of times. I just wanted to clarify.

12 I'm calling right now, though, to push back a
13 little bit against the idea of a zone list public input
14 strategy. I think we're a little bit concerned as local
15 organizers. Your obligation is, of course, to the state as
16 a whole, but your objective as the Redistricting Commission
17 is to create equitable maps.

18 I'm not really sure how you group our
19 communities, and since they are in equitable districts,
20 without understanding of our regions. And I'm not sure how
21 you understand our regions without taking them piece by
22 piece.

23 I would imagine having COI meetings without
24 consideration of zones, similar to facilitating a meeting
25 without an agenda, you'll get comments that will be made

1 and uplifted that will be really difficult to capture and
2 digest all of those without any structure.

3 Fluidity is really important and necessary, and
4 I'm glad that's something that you are all taking into
5 account. But it would make our work as organizers much
6 more difficult in terms of rallying our communities,
7 tracking our constituents to show up, following the
8 direction of your meetings. And I would also imagine that
9 would make your work and practice more difficult as well.

10 As an organizer on the ground I just wanted to
11 uplift that I'm concerned about that potential direction
12 and I would really encourage you to be fluid within a
13 particular geographic-based structure as opposed to having
14 a 100 percent free for all.

15 MR. MANOFF: Fifteen seconds.

16 MS. ALLEN: Regardless, I do want to thank you
17 all for your time and your thoughtfulness. I know it's
18 been a really long week, and I just want to say your work
19 is valued and appreciated. Thank you so much.

20 CHAIR FERNANDEZ: Thank you, Ms. Allen.

21 PUBLIC COMMENT MODERATOR: All right, and on to
22 our next caller. Go ahead, the floor is yours.

23 MS. WESTA-LUSK: Hello, this is Renee Westa-Lusk.
24 I am opposed to having a free for all, 35 or 40 hearings,
25 whatever the number you're planning to do, public input

1 meetings. I concur with the other two speakers, but I'm
2 concerned about rural areas being left out, because with a
3 free for all like that you can have hundreds to thousands
4 of people going to those meetings virtually from the urban
5 areas, and it will be so crowded out that anybody from a
6 small rural area that desperately needs effective
7 representation will be pushed out of giving any testimony
8 at all.

9 And I can't convey to you how important rural
10 areas. They need representation just as badly as the urban
11 areas do.

12 And then, secondly, I want to ask is written
13 public comment via letter or U.S. mail, or email rather,
14 more important or carries more weight than giving face-to-
15 face virtual physical testimony, because that's what I'm
16 kind of getting out of this discussion today.

17 And then the other thing is I tried to find the
18 handout that you were all discussing regarding the COI
19 Public Input meetings, and the one I saw that was on the
20 handout list showed 23 meetings, and it didn't -- it just
21 showed LA County with four, Bay Area --

22 MR. MANOFF: Fifteen seconds.

23 MS. WESTA-LUSK: -- with three, San Diego, with
24 two, and all the other zones were only getting one meeting.
25 But then when you were discussing the meeting, the numbers

1 went up to 35, and then you were saying there were going to
2 be more meetings in the different zones than just the ones
3 that only got one.

4 MR. MANOFF: Two minutes.

5 MS. WESTA-LUSK: So, I need clarification on
6 that.

7 Those are my comments. Thank you.

8 CHAIR FERNANDEZ: Thank you, Ms. Westa-Lusk.

9 PUBLIC COMMENT MODERATOR: And to our next
10 caller. Go ahead, the floor is yours.

11 MR. SUKATON: Good afternoon, Commissioners.
12 This is, again, Sam Sukaton. That's S-U-K-A-T-O-N, from
13 the California League of Conservation Voters Education
14 Fund.

15 I know that it's the end of a long day and a long
16 week, so thank you for your time.

17 I just wanted to cosign Rosalind and Sky's
18 comments with the added emphasis that there's a number of
19 regions where, again, high biodiversity, I think some of
20 you are familiar with the neighborhood I keep referencing,
21 where folks are -- it's hard for folks to plan to come out
22 to meetings, and so, because of long distances. I know
23 that Commissioner Kennedy within the Morongo Valley has
24 expressed bits and pieces of the sentiment.

25 With that in mind, I do want to emphasize that it

1 makes more sense, I think, speaking as environmentalist, to
2 organize folks to something that speaks so specifically to
3 their place.

4 You know, a lot of the groups that we work with
5 are very committed to, as I mentioned, too sensitive a
6 habitat to organize (indiscernible). So, what that in mind
7 we'd like to underline the request of emphasizing kind of
8 -- avoiding geography-neutral hearings wherever possible,
9 that we understand some issues in some regions may cross
10 areas, and people from other areas may speak at meetings
11 that are really not in their geographic area of interest.
12 We do want to make sure that there's some kind of
13 geographic bucket framing the discussions as they're
14 settled. Thank you.

15 CHAIR FERNANDEZ: Thank you, Mr. Sukaton.

16 PUBLIC COMMENT MODERATOR: And I would like to
17 remind the last caller in the queue, if you are interested
18 in making a comment, star nine will raise your hand
19 indicating that your wish is. Otherwise, that is all of
20 our public comment. And they are not raising their hand.
21 All right.

22 CHAIR FERNANDEZ: Thank you. And I just want to
23 re-emphasize, I think we've said it a few times today, that
24 all other -- there isn't a weight factor in terms of how
25 important, if it's provided in the COI tool, if it's mailed

1 in, if you testify or come to a public input hearing, it's
2 all the same weight. So, please don't feel that there's
3 different weights attached to public input.

4 With that we will adjourn. Again, we're going to
5 have a meeting on May 4th. It will start out with the
6 Legal Affairs Committee, and that will go from 4:00 to
7 5:00. Will that be enough time do you think? Okay. Yeah.
8 Four to 5:00. Should we take a 15-minute break in between
9 then because we'll be using the same -- okay, so from 4:00
10 to 5:00 will be Legal Affairs, and then at 4:15 -- I mean
11 5:15 we will come back into the full Commission meeting.

12 Anything else? Commissioner Turner, did you have
13 something?

14 COMMISSIONER TURNER: Yes. I wanted to say I'm
15 grateful for all of the public comment. We'll take all of
16 the desires and wishes of those into context. I think,
17 though, it's a -- I still just want to name that it's a
18 false, forced choice as far as thinking. We still have not
19 addressed the issue that people will call in at any given
20 time. And unless we change those rules, that will continue
21 to happen. People will not have special times to call.
22 People will call throughout the state at random times. And
23 with given dates there's always ways to organize around
24 that. So, I just wanted to lift that up again and make
25 sure that everyone listening understand that regardless of

1 what time, what date, what day is given to a particular
2 zone, people will be able to call in and take that time in
3 the queue to be able to give their public comment anywhere
4 in the state.

5 CHAIR FERNANDEZ: Thank you for that.
6 Commissioner Ahmad.

7 VICE CHAIR AHMAD: Chair Fernandez, you deserve a
8 round of applause. You've got us through such a long week
9 with such a wild schedule. I just wanted to express my
10 appreciation for your strong leadership. I have big shoes
11 to fill following you.

12 CHAIR FERNANDEZ: I'm looking forward to you
13 filling those shoes. Thank you all very much. Thank you
14 all for going on this journey with me for the last four
15 days. And we'll see you again on Tuesday. Thank you.

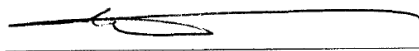
16 (Meeting adjourned 5:31 p.m.)
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Barbara Little
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