

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

CRC Business Meeting

WEDNESDAY, SEPTEMBER 21, 2022

9:30 a.m.

Reported By:

Peter Petty,
eScribers, LLC



APPEARANCESCOMMISSIONERS

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

STAFF

Alvaro E. Hernandez, Executive Director
Anthony Pane, Chief Counsel
Wanda Sheffield, Administrative Assistant

TECHNICAL CONTRACTORS

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P R O C E E D I N G S

September 21, 2022 9:30 a.m.

CHAIR TURNER: Good morning, California. And welcome to our California Redistricting Commission -- Citizens Redistricting Commission meeting for today, Wednesday, September 21st. I am your chair for this session, Commissioner Turner. And the vice chair is Commissioner Akutagawa. We will now open our meeting and go into our roll call.

Ms. SHEFFIELD: Good morning, Commissioners.

Commissioner Vasquez?

Commissioner Yee?

COMMISSIONER YEE: Here.

MS. SHEFFLIED: Commissioner Ahmed?

COMMISSIONER AHMED: Here.

MS. SHEFFIELD: Commissioner Akutagawa?

VICE-CHAIR AKUTAGAWA: Here.

MS. SHEFFIELD: Commissioner Anderson?

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Presente.

MS. SHEFFIELD: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Here.

MS. SHEFFIELD: Commissioner Kennedy?

COMMISSIONER KENNEDY: Here.

MS. SHEFFIELD: Commissioner Le Mons?



1 COMMISSIONER LE MONS: Here.

2 MS. SHEFFIELD: Commissioner Sadhwani?

3 COMMISSIONER SADHWANI: Here.

4 MS. SHEFFIELD: Commissioner Sinay?

5 Commissioner Taylor?

6 COMMISSIONER SINAY: I'm here. Sorry. I'm here.

7 MS. SHEFFIELD: Commissioner Taylor?

8 Commissioner Toledo?

9 COMMISSIONER TOLEDO: Here.

10 MS. SHEFFIELD: And Commissioner Chair Turner.

11 CHAIR TURNER: And I am here.

12 MS. SHEFFIELD: Thank you.

13 CHAIR TURNER: Thank you. And seeing as now we do
14 have a quorum; we'll move forward with our agenda. The
15 run of show for today -- we will start with just
16 announcements, Commissioners. So if you get ready and
17 prepared for that, we'll have announcements. Following
18 that, we will go into our director update from our
19 Executive Director Hernandez, chief counsel Updates from
20 Chief Counsel Pane.

21 We have only two subcommittees that will be
22 reporting today, and that'll be our Lessons Learned with
23 Commissioners Yee and Kennedy, and then also our Long-
24 Term Planning and Legislative with Commissioners
25 Akutagawa and Fernandez. In the middle of that, when we

1 go to break at 11 o'clock, we will come back into closed
2 session. We will follow closed session with an hour
3 lunch. So the expectation is that we'll return about
4 1:15 to continue subcommittees and so that you'll just
5 know how to govern yourselves.

6 So we'll do our announcements, our updates will
7 start subcommittee, go to break and then go into closed
8 session and lunch. And then when we return, we'll
9 finish. So we will perhaps have an early day, but we'll
10 just see and ensure that we take care of needs of the
11 business as needed.

12 Okay. So with that, I'll ask now if there are any
13 announcements from our commissioners. Woohoo. All
14 right. Okay. Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Thank you. I just wanted
16 to comment on the public comment letter that we received
17 from Kevin Elliott, and he brings up some really good
18 points. And I appreciate and I believe I was up in the
19 past as well. And I'm just recommending that if he is
20 listening to forward that also to The State auditor's
21 office. Thank you.

22 CHAIR TURNER: Beautiful. Thank you. Thank you for
23 that. And I also want to just acknowledge that we are in
24 the middle of our Hispanic Heritage Month and ensure that
25 we give that some attention and reverence also. If there



1 are no other announcements. Okay. We'll go ahead and
2 move then, Executive Director Hernandez, to your update,
3 please.

4 MR. HERNANDEZ: (In Spanish). Thank you very much
5 and welcome, everyone. Let me go ahead and start by
6 sharing some information of what we've been doing in
7 regards to working with calHR. Our role is working with
8 calHR to make sure that we leave some documentation about
9 CRC, about our staffing and the Commissioners for the
10 next commission in 2030.

11 So calHR has been very helpful in updating the
12 Commissioner's per diem as per Government Code, also
13 posted many of the recruitments that we've done, and
14 issued class codes when we have needed them. So you may
15 recall I have mentioned before that our biggest challenge
16 that we face this go around was -- and in setting up our
17 infrastructure, was explaining to people, other agencies,
18 we are what we do.

19 So our goal with this documentation is to help
20 calHR, you know, in eight years to have some type of
21 documentation showing who we are, what we do. To make it
22 easy, there'll probably be some turnover on their end and
23 this documentation will be housed here within FTB as well
24 as -- FTB -- CRC, sorry, not FTB, CRC. And it will also
25 be housed with calHR so that they have that record.



1 We're planning on doing the same with other
2 departments that we work with to make sure that the
3 transition in 2030 is a lot smoother than it was this go
4 around. And I'm hopeful that is the -- in 2030 is being
5 the third cohort of the CRC, people will at least be more
6 familiar with what the Commission does.

7 Moving on, I wanted to share a little bit of what
8 we're doing with Karina, our SSML training. So she is
9 continuing her onboarding and training these first two
10 months or month and a half. We have focused on training
11 her predominantly on accounting and the budget aspects of
12 the commission. She's been meeting with Vanessa and
13 going over fiscal and also meeting with Terri to go over
14 the budget process, including the BCP process.

15 She is also working and training with Raul on the
16 contracting process. Now we are doing a contract for the
17 user interface as well, Snowflake's working with Raul on
18 that aspect of it. We've asked her to join subcommittee
19 meetings when possible so that she can get a better
20 perspective on how we operate.

21 In addition, when possible, Raul has included her
22 meetings with other agencies, including DGS and DOJ when
23 possible. This is a process that is going to take Karina
24 some time because she's essentially trying to learn six
25 different jobs and programs in the next three and a half



1 months. So I just wanted to kind of give you that
2 perspective. Our plan for Karina will continue through
3 December, bringing her on board as -- at her pace, as
4 well as making sure that things are getting completed.

5 Our goal is to make sure that she has a foundation
6 context and the history to support the commission in the
7 next eight years. And a lot of the training is being
8 done one on one with specific staff. So she gets a
9 better understanding of questions and it just makes it
10 easier for the transition moving forward.

11 Moving on, I wanted to share some kudos that the
12 Commission received from the Small Business Disabled
13 Veteran Business Enterprise, SBDVBE advocate at DGS. Not
14 only did we meet, but we exceeded the annual contracting
15 participation goals for fiscal year '21/'22. The annual
16 goal for small business participation is twenty-five
17 percent, and for disabled veteran business enterprises,
18 the participation is three percent.

19 The Commission had a 47.37 percent for small
20 business participation and 47.17 DVBE participation. So
21 kudos to the Commission for doing such a tremendous job
22 here. And we are being recognized. So I really
23 appreciate that from the Department of General Services
24 office's advocate.

25 Moving on, I wanted to update you on the website.



1 We're continuing to work on the transition to the
2 website, the CDT Web server. Martin is in the process of
3 linking the files, including maps and files submitted
4 into the COI database. When we move the data to the
5 storage server, we will have to go through and update the
6 length of the new server. So some additional work once
7 we transition to where the data is going to be stored.

8 The website, is to a certain extent, for our archive
9 purposes to reflect the work of the Commission with a few
10 pages that will be reflecting ongoing information such as
11 our meetings, updates on handouts, things of that nature.
12 So just trying to put things in perspective there. The
13 about us and the final maps are basically going to be
14 static pages. CDT will provide maintenance on the
15 website for lower cost than nation building. So those
16 are the things that we considered as we move forward with
17 the website. We're hopeful that -- probably in mid-
18 October, early to mid-October, we'll have that transition
19 take place. We'll provide some additional information
20 before it actually happens. And we'll be working with
21 the subcommittee to review that information to make sure
22 that they're okay with it.

23 Regarding the database, the statement of work for
24 the user interface was posted in the final date was last
25 Friday. We're going through the process of moving



1 forward with that effort. We did reach out to the USDR
2 and had a great discussion with them. They offered
3 suggestions regarding the user interface, including
4 continuing the path that we are on to find a vendor
5 because they weren't able to provide solutions at that
6 point.

7 We also followed up with a statewide database as was
8 suggested by Commissioner Yee. So thank you,
9 Commissioner Yee. They can service the data storage much
10 like a AWS but would not be able to do a lot of the data
11 maintenance that we're looking for. Also, they would not
12 be able to store the extensive video collection that we
13 have of the Commission, which is very large files that we
14 have to store somewhere. And we have them on -- the
15 particular vendor that we're looking at for that storage,
16 they've already confirmed that they are able to store
17 that quantity of file size.

18 Paul Mitchell will be working with the vendors when
19 they come on board to move the data and also the map
20 files, the GIS files so those are moving forward. An
21 update on the State Archives, Paul Mitchell again is
22 working with State Archives to prepare the data,
23 specifically the GIS files in formats that are easy to
24 access for state archives to then deliver them according
25 to professional standards. So that's what he's been



1 doing.

2 Raul has been organizing, categorizing, and indexing
3 the information we will be sending over to State Archives
4 to help them as much as possible so that they don't have
5 to do anything on their end. So we're trying to prepare
6 it so that they basically take it and run with it as is.
7 We're still waiting to hear back from them on how best to
8 transfer the files. So that's where we are with them.
9 Are there any questions so far?

10 CHAIR TURNER: You have two, actually.

11 MR. HERNANDEZ: Okay.

12 CHAIR TURNER: So we'll hear from Commissioner Sinay
13 and then a question or comment from Commissioner Kennedy.

14 COMMISSIONER SINAY: I wanted to go back to the
15 recognition that the Commission received. And as we all
16 know, yeah, the Commissioners were really intentional in
17 this aspect and it was something that was brought up from
18 the very, very beginning. I remember the first time we
19 had a -- we heard that we were going to be working with a
20 big media company and I was like, wait, can't we work
21 with smaller businesses and such? And so this was an
22 intentional value of the Commission.

23 So I was hoping that we could share that recognition
24 on our social media that it be out there just so that
25 others know that it is -- that it's doable. And I also



1 would like at some point we probably need to talk about
2 what is our vision for our continued social media
3 presence, because there are, you know, little things like
4 this can still inspire and engage folks, you know, more
5 than just saying we have a meeting if, you know, yeah --
6 so I just -- I just wanted to that put that somewhere as
7 well.

8 So think about what moving forward, how do we want
9 to continually raise awareness of independent
10 redistricting, the Redistricting Commission and/or the
11 Commissioners? You know, what is our what is our goal?

12 CHAIR TURNER: Yeah. Thank you for that,
13 Commissioner Sinay. I guess as we think through that,
14 we'll think about to the upkeep of it and who actually
15 would be responsible for doing that as we wind-down staff
16 and what have you. But yeah, good stuff.

17 Commissioner Kennedy?

18 COMMISSIONER KENNEDY: Thank you, Chair.

19 Director Hernandez, I just wanted to clear up
20 something from my notes from the last meeting. I wrote
21 down that you had mentioned that instructions on
22 accessing the archives holdings from the Citizens
23 Redistricting Commission had been posted on our website.
24 Is that correct, or is that something that is yet to
25 come? And if it is already there, I just -- I haven't

1 been able to find it yet and would appreciate guidance on
2 how to find it. Thank you.

3 MR. HERNANDEZ: Yes. The information was posted at
4 the last meeting. Let me take a look here. I'll have to
5 circle back with Martin. It was posted, but I don't see
6 it there right now, so I'll make sure it gets posted in
7 this meeting's handouts as well. So I apologize for
8 that. Oh, it is there. It's under 2A, How to Access CRC
9 2010 Archives, 8/31/22 at 9:20. I apologize. It is
10 there in last meeting's handout.

11 COMMISSIONER KENNEDY: Okay. This, I guess, is
12 another of those examples that some of our community
13 partners have been complaining about, that things go into
14 a meeting handout file and get lost or aren't easy to
15 find. So this -- the instructions on how to find
16 redistricting commission materials in The State Archives
17 need to be, you know, linked prominently from the home
18 page or you know, from somewhere better than a random
19 meeting handouts collection. Thank you.

20 MR. HERNANDEZ: Duly noted.

21 CHAIR TURNER: Thank you, Commissioner Kennedy.
22 Commissioner Sinay?

23 COMMISSIONER SINAY: Thanks. Sorry. This is -- you
24 just reminded me of this, Commissioner Kennedy, when you
25 were talking about the home page. Is there a reason why



1 we have on the home page the urgent energy conservation
2 needed? And it comes up very, very -- at the very
3 beginning. And do we still need it since the heat wave
4 passed?

5 MR. HERNANDEZ: Very good question. We were asked
6 by the higher ups to include this on our website along
7 with all other state agencies. So we did. So I don't
8 know if the -- it is still necessary. I'll circle back
9 with those agencies to ask if that is still necessary at
10 this point. But that was the purpose that we put it up
11 there. We were asked, as all other departments were
12 asked, to put that information out there.

13 CHAIR TURNER: Thank you for that response. Does
14 that conclude your report -- Commissioner Kennedy?

15 COMMISSIONER KENNEDY: Thank you, Chair. I don't
16 know. We want to be good citizens. I think we've all
17 tried to be good citizens. We want the commission to be
18 a good corporate citizen as a -- as a body. But we are
19 an independent body, and the Commissioners are the ones
20 who issue instructions rather than anyone else. So
21 please just keep that in mind. Thank you.

22 MR. HERNANDEZ: Just for clarification, I'm not --
23 how -- are you suggesting that the commission needed to
24 decide on whether or not to put this information out
25 there? Just for clarification.

1 COMMISSIONER KENNEDY: I mean, preferably, yes. If
2 it's an emergency, I guess, you know, that is that is
3 something that you could make a decision on, perhaps
4 consulting with the Website Subcommittee. But you know,
5 we -- we have said all along that we want to protect our
6 independence. And I think we want to continue to protect
7 our independence.

8 CHAIR TURNER: Um-hum. Um-hum. I think I am --
9 well, not think, I agree with that. I guess it's more of
10 anything than just kind of the overall our belief and
11 process and what we're trying to have. So it's not so
12 much about what it says and where it is. It's the
13 underlying statement about which got directive from the
14 higher ups and this is what we did.

15 I think for me, that's where the rub is, as opposed
16 to considering or consulting, if indeed the Commission is
17 in agreement or not with the sense of urgency. And in
18 this case, certainly we want to be, as Commissioner
19 Kennedy put it, definitely want to be responsive and good
20 citizens. But we don't want to have the feel that
21 whatever comes from the State, we then will fall, you
22 know, have to fall in line without having some discussion
23 is how I'm thinking.

24 Commissioner Le Mons?

25 COMMISSIONER LE MONS: I just wanted to echo -- I



1 won't literally echo what you said, but echo what you
2 said. Thank you.

3 CHAIR TURNER: Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Just a brief comment. I
5 agree with everything that everyone's saying. I went on
6 to our website and that was the very first message. And
7 for a second I thought I was on the wrong website because
8 I was like, oh, this isn't part of us. So that's also a
9 consideration too. I don't know if we necessarily have
10 to have it where it's blasted, maybe somewhere else in
11 the page. But thank you for bringing that up.

12 CHAIR TURNER: Commissioner Anderson?

13 COMMISSIONER ANDERSEN: Yeah. Just in the future,
14 anything like that should go through whatever website
15 and/or Chair before it just automatically happens.

16 CHAIR TURNER: Thank you.

17 Executive Director, Does this conclude the report?

18 MR. HERNANDEZ: Not quite.

19 CHAIR TURNER: Okay.

20 M. HERNANDEZ: I have some more information to
21 share.

22 CHAIR TURNER: Yes.

23 MR. HERNANDEZ: Thank you for that qualification. I
24 appreciate it. Moving on in regards to our fund request,
25 I wanted to update you on that. Per the Commission's



1 recommendation at our last meeting, we did send out a
2 follow up letter to Department of Finance and the Joint
3 Legislative Budget Committee on September 7th requesting
4 a response to our request to release funds for the
5 litigation contract. The letter that we had sent on, I
6 believe it was early May or actually July, not May, July.

7 We have sent three separate letters requesting the
8 funds. This is now our fourth letter asking them to
9 release the funds. And although Terri continues to reach
10 out to our direct contacts with the Department of Finance
11 to follow up with them. We have not heard back as of
12 this morning. And just, you know, we're going to
13 continue to reach out to them to discuss this and figure
14 out what it is that they need from us.

15 In addition, we are going to be reaching out to them
16 to discuss the BCP and putting that information together,
17 including the numbers for the BCP that we will be meeting
18 with the Finance and Admin Subcommittee in the coming
19 week to go over to make sure that we're on the same page.
20 We do plan to meet with Department of Finance at the end
21 of this month, early next month, to make sure that we
22 have what they need.

23 I think I mentioned to you all that we had a meeting
24 with them I want to say about a month ago where we kind
25 of brainstorm, how can we expedite the process to get our



1 funding released or to go over information in a more-
2 timely manner versus them sending us an email, we send
3 the response back, and then we don't hear from them.

4 So we've tried to open up those lines of
5 communication and will continue to do so. And hopefully
6 at this meeting that we're going to be scheduling, we'll
7 be able to discuss that a little bit further to make sure
8 that even through the BCP process, it is more streamlined
9 than it has been.

10 CHAIR TURNER: Um-hum. Um-hum.

11 MR. HERNANDEZ: At any rate, that does conclude my
12 information, my report today.

13 CHAIR TURNER: There is a question or comment.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Thank you, Chair. Yes,
16 Executive Director Hernandez, if you can find out is this
17 like, as you mentioned, it is the fourth time we reached
18 out to finance and you've had various meetings regarding
19 the litigation funding. So I really think at this point
20 we need to consider where and who to elevate this to
21 because it has gone on for quite some time and we haven't
22 been able to finalize a contract because of it and pay
23 some expenses. So maybe we can circle back with the
24 Finance and Admin Subcommittee in terms of how to
25 proceed. Thank you.



1 CHAIR TURNER: Thank you, Commissioner Fernandez.

2 And Executive Director Hernandez, I just did want to
3 commend you on the thoroughness of the letter that you
4 did send in outlining all of the detail on what has been
5 done and how we've been responsive to the needs. So I
6 thought the letter was excellent and just wanted to say
7 thank you for that and look forward to the next steps.

8 MR. HERNANDEZ: Thank you.

9 CHAIR TURNER: Okay. We'll continue with our
10 reports and we'll move to our Chief Counsel Pane for your
11 report, please.

12 ATTY PANE: Thank you. Good morning, Chair. Good
13 morning, Commissioners. Two updates. At the last
14 commission meeting, I mentioned that we would be looking
15 at a conflict-of-interest change. I have to delay that
16 to the next commission meeting. Our attorney, Tim
17 Treichel, is unable to join us today. And he's the one
18 that's been running a lot of the direct contact with the
19 Fair Political Practices Commission, which is the -- and
20 the Office of Administrative Law are the two bodies we
21 need to make sure we run this conflict of interest
22 through. So I have every expectation that we'll be able
23 to present at the next meeting.

24 The second piece I wanted to bring up is I wanted to
25 let you all know that various counties have reached out



1 and -- to deal with once the maps by you all are drawn
2 and finalized, they then have to overlay a parcel map
3 with those lines. And there often times can be, though,
4 they minimize questions of intent when they overlay their
5 parcel map.

6 And so I've worked closely with legislative staff as
7 well as Commissioner Yee, and we will be able to -- a
8 future Commission, 2030 Commission will be able to
9 address these issues as they come up administratively
10 without at this point, any need to change the law or
11 address issues any further.

12 The next chief counsel will be able to work with any
13 of the staff to work with the counties on sort of one by
14 one as the cases come up, a few that we hope they are,
15 just to address any questions that counties may have.
16 And with that, I don't have any other topics. But I'm
17 happy to answer any questions the Commissioners may have.

18 CHAIR TURNER: Thank you. At this time, then we
19 will call for public comment on our agenda item number 2.
20 So calling for public comment at this time.

21 PUBLIC COMMENT MODERATOR: I can help you with that,
22 Chair.

23 CHAIR TURNER: Thank you, Christian.

24 PUBLIC COMMENT MODERATOR: All right. In order to
25 maximize transparency and public participation in our



1 process, the Commissioners will be taking in public
2 comment by phone. To call in, dial the telephone number
3 provided on the livestream feed. It is 877-853-5247.
4 When prompted, enter the meeting ID number provided on
5 the livestream feed. It is 82323202143 for this meeting.

6 When prompted to enter a participant ID simply press
7 pound. Once you've dialed in, you'll be placed in a
8 queue. To indicate you wish to comment, please press
9 star 9. This will raise your hand for the moderator.
10 When it's your turn to speak, you'll hear a message that
11 says the host would like you to talk. Press star 6 to
12 speak. If you'd like to give your name, please state and
13 spell it for the record. You are not required to provide
14 your name to give public comment. Please make sure to
15 mute your computer or livestream audio to prevent any
16 feedback or distortion during your call. Once you're
17 waiting in the queue, be alert for when it is your turn
18 to speak. And again, please turn down the livestream
19 volume. And there are no callers in the queue at this
20 time, Chair.

21 CHAIR TURNER: Okay. We'll give it the customary
22 time. Let me know when the instructions are complete.

23 PUBLIC COMMENT MODERATOR: And those instructions
24 are complete on the livestream, Chair.

25 CHAIR TURNER: Okay. Thank you so much. So at this



1 time, we'll move to our agenda item number 3, which is
2 our subcommittee updates. And we will begin with Lessons
3 Learned, which is Commissioners Kennedy and --
4 Commissioners Kennedy and Yee.

5 COMMISSIONER KENNEDY: Thank you, Chair. First of
6 all, I want to thank all colleagues and staff who have
7 participated in this Lessons Learned process really
8 throughout our tenure. This is something that I had put
9 on the table as a -- an objective for us from the very
10 beginning. I think we've all embraced the concept of
11 learning lessons from this process and leaving things as
12 best we can for the 2030 Commission.

13 I really wholeheartedly -- and it shows. I shared
14 with Commissioner Yee last week a compiled list of inputs
15 from our March Lessons Learned events from input we've
16 had from community groups, inputs that the Lessons
17 Learned Subcommittee has collected along the way over the
18 last two years, really.

19 And that file comprised nearly 1,400 discrete inputs
20 from all sources or almost all sources, I should say,
21 because I realized when I, you know, sent that to him
22 that I had not reviewed our Lessons Learned exercise from
23 August of last year, the interim lessons learned exercise
24 before the mapping, to make sure that I had picked up
25 everything from there.



1 We will also be scouring staff notes from the
2 lessons learned exercise to make sure that we didn't miss
3 anything that staff picked up. But it's a lot of input
4 that Commissioner Yee and I will now be diving up and
5 putting together a draft for your consideration. But I
6 did want to take this opportunity to make that report and
7 to thank all of you -- all of the public, all the
8 community groups who have provided input into this
9 Lessons Learned process from the very beginning.

10 Commissioner Yee?

11 COMMISSIONER YEE: Thank you, Commissioner Kennedy.
12 Yes. Commissioner Kennedy has been magnificent in
13 leaving no stone unturned and trying to capture
14 everything that has passed our way that could possibly be
15 useful in this report. And of course, now the challenge
16 will be to prioritize all of it and package it and make
17 it accessible and easy to digest for anyone -- for the
18 next commission to make it useful for them.

19 I've, in the meanwhile, been working on some of the
20 reference material that we've mentioned and have in
21 handouts today the draft for a rundown on all our
22 committees and subcommittees. And I need your input on
23 this because as I went through them, I realize I just
24 could not remember what they all did or what the best
25 description of their duties were in many cases.



1 So please take a look. I compiled this by simply
2 looking through all our agendas and noting the first
3 mention of each committee or subcommittee and which
4 commissioners were on it. But I, you know, that is not a
5 complete, you know, completely accurate record.

6 So please do take a look. And where the description
7 or the personnel are not quite right, please get those
8 edits to staff and they will get them to me. Thanks. I
9 was really surprised. It was 38 subcommittees -- 38
10 committees and subcommittees we served on. That's a lot.

11 CHAIR TURNER: Thank you for the extraordinary work.
12 We are certainly appreciative of the work that you're
13 doing and continue to do.

14 Commissioner Sinay?

15 COMMISSIONER SINAY: Thank you. Thanks for giving
16 clarification on how to get changes to that one document.
17 It is an impressive document. On the report, I am -- I'm
18 feeling like at one point we talked about making sure
19 that we create a comprehensive report that's really
20 helpful in that the 2030 can get whatever information
21 they need.

22 And on the other hand, we had also talked about a
23 concise report that can be used because a lot of people
24 won't read details. And I'm just -- I'm wondering how
25 we're balancing those that tension about, you know,



1 because it has already been over six months since we --
2 it's been over eight months since we submitted maps.
3 People are curious, you know, they are writing analysis
4 about our work, you know, how are we going to tell our
5 story before others tell our story? So I just wanted to
6 put that out there on how we're dealing with that
7 tension.

8 CHAIR TURNER: Thank you, Commissioner Sinay.
9 Commissioner Kennedy?

10 COMMISSIONER KENNEDY: And you know, we can ask
11 Commissioner Yee as well. My response on that is
12 Commissioner Yee and I have been discussing the need for
13 a very robust executive summary that is short enough that
14 people will read, but comprehensive enough that it does
15 give a clear picture of where we see changes needed in
16 the various processes and timelines going forward.

17 Commissioner Yee?

18 COMMISSIONER YEE: Right. So the executive summary
19 at the front and then each section will probably have a
20 header with bullet points. I know, Commissioner Sinay,
21 you offered the very useful suggestion of maybe starting
22 each section where key questions or picking our key
23 points. So I need to include those, you know, 1400
24 inputs, you know, they're not going to all make the cut,
25 obviously. So you know, that will be up to Commissioner

1 Kennedy and I to exercise judgement on those and a lot of
2 them can probably be consolidated and so forth. So yeah,
3 really trying to make this -- and thinking what if I, you
4 know, what if we had been given such a document? What
5 would be the most useful format and content to use?

6 CHAIR TURNER: Thank you, both. And as we're
7 receiving the information Commissioners, as we have any
8 thoughts about what's too much, what's missing, we can
9 continue to give that feedback as well. But I really
10 appreciate how it's shaping up and the information that
11 we're receiving and the directions that it's headed.

12 Any other Commissioners? Okay. So we have almost a
13 full hour to move to our Long-term Planning Subcommittee.

14 COMMISSIONER FERNANDEZ: Okay. Thank you. I'll get
15 started. And then I'm sure Commissioner Akutagawa will
16 continue on. There's two documents that were posted.
17 One of the documents that's titled Proposed Legislative
18 Changes Moving Forward, dated 9/21/22. That is just a
19 one-page document. And it just shows those items that
20 the Commission has voted to move forward.

21 CHAIR TURNER: Um-hum.

22 COMMISSIONER FERNANDEZ: Yellow. And that's for the
23 AB 1848 regarding the State incarcerated population. And
24 the governor still has not signed that bill and we will
25 let you know as soon as that happens and hopefully it

1 does happen soon. So we won't be going over that one.
2 We kind of went over it last time. The other document
3 I'd like to go over would be the six-page document. And
4 actually we're not going to go over all of it because
5 we've already gone over quite a bit of the information.

6 If you go to page five -- so we kept saying we're
7 going to go below the green, right, Commissioner
8 Akutagawa? Those are the remaining areas that we haven't
9 discussed as a Commission. And so what we're doing is
10 we're trying to put all of the items that we initially --
11 that were initially brought forward, trying to put them
12 in two different boxes so that it's more concise and we
13 can be more intentional in our future conversations.

14 And so for the first one is hopefully everybody's
15 there. And that one is C-1, it's allowed no party
16 preference to be considered a party for purposes of
17 considering Commissioner membership categories. We have
18 discussed this in the past.

19 It's kind of gone back and forth in terms of --
20 first of all, the no party preference is the second
21 largest -- or it's close to being the second largest
22 party in California. Whereas right now it's -- as we
23 know, it's Democrats are five positions, Republicans are
24 five positions, and then all others are four.

25 So this would just be wanting to have no party



1 preference be considered as a party and just -- and
2 that's just for consideration of Commissioner
3 distribution. And there's information there in terms of
4 what the conversation has been in the past.

5 I believe, and I'd have to ask our chief counsel, I
6 believe this would also -- it's a statutory or
7 Constitutional change that would actually have to go to
8 the ballot. But I'll defer to our chief counsel for that
9 information. But if there are -- oh, I see there are
10 comments.

11 CHAIR TURNER: There are. And let me ask you,
12 Commissioner Fernandez, Commissioner Akutagawa, do you
13 want me to continue to try and recognize the hands or do
14 you want to take it from here? Because you have a couple
15 right now and typically there's a lot of interaction
16 here. What works best for you?

17 COMMISSIONER FERNANDEZ: I think either a --
18 Commissioner Akutagawa, do you have a preference?

19 VICE-CHAIR AKUTAGAWA: I would just suggest,
20 Commissioner Fernandez, that you just moderate and it'll
21 probably make it more efficient. Um-hum. Okay. All
22 right. So we will -- yeah, Commissioner Anderson?

23 COMMISSIONER ANDERSEN: Thank you very much for the
24 both the subcommittees. Great work and love the way
25 you're doing it. Before we delve into the actual



1 discussion of this one item, though, could you please
2 just give us a little bit of -- a little explanation on
3 your C-1 areas moving forward or resolve -- you have
4 multiple different colors here, which I know are for a
5 very specific reason and I believe it makes sense. But
6 if you just spend just a couple minutes giving us --

7 COMMISSIONER FERNANDEZ: Okay.

8 COMMISSIONER ANDERSEN: -- and more for the public's
9 sake and also for our sake --

10 COMMISSIONER FERNANDEZ: Okay.

11 COMMISSIONER ANDERSEN: -- just exactly kind of what
12 those mean.

13 COMMISSIONER FERNANDEZ: Okay.

14 COMMISSIONER ANDERSEN: And will delve into
15 everything further. Thank you.

16 COMMISSIONER FERNANDEZ: Okay. Sure. And we did --
17 thank you for that, Commissioner Andersen, we did change
18 the color scheme at the last meeting. We kind of went
19 over it. But it's a great refresher. So the first items
20 that -- the first item that's kind of like an orange
21 color that's just showing what's currently in Assembly
22 Bill 1848 regarding the seating incarcerated population.

23 And the next -- the following five that are in the
24 pink, the hot pink colors because we're making it sexy, I
25 guess, I'm not sure or maybe we're done with that. But



1 anyway, those are the five other items that are on that
2 one-page document that the Commission has already voted
3 to move forward.

4 And then the following -- on page two of the
5 following two items that are in blue. So those are two
6 items that have been referred to a subcommittee to try to
7 address those two areas. And if you look at the last
8 column, it'll show like the first one regarding defining
9 fully functional that one. Chair Toledo, at the time,
10 established a Continuity Subcommittee to address that.

11 And then the second one, excuse me, regarding the
12 strikes by the legislature, that one was assigned to the
13 Government Affairs Subcommittee to address. So those
14 would be addressed by separate subcommittees and then at
15 some point may be brought forward. And then after that,
16 we have some that are, I will call it a salmon color.

17 I'm really not good with my colors. And I apologize
18 if others aren't good with colors also. So the following
19 items are those that we will not continue to move forward
20 with. There's general consensus to leave those areas as
21 they are. And then, sorry. And then we will move to
22 page 4.

23 So page 4, the items that are not highlighted.
24 Those are items -- there's four items that we will
25 continue to discuss. But what we wanted to do is discuss

1 the remaining four that we still need to go through. And
2 then in the future we can go back to those that are not
3 highlighted and hopefully move forward on those -- on a
4 decision on which way to go. And then the last one in a
5 in a purple lavender color, that one is one that we moved
6 to a lower priority. So again, we would come back to
7 that eventually.

8 So hopefully that gives everyone a background of
9 what our thinking was and maybe we'll do a little legend
10 next time at the end. That's probably -- right. There
11 you go, Commissioner Le Mons. And Commissioner Akutagawa
12 and I know perfectly well what was in our heads and what
13 we were thinking, but I guess it would be good to let
14 everybody else know.

15 Commissioner Sinay?

16 COMMISSIONER SINAY: That was going to be my first
17 comment is, can we just have a legend? Because I know we
18 keep doing it and it should be in our minds, but it
19 doesn't always stay. The other thing is that I feel kind
20 of that the clarifying -- the comments that are put here
21 aren't accurate on what the conversation was in the past,
22 especially because I know I had mentioned Republicans are
23 switching to no party preference, but I never said that
24 that would be a possibility there would be more
25 Republicans. It was just a comment.

1 I think what was more important in the conversations
2 we had in the past and it's not it's definitely not like
3 it here, is that no party preference is not a party, it's
4 a party affiliation. And so I think we need to be really
5 careful in how we use language. And we had to ask for
6 the Committee to look up what is the appropriate language
7 for no party preference. And I know it's not a party.

8 And I've looked at different times and I come up to
9 party affiliations. So I would like us to be consistent,
10 to be careful on that and how we're using it because
11 it -- no party preference includes the Green Party, and
12 the Independent Party includes all sorts of different
13 groups. And so we cannot use the word party to define
14 that coalition of voters.

15 And so that's just part of -- I would like to take
16 that second bullet out and I would like to include a
17 bullet that says that we have asked the Committee to
18 please find what is the best term for us to use in this
19 conversation.

20 COMMISSIONER FERNANDEZ: Thank you. I do know that
21 no party preference does not include the Green Party
22 because that is a specific party. But we will look into
23 that. Thank you.

24 COMMISSIONER SINAY: Okay. But in -- okay. Thank
25 you for that clarity. But I do know that when they're

1 looking at that third group for the Commission, it
2 includes that much --

3 COMMISSIONER FERNANDEZ: Um-hum.

4 COMMISSIONER SINAY: -- larger coalition. And so
5 that opens -- brings up another can of worms is if what
6 you all are saying. Because my understanding of why we
7 were looking at no party preference was more of that
8 bigger picture of we want to make sure that that last
9 group, you know, that we are reflecting the voters of
10 California when we're creating the Commission.

11 And what I'm hearing is, oh, wait, if you're not a
12 Repub -- if you're not one of these three main buckets,
13 you're not even going to be considered. So Green Party
14 wouldn't even be considered. While right now, Green
15 Party is considered within no party preference when
16 selecting people for the Commission.

17 And so I would have a real problem if we end up just
18 saying no, because we don't know where the future of our
19 parties are going. And I want us to be -- feel that
20 people think this Commission is about belonging and being
21 able to be reflected in it.

22 COMMISSIONER FERNANDEZ: Thank you. And that was
23 not the intent that the other parties would not -- it
24 would be the top two parties would be the five
25 Commissioners each and then everyone else -- all the

1 others would be before. So thank you for that.

2 Commissioner Fornaciari?

3 COMMISSIONER FORNACIARI: Yeah, I think we've lost
4 something here. I mean, so this figure (indiscernible)
5 support -- just put it up front. But I thought we had
6 something that was along the lines of making the third
7 group also had five. And we've lost that. And I mean,
8 to me, that was the direction we wanted to head, not to
9 make no party.

10 I mean, I thought that was more of the consensus of
11 the group not to make no party preference, a party in
12 this context, but to make the third group have five
13 people to have, you know, more representation.

14 COMMISSIONER FERNANDEZ: Thank you. And I know we
15 did discuss that, so I'm looking for it right now. I'm
16 not sure if we discussed it and it did not make it to the
17 list, but I'll review that. Thank you, Commissioner
18 Fornaciari.

19 Commissioner Yee?

20 COMMISSIONER YEE: Yeah. Just to clarify,
21 appreciating these comments. And clarify the language
22 Commissioner Sinay referring to no party preference. The
23 actual language for the third category is neither of the
24 first two, which is a different category because that
25 includes both no party preference and all of the other

1 parties. There's no reason the Green cannot be the first
2 or second party to just add enough registered voters.
3 You know, it could be either in five categories -- five
4 person categories.

5 So just to keep that clear, that at least as written
6 here in the item and see why no party preference that is
7 specifically people without registered with any party
8 does not include any of the minor parties. And we were
9 discussing that as a possibility to be considered as a
10 party, but not the group as a whole. Neither of the
11 first two parties, that would be a different set of
12 people.

13 COMMISSIONER FERNANDEZ: Thank you.

14 Commissioner Le Mons?

15 COMMISSIONER LE MONS: So yeah, thanks for the
16 clarifications because I was becoming a little bit
17 confused as well as to how this has kind of morphed. I
18 was under the understanding that our goal was to increase
19 the third group to match Republicans and Democrats. What
20 occurred to me as we were -- as I was listening to the
21 other comments, is I'm not aware of why there wasn't
22 parity in the first place.

23 So if anyone understands that as to why it was a
24 smaller number for the other group, I think that would be
25 important for us to understand how we're thinking about

1 this. I know we talked in this conversation about
2 certain groups growing and all of that, but I think
3 understanding the context of how this formula, for lack
4 of a better term, came about would maybe help inform our
5 discussion around it.

6 I wouldn't support this idea of characterizing our
7 group as a party either. I think that's kind of a moot
8 point. I don't think that's what we're really trying to
9 do anyway. So I won't spend a lot of time really talking
10 about that, but I do support the idea of there being
11 parity across the three groups. Thank you.

12 COMMISSIONER FERNANDEZ: Thank you for that.

13 Commissioner Kennedy? Commissioner Kennedy?

14 COMMISSIONER KENNEDY: Sorry. I didn't hear you.

15 COMMISSIONER FERNANDEZ: Oh, sorry. Am I mumbling

16 COMMISSIONER KENNEDY: Just in response to
17 Commissioner Le Mons, my understanding -- my sense of
18 this is that if we look at the voter registration
19 statistics from say 2008, the period when the First
20 VOTERS -- Voters FIRST Act was passed by the voters of
21 California, and compare those voter registration
22 statistics to current voter registration statistics, we
23 find that the proportion of at least individuals
24 registered as something other than Democrat and
25 Republican has really ballooned in the state. I mean,

1 particularly since 1978, but since 2008, the other
2 category has gone from almost a million and a half fewer
3 than the Republican Party to about a million and a
4 quarter more than the Republican Party. And you know
5 that is my sense of why we're looking at this. Thank
6 you.

7 COMMISSIONER FERNANDEZ: Yes. Yes, you're correct.

8 Commissioner Le Mons? Oh, Commissioner Yee?

9 COMMISSIONER LE MONS: I'm sorry. I was --

10 COMMISSIONER FERNANDEZ: Oh, you are? I'm sorry.

11 I'm sorry.

12 COMMISSIONER LE MONS: I unmuted myself.

13 COMMISSIONER FERNANDEZ: Okay.

14 COMMISSIONER LE MONS: So first, thank you,
15 Commissioner Kennedy, for that clarification. That makes
16 absolute sense to me. The other thing that I guess it
17 raised for me is, are these new voters. And you may or
18 may not know that -- new registered voters, because I
19 think one of the criteria, as well as either you have
20 consistently been registered as a particular party or
21 have not changed it for a certain period of time, I can't
22 remember.

23 It seems like a lifetime ago that we went through
24 the process. But I do remember something to that effect.
25 So let's say, for example, if, you know, a half a million

1 people have left either party, either dominant party --
2 the Republican or Democratic Party and switched to one of
3 the other parties or nonparty preference, then they would
4 be in that category.

5 But for purposes of applying to the Commission, if
6 the rules reflect how they were -- how they were when we
7 applied, those individuals may or may not be reflective
8 in that pool. So anyway, I'm just kind of throwing it --
9 it's more questions than I have answers, quite frankly.
10 But again, thanks, Commissioner Kennedy.

11 COMMISSIONER FERNANDEZ: Thank you.

12 Commissioner Yee?

13 COMMISSIONER YEE: Yeah. At one point, I did ask
14 Kathay Feng of Common Cause when they were drafting the
15 proposal for Proposition 8y14. And her recollection was
16 simply that they were trying to work out a number that
17 would enable the supermajority requirement for each of
18 the three categories.

19 And so you know, three out of five, three out of
20 five. But I don't recall her saying exactly why the
21 third category had four rather than five. I'm going to
22 guess that it was probably, as Commissioner Kennedy
23 suggested, simply a reflection of proportions that were
24 existing then.

25 COMMISSIONER FERNANDEZ: Thank you.



1 Commissioner Sinay?

2 COMMISSIONER SINAY: I've said this before, and I'd
3 like this to be added to the list of conversations we
4 would like to have with some of the folks who actually
5 created the initial just so that we can actually have
6 them answer the question directly. Because I was in on
7 the conversation that that commissioner is discussing and
8 he's accurate. But one of the things we heard was that
9 they had considered 13.

10 But there was one person in the drafting of this
11 stuff that was -- didn't believe in 13 because it was an
12 unlucky number, you know. You know, and so there's all
13 this folklore around this as well. And just, instead of
14 it just being Commissioner Yee and I have talked or
15 someone else has talked, there are questions we have that
16 may -- some of their thinking may inform. It doesn't
17 have to lead.

18 You know, it's been years since this all came.
19 We've had two Commissions and now we can make some
20 changes. But again, I'd like us to have a list of
21 questions and maybe at the next meeting it's time to
22 invite some of -- some folks in so that we can ask these
23 questions and have these conversations in public with
24 others.

25 COMMISSIONER FERNANDEZ: Thank you. So it appears



1 that we still require further conversation on this item.
2 And in terms of having the panels, Commissioner
3 Akutagawa, and I we are working on establishing a panel
4 so we can discuss some of these issues. This would --
5 this could be one of them. The other one was the three-
6 day agenda that we also wanted to discuss.

7 So we're working on that hopefully for the October
8 meeting, but it's still in progress. So this one,
9 regarding no party preference, we will leave it on there
10 as continuing to discuss at this point. And we'll move
11 on to the next one unless there are any other comments.

12 The next one is Commissioner compensation salary as
13 exempt. So I believe the prior conversation had to do
14 with trying to us incentivize -- is that how you say it?
15 English second language again. So to have more
16 applicants apply for this. So in terms of me personally,
17 I'm fine with how they have it now, but of course there's
18 other opinions.

19 Commissioner Kennedy?

20 COMMISSIONER KENNEDY: Thank you, Commissioner
21 Fernandez. I think -- I don't know, I -- maybe the one
22 that has been most vocal about this for the longest, you
23 know, in in my mind the sheer inability of anyone who
24 wants to serve on this commission to know upfront, how
25 much they're going to get on a regular basis is a huge

1 disincentive.

2 I mean, if you are -- if you have a job and you are,
3 you know, living from paycheck to paycheck, you know, are
4 you going to step off the edge and not know how much
5 money you're going to get, if you're going to get it in a
6 in a certain month or not? You know, the I may have been
7 the one that brought this up.

8 The salaried approach that the Michigan Commission
9 has in place at least gives individuals certainty about
10 how much they're going to receive and when they're going
11 to receive it. Thanks.

12 COMMISSIONER FERNANDEZ: Thank you.

13 Commissioner Le Mons?

14 CHAIR TURNER: You're on mute.

15 COMMISSIONER FERNANDEZ: Oh, you're on mute.

16 COMMISSIONER LE MONS: I certainly understand
17 Commissioner Kennedy's points on that issue. And my
18 comments are to the side of those points, because I think
19 that's very valid. I wonder, one of the things that we
20 talked about and even came up today with regard to the
21 posting on our web site and the foundation of some of the
22 reactions from some of the Commissioners and I didn't
23 comment earlier, but I reacted when I saw that energy
24 thing.

25 Also, while I absolutely support it, I thought, why



1 is this on the front page of our website and how did it
2 end up there? And the comment that our executive
3 director made, I think, was a little chilling for me when
4 he said the higher ups that threw me and all of that is
5 in reaction to this idea of us being an independent body.
6 So the moment we become an employer, does that change
7 anything? So I -- I'm going to stop there.

8 COMMISSIONER FERNANADEZ: That's a good point.

9 Commissioner Fornaciari?

10 COMMISSIONER FORNACIARI: Wow, Antonio, great point.

11 Let's see. So you know, I'm just going to pull the --
12 Commissioner Kennedy's -- the thread a little bit further
13 on what he said. I mean -- okay. I mean, you know, and
14 I mean, I understand the point and I kind of resonate
15 with it, you know, that, you know, that we would expand
16 the pool if they -- if folks knew how much they were
17 going to make.

18 But then the question is, is salary going to be
19 enough? I mean, does there need to be health care
20 coverage? You know, benefits, too? And so you know, I
21 mean, you know, and this kind of goes to the letter too
22 that we got -- the feedback letter we got today. You
23 know, I mean, it's -- you know, there are folks that
24 probably just can't do this because they can't afford it.
25 So you know, I don't know where I'm at, but I just want

1 to bring up that point about benefits.

2 COMMISSIONER FERNANDEZ: Thank you.

3 Chief Counsel Pane?

4 ATTY. PANE: Thank you. Thank you, Commissioner.

5 Just for the Commissioner's discussion on this, I know
6 you all are discussing sort of the policy pieces of it,
7 but just as a frame of reference, the Government Code
8 Section 8253.5 is the statute that would need to be
9 changed.

10 Currently, it talked -- refers to a compensation of
11 \$300 and then they have a couple of add ons. So that
12 would be the statute that would need to be changed to
13 more closely reflect to what you all are discussing. I
14 just wanted to point that out.

15 COMMISSIONER FERNANDEZ: Thank you.

16 Oh, Commissioner Le Mons?

17 COMMISSIONER LE MONS: Yeah. I just wanted to say,
18 so I think I'm -- I wanted to clarify something. I'm
19 coming from -- more from a conceptual standpoint because
20 I think we could -- there could be an argument for
21 increase in the compensation when you say, you know what,
22 the compensation should be higher. It should be X number
23 versus this number, which is a little bit different than
24 I think there's more salaried possible benefits like
25 changing the relationship.



1 Now it's seen as I don't know if we use the word
2 stipend, but some kind of stipend, honorarium or what
3 have you. Right? And I do think that that goes a long
4 way from a perception standpoint of independence. So I
5 think we could all piggybacking on Commissioner Kennedy's
6 point. And when we look at effort versus compensation
7 and compare it across almost in the industry, clearly
8 we're not here for the money. Right?

9 You know, I think that could be a hard case to be
10 made that that's why we're here. And I think it is
11 because of the structure. I think that we would have to
12 look very carefully at what it is that we're actually
13 trying to accomplish, because I think we also understand
14 that once you start to affect compensation or value or
15 prioritize compensation in our society in particular, in
16 a certain way, there's things that come along with that.
17 And so I just want us to be thinking about that. Money
18 changes the game.

19 COMMISSIONER FERNANDEZ: Thank you. Those are good
20 points. I'm trying to catch up to your comments.

21 Commissioner Sinay?

22 COMMISSIONER SINAY: Yeah. I mean, money -- oh, it
23 does change the game and change the perception. I
24 remember in one of the presentations that I did for
25 League of Women Voters in San Diego, there were several

1 people, and it was -- I was representing us and there was
2 someone representing the County Redistricting Commission,
3 and they don't get paid. And they were trying to make a
4 big deal about the fact that we even got paid at the
5 state level. And so and it's not nor here nor there, but
6 it is because we always talk about perception. Right?
7 And so what is the perception? If we're an employee of
8 the state, what is the perception? I changed the
9 conversation around and said I felt that everybody needed
10 to be compensated for their time fairly so that it could
11 be equitable and all could participate. And that kind of
12 shut down that conversation. They kept asking that same
13 question. So there is this group out there that's
14 annoyed by it, but that -- I just want to bring it up.

15 COMMISSIONER FERNANDEZ: Thank you. Great points
16 that were brought up. Obviously, we need more
17 conversation. But it also appears that maybe we need to
18 look at more research in terms of that is a salary and
19 all of that and. I think that's beyond our subcommittee
20 unless Commissioner Akutagawa doesn't agree with that. I
21 don't think it's part of Finance and Admin. Oops. Can
22 you tell I'm on that one too? But I do think it's great
23 comments, great conversations. There is, as I mentioned,
24 there is more research that should probably be done on
25 this one.

1 Commissioner Sinay, did you have something else, or
2 were you just taking your hand?

3 COMMISSIONER SINAY: Well, I was just going to
4 say -- and you know, Commissioner Fornaciari may not
5 agree, but is this part of the Transition and Continuity
6 conversation? Not that I want to take this on. But you
7 know, we haven't really defined what our role is, so
8 instead of creating another committee. That just sounds
9 like a great idea to me. Although, Commissioner
10 Fornaciari's on the other committees as well.

11 Commissioner Vazquez?

12 COMMISSIONER VAZQUEZ: Yeah, thank you. Sorry for
13 jumping in late, but just wanted to express my support
14 for Commissioner Kennedy's perspective about a salary
15 potentially being a more equitable way to compensate
16 folks who otherwise might not be able to afford to take
17 on this position.

18 I know if this position had been a salaried
19 position, I would have been much more likely to take a
20 leave of absence or resign from my current full-time gig
21 because of that consistency. And I think a salary would
22 also, I think, signal to folks who are applying to be
23 part of this Commission that this is going to be a really
24 a full-time commitment from the jump.

25 I think I knew that sort of as we were drawing the



1 maps, that that was going to be a significant time
2 commitment and that I may need to, you know, step back
3 from my position. But I don't think I was anticipating
4 how much time at the front end in building the
5 infrastructure that this this gig was going to require.

6 And I also think, again, younger folks really are
7 often not in the position in their career to do contract-
8 based work. I think as you advance in your career, you
9 get a lot more flexibility in what you can take on and
10 how you can negotiate your role in time commitment.

11 As someone who is much more of a mid-career
12 professional, that just was not afforded to me. And I do
13 think a salaried position, again, would open up to a
14 potentially broader pool of folks who could commit to
15 something like this.

16 COMMISSIONER FERNANDEZ: Thank you.

17 And Chair Turner, did you -- I saw your hand go up
18 and came down.

19 CHAIR TURNER: It did because I also wanted to
20 advocate for the older people. Yes. In total agreement
21 with what Commissioner Vazquez said. But also for older
22 individuals that did not take advantage of, you know, a
23 leave of absence or what have you. I just think that the
24 demands of this particular position, trying to ensure
25 that you're continuing to do the job that you're doing,

1 can be one that is extremely stressful and could impact,
2 you know, physical, mental health, et cetera.

3 And so from that perspective, I think that we really
4 should look into this a little bit more to see what all
5 the options are so that people will be able to
6 participate. And freely it's not just the hours that
7 we're in the public eye, it's all of the reading outside
8 and the following up in the subcommittees.

9 And I think for me, for sure, I would have loved to
10 participate on even more subcommittees. But the demand
11 of time that is required when you're still working full
12 time, it gets to be a lot. And so -- and I just -- I
13 want everyone to have the opportunity and not feel that
14 they have to, you know, do without in order to
15 participate on this Commission. Thanks.

16 COMMISSIONER FERNANDEZ: Okay. Thank you. So I
17 think with that, Chai Turner, I'll kind of turn it over
18 to you on this one. I do feel that there is more
19 research to be done with this specific item, and I don't
20 think it falls under our realm. So if we either want to
21 create another subcommittee or move it to an existing
22 subcommittee.

23 And I do have -- Commissioner Kennedy, you have a
24 comment?

25 COMMISSIONER KENNEDY: Thank you. Yes. I mean, I'm

1 happy to reach out to the Michigan Commission and, you
2 know, some of the other Commissions that I've been in
3 touch with when we invited them to take part in our
4 Lessons Learned discussion to find out. You know, I can
5 formulate a discreet question to send out to all of them,
6 compile the responses and share that back out with the
7 Commission. So that would be my recommendation on how we
8 proceed. Thank you.

9 CHAIR TURNER: Okay.

10 COMMISSIONER FERNANDEZ: Sounds like you have a
11 committee.

12 CHAIR TURNER: Right. Right. Commissioner Kennedy,
13 are you wanting to follow -- thank you for that. And
14 thank you for agreeing to do that for -- on behalf of the
15 Commission. Are you interested in doing that with a
16 partner or is there someone or you just want to do that
17 and feedback out to the entire commission? What was your
18 desire in stating that?

19 COMMISSIONER KENNEDY: I mean, I'm happy to hear,
20 Commissioner Yee's thoughts on this, but I feel like it's
21 part of the outline of, you know, Lessons Learned from
22 other states. That's part of the whole Lessons Learned
23 exercise. So you know, I'm willing to undertake it on
24 behalf of the Lessons Learned subcommittee. Again, happy
25 to hear Commissioner Yee on this.

1 COMMISSIONER YEE: That's fine. All good.

2 CHAIR TURNER: All good? Okay. Sounds good.

3 Commissioner Fernandez, we're back to you.

4 COMMISSIONER FERNANDEZ: Okay. So we will move that
5 onto the Lessons Learned then to do further research.
6 Thank you. Commissioner Fornaciari, you dodged this one.
7 We'll move on to C-15, which is on page 6, the first item
8 on page 6. We haven't really had discussions on this
9 one, but it was the comment regarding further restrict
10 amendments to Government Code statutes, not within one
11 year of certification of maps.

12 I believe I want to, Commissioner Kennedy, I think
13 you might have brought this one up. I can't remember.
14 Oh, you did. Okay. And so that would mean that for all
15 intents and purposes, for this -- if this were -- if we
16 were to go forward with this, we would not move forward
17 any legislation in 2022, right, for this year? Okay. So
18 in other word --

19 CHAIR TURNER: Commissioner Fernandez and/or
20 Kennedy, I'm sorry, restate C-15. It's not tracking at
21 all for me. I don't recall the numbers.

22 COMMISSIONER FERNANDEZ: Okay. So on this one, it
23 would restrict us moving forward with any legislative
24 changes a year following our final maps. So our maps
25 were approved, now I forgot the date, December 26th. The

1 26th, I believe. So for a year we wouldn't move anything
2 forward. So if that were the case, then this year we
3 would not be moving forward our state incarcerated
4 population bill in which we were able to get in.

5 So anyway, so just comment on that and just -- my
6 only comment regarding that is I feel that the first year
7 after we draw the maps, everyone's aware of
8 redistricting. So I kind of feel that that's a good time
9 to move something forward. If there's something that we
10 really feel strong -- or a Commission feel strongly
11 about, and you might have an easier time or a chance of
12 getting an author. But that's my only comment.

13 Commissioner Fornaciari?

14 COMMISSIONER FORNACIARI: Yeah. I was going to ask
15 Commissioner Kennedy why -- and I think he's -- why he
16 brought it forward. So I think he's going to answer that
17 question.

18 COMMISSIONER FERNANDEZ: Go ahead.

19 COMMISSIONER KENNEDY: So two things. One is the
20 current legal framework says no changes to that portion
21 of the Government Code dealing with the Citizens
22 Redistricting Commission in years ending in 9, 0, or 1.
23 So you know that didn't foresee a scenario in which the
24 maps would come out at the very end of a year, ending in
25 one.

1 And in fact, we were advocating at a certain point,
2 or at least considering at a certain point requesting
3 that our deadline be moved into January of 2022, in which
4 case we could have had a situation where changes could
5 have been moved to our legal framework before the maps
6 were even final.

7 So this is -- this is partly an effort to ensure
8 that in no situation, in no context, could changes be
9 made to the relevant section of the Government Code
10 before the final maps were completed? Second, you all
11 may remember there was a letter, I believe, from Helen
12 Hutchison recently saying You've got time, don't rush
13 anything carefully, consider, you know, how best to move
14 forward. So this was an effort to address both of those.
15 Thank you.

16 COMMISSIONER FERNANDEZ: Thank you. Are there any
17 other comments? Oh, Commissioner Akutagawa?

18 VICE-CHAIR AKUTAGAWA: Yeah. I just want to note a
19 few things. I know that this was an exceptionally, I
20 guess, period. But even if for 2030 they follow the
21 normal period, their maps will be submitted in 2021.
22 Just generally speaking, I think there's a couple
23 concerns that I have that I want to just raise.

24 One is the issue of staffing and also budget. If we
25 wait more than a year, there is going to be no money and

1 no staff to help move along any work on the legislative
2 kind of changes. For example, I think some of the ones
3 that we have a desire to move along has required quite a
4 bit of time for us on Anthony's part, and it has been
5 extremely helpful to have him.

6 I think if Commissioner Fernandez and I were to try
7 to do all of the drafting of the language or any other
8 kind of work, it would just take much longer. I think
9 we're moving things along. These changes are at least
10 ones that I think as a Commission we've all agreed, are
11 good changes that help make the Commission more
12 effective.

13 I think if we waited a year and started this
14 conversation next year, I think we would not be able to
15 get nearly as many moving forward or at least the
16 possibility of moving forward. The other thing, too, and
17 this is something that Commissioner Fernandez also
18 mentioned at the beginning too, I think what -- what's
19 right now happening is that we're still writing, you
20 know, the completion of the maps.

21 There's still at least some attention that's being
22 paid to us right now. And I think that's enabled us to
23 get the sponsor, at least on maybe 1848, the State
24 incarcerated people's bill, that hopefully will be
25 signed. I think if we had waited a year, I think, you

1 know, we -- out of sight, out of mind. And a year is a
2 very, very long time in this kind of time, you know, kind
3 of context.

4 And you know, it could be that then, you know, we
5 could have all these -- well, not we, but at least in
6 terms of the next Commission, they could have all these
7 desires of things that could be done, but they will have
8 no traction. I sincerely believe that.

9 I think our intents would have been made more
10 difficult if we had to wait over a year, you know, to
11 even start the conversation, much less trying to move
12 along any legislation and get a legislator, at least
13 someone from the legislature, to help be willing to carry
14 the bill forward on our behalf. And so I just wanted to
15 state that just for all of our consideration. Thank you.

16 COMMISSIONER FERNANDEZ: Thank you.

17 Commissioner Kennedy?

18 COMMISSIONER FERNANDEZ: Thank you, Commissioner
19 Fernandez. This this isn't about when the conversation
20 starts. This is about when the legislation goes on the
21 books. I am certainly sensitive to the issue of having
22 adequate support -- staffing support, and I agree that
23 that weighs heavily in any consideration of this.

24 You know, one month is not a magic number. It could
25 be six months. It could be three months. You know, if I

1 go back to the first point that I made about this being,
2 you know, largely about ensuring that under no
3 circumstances could the legal framework be changed before
4 the maps are done, you know, it could be three months.
5 It could be one month. It could be it could be a week.

6 You know, the year is a starting point. It can
7 certainly be shortened from there. Whatever folks think
8 is prudent. The main goal is to ensure that under no
9 circumstances could the legislative -- could the legal
10 framework be changed before the maps are final.

11 And on that, I'm wondering if we also want to look
12 in a little more depth at whether that limitation,
13 whether it remains the same or expands slightly or
14 expands more than slightly, should apply to more than
15 just this chapter of the Government Code. Because we've
16 seen that there are elements, particularly in the
17 electoral code, that relate directly to the work of the
18 commission.

19 And do we want to propose that, you know, any
20 element of the legal framework that is directly related
21 to the work of the Commission could not be changed within
22 a certain window or are we willing to leave the electoral
23 code and other elements of California code as potential
24 back doors where the legal framework could be changed
25 without the concurrence of the Commission? Thank you.

1 COMMISSIONER FERNANDEZ: Thank you. Are there any
2 more comments on this? I'm kind of like at an impasse
3 right now. So I might work with -- Subcommittee may work
4 with chief counsel maybe on a different -- a couple of
5 different approaches. As Commissioner Kennedy brought
6 up, one could be maybe some language regarding no changes
7 prior to the final maps within certain years or
8 timeframes.

9 And then also maybe, looking at the other code
10 sections that aren't specifically redistricting --
11 citizen redistricting to see if we would want to add that
12 under our purview in terms of we would have to approve it
13 if it's going to impact our mandate.
14 So we'll do a little bit more research on that on the
15 subcommittee level.

16 Anything else on that one? We will move on to C-17.
17 And C-17 has to do with changes to the size or
18 composition of the applicant review panel. So this would
19 be from The State Auditor side, where right now it was
20 the panel, three on the panel, one Republican, one
21 Democrat, and one that's neither one of those. And after
22 reviewing information of the process they go through; it
23 is a random selection for that.

24 So are there any comments on that? And I also don't
25 know. What the coordination would have to be with The

1 State Auditor if it's something that we would want to
2 move forward. So if we have any comments, we have
3 discussed this in the past. So if there's any other
4 comments with this specific one -- pros or cons.

5 Personally, I thought the process they went through
6 with the random selection -- and yes, it did end up
7 having I believe were three panel members were all white,
8 but I believe my opinion that it was a pretty good
9 process that they had. It would appear to be impartial.
10 And I'll just leave it at that for now.

11 Commissioner Yee?

12 COMMISSIONER YEE: Yeah. Commissioner Kennedy and I
13 did discuss this with the auditor staff, and they pointed
14 out, you know, if you want to increase racial diversity,
15 you have to increase racial diversity in the pool. You
16 know, the State Auditor staff just increasing the panel
17 size may just make it a bigger, whiter, bigger white
18 that'll, you know.

19 And so and that's all, you know outside our purview.
20 So we can certainly advocate for that and support that in
21 general. But I'm not seeing how it's -- there's anything
22 we can do, you know, specifically to, to achieve that
23 goal. I thought the process was very thorough --
24 extremely thorough -- extraordinarily actually. And I'm
25 not seeing that we can that there's a need to propose any

1 changes.

2 COMMISSIONER FERNANDEZ: Okay. Any other comments
3 on this one? Okay. So there being none, I'm going to
4 move this is as just keep it as it is. And I think
5 that's all we have for the subcommittee. Thank you.

6 CHAIR TURNER: Okay. So you're not trying to touch
7 on the purple?

8 COMMISSIONER FERNANDEZ: No, but that would --

9 CHAIR TURNER: Okay. Okay. Perfect.

10 COMMISSIONER FERNANDEZ: Thank you.

11 CHAIR TURNER: All right. Well, we are about five
12 minutes from break, and we know when we come back from
13 break we're going to go into closed session. And this
14 would be closed session under pending litigation and
15 personnel matters exceptions. So let me -- but we also
16 need to go public comment. Let's check. We'll see. Do
17 we have any public comment? Anyone waiting for public
18 comment on agenda item number 2, Kristian?

19 PUBLIC COMMENT MODERATOR: Let's read the short
20 instructions. Just a second. The Commission will now
21 take public comment on agenda item number 2. To give
22 comment, please call 877-853-5247 and enter meeting ID
23 number 82323202143. Once you've dialed in, please press
24 star 9 to enter the comment queue.

25 The full call-in instructions are read at the



1 beginning of the meeting and are provided on the live
2 stream landing page. And this is public comment for
3 agenda item 3, not 2. Thank you, Commissioners, for
4 reminding me that. This is for agenda item 3, not 2.
5 and we do not have anybody in the queue at this time,
6 Chair.

7 CHAIR TURNER: Okay. So as we allow that to kind of
8 play out in the next couple of minutes, we will be going
9 then to break. Break will run until 11:15 and we will
10 end our live session here and adjourn this portion of it.
11 And we will come back into closed session when we return
12 from break at 11:15. So 11:15 back into closed session.
13 Anyone join for comment?

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

16 CHAIR TURNER: Okay. All right. So at this time,
17 we will go to -- Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Can I just ask a quick
19 question? It seems like we've gone through our agenda
20 quickly, so we'll do (audio interference), lunch and then
21 we would still come back for a little bit. I just want
22 to confirm.

23 CHAIR TURNER: Yeah, we will still come back for a
24 little bit because we will then do a general comment,
25 public comment, and then we will be adjourned. Okay?



1 All right. Break at this time. Thank you. We'll see
2 you all in closed session.

3 (Whereupon, a recess was held)

4 CHAIR TURNER: Welcome back to our California
5 Redistricting Commission meeting. Coming back after
6 lunch. I hope you all had a great lunch. It was
7 fruitful. Mine was filled with grapes and strawberries
8 and grandbabies. So wonderful. And we also are coming
9 back from closed session. And just wanted to mention
10 that we -- under closed session, there were no -- there
11 was no action taken under personal matters or pending
12 litigation.

13 And so at this point, let's see, I think there is an
14 announcement from Commissioner Yee before we go to our
15 public comment, general public comment to conclude our
16 day.

17 Commissioner Yee?

18 COMMISSIONER YEE: Thank you, Chair. So
19 Commissioner Sadhwani has mentioned that her upcoming
20 turn in the chair rotation upcoming this spring doesn't
21 work out for her, so we'll either need to replace her,
22 preferably with another Democrat, preferably another
23 woman. Or is this time to -- is this a good time or do
24 people want us to revisit the rotation?

25 Perhaps some have differing thoughts now about

1 participating going forward or have other timing
2 considerations that we need to consider. If so we can
3 reopen the whole rotation and rethink where we go from
4 here. But not everyone is here, so I'm not quite sure
5 how to proceed. But would there be interest in
6 revisiting the rotation?

7 CHAIR TURNER: Yeah, I was thinking we can gather
8 some thoughts.

9 Commissioner Kennedy?

10 COMMISSIONER KENNEDY: Thank you, Chair. My one
11 thought at this point is if we are going to quarterly
12 meetings as of next year, that quarterly rotation might
13 be faster than is necessary. So maybe have Chair and
14 Vice-Chair in place for two quarterly meetings, that's
15 just what's on top of my mind.

16 COMMISSIONER YEE: We're actually in the quarterly
17 rotation already in fact. Yeah. But yeah, could stretch
18 it out.

19 CHAIR TURNER: Any other thoughts or references from
20 the Commissioners? Okay. And just everyone else here
21 willing to serve as the current rotation is listed
22 outside of needing to swap out Commissioner Sadhwani. Do
23 we have volunteers for women Democrats that would want to
24 step in for -- and replace? That was the suggestion from
25 Commissioner Yee. Any volunteers? She puts her hands

1 way down. Okay. So we'll have to look like -- do some
2 more work on it and perhaps come up with a different
3 rotation or move forward on the rotation that we
4 currently have.

5 I do like the idea of going -- extending it for next
6 year a little bit longer than just the quarterly. We
7 have our next rotation that's going to take place as this
8 meeting concludes, where the Vice-Chair Akutagawa will be
9 our next rotational chair. And your vice is who?

10 VICE-CHAIR AKUTAGAWA: I think it's Commissioner
11 Taylor.

12 COMMISSIONER YEE: Yes. Yes.

13 CHAIR TURNER: Okay. Great. Any other
14 announcements, comments want to slide in before we go to
15 general public comment? Okay at this time, then Kristian
16 will take public comment, general public comment to
17 conclude our meeting, please.

18 PUBLIC COMMENT MODERATOR: Sounds good, Chair.

19 The Commission will now take general public comment.
20 To give comment, please call 877-853-5247 and enter
21 meeting ID number 82323202143. Once you've dialed in,
22 please press star 9 to enter the comment queue.

23 The full call-in instructions are read at the
24 beginning of the meeting and are provided on the live
25 stream landing page. And there is no one in the queue at



1 this time, Chair.

2 CHAIR TURNER: Okay. Well, with that, I'd like to
3 thank you all for this wonderful opportunity to be chair
4 for our first quarter long -- I think our second quarter
5 long rotation. And are we concluded on our live stream?

6 PUBLIC COMMENT MODERATOR: The instructions are
7 complete on the live stream and there is no one in the
8 queue, Chair.

9 CHAIR TURNER: All right. Well, then with that, I'd
10 like to wish Peter a wonderful session. Everyone else, a
11 great week in time away until we meet again. This
12 meeting is now adjourned. Thank you, all.

13

14 (Whereupon, the CRC Business Meeting adjourned
15 at 4:30 p.m.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

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IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of October, 2022.



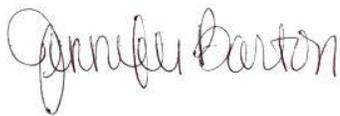
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And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



JENNIFER BARTON,
CDLT-247

October 6, 2022
DATE

