

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

CRC BUSINESS MEETING

WEDNESDAY, OCTOBER 26, 2022

9:30 a.m.

Reported By:

Peter Petty



APPEARANCESCOMMISSIONERS

Linda Akutagawa, Chair
Derric Taylor, Vice Chair
Jane Andersen, Commissioner
Alicia Fernández, Commissioner
Neal Fornaciari, Commissioner
J. Kennedy, Commissioner
Antonio Le Mons, Chair
Patricia Sinay, Commissioner
Trena Turner, Vice-Chair
Russell Yee, Commissioner

STAFF

Alvaro E. Hernandez, Deputy Executive Director
Corina Leon, Staff Services Manager
Anthony Pane, Chief Counsel
Wanda Sheffield, Office Technician
Tim Treichel, Senior Counsel

TECHNICAL CONTRACTORS

Kristian Manoff, AV Technical Director/Comment Moderator



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P R O C E E D I N G S

9:30 a.m.

1 CHAIR AKUTAGAWA: All right. Good morning,
2 everyone. Welcome to our October Citizens Redistricting
3 Commission meeting. I want to just welcome everyone and
4 call this meeting to order. Alvaro, are you going to
5 take roll or will it be Wanda?
6

7 MS. SHEFFIELD: It's Wanda.

8 CHAIR AKUTAGAWA: All right. Thank you, Wanda.

9 MS. SHEFFIELD: Good morning, Commissioners.

10 Commissioner Andersen?

11 COMMISSIONER ANDERSEN: Here.

12 MS. SHEFFIELD: Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Presente.

14 MS. SHEFFIELD: Commissioner Fornaciari?

15 COMMISSIONER FORNACIARI: Here.

16 MS. SHEFFIELD: Commissioner Kennedy?

17 COMMISSIONER KENNEDY: Here.

18 MS. SHEFFIELD: Commissioner Le Mons?

19 COMMISSIONER LE MONS: Here.

20 MS. SHEFFIELD: Commissioner Sadhwani?

21 Commissioner Sinay?

22 COMMISSIONER SINAY: Here.

23 MS. SHEFFIELD: Commissioner Taylor?

24 COMMISSIONER TAYLOR: I am present.
25



1 MS. SHEFFIELD: Okay. Commissioner Toledo?

2 Commissioner Turner?

3 COMMISSIONER TURNER: Good morning. I'm here.

4 MS. SHEFFIELD: Good morning.

5 Commissioner Vazquez?

6 COMMISSIONER VAZQUEZ: Here.

7 MS. SHEFFIELD: Commissioner Yee?

8 COMMISSIONER YEE: Here.

9 MS. SHEFFIELD: Commissioner Ahmed?

10 COMMISSIONER AHMED: Here.

11 MS. SHEFFIELD: And Chair Akutagawa?

12 CHAIR AKUTAGAWA: Here.

13 MS. SHEFFIELD: Thank you.

14 CHAIR AKUTAGAWA: All right. Thank you, everyone,
15 for joining us today. Let me just briefly go through --

16 COMMISSIONER LE MONS: What was the one in the
17 (indiscernible) over there? Oh, I don't know.

18 CHAIR AKUTAGAWA: Okay. Let me just briefly run
19 through our run of show for today. It was posted, I
20 believe, yesterday, so that for those who are watching,
21 you'll have a sense of what our schedule is going to be
22 for today. We are scheduled until 4:30. However, I will
23 just say now that we don't anticipate that we're going to
24 use the full time that's scheduled.

25 What we'll start with is with our director updates



1 and announcements and then we will move to our
2 subcommittee announcements and updates. We don't
3 anticipate the updates and announcements going beyond
4 lunch. So we plan to conclude, including the break,
5 conclude with our subcommittee updates just before we
6 break for lunch, at which time we plan to break for lunch
7 at 12:45.

8 We will take the hour for the lunch and then when we
9 return, what the Commission is going to do is we will
10 restart the meeting in closed session. We expect or we
11 approximate that it will be about an hour in closed
12 session, possibly slightly less, and we will return to
13 open session at about 2:45, at which time we will take
14 public comment and wrap up the meeting after that.

15 So just so that everybody who is watching, you'll
16 have a sense of what our timeline is looking. So it's
17 likely that we will not go beyond the 3:15 expected break
18 that -- or actually, yeah, we will not go beyond, we
19 think, 3:15.

20 All right. With that, I want to just turn to some
21 quick announcements. I want to start with the
22 announcements and then I want to also just let the
23 Commissioners know that if there's any announcements that
24 you want to make, you have time to kind of gather your
25 thoughts together.



1 I want to start with an announcement that we will
2 be -- we're hoping our last meeting for this year will
3 take place in December. I believe the actual date is
4 Wednesday, December 14th. Please correct me if I got
5 either the day of the week or the actual date wrong, but
6 I know it's that week.

7 Since it's going to be the last meeting before all
8 of the current staff, with the exception of our newest
9 member, our staff services manager, Corina Leon, the rest
10 of the staff will be off-boarding in December and I
11 thought -- or we had a conversation -- we thought it
12 would be nice if all of the Commissioners -- I know that
13 there's I think some efforts for the Commissioners to
14 travel up to Sacramento to be in the office one last time
15 before the last meeting of the year.

16 I thought it would be nice if we could all perhaps
17 make plans for all of us to join together in Sacramento
18 for the December meeting. One, to just celebrate the end
19 of the year, but also secondly, to be able to say our
20 farewells to our outgoing staff while we are able to.
21 And so I wanted to just put that out there. If you
22 can't, no pressure, no problems. It's okay.

23 But we thought it would be helpful to let you know
24 early that this is the effort that we'd like to make for
25 December. And so you could make plans, make travel



1 plans, other things like that. So if you're planning on
2 going up to Sacramento in November, that's no problem to
3 then you get to see the staff twice.

4 Okay. So with that, I want to just see, is there
5 any other announcements that any of the other
6 Commissioners may want to share or make?

7 Commissioner Sinay?

8 COMMISSIONER SINAY: Thank you, Chair, and thanks
9 for a wonderful idea. I think getting together would be
10 good for all of us, for our souls. And it will almost be
11 a year since we were together nonstop.

12 CHAIR AKUTAGAWA: Yeah.

13 COMMISSIONER SINAY: Anyway, so thank you for that
14 great idea. Well, it is over -- it is a year since we
15 were together nonstop, but it'll be almost the end. A
16 couple of announcements. One, I know I announced it
17 internally, but I just wanted to share it externally as
18 well is that I was selected by How Women Lead as a fellow
19 in their Latino cohort.

20 It's really a leadership program. So I don't get
21 paid to be a fellow. I pay to get the leadership
22 experience. But that's pretty common when it comes to
23 nonprofits and leadership programs. And part of that --
24 the Commission will not be funding any of it. The
25 Commission is one of the organizations I'm associated

1 with, but I'm doing this as a volunteer with Common
2 Cause.

3 And so everything I will be doing is -- will be
4 along with Common Cause and the focus of my project
5 and -- will be promoting independent redistricting
6 commissions nationally, which is what a lot of what
7 Commissioner Yee and I have been doing already with
8 Common Cause.

9 And to that extent, that -- to that note, Ohio, they
10 have a collaborative and they invited me to come and
11 share our experiences. I was basically interviewed for
12 an hour. And it's so funny how many of the little
13 details you forget, just numbers and stuff. And I kept
14 saying, oh, I'll send you that. But we talked more the
15 big picture and kind of what were some of the lessons
16 learned?

17 There were sixty-seven people there and at one point
18 it was over seventy. But so it's really exciting that --
19 just the enthusiasm from Ohio. And from others to learn.
20 And then that's it for now.

21 CHAIR AKUTAGAWA: Congratulations, Commissioner
22 Sinay, on your selection for that fellowship. And sounds
23 like you have a really great and relevant project that
24 you'll be working on. Thank you.

25 Commissioner Fornaciari?

1 COMMISSIONER FORNACIARI: Just I didn't know if you
2 were going to bring this up, Chair. But I just want to
3 comment on one of the letters we received, the one from
4 Marco Mora, wondering about the precincts. So just to
5 let everybody know and maybe I don't know if the staff
6 has responded to this letter already or not, but the
7 county Registrar of Voters do the precinct thing.

8 And if you are interested in finding out about the
9 precincts, you can go to the Registrar of Voters website
10 for San Diego County. Hover over the I want to tab and
11 then on the very far right, the second from the bottom is
12 maps. If you click on the first map that shows the -- I
13 believe it shows the districts and the precincts.

14 CHAIR AKUTAGAWA: Thank you.

15 COMMISSIONER FORNACIARI: He's probably not
16 listening or watching, I guess. So maybe the staff can
17 send him a note to let him know that's how he can find
18 the precincts.

19 CHAIR AKUTAGAWA: Yes. Thank you. Thank you for
20 addressing that question. And I do want to just note
21 that we did receive two pieces of public comment, and we
22 appreciate all of the continued comments that we receive.
23 And I believe the staff is at least acknowledging the
24 comments that are received. So thank you for that.

25 Okay. Any other announcements that anybody might



1 want to make before we move on with the next item on our
2 agenda. Okay. All right. Thank you. Let's go ahead
3 and we'll move on to director updates and announcements.
4 We're going to start with Executive Director Hernandez.

5 MR. HERNANDEZ: Thank you, Chair Akutagawa. And
6 good morning, Commissioners. Want to let you know that
7 we've reached out to Department of General Services to
8 let them know the staff will be off-boarding at the end
9 of December to ensure that everything is in order and
10 that the transition for those who are going back into
11 state service happens as seamless as possible.

12 We did run into some hiccups with some previous
13 staff that transitioned. So we're trying to avoid a lot
14 of that, especially because staff will be off-boarding.
15 And so we want to make sure that it runs as smooth as
16 possible. So we've done that. I wanted to mention the
17 training that we've been doing with Corina, the SSM1.
18 It's continuing and she's training on many different
19 things.

20 As I mentioned, last meaning the first two months,
21 we've really focused her training on both the accounting
22 side and the budgeting side of things. She meets with
23 Vanessa and Terri regularly to go over accounting and
24 budgeting information, including the recently submitted
25 BCP that we did get in last -- couple of weeks ago. She



1 then also meets with Raul and I weekly to go over
2 contracting and other administrative activities. We're
3 kind of shadowing today on how to manage the meeting.

4 And all these things will be transitioning over to
5 her in January. So we usually talk and discuss any
6 questions that she has or on any issues, and I include
7 her in meetings with subcommittees, and she'll go over
8 some of that information with you shortly.

9 Our goal is to make sure that she has the necessary
10 information and historical context, which is very
11 important with this commission as things change
12 throughout the entire process with the COVID and so
13 forth, so that she has a historical context to answer any
14 questions that may come up in the future, especially
15 after December.

16 Today, as part of that training, as I mentioned,
17 Corina is going to provide you an update. This will be
18 her first update, one of many. And so she'll briefly
19 share information about her training activities. Corina?

20 MS. LEON: Thanks you, Alvaro.

21 MR. HERNANDEZ: You have to turn on your microphone.

22 MS. LEON: There we go. Is that good? Okay. Good
23 morning, Commissioners. Thank you for inviting me. I'm
24 very happy to be here. As Alvaro mentioned, I'm going to
25 provide an update on my progress of accumulating the

1 knowledge and contacts I'll need to -- and the many roles
2 that I'm inheriting to support the Commission. And I'll
3 start with the accounting. I'm getting training with
4 Vanessa. She's been great. She's been training me in
5 all the fiscal modules and processes and troubleshooting
6 tools that we have.

7 And I've been trained on the contracts -- entering
8 contracts and P.O.s and vouchers and receipts and all
9 that. Fiscal is very extensive and not intuitive, so I
10 feel very fortunate that she has experience and the
11 willingness to provide me the training on fiscal and
12 that's been very relevant and great in the time span that
13 we have. So that's been wonderful.

14 Terri's been training me on the budget process, and
15 while she's also dealing with a lot of budget -- several
16 budget issues, she's been very committed to transferring
17 her knowledge, historical information, about the budget
18 from this Commission and from the previous Commission.
19 So that's been very, very helpful, and I think that'll be
20 useful.

21 So I'm also great timing really, because I'm getting
22 in on the ground floor of the BCP. So I'm attending all
23 the meetings and going through all the processes with her
24 and Alvaro and Raul that they go through to get one ready
25 to submit. And she also wants to make sure I'm prepared

1 for next -- after December, because I'll be helping
2 getting -- delivering it and getting it to run home
3 because I guess it gets submitted in February. So she
4 wants to make sure I'm prepared for that. So that's been
5 great.

6 I'm meeting with Alvaro and Raul more -- several
7 times a week, I'd say once a week. So they've been great
8 just in their time and being available to answer my
9 endless questions. And they've been helping me
10 understand how all of the roles that I'm learning fit
11 together so I can support -- I'll be ready to support the
12 Commission.

13 And let's see, and then also starting with training,
14 withdrawal on the contracts. So we've been going over
15 all that process and introducing me to Nicole at OLS --
16 all of these acronyms. I have a diary of those anyway.
17 So I've met with her. She's great. She went over the
18 review of what she looks for in approving our contracts,
19 so we get that done. So that's been good.

20 We've been working with Jeff at State Archives to
21 prepare for off-boarding our -- getting our data ready to
22 be handed off to archives. I'm working with Paul.
23 Wonderful. Yes. So we've been working with him.
24 Anthony's been great. He's been giving me some training
25 on Bagel --

1 MR. PETTY: Bagley --

2 MS. LEON: Bagley Keene.

3 MR. PETTY: It's breakfast time.

4 ATTNY PANE: More training. (Indiscernible).

5 MS. LEON: More training. So that's been great.

6 Everybody has been great. So I really appreciate them --
7 having this time to train with everybody. It's been very
8 relevant and it will be very useful. So and thank you
9 for that time frame that I asked you to train with these
10 great people. So they've been all wonderful. So if you
11 have any questions for me, otherwise, I'll give it back
12 to Alvaro. Okay. Alvaro?

13 CHAIR AKUTAGAWA: It looks like Commissioner Sinay
14 has a question.

15 MS. LEON: Oh, okay.

16 COMMISSIONER SINAY: Not a question. Kudos. I just
17 want to say it's been wonderful working with you and
18 you're just -- it's just been great. I'm really excited
19 for the next eight years.

20 MS. LEON: Oh, thank you so much. Thank you.

21 CHAIR AKUTAGAWA: Great. Thank you, Commissioner
22 Sinay.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Thank you, Chair. Just
25 quickly, thank you, Corina, for that information. And I

1 know it's a lot right now. My hope is that for the next
2 eight years or a little less or whatever the case may be,
3 all this information -- and we do know that things change
4 within state government sometimes not as fast as we'd
5 like it to --

6 MS. LEON: Yeah.

7 COMMISSIONER FERNANDEZ: -- but it does change. So
8 hopefully at some point when it does, when you do have
9 some free time, that we'll just document all the
10 processes, our contacts, and then it'll continually be
11 updated due to new contacts or new information or
12 processes. But thank you so much --

13 MS. LEON: Yeah.

14 COMMISSIONER FERNANDEZ: -- for all of your work.

15 MS. LEON: Thank you. Absolutely. We are doing
16 that. We're documenting everything that we go through.
17 So that's been great. Yeah. Oh, thank you.

18 CHAIR AKUTAGAWA: Great. Thank you, Corina.

19 Alvaro, did you have any things to finish up on your
20 report before we go to Chief Counsel?

21 MR. HERNANDEZ: Yes, I do have some additional
22 information I wanted to share.

23 CHAIR AKUTAGAWA: Okay. Thank you. Go ahead.

24 MR. HERNANDEZ: Oh. There are some additional
25 questions here.



1 CHAIR AKUTAGAWA: Oh, I see. Okay. Commissioner
2 Yee? Sorry, I didn't see that earlier.

3 COMMISSIONER YEE: No worries. Thank you, Chair.
4 Just wondering what the plan going forward is for office
5 space. And Corina, are you going to be work from home
6 or -- I'm just curious what the plan is.

7 MS. LEON: Yes. I believe I'm going to be planning
8 to work from home. But we are looking to move from here
9 to the legal office for storage and setting up office
10 space there as well when that's relevant -- when I need
11 to come in. So we'll be getting the mail from here. So
12 I'll be coming in, you know, weekly at least. But yeah,
13 that's the plan. We're starting to actually work on
14 that. Raul's been working on the contract and he's
15 bringing me in on that right now to get the legal office
16 and get that contract situated.

17 COMMISSIONER YEE: Great. Thanks.

18 MS. LEON: Um-hum. Thank you.

19 CHAIR AKUTAGAWA: Thank you.

20 Okay. Commissioner Kennedy?

21 COMMISSIONER KENNEDY: Thank you, Chair. You
22 mentioned or maybe it was Commissioner Fernandez
23 mentioned the contact database, and I think that is one
24 of the most important things to be working on and kept up
25 to date over the next eight years.



1 CHAIR AKUTAGAWA: Yes.

2 COMMISSIONER KENNEDY: In that regard, I think we
3 should also contemplate how we could also take that
4 opportunity to build our county profiles. So the county
5 profiles are largely contact information for various
6 entities, both official and nongovernmental in each of
7 the fifty-eight counties. But that's definitely
8 something that I would like to see turned over to the
9 2030 Commission.

10 And I know that we had maybe a few minor hiccups in
11 as far as our contact database. Coming into this, I know
12 that staff put a lot of time and effort into building our
13 contact database. And so we definitely want to keep that
14 going and growing as a --

15 MS. LEON: Okay.

16 COMMISSIONER KENNEDY: -- as an important asset for
17 the Commission.

18 MS. LEON: Okay. Thank you.

19 COMMISSIONER KENNEDY: Thank you.

20 MS. LEON: I'll, write that down. I'll definitely
21 do that.

22 CHAIR AKUTAGAWA: Thank you, Commissioner Kennedy.
23 Oh, Commissioner Andersen?

24 COMMISSIONER ANDERSEN: Yeah. Just a quick follow
25 up to Commissioner Yee's question. So basically, the



1 office will close the large section and move into what is
2 now essentially the legal office section. Does that mean
3 that all the address, et cetera, our cards and our
4 stationery, that will stay the same? We'll still have
5 the same suite address number? I believe we can make
6 that happen.

7 MS. LEON: Well, the suite's going to change. So
8 we're moving from 262, the legal office -- I'm not sure
9 what that suite number is, but that's going to change.
10 But yeah, we're going to be having we're going to be
11 moving all the supplies and records and files to that
12 room.

13 COMMISSIONER ANDERSEN: Well, the reason I'm saying
14 is because our stationery, our business cards, they all
15 say suite 260.

16 MS. LEON: I --

17 COMMISSIONER ANDERSEN: So is there any way they
18 could keep that as 260?

19 MS. LEON: Well, I'll talk with Raul. I think that
20 would be possible only because all the mail comes here.
21 So we go to the mail room to pick up our mail. So I
22 think that's possible to --

23 COMMISSIONER ANDERSEN: Yeah, just to --

24 MS. LEON: Yes.

25 COMMISSIONER SNDERSEN: -- a administrative issue.



1 So thank you very much.

2 MS. LEON: Okay. I'll check into that.

3 CHAIR AKUTAGAWA: Thanks for asking that,
4 Commissioner Andersen.

5 Commissioner Sinay?

6 COMMISSIONER SINAY: So just a couple -- the one
7 thing when we were talking about the database, I was kind
8 of caught off guard that we received emails saying, do
9 you want to be taken off the database? You know, we
10 worked so hard to create a database and inform people and
11 then all of a sudden to get this. So I was just curious
12 how that decision was made and which commissioners were
13 brought in on that.

14 And then second, just wanted to support -- just,
15 Corina, to know that you're not in this alone. A lot of
16 the transition stuff in the database and the contact
17 database as well as other issues, we did create a
18 transition committee. We're not doing much yet because
19 we know a lot will change, including contacts and --

20 MS. LEON: Um-hum.

21 COMMISSIONER SINAY: -- emails and all that. But
22 Commissioner Fornaciari and I -- yeah, we'll have a plan
23 that we can all work together --

24 MS. LEON: Okay.

25 COMMISSIONER SINAY: -- as a full commission to help



1 so that's not something that's just going to fall on you.

2 MS. LEON: Okay. Thank you.

3 COMMISSIONER SINAY: And so we do have that so that
4 everybody knows as you bring those things up, that
5 Commissioner Fornaciari and I are capturing them. And at
6 some point we will share exactly all the pieces that fall
7 under that transition piece, which we're looking at being
8 mainly the last two years.

9 MS. LEON: Okay. Wonderful. Thank you.

10 CHAIR AKUTAGAWA: Okay. Thank you. Commissioner --
11 Director Hernandez?

12 MR. HERNANDEZ: Yes. I just wanted to circle back
13 on the office space. We're still working out negotiating
14 with DGS and also Department of Rehabilitation. So
15 nothing is set in stone yet. We do receive the mail
16 centralized so we can behind the scenes make sure it gets
17 to the Commission.

18 But as far as changing the suite, that's not
19 something that's likely going to change. So it'll still
20 get to the Commission. But we're not we're not going to
21 be able to change the suite because it's a different
22 suite number. So again, that's behind the scenes. We'll
23 make it -- make sure that all the mail gets to the
24 Commission.

25 It's going to the main address in the main central



1 mail room at this point. So that was one thing I wanted
2 to mention. In regards to the notification whether or
3 not you wanted to be on the mail, as I mentioned before,
4 Nation Builders, we're transitioning from Nation Builder.
5 Nation builder has that function and so we're moving that
6 function over.

7 Of the 10,000, only 3,000 people respond. So we
8 wanted to make sure we gave ample opportunity. There's
9 been two notices that have been sent out asking if they
10 want to continue to let us know so that they can continue
11 on the mail address. A lot of those emails either bounce
12 back or are no longer being used. And so it's more of a
13 cleanup.

14 But we are getting away from Nation Builder, so we
15 need to bring that over to a different product. The
16 product that we'll be using as part of our office suite.
17 We'll be able to send out notifications to the remaining,
18 I believe it's 3,000 to 4,000.

19 And hopefully we can increase that number as we
20 continue on this journey with the Commission. But at
21 this point, more than half of those emails are not either
22 looking at it or working. So it's more of a cleanup that
23 we're doing right now.

24 CHAIR AKUTAGAWA: Thank you for addressing that,
25 Commissioner Hernandez.

1 Commissioner Kennedy?

2 COMMISSIONER KENNEDY: Thank you, Chair. I'm just
3 also circling back to one other thing that was mentioned.
4 You mentioned that Raul is working on the contract for
5 the office space. And we had gone into this a little bit
6 in one of the previous meetings. I want to make sure
7 that we are continuing to have our office space at no
8 charge to the Commission. I mean, my understanding is
9 that that is something that Governor's office is required
10 to provide for us. Okay. Very good. Thank you.

11 CHAIR AKUTAGAWA: Okay. Just for the sake of it
12 being verbalized, so I don't know if of Executive
13 Director Hernandez or Corina, if one of you can address
14 Commissioner Kennedy's question.

15 MS. LEON: Oh, sorry. Yes, I'll work with -- I'll
16 circle back with Raul about that, Commissioner Kennedy.
17 And I'll get back to you or the committee -- Commission.

18 CHAIR AKUTAGAWA: Thank you, Corina.

19 Executive Director Hernandez, coming back to you, I
20 don't see any of the questions.

21 MR. HERNANDEZ: Yes, I just want to address that as
22 well. Although that is what we would like, that
23 everything is for free. It's likely that it's not. We
24 did request funding for office space and that is part of
25 the BCP as well. It's not guarantee that it will be for

1 free. So we want to make sure that we're doing our due
2 diligence to try to ensure that there is funding for
3 that.

4 So that was part of the BCP that we just recently
5 submitted. It was part of the previous BCP. It was
6 approved from the last BCP that we submitted. So moving
7 forward, we are hoping that those type of funds will be
8 available for the office space, wherever that may be.

9 CHAIR AKUTAGAWA: Thank you, Alvaro.

10 MR. HERNANDEZ: Okay.

11 CHAIR AKUTAGAWA: Okay, I don't -- oh, and
12 Commissioner -- I see Commissioner Andersen.

13 COMMISSIONER ANDERSEN: Yeah. Thank you.
14 Regarding, the use of office space. I'm particularly
15 thinking of the end of February when the emergency orders
16 are over. When we have meetings, will we be actually
17 required now or -- and if so and we have a meeting, where
18 we will be going? And is that part of -- and the reason
19 why I'm saying that is meeting space, was that out of --
20 on our dime or is that also on the Governor's dime?

21 MR. HERNANDEZ: That will likely be on our dime.
22 Obviously, we can request and work with a variety of
23 different groups to request the space to do those in-
24 person meetings. That may happen in, what is it, July?
25 Because that order doesn't expire until June of 2023 or

1 July 1 of 2023. And so at that point, that's a
2 crossroads on how the Commission is going to be able to
3 meet. If there's legislation that changes the meeting
4 requirements, then you will have that to fall on.

5 But at this point, we did request funding for
6 meetings. We did request funding to cover those costs as
7 well. And in this most recent BCP, we included those
8 costs.

9 COMMISSIONER ANDERSEN: Thank you.

10 MR. HERNANDEZ: And no guarantee that we'll have the
11 conference room for free might be minimal cost. But
12 Department of Rehabilitation has been very gracious in
13 working with us this entire two-year time frame and then
14 hopefully they'll be able to continue to do so. But we
15 want to be realistic as well.

16 COMMISSIONER ANDERSEN: Yeah, thank you, Alvaro. I
17 am sort of backhanded on that one. I wanted to address
18 the cost, but I also wanted to do a public address the
19 Governor's orders will end on the end of -- February 28th
20 is 2023. But there is a difference about meetings date.
21 I think I'd see if Chief Counsel Pane might give me some
22 quick clarification on that, if he could.

23 ATTNY PANE: Thank you, Commissioner. Yes, and it's
24 exactly as the executive director mentioned. There's a
25 statute that sunsets July 1 that for Bagley Keene



1 meetings does not require a physical location. And so
2 even though the Governor may remove the declaration of
3 emergency, this is technically separate from that. So
4 the Commission will need to anticipate public meeting
5 space in accordance with Bagley Keene starting July 1.

6 CHAIR AKUTAGAWA: Thank you for that, Chief Counsel
7 Pane. Okay. I had seen hands earlier, but now I don't
8 see them. I just want to make sure one last call before
9 I go back to Executive Director Hernandez. Okay.

10 Executive Director Hernandez, I think you had some
11 additional items that you're going to finish up.

12 MR. HERNANDEZ: Yes, thank you. I wanted to mention
13 that we have met with the subcommittee to discuss
14 timeline and next steps for moving the 2020 website from
15 the dot org over to the CA.gov. I'm going to go ahead
16 and defer at this point to the subcommittee who will
17 provide additional information about the website
18 transition, including the 2010 website.

19 In regards to our database, the contract with
20 Snowflake is proceeding. It is with DGS and OLS and we
21 anticipate to have a finalized later this week or early
22 next week. And at that point, we'll have a schedule of
23 how to -- how and when we're going to transfer those
24 files over to them, and we'll provide that information to
25 the subcommittee.

1 We are also working with DGS on the user interface
2 contract and we hope to have that in place by early to
3 mid-November. It is taking a little bit longer than we
4 anticipated. But we are working on that one as well.

5 Moving on in regards to the State Archives, State
6 Archives has developed a transfer portal. As Corina
7 mentioned, she'll be working with them to transfer that
8 information. State Archives will communicate when they
9 are ready to have those records transferred. So the
10 first group of records will include the communication and
11 outreach records.

12 You'll notice there was a handout that was posted
13 that identifies all the information that will be
14 transferring over to them. This is based on what the
15 State Archives indicated would be of historical interest
16 to them and they kind of gave the guidelines. So that's
17 how that document came about and that's the type of
18 information that we're sending over to them. Okay. Any
19 questions in that -- under that topic -- those topics?
20 If not, I'll go ahead and move on.

21 In regards to the budget, I wanted to let you all
22 know that we did receive a response from the Department
23 of Finance to our follow up letter that we sent in
24 September. They did deny that request. However, we're
25 not giving up and we are continuing our efforts.



1 Anthony, Corina, Terri and I met with the Finance and
2 Admin Subcommittee to discuss a new strategy. We've now
3 submitted a new request for the post map funds for our
4 post map legal services and have been responding to
5 follow up questions that they've had.

6 In addition, we did provide them a copy of the
7 letter we received from the AG's office back in May of
8 2021, giving consent to the Commission to hire outside
9 counsel to defend the redistricting maps. So that was a
10 question that they had. And so we provided that
11 documentation to them. And we'll continue to work with
12 DOF and I'm going to defer to the Finance and Admin
13 Subcommittee for additional information on this
14 particular topic.

15 Moving on to the BCP, Terri has submitted the BCP to
16 the Department of Finance. As Corina mentioned, this is
17 a process. This was the first step of the process. They
18 will have some additional questions that will come up
19 from now until February when it's formally submitted.
20 And so that's one of the reasons that it's important for
21 Terri and Corina and I to sit down and go over that
22 information so that Corina has that context and frame of
23 reference for any questions that they may have
24 thereafter, December.

25 I also wanted to mention that the TECs -- staff is



1 continuing to follow up on TECs that have been previously
2 submitted and have not been paid out. We're working with
3 DGS and SEO to get them processed on their end. There
4 have been some hiccups on their end that we're trying to
5 move along.

6 We have also received communication from DGS that
7 TECs that are submitted after November 18th, 2022 will be
8 on hold for processing until after January 1st of 2023
9 due to the year-end reporting that they have to do. So I
10 bring that up only because, as Commission -- Chair
11 Akutagawa mentioned, it would be nice to have all of you
12 join us here in December, but I just wanted to set the
13 right expectations that those won't start -- those TECs
14 wouldn't start the processed until after January. So
15 with that, that concludes my report. Are there any
16 questions?

17 CHAIR AKUTAGAWA: Okay. Thank you, Executive
18 Director Hernandez. I'm not seeing any questions come up
19 just yet. Let's go ahead and move on to chief counsel
20 report.

21 Chief Counsel Pane?

22 ATTNY PANE: Thank you, Chair. Good morning,
23 Commissioners. Couple items under chief counsel update.
24 The first is I want to let you all know, in case you
25 haven't heard already or just for the public, that the



1 Governor has signed AB 1848. He signed it on September
2 29th, eight days after our previous meeting. And that,
3 as you may recall, addresses how the Commission would
4 address members of the state incarcerated prisons. And
5 that's effective January 1. Plenty of time for the 2030
6 Commission, so.

7 The second piece I wanted to highlight and Tim
8 Treichel will be able to speak to this here in a minute.
9 But in previous commission meetings, I highlighted that
10 we would be getting before you a request to have staff
11 effectuate a conflict of interest disclosure category
12 changes for the staff.

13 Again, these are disclosure categories. The amount
14 of information that's otherwise required to be disclosed
15 on an annual basis for covered employees which staff
16 would be. Commissioners are listed in that but there's
17 no changes to the disclosure level for Commissioners. So
18 the same level of disclosure that you were providing
19 before for a form 700, you will be doing that the same.

20 So this again is a change for staff. But in an
21 abundance of caution, what we would -- what Tim will be
22 seeking is a motion to have you let staff help to
23 effectuate that change. We still need to do a lot of
24 coordination with Fair Political Practices Commission and
25 maybe a few other Office of Administrative Law. So with

1 that, I will turn it over to Tim.

2 ATTNY TREICHEL: Yeah, thank you, Anthony and Madam
3 Chair and members. Tim Treichel, attorney for the
4 Commission. And what is before you and with the handouts
5 in the packet are -- is a proposal to submit a draft
6 updated conflict of interest code to the Office of
7 Administrative Law for finalization and public noticing
8 and eventually becoming a regulatory document like the
9 last one which was passed in 2015.

10 So this Commission inherited a conflict-of-interest
11 code that was adopted in 2015 by the previous Commission.
12 It only included the commissioners and one staff member.
13 That doesn't exist now. So the Fair Political Practices
14 Commission contacted us and asked for an update. They're
15 actually required every two years to request updates, if
16 there's been any changes.

17 So we had to -- we updated -- we work with FPPC and
18 updated based upon the duty statements that existed at
19 peak employment of the Commission and developed the
20 conflict-of-interest code that's before you. And that
21 includes the staffing at peak. And we anticipate it to
22 be a code if passed, to be useful for the next Commission
23 as they ramp up staffing rather than have to go through
24 the process that we went through. It took a lot longer
25 than we expected.

1 So the process, if you choose to move this draft
2 document forward that the FPCC agrees with, they concur
3 with the work that we both did to bring it to its current
4 state. So if you move it forward, it will go to the
5 Office of Administrative Law with accompanying
6 documentation transmitted by the Executive Director.

7 The next stage is the code will be noticed in the
8 California Regulatory Notice Register, which is published
9 every Friday by the Office of Administrative Law. That
10 will begin the 45-day public notice period, and the
11 public will have notice and have the right to comment and
12 staff will be obliged to answer any comment, although we
13 don't really expect any nor does the FPCC, we will need
14 to respond to comments.

15 After that period and public commenting process is
16 completed, the code goes to the Secretary of state for
17 finalization as a regulation and will become part of the
18 California Code of Regulations. Just like the last code,
19 the current code actually exists. So that's the process.
20 I can walk through the code if you wish, or I can be
21 available right now for questions.

22 I wanted to mention one thing. We received a
23 comment yesterday -- an inquiry yesterday from a lady
24 from the League of Women Voters here in Sacramento asking
25 about what regulatory changes were being proposed by this



1 agenda item. I spoke with the caller and also followed
2 up with an email. And I believe that everything is
3 cleared up and she is satisfied. So with that, I thank
4 you for your attention and available for questions.

5 CHAIR AKUTAGAWA: Thank you, Tim. I see that we
6 have a question from Commissioner Kennedy.

7 COMMISSIONER KENNEDY: Thank you, Chair. And thank
8 you for that. I have a much broader question, which is
9 under whose authority is this regulation being issued?
10 If it's under our authority, I guess I'm a little
11 confused because my understanding all along is we don't
12 yet have regulatory authority.

13 So is it under our authority in some way or is it
14 under Secretary of State OR OAL or just help me
15 understand how this is happening. And if we do have
16 regulatory authority, then I think that's a much bigger
17 conversation that we will want to have at some point
18 going forward, because there are things that we don't
19 necessarily feel rise to the level of being -- needing to
20 be in the Government Code or the Electoral Code, but
21 could be in the CCR. Thank you.

22 ATTNY TREICHEL: Sure. Commissioner Kennedy, thank
23 you for the great question. I asked the same question of
24 the Fair Political Practices Commission, because as
25 you're aware, I was aware that there's no specific -- and

1 I checked with OAL. We're not listed as a regulatory
2 body. The regulations that were promulgated for the
3 Commission came from the Department of Finance. So under
4 their authority. So they said there's no problem. OAL
5 said there's no problem. And they didn't really get into
6 specifics about authority.

7 But my understanding is this is a unique situation
8 where the FPPCs requirement to pass a regulation provides
9 the specific regulatory authority only for this act, only
10 for the code of -- conflict of interest code. And I
11 defer to my chief counsel for any clarification.

12 ATTNY PANE: Yeah, no. Thank you, Tim. Just a
13 quick add on to that. Even though we are independent, we
14 are also a state entity. And because we are a state
15 entity, a public facing transparent state entity, like
16 many others, we fall under some of the other department's
17 sort of I'll just call them rubrics of obligations.

18 And one of the obligations is that a covered
19 employee as a state employee, as it's defined under the
20 FPPC rules, you're required to file a form 700. And as a
21 result of that, there are disclosure categories as a
22 result of having to be a covered employee, of having to
23 file a form 700.

24 So this is under that rubric. It would it would be
25 nice if all of this sort of magically meant that

1 departments that don't have regulatory authority now have
2 regulatory authority because they've used the word
3 regulations for us, but it doesn't work that way. So we
4 are obligated to file a form 700 and every department is
5 obligated to have a conflict-of-interest code, and that's
6 the mandate that's put on every department.

7 And we therefore have to have a conflict-of-interest
8 code. And that's what Tim is trying to adjust. We
9 already have one. We're making changes to it to update
10 it. And so he's going to be working with Alvaro and
11 Corina to update it and make the changes that he's
12 referenced if that helps.

13 COMMISSIONER KENNEDY: It helps, I guess. It seems
14 to me that it's almost a policy issue at our level as to
15 who is included for what. And that the regulation per
16 say is more something for the FPPC to issue rather than
17 for us to issue. Particularly, since we're looking at a
18 boilerplate code, a conflict-of-interest code that we're,
19 I guess, merely adopting.

20 ATTNY PANE: I think that's a great way to put it.

21 CHAIR AKUTAGAWA: Yes. Thank you, Commissioner
22 Kennedy. I also see that Commissioner Andersen has a
23 question and maybe before Commissioner Anderson starts, I
24 think Chief Counsel Pane, you are affirming what
25 Commissioner Kennedy just spoke about, and that is why

1 this is before us -- this topic?

2 ATTNY PANE: Yes. I mean, I think what Tim's
3 going -- what Tim will be communicating is what
4 Commissioner Kennedy said. The other departments like
5 the Fair Political Practices Commission may not use the
6 same verbiage that we will be using. And the reason for
7 that is going to be because they're used to how --
8 dealing with departments that have regulatory authority.
9 So they're not going to frankly be as exact as we will
10 need to be. But he understands that in the
11 communications.

12 CHAIR AKUTAGAWA: Thank you for clarifying that.

13 Okay. Commissioner Andersen?

14 COMMISSIONER ANDERSEN: Yeah, thank you. This is
15 along those very same lines, not the regulatory but in
16 the policy aspect, because I recall that we actually did
17 go through this conflict of interest and specifically
18 about some of the people we hired when we were talking
19 about actually going back and we're doing our contracts.

20 And I thought we actually made a policy regarding
21 here is categories, what categories people sort of fit in
22 which I noticed on this regulation there was actually
23 specific categories and we actually came up with I
24 wouldn't say categories, but who was responsible for what
25 at different staffing levels. And I was going to ask, I

1 guess, the admin group if they recall any of this and if
2 we had, in fact, a policy in hand to make sure it's
3 consistent with what we've already adopted, which of
4 course, was much later than 2015, I might ask the
5 question.

6 ATTNY TREICHEL: If I may address that, we -- when
7 working with the Fair Political Practices Commission
8 staff, we evaluated all of the duty statements that the
9 Commission adopted for all the positions for the
10 potential of making decisions that could be could result
11 in a conflict of interest.

12 So that was the policies that were incorporated into
13 the duty statements for all the staff was considered and
14 evaluated in coming up with the responsibility levels in
15 this code. I'm not sure about the other discussion prior
16 to that process, which may have been different, but we --
17 but this code does seek to address all potential
18 conflicts of interest and accordingly require disclosure
19 that is appropriate.

20 COMMISSIONER ANDERSEN: Yeah. I appreciate that,
21 Counsel. But actually I don't believe that our conflicts
22 of interest occurred. There was a duty statement we were
23 hiring people, which we put to the duty statement when we
24 were hiring people and we wrote specific you shall do
25 this, you must do this, and should do this when we hired

1 them. And then it was later that we actually thought
2 about conflict of interest. And so I'd like to ask
3 either Commissioner Fornaciari and Fernandez to address
4 if -- I just want us to be consistent with everything.

5 Because even if there might be a couple of
6 particular directors, there's executive directors but
7 then the directors do different things. What we end up
8 saying. So I don't have that handy, but I'm going to ask
9 one of our administrators -- the administrative committee
10 to answer that.

11 CHAIR AKUTAGAWA: Well, that's perfect because I see
12 Commissioner Fornaciari with his hand up next. So I
13 think hopefully you're going to address Commissioner
14 Andersen's question.

15 COMMISSIONER FORNACIARI: Yeah. I'm going to try.
16 Let's see. So I'm looking at our policy manual that I
17 have on my computer. I don't know where it went. We had
18 it posted up on the shared Google Drive. I don't know
19 what happened where it is in the OneDrive. But anyway,
20 so we adopted a personnel policy. How we manage our
21 personnel. We adopted a Commissioner code of conduct
22 policy and a staff code of conduct. I remember seeing
23 this document floating around in the past. But I don't
24 think we did anything with this in particular. I have no
25 recollection of -- I mean, I recall seeing it. I recall

1 us going over it. But I don't think we adopted it or
2 discussed it. It looks like Alicia might have a -- or
3 Commissioner Fernandez might have --

4 CHAIR AKUTAGAWA: So a hand off to Commissioner
5 Fernandez.

6 COMMISSIONER FERNANDEZ: Yeah. We're working on
7 slim memories here for -- Commissioner Fornaciari and I.
8 I believe, and correct me if I'm wrong, Commissioner
9 Fornaciari, I believe the prior chief counsel was working
10 on it and it never was finalized.

11 So I think now this is being finalized, which thank
12 you so much for picking that up because then we got
13 started -- then we went into the lane drawing and things
14 just got a little bit hectic. So I think this is just
15 kind of tying it back up and making sure that there's
16 something in place moving forward. Thank you.

17 CHAIR AKUTAGAWA: Okay.

18 Commissioner Andersen?

19 COMMISSIONER ANDERSEN: If we could just make sure
20 that the policies we did have because I -- there were
21 extensive discussions about who should -- it basically
22 fits what categories these people would be in and
23 specific items we thought that would be a conflict for
24 these people, but it would not be for others. If this is
25 consistent, if you could maybe find that somewhere,

1 because I also, like Commissioner Fornaciari said, I knew
2 it was on the Google drive. I can't find it anymore.
3 And if we could find that somehow, that shared drive, and
4 then make sure that that gets to Counsel Treichelt so he
5 can make sure it's consistent, that'd be great.

6 CHAIR AKUTAGAWA: Okay.

7 Commissioner Fornaciari?

8 COMMISSIONER FORNACIARI: Director Hernandez just
9 reminded me that our policy manuals actually are posted
10 on our website. Shockingly. It's under about us,
11 commission policy manual. So that's where you can find
12 it.

13 CHAIR AKUTAGAWA: So I just want to make sure that
14 just maybe for the public and also I think for myself, I
15 just need to repeat what I'm thinking I heard from
16 Commissioner Andersen. So Commissioner Andersen, I think
17 you're asking to ensure that for the sake of consistency
18 across the various positions that we have, your request
19 is for Counsel Treichelt to review the duty statements,
20 for the need -- for I guess disclosure around conflict of
21 interest. Is that based on what's in the manual?

22 COMMISSIONER ANDERSEN: I might clarify a little
23 bit. It's not specifically the duty statements. It's he
24 has formulated and put into categories our -- the
25 positions for this form that we must actually now

1 officially adopt. I want to make sure that it is
2 consistent with our policy, which we --

3 CHAIR AKUTAGAWA: Got it.

4 COMMISSIONER ANDERSEN: -- we're using as a basis to
5 ultimately create this document, which never happened.

6 CHAIR AKUTAGAWA: Got it. Okay.

7 COMMISSIONER ANDERSEN: But it is happening now.
8 And it's basically background information that I don't
9 believe he realized was there and/or available.

10 CHAIR AKUTAGAWA: Okay. Thank you and great point.
11 Yeah. So making sure there is consistency across all of
12 our policies then. Okay.

13 ATTNY TREICHEL: Yes. In response to your request,
14 I am looking at the policy manual now and we'll review
15 and make adjustments or propose adjustments as necessary
16 in conjunction with the chief counsel. Thank you for
17 pointing that out to me.

18 CHAIR AKUTAGAWA: Excellent. Thank you. And thank
19 you for all of this conversation.

20 Okay. Chief Counsel Pane, coming back to you, is
21 there anything that you wanted to finish up your report
22 on?

23 ATTNY PANE: Thank you, Chair. No, that's all we
24 have.

25 CHAIR AKUTAGAWA: Okay. Excellent.

1 ATTNY PANE: I see there's a motion.

2 CHAIR AKUTAGAWA: All right. We are ready to take
3 public comment on Agenda Item Number 2, which is the
4 director updates and --

5 PUBLIC COMMENT MODERATOR: Sounds good, Chair. I'm
6 here to help you with that.

7 CHAIR AKUTAGAWA: Oh, we got one last comment,
8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes. I'm just wondering
10 if -- I realize that we've given Tim direction to check
11 the policies to make sure we have consistency, but just
12 wondering if we want to go ahead and make a motion to
13 move forward with this because there's only a couple of
14 months left when we're going to have staff available. So
15 it would be great if we could get this done prior to
16 that.

17 So I don't know if, Chief Counsel Pane, is that
18 something that's doable? Like if we did a motion that
19 directed you to ensure that the policy that the, that
20 conflict of interest is in line with our policies,
21 something like that.

22 ATTNY PANE: Thank you, Commissioner Fernandez.
23 Yes, I think if the Commission were inclined, we could
24 still make sure that Mr. Treichelt was able to make sure
25 that any disclosure category edits are consistent with

1 the policies that have been adopted. I think we could
2 still move forward on a motion if we were to have a first
3 and then a second.

4 CHAIR AKUTAGAWA: So just for clarification, Chief
5 Counsel Pane. So are we being asked to, to make a motion
6 to approve this policy pending the review that Counsel
7 Treichelt will make to ensure consistency with our policy
8 manual?

9 ATTNY PANE: Close to that, Chair. What I would --
10 what I would recommend is that we have a motion for staff
11 to make the necessary conflict of interest disclosure
12 category changes consistent with the Commission's
13 policies. So that would be incorporating Commissioner
14 Andersen's inquiry. And if we had a motion and a vote on
15 that, Tim could make sure that that's something that's
16 incorporated if the Commission so wishes.

17 CHAIR AKUTAGAWA: Thank you for that clarification,
18 Commissioner Kennedy?

19 COMMISSIONER KENNEDY: Thank you, Chair. I guess in
20 my mind I see it maybe happening the other way around and
21 the motion including authorization to make conforming
22 changes to the policy manual. I mean, if this is the
23 most recent action and we're clear with FPPC that this is
24 what needs to happen, then aren't we talking more about
25 adjusting the policy manual to conform to this latest

1 action? Help me out. Thanks.

2 ATTNY PANE: Sure, sure. Commissioner Kennedy,
3 what -- part of -- the change to the Commission's
4 disclosure categories requires a number of steps and a
5 bit of cooperation and collaboration from our staff with
6 other Fair Political Practices Commission staff and so --
7 and the Office of Administrative Law.

8 To make these changes, there are these preset
9 timelines and processes. So what we're mainly looking
10 for is we're mainly looking for the authorization for
11 staff to begin that process. That process would include:
12 Commensurate and consistent with policy changes and
13 exactly what Commissioner Andersen was talking about,
14 making sure that those are consistent with that, with
15 what she raised, but nevertheless, to be able to move
16 forward on it. So I'm open to the wording of the motion,
17 but that's what we're trying to get to if that helps.

18 CHAIR AKUTAGAWA: Okay.

19 Commissioner Fernandez, are you ready to make a
20 motion? Is that --

21 COMMISSIONER FERNANDEZ: I'm ready to second
22 Commissioner Kennedy's motion. I guess he has the
23 wording for it. How's that? Is that getting it started
24 backwards? Is it the cart or is it the horse?

25 ATTNY PANE: Well, there's a second before a first.



1 Impressive.

2 COMMISSIONER KENNEDY: And I don't think I'm ready
3 to put a motion on the table, so.

4 COMMISSIONER FERNANDEZ: Okay. So I would have a
5 motion. Hopefully, I'm going to say it correctly. So
6 you both can obviously correct me. A motion to allow
7 staff to move forward with the conflict-of-interest
8 statement to ensure that it is consistent with our
9 current policies.

10 CHAIR AKUTAGAWA: Okay. Is there a second?

11 Okay. Commissioner Andersen, is that a second?

12 COMMISSIONER ANDERSEN: I would second that.

13 CHAIR AKUTAGAWA: Thank you. Okay. Any
14 discussion -- further discussion?

15 Commissioner Kennedy?

16 COMMISSIONER KENNEDY: Thank you. I would offer a
17 hopefully friendly amendment to authorize the staff to
18 move forward and to propose conforming amendments to the
19 existing policy manuals. Because I really do see that
20 there's something that's been worked out between our
21 attorneys and FPPC.

22 And I don't want to have to go back to FPPC and say,
23 oh, this doesn't conform with our policies. I'd rather
24 change the policies to conform to what's been worked out
25 between the attorneys and FPPC. Thank you.

1 CHAIR AKUTAGAWA: Okay.

2 Commissioner Fernandez, since you were the original
3 person to move -- make the motion, do you -- are you
4 accepting these friendly amendment to the motion?

5 COMMISSIONER FERNANDEZ: I am.

6 CHAIR AKUTAGAWA: All right. Thank you.

7 And Commissioner Andersen, I believe you were the
8 second. Are you also in concurrence?

9 COMMISSIONER ANDERSEN: Well, I --

10 CHAIR AKUTAGAWA: Or do you just have a question?

11 COMMISSIONER ANDERSEN: I think if needed. If
12 needed because --

13 CHAIR AKUTAGAWA: Okay.

14 COMMISSIONER ANDERSEN: I believe -- yeah, if needed
15 in that -- yes, if it turns out that no you can't move
16 people, but I believe the authority is sufficient for our
17 counsel to make the adjustments accordingly. It's really
18 a question of moving different staff in different
19 categories.

20 And I believe it's -- I'm seeing a bit of a head
21 shake. Yeah. I think the authority would be -- if a
22 little bit of our policy needs to change were, yes,
23 versus if like a slightly different person fits a
24 different category, something like that, I believe that
25 they could given the authority to work this out with the

1 appropriate people would suffice.

2 CHAIR AKUTAGAWA: I think that --

3 COMMISSIONER ANDERSEN: So the adding "as needed" I
4 think is what -- rather than saying "we must" change our
5 policy. I might have misunderstood the (indiscernible).

6 CHAIR AKUTAGAWA: Perhaps it might help if we could
7 all see what the proposed amended motion would be with
8 the either "as needed" or "if needed". And so while that
9 is being put up, Commissioner Kennedy, I see that you
10 have your hand up again.

11 COMMISSIONER KENNEDY: Yes. Counsel can help me
12 out. But my understanding is conforming changes are only
13 the changes that are necessary to adjust the policies.
14 There's not going to be any wholesale change in policy.
15 But as I say, counsel can help me out if I'm wrong on the
16 meaning of conforming changes.

17 CHAIR AKUTAGAWA: Okay.

18 Commissioner Andersen, do you have additional
19 comments, changes?

20 COMMISSIONER ANDERSEN: I just like a quick question
21 from -- I fully appreciate the issue that COMMISSIONER
22 Kennedy has brought forward. And I don't know if that is
23 indeed the case or if we're making it seem much like,
24 well, it's a done deal with what has been put forth --
25 put in front of us and if it's in conflict with our

1 policy, well, that's just too bad. We'll have to change
2 our policy. And I'd like to see if counsel says, yes,
3 that is indeed the case, unless we want to go back and
4 fight, or in which case this perfectly fits it. But if
5 it turns out that hey, we didn't want that staff member
6 to have to do this because we're going to staff -- we
7 would put a person in that position.

8 There were reasons why we said, well, that -- the
9 staff person should not have that kind of conflict
10 because they need to have that information. If that was
11 a conflict there they had to sign then they could not
12 fill the position. So and I believe chief counsel
13 understands the point I'm trying to make here. The fine
14 detail. Is that an issue or does this indeed cover what
15 Commissioner Kennedy covered?

16 ATTNY PANE: Commissioner Andersen, I'm going to let
17 Mr. Treichelt actually address that. He's been more
18 deeply involved with this.

19 COMMISSIONER ANDERSEN: Thank you.

20 ATTNY TREICHELDT: Thank you, Chief Counsel.

21 Commissioner Anderson, the -- I've just reviewed the
22 code of conduct on the web page, and there's -- the two
23 components that I believe are familiar to the proposal
24 are the staff code of conduct and the Commissioner code
25 of conduct. And it's really just one page. And I don't

1 see anything that is incompatible with the proposed
2 contact interest code.

3 And I think to distinguish the two, the Commission
4 has, and it's a very good document, created a document
5 for internal policies addressing staff conduct and
6 Commissioner conduct which go way beyond that which is
7 required by the FPPC. And it's a conflict-of-interest
8 code that merely requires a certain level of economic
9 interest reporting. Okay?

10 So just economic interest reporting is what, what is
11 being controlled by the proposal before you. Whereas the
12 Commission's code of conduct actually is more elaborate,
13 gets into the details, possible scenarios, protocol of
14 Commissioners, et cetera that is not affected at all by
15 the code that's before you.

16 So the two true documents I don't think they're at
17 all inconsistent. And I don't see anything going through
18 its -- those particular items several times while we've
19 been speaking, see anything that needs to be updated in
20 the draft code that's before you or updated in your
21 policies.

22 COMMISSIONER ANDERSEN: Perfect. Thank you very
23 much. And then I certainly agree to this amendment.

24 CHAIR AKUTAGAWA: And Commissioner Fernandez, I just
25 want to make sure that you are also in concurrence with

1 this amended motion.

2 COMMISSIONER FERNANDEZ: Yes.

3 CHAIR AKUTAGAWA: All right. Thank you. I believe
4 we are ready to go to public comment on this specific
5 motion.

6 Oh, Commissioner Kennedy?

7 COMMISSIONER KENNEDY: Thank you, Chair. Is what
8 we're seeking or what counsel is seeking is authorizing
9 staff to move forward with conflict-of-interest
10 disclosure category changes consistent with the
11 commission's policies or consistent with the boilerplate
12 or the agreement with FPPC. I mean, in my mind, we're
13 authorizing staff to move forward with changes consistent
14 with what's been agreed with FPPC.

15 And then if -- and it looks like there won't be, but
16 if there were to be any changes, the changes would be
17 conforming changes to the Commission's policy manual.
18 Because if we talk about being consistent with the
19 policies, we wouldn't then make changes to the policy
20 manual. That's, I think, where I'm having a little bit
21 of a logic problem with this. Thank you.

22 CHAIR AKUTAGAWA: Okay. Thank you.

23 Commissioner Fernandez? And Commissioner Andersen,
24 I don't know if your hand is up for a question or if it's
25 just left up.

1 Okay. Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: That was a Taylor. Derek
3 Taylor. Yes. And this is why initially I wanted to be
4 the second motion. But yes, I do agree that we want to
5 make sure we -- our changes are consistent with whatever
6 regulations are or whatever however you want to -- is it
7 FPPC or whatever they're called? And then we if needed,
8 we would make changes to our policies. So yes. Thank
9 you, Commissioner Kennedy.

10 CHAIR AKUTAGAWA: Okay.

11 ATTNY TREICHEL: Well, I think -- I think a
12 suggestion would be to -- along Commissioner's
13 suggestion, as required by the Fair Political Practices
14 Commission, because we bring this to you after getting
15 approval from them to go forward. So by the Fair
16 Political Practice Commission, FPPC.

17 CHAIR AKUTAGAWA: Okay. I want to make sure
18 Commissioner Fernandez--

19 COMMISSIONER FERNANDEZ: I accept --

20 CHAIR AKUTAGAWA: -- do you agree with Commissioner
21 Andersen?

22 COMMISSIONER FERNANDEZ: Yes, I accept. And I don't
23 know if my co-motioner -- is that how you say it,
24 Commissioner Kennedy's good with it too. And then
25 Commissioner Andersen?



1 COMMISSIONER ANDERSEN: I am good with it only
2 because I actually did -- yes, we want to be consistent
3 with fair practices, but as we are the ones are supposed
4 to be writing this for us, our counsel said, we actually
5 have a very detailed discussion about this and goes into
6 more depth. If there was a conflict, I'd really want us
7 to look at what that was compared to our policy.

8 I understand that there isn't a conflict, so I'm
9 okay with this, but not the other way around. It's like
10 there's regulation. We just have to live with it since
11 we're such, "writing or regulation". But I think that's
12 a good point.

13 CHAIR AKUTAGAWA: Okay. So I'm hearing that you're
14 willing to accept.

15 COMMISSIONER ANDERSEN: I'm okay.

16 CHAIR AKUTAGAWA: Okay. Thank you.

17 Commissioner Kennedy?

18 COMMISSIONER KENNEDY: Thank you, Chair. And I
19 would just point out that this is allowing staff to
20 propose conforming changes, if needed, to the policy
21 manual, not make conforming changes. So anything would
22 come back to us in any case, and we would have a further
23 opportunity to discuss. Thank you.

24 CHAIR AKUTAGAWA: Yeah, which I think it is implied
25 in the way the motion is written that they would be

1 coming back to us. They don't think that they're -- and
2 as Chief Counsel had said, this is the first step, but we
3 need to take the step now. Otherwise we're going to run
4 out of time before the end of the year, so.

5 Commissioner Kennedy, I think, I think what I heard
6 is still that you are comfortable with the way the motion
7 is, is here, I believe. Right? Commissioner Kennedy, is
8 this reflecting what you were --

9 COMMISSIONER KENNEDY: Yes.

10 CHAIR AKUTAGAWA: Okay. Thank you.

11 COMMISSIONER KENNEDY: Yes, I was nodding.

12 CHAIR AKUTAGAWA: Okay. Okay. Just wanted to make
13 sure because of the document that's shown on the screen,
14 I'm not seeing everybody all at once. So I need to make
15 it so that I could see everybody. All right. Excellent.
16 We are ready to go to public comment on this particular
17 motion.

18 Kristian, if you could call for the public comment.

19 PUBLIC COMMENT MODERATOR: You got it. In order to
20 maximize transparency and public participation in our
21 process, the Commissioners will be taking public comment
22 by phone for the motion on the floor. To call in, dial
23 the telephone number provided on the livestream feed. It
24 is 877-853-5247.

25 When prompted, enter the meeting ID number provided



1 on the livestream feed. It is 81861322117 for this
2 meeting. When prompted to enter a participant ID, simply
3 press pound. Once you've dialed in, you'll be placed in
4 a queue to indicate you wish to comment, please press
5 star 9. This will raise your hand for the moderator.
6 When it's your turn to speak, you'll hear a message that
7 says the host would like you to talk. Press star 6 to
8 speak.

9 If you'd like to give your name, please state and
10 spell it for the record. You're not required to provide
11 your name to give public comment. Please make sure to
12 mute your computer or livestream audio to prevent any
13 feedback or distortion during your call. Once you're
14 waiting in a queue, be alert for when it is your turn to
15 speak. And again, please turn down the livestream
16 volume. And there's no one in the queue at this time,
17 Chair.

18 CHAIR AKUTAGAWA: Okay. Just let us know when the
19 instructions finish.

20 PUBLIC COMMENT MODERATOR: Will do. And those
21 instructions are complete on the livestream, Chair.

22 CHAIR AKUTAGAWA: Excellent. Thank you. Okay.
23 We're ready to move to a vote then, if we don't have
24 anybody in the queue.

25 PUBLIC COMMENT MODERATOR: And we'll begin the vote.



1 Commissioner Fernandez? Oh, I'm sorry, Commissioner
2 Andersen?

3 COMMISSIONER ANDERSEN: Yes.

4 PUBLIC COMMENT MODERATOR: Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 PUBLIC COMMENT MODERATOR: Commissioner Fornaciari?

7 COMMISSIONER FORNACIARI: Yes.

8 PUBLIC COMMENT MODERATOR: Commissioner Kennedy?

9 COMMISSIONER KENNEDY: Yes.

10 PUBLIC COMMENT MODERATOR: Commissioner Le Mons?

11 COMMISSIONER LE MONS: Yes.

12 PUBLIC COMMENT MODERATOR: Commissioner Sadhwani?

13 Commissioner Sinay?

14 COMMISSIONER SINAY: Yes.

15 PUBLIC COMMENT MODERATOR: Commissioner Taylor?

16 COMMISSIONER TAYLOR: Yes.

17 PUBLIC COMMENT MODERATOR: Commissioner Toledo?

18 Commissioner Turner?

19 COMMISSIONER TURNER: Yes.

20 PUBLIC COMMENT MODERATOR: Commissioner Vasquez?

21 COMMISSIONER VAZQUEZ: Yes.

22 PUBLIC COMMENT MODERATOR: Commissioner Yee?

23 COMMISSIONER YEE: Yes.

24 PUBLIC COMMENT MODERATOR: Commissioner Ahmed?

25 COMMISSIONER AHMED: Yes.



1 PUBLIC COMMENT MODERATOR: And Chair Akutagawa?

2 CHAIR AKUTAGAWA: Yes.

3 PUBLIC COMMENT MODERATOR: Motion passes.

4 CHAIR AKUTAGAWA: Excellent. Thank you, everyone,
5 for that robust discussion. And I think it was good that
6 we worked it all out. And I think we all clearly
7 understand it, too. So thank you very much for that.
8 All right. Let's go ahead. Let's move on. We are now
9 going to take public comment on the entirety of Agenda
10 Item 2, which is the director updates.

11 PUBLIC COMMENT MODERATOR: Sounds good, Chair. The
12 Commission will now take public comment on Agenda Item 2.
13 To give public comment, please call 877-853-5247 and
14 enter meeting ID number 81861322117. Once you've dialed
15 in, please press star 9 to enter the comment queue. The
16 full call-in instructions are read at the beginning of
17 the meeting and are provided on the livestream landing
18 page. And there's no one in the queue at this time,
19 Chair.

20 CHAIR AKUTAGAWA: Okay. We'll wait for the
21 instructions to finish.

22 PUBLIC COMMENT MODERATOR: And those instructions
23 are complete.

24 CHAIR AKUTAGAWA: All right. Excellent. Okay.
25 Well, let's go ahead and we'll move on to the next item



1 on our agenda, which is the subcommittee updates. And
2 we're going to start first with an update from our
3 Finance and Administration subcommittee.

4 COMMISSIONER FERNANDEZ: I don't think we have an
5 update because I believe Executive Director Hernandez
6 gave the update or did we have something else,
7 Commissioner Fornaciari?

8 Yeah, I think we're going to hopefully staff will be
9 drafting the report that eventually has to go to the
10 legislature on our expenditures. But I think that was
11 probably the only thing because we had -- we talked about
12 the VCP, we talked about our request to release some of
13 the funds. Thank you.

14 CHAIR AKUTAGAWA: Okay.

15 Commissioner Fornaciari?

16 COMMISSIONER FORNACIARI: Yeah. Anthony, were you
17 going to go over the request for funding?

18 MR. HERNANDEZ: Frankly, Commissioner Fornaciari, I
19 might need you to prompt me a little bit.

20 COMMISSIONER FORNACIARI: For our legal funding.

21 MR. HERNANDEZ: Let's see, if -- I can certainly go
22 through a little bit of a summary of what's transpired
23 and see if that -- see if we cover -- maybe you can help
24 me along with I'm just not make -- I have a thought in my
25 head but I want to make sure I'm getting to it.

1 As the Executive Director mentioned earlier, we have
2 been trying to get the services for post map operations
3 with legal services paid. And what we're hoping to --
4 we're hoping to get to a point where the Commission is --
5 and we believe this is the case under the California
6 Constitution, that they -- that this Commission is able
7 to -- and has sole legal authority to defend its maps.

8 And as a result of that, they are free to utilize
9 the AG's office or a separate firm. This Commission
10 chose to utilize a separate firm at Strumwasser, and
11 we're all familiar with that, and to defend those maps.
12 And that's what we did. Going forward, we want to make
13 sure that the other state entities have the same
14 understanding of that provision that we have.

15 And so part of part of the discussion that I think
16 I'm having right now, and I want to make sure that the
17 other departments are having this as well, that the 2030
18 Commission is set up for success. Does that kind of
19 address what you were getting at Commissioner Fornaciari?

20 COMMISSIONER FORNACIARI: Yeah. Well, so I thought
21 it was part of our budget request that we had requested,
22 some funding for this. And we requested 200k. The --

23 MR. HERNANDEZ: Yeah. We're just --

24 COMMISSIONER FORNACIAIR: So we're just having the
25 Department of Finance to try to resolve that.

1 MR. HERNANDEZ: So right now, I think what we have
2 is we have a situation where we are asking for -- we've
3 provided, and Executive Director can jump in, if I don't
4 have it quite right, we've asked for funding for legal
5 services for the Commission for starting January 1
6 forward. And what we don't have right now is we don't
7 have funding for legal services.

8 Assuming the Chief Counsel is not going to be here
9 January 1, we're left with Mr. Treichelt as a retired
10 annuity, but we don't have funding to pay for that use --
11 for your use of legal services. And the reason why this
12 is important is because just for everybody's
13 understanding, the way budget requests work is you don't
14 just ask for money and then you get money. It doesn't
15 work that way. You have to say we want to use -- we need
16 X dollars for these purposes.

17 And so to date, this commission does not have
18 funding for legal services starting January 1. So you
19 don't have funding provided to the Commission yet to have
20 legal services. And while the Commission may decide to
21 off-board the Chief Counsel at the end of the year, you
22 still have Mr. Treichelt as a retired annuitant who could
23 be used, but you don't have funding for -- starting
24 January 1 to pay for that use of legal services.

25 Department of Finance has not said here's X thousand

1 dollars for use of legal services, which would include
2 but not be exclusive to Mr. Treichelt. It could also it
3 would also be needing, I would think, Strumwasser as well
4 because this is all post map. So I wanted you all to be
5 aware of that and maybe that's where I think you might be
6 going there, Commissioner Fornaciari.

7 CHAIR AKUTAGAWA: Thank you.

8 ATTNYPANE: Yep.

9 CHAIR AKUTAGAWA: Okay. Finance and Admin
10 Subcommittee, does that conclude your update? Okay.
11 Thank you very much. Let's go ahead and let's move on.
12 We have nine minutes. I just want to acknowledge this.
13 We have nine minutes for our next update from our Website
14 Committee. And if let's see if we could get it done in
15 nine minutes. If not, we will reconvene after and have
16 them continue their report afterwards.

17 So Commissioner Kennedy?

18 COMMISSIONER KENNEDY: Thank you. I just wanted to
19 before we move on to the Website, make sure do we need to
20 take an action on this issue of the funding for legal
21 support at this point, or you're just continuing your
22 discussions with DOF and others?

23 ATTNYPANE: That's correct, Commissioner Kennedy.
24 I mean, the Executive Director is aware of this issue and
25 it's part of our ongoing communication with Department of

1 Finance that the -- and they know this, that you have to
2 ask -- and we've itemized a request. You don't just get
3 to ask for money and it gets back to you. You have to
4 say what you're using it for. And to date, what you
5 don't have is use and therefore paying an amount paid out
6 to have legal services starting January 1.

7 And again, that would include any in-house legal
8 services we might have, but it would also include use of
9 Strumwasser as needed. So we've tried our best to get an
10 estimate of what we think we will need for that. And so
11 we will continue to work with the Department of Finance
12 to get that amount out to the Commission so that they can
13 use it for those purposes.

14 COMMISSIONER KENNEDY: If I can, do you see any need
15 for a sense of the Commission resolution on this at this
16 point?

17 ATTNY PANE: I don't know that it would. I mean,
18 certainly a Commission discussion in open session would
19 probably serve the same purpose as anything because it's
20 all in the public record. Certainly, it would be
21 consistent with the communications that staff have had
22 with Department of Finance. So I would leave that up to
23 the Commission.

24 CHAIR AKUTAGAWA: Commissioner Kennedy, I'm going to
25 ask you to pause right now. Let's see what Commissioner

1 Andersen has to say before we decide what would be the
2 best course.

3 COMMISSIONER ANDERSEN: I am very concerned about
4 this because I need a clarifying question answered,
5 please. The post map legal services, does that mean
6 they're not saying we can have any of the money that was
7 supposed to have her post map? Because that is when you
8 get sued. And the idea that, oh, well, if you haven't
9 resolved the lawsuit between -- before December 31st,
10 2022, too bad?

11 You haven't had our election, first election with
12 these maps is only coming up in November here. I mean,
13 if we're going to get sued, it's going to be probably
14 after that, if it hadn't already just on the basis of
15 putting together. So I do not understand what the issue
16 is here at all. And I think it would be very fruitful to
17 have a commission discussion on this level because. The
18 idea that, oh, well, is just not acceptable. I mean, if
19 they put all the money into having us make these maps,
20 we're not going to be able to defend them? That's crazy.

21 CHAIR AKUTAGAWA: Thank you, Commissioner Andersen.

22 I also see Commissioner Fernandez has her hand up.

23 COMMISSIONER FERNANDEZ: Yes. You understand our
24 frustrations so far, Commissioner Andersen, we've been
25 going back and forth and Finance has pushed back, saying

1 that we can use -- we should use a -- reach out to the
2 AG's office to have them represent us if we are sued. We
3 also have a letter dated back in May 2021 where the AG's
4 office explicitly states that they may not have the
5 expertise to defend us.

6 So we have been going back and forth. And every
7 time we ask for money to be released for litigation.
8 They ask us, Well, what litigation? You don't have any
9 litigation so far. But that's just like anything else.
10 You have a contract in case you do get sued instead of I
11 believe what they're looking for is once we get sued,
12 then we can ask for the funding.

13 And that's, in my opinion, an inappropriate way to
14 work, especially when we have -- the staff is going to be
15 off-boarding. I would like to have a contract in place
16 in case we get sued, because at the end of the line if
17 we -- at the end of the day, if we don't get sued, the
18 funding reverts back to the state. It's not like you can
19 use it for something else.

20 If it's specifically for litigation, then it's used
21 for litigation. If it's specifically for legal, then
22 it's used for legal. So yeah, we're trying different
23 approaches. We're trying to be creative and hopefully
24 one of these will actually go through. So thank you.
25 We're trying. Doors have been closing and we've been

1 trying to open new doors. So wish us luck.

2 CHAIR AKUTAGAWA: Commissioner Yee?

3 COMMISSIONER YEE: Thank you, Chair. Yeah. I
4 appreciate everyone's efforts on this. Besides the
5 possibility of lawsuits, what about just having legal
6 counsel around our meetings, to review the things we're
7 working on, all those functions. Do those need the same
8 funding, do they not?

9 COMMISSIONER FERNANDEZ: And that is what we're
10 saying. I mean, we still want them -- still want legal
11 counsel for our meetings. We still have issues that come
12 up. Some of our subcommittees have been using have
13 benefited greatly from our chief counsel's expertise.
14 And so that's been the back and forth with Finance,
15 trying to justify exactly what we're going to need the
16 money for. And we're moving forward -- continuing the
17 forward justification.

18 CHAIR AKUTAGAWA: Thank you, Commissioner Fernandez.
19 Commissioner Andersen?

20 COMMISSIONER ANDERSEN: I would also say not just
21 for our meetings, but case in point, what we're
22 following, at the federal level, our mere existence.
23 These are issues which are not -- if we do not have
24 ability to hire legal counsel in their preliminary run up
25 to a litigation, we will lose. I mean, you must have --

1 you must be forward looking on these items. And the
2 government is there. I mean, this is something that's --
3 every politician understands. If you wait until your
4 hit, it's too late and you're going down. And we don't
5 have that ability in the California Constitution.

6 We have to be able to defend ourselves. We have to
7 be able to defend our maps. And it would be what's the
8 expression of penny wise, dollar foolish. If we do not
9 have ability to take care of small issues because, oh,
10 the funding isn't there. You haven't been already sued.
11 You know, we don't want to be sued.

12 And by having legal counsel available to us, we can
13 minimize any overt or missteps it could create real havoc
14 for us. And then the expertise level alone is another
15 issue why we should have that funding. And also, thank
16 you very much. I did not realize that that was still up
17 in the air. I'm glad that you're actually bringing
18 that -- sounding the alarm very, very loudly today.

19 CHAIR AKUTAGAWA: Okay. Thank you, Commissioner
20 Andersen.

21 Commissioner Turner and Commissioner Fernandez, I do
22 see your hands up for this. We are one minute to the
23 break time. I do want to say, I think if I can, this is
24 all, I think discussion that we've had in the past. I
25 also want to say, I think the Finance and Admin

1 Commission Subcommittee, as well as the staff are very,
2 very well, as you know, of all of the sentiments, I think
3 that we all have and the concerns that we share about,
4 you know, the lack of progress and on this.

5 I think at this point, I'm going to take what they
6 shared with us as more of an update and that the team is
7 going to continue to push it along. I think I trust that
8 Chief Counsel Pane and Executive Director Hernandez is
9 going to bring us back to -- along with the subcommittee
10 is going to bring this back to us when we need to
11 actually take action.

12 Commissioner Turner, if you don't mind, we'll come
13 back to you after the break. I know we're at the top of
14 the hour, so we need to take that break. Okay. Thank
15 you. Fifteen minutes.

16 Hi, Everyone. Welcome back from that break. We are
17 at our subcommittee updates and we were on the Finance
18 and Administration update. When we went to break, we had
19 one pending comment or question from Commissioner Turner.
20 I'm going to turn to her now.

21 COMMISSIONER TURNER: Thank you, Chair Akutagawa. I
22 just was in support of what was being stated prior to the
23 break and lacking understanding and why there was a
24 resistance in releasing the funds. My question was, does
25 this differ drastically from what happened in 2010? We

1 have the same issue of non-release of funds or did
2 something different happen? I'm just wondering
3 comparatively so that I can try to get an understanding
4 of what would be the reason and rationale for not
5 releasing the funds.

6 CHAIR AKUTAGAWA: I think, Commissioner -- Director
7 Hernandez, perhaps you could address that.

8 MR. HERNANDEZ: Yes, thank you. And my
9 understanding is that it was very similar in the last
10 Commission at the end trying to get the post map funding
11 for litigation or legal services. So they had some
12 challenges there as well. I don't recall if you -- I
13 don't remember if you recall that Raul had shared that
14 there were two different legal -- what is it, firms and
15 one of them decided not to continue with the Commission,
16 partly because of that issue.

17 There wasn't the funding, they weren't paid. And so
18 that definitely was a challenge. I'm hoping that in the
19 future this doesn't continue to be as big of a challenge
20 as it has been up until this point. I do feel confident
21 that we are working with the Department of Finance in
22 providing them the information that they've requested,
23 and hopefully that will help them come to the
24 determination that the funds are definitely needed.

25 How you define them shouldn't be their call, but

1 we're working with them. I'll keep you posted on that as
2 much as possible. I want to give a shout out to Terri
3 because she's the one that's -- Terri Isedeh our budget
4 officer. She's the one that's been fielding all the
5 calls and the communications with the Department of
6 Finance throughout the process, so.

7 CHAIR AKUTAGAWA: Great. Thank you very much.
8 Thank you for that question, Commissioner Turner. And
9 thank you, Director Hernandez, for that. I am looking
10 don't see any additional hands up. I think what we'll do
11 is we'll continue to trust our subcommittee to keep us
12 updated and work on this issue to resolve it as quickly
13 as possible, obviously, especially since the staff is
14 going to be off-boarding very shortly. And I believe
15 that they understand very much the urgency. So okay.

16 Commissioner Kennedy?

17 COMMISSIONER KENNEDY: Thank you, Chair. I'm
18 certain that staff understand the urgency and the issues
19 involved. It's not clear that folks at Department of
20 Finance do. And so I would ask that we not close this
21 item fully. I may come back after lunch with a motion
22 for a sense of the commission resolution that we would
23 put on paper that would essentially, at least in a
24 virtual sense, have the signatures and support of anyone
25 who voted in favor of that resolution so that it's not

1 just our staff talking to DOF staff, but it's the
2 Commission speaking with the voice of the Commission as a
3 whole. Thank you.

4 CHAIR AKUTAGAWA: Thank you, Commissioner Kennedy.
5 And I think that would be a good suggestion. I think
6 we -- it will also give all of us some additional time to
7 reflect and think about what would be then and the best
8 way to help facilitate moving this forward. And
9 especially I appreciate what you said about putting the
10 full weight of the Commission behind the work that is
11 urgently needed to be closed and resolved so that we can
12 ensure our future legal needs.

13 All right. Let's go ahead. We were about to
14 transition to the Website subcommittee. Let's go ahead
15 and move to that. That is either Commissioner Taylor or
16 Commissioner Kennedy. No updates?

17 COMMISSIONER ANDERSEN: Actually, it's Commissioner
18 Andersen.

19 CHAIR AKUTAGAWA: Oh, I'm sorry. Sorry. I forgot.
20 That's right. I kept thinking Commissioner Kennedy was
21 still involved with it.

22 Commissioner Andersen or Commissioner Taylor?

23 COMMISSIONER ANDERSEN: I think I might take the
24 lead on this one from Mr. Taylor. We had a subcommittee
25 meeting yesterday, and there was one item that -- well,

1 we'll give you an update. What's going on? There's one
2 item we do have to bring to the attention of the
3 commission just to make it -- the Commission's read on
4 what they'd like to do with this.

5 And basically, just quickly this -- the staff have
6 been doing a huge amount of work. Alvaro made that kind
7 of a short little thing, turn it over to the
8 subcommittee. But they were doing enormous amount of
9 work on this. It is moving ahead very, very well. And
10 the issue just for the public is moving our
11 wedrawthelinesca.org over to dot --
12 wedrawthelines.ca.gov.

13 So when I refer to them, it might be dot org, which
14 is now the 2020 or the dot ca dot gov, which at present
15 is the modified 2010 website. When I say modified is
16 because we took the 2010 website and thought we would use
17 that and try to work with it and made some changes and
18 things and then realized that this wasn't going to work
19 very well if we couldn't actually make it website
20 accessible for any -- and all disability accessible
21 without doing a lot to it.

22 And so we abandoned that and went ahead with our dot
23 org, which is our current website. And the plan is to
24 move our current website to dot ca dot gov location,
25 which will be staffed by -- well, not staffed -- it will

1 still be run by us, but it will be maintained by the
2 Department of -- our appointed Department of Technology.
3 That's the plan. That is going very well. We could make
4 that transition now. But what happens to the 2010
5 website? And that's the item.

6 The plan has always been and still is to have a tab,
7 a 2010 tab on our 2020 website that says -- well, I'll
8 get into particulars of what it's going to say. But the
9 problem is in doing that, what happens to the 2010
10 website? And we have a very thorough document which was
11 actually given to the full Commission and on the handouts
12 in July of what has been sent to the State Archives. And
13 that has been verified that it is there. It is
14 extensive.

15 We also have through the Wayback Machine, you can go
16 to the 2010 website. However, and that was the plan.
17 Essentially, Friday, we were going to essentially overrun
18 the 2010 website and put the 2020 on it. However, this
19 just occurred that it turns out you would lose
20 administrative access to the 2010 website. And in our
21 modifications of the 2010 website, there are -- there
22 aren't links to a lot of stuff.

23 Now, whether there were links back in one of the
24 capsule twenty -- through the Wayback Machine on the 2010
25 website, whether they were all linked in, we don't know.

1 But if we do, at this point, essentially override the
2 2010 website, we lose administrative access. And so at
3 this point, what the subcommittee is and actually asked
4 the staff to do, worth looking into, can we just take the
5 2010 website and keep it where it is, but just put into a
6 separate folder or essentially like a partition.

7 So it's still there. We have administrative access
8 to it, but it's not available to the public because as we
9 say through the 2010 tab, we'll have how the public can
10 access any document, a listing of things, they just won't
11 have any administrative access.

12 And if we do that, we put in a partition and we can
13 still -- if we find things, we say, wow, you did that
14 better, or I didn't even know that existed, we can then
15 take that and put it onto our website or as we move in
16 perpetuity, we can still the 2030 Commission might say, I
17 want that from the 2010 website, from their information.

18 You can do these things if you don't have
19 administrative access. It's just a lot harder. And it's
20 not, as Commissioner Taylor said, the information is not
21 in its purest form. So at present, the staff is looking
22 into can the Department of Technology just quickly do
23 that into a partition? Will they charge us more to do
24 that? Are they going to see that as a run around? Do
25 they do not do archiving of websites?

1 We're not actually asking them to archive it. It's
2 on our website. We're just not having that accessible
3 through our website directly. We're actually having --
4 the documents that -- certain documents will be there,
5 but it won't be so nuts. And the reason I'm bringing
6 that up is because we may not get the answer to that
7 question whether the California Department of Technology
8 can easily do this.

9 I've been told by website people who basically --
10 tech people who do this all the time, they say, sure, you
11 can do it. The State does things differently and so
12 we're always looking at that. What I'd like the
13 Commission to consider is is that something that we feel
14 we do need to keep? I think it is. Because otherwise,
15 as I say, you could get stuff, but you might not know
16 about it.

17 And right now, there's a document that I found
18 actually just by guessing, because on the 2010 website
19 right now, the maps aren't linked. If you don't search,
20 you can't easily find the maps and you'd have to go back
21 and find the maps. We will have access to maps on our
22 2010 tab, but on that document I found that there is a
23 link to -- you can look up any address for -- and through
24 the statewide database there's a link saying, hey, you
25 can compare going back to I think it's '91 the different

1 maps for any address I'm going from now for the 2020 to
2 the 2010 to the 2090, going backwards.

3 You can compare that on the Statewide Database. If
4 we did not have access to that -- I mean, you could kind
5 of copy paste and put it on. But if we have
6 administrative access, it's much easier to do these
7 things.

8 So that's the one item that I'd like the Commission
9 to consider and give staff permission to pursue that. It
10 might cost us some money, but I don't -- and we'll find
11 out. Then, the 2010 website, what's on our page, I can
12 give you a quick summary. If there's anything else we
13 think you should have on it, please let us know.

14 Because at present, the idea of the tab will hold a
15 description of the 2010 Commission, their bios --
16 biographies, a timetable from their applications to the
17 final maps, when they did what, like when they were
18 seated, when they got the census data, when the draft
19 maps were out, when the final report went, and links the
20 2010 maps and the final report. Then it'll also contain
21 notes directing the public to the State Archives with a
22 how to get there and also a brief summary of what's in
23 the archives.

24 And then it'll also have directions to the Wayback
25 Machine with the general verbiage about what that is and

1 how to access it. That's the plan for the 2010 tab. And
2 so the only difference is what I'm asking now is do we
3 have authority, the staff, to actually look into how do
4 we keep administrative access to? Can this be done
5 relatively easily or how -- not? And that's the
6 recommendation from the Subcommittee is to get access to
7 keep it so we don't like lose it from now on.

8 So first of all, Commissioner Taylor, did you have
9 anything to say before we take questions?

10 VICE CHAIR TAYLOR: No, Jane, I think that was very
11 concise. You hit it right on the point, trying to find a
12 way to maintain as much access to that website as
13 possible by being ADA compliant. And it's tuff. It's a
14 puzzle piece at the moment.

15 COMMISSIONER ANDERSEN: Yeah.

16 CHAIR AKUTAGAWA: All right. Thank you very much.

17 So Commissioner Anderson, I believe I heard you say
18 what you're -- the Subcommittee is recommending is that
19 this is about providing authority to the staff to explore
20 or to be able to enable access to the 2010 Commission via
21 our 2020 Commission website.

22 COMMISSIONER ANDERSEN: No, not quite. The access
23 will still be on the through the 2020 website will be a
24 2010 tab and it will contain connections and how to get
25 information. The specific is can we as the CRC keep

1 administrative access to the 2010 website because the
2 plan was originally to just override it, in which case,
3 no, we can't -- by administrative actions, I should say
4 that means you can go in and you can change the website,
5 you can add documents, you can pull documents, you can
6 make links, you can work with it, the website, and it can
7 be as simple as -- well, or basically that's it. You can
8 get a listing of what is there. You have to put a
9 program in. You have but you have access to modify it
10 and also make sure -- well, right now we don't actually
11 know what is on the website per say because there are --
12 a lot of there's a lot of material that's there that is
13 linked. So if you search, you can find it, but you'd
14 need to know what to search for.

15 CHAIR AKUTAGAWA: So all that --

16 COMMISSIONER ANDERSEN: Go ahead.

17 CHAIR AKUTAGAWA: So Commissioner Andersen, I think
18 what I'm just trying to ascertain is what is the action
19 that you're looking for? Not so much what's the
20 information, but what's the action that you're asking
21 for? And then I know that Commissioner Kennedy and
22 Commissioner Turner, I think, also have some questions.

23 COMMISSIONER ANDERSEN: It's the act -- to keep
24 administrative access to the 2010 website.

25 CHAIR AKUTAGAWA: Via our website?

1 COMMISSIONER ANDERSEN: Via a -- like a folder --

2 CHAIR AKUTAGAWA: A check --

3 COMMISSIONER ANDERSEN: Partition.

4 CHAIR AKUTAGAWA: But that would be setting a --

5 COMMISSIONER ANDERSEN: (Indiscernible).

6 CHAIR AKUTAGAWA: -- technical --

7 COMMISSIONER ANDERSEN: Right. And that would be
8 under there -- yes, essentially it would be on that not
9 accessible -- not publicly accessible.

10 CHAIR AKUTAGAWA: I understand that.

11 COMMISSIONER ANDERSEN: The information would still
12 be there.

13 CHAIR AKUTAGAWA: Okay. Thank you. Just wanted to
14 clarify that.

15 Commissioner Kennedy?

16 COMMISSIONER KENNEDY: Thank you, Chair. Two
17 things. One, no matter what, I think we will want to
18 remove 2020 content from the 2010 website. I was just
19 looking at it last night and this morning and there are
20 still -- there's still some of our content that is part
21 of the 2010 website. So I think we need to divide the
22 two as cleanly as possible. And that would include
23 removing all 2020 commission materials from the existing
24 2010 website.

25 Second of all, colleagues will recall the letter

1 that we received from some of the community groups asking
2 that we incorporate the content from the Shape
3 California's Future website, the website for the
4 recruitment process -- recruitment and selection process
5 of the 2020 Commission. And I just wanted to remind
6 everyone that that letter did come in.

7 I am very supportive of that and hope that we can
8 make that happen. I think that it might even make sense
9 to look at some of the other similar materials from 2010,
10 the recruitment of the and selection of the 2010
11 Commission. I was also looking at a web page last night
12 that I believe was set up by the Secretary of State's
13 office when they were handling the transition, the
14 establishment of the 2010 Commission.

15 So just making sure that if we're going to have a
16 single point of entry on the internet for California
17 Redistricting Commissions that we incorporate as much as
18 possible so that anyone who's interested in the entire
19 history of citizen redistricting in California can go to
20 one source.

21 The alternative is that we set up a 2020 Commission
22 website so that instead of CRC dot ca dot gov, it would
23 be CRC 2020 dot ca dot gov. And then there's CRC 2030
24 dot ca dot gov, et cetera. So those are two tracks that
25 we could go on as far as access to material -- our



1 materials and those of future Commissions. And I think
2 it would be helpful to make that sort of decision at this
3 point. Thank you.

4 CHAIR AKUTAGAWA: Thank you for that. Before we
5 move on to Commissioner Turner, I want to ask
6 Commissioner Taylor and Commissioner Andersen, given what
7 Commissioner Kennedy just suggested, there are some good
8 suggestions here, is this something -- I know he has made
9 a recommendation that we make an action on this -- is
10 this something that you'd be -- well, I guess the
11 distinction is to ask the committee -- subcommittee to
12 further explore this and come back with recommendations
13 versus are you ready to actually say this is something we
14 could take on and move on and report back? There's a
15 slight -- there's a nuance, I know, in that, so.

16 VICE CHAIR TAYLOR: Commissioner Andersen, if you
17 don't mind, I think that's something we still have to
18 do -- have to explore. And I think one of the primary
19 concerns, too, especially as we transition to the next
20 phase of the Commission is how do we find those projects.
21 So we're struggling.

22 Just as a point of comparison, we're struggling to
23 get our legal funding. So we haven't set aside
24 technology funding for our commission. So that just has
25 to be something that we have to explore and see the

1 feasibility, what it -- was willing to be given to us to,
2 to take on that endeavor.

3 COMMISSIONER ANDERSEN: Yeah, I might follow up with
4 Commissioner Taylor. He's absolutely right. It is the
5 funding. I do believe that we -- the Commission has
6 discussed this about website previously that what
7 Commissioner Kennedy is bringing up is sort of like the
8 history, the CRC putting all those documents together,
9 that is a continuing effort.

10 At this point, all that would have to happen in
11 January because the staff basically has his hands full
12 right now trying to take our 2020 website and material
13 from Nation Builder, and move it on to a state-run site.
14 The only item that -- and the subcommittee will finish
15 on -- check this out, but I think the answer is we only
16 get one website from the State and I don't know if they
17 would give us 2020, 2010 that sort of thing, but that's
18 certainly a question.

19 That's kind of what I'm trying to sort of do a
20 little bit with the partitions that we could then work on
21 in January to sort of clean up and organize in that
22 manner. So I would kind of like the subcommittee to take
23 this back -- come back for the next meeting about moving
24 forward with that. But at this point -- and also the
25 funding because that is that's crucial.

1 All of this would have to be done possibly by --
2 there's very little that can be done with the staff at
3 that point. And we'd have to do it ourselves and/or get
4 a contractor chances are. But the issue now is, can we
5 still work on keeping administrative access, which --
6 well, that's what we're proposing. So we don't just lose
7 it because we'd like this -- that will give us the most
8 flexibility moving forward due to the stuff in January.

9 CHAIR AKUTAGAWA: Thank you, Commissioner Taylor and
10 Commissioner Andersen. I'm going to go to Commissioner
11 Turner for her question.

12 COMMISSIONER TURNER: Thank you. I was trying to
13 follow. Commissioner Andersen, you shared a lot in the
14 initial and that was -- I appreciated all of that. There
15 was something in there that may not have been brand new,
16 but it just does cause a question in my mind in seeking
17 for administrative access into the website.

18 For me, I almost had an opposite reaction. I'm
19 concerned about the ability to edit 2010. And I agree
20 that we should remove our 2020 stuff that we added into
21 2010. But in making a decision going forward, I'm
22 assuming then it would be one that we would support even
23 for future Commissions.

24 And I don't know if the partitions then would limit
25 what we would be able to change or shift. And we always

1 make decisions with the best intention of what we would
2 add, remove. But for me, kind of a flag when we started
3 talking about this time about editing, deleting, altering
4 information.

5 And I just would want to make sure in whatever we're
6 doing the work, our decisions, why we did what we did,
7 how we did, what we put in the 2020, I would not want the
8 thought of a future Commission to shift any of that.

9 And so I just wanted to name that because when you
10 were talking, I kind of was trying to follow, but I got
11 lost a little bit in there about what the ask is. And by
12 us granting administrative access to edit, delete change.
13 I want a clear understanding of what we're saying will be
14 possible.

15 CHAIR AKUTAGAWA: Thank you for that, Commissioner
16 Turner.

17 Commissioner Andersen?

18 VICE CHAIR TAYLOR: Commissioner --

19 COMMISSIONER ANDERSEN: Yeah, thank you. And I
20 appreciate that question, because I did try and say a lot
21 in a very short period of time. And you're right in that
22 if you do have administrative access, you could really
23 change a website. That was not the intents except to,
24 again, not right now, but in January, essentially clean
25 up the 2010 website to restore it, essentially.

1 But it's more in terms of if we see information that
2 we would like to then put into more like the history on
3 the CRC, kind of like more like there's an overall
4 website, which it's changed, a lot of it basically stays
5 there. It's essentially like a history, what happens.
6 It's like tabs on a website. What kind of like -- what
7 Commissioner Kennedy was saying, if we have
8 administrative access, it's just easier to copy the
9 information and then like maybe say, modify on the new
10 not modify 2010's except to restore it. But taking that
11 some of that information and using it for other purposes,
12 say putting some of it -- like we are going to put that
13 on our 2020 website. So we're going to essentially copy
14 and paste -- which copy and paste from the Wayback
15 Machine. But if you have administrative access, it's a
16 little bit easier. And that's my intent with this in
17 terms of -- we might later on go you know what, we really
18 don't need administrative access anymore. But if we get
19 rid of it now, we can't get it back. And it's a little
20 bit the only reason we're getting rid of it now is
21 because we want to move our 2020 website in there. And
22 we don't think there's another way to do it. And so can
23 we ask and really pursue, okay, are you sure we can't
24 just partition it or put it in a separate folder,
25 something like that, so we can still have administrative



1 access. So we can decide later or will we have time?

2 CHAIR AKUTAGAWA: Thank you.

3 VICE CHAIR TAYLOR: Chair --

4 CHAIR AKUTAGAWA: Thank you for that.

5 VICE CHAIR TAYLOR: (Indiscernible) --

6 CHAIR AKUTAGAWA: Commissioner Taylor, did you want
7 to follow up on --

8 VICE CHAIR TAYLOR: Yes, please. And just to
9 address the same thing, our goal is preservation and to
10 best preserve, we need to have access. So I think that
11 that's gift, preservation. To preserve, we need access.
12 That way, if there's a way that we need to copy, we can
13 move it. But the goal is preservation.

14 VICE CHAIR TAYLOR: Thank you for that. That was
15 very --

16 COMMISSIONER ANDERSEN: Can I actually say also, if
17 we if we have administrative access items that we do,
18 then want to clean up or something, we would have to add
19 to like the 2020 website, we'd have to make it accessible
20 because right now a lot of the stuff on the 2010 website
21 is not accessible. Readers can't read it -- yeah. And
22 everything that we would copy then we could make
23 accessible.

24 CHAIR AKUTAGAWA: All right. Thank you.

25 Commissioner Taylor and Commissioner Andersen. That was

1 helpful.

2 Director Hernandez?

3 MR. HERNANDEZ: So I just wanted to mention again
4 that right now that 2010 site is not accessible and so we
5 cannot bring it up to par with all the accessibility.
6 It's basically recreating a new site. And that's one of
7 the reasons that the Commission took the approach of
8 going with Nation Builder, because it would be tremendous
9 amount of work to move from one to the other in addition
10 to trying to maintain the integrity of the 2010 site.

11 So those are some things that have been and continue
12 to be the challenge as we're moving forward. But given
13 the limited amount of time that we have with staff, I
14 wanted to ask or stress the importance of the transition
15 to the 2020 site on the CA dot gov website. Right now we
16 have the staff moving forward in January. We will not
17 obviously we've asked or are asking the question if we
18 can partition.

19 Hopefully that is something that can be done. And
20 if it can be done, that's great. If it's not able to be
21 done, do we delay transitioning over to the 2020 website?
22 What is the next step at that point? Now keep in mind
23 that we have the information available through the
24 archives.

25 We also have the Wayback Machine that could go back

1 in time at that point in time that people can look at the
2 site as it was at that date -- that time. So those are
3 some of the options that we have. I do want to get a
4 sense of whether or not we're going to transition to the
5 2020.

6 We've been working up until this point to try to do
7 the transition, and I'm not feeling a sense of we're
8 going to do it or not do it at this point. So I'd like
9 to get a better understanding from the Commission if we
10 should move forward or not move forward at this point.

11 CHAIR AKUTAGAWA: Thank you, Director Hernandez. I
12 think what you just brought up is a different issue than
13 what Commissioner Andersen was talking about. Before we
14 address the question that you just asked, Commissioner
15 Kennedy, let's hear from you.

16 COMMISSIONER KENNEDY: Thanks. Just to clarify
17 that, when Director Hernandez is talking about the site
18 not being accessible, it's not that you can't reach it.
19 You can reach it, but it does not conform with web
20 accessibility standards. So just in case anyone's
21 confused, yes, you can still reach it live on the
22 internet, but it does not meet current web accessibility
23 standards.

24 So that that then brings us to the point of -- my
25 recollection is a little fuzzy on this, but I thought at

1 one point we had heard that there was a date certain
2 after which the California Department of Technology would
3 no longer facilitate public access to the 2010 site
4 because it does not conform with web accessibility
5 standards. So I wanted to inquire if there is such a
6 date at this point that we are aware of. Thank you.

7 CHAIR AKUTAGAWA: Thank you, Commissioner Kennedy.

8 I think what I heard, and I think this is an
9 important consideration, given the parameters and the
10 restrictions that we're operating under. I think what
11 I'm hearing is that we have to do some very important
12 prioritizing. So Commissioner Andersen and Commissioner
13 Taylor, I think given what Director Hernandez just said
14 about the importance of the transition, where would you
15 put this in relation to the recommendation that you're
16 asking about?

17 Is it something that will delay the transition or is
18 it something that could be done simultaneously while the
19 transition is still ongoing? Can you then explore the
20 partition and the other options to make it so that we'll
21 continue to have that accessibility to the 2010 website?

22 COMMISSIONER ANDERSEN: I will jump in on that one.
23 It's never the intent to delay. It's just that right
24 now, because the time frame was Friday, the 2010 website
25 was going to go away. The 2020 website was going to take

1 its place. And rather than going way, what we would like
2 to do is can we put in the partition so we still have
3 access?

4 And so basically that is being asked and pursued
5 right now. And are we going to get an answer today?
6 Tomorrow? That's not clear. Will we have an answer
7 before Monday, Tuesday, yes. And if not, I mean, I --
8 then I won't say anything. But yeah, it's not the idea
9 to delay this because we want to have it happen.

10 The reason being is because once you do put it over
11 there, then you have to clean it up and make sure it all
12 works and that sort of stuff as well as -- well, once
13 it's on there, the changing to Snowflake, that's -- that
14 will happen. We won't know about it but will be in the
15 in the background.

16 And as Commissioner -- Director Fernandez is saying,
17 yeah, you want to get to it as soon as possible. So this
18 is just -- it isn't like an either-or type of thing, but
19 the way it is planned right now, it kind of is. And I'd
20 like us to pursue -- because I've been that's been the
21 idea, like, oh, well, look, we have all this stuff, so we
22 don't need it. So don't even ask about it. Now we're
23 asking.

24 CHAIR AKUTAGAWA: Okay. So Commissioner Andersen, I
25 hear what you're saying. I don't think it's an either-

1 or. It seems more like a "if this, then that" kind of
2 situation. Because what I'm hearing is that there is a
3 timeline or a time crunch that we're under. And even
4 though you may not get an answer today, I think the
5 question becomes, when do you get an answer and when is
6 it going to adversely affect the ability of the staff to
7 transition the 2020 website to the Department of
8 Technology? And it seems like that would be the first
9 priority.

10 I also want to acknowledge what Commissioner Turner
11 also said, and I think she does bring up a valid point
12 about looking to the future. We don't necessarily want
13 the 2030 Commission -- it's not that they wouldn't mess
14 around. But I wonder if there is a value in ensuring --
15 I hear what you're saying about making it accessible,
16 making it so that it's a cleanup so that parts could be
17 restored. But again, in the list of priorities, is that
18 really the highest priority given the timeline that we
19 have and many other things that the staff have on their
20 plate?

21 And I am concerned about that becoming a delay,
22 which then delays the transition of the website, which
23 then takes us into a whole new year period and you know,
24 just perhaps it not getting done at all. And then 2030
25 is going to be dealing with some of the same issues that

1 we're spending quite a bit of time dealing with as well,
2 too. So for me, that would be my concern.

3 I also want acknowledge, Commissioner Le Mons has
4 had his hand up. So I want to make sure that if you
5 still want to say something, to go ahead and do that.
6 And then perhaps we could pose the question to the full
7 Commission about prioritizing and what would be best
8 based on your request for the ability to explore this
9 accessibility or partition option.

10 Commissioner Le Mons?

11 VICE CHAIR TAYLOR: Thanks, Chair. Yeah, I did. I
12 guess I'm not understanding when we say the 2010 website
13 goes away, is it because we're transitioning to the URL
14 that's dot ca dot gov? Is that why it goes away?

15 CHAIR AKUTAGAWA: Yes.

16 VICE CHAIR TAYLOR: That's the first part of the
17 question. And then the second part is, can't the 2010
18 website just be assigned a different URL? And then we
19 deal with connectivity and all that after the fact.
20 Like, yeah, that's it. That's what I want to ask.

21 COMMISSIONER ANDERSEN: It's basically this -- my
22 understanding is The State will only let us have one dot
23 ca dot gov. And hence we would have to then pay out of
24 our pocket to have it as a separate URL. Now the idea
25 that Commissioner Kennedy has brought up of can we have,

1 the 2010, 2020, that sort of stuff, I don't think the
2 State will let us do that.

3 But do I know that directly? I have not
4 specifically put that question out. We'd have to look
5 into that. But I'm pretty sure that that is a no
6 hence -- and what is often done, people just put the keep
7 things on websites, you just put it in a partition or
8 another separate folder actually is usually the
9 terminology. And that's what I'm requesting so we can
10 still have administrative access to it.

11 The priority is always to get the 2020 website
12 moving and transitioned over, but it has never been -- it
13 was always a thought like we don't we haven't pursued
14 this -- it's like, well, we did like, okay, can't do it.
15 It was not like, wait a minute, here's another way. Can
16 we, can we check this other way?

17 So it's not like -- we have to have this transferred
18 over before the end of the year. Has always been the
19 website's -- the Subcommittee's understanding. But now
20 it's real. But it might not be at the expense of the
21 administrative access to the 2010 website. I just want
22 to say that.

23 CHAIR AKUTAGAWA: Commissioner Kennedy?

24 COMMISSIONER KENNEDY: Thank you, Chair. So
25 essentially, as I'm understanding this, we could have all

1 of the 2010 Commission's website as it stood, as of,
2 let's say, 30 June 2020, a couple of days before the RAM
3 draw as www.crc.ca.gov/2010/ and then whatever their --
4 the full address of the pages would be.

5 Likewise our content would be CRC.ca.gov/2020/ and
6 then however we want to structure everything under that
7 and then going forward CRC.ca.gov/2030/ and then
8 whatever. So I mean, that seems to be a good way to do
9 this. And that would be there is one website but it is
10 able to house the 2010 Commission's content, our content,
11 2030, 2040, 2050, et cetera. Thank you.

12 CHAIR AKUTAGAWA: I'm going to -- I think, add to
13 what Commissioner Kennedy just brought up. I think
14 Commissioner Taylor or Commissioner Andersen, I guess
15 that I heard what you said, Commissioner Anderson. We're
16 only allowed one URL. I don't know even with what
17 Commissioner Kennedy is suggesting, if that is going to
18 allow us to deal with what -- the multiple Commissions.

19 I did like the idea of having one Commission page,
20 maybe with multiple tabs. However, as you have said, I
21 want to acknowledge, Commissioner Andersen, it is a
22 different project that takes different more resources of
23 which we may or may not necessarily have. But I still
24 want to get back to the question, and I think now maybe
25 it's -- maybe it's for me, maybe it's becoming more of a

1 chicken or egg question. We have to transition our 2020
2 website, but yet at the same time, I know your desire to
3 do something with the 2010 website because it is going to
4 be overwritten, I think.

5 I mean, honestly, Commissioner Andersen, I don't
6 know if we have enough information at this time to figure
7 out what is going to be the best course of action. Maybe
8 it is to understand both the timeline implications, given
9 the very limited time that we have left with the staff.

10 It sounds like there's some additional information
11 that you're going to need to get from the Department of
12 Technology before any decision about going forward can be
13 made. That's my sense. But I'd love to hear from you.

14 COMMISSIONER ANDERSEN: That's exactly it. What
15 we're kind of asking is the plan had been it gets
16 overridden. And we're saying, can we look into
17 alternatives and such as what -- actually what
18 Commissioner Kennedy was saying. That's essentially
19 what -- where we ultimately like to go because to have
20 it - yeah.

21 But at that point, we would have to spend our time
22 in January going in there and making sure because we
23 would have to take it from, what was it, web mail or
24 whatever it was in and bring it -- make it access a
25 website accessible, not just administrative accessible,



1 but it's a little confusing, these two different terms
2 but essentially disabled accessible and that it is not
3 right now.

4 So while they might say yes, you can put it on as a
5 /2010, they might say, oh, it might have a date. I don't
6 know. These are things that Commissioner Taylor and I
7 would have to look into. But that is exactly where we'd
8 like to go. If we just override it now, that ship has
9 sailed.

10 CHAIR AKUTAGAWA: Yeah. So Commissioner Anderson,
11 if I may, I think what I'm going to do is I think this
12 isn't necessarily something that the Commission needs to
13 vote on. I think there's -- I think part of the reason
14 why you're getting quite a few questions and also varying
15 opinions on it is there's still a lot of open-ended
16 questions that I think have yet to be answered.

17 And I'd like to -- I'd like to send this back to the
18 Subcommittee to come up with some of the further answers,
19 because I think right now, timeline, staff resources, I
20 think is the Department of Technology even going to make
21 this something that could happen? I think exploring it
22 doesn't require us to, I think, give you the permission.

23 I think that that's something that as the
24 subcommittee, you should see that as part of your charter
25 of the subcommittee to explore and then come to us with

1 the details. So then we can make an informed decision
2 based on what you're seeking from us, if that's what it
3 is that you're looking for.

4 I think right now there's still a lot more questions
5 than we have answers. And that can lead us to so many
6 different places that I think it may be more helpful if
7 you and Commissioner Taylor could come back to us in
8 November. Hopefully by then, Department of Technology
9 will have given you some of those answers.

10 And having heard also Commissioner Kennedy's
11 suggestions as well to -- are those things that are going
12 to give us options that can at least maybe buy us that
13 extra time that we may need to do something with that
14 2010 Commission website?

15 COMMISSIONER ANDERSEN: Yeah, actually, the reason
16 to bring it up is to see if there is any interest at all.
17 And there obviously is. And so the plan is just for the
18 website to go back, find out the details. But we do not
19 want to have to -- this is not the intent of -- this is
20 not to say that we can't go to the 2020 website, make the
21 switch until we come back in November.

22 We'd like to do this as soon as we have -- if we
23 have an answer that says, yes, you can do both, go. And
24 that's what we'd like to do. Because, again, I believe
25 there is and -- but I want to have make sure that we're

1 not pulling staff back arbitrarily. But if the whole
2 commission said right now, well, we don't care. Then we
3 would be -- we would be just doing it Friday.

4 CHAIR AKUTAGAWA: I don't think it's a matter of we
5 don't care.

6 COMMISSIONER ANDERSEN: Well --

7 CHAIR AKUTAGAWA: I think we just there's still too
8 many options that I think -- possibilities. I mean,
9 obviously, we want to try to preserve as full of
10 accessibility as possible. But right now, I think it's
11 harder to understand really what it is possible and what
12 our options are.

13 And if it -- it's like you said, Department of
14 Technology says, yeah, you could do tech -- you could do
15 the partition, then it sounds like that that that kills
16 the two birds that you're looking to kill, right, with
17 that one stone, we can move our 2020 website, make that
18 transition.

19 And then in the meantime, you can also buy some time
20 to figure out how to make the 2010 content more
21 accessible and meet the ADA requirements to make it web
22 of -- web accessible or something else. I understand
23 that it's going to be hidden. It's not going to be open
24 to the public right now because there's going to be --
25 things that'll be done.

1 But it is available during, you know, via the State
2 Archives and the Wayback Machine. So it's not like it's
3 completely disappeared either. So I think that that
4 you've covered a lot of bases on this, so.

5 COMMISSIONER ANDERSEN: Thank you.

6 CHAIR AKUTAGAWA: Okay. Great. Thank you,
7 everyone, for that robust conversation. Let's move on.
8 And we look forward, Commissioner Anderson and
9 Commissioner Taylor, to hearing what ultimately will be
10 or hopefully close to final recommendations in November
11 so that we can keep moving on the web site.

12 Let's move on to the next subcommittee update, which
13 is incarcerated populations for the Federal Incarcerated
14 Populations Subcommittee. And I think that is
15 Commissioner Fernandez and Commissioner Turner.

16 COMMISSIONER FERNANDEZ: Yes. Thank you, Chair.
17 Just wanted to update the Commission in terms of what
18 we've done so far. We sent a letter to Senator Padilla
19 asking for help in terms of information that we would
20 like for the 2030, in terms of those that are federally
21 incarcerated, the prior resident's information.

22 We did receive response from the Federal Bureau of
23 Prisons basically telling us, no, we can't give you that
24 unless all of the federal incarcerated population, unless
25 all of them sign something saying they'll let you have

1 it, and then would also require coordination with staff
2 and at all the different facilities.

3 So we went back to Senator Padilla's office asking
4 for their help. There might have been miscommunication
5 in terms of what we needed versus what the Federal Bureau
6 of Prisons thought we needed. So we went ahead and
7 forwarded that to Senator Padilla's office. So that was
8 kind of just an FYI.

9 The second thing is that the Census Bureau has -- is
10 allowing individuals or communities or whoever to provide
11 input on any changes that we would like to see for the
12 2030 census. And so what the Subcommittee is
13 recommending is that we forward our input to them similar
14 to that we would want them to refine their procedures to
15 count federal prison inmates at their last known location
16 rather than at the prison.

17 And so I believe I would need a set -- need to be a
18 motion. It does, Chief Counsel Pane is nodding yes.
19 That's my motion is to be able to provide input or
20 feedback to -- and the specific group is the group
21 quarters operation or whatever the appropriate branch is.

22 CHAIR AKUTAGAWA: Is that your motion?

23 COMMISSIONER FERNANDEZ: Yes.

24 CHAIR AKUTAGAWA: And we'll meet in a second.

25 COMMISSIONER FERNANDEZ: Yes. That's my motion.



1 Thank you.

2 CHAIR AKUTAGAWA: All right. Thank you.

3 Commissioner Yee, is that a second?

4 COMMISSIONER YEE: Yes. I'll second the motion.

5 CHAIR AKUTAGAWA: Thank you very much. Now we can
6 go to discussion. Any questions? Comments? Okay. If
7 not, then we can go to public comment on this.

8 Oh, Commissioner Kennedy?

9 COMMISSIONER KENNEDY: Thank you, Chair. I'm
10 certainly supportive. I guess the one thing that I would
11 suggest on this is that we continue to look at how other
12 states are handling this, because my understanding from
13 some of the research that I did before I had to step back
14 from the Subcommittee is that there are states that
15 currently have laws in place requiring reallocation of
16 individuals in federal custody. And so it might be
17 useful to reach out to those states or to do some further
18 research and find out how it's being handled elsewhere.
19 Thank you.

20 CHAIR AKUTAGAWA: Thank you, Commissioner Kennedy.

21 COMMISSIONER FERNANDEZ: So noted. Thank you. And
22 we we're planning to do that as well, but we're kind of
23 baby steps right now. Thank you. And thank you for the
24 work and all the information that you forwarded to me.

25 CHAIR AKUTAGAWA: Thank you. All right. Any other

1 comments or questions. Otherwise, we can go to public
2 comment on this particular motion.

3 And Executive Director Hernandez, could you also
4 show what the motion looks like as it is written right
5 now? Okay. Okay, so we have the motion that the group
6 quarters operation or other appropriate branch refine its
7 procedures to count federal prison inmates up their last
8 known location rather than at the prison.

9 Commissioner Fernandez, is that how you want it to
10 read?

11 COMMISSIONER FERNANDEZ: I did have it like that,
12 but I would actually like to say that the federally
13 incarcerated population. Thank you.

14 CHAIR AKUTAGAWA: Okay. And Commissioner Yee, I
15 just want to make sure that you are comfortable with it
16 as the second?

17 COMMISSIONER YEE: Yes, that's fine.

18 CHAIR AKUTAGAWA: Okay. Thank you.

19 Kristian, let's call for public comment on this
20 motion. Oh, excuse me, Commissioner Kennedy and
21 Commissioner Andersen after that.

22 COMMISSIONER KENNEDY: Thank you, Chair. I would
23 offer a friendly amendment to this. Instead of the word
24 count, because my understanding, which may be wrong, is
25 that in group quarters, operation counts people in group

1 quarters and assigns them to the location where those
2 group quarters are. So we would actually be asking them
3 to refine their procedures to collect information about
4 the last known location of individuals in federal
5 facilities that we could then use to reallocate them.

6 CHAIR AKUTAGAWA: So would you offer the specific
7 language or Commissioner Fernandez, if you want to recap?

8 COMMISSIONER FERNANDEZ: Yes. I think what we're
9 trying to do is that they will initially already have the
10 population of the last known location, not to collect it
11 and then forward it to the states. That's not what we
12 want. We want the census information to already have
13 that distribution or already have them counted at their
14 last known location.

15 CHAIR AKUTAGAWA: Okay. Commissioner Kennedy does
16 that address --

17 COMMISSIONER KENNEDY: Well, in that case, we would
18 be asking census to change the data that they provide to
19 all fifty states. And some states may not want that. So
20 I'm feeling that it may be more feasible for us to get a
21 change that addresses our wants and needs rather than
22 trying to change it for the entire country. Thanks.

23 CHAIR AKUTAGAWA: Commissioner --

24 COMMISSIONER FERNANDEZ: Response to that, please.

25 CHAIR AKUTAGAWA: Yes.

1 COMMISSIONER FERNANDEZ: Yes. I don't believe it's
2 the census position. Or should it be their
3 responsibility to collect -- if it's just going to be for
4 our state, which is the other avenue that we're taking
5 right now with Senator Padilla's office? I don't believe
6 it would be their responsibility to collect it just for
7 our state and then disperse that out to the states to do
8 that -- to do with that what they want. I guess, I'm --
9 I don't know.

10 Chief Counsel Pane, do you have a comment on that?
11 I just feel that that might be out of their scope.

12 ATTNY PANE: Well, I truthfully, I don't know,
13 Commissioner Fernandez, if it isn't -- or out of their
14 scope. My question actually was to Commissioner Kennedy
15 about your recommendation, your friendly amendment. How
16 that change would get this Commission to where it wants
17 to go.

18 For example, if the public comment by this
19 commission as a result of this motion isn't to count the
20 federally incarcerated population at their last known
21 location, what are we asking the Census Bureau to do
22 in -- for the group quarters operation?

23 Because I think the desire, at least from the
24 Subcommittee, and they'll let me know if this is not a
25 correct representation, is to have them counted at their

1 last known location rather than at the at the prison. So
2 if we go with your wording, does your wording alter that
3 or is it -- how does it play with that proffered policy,
4 I guess. Or how does it interact?

5 CHAIR AKUTAGAWA: Commissioner Kennedy, do you want
6 to just respond?

7 COMMISSIONER KENNEDY: Thank you, Chair. Yes.
8 Basically, what I'm looking for is to establish or to
9 recommend that process be established that would be
10 precisely parallel to what we have at the State level, or
11 at least to what we had at the State level this time
12 around.

13 So this time around, the information that we
14 received initially or that the State received initially
15 had individuals in state custody assigned to the facility
16 in which they were in custody. And we went through the
17 process of reallocating. My understanding, from what we
18 went through, is that the number in federal custody is no
19 larger than the number in state custody. And setting it
20 up as a kind of parallel to what we had this time with
21 the State would be a way to go. Thanks.

22 CHAIR AKUTAGAWA: Thank you, Commissioner Kennedy.
23 Let's go to Commissioner Andersen.

24 COMMISSIONER ANDERSEN: Yeah, mine is very simple
25 that these points are paramount and absolutely important



1 to talk about. My quick question is this is actually to
2 go to a public comment at Census Bureau. And is it
3 sufficient? Does it say -- that's my understanding --
4 does it say that the group or operation of the
5 appropriate branch, do we need to say of the Census
6 Bureau or this is a Census Bureau public comment in this
7 motion at all? If that's if that's a no, it's
8 sufficient, then. Okay.

9 Just reading this, I wasn't aware yet until I
10 realized. Right. That's how the count orders, that's
11 what it would be doing. Do we need to put a little bit
12 more verbiage in there? Yes. It could be no. So I'm
13 not going to make it, but unless we would need to do
14 that.

15 CHAIR AKUTAGAWA: Thank you, Commissioner Andersen.

16 So Commissioner Fernandez, do you want to respond to
17 Commissioner Andersen's question?

18 COMMISSIONER FERNANDEZ: Yes, thank you. Thank you,
19 Commissioner Anderson. We'll respond if it's approved.
20 They provided a link, so we'll respond to the link so
21 it'll go directly to wherever it's supposed to go to.
22 How's that? And that's why we kind of said or other
23 appropriate branch, because we don't know for sure.

24 COMMISSIONER ANDERSEN: Thank you.

25 CHAIR AKUTAGAWA: Thank you very much.

1 Commissioner Sinay?

2 COMMISSIONER SINAY: Thank you, Chair. And thank
3 you Subcommittee for working on this. I was just curious
4 if you all had been working with the Prison Policy
5 Initiative on the Prison Gerrymandering Project? They
6 were who worked with us on the State. There is a
7 national movement around this and I'm on their website
8 right now and they have a blog post that they that they
9 shared, kind of saying what the next steps are for the
10 2030 census.

11 And I think that it makes sense to look at this as a
12 national issue and not as just a California issue for the
13 reason that California individuals are incarcerated
14 outside of California. And we've discussed this. And if
15 there is a movement -- if there is a movement, and we can
16 support the movement that's nationally, we've always said
17 it -- it's best to go on the coattails of others, if
18 possible, or ask them if we should lead.

19 Should we lead or should we follow? But anyway, I'd
20 like us to kind of work in partnership with them because
21 they've been working on this issue for a really long
22 time.

23 CHAIR AKUTAGAWA: Thank you, Commissioner Sinay. It
24 was a good reminder of some of the other organizations
25 that are doing this work. Okay. So going back to the

1 motion.

2 Commissioner Fernandez, I believe there was a -- an
3 amendment suggested. I want to just make sure. Do you
4 want to accept that amendment or do you want to keep the
5 motion as it is currently presented right now?

6 COMMISSIONER FERNANDEZ: I wanted to keep it as it
7 is now. As Commissioner Sinay just noted, it's more of a
8 national level versus a California. Again, this is just
9 one of the avenues. And I was involved with the State at
10 the State level, too, with the prison gerrymandering
11 group. And so this is just the Commission's quick
12 response. And of course you will coordinate with others
13 if needed.

14 CHAIR AKUTAGAWA: Okay. Thank you.

15 And then Commissioner Yee, I want to just also make
16 sure that you're comfortable with sticking to this as "as
17 is".

18 COMMISSIONER YEE: Yes, I am. Thanks.

19 CHAIR AKUTAGAWA: Okay. Thank you. All right.
20 Let's go and let's open up for public comment. Kristian?

21 Oh, Commissioner Kennedy?

22 COMMISSIONER KENNEDY: Thank you, Chair. A second
23 friendly amendment since the first one is not being
24 accepted, which is fine. I would say let's simplify it
25 and just say that the census refined its procedures to

1 count federally incarcerated population at their last
2 known location to make it simpler. Thanks.

3 CHAIR AKUTAGAWA: Thank you.

4 Commissioner Fernandez, do you accept that?

5 COMMISSIONER Yes, I accept that. We have, like,
6 mowing or something going outside our building, so like
7 I'm having a hard time concentrating.

8 CHAIR AKUTAGAWA: So Commissioner Kennedy, will you
9 repeat that again so that it can be noted and --

10 COMMISSIONER KENNEDY: Sorry. Motion that the
11 census refine its procedures? Yes, that's fine. And
12 then in the -- just above that, the motion name, that
13 needs to be last known location.

14 CHAIR AKUTAGAWA: Joining the grammar club and
15 spelling club.

16 COMMISSIONER FERNANDEZ: Okay. If we're going to
17 change --

18 COMMISSIONER KENNEDY: Commissioner Fernandez is
19 always an inspiration.

20 COMMISSIONER FERNANDEZ: That's why I love him.
21 Yes. Yes, thank you for changing that. You read my
22 mind, Executive Director Hernandez. How about, let's
23 just say federally incarcerated population counted out --
24 at their last known location. Okay. Looks good.

25 COMMISSIONER YEE: How about instead of saying

1 (indiscernible) rather than have a prison rather than
2 have that as the last place of incarceration?

3 COMMISSIONER FERNANDEZ: Rather than place of
4 incarceration. Yeah.

5 COMMISSIONER YEE: Yeah.

6 CHAIR AKUTAGAWA: Okay. Thank you. Okay. So okay.

7 So Commissioner Fernandez, are you good with this
8 revised motion?

9 COMMISSIONER FERNANDEZ: Yes.

10 CHAIR AKUTAGAWA: Okay. Thank you.

11 Commissioner Yee, are you also good with this
12 revised motion?

13 COMMISSIONER YEE: Yes. All good.

14 CHAIR AKUTAGAWA: Okay. Excellent.

15 Kristian, now we can try again for public comment.
16 Let's go to public comment on this specific motion.

17 PUBLIC COMMENT MODERATOR: Sounds good, Chair. The
18 Commission will now take public comment on the motion on
19 the floor. To give comment, please call 877-853-5247 and
20 enter meeting ID number 81861322117 for this meeting.
21 Once you've dialed in, please press star 9 to enter the
22 comment queue.

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



1 queue at this time.

2 CHAIR AKUTAGAWA: Okay. Thank you. We'll just wait
3 for the instructions to finish.

4 PUBLIC COMMENT MODERATOR: Those instructions are
5 complete.

6 CHAIR AKUTAGAWA: Okay. Thank you. All right.
7 Let's go for the vote.

8 PUBLIC COMMENT MODERATOR: We'll begin the vote.

9 Commissioner Andersen?

10 COMMISSIONER ANDERSEN: Yes.

11 PUBLIC COMMENT MODERATOR: Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

13 PUBLIC COMMENT MODERATOR: Commissioner Fornaciari?

14 COMMISSIONER FORNACIARI: Yes.

15 PUBLIC COMMENT MODERATOR: Commissioner Kennedy?

16 COMMISSIONER KENNEDY: Yes.

17 PUBLIC COMMENT MODERATOR: Commissioner Le Mons?

18 COMMISSIONER LE MONS: Yes.

19 PUBLIC COMMENT MODERATOR: Commissioner Sadhwani?

20 Commissioner Sinay?

21 COMMISSIONER SINAY: Yes.

22 PUBLIC COMMENT MODERATOR: Commissioner Taylor?

23 VICE CHAIR TAYLOR: Yes.

24 PUBLIC COMMENT MODERATOR: Commissioner Toledo?

25 Commissioner Turner? Commissioner Turner?



1 COMMISSIONER TURNER: Yes.

2 PUBLIC COMMENT MODERATOR: Thank you.

3 Commissioner Vazquez?

4 Commissioner Yee?

5 COMMISSIONER YEE: Yes.

6 PUBLIC COMMENT MODERATOR: Commissioner Ahmed?

7 Commissioner or Chair Akutagawa?

8 CHAIR AKUTAGAWA: Yes.

9 PUBLIC COMMENT MODERATOR: Okay, motion passes.

10 CHAIR AKUTAGAWA: All right. Thank you very much.

11 Okay. We have about twenty-five minutes until -- twenty-
12 four minutes until our planned lunch at 12:45. Let's see
13 where we can get to. Our next subcommittee update is
14 Lessons Learned.

15 COMMISSIONER KENNEDY: Thank you, Chair. I have
16 completed the coding of the inputs that we have from our
17 March Lessons Learned discussion, as well as inputs that
18 we received from a number of community groups. I have
19 also gone back through my notes from the very beginning
20 to find anything that was highlighted as a lesson
21 learned. Likewise for my emails.

22 So all of that has been captured. That totals just
23 shy of 1,400 inputs. I did not eliminate duplicates at
24 this point because having the duplicates will give
25 Commissioner Yee and me a sense of how strongly felt some

1 of these items are and will help us place appropriate
2 emphasis on them. We are now ready to begin the slog of
3 drafting a document that we can bring to the Commission
4 later in the year. And so that's basically where we are
5 on the on the big picture in greater detail.

6 After our last meeting, I did send out an inquiry to
7 the Arizona Commission, the Colorado Commission, Michigan
8 Commission regarding compensation. The issue with
9 compensation being there's been some critique of the
10 independent redistricting commissions generally as not
11 being fully reflective of the population.

12 And one of the points that I've made throughout is
13 that if we want to attract a broader pool of applicants,
14 we may need to offer potential applicants greater
15 certainty as far as what they might earn in compensation
16 from the process. If I were -- if I were someone living
17 on a shoestring, living on the edge, and even if I had
18 the ability to do this, if I were already living on the
19 edge and were being asked to apply for something where I
20 had no idea how much I would be compensated for it, I'm
21 not sure that I would apply.

22 And some of these -- some of the Commissioners that
23 I reached out to at the other Commissions agreed that,
24 you know, if there were compensation or if there were
25 greater certainty regarding compensation, that that might

1 attract a broader pool of applicants for future
2 Commissions. So that was the spirit in which that
3 inquiry was sent out. The replies that I received are
4 summarized in a one pager that was posted in advance of
5 this meeting. So you have access to that. And with
6 that, I'll turn it over to Commissioner Yee.

7 COMMISSIONER YEE: Thank you, Commissioner Kennedy,
8 on your magnificent work on coding. Now it's time to
9 write like crazy. Meanwhile, I also posted in the
10 handouts for today, a ten and eleven-page glossary. We
11 had mentioned this earlier in our discussions, a
12 consolidated glossary would be useful and so I set myself
13 to doing that and make a draft for you to take a look at,
14 edits, additions, fact checks for putting it together.

15 It's just astonishing to be reminded of how much we
16 all have to learn these past two years. And hopefully
17 this will help to bring the 2030 up to speed on what
18 quickly as they'll probably less time than we did. So
19 that's what we're still working on, a narrative timeline,
20 and we'd like to include pictures of that.

21 I know there's still a little bit of an open legal
22 question on what we can and can't include in terms of
23 pictures, but I have quite a few. But I know you also
24 have pictures of our work together, and if any of them is
25 something worth including, we could assemble it You can

1 send them to me, helped me assemble a set and then we can
2 tackle the legal question with actual pictures to
3 consider.

4 I don't think in the 2010 report there was kind of
5 an odd selection of pictures. Some helpful, some not. I
6 remember when I first looked at that report, it didn't
7 really give me a great sense of what it was like to serve
8 on that Commission. I'd like to give a better sense to
9 future Commissioners.

10 CHAIR AKUTAGAWA: Thank you for that. I just want
11 to see if there's any comments or questions about it. I
12 do have one question in the meantime. Do you have a
13 better sense of when you think we will see the final
14 product? Because the staff is going to be off-boarding
15 in December and we're now looking at roughly a month,
16 month and a half.

17 I'm just curious if -- you've shared with us the
18 glossary and table of contents previously. Is the report
19 drafted in a place where it can be basically wrapped up
20 in the next month and a half or so before the staff off-
21 board? Especially if you're also looking at adding
22 pictures, that's additional budget for graphic design,
23 all that kind of stuff. What are we looking at in terms
24 of what the end product is expected to look like?

25 COMMISSIONER KENNEDY: I will say at this point and

1 I will I will start out by apologizing that my health
2 issues earlier this year have impacted this so
3 significantly. I am trying to get things fully back on
4 track, and I still hope to have a draft by the end of the
5 year.

6 But I don't know that we will be fully finished with
7 this by the end of the year. But I would say that the
8 Commission can look forward to having a draft in hand
9 before the December meeting. That's my goal at this
10 point.

11 Commissioner Yee, do you have any further thoughts?

12 COMMISSIONER YEE: That's the hope, yes. And yeah,
13 the whole question of actually producing the report and
14 hopefully having some staff time still available for us.,
15 that's the hope.

16 CHAIR AKUTAGAWA: Thank you. And then one other
17 question. In terms of any edits that the Commissioners
18 may have to the documents that have been submitted, did
19 you want those edits to be sent to you? I'm not sure what
20 the what the processes that you'd be looking at. It was
21 this just shared with us just as an FYI.

22 COMMISSIONER YEE: Well, ordinarily, I guess they
23 have to go through staff and start procedure and then
24 they forward it to us.

25 CHAIR AKUTAGAWA: Yes. I'm sorry. Yes. So do you

1 want us to send any edits to staff to then be shared with
2 you? So you are seeking edits for the or the document.
3 Okay. Thank you. That's really what I was looking to
4 ask. All right. Okay. Any other questions? Comments?
5 All right. Wow. This is shorter than I thought it was
6 going to be. Thank you. All right. Let's move on to
7 our next subcommittee update, Long Term
8 Planning/Legislative.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Oh, yes. Okay. Now, I
11 remember what our update was. We won't be going over the
12 spreadsheet because we -- that we've used in the past
13 because we kind of went through it last time, which was
14 great. Initially, we had planned to have a panel to
15 discuss some of the -- a couple of items on the list.

16 We were planning to have the panel for this meeting,
17 but then realized that the election's right around the
18 corner and some of the panel members are very busy with
19 the election. So what we're planning to do is have the
20 panel at the November meeting.

21 Again, it's going to be a panel where they can give
22 us their feedback and their thoughts regarding the
23 different issue items, not necessarily like a back and
24 forth with Commissioners, but it's for the Commissioners
25 to have that information for future discussion when we

1 address the -- those issues again and it might be in the
2 same meeting, but after the panel, we're not sure yet.

3 But I just want to give an update that that's where
4 we're at. I don't think -- is there anything else, Chair
5 Akutagawa? Okay. That was a quick update. Thank you.

6 CHAIR AKUTAGAWA: Great. Thank you very much. Any
7 questions or comments on that? Okay. Well, let's move
8 to our next one and I believe our last update,
9 subcommittee update from Redistricting Engagement.

10 COMMISSIONER SINAY: And I think the only -- I'll
11 share the update around Ohio and then we are still
12 working on getting some funding for the conference to
13 bring commissioners from all over the country. We didn't
14 want -- we don't want it to be California-heavy. And so
15 we will create an advisory committee and kind of think
16 through location.

17 Right now, we're looking at either Stanford or
18 somewhere in Utah, but it might move depending on what
19 the advisory group considers. So we'll keep you all
20 abreast of it all. And of course, it all depends on
21 funding. We're looking for about 75,000. And Common
22 Cause would be the organization that would facilitate
23 that.

24 CHAIR AKUTAGAWA: Great. Thank you very much for
25 that. And that update, any questions? Okay. I am going

1 to take -- I know that we have a little extra time before
2 we are supposed to break for lunch. I do want to just
3 come back to an announcement that I believe Commissioner
4 Yee would like to make. So since we do have this time,
5 I'm going to ask Mr. Yee to make that announcement now.

6 COMMISSIONER YEE: Thank you, Chair. Is my voice
7 better? I tried logging out and in. So this is the
8 chair rotation question. And I sent you an email or
9 staff sent you an email polling your availability and
10 everyone is still on board for the rotation glad to
11 report. So we'll continue having all 14 in the rotation.

12 I did inquire about the swap and we want to make of
13 Commissioners Sadhwani and Kennedy in the upcoming
14 rotation. The issue being that it does put three men
15 commissioners in a row coming up and nobody had any
16 objections to that. So I believe we can just go ahead
17 with that swap and that remains in the current rotation
18 then.

19 So at this point no changes are needed to the
20 rotation policy. But there was a mention last time we
21 discussed this of thoughts of possibly changing the term.
22 Currently it's quarterly. Of course, once we are down to
23 our one staff member starting next year, at some point we
24 may go down to one quarterly meeting.

25 So at that point, you would Chair for a quarter and

1 chair one meeting versus perhaps chairing for half a year
2 and chairing two meetings. It seems a little bit
3 imponderable at this point because we really just don't
4 know what the workflow is going to be like and when that
5 all transpires.

6 But I just didn't want to drop that point in
7 discussion in case anybody wants to pursue it. That
8 would be a change into our -- change to our rotation
9 policy, which I think would take a vote. But does anyone
10 want to pursue that further? Otherwise we would just
11 stay with the quarterly rotation for now. And of course
12 we can always change it in the future.

13 CHAIR AKUTAGAWA: Commissioner Sinay?

14 COMMISSIONER SINAY: I think staying with the
15 quarterly kind of stays with what we've had with the
16 monthly. I mean, I chaired -- obviously we canceled two
17 meetings of the month I chaired. But I think one,
18 chairing for quarter is easier for people who need to
19 plan with their work and everything else, then trying to
20 think through six months. The whole idea of rotating
21 chairs was to give people opportunity to be engaged.

22 CHAIR AKUTAGAWA: Thank you, Commissioner Sinay.
23 Commissioner Turner, I know that you had your hand
24 up.

25 COMMISSIONER TURNER: Additive, not repetitive. I

1 agree.

2 CHAIR AKUTAGAWA: Okay. Thank you.

3 Okay. Commissioner Yee, I think it sounds like
4 sticking with the quarterly is acceptable. And I'm going
5 to figure that everyone else, not having raised their
6 hands to say differently, means they also agree. I see
7 also, Commissioner Andersen, you have your hand up now.

8 COMMISSIONER ANDERSEN: Yeah, this is, again, after
9 I agree with what was said before. I just want to bring
10 up who's in charge of big events in our -- as we move
11 forward? Right now it's obviously you, Commissioner
12 Akutagawa or Chair Akutagawa and Vice Chair Taylor who
13 are getting us ready for actually closing the office
14 doing a major shift.

15 And then I want to say that in next -- the April
16 June through the 2023, it'll be then Chair Kennedy and
17 Vice Chair Le Mons, we'll be getting us ready to have
18 live meetings in person. So just kind of bring -- those
19 are a couple of transitions that we will need to go
20 through going forward.

21 CHAIR AKUTAGAWA: Okay. We do have some major
22 things coming up still.

23 All right. Thank you, Commissioner Yee, for
24 continuing to do the work of keeping us on track with the
25 chair rotations that's been both nice to see and giving

1 everybody a chance to experience chairing the meetings
2 and then also keeping us on track as to who's doing what.
3 Okay. So --

4 COMMISSIONER YEE: Thank you.

5 CHAIR AKUTAGAWA: Thank you. All right. With that,
6 that does conclude all of our subcommittee updates and
7 announcements. I am going to call for public comment on
8 Agenda Item Number 3. Kristian?

9 PUBLIC COMMENT MODERATOR: Sounds good. The
10 Commission will now take public comment on Agenda Item
11 Number 3. To give comment, please call 877-853-5247 and
12 enter meeting ID number 81861322117. Once you've dialed
13 in, please press star 9 to enter the comment queue. The
14 full call-in instructions are read at the beginning of
15 the meeting and are provided on the livestream landing
16 page. And there is no one in the queue at this time.

17 CHAIR AKUTAGAWA: Okay. And while we wait, I will
18 just let everybody know that I'm going to give you a few
19 extra minutes through the lunch. When we adjourn or
20 reconvene from the lunch, we will reconvene at 1:45
21 because I did tell a few of the Commissioners who had a
22 drop off earlier and who are going to rejoin us after
23 lunch, I told them that we would restart at 1:45 with the
24 closed session and that will be focused on pending
25 litigation.



1 Kristian, are the instructions done?

2 PUBLIC COMMENT MODERATOR: The instructions are
3 complete.

4 CHAIR AKUTAGAWA: Okay. All right. So with that
5 said, I'm going to give you an extra seven minutes for
6 lunch. So then we will see you all back at 1:45 in
7 closed session. Thank you.

8 All right. Thank you, everyone. Welcome back. We
9 had lunch and we returned from lunch to closed session.
10 I just want to report that we took no action during
11 closed session. And what we are now going to do is,
12 given that we have finished all of the subcommittee
13 updates, we are going to just move to general public
14 comment based on Agenda Item Number 5.

15 And so Kristian, I'm going to ask you to give us the
16 instructions for calling in to make comment -- public
17 comment.

18 PUBLIC COMMENT MODERATOR: Sure thing. The
19 commission will now take general public comment to give
20 comment. Please call 877-853-5247 and enter meeting ID
21 number 81861322117. Once you've dialed in, please press
22 star 9 to enter the comment queue. The full call-in
23 instructions are read at the beginning of the meeting and
24 are provided on the livestream landing page. And there's
25 no one in the queue at this time.



1 CHAIR AKUTAGAWA: All right. Thank you, Kristian.
2 And then I also realized that I did promise Commissioner
3 Kennedy a revisit of the earlier conversation. I believe
4 it was around the Department of Finance. He and I did
5 have a conversation, and we are going to postpone any
6 further conversation on this. And we will allow the
7 subcommittee and staff to take action, as was discussed
8 earlier. So I just want to close the loop on that in
9 case anybody ends up asking.

10 PUBLIC COMMENT MODERATOR: And those instructions
11 are complete. There is no one in the queue.

12 CHAIR AKUTAGAWA: Okay. Great. I think what we'll
13 do is we are looking at -- before I adjourn this meeting,
14 I know that we have dates for our November and December
15 meetings. And I think what we'll do is, Corina, I think
16 this will become one of your first actions as our sole
17 staff person in 2023.

18 I think it'll be helpful for all of us on the
19 Commission as well as anybody who follows along to go
20 ahead and take action to schedule meetings for that first
21 quarter in 2023 so that we could hold dates on our
22 calendars and will then be prepared.

23 And then once we get closer to 2023, we can look at
24 the rest of the year as well too. So if you could at
25 least take that action to schedule meetings in that first

1 quarter, that would be great.

2 MS. LEON: Okay. I'm happy to do that.

3 CHAIR AKUTAGAWA: Thank you, Corina. And with that,
4 wow, we have finished a little bit early. I am going to
5 officially adjourn this meeting now. Thank you,
6 everyone.

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

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



JENNIFER BARTON

November 8, 2022

DATE

