

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:
CRC BUSINESS MEETING

TUESDAY, JUNE 27, 2023

9:30 a.m.

Reported By:

eScribers



APPEARANCESCOMMISSIONERS

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

STAFF

Gary Balekjian, Counsel
Corina Leon, Staff Services Manager
Anthony Pane, Chief Counsel

TECHNICAL CONTRACTORS

Kristian Manoff, AV Technical Director/Comment Moderator

Also PresentPublic Comment

Renee Westa-Lusk



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P R O C E E D I N G S

9:30 a.m.

1 CHAIR KENNEDY: Welcome back to the June 2023
2 meeting of the California Citizens Redistricting
3 Commission. This is day 2 of our meeting. We got it
4 done yesterday. We still have a good bit to do today. I
5 will start out by asking Corina to call the roll, please.
6

7 MS. LEON: Second time is a charm. Okay. Good
8 morning. Okay.
9

10 Commissioner Ahmad?

11 COMMISSIONER AHMAD: Here.

12 MS. LEON: Commissioner Akutagawa?

13 COMMISSIONER AKUTAGAWA: Here.

14 MS. LEON: Commissioner Andersen?

15 COMMISSIONER ANDERSEN: Here.

16 MS. LEON: Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Presente.

18 MS. LEON: What happened to your -- okay.

19 COMMISSIONER FORNACIARI: Here.

20 MS. LEON: Hold on. I don't know what happened
21 here. Oh, my gosh. Okay.

22 Commissioner Fornaciari?

23 COMMISSIONER FORNACIARI: Here.

24 MS. LEON: Commissioner Kennedy?

25 CHAIR KENNEDY: Here.



1 MS. LEON: Commissioner Le Mons?

2 VICE CHAIR LE MONS: Here.

3 MS. LEON: Commissioner Sadhwani? Oops. It's in
4 the wrong place.

5 Commissioner Sinay?

6 COMMISSIONER SINAY: Here.

7 MS. LEON: Commissioner Taylor?

8 COMMISSIONER TAYLOR: (Indiscernible). I'm here.

9 MS. LEON: No. Commissioner Toledo?

10 Commissioner Turner?

11 COMMISSIONER TURNER: Here.

12 MS. LEON: Commissioner Vasquez?

13 COMMISSIONER VAZQUEZ: Here.

14 MS. LEON: And Commissioner Yee?

15 COMMISSIONER YEE: Here.

16 MS. LEON: Thank you. I think we got it.

17 CHAIR KENNEDY: Okay. Thank you, Corina.

18 MS. LEON: Thank you.

19 CHAIR KENNEDY: So as far as today's run of show,
20 we'll have a brief announcements, and then we will go
21 into a closed session to deal with personnel matters. We
22 anticipate that will last one hour. Then we will come
23 back with a report from the Management Oversight
24 Subcommittee. And if we still have time before the
25 break, we can get started with the report from the



1 legislative subcommittee.

2 If not, that will wait until after the break. Then
3 we'll finish up our work with the Finance and
4 Administration Committee, including -- we anticipate a
5 motion for delegation of basic administrative
6 authorities. We will return to Chief Counsel Pane's
7 proposed motion for delegation of authority to deal with
8 legal issues between meetings.

9 And then we have brief reports from the Continuity
10 Subcommittee and the Bagley-Keene ADA Compliance
11 Subcommittee, after which we will probably devote the
12 rest of the day to finishing our work on the Lessons
13 Learned report.

14 So that is the basic run of show for the day. And
15 do any of the commissioners have announcements? And if
16 not, I'm going to turn it over to Chief Counsel Pane for
17 his update.

18 Commissioner Yee?

19 COMMISSIONER YEE: Thank you, Chair. Just very
20 briefly, last night I had a chance to testify at the San
21 Francisco Elections Commission, which is currently
22 chaired by our predecessor, Commissioner Cynthia Dye from
23 the 2010 CRC and she is working very, very hard as a
24 volunteer there promoting independent redistricting
25 reform.



1 And I just wanted to say that our work continues to
2 be cited very positively and held up as a model for local
3 redistricting. And so I was very glad to be able to
4 contribute there. And hopefully we'll see further
5 progress there.

6 CHAIR KENNEDY: Thank you, Commissioner Yee. Any
7 further items?

8 Chief Counsel Pane.

9 ATTNY PANE: Thank you, Chair. Good morning,
10 Commissioners. I wanted to give you a brief legal
11 update. Moore v. Harper decision is out from the U.S.
12 Supreme Court. The independent state legislature theory
13 is not a sound legal theory on which parties should use.

14 The chief justice, and quoting from the opinion,
15 says that the Constitution does not exempt state
16 legislatures from the ordinary constraints imposed by
17 state law. Of course, we all know the synonym for exempt
18 is independent. So the independent state legislature
19 theory was rejected by the U.S. Supreme Court in a 6 to 3
20 vote. Any questions?

21 CHAIR KENNEDY: Any questions?

22 ATTNY PANE: Oh, Commissioner Andersen?

23 CHAIR KENNEDY: Commissioner Andersen?

24 COMMISSIONER ANDERSEN: I'm not sure I understand.
25 Could you give us who the three dissents were?



1 ATTNY PANE: The dissenters were Justice Thomas,
2 Justice Alito, and I believe Justice Gorsuch.

3 COMMISSIONER ANDERSEN: Gorsuch. Thank you.

4 ATTNY PANE: Okay.

5 COMMISSIONER ANDERSEN: Was there a written dissent?
6 There was, but I haven't -- I have not read that yet.

7 COMMISSIONER ANDERSEN: Thank you.

8 CHAIR KENNEDY: Okay. Very good. Any further items
9 before we adjourn to closed session? Okay. It'd 9:39,
10 so we'll call it 9:40. We anticipate being back from our
11 close session at 10:40, followed by our report from the
12 Management Oversight Subcommittee. Thank you.

13 (Whereupon, a recess was held)

14 CHAIR KENNEDY: Thank you, everyone, for bearing
15 with us. We took a little bit longer in closed session
16 than we anticipated. We still have a good bit to do
17 today. So reporting out from our closed session, which
18 was held under the personnel exception, the Commission
19 did vote to appoint our IT Manager for the period 1st
20 January through 30th of June 2023, at the midpoint of the
21 corresponding salary range.

22 We also voted to reduce the IT Managers time base to
23 three quarters time for the first half of the coming
24 fiscal year, which will be revisited at our next meeting
25 as far as the time base for the second half of the fiscal



1 year. So those were the actions taken by the Commission
2 during our closed meeting.

3 I will ask the Management Oversight Subcommittee to
4 give us a brief report on their work since they were
5 appointed.

6 VICE CHAIR LE MONS: Thank you, Chair. Well, the
7 Management Oversight Committee has been looking at as we
8 move forward in our work and where the reduction in our
9 budget in particular, how we'll manage our staff.

10 And we put together a process to make sure that
11 staff is aware of their responsibilities and are able to
12 conduct them with the Commission having a full
13 understanding of it, of their progress, particularly as
14 we have future meetings leading into this new fiscal
15 year.

16 So we're happy with the outcome and feel very
17 comfortable that we'll be able to maintain the continuity
18 and communication and productivity that we so seek to do.
19 Thank you, Chair.

20 CHAIR KENNEDY: Thank you, Commissioner Le Mons.

21 Up next is the Legislative Affairs Subcommittee,
22 Commissioner Fernandez, and Commissioner Akutagawa.

23 COMMISSIONER FERNANDEZ: Okay. Sorry. I should
24 have been ready for this. All right. Here we go. So
25 we, our subcommittee, we've been a little busy last month

1 or so. Good news is, so we want to hear good news,
2 right? Okay. Great.

3 So Assembly Bill 1761 keeps moving along and it now
4 includes the language noting nothing impedes Commission
5 from voting the chair and vice chair. So it's going
6 forward with two of our items are items that we proposed
7 to move forward. So it contains that as well as
8 clarifying what a day is.

9 We did post the latest language or anyone that would
10 like to see where it's at. I believe it's going to pass
11 the Senate elections, the Constitutional Amendment
12 Committee. It's going to -- I'm drawing a blank now. Is
13 it the Senate?

14 UNIDENTIFIED SPEAKER: No. It's going to the
15 Senate --

16 COMMISSIONER FERNANDEZ: It's going to the Senate
17 floor, right?

18 UNIDENTIFIED SPEAKER: Yeah.

19 COMMISSIONER FERNADNEZ: Yeah, we're still learning
20 about the process. But thank you. It's exciting news to
21 move forward with that. We posted both spreadsheets that
22 we normally post regarding the proposed legislative
23 changes that we have moved forward as well as potential
24 legislative changes. Nothing much has changed in either
25 of the documents other than updating it for the status of

1 AB 1761.

2 And the last item that we posted just for like an
3 FYI is we updated our letter of support to include
4 language noting that we also accept the amendment that
5 was made regarding the ability to rotate the chair and
6 the vice-chair on the letter of support. And I think
7 that is it.

8 Commissioner Akutagawa, is there anything else?

9 Okay.

10 CHAIR KENNEDY: Thank you, Commissioner Fernandez.
11 I just want to take a couple moments to go through the --
12 particularly the potential legislative changes table
13 noting where some things have been deferred to other
14 subcommittees, for example, and just follow up with those
15 subcommittees and see if they have anything to report
16 out.

17 Also, on both Item D, exempting the Commission from
18 state procurement and contracting regulations, and Item
19 3B, ability to hire outside counsel without AG's prior
20 approval, those show shared potential language with
21 legislative staff.

22 So at this point, are those the items that are more
23 likely to be brought up for the next session of the
24 legislature?

25 COMMISSIONER FERNADNEZ: Yes. So those items that



1 have not been included in the Assembly bill, Senate bill,
2 will follow through with the next to try to find authors
3 for the next legislative session.

4 CHAIR KENNEDY: Perfect. Perfect. Okay. Okay.
5 We'll hear from the Continuity Subcommittee later. One
6 of the areas assigned -- one of the items assigned to the
7 subcommittee on this table was the definition of fully
8 functional. That's also being worked on with the State
9 auditor.

10 And then, Item 3-C, the strikes by the legislature
11 are not transparent. At one point that was assigned to
12 Government Affairs. So I'm just wondering if Government
13 Affairs as these things to report on that? No. Okay. I
14 think those may be the ones I had highlighted. Yes.

15 Okay. So we do continue to have items on our
16 legislative wish list. The subcommittee will continue
17 working on these, looking at finding sponsors for some of
18 these items in future legislative sessions.

19 As I mentioned yesterday, we have, I guess, five
20 years left for amendments to the relevant sections of the
21 government code before those are precluded in years
22 ending in 9, 0, and 1. So we want to make the best use
23 possible of the entire window for legislative changes.

24 We understand also that, according to the analysis
25 of, I believe it's 1761 on the Senate side, there's there

1 is an item on the comments that says that essentially
2 redistricting is one of the Assembly Election Committee's
3 annual subjects. And so we do hope that members of the
4 committee are indeed open to ongoing discussions with us
5 regarding those changes that we feel would be important
6 to make.

7 We also will now be armed with the full
8 recollections, recommendations, and resources report
9 endorsed by the full Commission that can serve as backup
10 and justification for many of these legislative wish-list
11 items as well. So I thank the subcommittee for their
12 report and for their ongoing work in this area and look
13 forward to hearing from you as we go forward.

14 So now we come back to the Finance and
15 Administrative --

16 Commissioner Andersen?

17 COMMISSIONER ANDERSEN: Sorry. Sorry, I just had
18 one question about, the items -- we have them in terms of
19 ones that were captured, then we'll go through next
20 session. What is the start of that time? What's the
21 timing of that?

22 COMMISSIONER FERNANDEZ: I think I want to say like
23 March-ish. It feels like it's every year -- I mean,
24 every month. But I think it's March. That sound about
25 right?



1 COMMISSIONER AKUTAGAWA: Yeah. So I think the
2 current legislative session will be ending soon, and I
3 think officially by around August, September. And then
4 the work will start back up. But I think the actual time
5 frame will probably be sometime in -- yeah, I think
6 everywhere you March-ish is at the earliest -- at the
7 earliest.

8 COMMISSIONER ANDERSEN: For 2024?

9 COMMISSIONER AKUTAGAWA: Yes.

10 COMMISSIONER ANDERSEN: Thank you.

11 CHAIR KENNEDY: Yeah, for easy reference on the
12 Senate website, [Senate.ca.gov/legislative process](http://Senate.ca.gov/legislative%20process), the
13 Senate has published electronically a handy citizen's
14 guide to participation in the legislative process, and
15 they also have some FAQs under there. So I would
16 encourage colleagues and members of the public who are
17 interested in the subject to visit that web page,
18 [Senate.ca.gov/legislative process](http://Senate.ca.gov/legislative%20process).

19 Okay with that, we are back to the Finance and
20 Administration subcommittee. One of the things that they
21 were tasked with yesterday was coming up with a motion
22 analogous to the delegation of authority motion that
23 Chief Counsel Pane briefed us on. And so we come back to
24 them as well as any other items that they might have for
25 us at this point.



1 COMMISSIONER FERNANDEZ: And I know I kind of -- I'm
2 the one that brought this up. And I was trying -- I
3 really was having a hard -- difficult time trying to
4 figure out how to draft the motion, because it would have
5 to be for items that do not require a supermajority.

6 And I actually could not think of what that would
7 consist of because I was thinking more of HR. But HR
8 requires -- any sort of personnel changes requires
9 supermajority. In contracts, we should already have in
10 place. Pardon? Special vote? Yes. So I don't know.

11 Commissioner Fornaciari, I don't think we -- I don't
12 think we have one that we can bring forward at this
13 point.

14 CHAIR KENNEDY: Chief Counsel Pane, do you have
15 advice for us?

16 ATTNY PANE: I was just trying to make sure we had
17 motion ready if we needed to with Corina. So I'm sorry.
18 I had to step away.

19 CHAIR KENNEDY: We've come back to Finance and Admin
20 to look at a possible motion analogous to the one that
21 you briefed us on yesterday regarding delegation of
22 authority to address urgent legal matters between
23 meetings. And so the possibility of having an analogous
24 delegation of authority regarding nonlegal matters, so
25 administrative matters, to the chair and vice chair

1 between meetings and looking to you for any guidance you
2 might have.

3 Commissioner Fernandez was saying that one of the
4 particular difficulties in relation to administrative
5 matters is there are so many issues that require a
6 supermajority and so how to word a motion so that --

7 MS. LEON: Yeah, okay. I'm on now.

8 CHAIR KENNEDY: -- the requirement for
9 supermajority, which --

10 MS. LEON: I don't know.

11 CHAIR KENNEDY: -- would not be delegated, but other
12 matters could be.

13 ATTNY PANE: Yeah. So that's difficult because as
14 you all are aware, there's certain topics that require a
15 supermajority, some of which are administrative. So to
16 call it administrative may not be the right way to couch
17 it.

18 So I don't know if we want to think about what we
19 mean or what we're sort of contemplating maybe some
20 examples on what might be in that analogous motion.
21 Well, perhaps what is the Commission anticipating when
22 they're thinking of -- what kind of administrative
23 matters would we be sort of contemplating in that
24 environment?

25 CHAIR KENNEDY: Okay. Thank you.



1 Commissioner Andersen?

2 COMMISSIONER ANDERSEN: Yeah. What I would propose
3 is a motion be give authority to the chair and vice chair
4 for administrative items not requiring
5 supermajority/special votes. So it covers everything
6 that it could cover.

7 And the reason why I'm proposing this is what we
8 were talking about before is they're administrative items
9 that you're going to come up -- like different -- I'm
10 thinking of, hey, we have to change this vendor has gone
11 down, we have to change to someone else. Okay. Yes, we
12 can. You don't have to vote on that.

13 I'm thinking of different admin items which might
14 come up, which we aren't going to have a meeting. So who
15 is going to say yes? And it's not something that will be
16 voted on. Like any of our vendors say, oh, no, sorry,
17 you can't keep your files. You have to a -- revise the
18 contract. That doesn't require a vote. Those are just
19 admin stuff. I'm trying to think of other items that we
20 might have to deal with.

21 COMMISSIONER FERNADNEZ: Contracts require a
22 supermajority, correct?

23 ATTNY PANE: They do. Well, contract decisions
24 require a supermajority. So I suppose if it's more of a
25 policy call, an appetite for this commission, how much



1 delegation they're comfortable with. From a legal
2 perspective, if essentially this Commission wants to
3 carve-out all items that are administrative in nature
4 that don't trigger a supermajority vote, and they're
5 comfortable with delegating that in a vote to the chair
6 and vice chair between meetings, I'm comfortable with
7 that. But that's from a legal perspective. You all need
8 to be comfortable with that on a policy perspective.

9 CHAIR KENNEDY: Right. And part of the calculus
10 here is with limited funding for meetings, there's going
11 to be more and more time between meetings. And we don't
12 want to get stuck in a situation where nothing can be
13 done until the next meeting. And the next meeting is
14 nine months away.

15 Commissioner Turner?

16 COMMISSIONER TURNER: Yeah. For the wording, thank
17 you, Commissioner Anderson. I just wanted you to read
18 the -- your suggestion again is the first part of it. I
19 just -- read it again.

20 COMMISSIONER ANDERSEN: I just said give authority
21 to chair, vice chair for administrative items not
22 requiring supermajority/special votes.

23 COMMISSIONER TURNER: And I guess the added verbiage
24 would be give us authority to do what? So just give
25 authority to them to me sounded overwhelming.



1 COMMISSIONER ANDERSEN: I guess authority to --

2 COMMISSIONER FERNADNEZ: Take action.

3 COMMISSIONER ANDERSEN: -- take action on
4 administrative items.

5 COMMISSIONER TURNER: Yep. And so I like that
6 wording. I just want to say one time, I'm still inclined
7 to -- I'm in agreement and I know why we need to do it,
8 but I'm still inclined to vote no on anything that we're
9 doing as a workaround because of budgetary issues and
10 still may do that. But yeah, I like the wording
11 clarification.

12 COMMISSIONER ANDERSEN: Yeah. So I would say give
13 authority to take to the chair and vice chair to take
14 action on administrative items not requiring
15 supermajority/special votes. That would be the wording.
16 And the reason I would say that is I think we sort of did
17 that.

18 Like, I'm trying to think, okay, like put together a
19 letter for the commission or the certain admin things I'm
20 trying to think of that just happened that we didn't we
21 didn't necessarily -- that we voted on, I guess when
22 contracts came in on the HR items. I'm trying to think
23 of other -- help me out here guys, with other items that
24 might come up.

25 CHAIR KENNEDY: Well, that might come up and that at

1 the same time haven't already been delegated to staff.

2 COMMISSIONER ANDERSEN: Um-hum.

3 CHAIR KENNEDY: Right.

4 COMMISSIONER ANDERSEN: Right. We're both narrowing
5 the scope of this from the top so nothing that requires a
6 special majority and we're reducing the scope from the
7 bottom because some things are already being dealt with
8 and should be dealt with at the staff level. So what's
9 remaining is what we're trying to define.

10 Commissioner Le Mons?

11 VICE CHAIR LE MONS: I think, I'm not sure if it was
12 in there, that you need to put meetings in between that
13 distinction.

14 COMMISSIONER ANDERSEN: Yeah, it could say give
15 authority to the chair and vice chair to take action
16 between meetings on administrative items not requiring
17 supermajority or special votes.

18 CHAIR KENNEDY: Okay. So that's the motion on the
19 table.

20 Commissioner Turner?

21 COMMISSIONER TURNER: Was there a suggested wording
22 the other day that said something about where meeting was
23 not feasible?

24 CHAIR KENNEDY: Chief Counsel Pane?

25 ATTNY PANE: Yes, Commissioner Turner. And that



1 was, I believe, in my motion where meetings, I believe,
2 were not feasible. I have to go back and look, but yes
3 there was that clause in there.

4 COMMISSIONER TURNER: Um-hum.

5 ATTNY PANE: Is that something you probably wanted
6 to add --

7 COMMISSIONER TURNER: Yeah, can we --

8 ATTNY PANE: -- in this one?

9 COMMISSIONER TURNER: Yeah.

10 COMMISSIONER ANDERSEN: So --

11 COMMISSIONER TURNER: You instead of -- your
12 wording -- go ahead.

13 COMMISSIONER ANDERSEN: But no, I was going to say
14 so it -- right now you give authority to the chair and
15 vice chair to take action -- we have between meetings.
16 Or just delete that between meetings and say, we're
17 meetings aren't feasible. Although do we want to say a
18 combination of because between meetings -- no.

19 VICE CHAIR LE MONS: I accept that amendment. And
20 Chief Counsel is getting the language from the other one.

21 COMMISSIONER ANDERSEN: Perfect.

22 VICE CHAIR LE MONS: So we can just drop it in.

23 COMMISSIONER ANDERSEN: Perfect. It'll be the same.
24 And then, I don't know if Corina can post the words.

25 ATTNY PANE: Corina -- oh, there you go.



1 COMMISSIONER ANDERSEN: Great. So do you have the
2 wording? Okay. We're getting the wording for the
3 feasibility. Let's see, so instead of take action
4 between meetings -- Commissioner Yee, do you have --

5 COMMISSIONER YEE: Oh, let's wait and see what she
6 has.

7 COMMISSIONER ANDERSEN: Okay. Well, the rest
8 will -- they're working it out.

9 COMMISSIONER FERNANDEZ: To take action when
10 meetings aren't feasible?

11 COMMISSIONER YEE: There are actually -- there's two
12 different considerations, right, between meetings or when
13 meetings aren't feasible. And also just between
14 meetings.

15 COMMISSIONER ANDERSEN: Right. That's two concepts,
16 when a meeting isn't feasible and between two meetings.

17 VICE CHAIR LE MONS: I withdraw the in between
18 meetings.

19 COMMISSIONER YEE: Well, it might be feasible just
20 in between two meetings, so it's not --

21 COMMISSIONER FERNANDEZ: It's the same concept
22 because if -- I'm sorry. I was speaking low. It's the
23 same concept because if you already have a meeting
24 scheduled, then you want to give the authority --
25 delegate the authority if it's feasible. So if the chair



1 tries to hold a meeting and it is not feasible, then they
2 are given the opportunity or authority to take action.

3 COMMISSIONER ANDERSEN: Do we have the wording?

4 ATTNY PANE: Corina's pulling up the wording from
5 my -- from the motion yesterday, which I think has all of
6 the analogous language.

7 COMMISSIONER ANDERSEN: Perfect.

8 CHAIR KENNEDY: Okay.

9 COMMISSIONER FERNANDEZ: Can I just -- there's one
10 more thing that we have for the Finance --

11 CHAIR KENNEDY: Yes.

12 COMMISSIONER FERNANDEZ: So while we're waiting for
13 the language. When Commissioner Fornaciari and brought
14 forward the proposed budget, one of the items -- and I'm
15 not sure if we need to vote on this or not vote on it --
16 was that the commissioners would not have cell phones.

17 It was our recommendation it's not something that
18 is -- that we decided upon ourselves. So we need to
19 bring that forward to see if that's something that the
20 Commission would like to move forward.

21 And again, that was if we keep this -- if we all
22 keep the cell phones, it'll be 12,336 versus just 600 for
23 the one cell phone for our staff person.

24 CHAIR KENNEDY: Yeah. Commissioner Yee?

25 COMMISSIONER YEE: I was going to second the motion

1 once it landed.

2 CHAIR KENNEDY: Okay. Okay. Then I will take the
3 opportunity. That's assuming the existing contracts.
4 Are there other options?

5 COMMISSIONER YEE: Yeah.

6 CHAIR KENNEDY: Are there pay as you go options or
7 something that would be significantly less than
8 maintaining the current contracts but still enable us to
9 retain the phone service?

10 COMMISSIONER FERNADNEZ: I believe there are other
11 options, and I think one of them was -- what was it, \$30
12 a month. But again, the savings that we were going to
13 achieve here was helping to pay for our meetings.

14 CHAIR KENNEDY: Right.

15 COMMISSIONER FERNADNEZ: And I'd have to do that.
16 What did you call it? My math is --

17 UNIDENTIFIED SPEAKER: Down and dirty.

18 COMMISSIONER FERNADNEZ: Yeah, I have to do a quick
19 down and dirty -- quick and dirty.

20 CHAIR KENNEDY: At a point when I was mostly
21 overseas but wanted to retain my phone number here, my
22 mobile number here, I had a prepay plan with T-Mobile,
23 and essentially as long as I put some -- I think \$100
24 initially on the account and at least \$10 a year into the
25 account, and then it was only charged for usage, I'm just



1 thinking that there may be options out there that would
2 greatly reduce the cost.

3 COMMISSIONER FERNADNEZ: Yeah, I think there are
4 options. You know, certainly we could look into that.
5 It was the timing in terms of when we found out it was
6 denied and then trying to come up with a budget, so --

7 CHAIR KENNEDY: Right.

8 COMMISSIONER FERNADNEZ: So yeah, I mean, Corina did
9 look into that. I think it was a \$30 a month. So that
10 would get us to about 5,500 for the year, about almost
11 half the cost. And there's still would be a customer who
12 obviously but we haven't researched anything associated
13 with the prepaid plan.

14 Me personally, I don't mind turning in my phone, so.
15 But again, we'll definitely if we want to look at
16 different options, that's fine also.

17 CHAIR KENNEDY: Okay. I mean, that would be my
18 suggestion, is that we investigate other options.

19 Commissioner Andersen?

20 COMMISSIONER ANDERSEN: Yeah, on that the -- I
21 actually do use my work phone. I'd actually have to get
22 another phone and put it on my personal phone. I have
23 another older phone. So don't cost me money.

24 Sure. But I would appreciate us looking into it
25 because I believe that our big plan was for -- I don't



1 know how many different lines were needed for -- it
2 wasn't just the commissioners. I think it was, yeah, I
3 remember when we first kind of got that plan. It was a
4 pretty robust plan and which we needed when we we're full
5 throw.

6 CHAIR KENNEDY: Right.

7 COMMISSIONER ANDERSEN: But I think we could
8 certainly scale something down.

9 CHAIR KENNEDY: Yeah. I mean, if we can come up
10 with something that is usage based rather than just a
11 monthly flat rate plan base, I think we could save quite
12 a significant amount of money.

13 Commissioner Le Mons?

14 VICE CHAIR LE MONS: Maybe we could do a hybrid is,
15 those individuals who want to turn in their phone, turn
16 it in, and then move the remaining to this prepay
17 whatever reduced amount we can come up with as a savings.

18 CHAIR KENNEDY: Right. And we could also think in
19 terms of maintaining at most at this \$30 a month rate
20 through the end of the year or for the next quarter or
21 something to give us more time to investigate the other
22 options.

23 Chief Counsel Pane?

24 ATTNY PANE: Thank you, Chair. I wanted to maybe
25 recommend a slight change in the language here. Instead



1 of give authority, it might reach more similar to the
2 other motion to, say, the chair, in consultation with the
3 vice chair, is empowered. And then you would continue to
4 take action and all that. That's what the other motion
5 looked like a little bit more closely.

6 CHAIR KENNEDY: Okay. And Commissioner Andersen, I
7 think it was originally your motion, so you would need to
8 accept the amended language.

9 COMMISSIONER ANDERSEN: Yeah, I think we're -- so
10 let's see, it's supposed to be the chair in consultation
11 with the vice chair. Then where do you go from -- what
12 was your proposal, Chief Counsel?

13 ATTNY PANE: Commissioner Andersen, it was the
14 chair, in consultation with the vice chair, is
15 empowered --

16 COMMISSIONER ANDERSEN: Oh, okay.

17 ATTNY PANE: And then we're a full commission -- it
18 would be to take action. And it could be -- so to right
19 size this to say the chair in consultation with the vice
20 chair is empowered. And then you date -- you could say
21 to take action where a full commission meeting is not
22 feasible.

23 COMMISSIONER ANDERSEN: To take action --

24 ATTNY PANE: There's a couple of ways you can do
25 that.



1 COMMISSIONER ANDERSEN: -- on administrative items.

2 ATTNY PANE: Yes. And then you want to -- this is
3 the part that is sort of unique.

4 COMMISSIONER ANDERSEN: Actually, hang on, because
5 we're having more where and when. So I would say, is
6 empowered to take action on administrative items. And
7 then it's -- then we're at our discussion of -- I think
8 we're kind of came down with, which I'm okay with, chair
9 in consultation with vice chair is empowered to take
10 action on administrative items when a full commission
11 meeting is not feasible.

12 CHAIR KENNEDY: I would suggest that we add full and
13 timely.

14 COMMISSIONER ANDERSEN: Oh, okay. I agree with
15 that. When a full and timely commissioner meeting is not
16 feasible.

17 COMMISSIONER FERNADNEZ: Do we also need to put in
18 there items not requiring a majority --

19 COMMISSIONER ANDERSEN: Oh, I'm sorry. Yes.

20 COMMISSIONER FERNADNEZ: Okay. Thank you.

21 COMMISSIONER ANDERSEN: Yes, we do. And the bulk of
22 this then, Corina, is not feasible -- oh, okay.
23 Rearrange. Corina, please go, the chair, in consultation
24 with the vice chair, is empowered to take action when
25 a -- and pull administrative items. Pull that out.



1 No, no. Take action when a full and timely
2 commission meeting is not feasible -- or is empowered.
3 Pull the whole to take action on administrative items.
4 Because they feel empowered -- wait hang on. Is
5 empowered when a full and timely commission meeting is
6 not feasible to take action on administrative items not
7 requiring supermajority/special votes.

8 Administrative items not requiring a
9 supermajority/special vote. And then we would need a
10 comma -- chair comma in consultation with the vice chair,
11 is empowered comma when a full and timely commission
12 meeting is not feasible comma. So after empowered and
13 after feasible would be the commas.

14 VICE CHAIR LE MONS: And not right here.

15 COMMISSIONER ANDERSEN: Okay.

16 CHAIR KENNEDY: Remove the comma after chair.

17 COMMISSIONER ANDERSEN: Oh, yeah. I don't believe
18 we need one after chair. I think we can take that
19 comma -- no, no. The first chair. Well, no, that's
20 okay. Okay. That's the motion. Do we need to take out
21 both of those comments after chair?

22 So chair in consultation with the vice chair -- take
23 out that comma -- is empowered comma when a full and
24 timely commission meeting is not feasible to take action
25 on administrative items not requiring the

1 supermajority/special vote. And that's the period. Oh,
2 sorry. At the end of the -- oh, and remove the period
3 that's in front of to take action. Okay. All right.
4 That is the motion.

5 CHAIR KENNEDY: Okay.

6 MR. BALEKJIAN: So this is again, also the spelling
7 on administrative. I'm sorry. This is Gary.

8 COMMISSIONER ANDERSEN: Oh.

9 CHAIR KENNEDY: Thank you.

10 COMMISSIONER ANDERSEN: Thank you, again.

11 CHAIR KENNEDY: Oh.

12 COMMISSIONER ANDERSEN: Oh. Okay. Thank you.

13 CHAIR KENNEDY: Very good. Okay. So motion was
14 made by --

15 COMMISSIONER ANDERSEN: Andersen.

16 CHAIR KENNEDY: Commissioner Andersen. The motion
17 was seconded by --

18 COMMISSIONER YEE: I will second the motion.

19 CHAIR KENNEDY: Commissioner Yee.

20 COMMISSIONER YEE: I'll also mention, remember, we
21 are on a quarterly rotation schedule currently unless we
22 decide otherwise today. Okay. Well, one thing at a
23 time. Discussions?

24 CHAIR KENNEDY: Okay. Any further discussion on
25 this one? Commissioner Le Mons, your hand is up.



1 VICE CHAIR LE MONS: No.

2 CHAIR KENNEDY: No. Okay.

3 Then Kristian, we need to open public comment.

4 PUBLIC COMMENT MODERATOR: Sounds good.

5 In order to maximize transparency and public
6 participation in our process, the commissioners will be
7 taking public comment by phone. To call in, dial the
8 telephone number provided on the livestream feed. It is
9 877-853-5247. When prompted, enter the meeting I.D
10 number provided on the livestream it is 82451704202 for
11 this meeting.

12 When prompted to enter a participant ID simply press
13 pound. Once you've dialed in, you'll be placed in a
14 queue. To indicate that you wish to comment, please
15 press star 9. This will raise your hand for the
16 moderator. When it's your turn to speak, you'll hear a
17 message that says the host would like you to talk press
18 star 6 to speak.

19 If you'd like to give your name, please state, and
20 spell it for the record. You are not required to provide
21 your name to give public comment. Please make sure to
22 mute your computer or livestream audio to prevent any
23 feedback or distortion during your call.

24 Once you're waiting in the queue, the alert for when
25 it is your turn to speak. And again, please turn down



1 the livestream volume. And we do have a caller. Just a
2 moment.

3 Caller 2829, please follow the prompts to unmute.
4 The floor is yours.

5 Good morning, Commissioners, or good afternoon.
6 This is Renee Westa-Lusk. I just want to say I agree
7 with the motion and anything that would help you expedite
8 meetings more quickly and get business done for
9 transactions I agree with. Thank you.

10 CHAIR KENNEDY: Thank you very much for that input.
11 And that is all the callers we have, Chair.

12 CHAIR KENNEDY: Very good. Thank you so much.
13 Then, Corina, we are ready to take the vote on this.

14 MS. LEON: Okay.

15 Commissioner Ahmad?

16 COMMISSIONER AHMAD: Yes.

17 MS. LEON: Commissioner Akutagawa?

18 COMMISSIONER AKUTAGAWA: Yes.

19 MS. LEON: Commissioner Andersen?

20 COMMISSIONER ANDERSEN: Yes.

21 MS. LEON: Commissioner Fernandez?

22 COMMISSIONER FERNADNEZ: Yes.

23 MS. LEON: Commissioner Fornaciari?

24 COMMISSIONER FORNACIARI: Yes.

25 MS. LEON: Commissioner Kennedy?



1 CHAIR KENNEDY: Yes.

2 MS. LEON: Commissioner Le Mons?

3 VICE CHAIR LE MONS: Yes.

4 MS. LEON: Commissioner Sadhwani?

5 Commissioner Sinay?

6 COMMISSIONER SINAY: Yes.

7 MS. LEON: Commissioner Taylor?

8 COMMISSIONER TAYLOR: Yes.

9 MS. LEON: Commissioner Toledo?

10 COMMISSIONER TOLEDO: Yes.

11 MS. LEON: Commissioner Turner?

12 COMMISSIONER TURNER: No.

13 MS. LEON: Commissioner Vazquez?

14 COMMISSIONER VAZQUEZ: Yes.

15 MS. LEON: Commissioner Yee?

16 COMMISSIONER YEE: Yes.

17 CHAIR KENNEDY: Thank you, Corina.

18 At this point, I think it's a good moment to get
19 back to considering the motion that Chief Counsel Pane
20 brought yesterday.

21 So Chief Counsel Pane?

22 ATTNY PANE: Thank you, Chair.

23 Corina when you're when you have a moment, if we
24 could maybe pull that motion up.

25 As the Commission is aware, it's very similar in the



1 outgrowth of this. Just to quickly refresh everyone's
2 recollection from yesterday was in case we have legal
3 issues that arise in between meetings, the Chair would be
4 able to act on behalf of the Commission to preserve the
5 Commission's legal rights if there is consultation that's
6 required, specifically the hypothetical of, say, there's
7 a conflict of interest and some form of litigation, and
8 the Attorney General's Office is in the situation where
9 the representing both departments, the Commission and
10 another department, there may be need for conversations
11 with the Attorney General's Office on those issues.

12 And then if there's -- and they would also do if
13 there's an irreconcilable conflict of interest, then as
14 well there would be a release for the Commission to then
15 go out and hire outside counsel at that point.

16 CHAIR KENNEDY: Thank you, Chief Counsel Pane.
17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: So on this one, does it
19 make sense to also add in consultation with the vice
20 chair so they're not working in silo? You know what I
21 mean?

22 ATTNY PANE: Yes.

23 CHAIR KENNEDY: I thought we had.

24 ATTNY PANE: It was there. Yeah.

25 CHAIR KENNEDY: It was there. Okay. It's there in



1 the motion name, so it needs to be added in the motion
2 details. And then I would also suggest that we
3 incorporate the word timely as we did in the previous
4 motion.

5 So the Chair, in consultation with the vice chair,
6 is empowered where or when a full commission -- a full
7 and timely commission meeting is not feasible to act on
8 behalf of the Commission for the purpose of working with
9 the Attorney General's office regarding legal
10 representation issues, including but not limited to joint
11 representation by the Attorney General's office with
12 other governmental entities in the same lawsuit.

13 That is the motion. We need a commissioner to move
14 this.

15 COMMISSIONER FERNANDEZ: So moved.

16 CHAIR KENNEDY: Commissioner Fernandez moves.
17 Second?

18 VICE CHAIR LE MONS: Second.

19 CHAIR KENNEDY: Commissioner Le Mons seconds.

20 Commissioner Fernandez, did you have a comment on
21 this? Okay. Thank you. Colleagues, any other comments?

22 Commissioner Andersen?

23 COMMISSIONER ANDERSEN: Just a quick -- instead of
24 where should be when. Empowered when a full commission
25 meeting as opposed to where. It's a subtle thing.



1 VICE CHAIR LE MONS: Yes. It should be when. Yeah.
2 And then do the first and second approve of that?

3 CHAIR KENNEDY: Okay. Any further comments on this?
4 Mover and seconder are okay with this text?

5 Kristian, we need public comment from this motion,
6 please.

7 PUBLIC COMMENT MODERATOR: Sounds good.

8 The Commission will now take public comment on the
9 motion on the floor. To give comment, please call 877-
10 853-5247 and enter meeting ID number 82451704202. Once
11 you've dialed in, please press star 9 to enter the
12 comment queue. The full call-in instructions are read at
13 the beginning of the meeting and are provided on the
14 Livestream landing page. And we do have a caller. Just
15 a moment.

16 Caller 2829, please follow the prompts to unmute.
17 The floor is yours.

18 MS. WESTA-LUSK: Again, hello, Commissioners. This
19 is Renee Westa-Lusk. I concur that this motion is
20 necessary. I think it is good policy to help with any
21 legal matters of urgency. Thank you.

22 CHAIR KENNEDY: Thank you, Ms. Westa-Lusk.

23 With that Corina, could you please take the vote?

24 MS. LEON: Okay.

25 Commissioner Ahmad?



1 COMMISSIONER AHMAD: Yes.

2 MS. LEON: Thank you.

3 Commissioner Akutagawa?

4 COMMISSIONER AKUTAGAWA: Yes.

5 MS. LEON: Commissioner Andersen?

6 COMMISSIONER ANDERSEN: Yes.

7 MS. LEON: Commissioner Fernanda?

8 COMMISSIONER FERNANDEZ: Yes.

9 MS. LEON: Commissioner Fornaciari?

10 CHAIR KENNEDY: He has stepped away.

11 MS. LEON: Oh.

12 Commissioner Ray Kennedy?

13 CHAIR KENNEDY: Yes.

14 MS. LEON: Commissioner Le Mons?

15 VICE CHAIR LE MONS: Yes.

16 MS. LEON: Commissioner Sadhwani?

17 Commissioner Sinay?

18 COMMISSIONER SINAY: Yes.

19 MS. LEON: Commissioner Taylor?

20 COMMISSIONER TAYLOR: Yes.

21 MS. LEON: Commissioner Toledo?

22 COMMISSIONER TOLEDO: Yes.

23 MS. LEON: Commissioner Turner?

24 COMMISSIONER TURNER: Yes.

25 MS. LEON: Commissioner Vazquez?



1 COMMISSIONER VAZQUEZ: Yes.

2 MS. LEON: And Commissioner Yee?

3 COMMISSIONER YEE: Yes.

4 CHAIR KENNEDY: Thank you, colleagues.

5 Is there anything further from the Finance and Admin
6 subcommittee?

7 COMMISSIONER FERNADNEZ: Just the only thing that
8 kind of extra is if we do go to two meetings a year,
9 right now, our rotation for chair and vice chair is
10 quarterly. So just a suggestion if you want to change
11 that rotation.

12 CHAIR KENNEDY: At this point, given what we have
13 remaining on the run of show, I'm holding that for the
14 end of the day. Hopefully we will have time for it. If
15 we don't, the fallback is that someone will have a
16 rotation without a meeting.

17 So that's not a huge issue. That shouldn't be a
18 huge issue. I'm just trying for that one. I'm just
19 trying to prioritize our work time today. So thank you
20 for that. I do have it on my list, along with the
21 telephone's issue to come back to later in the day.

22 With that, we have forty minutes until lunch. I
23 want to get to Continuity and Bagley-Keene. If possible,
24 before lunch, we might even go a little bit long since we
25 started this ninety-minute block, a little bit late. So

1 can we hear from -- can we go to Bagley-Keene first and
2 then Continuity? Okay. Bagley-Keene ADA compliance
3 subcommittee, please.

4 COMMISSIONER FORNACIARI: Angela, do you want to go?
5 Or do you want me to go? Commissioner Vazquez?

6 COMMISSIONER VAZQUEZ: I can give an update and feel
7 free to jump in, especially if I missed something. And
8 so now I'm totally blanking on the bill number. So if
9 someone wants to jump in with that while I describe it.

10 As a reminder, the Commission has been watching and
11 has sent the Committee -- the Bagley-Keene Subcommittee
12 has sent a letter of support to a bill currently in the
13 Senate around reforming Bagley-Kenne namely for the
14 purposes of the Commission to allow for remote
15 participation of commissioners and members of state
16 boards.

17 Again, as a reminder, there are quite a few
18 restrictions that were lifted as a result of the public
19 health emergency to allow state boards and commissions to
20 meet virtually without having to list the location of
21 every board member or commissioner. This bill would seek
22 to put back in place permanently some of -- some but not
23 all of those exceptions.

24 Thank you. Thank you, Commissioner Fernandez.
25 That's SB-544. And so currently the bill is up for

1 discussion in the Senate Judiciary Committee.

2 Sorry, Neal, were you trying to say something?

3 COMMISSIONER FORNACIARI: Yeah, actually, it's out
4 of the Senate.

5 COMMISSIONER VAZQUEZ: Oh.

6 COMMISSIONER FORNACIARI: And it's in the House --

7 COMMISSIONER VAZQUEZ: Is that the assembly,
8 judiciary?

9 COMMISSIONER FORNACIARI: Yeah. The Assembly G.O.

10 ATTNY PANE: Government --

11 CHAIR KENNEDY: Government Ops.

12 COMMISSIONER VAZQUEZ: Government Ops. Thank you.

13 COMMISSIONER FORNACIARI: Assembly Government Ops.

14 COMMISSIONER VAZQUEZ: So it's being -- it's being
15 heard in that committee. This is a -- I believe this is
16 the committee that a similar bill died in last year, if
17 you all recall. And so it's particularly important that
18 we let the committee members know how important this bill
19 is, not just to our Commission, but to state boards and
20 commissions generally and for our democracy to be more
21 participatory and expand the ability of more Californians
22 to participate on more boards and commissions like ours.

23 And so the Bagley-Keene Committee given we are
24 trying to do more work in between meetings. We are
25 putting forward a motion that would ask the Commission to



1 take a support position on SB-544 as currently written,
2 and empower the Bagley-Keene Committee to, in
3 coordination with the chair, to do all necessary
4 activities to support its passage.

5 So that would include sending a letter on behalf of
6 the whole Commission to the Committee and the Committee
7 Chair in support. But it would also, if the Commission
8 is in support and as long as the bill doesn't get
9 amended, it would also allow the Bagley-Keene Committee
10 to meet with members of the committee and members of the
11 legislature to advocate on behalf of this bill, and also
12 would allow us to send letters of support to the governor
13 if and when it gets to his desk.

14 And so this motion really would just signal the
15 Commission's support and empower the subcommittee to
16 enact that decision of support. And we would, of course,
17 come back to the Commission if SB-544 gets amended so
18 that we could discuss if that impacts our support
19 decision.

20 CHAIR KENNEDY: Okay. Do we have wording for the
21 motion at this point?

22 COMMISSIONER FORNACIARI: We sent it to Corina
23 earlier.

24 CHAIR KENNEDY: Okay.

25 COMMISSIONER FORNACIARI: She should have it.



1 CHAIR KENNEDY: Corina, are you able to pull up the
2 language for this motion?

3 COMMISSIONER FORNACIAIR: And I just -- I want to
4 apologize to the Commission. I had downloaded the
5 current language of the bill and I'm going to have it
6 posted and dropped the ball. But you have -- you seen it
7 in the past. We posted it several months ago when we
8 when we talked about this. So my apologies that it's not
9 posted now, but it will be up shortly.

10 CHAIR KENNEDY: Okay.

11 MS. LEON: It is posted now, Commissioner.

12 COMMISSIONER FORNACIARI: Thank you, Corina. I
13 appreciate that.

14 CHAIR KENNEDY: Okay. Corina, if you're able to
15 bring up the language of the motion, please.

16 MS. LEON: Oh, I thought it was sharing. I'm sorry.
17 Let's see. Share. Okay. There we go.

18 CHAIR KENNEDY: The motion reads, the Commission
19 votes to support SB-544 Bagley-Keene Open Meeting Act
20 teleconferencing as currently written, and authorize the
21 subcommittee to engage in appropriate activities,
22 including sending letters of support on behalf of the
23 Commission to support its passage in coordination with
24 the Chair. Any discussion at the table?

25 Kristian, could we invite public comment?



1 Before you do that, Commissioner Yee?

2 COMMISSIONER YEE: One question, a Bagley-Keene
3 question. In coordination with the chair, that would be
4 three commissioners in discussion. Is that an issue,
5 Chief Counsel?

6 ATTNY PANE: So the subcommittee is going to have to
7 figure out which one of the subcommittee has any
8 consultation with the chair, and then we still have our
9 two person.

10 COMMISSIONER VAZQUEZ: If I can just respond. What
11 I was thinking was that in consultation with the chair is
12 largely because when we send letters of support on behalf
13 of something, the chair usually signs it. If it's the
14 position of the Commission that we support this bill, I
15 imagine it's a pretty low lift for either Commissioner
16 Fornaciari or myself to just make sure that we get the
17 chair's signature on that letter.

18 ATTNY PANE: And on that point, another option that
19 would not be inconsistent with existing policy is if this
20 vote were to proceed, it's certainly allowable for the
21 subcommittee to go ahead and sign that letter of support.

22 The policy does not absolutely require the chair in
23 all circumstances to be the signature for a letter of
24 support. So that's subject to discussion. But that's
25 another way to address this. If they want another way

1 to, of course, to do it is to just is to have the one
2 person have there be sufficient that routine issue and
3 make sure there's just a two in consultation. That's
4 also another way to do this.

5 CHAIR KENNEDY: And what was in my mind was the
6 subcommittee sharing the letter with our staff and the
7 staff obtaining the chair's signature. I mean, to me
8 that --

9 ATTNY PANE: That's also another way.

10 CHAIR KENNEDY: -- the most appropriate way of
11 handling this. I mean, to me I'm fine with subcommittees
12 signing letters if they're expressing the support of the
13 subcommittee. But if it's expressing the support of the
14 full commission, my strong preference would be to have
15 the chair's signature on it and passing it through staff
16 to obtain the chair's signature as Chief Counsel has
17 said, is allowable.

18 Commissioner Fernandez, did you have something?

19 COMMISSIONER FERNADNEZ: No. I was just going to
20 note the differences between how the legislative
21 subcommittee has been doing it which we drafted the
22 letters for your signature. But either way is fine. I
23 mean, especially, six months apart.

24 CHAIR KENNEDY: Right. Right. Thank you.

25 Okay. Kristian, can you proceed with soliciting

1 public input on this? The motion is here.

2 COMMISSIONER FORNACIARI: I think we need someone to
3 make a motion and someone to second it.

4 CHAIR KENNEDY: Okay. Sorry.

5 COMMISSIONER VAZQUEZ: So moved.

6 CHAIR KENNEDY: Commissioner Vasquez moves. I'll
7 second. As Chief Counsel Pane has said, there's nothing
8 in the policy that precludes this. If the subcommittee
9 wants to pass the -- a letter of support through the --
10 through staff to the chair for signature, that's also
11 allowed.

12 Commissioner Andersen?

13 COMMISSIONER ANDERSEN: (Indiscernible).

14 COMMISSIONER FORNACIARI: Our intent is to have the
15 chair sign the letters.

16 CHAIR KENNEDY: Okay.

17 COMMISSIONER FORNACIARI: Because it's on behalf.

18 So it --

19 UNIDENTIFIED SPEAKER: Go ahead. Thanks.

20 COMMISSIONER ANDERSEN: Yes. Thank you. Oh, sorry.
21 Yes, so I just want to make sure that our -- what our
22 motion says actually reflects what we intend. And so the
23 intent is subcommittee puts this together. But it is --
24 it's not just the subcommittee that's submitting a
25 letter. It's that the Commission is behind this letter

1 and hence the chair's signs it; is that correct? Or is
2 it the subcommittee?

3 COMMISSIONER FORNACIARI: The chair is going to sign
4 the letter on behalf of the entire commission.

5 CHAIR KENNEDY: Okay. So my suggestion then would
6 be that we replace the word sending with preparing.

7 COMMISSIONER ANDERSEN: And also it's Commission
8 votes, isn't it, with an S?

9 COMMISSIONER YEE: No.

10 COMMISSIONER ANDERSEN: Commission vote to support.

11 CHAIR KENNEDY: Okay. Very good. Okay. Any
12 further points, Commissioner Andersen, Commissioner
13 Fornaciari?

14 Commissioner Vazquez?

15 COMMISSIONER VAZQUEZ: Yeah. Only because now we're
16 getting into wordsmithing. I will just say, once our
17 counsel leaves, there's a particular process for
18 uploading letters of support and delivering letters of
19 support.

20 So I still maybe would encourage us to say, send
21 letters of support, knowing that like, yes, we'll get the
22 chair -- unless we're having another staff person who
23 will -- I can walk them through that process. It may be
24 simplest for me to submit the letter of support and do
25 the actual administrative pieces to get those letters

1 out. Unless the chair wants to do that.

2 CHAIR KENNEDY: Well, no, I appreciate that. I
3 think once the letter is signed, the conveyance of the
4 letter is ministerial and not something that we need to
5 concern ourselves with here. And the key element in this
6 process is the signature. We could encumber the United
7 States Postal Service with delivering it.

8 COMMISSIONER FERNANDEZ: I'm sorry. It's Alicia.
9 It's a portal they require you to go through and submit
10 documents.

11 CHAIR KENNEDY: Right. Well --

12 COMMISSIONER FERNANDEZ: No more post office.

13 CHAIR KENNEDY: We will have staff able to do that,
14 so. Okay. Kristian?

15 PUBLIC COMMENT MODERATOR: The Commission will now
16 take public comment on the motion on the floor. To give
17 comment, please call 877-853-5247 and enter meeting
18 number 82451704202. Once you've dialed in, please press
19 star 9 to enter the comment queue. The full call-in
20 instructions are read at the beginning of the meeting and
21 are provided on the livestream landing page.

22 And we do have a caller. Just a moment.

23 Welcome back Renee. Please follow the prompts to
24 unmute.

25 MS. WESTA-LUSK: Hello. This is Renee Westa-Lusk



1 again. I have just one question about SB-544. Is
2 there any cost savings to the State by allowing the
3 expanding of Bagley-Keene to include the virtual online
4 meetings? And basically I support this motion, but I
5 just want to know if there was any cost savings maybe
6 down the road for the State allowing to have the virtual
7 meetings. Thank you.

8 CHAIR KENNEDY: Thank you, Ms. Westa-Lusk.

9 Commissioner Fornaciari?

10 COMMISSIONER FORNACIARI: Yes, Ms. Westa-Lusk.

11 Yeah, I would offer -- there could be significant savings
12 for the State. Just in travel costs and per diem costs
13 for commissioners or other board members. Furthermore,
14 venue costs and those sorts of things. I think in
15 addition and as important, a couple more things, right?

16 It enables folks with various disabilities to
17 participate who would not be able to participate on
18 boards as members of boards or provide input to boards of
19 folks who can't travel for whatever reason or have
20 difficulties getting out of their homes.

21 I think finally, in addition, it enables the people
22 of California to participate much more easily. And I
23 think you can see that from your participation in in this
24 process. Whereas it's my understanding that last time
25 around you traveled throughout the State to attend the

1 meetings. You've been able to attend these meetings from
2 your home and provide valuable input.

3 And I think it enables many more Californians who
4 weren't able to -- wouldn't have the resources to attend
5 the meetings or the ability to turn the meetings in
6 person to attend. So I think, all the way around, it's a
7 win for everyone in the State. Thank you.

8 CHAIR KENNEDY: Thank you, Commissioner Fornaciari.
9 Commissioner Akutagawa?

10 COMMISSIONER AKUTAGAWA: Yeah, I guess the one
11 question that I have -- and I don't know if there's --
12 maybe I think I'm just kind of trying to state something
13 that should be obvious. We have rotating chairs. Chair
14 Kennedy, I know you're, you're quite responsive right
15 now.

16 I think I just want to just state for the record
17 that for any of the upcoming chairs, that should there be
18 a need for a chair to sign a letter we're going to need
19 that same level of responsiveness because some of these
20 letters of support are very time sensitive.

21 And I think that's something that we need to keep in
22 mind if we're going to have the chair sign these letters.
23 There are times when there's just a one-day turnaround,
24 and if we cannot get a chair signing that letter, we're
25 going to miss our opportunity to ensure that our letters

1 of support are included.

2 And I think there are times when that is highly
3 necessary or highly desirable to have us weigh in on some
4 of these bills. So I just want to say this out loud
5 that, one, we need the chairs to be responsive and two, I
6 guess maybe I'll just ask the question.

7 Is there an acceptable alternative or backup, either
8 the vice chair and or the subcommittee and informing the
9 rest of the committee just so that we can be responsive
10 when there's a time sensitive nature to the letter?

11 CHAIR KENNEDY: Yeah, I think that's a that's a very
12 important point. Thank you for bringing that up. And as
13 I understand what Chief Counsel Pane said earlier,
14 there's nothing in the existing policies that precludes a
15 subcommittee from submitting.

16 It's just my personal sense that a letter with the
17 chair's signature is going to perhaps carry some
18 incremental weight, but that the subcommittees are able
19 to do the same thing over their signature.

20 ATTNY PANE: Right. And so just on that point, I
21 think more than who's signature is on it, that when we
22 say the Commission supports that, we have a point in time
23 when we can go back to a meeting or something where there
24 was a vote that says -- or an administrative record where
25 the commission has discussed it and supported it and

1 voted on it, that's going to -- that sort of substantive
2 piece is what the legislative folks are going to be
3 looking to.

4 I am not aware of any committee in the legislature
5 that would discount a letter of support because it had
6 some -- a member of the board rather than the chair per
7 se, actually being the signature. It's just who are what
8 are we representing? Are we representing a subcommittee
9 supporting it or are we representing the entire body --
10 public body is supporting it and can we point to a place
11 in time if needed?

12 CHAIR KENNEDY: Very good. Thank you.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Just a quick, I guess, a
15 comment or maybe just a little bit of input in terms of
16 some of the information you're going to put in that
17 letter support.

18 Seeing that our budget is drastically cut, if we
19 have to meet in person, it would definitely hinder our
20 ability to meet as frequently as the business needs are.
21 So I'm not sure if we can extend the letter, but just so
22 that they're aware that there's obviously financial
23 impacts.

24 CHAIR KENNEDY: Now that that's also a very good
25 point and basically reinforces what Commissioner



1 Fornaciari was saying earlier that the way this is
2 formulated would save quite a bit of money. And in our
3 current budget situation, without this we face even more
4 hardships than with it. Thank you for that.

5 Commissioner Le Mons, you had your hand up. Okay.
6 Commissioner Andersen?

7 COMMISSIONER ANDERSEN: Just in the event that --
8 because I agree with you, Commissioner Fornaciari, I
9 believe that you write the letter says, on behalf of the
10 whole Commission. But it does have the weight if it's
11 signed by the chair. Should it also say chair/vice chair
12 so that the vice chair could sign if -- in the rare event
13 that the chair is out of the country, period. I mean, is
14 there any reason to do that?

15 CHAIR KENNEDY: Chief Counsel, is that -- I mean, to
16 me that's implied.

17 ATTNYPANE: It is.

18 COMMISSIONER ANDERSEN: That's what I was looking.
19 Great. Thank you.

20 CHAIR KENNEDY: Okay. Okay.

21 ATTNYPANE: Just to clarify, the vice chair acts in
22 the absence of the chair.

23 CHAIR KENNEDY: Right. Right. That's generic.
24 Universal. Okay. So we've had public comment, and we
25 ready, Corina, to take the vote.



1 MS. LEON: Okay. Commissioner Ahmad?

2 Commissioner Akutagawa?

3 COMMISSIONER AKUTAGAWA: Yes.

4 MS. LEON: Commissioner Andersen?

5 COMMISSIONER ANDERSEN: Yes.

6 MS. LEON: Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 MS. LEON: Commissioner Fornaciari?

9 COMMISSIONER FORNACAIRI: Yes.

10 MS. LEON: Commissioner Kennedy?

11 CHAIR KENNEDY: Yes.

12 MS. LEON: Commissioner Le Mons?

13 VICE CHAIR LE MONS: Yes.

14 MS. LEON: Commissioner Sadhwani?

15 Commissioner Sinay?

16 COMMISSIONER SINAY: Yes.

17 MS. LEON: Commissioner Taylor?

18 COMMISSIONER TAYLOR: Yes.

19 MS. LEON: Commissioner Toledo?

20 COMMISSIONER TOLEDO: Yes.

21 MS. LEON: Commissioner Turner?

22 COMMISSIONER TURNER: Yes.

23 MS. LEON: Commissioner Vazquez?

24 COMMISSIONER VAZQUEZ: Yes.

25 MS. LEON: And Commissioner Yee?



1 COMMISSIONER YEE: Yes.

2 CHAIR KENNEDY: And Corina, could you pull
3 Commissioner Ahmad again, she is with us.

4 MS. LEON: Sorry.

5 CHAIR KENNEDY: She's having audio difficulties.

6 MS. LEON: Okay. Commissioner Ahmad?

7 COMMISSIONER AHMAD: Yes.

8 MS. LEON: Thank you.

9 CHAIR KENNEDY: Okay. Thank you very much.
10 Anything further from Bagley-Keene ADA Compliance? Very
11 good. So we move on to the Continuity Subcommittee.

12 COMMISSIONER FORNACIARI: Sure. Okay. Let's see.
13 So I guess, Chair, what you're looking for as sort of our
14 summary of our recommendations are. Okay. So I'll just
15 kind of review what we went over last time and share this
16 with everyone as a reminder.

17 So this was our draft work plan moving forward over
18 the next seven years. So I won't go through the whole
19 thing because we went through the whole thing last time.
20 But just kind of where things are for the next few years.
21 And I talked about this earlier in the meeting.

22 They're kind of two separate things going on at this
23 point that will be going on in the future that they're
24 going to that are going to inform our decisions about the
25 work that we do in '28, '29 -- '27, '28, '29. The first

1 thing is, is the complete count. We talk about
2 participating with the complete count. The complete
3 count doesn't even begin to stand up until 2024.

4 And so they will begin -- folks in state government
5 will begin having conversations about the complete count
6 and what that looks like. 2025, it'll become -- the plan
7 will become a little clearer. '26, they begin actually
8 standing up to continue count where they're beginning to
9 hire people in and do work.

10 So our thought was to -- for the Continuity
11 Committee to engage -- begin to engage in '24 and '25 and
12 have discussions with them -- with them and with the
13 Commission about what that engagement is going to look
14 like. But there wouldn't be -- we didn't get to a point
15 where we really understood what that looked like until
16 probably '26.

17 Then the second thing going on is with regard to the
18 conversation about the schedule and maybe moving the
19 schedule up. And so in conversations with the auditor,
20 the auditor was open to the idea of having -- moving the
21 schedule up, but not ready to have that conversation at
22 any depth until '26.

23 The legislature is willing to continue that
24 conversations -- oh, and the auditor is going to take
25 their direction through the legislature, right. So it's

1 the legislature's decision and the legislature is not
2 really ready to engage in that conversation until '26.

3 So as far as decisions on what's going to happen,
4 '27, '28, '29 kind of time frame really hinge on the
5 outcome of those conversations as well with those
6 organizations, whether or not what our participation
7 engagement looks like with the complete count will inform
8 what we do in the out years and in.

9 And whether or not we get agreement to move the
10 schedule forward is really going to kind of define what
11 we do because the outcome is yes, then the next
12 commission is going to have four, five, or six more
13 months than we had, whatever it is. And then that's less
14 potentially less work on our part, right, to get them
15 ready to go.

16 If we can't pull the schedule forward, then there
17 would be more work on our part potentially to get them
18 ready to go. So it's kind of -- '26 is really the year
19 that -- where the decisions begin to get made.

20 And so we would deeply engage with the joint
21 Legislative Budget Committee at that time. And even
22 there's ongoing conversations with them now, but that
23 would be the time that they would be ready to kind of
24 make the decisions.

25 If they were willing to push this forward then we'd

1 be submitting budget request for '27, '28, '29 at that
2 point, and then and then make the detailed decisions on
3 what we as a commission are going to do to help move this
4 forward. Does that make sense? So for the next couple
5 of years, there's a little bit going on. But it really
6 begins to pick back up in '26.

7 CHAIR KENNEDY: Okay. I'll jump in here while
8 waiting for other hands to come up. First of all, I
9 would very much like to see the draft amended to show
10 legislative changes in every year up to and including
11 2028. We know that legislative changes are not allowed
12 in years, ending in 9, 0, or 1.

13 So personally, I would very much like to see
14 legislative changes in here in 4, 5, 6, 7, and 8. And
15 particularly with our delivery of the report from the
16 Lessons Learned subcommittee, I think this is going to
17 provide ample material for discussion, consideration of
18 legislative changes going forward.

19 Second of all, one of the things that's on my mind
20 recently is these requirements or exclusions, if you
21 will, in the selection process. And we either need to be
22 talking to the auditor's office about what they would
23 want to do to publicize these or we need to be willing
24 and go to bat with the legislature and Department of
25 Finance, JLBC, et cetera to be able to do the outreach

1 necessary to remind potential applicants for the 2030
2 Commission that there is the five-year stability in voter
3 registration requirement that folks have to be aware of.

4 There is the requirement to have voted in two of the
5 last three elections. The first of those elections is
6 next year. And if we allow these deadlines, if you will,
7 to pass without taking some action to make the public
8 aware of them, I think we're falling down on our
9 responsibilities.

10 And unless the auditor's office wants to take those
11 on, I am not expecting them to want to. They're welcome
12 to. But I think we should put that in our thinking for
13 these next few years. And then we've talked about in
14 here things like the updating public education materials
15 for recruitment, preparing training for the members of
16 the are preparing for training and workshops for new
17 commissioners.

18 I mean some of those training things particularly if
19 we are going to follow the wise counsel of Commissioner
20 Turner and try to engage individuals in the process who
21 have a deep understanding of adult learning and what
22 training is as opposed to briefing, we're going to need
23 time to develop these things.

24 And so I think it is entirely realistic for us to
25 shift a few of these things backwards in this timeline.



1 I'll stop there and invite Commissioner Sinay to share
2 with us.

3 COMMISSIONER SINAY: So on the other half of that
4 subcommittee -- and I just wanted to point out of here,
5 we still have the typo. So in red at the very top, it
6 says a STA. It should say a staff work plan still needs
7 to be created. So we put some ideas on the wall in the
8 second half of this document on some of the things we
9 would need for staff to do.

10 But again, we had the discussion at the last meeting
11 and I think some of the comments that were made by
12 Commissioner Kennedy are valid and we will be adding to
13 this as we learn. But we don't want -- we wanted to be
14 clear that this wasn't a fall-back plan, that that's part
15 of the discussion later.

16 CHAIR KENNEDY: Right. Thank you for that. I
17 noticed as the screen shifted to the second page,
18 updating contract databases is on for 2028. To me,
19 that's an ongoing task that could be a major effort in
20 2028. But I think we need an ongoing effort as well.

21 And we have setting up processes with the state. Do
22 we have -- if we can go back to the to the first page.
23 Do we have just kind of the general outreach to state
24 agencies to remind them of what the Commission is and the
25 time bound nature of the Commission's work and the need

1 for an all-government approach to supporting the
2 Commission before the new commission takes place.

3 I mean, from what I've heard, there was quite a
4 heavy lift after we were in office to remind state
5 agencies of who we were. And that's certainly an
6 initiative that would be well undertaken before the 2030
7 commissioners are in office.

8 COMMISSIONER SINAY: And that was one of -- when we
9 discussed this to certain extent, I think, Commissioner
10 Fornaciari and I really thought that that was some of the
11 stuff that our staff needs to be doing. And we also
12 needed to think through what that staff -- again, what
13 does fully functional mean, what type pf staff.

14 And we did do the survey where we got a lot of good
15 input from all of you. And so again this is the work
16 plan kind on the big -- and then for each year we'll go
17 deep in detail as we get into those years and the work
18 won't fall completely on our subcommittee, but it'll --
19 especially for all volunteers, we will be delegating.

20 So just I think we will include that, but my
21 recommendation would be included and the role of the
22 staff versus the commissioner.

23 CHAIR KENNEDY: Sorry, Commissioners Sinay, could
24 you repeat the last sentence?

25 COMMISSIONER SINAY: My apologies. I would say that



1 my recommendation would be what you just said,
2 Commissioner Kennedy, but to put it under staff's role
3 versus the commissioner's role.

4 CHAIR KENNEDY: I might suggest we have it in both.
5 Are there any other thoughts from colleagues? If not,
6 I'll open it up for public comment before we head to
7 lunch.

8 Commissioner Akutagawa?

9 COMMISSIONER AKUTAGAWA: Yeah, just for
10 clarification. I think I just want to make sure I was
11 understanding what you were saying about incorporating in
12 the legislative changes. Are you talking about the work
13 that the legislative committee is doing? Do you want
14 that also incorporated in -- onto this work plan so that
15 it can be seen what is going to be done?

16 Because part of it is we're not always -- we're
17 trying to work as -- in partnership and sometimes the
18 timing is a little bit slower. And so we can say when we
19 would want to bring it up, but that may or may not
20 necessarily mean that that's what's going to happen.

21 There's a number of factors that will go into
22 whether or not -- one of them being whether or not
23 there's a sponsor willing to carry a bill. So --

24 CHAIR KENNEDY: Right.

25 COMMISSIONER AKUTAGAWA: -- that's the biggest

1 factor.

2 CHAIR KENNEDY: Right. Right. And my intention is
3 just that we -- that this chart help us keep in mind that
4 the window for legislative changes is open all the way
5 through 2028. Nothing after that but open field before
6 that. And we may evolve in our thinking to reach
7 consensus on some things that we don't currently have
8 consensus on.

9 We know we have things that have not yet been
10 proposed because at the end of the legislative session
11 that we're going to be looking for sponsors on for next
12 year. So I just I just think for to help us keep in mind
13 that this is not yet closed.

14 And keeping in mind the language that I read from
15 the Senate bill analysis about this being a topic on the
16 Assembly Election committee's annual calendar, let's keep
17 that in mind.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Thank you. And I'm sorry
20 that they're -- either Commissioner Sinay or Fornaciari
21 might have mentioned this. I guess I see this a little
22 bit differently. It kind of works with the Management
23 Oversight subcommittee in terms of what staff will be
24 doing, what we will be doing.

25 And I feel that this is great that the chart that



1 they put together. But I also feel that it also needs to
2 work in conjunction with our budget in terms of -- so
3 like, for example, federal incarcerated population, I
4 know Commissioner Turner and I will be working on that
5 and fiscal year 2024.

6 So we want it to be all inclusive. I kind of feel
7 like needs to be a repository and this is a good place
8 for it that we just -- this is what we use to trigger
9 when we need to ask for additional funds. And so I don't
10 want to -- I don't want to say I'm working for free, so
11 I'm going to give it to the staff.

12 No, I'm going to say I'm still going to do it
13 because it is a job of a subcommittee. And it might be
14 in both places. But I just want to make sure that
15 there's -- there is other information we can put in here.

16 And I apologize for not providing the feedback
17 earlier. That also ties with what we provided to
18 Department of Finance in terms of what will we be working
19 on next year and what we need the funds for. So I just
20 think it'll serve -- it would be very useful to us as we
21 move forward with our request.

22 CHAIR KENNEDY: Yeah, I totally agree. In a way,
23 this is -- it's not a full-blown strategic plan, but it's
24 certainly an element that would be included in a
25 strategic plan. And it certainly wouldn't be bad for us

1 to have a full-blown strategic plan for these out years.

2 And this is very useful information and thoughts that
3 have been distilled into this table towards that in.

4 Commissioner Sinay?

5 COMMISSIONER SINAY: Sorry, I didn't -- well, I will
6 just follow up and say anything you'd like to add, since
7 we did kind of go over this last time and approve it --
8 informally approve it, consensus, please send us and
9 we'll add -- and it may be that this is one of those
10 documents that we don't just bury it under the May 2023
11 meeting, but it's a document that's further -- that's up
12 and we can look at it at different times.

13 And then as I said, each year, what we can do as we
14 transition -- I'm sorry, Commissioner Fornaciari, I'm
15 giving us some -- a little bit of work, but split it up
16 between what meetings are coming, similar to what we
17 were, Commissioner Vazquez and I created for the -- each
18 meeting we had kind of that running document where people
19 put things in and we can do something similar to that.

20 CHAIR KENNEDY: Perfect. Thank you. Unless there
21 are further comments here at the table, I'll ask Kristian
22 to call for public comment before we have lunch.

23 PUBLIC COMMENT MODERATOR: Sounds good. The
24 Commission will now take public comment. To give
25 comment, please call 877-853-5247 and enter meeting ID



1 number 82451704202. Once you've dialed in, please press
2 star 9 to enter the comment queue. The full call-in
3 instructions are read at the beginning of the meeting and
4 are provided on the live stream landing page. And
5 there's no one in the queue at this time.

6 CHAIR KENNEDY: Okay. We'll wait until those
7 instructions finished and a few more seconds for anyone
8 interested to call in.

9 PUBLIC COMMENT MODERATOR: Those instructions are
10 complete on the livestream.

11 CHAIR KENNEDY: Okay. I am just reminding
12 colleagues we will be returning to the Recollections,
13 Recommendations and Resources report after lunch. And
14 then I still have the chair rotation and the telephones
15 issue as potential items to address before the end of the
16 day. Okay. Thank you, everyone. Lunchtime until 1:45.

17 (Whereupon, a recess was held)

18 CHAIR KENNEDY: Thank you, everyone. Welcome back
19 to today's meeting of the California Citizens
20 Redistricting Commission. We've had a busy morning so
21 far, and we've got one major item to finish up this
22 afternoon and a few smaller items that we should be able
23 to get to by the end of the day.

24 So we are returning to our Recollections,
25 Recommendations and Resources report from the Lessons



1 Learned Subcommittee. We left off having finished
2 Section H of Volume 1. So now we are moving on to
3 Section I, Public Education. And so I'll open it up.

4 I have just one thought on this to put on the table.
5 In the key recommendations, we talk about developing a
6 standardized presentation, including slides, and
7 accompanying script on the redistricting process. We
8 don't mention language in that key recommendation, and
9 I'm thinking we probably should mention languages, so.

10 I, I. I don't know. I'd be happy if we had in a
11 variety of languages, because we deal with language
12 elsewhere. But I think it is important that those --
13 that the standardized presentation be available in a
14 variety of languages.

15 VICE CHAIR LE MONS: I can't --

16 CHAIR KENNEDY: Commissioner Fernandez?

17 COMMISSIONER FERNADNEZ: And we did do that this
18 year. We --

19 CHAIR KENNEDY: Yes. Exactly.

20 COMMISSIINER FERNANDEZ: Not this year.

21 CHAIR KENNEDY: Exactly.

22 COMMISSIONER FERNADNEZ: Some years ago.

23 CHAIR KENNEDY: Some years ago.

24 COMMISSIONER FERNADNEZ: And I think that was great.

25 CHAIR KENNEDY: Yeah.



1 COMMISSIONER FERNADNEZ: The ability to be able to
2 translate that for all of our community-based
3 organizations is great. .

4 CHAIR KENNEDY: Right.

5 COMMISSIONER FERNADNEZ: And I think what we did, it
6 was the twelve or thirteen languages.

7 CHAIR KENNEDY: Um-hum.

8 COMMISSIONER FERNADNEZ: Yeah.

9 CHAIR KENNEDY: Right. Right. And I don't know
10 that we need to specify a number of languages or specific
11 languages here. If we just put develop a standardized
12 presentation in a variety of languages on the
13 redistricting process and how Californians can
14 participate in it, that would address the issue, I think,
15 adequately here.

16 Commissioner Turner?

17 COMMISSIONER TURNER: I'm sorry. I meant I. And I
18 see an area where it's talking about materials, 11
19 languages beyond English. So different than that?

20 COMMISSIONER YEE: Originally, we have to have two
21 recommendations.

22 COMMISSIONER TURNERE: Oh, so it's in the material
23 but you're talking about upfront to also put it there.

24 CHAIR KENNEDY: Yeah. So in that first bullet --

25 COMMISSIONER TURNER: Got you.

1 CHAIR KENNEDY: -- of the key recommendations.

2 After the parenthetical --

3 COMMISSIONER TURNER: Um-hum.

4 CHAIR KENNEDY: -- put in a variety of languages.

5 COMMISSIONER TURNER: Sure.

6 CHAIR KENNEDY: Commissioner Le Mons?

7 VICE CHAIR LE MONS: Yeah.

8 CHAIR KENNEDY: I'm sorry. Commissioner Akutagawa?

9 COMMISSIONER AKUTAGAWA: Actually, I believe what we
10 ended up doing is those thirteen languages were the
11 languages that were identified by the secretary of state,
12 I think for the COI meetings themselves, we try to expand
13 out more languages based on requests. But I think
14 ultimately we had to make some decisions about which were
15 the ones. And by county there are different nuances.

16 CHAIR KENNEDY: Um-hum. Um-hum.

17 COMMISSIONER AKUTAGAWA: But to make it simpler for
18 statewide, we went with the Secretary of State's
19 languages and maybe that might be the best way. Instead
20 of just seeing a variety of languages, we recommend that
21 they use the Secretary of State languages that they use
22 to translate election materials and other things like
23 that, only because I think that there is potentially
24 going to be changes to the languages depending on the
25 advocacy that is going on.

1 I also want to note that it was not fully inclusive
2 of a lot of African languages. And so fortunately we had
3 community-based organizations who advocated for --

4 COMMISSIONER TURNER: Um-hum.

5 COMMISSIONER AKUTAGAWA: -- some of the like Somali
6 and Orval models that was included. But I think there's
7 also some work being done to ensure that African
8 languages are also being included. So that might be the
9 easiest way to at least make a recommendation. It
10 doesn't mean that that's what they'll have to do, but.

11 CHAIR KENNEDY: My take on that is there's a bit of
12 over a whole page on language access in Section N, cross-
13 cutting issues. And that's where the broader discussion
14 of how many and which and so forth takes place.

15 COMMISSIONER AKUTAGAWA: Would it be better to then
16 refer them to that section then --

17 CHAIR KENNEDY: That's fine.

18 COMMISSIONER AKUTAGAWA: -- maybe instead of just
19 saying variety, just say see cross-cutting issues?

20 CHAIR KENNEDY: Yeah. Russell, do we have any foot
21 notes on key recommendations elsewhere?

22 COMMISSIONER YEE: We do not.

23 CHAIR KENNEDY: We don't.

24 COMMISSIONER YEE: No, no.

25 CHAIR KENNEDY: I didn't think so. Okay.

1 Commissioner Le Mons?

2 VICE CHAIR LE MONS: I wanted to suggest rather than
3 tacking it onto bullet one in the key recommendations,
4 just make it home for. Because you're speaking about it,
5 not just about the materials, but any of the education,
6 the ability to do it in as many languages as possible
7 across medium.

8 So if it's just -- the recommendation is to
9 consider -- this category is --

10 CHAIR KENNEDY: Public education.

11 VICE CHAIR LE MONS: -- Public Education. So in
12 public education to consider whatever is about language,
13 to have it be a public period as opposed to these
14 specific materials. In that way. Everything you can do
15 with you. And that way it affects everything that you --
16 if you can do it --

17 CHAIR KENNEDY: Yeah. I mean, we kind of
18 differentiated between public education and outreach and
19 outreach --

20 COMMISSIONER TURNER: Um-hum.

21 CHAIR KENNEDY: -- and outreach had a lot more
22 materials. But the main public education document was
23 that presentation with the script.

24 VICE CHAIR LE MONS: I don't think I'm following.
25 And what I mean by that is, so we didn't limit ourselves

1 to just the materials --

2 CHAIR KENNEDY: Um-hum.

3 VICE CHAIR LE MONS: -- the presentation being in a
4 different language. We really look to try to dispense as
5 much information, period, in whatever languages we could,
6 right. I feel like if you attach it to the presentation,
7 we're only speaking about in relation to the presentation
8 and sort of exclude these other areas.

9 Where if we add a language, a recommendation, as its
10 own bullet and you're talking about language more broadly
11 as it affects outreach and public education, that's sort
12 of how I'm thinking of it, but it's actually somewhere
13 else as well, then maybe that gets to my point and it's
14 not necessary to do that here.

15 CHAIR KENNEDY: Okay. Commissioner Yee, your
16 thoughts?

17 COMMISSIONER YEE: We can take a quick look at the
18 cross-cutting recommendation, which is --

19 CHAIR KENNEDY: Section N.

20 COMMISSIONER YEE: Yeah, it's way down. Actually,
21 we can do it this way. Let's go up to the top. Okay.
22 Wow, we do not have a -- yeah, we don't have a separate
23 language recommendation there, so.

24 CHAIR KENNEDY: Commissioner Akutagawa?

25 COMMISSIONER AKUTAGAWA: There is a paragraph under

1 this public, I guess the public education portion
2 under -- go to educational outreach, and it looks like
3 it's page 51 on the online document. And the third
4 paragraph, it shows the 2020 CRC staff also made a strong
5 effort to ensure that educational efforts were well
6 documented.

7 It includes -- go down a little bit and it says
8 copies of all printed educational materials produced by
9 the Commission, including materials in eleven languages
10 beyond English are accessible via the Commission's
11 website. So it is acknowledged in there.

12 CHAIR KENNEDY: Um-hum.

13 COMMISSIONER AKUTAGAWA: And then perhaps maybe to
14 what Commissioner Le Mons said, I like what she
15 suggested, creating a separate bullet point. Even though
16 it is under cross-cutting, I think it doesn't hurt to
17 repeat it here again as well too, the importance of
18 making language accessibility is a good thing.

19 CHAIR KENNEDY: Yeah. Okay.

20 COMMISSIONER YEE: So provide materials in -- and
21 how should we phrase it? In a range of languages should
22 be in the secretary of state's designated languages?

23 CHAIR KENNEDY: Well, I think we actually went
24 beyond because I think the secretary of state has like
25 ten and we added two more beyond that.



1 COMMISSIONER AKUTAGAWA: I think this was the
2 secretary of state's list.

3 CHAIR KENNEDY: I did a table at one point.

4 COMMISSIONER AKUTAGAWA: I mean, we certainly did a
5 lot of research.

6 COMMISSIONER FERNADNEZ: We did, yeah.

7 CHAIR KENNEDY: Well, you and I did also.

8 COMMISSIONER AKITAGWA: Yeah, for the COI tool.

9 CHAIR KENNEDY: For the COI tool.

10 COMMISSIONER YEE: Provide a range of materials in
11 at least the --

12 COMMISSIONER AKUTAGAWA: I think it was secretary of
13 state.

14 COMMISSIONER YEE: -- secretary of state's
15 languages.

16 CHAIR KENNEDY: Commissioner Le Mons?

17 VICE CHAIR LE MONS: I guess what I was recommending
18 was just isolating it and creating a bullet that speaks
19 to the importance of language accessibility. If we're
20 going to land on a number, because I think we could spend
21 all day on this issue, eleven of or secretary of state's
22 plus three.

23 Just the recommendation is to explore delivering
24 this information in as many languages as possible --

25 COMMISSIONER AKUTAGAWA: Yeah.



1 VICE CHAIR LE MONS: -- in as many languages and as
2 diverse languages as possible, and then they can within
3 that take our lead and they did thirteen, we'll do
4 seventeen.

5 COMMISSIONER YEE: Okay. So explore delivering
6 educational materials in as many languages as possible.
7 How's that?

8 CHAIR KENNEDY: Yeah, Arabic, for example, was
9 not -- is not on the secretary of state's list. And we
10 did --yeah. Okay.

11 COMMISSIONER YEE: Okay.

12 CHAIR KENNEDY: So we'll add that one bullet.
13 Anything else on public education?

14 Commissioner Fernandez?

15 COMMISSIONER FERNADNEZ: No, I just put my hand down
16 because I was going to -- we could see that we use the
17 secretary of state, but I think we actually did more
18 research than that. And it just so happened that what we
19 were recommending, they also recommended so.

20 And I think that there's going to be more
21 information in 2030. And there might be other
22 information. Sometimes, I know this is hard to believe,
23 it's a little slower for the State to catch up to what
24 the latest languages or information is. So I think
25 they'll have plenty of information available to them that

1 they can pick and choose what they think is appropriate
2 at the time.

3 CHAIR KENNEDY: Right. Right. We actually looked
4 at the VRA section 2 or 3, languages at the federal
5 level. We looked at the I think it's in essence in the
6 electoral code. But the California required languages in
7 Section 14201, we looked at the languages on the
8 Secretary of State's website and we looked at the most
9 frequently requested languages in the California court
10 system and took our best guess of which of those would be
11 the most useful. So yeah, I think we've got the good
12 language for the bullet point at this point.

13 Okay. External Communications, Section J. Yes?

14 UNIDENTIFIED SPEAKER: (Indiscernible).

15 CHAIR KENNEDY: That has media relations because
16 there are a couple of paragraphs on the website, even
17 though we deal with that, I think separately. Yes.

18 COMMISSIONER FERNANDEZ: I'm sorry. Can you go back
19 to the school curriculum materials. And that might have
20 already changed. Okay. Let me just see if -- it was a
21 paragraph that started with future commission. One, two,
22 three, four, five. Can you go down a little bit?

23 Oh. But I'm going -- it's changed. I don't know
24 why it's changed from what I have. Okay. Right here.
25 I'm sorry. Can you go down just a little bit more?

1 Okay. Right there. So in the one that says future
2 commissioners may also wish to consider inviting alumni
3 and individuals remaining in the candidate pool to
4 participate in education outreach efforts, I think my
5 concern was why did we put remaining in the candidate
6 pool to participate in education outreach effort?

7 So they weren't selected. So my reading of this is
8 they were selected as the fourteen. But then we want to
9 make a recommendation that they be -- maybe participate
10 in the educational outreach effort. I wasn't
11 understanding where we were going with this.

12 CHAIR KENNEDY: Yeah, I think -- I mean, this was
13 one of the sections that I drafted from the notes. And
14 there was some interest in at least keeping those
15 remaining in the candidate pools engaged enough so that
16 if there were a vacancy and they needed to be called on,
17 it, wouldn't they wouldn't be completely out of what we
18 were doing. So that was that was part of the thought
19 process as to why it might make sense.

20 And this is this is not a strong recommendation.
21 This is just a -- they wish to consider as something that
22 could or could not be helpful to them.

23 Commissioner Akutagawa?

24 COMMISSIONER AKUTAGAWA: Yeah, I missed that part.
25 In seeing that, yeah, I do wonder if it won't get

1 complicated for a couple reasons. One, paying them,
2 right, because we can't expect them to do it for free.
3 But more importantly, I think, as we have all learned,
4 basically drinking from the fire hose, that there is
5 quite a bit to understand and there's quite a bit to be
6 careful about how we're going to explain and do this
7 education.

8 And I'm wondering if we're going to set ourselves up
9 for, the commission, for 2030 would be set up for
10 unintended challenges if, let's say, people who were part
11 of the candidate pool, and I understand what you're
12 saying about trying to keep them engaged, but they're not
13 like a jury pool that's going to sit in and hear all the
14 stuff.

15 I mean, they're not -- they're going to be removed
16 from the rest of it unless they happen to take the time
17 to watch all the meetings and hear what we do. But we
18 don't know. I guess, I would have a concern about making
19 that recommendation then.

20 And perhaps if in the future, the future Commission
21 wants to do that, they could think about that. But I
22 think right now, I think for us, knowing what we know, I
23 would be hesitant to say that that's something that we
24 should push forward as a recommendation, so.

25 CHAIR KENNEDY: Okay. So but that is specific to

1 the individuals remaining in the candidate pool?

2 COMMISSIONER AKUTAGAWA: Yes. I mean, if they
3 wanted to ask us and were willing to participate, and I
4 think knowing what we know, given our experience, we also
5 know that we have to be careful about what is
6 communicated from an -- even from an education
7 perspective. I feel like that was drilled into us. And
8 I think -- and we've gone through the process so we know
9 how to explain communities of interest for example.

10 CHAIR KENNEDY: Right.

11 ACOMMISSIONER AKUTAGAWA: I think that that would --
12 I think if it were us and were willing, I think that
13 that's okay. I think for those who are in the candidate
14 pool --

15 CHAIR KENNEDY: Okay.

16 COMMISSIONER AKUATAGWA: I would have that
17 hesitation.

18 CHAIR KENNEDY: Okay. Commissioner Le Mons?

19 VICE CHAIR LE MONS: Yeah, I was going to recommend
20 removing that line. I do remember this actually earlier
21 discussions about it, and I think there were kind of
22 people were on the fence about the implications of that.
23 So I think maybe we should just not include that
24 particular group in our document.

25 CHAIR KENNEDY: Okay. Commissioner Turner?

1 COMMISSIONER TURNER: Thank you. I was going to
2 say, I like it being there. I like it being there from
3 the perspective that it is educational. And my
4 recollection of when we were doing education piece, it
5 was very scripted and most of the information was
6 provided and we were trying to ensure that we were saying
7 the same thing to the same group of people.

8 So I don't think there is as great a risk of someone
9 being in the pool going off the rails or having
10 information that they don't have access to -- being asked
11 information that they don't have access to.

12 And I'm particularly interested in learning how do
13 we keep them connected, because it is a very real
14 possibility a couple of different times if we were to
15 lose a commissioner starting back from scratch, I really
16 want to -- I think it's wise to try and think through how
17 do we keep people in the candidate pool that's engaged
18 enough to still be forward facing as opposed to going on
19 with their lives?

20 So I think that's a huge gamble to try to catch
21 someone up and then carry on in the commission work. And
22 I just think it serves as a way to have people continuing
23 to engage with the current commission.

24 CHAIR KENNEDY: Thank you, Commissioner Turner.

25 Commissioner Akutagawa, is your hand still up or up



1 again?

2 COMMISSIONER AKUTAGAWA: I'm sorry.

3 COMMISSIONER YEE: Right there. Taylor. Taylor.

4 COMMISSIONER TAYLOR: Mine is up.

5 CHAIR KENNEDY: Yours is up. Okay. Go ahead.

6 COMMISSIONER TAYLOR: So I support what Commissioner
7 Turner is suggesting in theory. I wonder if this is the
8 place to put that in and not in that area we went to look
9 at earlier. What was it called? Cross?

10 CHAIR KENNEDY: Cross-cutting issues.

11 COMMISSIONER TAYLOR: Cross-cutting issues. That
12 maybe it belongs there. I think this is making it
13 specific to outreach. And I think what we're trying to
14 accomplish is what kind of mechanism can be created to
15 maintain that engagement, have us have people that could
16 potentially step in if they need to, et cetera, which
17 goes way beyond outreach.

18 I mean, I think this is a vehicle to that. And so I
19 would again recommend removing it from here as a specific
20 outreach task audience and put it in the cross section,
21 because it's, I think bigger and broader than what we get
22 out here.

23 CHAIR KENNEDY: Any further comment? Let's go ahead
24 and drop it from here --

25 COMMISSIONER YEE: Okay.



1 CHAIR KENNEDY: -- and make a note to look at that.
2 It can either go in cross-cutting issues or it could
3 go -- I think we have mention of something like that even
4 in the formation at the very beginning.

5 COMMISSIONER TAYLOR: Yeah.

6 CHAIR KENNEDY: Formation and composition, I think
7 we talk about individuals remaining the in the candidate
8 pools and the potential issues of a replacement at a bad
9 time in the process and so forth. So either location
10 which could add one line. Okay.

11 Commissioner Akutagawa?

12 COMMISSIONER AKUTAGAWA: I think what
13 Commissioner -- the distinction that Commissioner Le Mons
14 made on what Commissioner Turner said, I would agree with
15 it. I think there is -- there's two separate issues.
16 One is around just education and outreach. But then
17 there's this other issue of do we have alternate
18 basically?

19 I mean, I guess that's that would be the word I
20 would use. Like one or two out alternates from that
21 final pool of people who the balls are drawn from it.
22 You know, is there another too. But then I think, and
23 this is maybe something Anthony can speak to, is I
24 suspect that this is going to require some kind of
25 legislative change to bring on -- I don't know, or maybe

1 it's just a practice.

2 But then there's got to be other agreements with the
3 legislature and the State auditors, I'm sure, about maybe
4 drawing two more people who are alternates. But
5 they're -- it's kind of like a jury pool, I think.

6 Right. You have your alternates, but they don't get to
7 make the ultimate decisions unless somebody drops out.

8 But they're kept in the loop on everything until
9 such time that you're either excused because the work is
10 done or --

11 CHAIR KENNEDY: Right.

12 COMMISSIONER AKUTAGAWA: -- somebody leaves and
13 they're inserted.

14 CHAIR KENNEDY: And that is mentioned in the in the
15 body of the report.

16 COMMISSIONER YEE: It is. Yeah. It is. Actually
17 ABA-1248, which deals with local redistricting, actually
18 recommends two alternatives, but in our case we would
19 have to three right because don't have one of these pull
20 and so on and it would take a Constitutional revision so.
21 So yeah, we'll take it out here. And when we get to
22 cross-cutting, we can take another look at it.

23 CHAIR KENNEDY: Okay. Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: I'm not in agreement with
25 an alternate or making that recommendation because, I

1 mean, how will we know if we -- like, it could be me. So
2 maybe you want a Latina, or it could be someone else. So
3 how would you pick two -- and Republican? I mean, good
4 luck finding that, right? Right. There was just one of
5 me, so.

6 No, but I mean, I think with the alternate it would
7 be I'm trying to think of the initial eight. It was hard
8 enough to pick the six. And then can you imagine picking
9 alternatives that you think could -- okay, every one of
10 the five that are in the Democrat who's the one that we
11 could replace if any one of those five left? Right. I'm
12 just saying it just adds more confusion --

13 CHAIR KENNEDY: Yeah, yeah, yeah.

14 COMMISSIONER FERNANDEZ: -- and more challenges to
15 the initial eight.

16 CHAIR KENNEDY: Yeah.

17 COMMISSIONER YEE: Yeah, we don't have a
18 recommendation about choosing alternates. We just
19 mentioned it as something to think about.

20 CHAIR KENNEDY: Commissioner Turner Yeah?

21 COMMISSIONER TURNER: So I think alternates would be
22 problematic, but this is why I think that sentence did up
23 in the area of a formation in composition or in cross-
24 cutting, it is extremely important to find a way to
25 think -- we got a high level talked about how do you keep

1 people engaged? Oh my God, what would happen? I think
2 the counsel received at the time is that you have to go
3 through a process and find someone.

4 And so alternates is problematic. But if we can
5 find a way to keep people engaged a little bit more
6 intentionally than what we've done, I think would be
7 better for this Commission -- or for the 2030 Commission.

8 CHAIR KENNEDY: Thank you, Commissioner Turner.

9 Yeah. I'm looking back in formation composition.
10 Commissioner Fernandez?

11 COMMISISONER FERNANDEZ: My hand's still up. I must
12 have known. And I know that we're trying to just
13 differentiate between it's not a recommendation, but it
14 is in the body.

15 CHAIR KENNEDY: Um-hum.

16 COMMISSIONER FERNADNEZ: I mean, if I'm reading it,
17 I'm not necessarily going to go back. If I'm reading it,
18 I think, oh, that's a recommendation. I'm not going to
19 go back to check the bullets. So I think they're --
20 we're trying to make a distinction, but I don't think
21 it's as strong a distinction as to who the reader's going
22 to be. They're not going to --

23 CHAIR KENNEDY: Well --

24 COMMISSIONER FERNADNEZ: -- whether it's a bullet or
25 not a bullet because we put it in our documents. So I'm

1 not saying yes or no to anything that we've done.

2 CHAIR KENNEDY: Okay.

3 COMMISSIONER FERNADNEZ: I'm just kind of going --

4 CHAIR KENNEDY: But under miscellaneous
5 considerations, which is the last section, subsection of
6 Section A, formation composition, it starts out -- the
7 second paragraph of that starts out, while not required
8 by statute, some commissioners wondered whether it might
9 be prudent to select alternate commissioners.

10 So we do have that language in in the formation and
11 composition section. We talk about having to compensate
12 them, talk about potentially adding three more voices to
13 discussions. And we also talk about it might be prudent
14 to make more efforts towards those in the finalist pool
15 who were not selected to advise them to keep some level
16 of availability and interest. So we tried to cover
17 everything in here.

18 COMMISSIONER TURNER: That's good.

19 CHAIR KENNEDY: Okay. So now let's move on to J,
20 External Communications. That has subsections Media
21 relations, Commission Websites, Social Media,
22 Advertising.

23 Commissioner Andersen.

24 COMMISSIONER ANDERSEN: Thank you, Chair. I have
25 on -- under page 54 -- where's mine? Yeah, page 54 of

1 the first paragraph. I'm just going to go back to there.

2 CHAIR KENNEDY: Racial Ethnic Minority Media
3 Outreach?

4 COMMISSIONER ANDERSEN: No. Wait, this is under
5 External Communication. It's under the website.

6 CHAIR KENNEDY: Okay.

7 COMMISSIONER ANDERSEN: Are you on page -- what page
8 are you on?

9 CHAIR KENNEDY: 54.

10 COMMISSIONER ANDERSEN: Okay. I'm sorry. Then
11 maybe it's on 53, Commission Website.

12 CHAIR KENNEDY: Commission Website?

13 COMMISSIONER ANDERSEN: Oh, it is? Okay. Keep
14 going. So you jumped over the --

15 COMMISSIONER YEE: I don't know where you are.

16 CHAIR KENNEDY: It's below that.

17 COMMISSIONER ANDERSEN: It's just a little bit
18 below.

19 CHAIR KENNEDY: All right. I guess it ended up on
20 the next page.

21 COMMISSIONER ANDERSEN: No, can you -- just a teeny
22 bit in between there?

23 CHAIR KENNEDY: It is in between there.

24 COMMISSIONER YEE: What's the paragraph?

25 COMMISSIONER ANDERSEN: It is the -- I was looking



1 at my version of it. It is a paragraph -- the third
2 paragraph on the page says Commission Website. Bingo.
3 You are --

4 COMMISSIONER YEE: On 54.

5 COMMISSIONER ANDERSEN: Yeah.

6 CHAIR KENNEDY: Yeah, it's on 54. Well, yeah,
7 there's a subheading.

8 COMMISSIONER FORNACIARI: You're jumping more
9 than --

10 COMMISSIONER ANDERSEN: Yeah. More than half a
11 page. There's a top third and bottom third. Okay, well
12 I'd like to make just a couple of small edits. In the
13 first sentence it says, maintain 2010's website has been
14 fully built using WordPress format if my time was
15 considered obsolete and non-ADA compliant.

16 COMMISSIONER YEE: Yeah. Okay.

17 COMMISSIONER ANDERSEN: Okay. Then initially the
18 2010 added content websites or contact users that fine.
19 On the surge center switch on the recommendation of new
20 house at the 2010 cycle, the new website using a more
21 modern and non-ADA compliant platform.

22 Then delete, Unfortunately, the California
23 Department of Technology wasn't able to support that form
24 and delete that. And just see this necessitated switch
25 from the dot gov domain to the dot org domain.

1 COMMISSIONER YEE: Okay.

2 CHAIR KENNEDY: Commissioner Turner?

3 COMMISSIONER TURNER: Thank you, Chair. The first
4 bullet under recommendations, key recommendations, is to
5 grant information, determine early in the cycle whether
6 the CRC can and should grant of funds. That's good.
7 Yes. Need to do that. I think it's hidden. It's under
8 the category of advertising when you start talking about
9 it.

10 The first paragraph speaks to the 2020 CRC. It
11 initially helped to provide funding community groups,
12 unfortunately couldn't find it. And then it goes on to
13 talk about the billboards and et cetera. I was looking
14 to see what we had to say about the grants and couldn't
15 find it and kept getting past it over and over because
16 it's under advertising.

17 And it, to me, I didn't have necessarily
18 recommendation, but it almost seems like it should have
19 been either somewhere else or not under advertising or a
20 standalone a what, I don't know.

21 COMMISSIONER YEE: Okay. Yeah.

22 COMMISSIONER TURNER: Kind of like outreach. It was
23 like I wasn't sure why advertising.

24 COMMISSIONER YEE: Yeah. There was some discussion
25 about external grants that got deleted because I kept



1 getting differing opinions about it. You recall early on
2 we explored the possibility. We even formed a
3 subcommittee and had made a decision about using a third-
4 party grant administrator, if we could.

5 And then of course it all fell apart when we found
6 out we didn't have a statutory authority. So it seemed
7 like something we would have recommended 2030 look into
8 since we got that far with it. But it seemed like later
9 there were changes of opinion that maybe we shouldn't
10 have even gone that far because there were mixed
11 feelings -- more mixed feelings that develops later about
12 whether it was a good idea to start with.

13 So I think things got deleted.

14 COMMISSIONER TURNER: Okay. And with that, part of
15 my recollection as well is that one of the prohibiting
16 factors is that there were -- there was conflict of
17 interest for those that were on the board looking into
18 some of the school. Right. I think and wonder if that's
19 something that should be mentioned somehow or not.

20 But I think for the -- because I think that'll
21 continue to be a problem. That was a huge issue with
22 conflict of issue and depending on who selected that
23 almost takes it off the table from the beginning.

24 COMMISSIONER YEE: Yes, it is mentioned. I can't
25 remember exactly where right now, but we could keep that

1 discussion and if you do look at your grant -- outside
2 grants, this is a big issue you have to work out.

3 CHAIR KENNEDY: Thank you, Commissioner Turner.

4 Commissioner Le Mons?

5 VICE CHAIR LE MONS: Yeah. I guess I didn't realize
6 it was under advertising either. I understand it's just
7 a mention, and I'm not recommending whatever was deleted
8 be readded to the document at this point. But I did want
9 to go on the record and say that that was a big thrust of
10 our work in the beginning.

11 And so I guess just personally I want to say I'm a
12 little disappointed that whatever feedback loop that took
13 place to respond to this document resulted in it
14 ultimately being deleted. Even if it was spelling out of
15 the conflict or the concerns that would have us end up
16 where we ended up, I don't think there was anything that
17 we weren't very transparent, and very public about.

18 So again, at this point, I'm not recommending that
19 we add it back. But I know that was -- we went down that
20 whole path because we championed it. At least I thought
21 we did. So the fact that we didn't succeed didn't make
22 it a wasted effort, as far as I'm concerned.

23 CHAIR KENNEDY: It looks like we address it
24 elsewhere. I mean, I just did a search on the whole
25 document for the word grant, and it appears forty-one

1 times in the document. So I'm like, Commissioner Yee, I
2 don't remember exactly where it's been dealt with. But
3 the fact that this word comes up forty-one times in the
4 document, I think it's --

5 COMMISSIONER YEE: Yeah, no. I appreciate the
6 comment, Commissioner Le Mons. And we did discuss it and
7 give quite some history in detail, but took out the
8 recommendation that 2030 -- go right ahead and look into
9 giving out grants, that was the deletion.

10 PUBLIC COMMENT MODERATOR: Okay. I certainly
11 understand why we wouldn't recommend that.

12 COMMISSIONER YEE: Yeah.

13 VICE CHAIR LE MONS: I wouldn't even support
14 recommending that.

15 COMMISSIONER YEE: Yeah. Yeah.

16 CHAIR KENNEDY: Yeah. Great.

17 Commissioner Akutagawa?

18 COMMISSIONER AKUTAGAWA: Yeah, I do want to just
19 note that the work -- I did outreach grants, I did a
20 search for outreach grants, and a lot of it refers to the
21 Irvine Foundation and Philanthropy California money in
22 the document. So the maybe the multiple ones, the forty-
23 one times maybe referring more towards those. I missed
24 that. It was in advertising.

25 I will say that I'd like to suggest perhaps we

1 consider if we can, without adding the additional page
2 count, could it be instead from advertising? Because
3 it's a really hard place to get into the outreach section
4 of the report where I think it actually belongs more so
5 than where it currently is right now.

6 And the reason why I'm also suggesting it because
7 Commissioner Le Mons and I worked on that together,
8 and --

9 COMMISSIONER YEE: Right. I'm sure.

10 COMMISSIONER AKUTAGAWA: -- we spent many of days
11 and times in meetings on this issue and we were quite
12 disappointed. And to be frank, not too happy that we
13 couldn't move forward.

14 COMMISSIONER YEE: Sure. Sure. Sure.

15 COMMISSIONER AKUTAGAWA: And I think as disappointed
16 as we were, I'm sure there was a number of organizations
17 that were hoping that they would receive some funding
18 from us for the purposes of outreach in the form of
19 grants. And unfortunately, it didn't work in that way.

20 But I'm wondering, Commissioner Yee, if it could
21 maybe sit somewhere under scope and strategy, under K,
22 Section K Outreach, maybe, that that sentence could be
23 moved. I do also want to say part of my recollection of
24 the challenge was that there was no precedent.

25 There was no explicit indication that we could do

1 this. It didn't say that we couldn't, but there was
2 nothing that said we could. And because there was no
3 real precedent that really handcuffed us, I think.

4 And the I think to err on the side of making sure
5 that we were going to be, I think, in compliance as best
6 as we can, the recommendation is that we just have to
7 then not do the grants and then instead move on.

8 And I don't know if that's, you know, given our
9 timeline, I'm not going to say that that should be added
10 in at this point, but I think if we can move it out of
11 advertising, that that's a really odd place for it to be.
12 And I think, what happened --

13 COMMISSIONER YEE: Sure.

14 COMMISSIONER AKUTAGAWA: -- we're still working on
15 it, by the way, from a legislative changes committee --

16 COMMISSIONER YEE: Right. Right.

17 COMMISSIONER AKUTAGAWA: -- that is still on our
18 list.

19 CHAIR KENNEDY: Good.

20 COMMISSIONER AKUTAGAWA: So that is still very much
21 part of our intent for next year's work that we're hoping
22 that as the legislation changes, that there will be other
23 precedents created or laws changed so that then we could
24 build on that to then by 2030 hopefully have something in
25 place where the next commission will have an option to

1 hopefully, share some of their funds to then disperse
2 outreach grants to community based organizations, which
3 we feel are better positioned to help get the word out to
4 harder to reach communication.

5 CHAIR KENNEDY: Right. Right. I'll point out that
6 at the end of the outreach section, we say the CRC's
7 inability to make grants to CBOs led some groups to
8 disengage from the process for lack of resources though
9 some groups have been leery of receiving funding from the
10 CRC from the beginning and some commissioners voiced
11 concerns regarding how a grant program could reflect on
12 the CRC. So that is already in the outreach section.

13 COMMISSIONER YEE: Yeah.

14 CHAIR KENNEDY: And if we're going to move something
15 that may be a good place to move it to.

16 COMMISSIONER YEE: Sure. Happy to move key rec to
17 the outreach chapter.

18 CHAIR KENNEDY: Yeah. Okay. Thank you.

19 Commissioner Sinay?

20 COMMISSIONER SINAY: You may have brought this up,
21 but I think there was two conflict of interests or not
22 conflict of interests -- there was what Commissioner
23 Turner mentioned, but then there was some strong pushback
24 from community groups about the commission itself making
25 grants that that would then have some organizations

1 beholden to the Commission, and that when some
2 commissioners hadn't thought about that and raised
3 concerns.

4 I'm kind of agnostic on this, having worked on it
5 before, Commissioner Le Mons and Commissioner Akutagawa,
6 trying to think through if it could be a grant won by a
7 third-party. So I just -- I strongly do recommend that
8 it go into outreach.

9 I know that what we ended up doing with the money
10 that was that we had allocated originally for grants we
11 had put into advertising, and that's why it ended -- it
12 ended up there in the reports.

13 I understand why it ended up there, but I do want to
14 remind of all that the community, a lot of the community
15 advocates, the bigger groups, really cautioned us against
16 making grants because we would be funding people who then
17 would feel uncomfortable coming to us or may be
18 uncomfortable coming to us.

19 CHAIR KENNEDY: Right. Thank you for that.

20 Commissioner Fornaciari?

21 COMMISSIONER FORNACIARI: Yeah. Oops. The deep
22 discussion of outreach grants is on page 25 in the second
23 to last paragraph under -- in the finances. And so
24 there's a there's a whole paragraph discussing the
25 process that we went through to look to try to give

1 outreach grants. And in the discussion ultimately, that
2 we weren't able to give outreach grants. And so if you
3 read through it, you understand it's here on page 25, the
4 process that we went through. And then then it's just
5 touching on it later in the document.

6 CHAIR KENNEDY: Great. Thank you. That's very
7 helpful. Anything else on External Communications?

8 Commissioner Akutagawa?

9 COMMISSIONER AKUTAGAWA: I just want to say one more
10 thing, and it's not necessarily something that needs to
11 be written in, but for the record, I do want to say this,
12 I think because Commissioner Le Mons and I ultimately
13 realized we were not going to be able to really move
14 forward, I don't think we have a chance to really, fully
15 take out all of the details of what a grant program could
16 be.

17 We definitely heard a lot of concerns, but we didn't
18 want to move forward too far until we knew for sure that
19 this was something that was going to happen.

20 CHAIR KENNEDY: Right.

21 COMMISSIONER AKUTAGAWA: So that's why I'm saying it
22 doesn't need to be contained because it wasn't it was
23 something that we were really exploring. But the
24 details, and we know the devil's in these details, we're
25 not really fully baked out, and we would have heard a lot

1 more engagement about what could work and all that. So I
2 just want to make sure that that is also understood that
3 whatever we had was not what was going to happen.

4 And I think sometimes people hear the things that we
5 say and this is what we were going to do. But no, this
6 is not what was going to happen. So I think that caution
7 is also important.

8 CHAIR KENNEDY: Thank you for that.

9 Commissioner Turner?

10 COMMISSIONER TURNER: Thank you, Chair. I was
11 trying to work through how to name it and see if there's
12 a section for this or not. Along the same lines of
13 conflict of interest, wondering if it needs to be stated
14 based on a person's chosen profession there may be
15 waivers or exclusions or bodies of their work that they
16 may need to stop to avoid conflict of interest.

17 And I'm not sure how to it or why, but it could
18 happen over and over, particularly for people that are
19 drawn to this type of work. And I don't know. I think
20 it needs to be consideration of not just the mentioning
21 for this body, depending on what you do, you may not be
22 able to continue in all of the activities to be able to
23 not have a conflict of interest.

24 CHAIR KENNEDY: Yeah. Yeah.

25 Chief Counsel Pane?



1 ATTNY PANE: So to that point, Commissioner Turner,
2 I mean, there's -- as I recall on it, there were probably
3 and I might be missing one, but I think maybe sort of
4 three categories of conflicts of interest. You sort of
5 have the category that Commissioner Turner just mentioned
6 about sort of your own professional changes that you
7 might need to make even after you become a commissioner.

8 There are the qualifications and exclusions in order
9 to qualify to be a commissioner. And then there's the
10 grant piece that this Commission has been discussing,
11 which is -- and Commissioner Sinay brought this up --
12 that community groups won't feel because they can't come
13 to the commission if they were in a position to receive
14 funds.

15 And then actually you have really a fourth one,
16 which is the statutory, which we ran into this in the
17 grant making is where even if you did have one or two
18 commissioners that potentially could take themselves out
19 of it. The fact that the body even is able to vote on
20 it, absent that commissioner, is problematic for the
21 report as well.

22 So there's -- you have this cluster that becomes a
23 cluster of conflicts, different kind of offshoots that
24 are all considered conflicts of interest that were sort
25 of in play on this. So to your point, I don't know where

1 it falls, but that's a bit of the landscape of conflict.

2 It isn't just as simple as the one you mentioned.

3 There's actually three or four other kinds as well
4 that, quite frankly, some of you had to deal with
5 different ones depending upon what the circumstances
6 were. But they were all in play.

7 CHAIR KENNEDY: Thank you for that.

8 Commissioner Fornaciari?

9 COMMISSIONER FERNANDEZ: Derric?

10 CHAIR KENNEDY: Okay. So we're through with
11 External Communications. Okay. On to Outreach, Section
12 K. Anything on Outreach?

13 Commissioner Fornaciari?

14 COMMISSIONER FORNACIARI: The picture reminded me of
15 something I wanted to share that we are still getting our
16 money's worth out of our advertising budget because as
17 you head south on I-5, just south of Williams, our
18 billboard is still up.

19 COMMISSIONER YEE: Too bad it doesn't have your face
20 on it.

21 COMMISSIONER FORNACIARI: Good thing.

22 CHAIR KENNEDY: Thank you for that.

23 Commissioner Akutagawa?

24 COMMISSIONER AKUTAGAWA: I think this is just more
25 of a question. I know it was brought up about

1 reinforcing the importance of the paper COIs for folks,
2 and I know that it's in this section here. Is that an
3 explicit recommendation that you want to lift up to the
4 key recommendations area, or was that -- I can't
5 remember. I know we talked about it yesterday. I just
6 can't remember if it was in another section as a bullet
7 point.

8 COMMISSIONER YEE: We did not add it yet. We could
9 add it here.

10 COMMISSIONER FERNADNEZ: Yeah, I did actually have
11 it to add it as a bullet --

12 CHAIR KENNEDY: Perfect.

13 COMMISSIONER FERNANDEZ: -- to start the process of
14 paper COI tool early in the process.

15 CHAIR KENNEDY: Yeah. For some reason I was
16 thinking we did have that somewhere else. Yeah.

17 COMMISSIONER YEE: We mentioned it yesterday, but I
18 don't think I wrote it down as a key rec though.

19 CHAIR KENNEDY: Okay.

20 'COMMISSIONER YEE: So add that here?

21 CHAIR KENNEDY: Yeah.

22 COMMISISONER YEE: Add a key recommendation to the
23 recommendations to produce it or --

24 CHAIR KENNEDY: Start work on it early.

25 COMMISSIONER YEE: Okay.

1 COMMISSIONER AKUTAGAWA: Can I just add --

2 CHAIR KENNEDY: Yeah.

3 COMMISSIONER AKUTAGAWA: -- that it should be done
4 and start work early? Because I think we don't want to
5 assume that that's something that would be done. And I
6 think the importance of --

7 CHAIR KENNEDY: Um-hum.

8 'COMMISSIONER AKUTAGAWA: -- it was clear because we
9 got quite a few returns and that was also absent or
10 missing the library as well too --

11 CHAIR KENNEDY: Right.

12 COMMISSIONER AKUTAGAWA: -- which was unfortunate.

13 COMMISSIONER YEE: Okay.

14 CHAIR KENNEDY: We'll add that.

15 Okay. Commissioner Turner?

16 COMMISSIONER TURNER: Yeah, back to that same
17 paragraph, last one in that section where it says also
18 the CRC's inability to make grants. I'm wondering if is
19 as a stand-alone would cause questions because there is
20 nothing technically, I think stated that we can't make
21 them.

22 So could we just say or what do you think about just
23 saying also the CRC's inability to make grants because of
24 either a conflict of interest or perceived or is --
25 something that would explain what the inability was?

1 CHAIR KENNEDY: I think maybe a footnote. And
2 Commissioner Fornaciari, you were saying that perhaps the
3 best history of all of this was on page 25. And if we
4 put a footnote referring folks to page 25, that would
5 help them understand the CRC's inability to make grants.

6 COMMISSIONER YEE: Okay. So adding a footnote on
7 page 63, then?

8 COMMISSIONER TURNER: It's at 25.

9 COMMISSIONER YEE: That refers back to -- do you
10 remember where?

11 COMMISSIONER TURNER: Yeah. It's 25. First
12 paragraph probably.

13 COMMISSIONER YEE: Okay. Page 25. Okay. I can add
14 that.

15 CHAIR KENNEDY: Thank you. Commissioner Turner.
16 Commissioner Sinay?

17 'COMMISSIONER SINAY: And the reason you couldn't
18 find the paper tool was the conversation we had during
19 the map when we were looking at the website. Where I
20 would like to encourage the outreach is and we have it in
21 the work plan is really to explore and implement as many
22 civic tools available because we don't know what's going
23 to be available in 2030.

24 And to really look at technology. Technology's going
25 to change. So implement as many civic tools available,

1 including new technology and the traditional paper form.
2 Because I think we want -- the recommendation we should
3 make as used as many ways to gather information as
4 possible, not just -- there's going to be a lot more out
5 there in the future.

6 CHAIR KENNEDY: So something like investigate new
7 civic technologies while also maintaining traditional
8 means or channels of communication.

9 COMMISSIONER AKUTAGAWA: I think she said tools.

10 'COMMISSIONER SINAY: I'm kind of being -- I'm being
11 a little specific here when I say civic tools because
12 that is the language, civic engagement tools, they talk
13 about it there.

14 COMMISSIONER YEE: Yeah.

15 COMMISSIONER SINAY: But I'm trying to be explicit
16 on the language that's being used out there in the
17 broader world.

18 CHAIR KENNEDY: Right. So investigate new and
19 emerging civic tools while maintaining or continuing to
20 use traditional communication channels.

21 'COMMISSIONER SINAY: But do highlight the paper
22 tool.

23 CHAIR KENNEDY: Okay.

24 COMMISSIONER YEE: So this is --

25 COMMISSIONER SINAY: Because when people go to

1 technology, they forget paper.

2 CHAIR KENNEDY: Yeah.

3 'COMMISSIONER YEE: So this is adding a new key rec?

4 CHAIR KENNEDY: Yeah.

5 Commissioner Turner, did you have something further?

6 COMMISSIONER FORNACIARI: And it's civic engagement
7 tools.

8 CHAIR KENNEDY: Right.

9 COMMISSIONER FORNACIARI: It's not just civic.

10 CHAIR KENNEDY: Okay. That's K. Onto L, Data Tools
11 and Management, which is a very short section for a very
12 important subject.

13 Commissioner Akutagawa?

14 COMMISSIONER AKUTAGAWA: Just a quick question. Be
15 somewhat cautious. And I just brought up is the civic
16 engagement tools better put as a key recommendation under
17 this or I guess it would be separate? I'm not sure
18 because it seems like it's more than just outreach.
19 That's why I think I'm just questioning that.

20 COMMISSIONER SINAY: I would encourage you put it as
21 many places as possible. I mean, in my research that I'm
22 doing around redistricting in 2030, it keeps coming up.

23 CHAIR KENNEDY: Okay. Commissioner Andersen?

24 'COMMISSIONER ANDERSEN: Yeah. Thank you. I have
25 in here this -- the Data Tools of the Management -- if

1 you kind of read through the section, which I know we all
2 have a kind of refresh your memory. Basically, it goes
3 into public data -- public input data, public access
4 mapping, kind of does an overview of every one -- all the
5 way through it talks about more communication, better
6 connection with website, the maps, et cetera, and state
7 work database.

8 What I would recommend we add if we haven't talked
9 about this, but right in the very first bullet, we say
10 set up a data management system and on board the staff
11 necessary to manage it as early in the cycle as possible.
12 I would say consider an IT manager/director to oversee
13 the connections of website, data management, and mapping.

14 Because that's what the entire section talks about.
15 We need to have more coordination between the website and
16 the statewide database, how they're putting their input.
17 Our maps on our website, turns out that does not come
18 from our line drawers. Our information did, but the
19 ultimate maps came from Paul Mitchell, our data analyst.

20 And we mentioned that all the way through the
21 section. We don't then do a summary final
22 recommendation, which I think is implicit in as you read
23 through each of them, but we didn't actually state that
24 anywhere.

25 CHAIR KENNEDY: Okay.

1 COMMISSIONER YEE: So adding to the first bullet
2 point then.

3 COMMISSIONER ANDERSEN: Consider IT manager/
4 director to oversee the connections of data management,
5 mapping, and website.

6 COMMISSIONER YEE: Okay. Okay.

7 CHAIR KENNEDY: Thank you, Commissioner Andersen.

8 Commissioner Akutagawa: Yeah. So I think maybe in
9 hearing what Commissioner Andersen just said, maybe it
10 would be a -- I don't know, do we call them executive
11 level positions, kind of like we had a communications
12 director, we had an outreach director.

13 We're going to need someone who's, I don't know, a
14 technology director or something like that, right, to
15 just really be overseeing and seeing the bigger picture
16 around all of these parts that I think Commissioner
17 Andersen talks about. And I think we've we felt it
18 because we assumed that other people would kind of be
19 able to cobble it together, but it wasn't done.

20 CHAIR KENNEDY: Yeah. And I like your idea of
21 classifying that as an executive level staff position
22 because given the fundamental importance of data
23 management to redistricting, yeah, it makes a lot of
24 sense. Thank you for that.

25 COMMISSIONER ANDERSEN: Sorry. One other. I don't

1 know if that recommendation needs to be put elsewhere in
2 the report in terms of our executive -- where if we list
3 them. I wasn't quite sure where that money should go.

4 CHAIR KENNEDY: If anywhere I think it would go in
5 Section B, Support and Staffing.

6 'COMMISSIONER ANDERSEN: Okay. Then I recommend we
7 add it to that as well. Thank you.

8 CHAIR KENNEDY: Okay. Anything further on the L,
9 Data Tools, and Management?

10 Commissioner Akutagawa? Okay. Section M, M for
11 mapping.

12 'COMMISSIONER YEE: M for mapping. That made me so
13 happy right now. Who said that?

14 CHAIR KENNEDY: So Section M is a pretty beefy
15 section. If you want to take a couple of minutes to
16 refresh your memory on it. I'll start out recommending
17 that we remove that subheading under key recommendations
18 that says regarding parcel split and just include those
19 two bullet points in the general list of key
20 recommendations.

21 The first one could have to resolve parcel splits at
22 the end of it. So include in the CRC's budget and work
23 plan provision for two to three months of post maps line
24 drawing legal counsel availability to counties to resolve
25 parcel splits. And just do that because we don't have

1 subheads in any of the other key recommendations lists.

2 COMMISSIONER YEE: That's true. I'm trying to think
3 of some other way of highlighting it though because it's
4 a substantial separate section. Let's think.

5 CHAIR KENNEDY: Well, I think we have a subhead in
6 the body, but we don't have subheads in any of the other
7 key recs in the whole document.

8 COMMISSIONER YEE: No.

9 CHAIR KENNEDY: So to me, it just struck me as --

10 'COMMISSIONER YEE: Okay.

11 CHAIR KENNEDY: -- odd and we can --

12 'COMMISSIONER YEE: Yeah.

13 CHAIR KENNEDY: -- make that clarification in the
14 first of the two bullet points and just have them be part
15 of the key recs on mapping.

16 COMMISSIONER YEE: Okay.

17 CHAIR KENNEDY: Commissioner Sinay?

18 'COMMISSIONER SINAY: My thought was, while
19 everybody was reading, I could just ask that both
20 Commissioner Kennedy and Commissioner Yee, quickly
21 look -- by accident I got into the report on volume 2,
22 volume 3. There's one of them that's using red
23 highlights that had a table -- and has red -- highlighted
24 in red, and you can't even read it.

25 So if you can just look over some of those little

1 visual things before the -- before it goes to print, that
2 would be awesome.

3 CHAIR KENNEDY: Thank you for that.

4 Commissioner Andersen?

5 COMMISSIONER ANDERSEN: Yes, I'm sorry, I did -- I
6 do have one thing. Remember, we sent for Senate
7 referrals and accelerations, did that -- we did a lot of
8 work on that. And we did vote on it in the meeting. I
9 don't know if that got it in here under mapping.

10 COMMISSIONER YEE: There's plenty of discussion
11 about it, but it's not a key rec. Is that what you're
12 asking?

13 COMMISSIONER ANDERSEN: Yeah, and should it be?

14 COMMISSIONER YEE: Let's think. The key rec would
15 be what then specifically?

16 COMMISSIONER ANDERSEN: Is to include that
17 additional step of drawing -- of doing the -- of
18 producing the drawing for Senate deferrals and then
19 the -- Senate deferral and acceleration.

20 CHAIR KENNEDY: Acceleration.

21 COMMISSIONER ANDERSEN: Deferral mapping? Just do
22 that map.

23 COMMISSIONER YEE: So produce an accelerations and
24 deferrals map.

25 'COMMISSIONER ANDERSEN: For use for --

1 'COMMISSIONER YEE: So the issue particularly was to
2 have that available promptly --

3 'COMMISSIONER YEE: Correct.

4 COMMISSIONER YEE: in the post maps period --

5 COMMISSIONER ANDERSEN: Correct.

6 COMMISSIONER YEE: So I'm trying to think of how to
7 phrase that.

8 COMMISSIONER ANDERSEN: In the map you're -- in the
9 mapping phase, at the end of the mapping phase.

10 'COMMISSIONER YEE: Okay.

11 CHAIR KENNEDY: Thank you, Commissioner Andersen.
12 Commissioner Fernandez?

13 COMMISSIONER FERNADNEZ: The key recommendations,
14 there's a couple that I don't necessarily agree with, and
15 I kind of remember talking about it, maybe not talking
16 about. The second one was consider dividing the State
17 into regions and assigning pairs of commissioners to do
18 the initial research and mapping in those regions. I
19 don't necessarily agree with that. I know we divided
20 commissioners up to do outreach.

21 COMMISSIONER YEE: Um-hum.

22 COMMISSIONER FERNADNEZ: But I think personally I
23 think the mapping should be done -- and I realize it's
24 just the initial mapping that we're talking about, but I
25 do feel that it's important for all of us, all fourteen

1 of us, to have gone through that process from the
2 beginning instead of, okay, here's the maps and then go
3 from there. So that's just my comment on that one.

4 And then on the fifth one, consider selecting
5 particular chairs for the mapping phase, those with
6 stronger time management and leadership skills and those
7 who have been effective at working with line drawers.
8 It's kind of like a harsh recommendation because it's
9 almost saying we are who we have to at this time weren't
10 strong time management and leadership.

11 I would consider maybe something different would be
12 to have a separate -- because we just continued our
13 chair, vice chair rotation and it's whoever landed, maybe
14 considered doing a separate rotation to see who wants to
15 do it per se.

16 CHAIR KENNEDY: And possibly even make it part of
17 the mapping playbook.

18 COMMISSIONER FERNADNEZ: Maybe I just felt that it
19 was a really harsh --

20 CHAIR KENNEDY: Well, yeah, I would agree.

21 COMMISSIONER FERNADNEZ: -- recommendation.
22 Because, like, if I don't work well with the line drawers
23 and I can't do it, I mean, this is just --

24 CHAIR KENNEDY: Right.

25 COMMISSIONER FERNANDEZ: -- it was just an



1 interesting.

2 CHAIR KENNEDY: Yeah.

3 COMMISSIONER FERNADNEZ: Maybe we just take out what
4 we put in the parentheses. Because we were being very
5 specific as to what you should look for and I mean, I
6 think --

7 CHAIR KENNEDY: Sure.

8 COMMISSIONER FERNADNEZ: -- we know what it should
9 be.

10 COMMISSIONER YEE: Sure. Sure.

11 CHAIR KENNEDY: Yeah, I think removing the
12 parenthetical addresses the concerns and considers
13 selecting particular chairs for the mapping phase is an
14 adequate recommendation.

15 COMMISSIONER YEE: Yeah, that's fine.

16 CHAIR KENNEDY: Commissioner Akutagawa?

17 COMMISSIONER AKUTAGAWA: I just wanted to -- bullet
18 number 3, I just wanted to encourage adding -- no, wait,
19 not that one. Number 4, bullet number 4, consider more
20 hands-on training of commissioners --

21 CHAIR KENNEDY: Um-hum.

22 'COMMISSIONER AKUTAGAWA: -- on real time mapping.

23 I would actually encourage, not consider, encourage
24 early -- and maybe not frequent, but more than one hands-
25 on training or maybe encourage early and several -- I'm

1 sorry. Robust. Okay that's robust. That's a good one.
2 Robust hands-on training because the first time we did
3 it, I thought that that was really helpful. I wish we
4 were able to do more.

5 And I think it would have been -- it would have
6 better prepared us for what we then encountered, because
7 I think the one time wasn't enough. I think we needed
8 the multiple times trying different areas to really get a
9 sense of what we need to do and what's going to be
10 entailed. And I think we would have gone into the
11 mapping even better prepared.

12 CHAIR KENNEDY: Yeah, yeah.

13 'COMMISSIONER AKUTAGAWA: But starting that early,
14 you can't just do like three days of straight mapping. I
15 mean, you could, but I think we should do it at multiple
16 times during the early part so that the practice is
17 there.

18 CHAIR KENNEDY: Right. So your verb was what -- not
19 consider -- it was -- encouraged.

20 COMMISSIONER YEE: How about just provide?

21 COMMISSIONER AKUTAGAWA: I think it was encourage.

22 COMMISSIONER YEE: How about just provide --
23 provide --

24 CHAIR KENNEDY: Okay.

25 COMMISSIONER AKUTAGAWA: Oh, provide. Yeah.



1 COMMISSIONER YEE: Provide really robust hands-on
2 training.

3 CHAIR KENNEDY: Very good. Thank you for that.
4 Commissioner Fornaciari?

5 COMMISSIONER FORNACIARI: I just want to say, yeah,
6 I support both of the last comments. And Commissioner
7 Sinay brought up yesterday, some training that we've seen
8 from the redistricting hub. I think a really good robust
9 training program that they have. So we'll bring that
10 forward in. It's like step by step. What's a COI? How
11 do you make a COI? How do you use a COI in mapping? How
12 do you do a little bit of mapping? How do you do more
13 mapping and just sort of -- it takes weeks to go through
14 the training, but I think something like that would be
15 outstanding. So I just want to bring something up, throw
16 it out there. I don't know what the others think. And
17 Commissioner Russell, I appreciate that you included my
18 comment in the visualization steps. But for me, I think
19 a key recommendation is -- what we ultimately end up
20 doing is assigning the chair is the only person who give
21 direction to the line drawers. Because we went away from
22 visual -- the first three visualizations with ambiguous
23 direction for the line drawers, and they came back with
24 steps like this is not what we had in mind. And the last
25 visualization was a mess in some places that we wanted to

1 revert back. And I think if we would have had that -- a
2 single person giving direction so that we could all not
3 necessarily agree on, but all understand what the
4 direction was, is -- might be a key recommendation.

5 CHAIR KENNEDY: I thought that was already a key
6 rec. It's in the document.

7 COMMISSIONER YEE: We discussed it. I don't know if
8 it's in the key recs.

9 COMMISSIONER FORNACIARI: It's in the --

10 'COMMISSIONER YEE: It's in the discussion. Yeah.

11 CHAIR KENNEDY: Okay.

12 COMMISSIONER FORNACIARI: It's on page 68, the third
13 paragraph.

14 COMMISSIONER YEE: Okay.

15 CHAIR KENNEDY: Well, let's add that as a key rec.

16 And let me go back to Commissioner Fernandez's point
17 about the second key rec. I mean, that was the practice
18 of the 2010 Commission.

19 COMMISSIONER YEE: Yes, that's what they did.

20 CHAIR KENNEDY: My sense is that we're ambiguous
21 about whether that is the way to go or not, because it's
22 not the way we did it. So we're unfamiliar with it.
23 We're unfamiliar with how it may have affected our
24 process.

25 COMMISSIONER YEE: Right. So it's a -- it's a

1 consider item. It's not a --

2 CHAIR KENNEDY: Right. So we drop that as a key
3 rec.

4 UNIDENTIFIED SPEAKER: Well --

5 'COMMISSIONER YEE: Well, yeah, I mean, it's phrased
6 as one of the things I consider. Not necessarily --

7 CHAIR KENNEDY: Right.

8 COMMISSIONER YEE: There's just so many think about
9 it because --

10 CHAIR KENNEDY: Yeah. Because 2010 did it. So at
11 least one commission did it.

12 CHAIR KENNEDY: Right.

13 COMMISSIONER YEE: But you didn't have to do it,
14 just consider it.

15 CHAIR KENNEDY: Okay. Commissioner Fornaciari, do
16 you have anything further?

17 Commissioner Turner?

18 COMMISSIONER TURNER: Yeah. And I think actually, I
19 think we did do a hybrid of that. So the rec as it reads
20 now says consider dividing the State into regions and
21 assigning pairs of commissioners to do the initial
22 research and mapping in those regions.

23 And if you would recall further in our process,
24 that's exactly what we ended up doing to try and speed
25 the process along. We did assign and have commissioners

1 assigned to work on areas to then bring back
2 recommendations. And I don't necessarily see that
3 anywhere. But to me that was effective in being able to
4 meet time lines.

5 CHAIR KENNEDY: Yeah, I think we didn't include it
6 in the body.

7 'COMMISSIONER TURNER: Is it under --

8 CHAIR KENNEDY: Right. Yeah.

9 COMMISSIONER TURNER: Now I see the bullet.
10 Where --

11 CHAIR KENNEDY: I'm looking for it in the body.

12 COMMISSIONER TURNRE: Um-hum.

13 COMMISSIONER FERNANDEZ: It's under the map --

14 CHAIR KENNEDY: Where?

15 'COMMISSIONER FORNACIRI: Page 70, middle of the
16 first paragraph.

17 CHAIR KENNEDY: Yeah. Right. Okay. It's there.
18 Top first paragraph. The partial paragraph at the top.

19 COMMISSIONER ANDERSEN: So with that, if we're
20 considering removing that other recommendation -- no?

21 CHAIR KENNEDY: I would say at this point we can
22 leave it as a consider. Because right now we're leaving
23 it as a consideration for something 2010 did, but this is
24 what we did and I think it was effective.

25 CHAIR KENNEDY: Or do we or do we eliminate the

1 second bullet because we have the third bullet in there?

2 COMMISSIONER SINAY: Excuse me, Chair. You're only
3 talking to the folks in the room, and others have
4 their --

5 CHAIR KENNEDY: I'm sorry. I've got Commissioner
6 Akutagawa, and I have Commissioner Sinay, and then
7 Commissioner Fernandez.

8 Commissioner Akutagawa?

9 COMMISSIONER AKUTAGAWA: Okay. Well, okay, I'll
10 start with what the current conversation is around the
11 pairings. I think, I mean, there's a there's a keyword
12 that we could take out. I do agree with what
13 Commissioner Turner was saying about towards the end when
14 we started to work in teams. But I think the initial
15 part is what bothers me I think.

16 Because I think at the beginning it helped that we
17 were all engaged in it. But then, as -- once we had our
18 say and then we said, okay, we need to break up into
19 smaller teams to move this work along. I think that was
20 what was effective.

21 So to me, I think if we remove the initial research
22 and mapping and instead just say -- maybe just, I don't
23 know, word it somehow where it speaks to -- once that
24 initial round of mapping actually occurs and we -- and I
25 think everybody wanted to have kind of a say in it and

1 then break up, I think it was -- it worked.

2 And I think that that's where I think the
3 effectiveness was and where we all still felt like we had
4 a we had a part of it. But we also knew that to get the
5 work done, we needed to break it up and that that was
6 okay.

7 I think to do it initially would -- I think it
8 wouldn't have the same kind of cohesiveness that I think
9 we had in terms of the maps. So just to comment on that,
10 I'll just say that part. I wanted to say something about
11 the visualizations.

12 CHAIR KENNEDY: Um-hum.

13 'COMMISSIONER AKUTAGAWA: I do agree. Maybe, having
14 one person. But I think what was challenging -- and
15 maybe I don't know if you all agree, I have both a
16 comment and a question, I guess. So comment is I felt
17 like maybe there was like three or four rounds of the
18 visualization. I felt that that was just too long.

19 We should have just gone -- at that point, we had
20 enough data that we could have actually started the map
21 right after a while. I think the value of some of the
22 visualizations kind of got lost because we said these
23 things and then all of a sudden was like, wait, is this
24 really what we said?

25 And also, I think for us, I felt like going from the

1 visualizations to the actual mapping where we had to be
2 so much more precise. It was kind of there was a little
3 bit of a dissonance almost like wait, we're doing all
4 this visualization and now all of a sudden we have to be
5 so much down to the plus minus five, right?

6 And it became so much harder because we spend all
7 this time on these visualizations. We should have cut
8 that part down. We could have spent more time doing the
9 actual mapping and then maybe even gotten in that second
10 round of maps that we really wanted to get in.

11 I'm also wondering if the visualizations exercise
12 could be part of the early training that we do in terms
13 of the mapping, because as I read in here, it says it was
14 kind of -- I think I read something somewhere in here
15 that it could be started even before we get the census
16 data.

17 COMMISSIONER YEE: Um-hum. Yeah.

18 'COMMISSIONER AKUTAGAWA: So to me, I was just like,
19 that just got me thinking, okay, well, what if we use
20 that as part of our practice and then try to reserve as
21 much of the precious time that we have after we get the
22 census data for the actual mapping so that we could allow
23 the additional round of review and that second nap get
24 feedback and then you know what I mean? So --

25 CHAIR KENNEDY: Yeah.

1 COMMISSIONER AKUTAGAWA: I'll stop there.

2 CHAIR KENNEDY: Thank you, Commissioner Akutagawa.
3 Commissioner Sinay?

4 COMMISSIONER SINAY: Thank you, Chair. In regards
5 to that bullet two, I agree that taking out the -- that
6 needs to be moved down the process because I don't think
7 initial was the right way. And we didn't divide this --
8 well, my understanding on 2010 was that they took the
9 lead, but they didn't do the mapping, that the same group
10 that did the outreach also did a reading of all the COIs
11 and kind of took the lead in making sure that they were
12 the first people to read and look at maps.

13 But I still want to remind us that this is a 2020
14 report and we don't need to bring in -- we need to stay
15 focused on 2020 recommendations and not look at what 2010
16 did, because then we're -- it gets a little confusing. I
17 also want to say that we did do the visualization before
18 we got the census data.

19 That was part of the reason we did it for so long to
20 a certain extent. But I do agree it could be shorter.
21 The reason I like the visualizations and I think is
22 critical is the piece that gets lost a lot of times in
23 redistricting is the narrative that communities of
24 interest as a narrative versus the communities of
25 interest as a map.

1 And the visualizations allowed us to hear what
2 people had to say and kind of try to figure out where it
3 looked on the map. But it could be -- it's definitely
4 part of the training as Commissioner Fornaciari said.

5 The other thing that I've heard that I think -- I
6 don't know if it's in here somewhere, and I apologize if
7 it is, is that we need our staff to keep track of every
8 single comment that the commissioners make to say, move
9 this here, move that there.

10 Because part of what the critiques that it got was
11 that especially when we went from visualization 2 to 3, a
12 lot of what we had requested work did not show up, and
13 the mappers said something completely different.

14 And so we -- I think it's going to be critical in
15 2030 that staff that's not part of the mapping staff, but
16 is part of the commission staff keep track what comments
17 are being sent so that we can also go back to a District
18 and say, why did move those lines?

19 Why did we create the -- there's a reason why we did
20 this in November and our six weeks into December, but
21 what was the original intent? And so some of that needs
22 to be captured better and confirming that requests are
23 being made and honor -- and that we --

24 CHAIR KENNEDY: Thank you for that, Commissioner
25 Sinay. Yes, we do highlight the problems that resulted

1 from not assigning or not tasking that element early
2 enough and clearly enough. And the burden of that put on
3 the Materials Subcommittee as well as the legal team in
4 drafting the -- and the outreach team that was helping us
5 in the background in drafting the actual district
6 descriptions that went into the final maps report. So
7 yeah, that is definitely a concern.

8 Commissioner Fernandez?

9 COMMISSIONER FERNADNEZ: And in terms of the
10 bullets, I do agree that if we just remove bullet 2,
11 bullet 3 is really, I think what we're all talking about
12 in terms of that commissioners go off in pairs with the
13 line drawer. So I think that would be great.

14 And then I did want to talk just quickly about the
15 visualizations. I don't know what page are you on right
16 now, Commissioner Yee, because mine is -- my numbering is
17 off?

18 COMMISSIONER YEE: Page 67.

19 COMMISSIONER FERNADNEZ: Okay. So if we could go to
20 the next page, please. Thank you. Right there we talk
21 about commissioners -- visualizations with commissioner's
22 first experience with mapping. Oh, okay. You took it
23 out. Never mind. You fixed it.

24 COMMISSIONER YEE: Yeah, I read your mind.

25 COMMISSIONER FERNADNEZ: You did. Oh, perfect,



1 COMMISSIONER YEE: I'm psychic.

2 'COMMISSIONER FERNADNEZ: Sorry, I had the old one in
3 there. So I wasn't sure. It looks beautiful. So no
4 other comments.

5 CHAIR KENNEDY: Thank you, Commissioner Fernandez.
6 Commissioner Le Mons?

7 VICE CHAIR LE MONS: I just want to support dropping
8 bullet two and keeping three for the reasons that have
9 been previously stated.

10 CHAIR KENNEDY: Okay. Thank you. And we have the
11 one to add. And now we're dropping one.

12 COMMISSIONER YEE: Okay. Dropping two. I'm going
13 to say, I just had a contrary opinion. Our early going
14 in mapping, it was very uneven how much input different
15 ones of us gave. And I was one of the ones that gave
16 much less input early on.

17 And so one issue is not dividing the state up and
18 assigning commissioners to get mapping from the beginning
19 is that some of us didn't do much mapping. And some of
20 us did a lot. So that's not good or bad, it actually did
21 work out in the end.

22 But that was a downside I think of not assigning
23 early -- some kind of early work to even out the work
24 that was done early. Some of us are just into it more
25 and some were into it less at the beginning and it did

1 work out. But that was one of the reasons for the
2 recommendation. But it seems the consensus is to drop
3 the entire second bullet.

4 CHAIR KENNEDY: Okay. Commissioner Fernandez?

5 'COMMISSIONER FERNADNEZ: Oh, my hand is still up.
6 Okay. So on the next page again, Commissioner Yee. You
7 might have changed this already, so right before the
8 vote. Right there. Okay. Okay. So the last paragraph
9 right before voting rights.

10 General truism in redistricting work is that public
11 interest is low until the first draft maps appear. The
12 2020 CRC proved this wrong to some degree, with strong
13 public participation at thirty-five communities of
14 interest.

15 I don't agree that we had strong public
16 participation in our thirty-five community of interest
17 meetings. I can't remember what the number is, but
18 percentage wise, it's so low to what are the 35,000 that
19 we received. I think it's less than -- let's see. I
20 think it'd be less than ten percent.

21 My brain's not working right now, but less than ten
22 percent of what we received was received in our thirty-
23 five meetings versus once we have the draft maps. That's
24 where you got the 30,000 plus.

25 So I just don't feel that's an accurate -- I don't

1 think we proved it wrong. I think we actually proved
2 that that's correct. That is the correct belief -- or
3 not, belief. That actually happened to us too. have a
4 conversation.

5 COMMISSIONER YEE: I can rephrase that.

6 CHAIR KENNEDY: Can we just eliminate the word
7 strong and say, prove this wrong to some degree with the
8 level of public participation?

9 COMMISSIONER YEE: Sure. You have me remembering
10 the camp stories that we were telling, Commissioner
11 Fernandez. Thank you for that.

12 COMMISSIONER FERNADNEZ: We had more stories about
13 our visits to the area. I loved just doing it because it
14 did provide an avenue for people, but it honestly did
15 reinforce that -- they're not going to react until they
16 see a draft map for the most part.

17 And so I just feel like this paragraph is somewhat
18 misleading --

19 COMMISSIONER YEE: Yeah.

20 COMMISIOENR FERNADNEZ: -- as to what we actually we
21 were hoping that would be the case, but unfortunately, it
22 wasn't.

23 COMMISSIONER YEE: Okay. I'll rephrase the prove
24 this wrong.

25 CHAIR KENNEDY: Okay. Thank you. Any further items

1 on Section M, Mapping? Commissioner Fornaciari?

2 'COMMISSIONER FORNACIARI: On the other hand, I
3 think it was some of the best input we got. Right. And
4 so I don't want to -- I don't want to lose that. I mean,
5 it was maybe kind of the purest community of input that
6 we got. And as soon as the draft maps showed up, then,
7 interest came into it really full speed ahead. So just a
8 thought.

9 CHAIR KENNEDY: Commissioner Fernandez?

10 COMMISSIONER FERNADNEZ: I would agree with that.
11 But that's not what the paragraph saying. But I do agree
12 that what we received prior to the draft maps, in my
13 opinion, and it may not be true, and it really was --
14 this is my community of interest because I haven't seen
15 you try anything because I didn't tell you what I have.

16 CHAIR KENNEDY: Commissioner Yee, do we have that
17 somewhere as a key recommendation? Because I hear that
18 from commissioners a lot that they really strongly
19 support the idea of having community of interest input
20 before the census data arrives for that reason.

21 COMMISSIONER YEE: We do not have that as a key rec.

22 CHAIR KENNEDY: Okay. So I think that that could be
23 made into a key recommendation.

24 COMMISSIONER YEE: So seek pre-map COI input.

25 CHAIR KENNEDY: Yeah, and I know it's in the body,



1 but I think it is something that there's pretty strong
2 feeling on.

3 Commissioner Akutagawa?

4 COMMISSIONER AKUTAGAWA: I am going to confess, I
5 thought we did a lot of extra COI meetings because we
6 were virtual and we were able to do it. Looking at this
7 very helpful table of comparing 2010 to 2020, I was, I
8 will confess, being a little disappointed that we did
9 thirty-five and they did thirty-four. So we were only up
10 by one.

11 COMMISSIONER YEE: Yeah, but that was their line
12 input meetings also. So yeah. Yeah, yeah.

13 COMMISSIONER AKUTAGAWA: Oh, yeah. Oh, I see.

14 CHAIR KENNEDY: They didn't have time for a separate
15 COI phase.

16 COMMISSIONER AKUTAGAWA: I see, I see. Okay. Okay.
17 Okay. So I feel a little bit better then. Sorry, I'm
18 getting a little competitive here. But I think to the
19 point about the purity of the -- and just the quality of
20 the inputs that we got, maybe, really strongly
21 encouraging the -- as many COI input meetings the next
22 commission can do hopefully they'll have the option of
23 making it accessible for people via virtual or some other
24 range.

25 CHAIR KENNEDY: Right. Right. Okay.



1 Commissioner Sinay?

2 COMMISSIONER SINAY: I'm going to jump on the band
3 wagon. I think what makes the California Redistricting
4 Commission (audio interference) 2020 and a lot of other
5 research --

6 CHAIR KENNEDY: I'm sorry, Commissioner Sinay. Can
7 you start over? I'm not hearing you.

8 COMMISSIONER SINAY: I'm sorry. I think my internet
9 has been (audio interference). What I was saying is I
10 think what makes the 2020 California Redistricting
11 Commission very different from other states was that the
12 COI input was (audio interference). So I just wanted to
13 jump on the bandwagon.

14 CHAIR KENNEDY: Thank you for that.

15 Commissioner Andersen?

16 'COMMISSIONER ANDERSEN: Yeah. I just want to
17 double down on that. It's absolutely crucial to get COI
18 input before the census data gets there. Absolutely
19 crucial. Because it is an element of information that we
20 take to help produce the maps.

21 And once the census data is out there and the
22 communities get tainted based on, well, this is how I
23 want my district drawn. And we want the People thinking
24 separately, what is your community. What are your
25 interests that you want to keep together?



1 And then say, oh, how does that affect after that?
2 How does that affect my district? And we have a lot
3 of -- we pushed for all our trusted partners to go like
4 normal guy separate those people are like, well I don't
5 care what you're doing really.

6 Nothing happens till the census gets there. They're
7 like, no, it does. And we have to say that over and over
8 again. And so I really, really want that emphasized in
9 our key recommendations because I don't want to go back
10 to, oh, we're able to do it all together.

11 CHAIR KENNEDY: Right.

12 COMMISSIONER ANDERSEN: You can't do it together
13 just because you don't have the processing time or all
14 that data which you need to put it in proportion and put
15 it all together. So I just want to make sure that just
16 very rigid in how it's a key recommendation.

17 'COMMISSIONER YEE: And what chapter should it go
18 under?

19 CHAIR KENNEDY: I would say initially mapping. I'll
20 take a look and see if we should go somewhere else as
21 well, but definitely in the mapping.

22 COMMISSIONER YEE: Okay.

23 CHAIR KENNEDY: We are at 3:15. It's break time.
24 We have one section left.

25 COMMISSIONER FERNADNEZ: Don't you say it.



1 CHAIR KENNEDY: One section left on the report, and
2 then we can talk about telephones and chair rotation.

3 COMMISSIONER FERNADNEZ: All right. Go team.

4 CHAIR KENNEDY: Go team.

5 'COMMISSIONER YEE: Yay.

6 CHAIR KENNEDY: Thank you. We're on break for
7 fifteen minutes.

8 (Whereupon, a recess was held)

9 CHAIR KENNEDY: Thank you, everyone, for bearing
10 with us during our final break today. We are back. We
11 are making our way through the recollections,
12 recommendations, and resources report from the Lessons
13 Learned subcommittee.

14 I appreciate all of the useful input from colleagues
15 so far, and we are about to launch into our final
16 section, which is cross-cutting issues, Section N. So
17 take a moment, check your notes, see what you have to
18 share with the group as far as comments or suggestions on
19 the cross-cutting issues section of the report.

20 Commissioner Akutagawa?

21 COMMISSIONER AKUTAGAWA: I just want to encourage
22 the addition of -- on bullet point number 4, where it
23 says ensure that translations are completed prior to the
24 launch of public outreach activities. I would like to
25 note that part of that was some of the contracting

1 challenges that we experienced.

2 So perhaps we could add in begin identification of
3 contractors or begin the contracting process earlier so
4 that the translations can then subsequently be done in a
5 more timely way, so.

6 CHAIR KENNEDY: I hear you. I appreciate that.
7 Yes, definitely. I think we've mentioned that issue
8 under, I think it's support in staffing when we talk
9 about the importance of getting that and other contracts
10 in place early.

11 'COMMISSIONER YEE: Um-hum.

12 'COMMISSIONER AKUTAGAWA: Yeah, I think the only
13 reason why I mentioned it here is because it implies
14 that. We just didn't do the translation work early
15 enough. It was really because of delays due to the
16 contracting that then delayed translation. So I think if
17 you're going to get that done, you'd have to start the
18 contracting of the interpreters and translators early.

19 CHAIR KENNEDY: Okay. Okay. So ensure that
20 translation contracts are in place and translations are
21 completed prior to the launch. Okay. Thank you for
22 that.

23 'COMMISSIONER YEE: The theme of the whole entire
24 report is do everything earlier, truthfully.

25 CHAIR KENNEDY: The executive summary.



1 COMMISSIONER YEE: Do everything earlier period. We
2 were told the same thing as I recall, actually.

3 CHAIR KENNEDY: And then of course, we have Section
4 O, which is our scenes from delivery day photo exposition
5 at the back of volume 1 thanks to Commissioner Yee.

6 Commissioner Fernandez?

7 COMMISSIONER FERNADNEZ: I don't expect this bullet
8 to change so it's in the prior section number 3. But I'm
9 just going to go ahead and just kind of let you know
10 where I am on this. Provide Spanish interpretation from
11 day 1, I don't agree with that. I do agree that we
12 should definitely be done for input meetings.

13 And the only reason I don't agree -- if we have
14 unlimited funding and say, yes, let's do it. But if
15 there's going to have to be a decision as to how money is
16 spent and the cost benefit, then if there's a different
17 way to get that information out in terms of is it through
18 radio, some sort of media, I don't necessarily know if
19 providing Spanish interpretation from day 1 when we're
20 setting up our offices, doing panels, all of that, I'm
21 not sure if the cost benefit is there for that, but
22 definitely during input meetings. But again, I don't
23 expect that to be removed. I'm just kind of stating my
24 position on it. Thank you.

25 CHAIR KENNEDY: And I guess to a certain extent that

1 comes down to a question of how many of the Spanish
2 speakers are actually limited English proficient Spanish
3 speakers and how many of them are proficient English
4 speakers? And certainly that would merit our review
5 before any firm decision on that.

6 Commissioner Sinay?

7 COMMISSIONER SINAY: I'm going to fall on a
8 different side of this. I don't think that we can use --
9 when we make things accessible, measuring the cost
10 benefit analysis isn't the best way to go about it
11 because you know how many deaf people are -- we always
12 have translators for the deaf and what not.

13 My experience has been as he's been successful from
14 the very beginning, you increase the number of people who
15 participate. So I definitely understand that it is the
16 budget issue, but I do feel that making language
17 accessible should be on the same par as making it
18 accessible for hard to hear or visually impaired.

19 And again, it's about how we can engage -- the way
20 you measure it in the building of the trust, and showing
21 the intention by doing it at the very beginning, you can
22 show positive intention.

23 CHAIR KENNEDY: Thank you, Commissioner Sinay.

24 Commissioner Andersen?

25 COMMISSIONER ANDERSEN: Yeah, I'm sort of echoing



1 with Commissioner Sinay. I was actually coming at it
2 from the other side, as is all the ADA requirements we
3 get into language here. There are items that we don't
4 think about, but it's your documents. It's usually
5 visually handicapped, which sort of dovetails into
6 language.

7 And whatever -- I agree It's you wouldn't believe
8 how many people reach for accessibility of all different
9 types. And I would like us to ensure we trying just as
10 much as possible. And certain things are mandated by
11 law.

12 I always want to make sure that you're paying
13 attention to what is mandated by law. And then we've
14 all -- we've always gone beyond that. And I'd like that
15 to be the recommendation continue moving forward.

16 CHAIR KENNEDY: Thank you, Commissioner Andersen.
17 Commissioner Turner?

18 'COMMISSIONER TURNER: Thank you, Chair. I think I,
19 as Commissioner Le Mons likes to say, in theory.
20 However, I do think there is a cost justification and
21 I -- as to whether or not we should start providing
22 Spanish interpretation for day 1.

23 I think there is something to be said about if the
24 person is monolingual, a Spanish only, and what degree of
25 participation. And the reason we do that, because we've

1 mentioned earlier, there are several African languages
2 and other languages that we did not even include or think
3 about till way later in the process.

4 And so if we had strong data that indeed there was
5 because of the number of Spanish speakers in California
6 or of course, Spanish descent in California, perhaps if
7 we had the data that said they could not understand or
8 participate and they were the majority, that would be the
9 cost justification.

10 But I think we should look at costs to see if this
11 is something that we need to spend early on. And so I
12 think after all of that, I'm thinking that I don't know
13 that I'm in agreement with providing it or maybe consider
14 something a little bit lesser than providing Spanish
15 interpretation from day 1. I don't know that we would
16 get the full benefit of spending that cost.

17 'COMMISSIONER YEE: How about providing Spanish
18 interpretation as early as appropriate?

19 CHAIR KENNEDY: All right.

20 COMMISSIONER YEE: That's probably a bit weaker.

21 CHAIR KENNEDY: Let's explore this a little bit
22 more. I'm going to call on Commissioner Le Mons. And
23 Commissioner Sinay, if you'll pardon me. And I will add
24 something to the discussion before I call on you. I
25 thought that was still up.

1 COMMISSIONER SINAY: Well, it was but --

2 CHAIR KENNEDY: Well, let me get to Commissioner Le
3 Mons. I'll certainly call on you.

4 Commissioner Le Mons?

5 VICE CHAIR LE MONS: I support Commissioner Turner's
6 position. What I want to add, though, is I think one of
7 the things that we as a commission agree to and really
8 work very hard to do is try to make accessibility as
9 broadly available as possible.

10 And I feel like that really gets to Commissioner
11 Sinay's point. I don't think that the bullet gets to
12 that. I think that the bullet identifies a group. And
13 so I'm wondering if we not say, provide Spanish
14 interpretation from day 1, but strongly suggest that
15 accessibility -- I mean, interpretation services be
16 available as soon as possible, as early as day 1, if
17 possible.

18 Then that way, people who have a challenge
19 participating can request, just like we made available,
20 the ability to request interpreters, and then that
21 doesn't limit it to one language.

22 CHAIR KENNEDY: And that's a that's a good segway
23 into what I wanted to say on this, which is my position
24 since the very beginning has been that Section 203 of the
25 Voting Rights Act requires that -- and I'm quoting here

1 from the Secretary of State's website -- requires that in
2 certain situations, election materials that are available
3 in English must also be made available in the language of
4 a particular minority group.

5 And I have continued to view our work as an
6 essential element of the political process and the
7 electoral process. It does people much less good if they
8 can only vote for candidates determined by other people.
9 And so I have said since the beginning that I would like
10 to see this.

11 Even if it has to be written into law, I would like
12 to see this guided by the language that is in either
13 Section 203 of the Federal Voting Rights Act or
14 California Elections Code, Section 14201, which further
15 requires that county elections officials provide
16 translated to some facsimile ballot and related
17 instructions in precincts where three percent or more of
18 the voting age residents are members of a single language
19 minority and lack sufficient skills in English to vote
20 without assistance.

21 And this is something the Commission Akutagawa and I
22 looked at when we were looking at the language element in
23 in relation to the communities of interest tool. And I
24 think to Commissioner Le Mons' point, I would be
25 perfectly happy with a formulation that said, provide

1 interpretation from day 1 in languages as required under
2 Section 203 of the Federal Voting Rights Act and/or
3 Section 14201 of the California elections taking the
4 mention of a specific language out there and making it
5 clear that we are looking at this from a broader
6 perspective.

7 And I've actually -- and I forget which jurisdiction
8 it is related to, but I am aware that there are other
9 redistricting efforts or non-ballot issues where people
10 are looking more and more to analogize from the Federal
11 Voting Rights Act and say, okay, if bilingual materials
12 are required for voting, they should be required not just
13 for voting, but for the politic -- for participation in
14 the process more broadly. Yeah. So that's where I am on
15 this.

16 Commissioner Sinay, I apologize. And it's your turn
17 now.

18 COMMISSIONER SINAY: No, I put my hand down. No
19 need to apologize. Just because I agree with
20 Commissioner Le Mons. It's about making it acceptable.
21 And acceptable may mean different things to different
22 people. And so I liked his recommendation on -- and
23 provide interpretation, it may be -- what was the other
24 word we used? It wasn't provide, but have it available.
25 I don't know. But I'm stopping here.

1 CHAIR KENNEDY: I think one of the other things that
2 I recall hearing along the way was what we were -- what
3 we were highlighting was anyone who needs an
4 accommodation because of a disability without directly
5 saying that language or inability to function in English
6 could be considered a disability in that context.

7 And so whatever we say, we need to make it clear
8 that we're not just offering to remediate accessibility
9 issues related to mobility or yeah, that we are including
10 language access as an accessibility issue.

11 So Commissioner Yee needs clear guidance --

12 COMMISSIONER YEE: I need guidance.

13 CHAIR KENNEDY: -- on what to put here.

14 COMMISSIONER YEE: The plane is in the air.

15 CHAIR KENNEDY: Commissioner Fernandez?

16 'COMMISSIONER FERNADNEZ: Okay. So thank you to
17 Commissioner Turner, and Commissioner Le Mons. I don't
18 want to come across as saying I don't want to provide
19 Spanish interpretation. My point has always been to be
20 inclusive. And it shouldn't just be Spanish. It
21 shouldn't just be a Tagalog whatever language. I felt we
22 were very generous in our language access policies of
23 five business days. Given that we have to we have to put
24 out our agenda fourteen days, so that give people,
25 community groups enough time to decide whether or not

1 they want to request. So I agree to have it available as
2 soon as possible. I don't know if we can say from day 1,
3 because we have nothing day one. Right? But as soon as
4 possible, because if we sit by day one, then the State
5 auditor's office would need to have something in place
6 with us. Which could be a possibility because they
7 are -- translation and interpretation services are on the
8 California Multiple Award Schedule. So those are fairly
9 easy to process.

10 CHAIR KENNEDY: And they have videography and ASL
11 and other contracts in place, albeit temporary
12 contracts --

13 'COMMISSIONER FERNADNEZ: Right.

14 CHAIR KENNEDY: -- to get us up and running.

15 'COMMISSIONER FERNADNEZ: Right.

16 CHAIR KENNEDY: So they could just as easily.

17 'COMMISSIONER FERNADNEZ: Yes.

18 CHAIR KENNEDY: Just as easily.

19 'COMMISSIONER FERNADNEZ: So thank you for that. I
20 appreciate you putting it in the right context that I'm
21 not saying no to Spanish. I'd never say no to Spanish.
22 I just love Spanish and my culture. I just want it to be
23 accessible to everyone that needs it and wants to -- if
24 anybody wants to listen in on our meetings, bless their
25 heart and we'll actually interpret it in your language.

1 How's that?

2 CHAIR KENNEDY: Well, in an ideal world, yes. But I
3 think, you also make the point about the fiscal reality.
4 And I and my sense is that by referring to something
5 concrete and external to us and objective in terms of
6 Section 203 of the Voting Rights Act or Section 14201 of
7 the California elections code, where we're outsourcing
8 the determination of what is required and what makes
9 economic sense to offer and then just abiding by -- just
10 interpreting voting as including what we're doing, that
11 what we are doing is important to people's participation
12 in the voting process and therefore abiding by the
13 provisions of Section 203, Section 14201 makes sense as
14 the best external objective benchmarks available to us.

15 COMMISSIONER AKUTAGAWA: If I can make a suggestion
16 based on the way we operated --

17 CHAIR KENNEDY: Um-hum.

18 COMMISSIONER AKUTAGAWA: -- especially with the COI
19 meetings and then later on with the line drawing
20 meetings, I think we made it so that anybody can request
21 language interpretation in any language as long as they
22 gave us enough time, I think the five days' notice to
23 find the interpreter. I think if we try to say, you
24 know, does it fit within 14201 or Section 203, I think
25 that that still feels limiting.



1 I think if we stay with the practice that we had, I
2 think there are vendors in place that, whether it's the
3 State auditors or if it's the next commission, that's the
4 other, I think, clarification that we should also say
5 what is day one is a day 1 from the first eight being
6 seated, or is it day one from all fourteen? I think,
7 there's going to be differences in that as well, too. So
8 I think that's also another clarification we should make
9 around what is actually day 1.

10 CHAIR KENNEDY: Thank you for that.

11 Chief Counsel Pane?

12 ATTNY PANE: Thank you, Chair. I would probably
13 underscore Commissioner Akutagawa's approach on it only
14 because I can't tell you that the sections that you
15 referenced are requirement such that we would say
16 required as in those things.

17 I think there are good references that might be
18 another approach as referenced in dot, dot, dot, and that
19 would be fine. But I just don't want us to put something
20 that says required under it, if we're not quoting a
21 particular statute -- a state statute, because I think
22 there's some discussion left on that topic as to
23 whether -- elections and the whole bit -- the chair is
24 familiar with the discussion.

25 So I just -- for the sanctity of this entire report



1 in there and the Commission, I don't want us to put
2 something that says it's required, if it's not
3 technically required, that's all.

4 CHAIR KENNEDY: I would say it's not required by an
5 external power, but we have the authority to establish it
6 as our policy --

7 ATTNY PANE: Absolutely.

8 CHAIR KENNEDY: --to respect the parameters that --

9 ATTNY PANE: Absolutely.

10 CHAIR KENNEDY: -- external document.

11 ATTNY PANE: Absolutely.

12 CHAIR KENNEDY: Even if they're not binding on us,
13 we can use that as a benchmark and say our policy is to
14 adhere to the benchmarks established in these --

15 ATTNY PANE: Yeah, absolutely.

16 CHAIR KENNEDY: -- reference.

17 'COMMISSIONER TOLEDO: Is that a motion?

18 COMMISSIONER YEE: Commissioner Toledo?

19 CHAIR KENNEDY: Commissioner Fernandez?

20 'COMMISSIONER FERNANDEZ: I would just -- I wouldn't
21 say from day 1 personally, I would just say just
22 prioritizing the ability of interpretation services.

23 COMMISSIONER YEE: How about this? Make language
24 interpretation available as early as possible.

25 CHAIR KENNEDY: I think in order to ensure that

1 there is a contract in place that would allow us to
2 provide interpretation on day 1 -- first eight because of
3 what we faced. And if no one requests it, no one
4 requests it. But we can't offer it if that contract
5 isn't in place. And to get the contract in place, I
6 think the language here needs to be stronger rather than
7 weaker.

8 Commissioner Fernandez?

9 COMMISSIONER FERNADNEZ: I just don't think we have
10 the authority to say from day 1, because we have no
11 control over that piece of it. And we're just making
12 recommendations because if we say by day 1, we're
13 actually instructing the State auditor to do it. And we
14 have no authority over that.

15 CHAIR KENNEDY: We're recommending.

16 'COMMISSIONER FERNADNEZ: Well, but I don't take
17 that as a recommendation, because you're saying by day 1.
18 Well, okay, it's just --

19 CHAIR KENNEDY: It says key recommendations. So
20 it's a recommendation.

21 Commissioner Fornaciari?

22 COMMISSIONER FORNACIARI: So Commissioner Sinay and I
23 would put this on our list of things to include and
24 things to think about in the outyear and negotiate and
25 something we can try to negotiate with the State auditor

1 to have a contract in place from day 1. So we're not to
2 lose that threat here.

3 CHAIR KENNEDY: Okay. Commissioner Le Mons?

4 VICE CHAIR LE MONS: Yes. I just wanted to support
5 the from day 1. I think you're illuminating the fact
6 that videography and ASL and other things are handled
7 well that day 1, those are in place, I see this as a
8 natural offshoot of that.

9 So if we can work in the interim years to move it
10 closer to reality, I agree this is just a recommendation.
11 None of these are required or demand per se. We don't
12 have any authority to make them happen. But we're
13 explaining from our experience what we think would
14 enhance the experience going forward.

15 And we'll do our best effort as a commission to try
16 to cross as many T's and dot as many I's from now until
17 2030. And the things we can do, we will. And we won't
18 necessarily be able to accomplish everything we're
19 recommending.

20 CHAIR KENNEDY: Thank you, Commissioner Le Mons.

21 COMMISSIONER YEE: Okay. Are we leaving it as is
22 then? No, okay.

23 CHAIR KENNEDY: We're going to offer.

24 COMMISSIONER YEE: Okay. Give me the exact words.

25 CHAIR KENNEDY: Offer interpretation services from

1 day 1.

2 'COMMISSIONER YEE: Okay. Very good. Okay.

3 CHAIR KENNEDY: Okay. Anything further on Section
4 N?

5 Okay. At this point then, the chair would entertain
6 a motion to approve the report as modified, and we are
7 confident that Commissioner Yee has done his best to
8 record the changes needed.

9 So Corina, are you there?

10 MS. LEON: Yes, I'm here.

11 CHAIR KENNEDY: Okay. So Commissioner Turner has
12 moved to accept to approve the --

13 COMMISSIONER TOLEDO: I second.

14 CHAIR KENNEDY: -- report with modifications, and
15 Commissioner Toledo has seconded.

16 Commissioner Fernandez?

17 COMMISSIONER FERNADNEZ: Just a quick little grammar
18 piece of it. Just throughout the report sometimes we
19 refer to it as August 15th and then sometimes it's 15th
20 of August. If we could just make sure we have the --

21 CHAIR KENNEDY: Yeah.

22 'COMMISSIONER FERNADNEZ: -- consistent. Thank you.

23 CHAIR KENNEDY: Yeah. My fault.

24 'COMMISSIONER YEE: We'll try. We'll try, but I
25 can't promise that.



1 CHAIR KENNEDY: I spent too long in the United
2 Nations putting the number first. Yes. We are working
3 on -- under time constraints and contract constraints.
4 But yes. Okay. So the motion is to approve the
5 Recollections, Recommendations, and Resources report with
6 modifications from the Commission's discussions on July
7 26th --

8 UNIDENTIFIED SPEAKER: June.

9 CHAIR KENNEDY: June 26th and 27th.

10 COMMISSIONER YEE: How time flies.

11 CHAIR KENNEDY: Okay. Motion made by Commissioner
12 Turner.

13 COMMISSIONER FERNADNEZ: So volume 2 -- no, I'm
14 kidding.

15 COMMISSIONER YEE: Not to mention volume 3.

16 CHAIR KENNEDY: And seconded by Commissioner Toledo.
17 Okay. I think we've had sufficient Commission
18 discussion. We need to open it up for public input.

19 PUBLIC COMMENT MODERATOR: Sounds good. All right.
20 The Commission will now take public comment on the motion
21 on the floor. To give comment, please call eight, 877-
22 853-5247 and enter meeting I.D. number 82451704202. Once
23 you've dialed in, please press star 9 to enter the
24 comment queue.

25 The full call-in instructions are read at the



1 beginning of the meeting and are provided on the
2 livestream landing page. And there's no one in the queue
3 at this time.

4 CHAIR KENNEDY: We will give it a couple of moments
5 and then --

6 PUBLIC COMMENT MODERATOR: We have a caller, Chair.

7 UNIDENTIFIED SPEAKER: Renee. Renee.

8 CHAIR KENNEDY: Okay.

9 PUBLIC COMMENT MODERATOR: Ms. Westa-Lusk, please
10 follow the prompts to unmute. The floor is yours.

11 MS. WESTA-LUSK: Yeah. Hello. I just wanted to say
12 I'm glad you finally got through all the recommendations.
13 And I think it's good that you're going to include the
14 part about why you couldn't do the grant information when
15 you looked into it, why you couldn't carry that out.

16 Because I think future commission shouldn't be
17 wasting time on things that are impossible to do. And
18 then I also agree with you on the importance of COI
19 testimony, because in the 2010 and the 2020 Commission,
20 when the COI testimonies were done under public comment
21 prior to the map drawing and the census data release,
22 that's when communities -- the word of mouth starts
23 getting out.

24 And even though you may not think the numbers are
25 very big, those are the usual people from all those



1 communities that came out to give the testimony, they
2 start getting other people in their communities
3 interested, and then it multiplies.

4 So by the time you're ready to draw the map, there's
5 going to be a lot more interest because word of mouth
6 spread and people realize what's on the line for their
7 area. So I thank you for that. Those are my comments.

8 CHAIR KENNEDY: Thank you, Ms. Westa-Lusk. That's
9 very useful insight to us. I think creating that early
10 momentum is perhaps something that we have not focused
11 enough attention on. So we really appreciate your
12 calling in with that.

13 PUBLIC COMMENT MODERATOR: And there are no other
14 callers in the queue, Chair.

15 CHAIR KENNEDY: Very good. Thank you so much.

16 Then, Corina, can you take the vote?

17 MS. LEON: Yes. Commissioner Ahmad?

18 Commissioner Akutagawa?

19 COMMISSIONER AKUTAGAWA: Yes.

20 MS. LEON: Commissioner Andersen?

21 COMMISSIONER ANDERSEN: Yes.

22 MS. LEON: Commissioner Fernandez?

23 COMMISSIONER FERNADNEZ: Yes.

24 MS. LEON: Commissioner Fornaciari?

25 COMMISSIONER FORNACIARI: Yes.



1 MS. LEON: Commissioner Kennedy?

2 CHAIR KENNEDY: Yes.

3 MS. LEON: Commissioner Le Mons?

4 'COMMISSIONER LE MONS: Yes. You'

5 MS. LEON: Commissioner Sadhwani?

6 Commissioner Sinay?

7 COMMISSIONER SINAY: Si.

8 MS. LEON: Commissioner Taylor?

9 Commissioner Toledo?

10 COMMISSIONER TOLEDO: Yes.

11 MS. LEON: Commissioner Turner?

12 COMMISSIONER TURNER: Yes.

13 MS. LEON: Commissioner Vazquez?

14 COMMISSIONER VAZQUEZ: Yes.

15 MS. LEON: And Commissioner Yee?

16 'COMMISSIONER YEE: Yes.

17 'COMMISSIONER FERNADNEZ: Yay.

18 CHAIR KENNEDY: Thank you, colleagues. And I really
19 appreciate everyone's input yesterday and today. I think
20 we have achieved some significant improvements to the
21 draft --

22 COMMISSIONER YEE: Yes.

23 CHAIR KENNEDY: -- to our discussions yesterday and
24 today. I appreciate the constructive attitudes and I
25 think this is something that we all can be proud of and



1 it's just point.

2 With that, I would like to turn it back to Admin and
3 Finance to lead a brief discussion on telephones.
4 Commissioner Yee has shared that his prepaid plan under
5 T-Mobile is significantly less expensive than the \$30
6 level that we were talking about.

7 So I just want to go back to the question of
8 retaining or turning in phones, when we do that,
9 alternate plans, how much time it might take to research
10 alternatives and so forth, and how all of this fits into
11 the budget scenario.

12 'COMMISSIONER FERNADNEZ: Okay. Since that was just
13 a couple hours ago, we haven't really had a chance to
14 look into it.

15 CHAIR KENNEDY: Sure. Sure.

16 COMMISSIONER FERNADNEZ: And I will say that Corina
17 and Terri, and Anthony, and anyone else would be involved
18 in this will be very busy in the next few days. So
19 trying to finalize the RRR report, trying to finalize the
20 report to the legislature, and anything else that we're
21 asking in between.

22 So I would at least request another week for Corina
23 to look into this further. We can definitely research it
24 for -- research it and I'm not sure when we're going to
25 meet again, but we can forward that information to the

1 chair and vice chair -- or probably just to chair at this
2 point. Corina can. Actually, she can do it.

3 And I'm not sure if that's one of those delegated --
4 if that would be a delegate -- something that the chair
5 vice chair could make a decision. Because obviously, if
6 we wait three or six months, the additional costs that
7 we're carrying on our phones. So if it's something that
8 they --

9 ATTNY PANE: My guess would be changing some
10 telephone plans is probably an administrative matter.

11 COMMISSIONER FERNADNEZ: Okay.

12 ATTNY PANE: Yeah.

13 'COMMISSIONER FERNADNEZ: Yeah. So I don't know.
14 What do you think, Commissioner Fornaciari?

15 COMMISSIONER FORNACIARI: Yeah, I would think that
16 too, that the chair and vice chair can make that decision
17 to move forward with that. I think they would just offer
18 again, I mean, I don't need my phone, I turned it in.
19 For the anybody who doesn't need or want to commit or use
20 the Commission phone or encourage them to turn it in.
21 And then we'll figure out how many phones we actually
22 need to get for folks.

23 COMMISSIONER FERNADNEZ: Yeah.

24 CHAIR KENNEDY: Okay. Perfect. I'm not sure why
25 I'm not showing up on the screen, but anyway. Let's see.



1 The other issue is chair rotation.

2 So Commissioner Yee, if you can remind us where we
3 stand as far as the chair rotation. And then once we
4 discuss chair rotation, briefly, then I'm going to turn
5 it over to the vice chair to lead a discussion on
6 schedule for upcoming meetings.

7 COMMISSIONER YEE: Thank you, Chair. So we're
8 simply continuing at the moment the quarterly chair
9 rotation. So the current quarter is coming to a close
10 end of June. Next quarter would be Commissioners Le Mons
11 and Andersen. And go on from there.

12 So we can keep the same order and change the
13 frequency or we can just stay quarterly. It's a question
14 of if commissioners want to serve more than a quarter.
15 If our means are going down to once or twice or two or
16 three times a year.

17 Still you're in the chair, whether or not there's a
18 meeting that is responsibility or does going to six
19 months make more sense or what's good.

20 CHAIR KENNEDY: And the other question that came up
21 was the time period, the monthly, quarterly, whatever,
22 that was always -- meetings that fell within that time
23 period were chaired and vice chaired by this pair. But
24 the actual transition from one set to the next was not
25 tied to that period as much as it was tied to the final

1 meeting of that period before the first meeting of the
2 next period.

3 COMMISSIONER YEE: Well, technically, the chair is
4 in place until the beginning of the next meeting.

5 CHAIR KENNEDY: Until the beginning of the next
6 meeting.

7 COMMISSIONER YEE: Yeah, yeah. That's what we just
8 had decided on. Functionally, chairs and vice
9 chancellors worked together, generally that's how it's
10 worked. But on paper, yeah, the chair is the chair until
11 the beginning of the next meeting.

12 CHAIR KENNEDY: Okay. Yeah. I mean, I -- it seems
13 to me.

14 VICE CHAIR LE MONS: I said the same thing as you
15 said. You got to dabble out at the end of your meeting
16 and chair -p- next chair -- oh, I'm sorry. No, I think
17 you're saying the same thing just from two different
18 directions. No, they're saying --

19 COMMISSIONER YEE: The vice chair becomes the next
20 chair at the beginning of the first meeting that that
21 vice chair chairs. Yeah. Yeah. Yeah.

22 CHAIR KENNEDY: Yeah, that's -- I mean, to me, that
23 doesn't make sense because your vice chair -- your
24 incoming vice chair wouldn't be able to take part in the
25 chair and vice chair prep meeting --

1 'COMMISSIONER FERNADNEZ: Right.

2 CHAIR KENNEDY: -- the run of show prep meeting.

3 'COMMISSIONER FERNADNEZ: Right.

4 'COMMISSIONER YEE: That's correct. But our logic
5 at the time was that the chair needed to be chair to
6 follow up the final business of the meeting that that
7 chair chaired.

8 CHAIR KENNEDY: Right.

9 'COMMISSIONER YEE: That was the logic at the time.

10 CHAIR KENNEDY: Okay. Commissioner Sinay?

11 COMMISSIONER SINAY: So we just kind of gave a lot
12 more responsibility in the chair and vice chair. So I
13 still feel comfortable keeping it at quarterly because
14 it's not just about meetings, it's about managing. We
15 talked about managing staff, dealing with legal.

16 There's so many different pieces and I think
17 quarterly is fine. Still, as someone who was chair and
18 never did a meeting, I still have a lot of work to do.

19 CHAIR KENNEDY: Okay. Thank you for that.

20 Commissioner Akutagawa?

21 COMMISSIONER AKUTAGAWA: Yeah, actually, I echo what
22 Commissioner Sinay said. And I think that was my thought
23 too. I think we are -- even though there's not a
24 meeting, I think there's going to be quite a bit of work
25 now that we're going to be meeting less. So I think at

1 least we should just stay with the quarterly and see if
2 we need to extend it to a six-month long, maybe --
3 whatever the next meeting will be.

4 I wanted to also comment on the timing. My
5 understanding, at least when I was chair at the end of
6 the year, my term ended December 31st and then my vice-
7 chair, who was Commissioner Taylor, then took over
8 starting until January 1. That's what I was told. It
9 was a period of time.

10 So we were a little confused as to whether or not my
11 time ended in that January meeting, but I was told no, it
12 actually ended December 31st. He took over January 1 and
13 then started all the work. And he and I think you
14 started the chair, vice-chair rotation January 1.

15 COMMISSIONER YEE: That's true. And then we started
16 monthly and then now quarterly. And so I think perhaps
17 we just didn't think through it. And we're not
18 consistent probably. Yeah.

19 CHAIR KENNEDY: I mean, to your point about
20 following up, I am hearing from Commissioner Akutagawa, I
21 mean, it seems like the vice chair would be fully able to
22 follow-up. And so to me, it makes more sense to
23 transition at the end of the last meeting of whatever
24 time period, whether it's monthly or quarterly, half
25 yearly, yearly, just the last meeting of that period and

1 then after that last meeting, the next -- the vice chair
2 moves up.

3 COMMISSIONER YEE: Right.

4 CHAIR KENNEDY: -- And is able to follow-up on
5 things.

6 COMMISSIONER YEE: Right. Sure. I mean, if we come
7 up with a quarterly schedule, I mean, that's what's
8 published, just because the schedule -- so June 30th on
9 paper, Ray is no longer chair. In practice, we do what
10 we do right. If Ray has a little business to do, he has
11 to follow up or whatever. I don't know that we need a
12 policy to cover this or do we need to worry?

13 CHAIR KENNEDY: Chief Counsel Pane?

14 ATTN Y PANE: So no, I would say a policy is not
15 required, but clarity probably is, right? So I think if
16 there's a consensus here on how you want to approach
17 this, I think that would be sufficient.

18 CHAIR KENNEDY: Okay.

19 VICE CHAIR LE MONS: It seems like -- oh.

20 CHAIR KENNEDY: Commissioner Fornaciari?

21 VICE CHAIR LE MONS: Okay.

22 'COMMISSIONER FORNACIARI: Wow, he's not even chair
23 yet and he's just taking over. Oh, we got to watch out.

24 VICE CHAIR LE MONS: Well, he did say that the vice-
25 chair was leading this discussion.

1 CHAIR KENNEDY: After rotation.

2 VICE CHAIR LE MONS: Oh, after rotation.

3 CHAIR KENNEDY: And scheduling the next meeting.

4 VICE CHAIR LE MONS: Oh, my bad.

5 COMMISSIONER FORNACIARI: So let's see. Yeah. I
6 mean, if you think back, we started this rotation with a
7 number of meetings, right, kind of thing. And so it made
8 sense that that -- but quarterly for me, I'm fine going
9 quarterly and just trying it out at this point.

10 But I think if we're going time-based, it needs to
11 be time-based and not meeting-based because there may not
12 be a meeting.

13 COMMISSIONER YEE: Right. Right. Right.

14 COMMISSIONER FORNACIARI: So I think on July 1st --

15 'COMMISSIONER YEE: Right.

16 COMMISSIONER FORNACIARI: -- Antonio is the new
17 chair. And then at the end of the quarter, Jane.

18 COMMISSIONER YEE: The stroke of midnight.

19 COMMISSIONER FORNACIARI: Yeah. Okay. I mean,
20 that's why I look at it, but thank you.

21 COMMISSIONER FERNADNEZ: He's fine with it.

22 CHAIR KENNEDY: Commissioner Le Mons?

23 VICE CHAIR LE MONS: I echo what Commissioner
24 Fornaciari said. That's exactly what I was going to
25 suggest.



1 'COMMISSIONER YEE: Yeah.

2 VICE CHAIR LE MONS: That we move -- not have this
3 mix, but move to a time-based so it sunsets at the
4 quarter.

5 COMMISSIONER YEE: Okay. So we don't need a policy.
6 Do we just have a consensus about that? Okay. And then
7 are we staying with the quarterly rotation? Yeah.

8 CHAIR KENNEDY: Yeah.

9 COMMISSIONER AKUTAGAWA: So your schedule works
10 still?

11 COMMISSIONER YEE: Yeah.

12 Commissioner Andersen?

13 COMMISSIONER ANDERSEN: Yeah. I was thinking, just
14 because this is such a kind of like an odd -- we have
15 abused this year, we could do to -- go to every six
16 months to try it now. I understand the what Commissioner
17 Akutagawa said there's so much to do.

18 I think we're going to quickly find out that after
19 this first month or so we'll find out what's really -- is
20 there stuff to do or not? In which case we might revisit
21 this when this next meeting is and go, know what, it
22 makes more sense to just six months.

23 But at this point, I can see -- right now I can see
24 quarter of. Yeah. So as I said, remember, we're talking
25 about revisiting things this next meeting. I think this

1 would be one of them we might want to revisit and extend
2 it.

3 CHAIR KENNEDY: Okay. So then I will turn it over
4 to Vice-Chair Le Mons to lead the discussion on when we
5 might have a next meeting.

6 COMMISSIONER YEE: Wow.

7 VICE CHAIR LE MONS: Okay. So I guess I'm
8 interested -- let me start with -- what I'm thinking is
9 there's a lot we're going to have to revisit. I think
10 these next three months is going to be this evaluation
11 process. I think one of them is subcommittees looking at
12 their priorities.

13 I think it's going to be how we're working with
14 staff and how the different tasks that the subcommittees
15 are working on are moving forward and identifying what
16 are these workloads as they proceed.

17 Also, we have a preparation for the next budget
18 cycle that I think is really important. That's going to
19 be coming up. So I'm anticipating that we would be
20 meeting probably in September. So I just -- I'll start
21 there and see if there's consideration that other
22 commissioners have that suggest when we should be looking
23 at scheduling the next meeting.

24 Commissioner Fornaciari?

25 COMMISSIONER FORNACIARI: Yeah, Commissioner

1 Fernandez, is September, with regard to the budget cycle,
2 is meeting in September good? When do we need to have
3 the budget in?

4 COMMISSIONER FERNADNEZ: Yes, I think September
5 would be good because it's the normal budget process. I
6 will confirm with Terri. I know that the Commission has
7 been able to kind of jump in. It's not necessarily the
8 time that all other agencies do, but I would like to go
9 through that process because it happened last time as we
10 jumped in September, they denied it, and then we jumped
11 back in.

12 So it gives us an opportunity to maybe go talk to
13 some legislate partners, hopefully and maybe get more
14 support. I think September would be good. But it gives
15 us a chance to look at our budget and see where we're at.

16 VICE CHAIR LE MONS: Anyone else have any thoughts
17 on that? Chair?

18 CHAIR KENNEDY: Just pointing out what we currently
19 have on the list of upcoming meetings is Monday,
20 September 11th, which would be the Monday after Labor
21 Day. We did go ahead and proactively drop the dates for
22 July and August, anticipating that we would not be
23 meeting in July and August. But we left four potential
24 dates for the last four months of the year. And the date
25 on the -- currently on the website would be Monday,

1 September 11th.

2 VICE CHAIR LE MONS: Thank you for that, Chair.

3 'COMMISSIONER YEE: I don't think I have your
4 calendar now, but I'm gone the first two weeks of
5 September, out of country. I'm out of country the first
6 two weeks of September. 18th would be fine.

7 COMMISSIONER FERNANDEZ: I can't do the 18th.

8 'COMMISSIONER YEE: The 25th is Yom Kippur.

9 VICE CHAIR LE MONS: The other thing to note is
10 remember, Bagley-Keene expires in a couple of days. So
11 it will be a travel meeting. So if we think about
12 whether or not a Monday -- when are you back,
13 Commissioner Yee?

14 COMMISSIONER YEE: The 14th.

15 VICE CHAIR LE MONS: So is there a preference maybe
16 for traveling a particular date or maybe we could do it
17 on a Tuesday or Wednesday, the following week. I know
18 Wednesdays tend -- in the past --

19 COMMISSIONER AKUTAGAWA: I'm going to be gone that
20 week of the 17th.

21 VICE CHAIR LE MONS: Oh, okay. Sorry.

22 COMMISSIONER YEE: So we're down to the last week of
23 September.

24 VICE CHAIR LE MONS: Yeah. Should we try to meet
25 closer to the beginning of September, Commissioner

1 Fernandez?

2 COMMISSIONER FERNADNEZ: I honestly don't think it
3 would matter, because, as I said, we've -- they've been
4 very lenient with us in terms of when we can turn it in
5 because we are a nontraditional type agency and our ask
6 is very small compared to other documents they have to
7 review. Again, I can ask Terri. And I'll go back to my
8 emails right now to see when we started the process last
9 year.

10 VICE CHAIR LE MONS: Do people have objections to a
11 Friday meeting the 15th? He's back on the 14th, he said.

12 COMMISSIONER YEE: I come back on the 14th. Yeah.
13 I should be able to make the 15th, yeah.

14 VICE CHAIR LE MONS: How about others? The 15th?

15 COMMISSIONER TURNER: No. Yeah, I'm definitely not
16 available, but we'll have a quorum anyway. So it's okay.

17 VICE CHAIR LE MONS: Oh, you're out that week.

18 COMMISSIONER TURNER: Yeah.

19 VICE CHAIR LE MONS: Okay. Commissioner Andersen?

20 'COMMISSIONER ANDERSEN: I'm sorry. In terms of the
21 cycle, does it help for the subcommittee to have the
22 information together to just kind of present it to us and
23 go yes, sounds good. Like i.e., would it be better to
24 have it like that last week in September? Or do you need
25 the Commission to say -- as you're preparing it sort of

1 thing?

2 VICE CHAIR LE MONS: Commissioner Fernandez?

3 COMMISSIONER FERNADNEZ: I think with the BCP,
4 unless it's going to be something completely different
5 than what we've already submitted, I think we could
6 probably work with the chair on that without it having to
7 go through -- so what I'm saying is we could probably, if
8 we have to turn to the BCP earlier than our meeting, I
9 believe we can.

10 And what we did this last process is we turned in
11 the BCP and then at some point we revised it because we
12 changed the salary, the classification -- the IT manager.
13 So we were able to revise it if we need to.

14 If you have it later in September, I think it'll be
15 fine. If we need to turn in the BCP early in September,
16 we can work through Corina with the chair and vice-chair,
17 to move that forward. Because I don't believe we
18 actually -- we didn't vote on the BCP, right, Neal?

19 I don't think we did. I think we just brough it
20 forward and --

21 COMMISSIONER FORNACIARI: I don't remember.

22 COMMISSIONER FERNANDEZ: Yeah, I don't think we did.

23 VICE CHAIR LE MONS: Commissioner Taylor -- I mean
24 Turner?

25 COMMISSIONER TURNER: Yes. If we're looking -- if



1 we don't need the vote and if it can be turned in
2 earlier, if we're going to move from the 11th, could we
3 look at the first or the eighth, if it's going to be a
4 Friday earlier in the month instead of later?

5 VICE CHAIR LE MONS: Sure. Does anyone have any
6 objections with toward the end of the first week -- that
7 it is Labor Day week the 4th, are toward the end of that
8 week?

9 COMMISSIONER YEE: I can do the 1st, not the 4th.

10 VICE CHAIR LE MONS: No, no, no. Oh, you're gone
11 the 4th forward?

12 COMMISSIONER YEE: Yes.

13 VICE CHAIR LE MONS: September 1st you could do.

14 COMMISSIONER YEE: I could September 1st. Yeah.

15 COMMISISONER ANDERSEN: Oh.

16 VICE CHAIR LE MONS: That's Labor Day weekend.

17 COMMISSIONER ANDERSEN: Yeah.

18 VICE CHAIR LE MONS: Yes, yes, yes.

19 COMMISSIONER TURNER: Who goes anywhere Labor Day
20 Weekend?

21 COMMISSIONER ANDERSEN: I won't.

22 VICE CHAIR LE MONS: Actually, I can't do the 1st.

23 'COMMISSIONER YEE: There we go.

24 COMMISSIONER ANDERSEN: Okay. Well, that's out.

25 'COMMISSIONER YEE: That's out.



1 VICE CHAIR LE MONS: But the vice chair could chair
2 the meeting.

3 CHAIR KENNEDY: Commissioner Andersen.

4 COMMISSIONER YEE: At the end of August? Is that --

5 COMMISSIONER FERNADNEZ: Or the last week in
6 September.

7 VICE CHAIR LE MONS: Yeah. Let's look at that last
8 week of September.

9 COMMISSIONER ANDERSEN: The last week of September.

10 VICE CHAIR LE MONS: Is everybody good the last week
11 of September?

12 COMMISSIONER YEE: Yes. Any day.

13 'COMMISSIONER ANDERSEN: I believe so.

14 VICE CHAIR LE MONS: The 25th?

15 'COMMISSIONER YEE: The 25th is Yom Kippur.

16 VICE CHAIR LE MONS: Going once.

17 COMMISSIONER ANDERSEN: The 25th is Yom Kippur.

18 'COMMISSIONER SINAY: Let's not do the 25th because
19 we'll get calls from Yom Kippur.

20 VICE CHAIR LE MONS: Okay. On the 27th?

21 COMMISSIONER YEE: 27th is good.

22 COMMISSIONER ANDERSEN: 27th meeting. Wednesday
23 maybe?

24 VICE CHAIR LE MONS: Okay. So the tentative date,
25 it looks like, will be Wednesday, September 27th. And if

1 there's anything that affects that, we will make sure
2 that we communicate that to you. But that's what we're
3 targeting. Wednesday, September 27th for our next
4 meeting. And remember it's a travel meeting here.

5 COMMISSIONER ANDERSEN: All right.

6 VICE CHAIR LE MONS: Thank you. I'll turn it back
7 to the chair.

8 COMMISSIONER TURNER: Oh, just real quick. So in
9 scheduling that for 9/27, I was noticing our next
10 tentative meeting was on October 6th, so I'm assuming
11 we're going to scratch that? Okay.

12 VICE CHAIR LE MONS: Okay. Yeah, we'll update the
13 website with that meeting and then we'll we will decide
14 in September when our next meeting is. So that will be
15 the only upcoming meeting listed is the Wednesday,
16 September 26th meeting.

17 'COMMISSIONER ANDERSEN: 27th.

18 VICE CHAIR LE MONS: 27th. I'm sorry.

19 CHAIR KENNEDY: Okay. Before I open it for public
20 comment -- general public comment, is there anything
21 further from commissioners?

22 Commissioner Fornaciari?

23 COMMISSIONER FORNACIARI: Before we go, I just want
24 to thank all of our staff who are leaving us at the end
25 of the month. Outstanding job by everyone and the



1 commitment that you all -- the contributions and the
2 commitment to this commission and to the people of
3 California. And then I just want to also just reiterate,
4 thanks for -- Ray and Russell and their hard work on that
5 report.

6 COMMISSIONER YEE: A pleasure. By the way, when you
7 have a chance to take a look at Ray's full Gantt chart on
8 the website as a thing of beauty. It's actually too big
9 to put it in the report as a whole, but it's all there in
10 its glory on the website.

11 CHAIR KENNEDY: Thank you, Commissioner Fornaciari.
12 Commissioner Fernandez, is your hand up?

13 COMMISSIONER FERNADNEZ: It actually is this time.
14 So I was also going to thank everyone. So thank you.
15 And as our last executive staff person -- never mind.

16 COMMISSIONER ANDERSEN: Oh, come on.

17 COMMISSIONER FERNADNEZ: I just want to thank you.
18 I have notes right here. I think Trena said it best.
19 You're just very calming. And you gave us a confidence
20 going forward. And you pivoted before we knew we had a
21 pivot. So thank you.

22 ATTNY PANE: See what you started there. Pinch the
23 thumb, right? Is that what we do? Okay. I've worked
24 since I became attorney for sixteen years with the State.
25 You all -- working with all of you in this job has been



1 the highlight of sixteen years. You've renewed my faith
2 in public service. What you've accomplished and what I
3 have been able to help all of you accomplish is a
4 signature achievement that it is difficult to replicate.

5 And I don't mean in the success, I mean in its
6 collaboration and its honesty and its transparency. We
7 joke many times about indecision. And yet the maps were
8 accomplished. And I also think it's that willingness to
9 come together. It's that collaboration. And in some
10 ways, it's the flip side of that coin, of that indecision
11 that actually got the maps done for all of you.

12 And I consider it a real high privilege that I got
13 to help you all and to get those maps done. In the
14 sixteen years I can say this just doesn't happen in
15 public service. It just doesn't. Maybe it will again,
16 but if there's one thing I can leave all of you with,
17 it's that -- and I don't think you will, don't forget
18 what an amazing achievement this was for all of you. It
19 really is something special.

20 It hasn't happened very much in the past. But there
21 is something unique to what you all did versus the 2010
22 iteration, which will be very different than the 2030
23 iteration. So thank you all so much. I won't say
24 goodbye. I will say, see you soon and take care.

25 CHAIR KENNEDY: And with that, we close our June



1 2023 meeting. Thank you all for your good spirits, your
2 high spirits, your contribution to this ongoing effort to
3 perfect our union. Thank you.

4 COMMISSIONER ANDERSEN: Thank you, Chair.

5 PUBLIC COMMENT MODERATOR: Would you like to take
6 general public comment? We're here, so yes. If we still
7 can.

8 PUBLIC COMMENT MODERATOR: We certainly can, Chair.
9 The Commission will now take general public comment for
10 items on or not on the agenda. To give comment, please
11 call 877-853-5247 and enter meeting number 82451704202.
12 Once you've dialed in, please press star 9 to enter the
13 comment queue.

14 The full call-in instructions are read at the
15 beginning of the meeting and are provided on the
16 livestream landing page. And the Commission will
17 allocate three hours for public comment. There is no one
18 in the queue at this time, Chair. Oh, we have a caller.
19 Ms. Westa-Lusk, you may unmute. The floor is yours.

20 COMMISSIONER ANDERSEN: Oh, yay.

21 MS. WESTA-LUSK: Commissioners, I just want to thank
22 you for all you've done for California and all the staff
23 people. And I'm glad you got the recommendations out to
24 save the next commissioner in 2030 time to do the
25 redistricting.



1 Time is going to get shorter and shorter and shorter
2 and the easier it is for the next commission to hit the
3 ground running and save them lots of time and make the
4 system more efficient and have more time for the
5 constituents to give input. Thank you for everything you
6 did. Bye.

7 CHAIR KENNEDY: Thank you, Ms. Westa-Lusk. I think
8 it's been a comfort to all of us knowing that there are
9 Californians who follow and appreciate our work. And
10 yeah, we really value that. Thank you.

11 PUBLIC COMMENT MODERATOR: There are no more callers
12 in the queue, Chair.

13 CHAIR KENNEDY: Adjourned.

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

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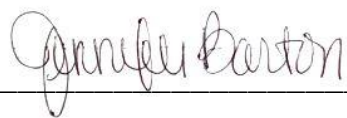
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July 15, 2023

JENNFIER BARTON

