

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

CRC BUSINESS MEETING

FRIDAY, MARCH 28, 2025

9:31 a.m.

Reported By:

Peter Petty



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APPEARANCES

COMMISSIONERS

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

Staff

Tim Treichel, Senior Attorney
Tammy Bacon, Web/IT Specialist
Gloria Pacheco, Administrative Assistant
Corina Leon

Contractors

Technical Contractors

Kristian Manoff, A V Technical Director/Comment Moderator

ALSO PRESENT

Presenters

Justin Levitt, Professor of Law, LMU Loyola Law School

Public Comment

Michael Timpane, Spouse of Late Commission Jane Andersen
Renee Westa-Lusk
D. Azarmi

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P R O C E E D I N G S

9:31 a.m.

CHAIR YEE: Good morning and welcome to a meeting of the California Citizens Redistricting Commission. I am Commissioner Russell Yee and I am chairing this quarter. Let's begin with roll call.

MR. TREICHEL: Commissioner Ahmad.

MR. MANOFF: Use your mic, please. You need to get a little closer.

MR. TREICHEL: Commission Ahmad.

COMMISSIONER AHMAD: (Inaudible response).

MR. TREICHEL: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Here.

MR. TREICHEL: Commissioner Fernandez.

COMMISSIONER FERNÁNDEZ: Present.

MR. TREICHEL: Commission Fornaciari.

COMMISSIONER FORNACIARI: Here.

MR. TREICHEL: Commissioner Kennedy.

COMMISSIONER KENNEDY: Here.

MR. TREICHEL: Commissioner Le Mons.

COMMISSIONER LE MONS: Here.

MR. TREICHEL: Commissioner Sadhwani.

COMMISSIONER SADHWANI: (Inaudible response).

MR. TREICHEL: Commissioner Sinay.

VICE CHAIR SINAY: (Inaudible response).

1 MR. TREICHEL: Commissioner Taylor.

2 COMMISSIONER TAYLOR: Present.

3 MR. TREICHEL: Commissioner Toledo.

4 COMMISSIONER TOLEDO: (Inaudible response).

5 MR. TREICHEL: Commissioner Turner.

6 COMMISSIONER TURNER: Here.

7 MR. TREICHEL: Commissioner Vazquez.

8 COMMISSIONER VAZQUEZ: Here.

9 MR. TREICHEL: Commissioner Yee.

10 CHAIR YEE: Here.

11 We do have nine present in the room for quorum and
12 one remote, Commission Ahmad joining us through Zoom.

13 My Vice Chair, Commissioner Sinay, was delayed at
14 the airport this morning coming up from San Diego, but
15 she will be joining us sometime this morning.

16 In the handouts for the meeting are a run-of-show.
17 We do have a change. The presentation by Professor
18 Justin Levitt, which is scheduled for 11:15, has been
19 moved to after lunch. That will occur at 1:45. That's
20 Professor Justin Levitt leading a discussion of
21 California Fair Maps in 2030.

22 I see Commissioner Toledo has joined us through Zoom
23 as well.

24 On this past December 28th we received the very sad
25 news that we lost one of our Commissioners. Commissioner

1 Jane Andersen passed away and we heard the news through
2 our Chair at that time, Commissioner Vazquez. And it was
3 a very surprise -- surprising and shocking news. And so
4 we were very saddened by that. We actually do have an
5 empty chair for her in the room today and some beautiful
6 flowers which Commissioner Fornaciari has arranged for.
7 And I thought we'd take a few minutes at the beginning of
8 this meeting to share memories of Jane.

9 I myself first came to know Jane as my nemesis. She
10 was selected through the lottery, one of the first eight.
11 And she comes from the same county as I do, Alameda
12 County, and the same political party so I thought to
13 myself, there go my chances. But I quickly came to
14 admire her as she became the first chair of this
15 Commission and led it through the very challenging
16 process of selecting the final six, a process which I
17 must say was extremely successful. And she went on to
18 give her full effort and attention to our shared work.

19 Many of us were able to attend her funeral in
20 Berkeley last month and we were not surprised to hear
21 many stories of how determined and tough she was. Many
22 stories from friends and family. She had strong opinions
23 and a strong will and we experienced that on this
24 Commission. I myself did not always agree with her, but
25 there was never a moment's doubt in my mind working with

1 her that what she wanted above all else was fair,
2 accurate, and impartial maps, and I never had a moment to
3 doubt that.

4 She put her full effort into this Commission and
5 helped us successfully draw and approve those maps. And
6 so along with her family and friends we on this
7 Commission and all of California have lost a treasure in
8 Jane Andersen, former Commissioner of this body.

9 A few minutes. If anyone else would like to share a
10 memory or a tribute to Jane?

11 Commissioner Le Mons.

12 COMMISSIONER LE MONS: Good morning. I'd just like
13 to say I'm not known to be emotional or outwardly one --

14 CHAIR YEE: I think your mic might not be on.

15 COMMISSIONER LE MONS: -- the outwardly emotional
16 one on the Commission, but while attending Jane's service
17 I shared a little story at lunch. And even when I heard
18 her name this morning, it really just brings up a lot of
19 emotion for me, which is surprising on some level.

20 I absolutely loved working with Jane. Her and I got
21 on swimmingly. We are I think cut from similar cloth in
22 terms of logic leaning. And so her being an engineer, it
23 was always a treat because I didn't have to navigate
24 through the artist and the emotions of some others and
25 different personalities. I enjoy all of those

1 personalities as well, but there was something symbiotic
2 about my ability to work with Jane.

3 Also, we shared some subcommittees together and we
4 were often Chair and Vice Chair for each other. So we
5 got to spend a lot of time with each other and really
6 tackle challenges along the way. She will thoroughly be
7 missed by me, as by many. And I just wanted to say it
8 was absolute joy to be a colleague and to work with her.

9 CHAIR YEE: Thank you, Commissioner Le Mons.

10 Others?

11 Commissioner Fornaciari.

12 COMMISSIONER FORNACIARI: Yeah, I'll echo some of
13 those comments. I want to start by saying what a
14 beautiful family she had, Michael, Veronica, Marcus and
15 Peter. Her children are just so well-spoken and well-
16 rounded and they did a beautiful job raising their
17 children. And it was really impressive to see them at
18 the service.

19 And one thing really stuck with me about the service
20 was Veronica's comment she made at the funeral. And one
21 thing she said is, "Mommy never dabbled in anything."
22 And I mean, I think that sums up Jane perfectly. She was
23 all in on everything she did. In the Commission just dug
24 as deep as she possibly could to understand, you know,
25 the issues related to subcommittees she was on. You

1 know, you talked about the commitment and enthusiasm,
2 tireless worker and contributor to the Commission,
3 and that's super valuable.

4 I believe it was at breakfast before the service
5 several of us were sitting around and we all had the same
6 observation about Jane. And you know it's not a
7 criticism; it's related to her commitment and her
8 enthusiasm. But when the phone rang and it was Jane
9 calling you just had to make sure you had an hour or so
10 for the conversation.

11 And I remember one time she called me and left me a
12 message and said, "Five minutes. It's only going to be
13 five minutes." And I waited to call back until I had
14 about forty-five. And we used it all up. But you know
15 it's not meant as a criticism, it's just her enthusiasm
16 in wanting to dig deep. And just the commitment was
17 amazing, so.

18 CHAIR YEE: Thank you.

19 Anyone else?

20 COMMISSIONER TURNER: Yes, I'll go. I just wanted
21 to add in something that I didn't hear at the service,
22 but it was Jane's sense of fashion in that we had a few
23 conversations and laughs. We were close in age and she
24 would say, "You know, I've had this, you know, since the
25 '80s, you know. I just keep this in my closet." Because

1 we'd comment on each other's clothes, and I just -- I got
2 a kick out of them. I loved it. I thought she was a
3 very colorful and the quintessential picture of Berkeley
4 and -- and I loved it. So I loved that.

5 I loved how she loved her family and how proud she
6 was of each of her children. And that I had an
7 opportunity to spend some time offline, not just
8 listening to portions of their performances but sitting
9 in. And she kept -- always felt I had to rush, and I
10 know you have a lot to do. And I'm like, oh, no, I want
11 to hear.

12 And it made her so proud and excited that I would
13 just listen through some of the opera and some of the
14 different songs, because she loved her children. It was
15 important for her so it was important for me. I loved
16 Jane. I appreciated her contributions for sure on the
17 Commission, but I also appreciated the beautiful soul
18 that she was as a person.

19 CHAIR YEE: Thank you, Commissioner Turner.

20 Anyone else?

21 COMMISSIONER AKUTAGAWA: I'll say something.

22 CHAIR YEE: Commissioner Akutagawa.

23 COMMISSIONER AKUTAGAWA: Yeah, I'll say something,
24 too. I mean, you know, I echo everything that everybody
25 else has said. We did laughingly joke about the amount

1 of time we would need to commit to being on the phone
2 with her because two-hour conversations were not -- were
3 not unusual. And for those who are listening might be
4 wondering what did we talk about. It was not all about
5 business. In fact, almost very little of it became about
6 business and more just about getting to know each other.

7 I know my conversations with her -- we found out we
8 were fans of NCIS, so (audio interference) that. We
9 shared quite a bit of other recommendations on TV shows
10 to watch on Netflix and other things like that.

11 Being at the -- her celebration of life, hearing
12 what so many had -- others had to say about her, you
13 know, was just really wonderful. I mean, she was -- as
14 has been said, she was all in and she was deeply
15 committed to everything that she did, including her
16 family. But also her community as well, too.

17 And it was just really great to hear, you know, all
18 of the loving stories about her and just really, I think,
19 knowing that we were also, I think, an important part of
20 her life, you know, was also really great to hear as
21 well, too. And I think -- you know, I think we would all
22 agree she was definitely an important part of our lives
23 as well, too. So you know she'll be very much missed. I
24 think being here together for the first time without her,
25 I think we're feeling it, so.

1 CHAIR YEE: Thank you.

2 Commissioner Taylor.

3 COMMISSIONER TAYLOR: Yeah. We can't say too much
4 about Jane, so I'll just say something real quick. I
5 think we've all experienced -- people watching have
6 experienced -- we would all wait for Jane to go, "Oh,
7 yeah. Oh, yeah." And at that moment we knew she would
8 be off and running again.

9 CHAIR YEE: Yes.

10 COMMISSIONER TAYLOR: So that kind of excitement is
11 contagious. It's something that we all should mimic.
12 It's something that I'll take with her (sic). And I
13 appreciate her bringing that zeal to our Commission, to
14 our conversations, and to our lives.

15 CHAIR YEE: One hundred percent, yes.

16 Yes, Commissioner Kennedy.

17 COMMISSIONER KENNEDY: Just taking off on what
18 Commissioner Taylor said. Yeah, off and running was an
19 important element with Jane. And I think that, you know,
20 as you mentioned, her having been the first chair of this
21 Commission really was getting off on the right foot. The
22 enthusiasm was contagious. The energy was contagious.
23 And I think we all benefitted from that.

24 CHAIR YEE: Thank you.

25 Some might remember that was right during the

1 beginning of the pandemic and quarantine and compulsory
2 masking. And I remember Commissioner Andersen saying at
3 one point, while leading a meeting with a mask on, "Now I
4 know why Darth Vader is so grumpy."

5 I think Commissioner Ahmad online has something to
6 share.

7 COMMISSIONER AHMAD: I do. Jane -- when I first met
8 her through this work she shattered every perceived
9 notion and bias that I held about different political
10 ideologies. She is -- was a Republican but the way that
11 she talked shattered what I thought, based off of what
12 I've been fed in, you know, the -- the corpus of media,
13 what it means to be identified one political party. What
14 she taught me is that, you know, you can talk to anyone
15 from any walk of life and find something in common and
16 find the goodness in everyone's heart. And I'll
17 definitely cheer about that for the rest of my life.

18 CHAIR YEE: Thank you, Commissioner Ahmad.

19 Commissioner Fernandez.

20 COMMISSIONER FERNANDEZ: Okay, look, so I am the
21 emotional one, right? That's why I didn't --

22 CHAIR YEE: All good.

23 COMMISSIONER FERNANDEZ: -- want to talk, but --

24 CHAIR YEE: All good.

25 COMMISSIONER FERNANDEZ: So at first I will admit

1 that it took me a while to love Jane. But I think the
2 thing that I take away most is she processes things by
3 talking it out loud.

4 CHAIR YEE: Um-hum. Yes.

5 CHAIRMAN FERNANDEZ: And many of those that were
6 online and experienced it would see how she's working
7 around an issue and then at the end there really wasn't a
8 point to anything other than her getting it. And she was
9 like, okay, I got it, so we're good to go.

10 But I do -- I just appreciate her love and her,
11 like, heart all in, which I think hopefully all of us
12 will continue to have.

13 CHAIR YEE: Anyone else?

14 COMMISSIONER AKUTAGAWA: If I could share one more
15 memory?

16 CHAIR YEE: Sure.

17 COMMISSIONER AKUTAGAWA: Those of us who have maybe
18 shared meals with her, it is funny. Sometimes she will
19 come in and say, oh, I'm not hungry and then proceed to
20 eat most of our food as we're sharing. So that was also
21 some fun memories of times spent offline with her and
22 just being social with her, so.

23 CHAIR YEE: Right. Thank you.

24 Last chance. Commissioner Toledo, did you have a
25 thought?

1 COMMISSIONER TOLEDO: Yeah. I mean, it took me a
2 while to love Jane, too. But it was hard not to because
3 she was so -- such a -- you know, just such great
4 stories. Her heart was around her family and her friends
5 and her community. It was great. I mean, I also was
6 born in Berkeley so we have that connection. And we
7 worked very closely all the way up in legal affairs
8 committee. And just her attention to detail I
9 appreciated.

10 I appreciated that because in some ways we
11 complimented each other, because I was more on the --
12 looking at the higher -- different -- we would just have
13 a different perspective of how to look at things. And
14 together we made, I think, a good team. So I will -- I
15 will miss her. I miss her.

16 CHAIR YEE: Thank you.
17 Commissioner Fornaciari.

18 COMMISSIONER FORNACIARI: Yeah. You may not be able
19 to see it but Michael has his hand up.

20 CHAIR YEE: Oh, there we are. Michael, Jane's
21 husband.

22 MR. TIMPANE: Good morning, everyone. And I just
23 want to thank everyone. Very difficult for me. I've
24 been doing a lot better than this. You guys are
25 wonderful. I won't say Jane started out loving all of

1 you either but she sure loved all of you by the end. But
2 she really loved being on this Commission. I want to
3 really thank everyone who came.

4 To rate the calls, I don't know if you remember when
5 we used to get AT&T bills back in the day and they
6 actually told you how long a phone call was. And she and
7 her mother blew all of you people away. I would see two
8 hours and forty-seven minutes. I mean, I would literally
9 see phone calls that were incredibly long.

10 Clothes. Commissioner Turner, we're just getting to
11 those, so come on down.

12 And just on a personal level. You know, Ray was my
13 college dorm mate. It's just been a great part of both
14 of our lives actually. I think Jane would have called
15 herself an engineer until 2020 and I think she -- she
16 passed away a Commissioner. So it really meant a lot to
17 her. So thank you very much.

18 CHAIR YEE: Thank you, Michael. We're so sorry for
19 your loss.

20 FEMALE SPEAKER: She knew that was her room. That
21 was her room.

22 CHAIR YEE: Yeah. That's right.

23 Anyone else?

24 Well, you know, we drew all our lines by consensus.
25 We passed our maps unanimously, and Jane was certainly

1 part of that. And we in the State of California will
2 miss her. Thank you, everyone.

3 Let's move on to our staff reports. We're fortunate
4 this morning to have our staff counsel Tim Treichel, IT
5 Director Tammy Bacon, and Administrator Gloria Pacheco
6 with us. And then Corina Leon as well on Zoom. Anything
7 to report?

8 MR. TREICHEL: Nothing to report. Thank you.

9 CHAIR YEE: No updates? Nothing to report. Very
10 good. Thank you.

11 Okay. We move on to the matter of number 4 on our
12 run-of-show, the Commissioner vacancy matter.

13 Let's see. Actually, before that we need to take
14 public comment because we are at the end of a agenda
15 item, agenda item number 2. And so -- actually, 1 and 2.
16 So if we could have the public comment line open?

17 MR. MANOFF: Certainly, Chair.

18 In order to maximize transparency and public
19 participation in our process the Commissioners will be
20 taking public comment by phone and by Zoom. To give
21 comment by Zoom you can find the attendee link on the
22 live stream landing page. Once you join the meeting use
23 the raised-hand button to indicate you wish to comment.

24 To call in, dial the telephone number provided on
25 the screen. It is 877-853-5247. When prompted enter the

1 meeting ID number provided on the live stream feed. It
2 is 87360975507. When prompted to enter a participant ID
3 simply press the pound. Once you've dialed in you'll be
4 placed in a queue. To indicate you wish to comment
5 please press star 9. This will raise your hand for the
6 moderator.

7 When it's your turn to speak you'll hear a message
8 that says the host would like you to talk. Press star 6
9 to speak. If you'd like to give your name, please state
10 and spell it for the record. You are not required to
11 provide your name to give public comment.

12 Please make sure to mute your computer or live
13 stream audio to prevent any feedback or distortion during
14 your call. Once you're waiting in the queue be alert for
15 when it is your turn to speak. And again, please turn
16 down the live stream volume.

17 And we do have an attendee on Zoom who wishes to
18 speak. Renee Westa-Lusk.

19 CHAIR YEE: Okay. Good.

20 MR. MANOFF: Renee, you can now unmute.

21 MS. WESTA-LUSK: Okay. Good morning, Commissioners.
22 It's been a long time since I attended one of your
23 meetings. But I too want to express my condolences to
24 Commissioner Andersen and her family, and to all of you
25 because without her I don't think my area would have

1 gotten the lines we got. And for me it's a special
2 thing.

3 And I -- the one thing I really liked about her is
4 that she was very methodical and fact oriented and stuck
5 to factual information, and I greatly appreciated that.
6 And -- but I liked her business attitude and acumen when
7 it came to details of accuracy. So I really am greatly
8 dismayed about her passing. And I thank all of you for
9 sharing all those wonderful stories about her. Thank
10 you.

11 CHAIR YEE: Thank you, Ms. Westa-Lusk.

12 MR. MANOFF: And that is all the public comment I
13 have at this time, Chair.

14 CHAIR YEE: Thank you.

15 We move on to agenda item number 3, Commissioner
16 vacancy discussion and vote.

17 COMMISSIONER FERNÁNDEZ: Corina's hand is up.

18 CHAIR YEE: Oh, I'm sorry.

19 COMMISSIONER FERNÁNDEZ: But Linda signaled.

20 CHAIR YEE: Okay. Before that, let's hear from
21 Corina Leon. Go ahead.

22 FEMALE SPEAKER: I believe she's speaking, but it's
23 not --

24 CHAIR YEE: I'm sorry, Corina, we're not hearing
25 you. It wouldn't be a meeting without tech issues.

1 MR. MANOFF: Corina, I show your mic is on but we
2 are not hearing you. She messaged she will try again
3 later.

4 CHAIR YEE: Okay. Very good.

5 Was there something else that was -- to share,
6 because I want you to --

7 COMMISSIONER AKUTAGAWA: Yes. I apologize, Chair.
8 We're -- we went -- are a little out of order. We forgot
9 to mention one more thing that I think is important as
10 part of the tribute to Jane Andersen -- Commissioner Jane
11 Andersen.

12 We want to -- Commissioner Fernandez and I do want
13 to acknowledge that we were able to --

14 CHAIR YEE: Oh, yes.

15 COMMISSIONER AKUTAGAWA: -- with our legislative
16 partners we were able to get a proclamation from the
17 California State Legislature in honor of Commissioner
18 Andersen's service.

19 I do want to acknowledge and thank Michael Wagaman,
20 Ethan Jones, and Diane Griffiths for their help in
21 securing this, you know, really beautiful resolution that
22 I know was very special to her and to her family. It is
23 in the handouts so that if anybody was wondering what it
24 looked like or what we said in it, it is there and we
25 wanted to just acknowledge that. And I know it was very

1 much appreciated by the family as well, too.

2 CHAIR YEE: Yes. Very good. Yes. My apologies.
3 Thank you for reminding us.

4 We don't have Corina back it looks like so let's
5 move on then at this time to number 3, Commissioner
6 vacancy discussion and vote. Let me say a few words of
7 how we got here.

8 This is the second time now that the Commission has
9 experienced a vacancy. The first time was with the 2010
10 Commission, and they had a resignation very early in
11 their work together and -- before the maps, and so
12 promptly appointed a replacement and went on to
13 successfully complete their maps.

14 Our situation is quite different. We're now several
15 years out from having completed our maps. There is not
16 currently any outstanding business or lawsuits, or
17 anything else that would require a super majority vote or
18 have any potential partisan considerations. So there
19 does not seem to be a practical or working need at this
20 time for a replacement Commissioner, however there may be
21 a legal need and that's what we're here to discuss and
22 perhaps have done.

23 And if you'd like, you can take a look at the third
24 handout in the meeting handouts, the Commissioner vacancy
25 statute and regulation handout. The two most relevant

1 provisions in the law governing this situation, a
2 statutory provision, Government Code, Section
3 8252.5(b)(2), any vacancy, whether created by removal,
4 resignation, or absence in the fourteen Commission
5 positions that occurs on or after December 31st of a year
6 ending in the number 2 shall be filled, emphasis added,
7 by the Commission within 90 days after the vacancy occurs
8 from the sample of applicants of the same voter
9 registration category as the vacating nominee that was
10 remaining after all the legislative leaders exercised
11 their strengths. And so we are in 2025, so after 2022,
12 and so this provision applies.

13 A regulation is also relevant, which was written
14 later after this statute, California Code of Regulations,
15 Title 2, Division 10, Chapter 1, Section 60863(b). If a
16 vacancy occurs on the Commission after it completes its
17 redistricting function and the Commission determines that
18 it needs to fill the vacancy but is unable to fill it
19 with an applicant from the same sub pool, et cetera.
20 This regulation was written later and did pass both state
21 and federal review.

22 So these are in conflict. The statute does not give
23 discretion whereas the regulation does. And in the
24 hierarchy of state law the statute is above the
25 regulation and so would be the prevailing regulation.

1 And along with our counsel, Tim Treichel, and with
2 consulting with Deputy Attorney General Jay Russell, we
3 discussed this matter at length -- at great length and we
4 all agree that the statute is legally above the
5 regulation, even though the regulation was written later.

6 So here we are. On one hand it does not seem to
7 give you a substantive need for replacing a Commissioner.
8 On the other hand, the prevailing statutory provision
9 does not seem to give discretion in the matter.

10 By the way, you'll notice that neither the statute
11 nor the regulation prescribes a particular procedure for
12 appointing a replacement, does not require super majority
13 vote, it simply directs the Commission to appoint a
14 replacement.

15 Okay. With that, let me open it up to discussion
16 among the Commissioners.

17 Commissioner Kennedy.

18 COMMISSIONER KENNEDY: Thank you, Commissioner Yee.

19 It may seem like an unnecessary burden, but from my
20 perspective not filling a vacancy would leave a handful
21 of individual members from that same sub pool as the
22 individual whose seat becomes vacant with greater weight
23 in any special vote. And no, we don't necessarily
24 foresee a need for a special vote, but if we look at the
25 provisions requiring a special vote, that's any

1 consultant that we hire. So if we were to need a
2 consultant for anything at this point we would have a
3 special vote.

4 And if we needed -- my other point is if we needed a
5 special majority of the first eight to fill the six
6 remaining seats and if we have to have a special majority
7 vote to hire any staff, any legal counsel, or any
8 consultant, I really fail to see why we would not need to
9 have a special majority to fill a vacancy.

10 Now, you know, this points out another need for
11 change in the legal framework. We probably need to
12 propose to the legislature that Government Code Section
13 8253(a)(5) needs to be amended to stipulate this so that
14 it's clear for everyone. But again, from my reading, my
15 consideration of this matter, if we have to have special
16 votes for all of these other situations I really cannot
17 see how it would not be required in this situation.

18 Thank you.

19 CHAIR YEE: Thank you, Commissioner Kennedy.

20 Others?

21 Commissioner Fernandez.

22 COMMISSIONER FERNÁNDEZ: I guess my own personal
23 opinion at this point is I don't feel that we have a need
24 to fill the vacancy. We've drawn the maps. We've spent
25 thousands of hours together, you know, that I won't get

1 back, but I don't want it back because I appreciate every
2 hour of it -- most of it. And with that we did --
3 Commissioner Akutagawa and I, we did ask our legislative
4 partners to come up with some bill language so that it
5 would somewhat mirror what's in the California Code of
6 Regulation, which would give the Commissioners the option
7 of whether to fill after -- you know, basically after the
8 maps are drawn, so.

9 I do understand Commissioner Kennedy's point, but I
10 also feel that our work has been done. We did it well.
11 And it hasn't been -- we haven't been challenged so far,
12 so I'm just going to knock on wood. I think that's
13 probably all I'm going to say at this point. Thank you.

14 CHAIR YEE: Thank you.

15 Commissioner Turner.

16 COMMISSIONER TURNER: Thank you, Chair. Thank you,
17 Chair.

18 I appreciate the comments that's been made and the
19 rationale behind both. I think I was leaning towards not
20 necessarily a need but perhaps one in an abundance of
21 caution. I did not think about the special votes, so I
22 appreciate hearing that.

23 But beyond anything, when I saw the diligence that
24 was done to see who was available and the letters that
25 were written in that there are actually people willing

1 and desirous of filling that position in spite of where
2 we are, I think for me it kind of shifted and said, well,
3 we do need to look at this because there are people
4 interested in filling this role, even where we are in the
5 calendar timeline.

6 And I think that ensuring that if a special vote
7 comes up for special majority that's needed we have the
8 right number of Commissioners in place and that we're not
9 placing that undue burden on that subgrouping I think
10 would be important. Thank you.

11 CHAIR YEE: I asked our counsel Tim Treichel to
12 look into the matter if we did not appoint a replacement
13 where would that leave us, what would happen, and perhaps
14 Tim could comment on that right now.

15 MR. TREICHEL: Yes. Thank you.

16 FEMALE SPEAKER: If we could get Mr. Treichel a
17 microphone closer to his --

18 MR. MANOFF: Sure.

19 FEMALE SPEAKER: -- mouth, that would be
20 appreciated.

21 MR. MANOFF: All set.

22 MR. TRIECHELT: Thank you. Thank you, Chair.

23 The -- my opinion is that if no action is taken then
24 it goes to the State auditor who originally chose seats
25 and they would have the authority to fill the seat for

1 us. And so that would be -- and I expect that they would
2 fill the seat. So that's what my opinion is.

3 And I might add that we did speak at length with the
4 chief counsel at the State auditor's office about the
5 conflict in the statute and she was supportive but ended
6 up agreeing with us, even though she drafted that
7 regulation. So she has a lot of history there and it
8 was -- so we tried to come to a (inaudible).

9 CHAIR YEE: Okay.

10 MR. TRIECHELT: Thank you.

11 CHAIR YEE: Um-hum. That was Stephanie Ramirez-
12 Ridgeway.

13 Let's see. We have Commissioners Toleda, then Le
14 Mons, and then I think Fornaciari. My screen is -- so
15 Commissioner Toledo.

16 COMMISSIONER TOLEDO: Yeah. I have a hard time
17 thinking about appointing another Commissioner when we're
18 so under funded as a Commission and it would require
19 significant resource to onboard a new Commissioner --
20 appointing a Commissioner without onboarding them and
21 giving the appropriate -- giving them the appropriate
22 training in case there is a vote where special majority
23 or even an important decision is to be made that's
24 important. And I don't know if that's something that --
25 I mean, if there were the resources to do that I think it

1 would make it an easier decision. But I just don't -- I
2 mean, it just doesn't make sense to me at this point.
3 Thank you.

4 CHAIR YEE: Thank you, Commissioner Toledo.
5 Commissioner Le Mons.

6 COMMISSIONER LE MONS: Yeah, I've kind of gone back
7 and forth, particularly as I've listened to some of the
8 comments today. I was pretty clear on what my position
9 was when I walked in this morning and I think I'm going
10 to divert back to that position, which is I think we
11 should fill the seat.

12 Also, I want to reflect back on some of the sharing
13 with regard to the Commissioner whose seat we are
14 replacing, Commissioner Andersen, and that detail -- the
15 devil is always in the detail as they say. Those details
16 were something that she held highly. And I think that's
17 where we really are with this. There is a legal
18 requirement.

19 And I personally -- and I know this Commission takes
20 a lot of pride in our final product being something that
21 could stand up to scrutiny. That is people are advocates
22 for wanting to scrutinize. And I think in the spirit of
23 crossing the t's and dotting the i's, as we did so
24 diligently, it's important that we do that here. Why
25 even crack a window to raise a question at this point?

1 CHAIR YEE: Um-hum.

2 MR. LE MONS: Thank you.

3 CHAIR YEE: Thank you, Commissioner Le Mons.

4 Commissioner Fornaciari.

5 COMMISSIONER FORNACIARI: Yeah. I've been kind of
6 all over the map on this one, too. I started off, you
7 know, let's not even have a meeting to talk about this,
8 let's just do nothing. But you know as I -- as I went
9 through the process of thinking about it more deeply and
10 about what this Commission has been about, you know, I
11 supported the idea of having this meeting and this
12 conversation in public to get public comment and public
13 feedback because we have valued that as a Commission very
14 deeply.

15 And then, you know, after reading through the
16 handouts and just to echo some of the comments that have
17 been made already, you know, this Commission has been
18 about doing the right thing and follow -- within the
19 construct of the rules as they've been put forward. And
20 I -- and you know I agree with comments, too.

21 There's not much to be done at this point, but we
22 have had conversations. We haven't made decisions yet,
23 but we have had conversations about becoming more engaged
24 down the road with the auditor's office and in helping to
25 construct a more robust foundation for the next

1 Commission. And in order for us to do those things, you
2 know, we need to fill that vacancy.

3 So I think, you know, for all the reasons I've said
4 I'm definitely supportive of filling the vacancy.

5 CHAIR YEE: Thank you, Commissioner Fornaciari.

6 We have Commissioners Vazquez, Kennedy, and then
7 Akutagawa.

8 COMMISSIONER VAZQUEZ: I very much appreciate and am
9 aligned with Mr. Le Mons' comments around the need to
10 keep our final product sort of above heavy scrutiny. And
11 you know, I think especially the last five years have
12 shown that we are in extraordinary political times. And
13 while we have -- you know, we have had an election cycle
14 that, I think, has only reenforced the excellent work
15 that we did on the maps.

16 We have ten years' worth of elections for which our
17 maps need to continue to hold up the good work that we
18 did. And you know I think about that point zero one
19 percent chance that, again, we could face a legal
20 challenge to the maps, especially again in these
21 extraordinary times. And I do think we should -- in my
22 mind the conservative approach is to fill the vacancy and
23 I -- that's where my mind is at. Thank you.

24 CHAIR YEE: Very good. Actually, let's go to
25 Commissioner Akutagawa first since Commissioner Kennedy

1 has already spoken.

2 COMMISSIONER AKUTAGAWA: Thank you, Chair.

3 I think what struck me is what our counsel Tim just
4 said about if we choose not to do anything the State
5 auditor is going to do something. And I think in
6 alignment with what has been said, particularly what
7 Commissioner Le Mons said, you know, I think we have done
8 our best in every aspect of the work that we've done
9 to -- I don't want to say follow the rules, but
10 definitely honor the rules as best as we can or the
11 guidelines that we need to follow in the work that we're
12 doing.

13 And I think in thinking about that, but particularly
14 with what Tim has also said about, you know, if we don't
15 do it someone else is going to do it, I think I'd rather
16 have us do it so that then us as the Commissioners that
17 are currently sitting on the CRC we know the work, we
18 know what needs to be done, we know what plans we are
19 hoping to enact in terms of, you know, greater engagement
20 with the State auditors around outreach and you know
21 hoping to continue to make the process and the work even
22 more smooth, efficient and impactful for the next
23 Commission.

24 And so I think just based on that I think we would
25 be better served by actually taking action and filling

1 the vacancy ourselves, with the consideration of, you
2 know, the work that we've done and the work that we see
3 that is going to need to be done in the future.

4 CHAIR YEE: Thank you, Commissioner Akutagawa.

5 Commissioner Sadwani is not present in the room or
6 on Zoom but she asked me to convey her opinion that the
7 vacancy should not be fulfilled -- not filled.

8 Commissioner Kennedy.

9 COMMISSIONER KENNEDY: With all respect, I mean, the
10 law is clear. The vacancy has to be filled and has to be
11 filled by today, which is the 90th day. And you know the
12 issue of how it's filled, as I said earlier I think, you
13 know, we need to propose an amendment to Government Code
14 8253(a)(5) so that there is no doubt in the future as to
15 how this needs to be done.

16 You know, the fact that there are these doubts about
17 what the legal framework says tells me that we have a lot
18 of work to do. Our work is not just doing that. Our
19 work is to help work with the legislature to refine the
20 legal framework so that the process is smoother each time
21 than it was the time before.

22 I really appreciate Commissioner Toledo's input
23 about onboarding expenses, but frankly, again, this is a
24 mandate in the law and the State is obligated to provide
25 us with the financial resources necessary to carry out

1 the mandate of the law. And as for any role of the
2 auditor in filling this role, frankly, I see nothing in
3 the legal framework that gives the auditor any authority
4 to fill this vacancy that the statute says shall be
5 filled by the Commission. It is on us and we need to do
6 this. Thank you.

7 CHAIR LEE: Thank you.

8 We have Commissioners Turner, Taylor, Fernandez, and
9 then back to Fornaciari.

10 COMMISSIONER TURNER: Thank you, Chair.

11 I hear the requirement of the law and appreciate
12 that and also wanted to circle back to Commissioner
13 Toledo in that there is not currently budget to allow for
14 training. And I hear that there should be a requirement.

15 Not having that delineated, what that process looks
16 like. I think I've been at least surprised before about
17 funding that either was or was not allowed and just would
18 wonder what would that look like to bring in a
19 Commissioner at this point without budgeting for
20 training, for meetings, for AV, et cetera.

21 So that's secondary to the requirement of the law,
22 but that still to me is something that we need to work
23 through and determine what would that look like should we
24 move in that direction.

25 CHAIR YEE: There was a question whether there was

1 even budget for this meeting actually.

2 COMMISSIONER TURNER: Yes.

3 CHAIR YEE: It was not clear we could meet. And we
4 had enough money for one meeting.

5 Commissioner Taylor.

6 COMMISSIONER TAYLOR: I agree with those that have
7 stated that the individual that Commissioner Andersen
8 was, she would be in favor of fulfilling the role. The
9 technician that she was, the engineer that she was, she
10 would abide by that mandate.

11 I think it's clear we should -- I'm in favor of
12 filling that role. I would also like to remind us that
13 we are the second Commission. And so all these things
14 are not perfect. These processes are not all in place.
15 And I feel like it's part of our job to help put those
16 guardrails and those parameters in place for future
17 Commissions. So we fulfill our mandate. We show them
18 where the show comes up.

19 CHAIR YEE: Thank you.

20 Back to Commissioner Fernandez.

21 COMMISSIONER FERNANDEZ: Thank you.

22 Being in the minority again, but that's okay, I'm
23 used to it, so. And that's okay. That's what I love
24 about that everyone can speak their mind and we move
25 forward as the Commission, which is great.

1 So it sounds like we're going to move forward with
2 this, but I would -- as Commissioner Kennedy said, I
3 would recommend that we also move forward with some
4 legislation to make -- to have votes in line with the
5 same language and terms of giving the authority to the
6 Commission as to whether to fill it and when to fill it
7 instead of being bound by certain timelines.

8 And I did want to speak a little bit about the
9 budget. If it is mandated -- this meeting today is
10 mandated -- we can go back to finance and request that
11 funding. If it's mandated for us to bring someone
12 onboarded -- on board we should go forward and request
13 the need for that. That should not be something that
14 would prohibit us from moving forward. Thank you.

15 CHAIR YEE: Thank you. Very good.

16 We do have a proposal coming up later in the meeting
17 to amend the statute to give the Commission discretion in
18 the matter.

19 And the training -- I mean, I was thinking back
20 myself to the training. We all went through it, you
21 know, starting with Bagley-Keene training and all of
22 that. It was really quite a bit, yes. Although a lot of
23 it was directed towards map drawing, which will not be
24 the case this time.

25 Commissioner Ahmad and then Akutagawa.

1 COMMISSIONER AHMAD: Yeah. Thank you. I've been
2 going back and forth on this topic a lot, and I
3 appreciate the discussion here. I do have a question,
4 and I'm not entirely sure if this is a question that
5 should be saved for a closed session situation or not,
6 but I'll ask it anyways.

7 Given that our maps have already been drawn, we've
8 had them in place for two election cycles now -- I'm
9 speaking specifically for the congressional districts
10 because California statute of limitations for litigation
11 has passed from my understanding.

12 If we were to go the route of not replacing an empty
13 seat, is there some justification for our current maps
14 that have already been passed to be challenged based on a
15 vacancy that happened after the fact? I'm not sure if --
16 Tim, if that's a question that we should talk about here
17 or not.

18 MR. TREICHEL: So Commissioner -- so just to
19 clarify, your question is are the congressional maps
20 vulnerable for litigation and challenge at this time?

21 MS. AHMAD: Given that there's a vacancy. Because
22 I'm hearing a lot that, you know, we don't want -- and I
23 agree we don't want the risk of litigation given a
24 vacancy. But from my understanding those are two
25 separate things at this point, right? They --

1 MR. TREICHEL: Yeah, I don't think the -- well, as
2 far as the maps go, the vulnerability to litigation,
3 there could be -- there could be a challenge to a map
4 based upon -- while there has not been, but there could
5 be. And given the dynamics of our federal electric (ph.)
6 there could be, for some reason, just a challenge to a
7 map. And then the question would be the vote -- the
8 Commission voting to defend -- the obligation is
9 Commission defends the map, and so you could have
10 Commission activity for that.

11 And then, as far as the legality of the Commission
12 operating with one vacancy, I don't know. It would be a
13 question of -- just hypothetically the question of was --
14 is the Commission fully representative of the intent of
15 its creation, which would be to have one more Republican
16 member on the Commission.

17 So that would be the question. I don't -- I think
18 it's possible there could be a challenge. I can't say it
19 would be successful, but I think there could be a
20 challenge, so.

21 CHAIR YEE: Thank you.

22 MR. TREICHEL: Yeah.

23 CHAIR YEE: Yay. Commissioner Sinay just entered
24 and -- after many delays this morning at the airport.

25 Let's see, we have Commissioners Akutagawa, and then

1 Le Mons, and then Toledo.

2 COMMISSIONER AKUTAGAWA: I guess -- what was just
3 said I guess I will just say anything is possible, right,
4 in terms of any kind of legal challenge.

5 I wanted to follow up on something that Commissioner
6 Kennedy just said in terms of the statute itself not
7 giving any explicit authority to the auditor's office.
8 Is that correct?

9 I think I'm trying to understand, Tim, from what you
10 said, that if we don't fill it the State -- it goes to
11 the State auditors and they will fill it. So can you
12 help us understand where that connection comes --

13 MR. TREICHEL: Well --

14 MS. AKUTAGAWA: -- because I mean, I am all -- I
15 mean, I honestly am -- was not of the mind to fill it.
16 But in hearing what you said, I think we just need to go
17 ahead and do it. But I think what Commissioner Kennedy
18 did bring up is -- would be helpful to understand where
19 is the basis and the standing for them to fill it. Thank
20 you.

21 MR. TREICHEL: Well, the regulation and the
22 statutes refer back to State auditor and the State
23 auditor has the statutory oversight to start the
24 Commission and select positions. And I think that if the
25 Commission does not -- my interpretation is if the

1 Commission does not act as it is ordered to that the
2 State auditor is then obligated to take action and fill a
3 vacancy.

4 CHAIR YEE: Okay. Commissioners Le Mons, Toledo,
5 and then back to Kennedy.

6 COMMISSIONER LE MONS: Yeah. For me this idea of
7 even having to be questioned about whether we would act
8 on something that is a mandate for us. Yes, we've been a
9 Commission that has looked carefully at what has been
10 required of us. We have had to color outside of the
11 lines in some cases without doing anything that was
12 outside of regulation or statute to accomplish. So we
13 are creative in that way.

14 But this seems like a very simple thing to do at
15 this point. We're here. I am so glad that Commissioner
16 Fernandez -- I was going to ask a question of the finance
17 committee, because I would think that this is something
18 that if we're mandated to do it the resources would need
19 to be or have to be provided. And we fought for
20 resources for other things that we felt was important.

21 The fact that the Commission still exists after the
22 maps are finished suggests that there is possibility and
23 propensity for work to be done. As Commissioner Taylor
24 said, this is only the second cycle. And so we were very
25 diligent about executing the task. Lessons learned.

1 We put a lot of -- thank you to Commissioners Yee
2 and Kennedy. We put in a lot of work and energy. That
3 was motivated by something that we all believed in. And
4 I think to look at this maybe as just an inconvenient
5 administrative task might not be the way to look at it.

6 So if we can look at what we're being asked to do,
7 frame it up in the spirit of who the One Tribe Commission
8 has been and move forward from that perspective, maybe
9 some people can feel a little bit different about it.
10 And I know this is not about everybody has to feel the
11 same way. That's not what I'm saying. But I'm trying to
12 say maybe look at it broader than just the task. Thank
13 you.

14 CHAIR YEE: Thank you, Commissioner Le Mons.

15 I would say to crack the window open -- you know, if
16 we just had the statute we probably would not have done
17 that. But we do have the regulation, you know, which did
18 suggest, you know, some possibility to discretion. So
19 you know whatever size of the crack in the window, that's
20 where it started from.

21 We'll hear in a minute from Commissioners Toledo and
22 Kennedy, and then Turner. And at some point I will
23 entertain somebody perhaps to make a motion either to
24 fill the vacancy or not fill the vacancy, at which point
25 we would go ahead and decide on how to do that.

1 Okay. Commissioner Toledo.

2 COMMISSIONER TOLEDO: I just know during my tenure
3 on the Commission I have not ever been in a situation
4 where we've been able to make a quick decision. And
5 we're being asked to do a really important task. I don't
6 think this is just an administrative task; it's a really
7 important task in terms of filling one of the seats.

8 And I remember how much deliberation went into
9 filling some of the final seats and -- which didn't take
10 a couple hours, it took much more than that. And so
11 not -- it just brings it back to the Commission having to
12 have the resources to do the work that it is mandated to
13 do, right, to Commissioner Kennedy's point.

14 Much of these -- there's a lot that we're mandated
15 to do under the law but you haven't received the funding
16 to do it. And it's a little unfair that this is the 90th
17 day. And just because -- I don't mean that it's not --
18 that we don't have to do it, but it just feels really
19 rushed for a very important decision.

20 And that's part -- that's largely due to us not
21 being funded, because if we had those funds we probably
22 would have had meetings well before today, right, and had
23 more conversations around this and would have given it
24 the parole (ph.) of conversation and -- and in public
25 light so that the public could give much more feedback,

1 et cetera, et cetera. I mean, I just wanted to say that.
2 Thank you.

3 CHAIR YEE: Thank you, Commissioner Toledo.

4 As Commissioner Toledo mentioned, the statute does
5 mandate a new Commissioner -- a replacement Commissioner
6 be appointed within 90 days. And as it happens that is
7 today, December 28th, 2024 to March 28th, 2025.

8 Commissioner -- let's see. We'll wait a minute for
9 Commissioner Kennedy. Then we'll go to Commissioner
10 Vasquez and then Fernandez.

11 COMMISSIONER VASQUEZ: Right as I was taking a drink
12 of water. Thanks.

13 CHAIR YEE: All good.

14 COMMISSIONER VASQUEZ: So in the interest of moving
15 the discussion along I would like to make a motion that
16 we fill the vacancy for our Commission. Thank you.

17 CHAIR YEE: Thank you.

18 COMMISSIONER FERNANDEZ: I second it.

19 Commissioner Vasquez? We have a second from
20 Commissioner Fernandez.

21 Further discussion. We have Commissioner Kennedy.

22 COMMISSIONER KENNEDY: Sorry. I -- just one thing.
23 If there is an issue of this Commission failing to carry
24 out a legal mandate I would think that a writ of mandamus
25 would be the appropriate approach rather than the

1 auditor's office taking over something that they have no
2 legal grounds on which to act.

3 CHAIR YEE: Thank you, Commissioner Kennedy.

4 Tim, could you just give us a quick definition of a
5 writ of mandamus?

6 MR. TREICHEL: Writ of mandamus is where the --
7 sorry -- an action to compel action on a regulation. So
8 the writ of mandamus would be a person who says this
9 entity, the Commission, has not done what it's supposed
10 to do under the statute or the regulation, and they
11 petition the court -- the Superior Court for State of
12 California to require the Commission to take action. So
13 an order -- mandate -- mandate -- mandamus -- an order.

14 CHAIR YEE: Thank you.

15 Any further discussion before we take public
16 comment?

17 COMMISSIONER AHMAD: Yes.

18 CHAIR YEE: I'm sorry? Commissioner Ahmad -- let's
19 see, Commissioner Kennedy is your hand still up?

20 COMMISSIONER KENNEDY: I'm having Zoom problems.

21 CHAIR YEE: Okay. No problem.

22 Commissioner Ahmad.

23 COMMISSINER AHMAD: Yeah. I'm still completely torn
24 on this, so I will follow the masses on this one. I'm
25 not convinced one way or the other, but I appreciate the

1 conversation and just how diligent everyone has been in
2 their thinking about different aspects of what this could
3 mean if we act one way or the other.

4 But I'm also curious to see what the public has to
5 say about this.

6 CHAIR YEE: Thank you.

7 Let's see. Let's go ahead and go to public comment,
8 whether online or members of the public who are in the
9 room may make a public comment as well.

10 MR. MANOFF: Sounds good. For those who have joined
11 by Zoom you can use the raised-hand button. And we do
12 have someone in the queue with the name Westa-Lusk.

13 CHAIR YEE: Our friend.

14 MR. MANOFF: Go ahead.

15 MS. WESTA-LUSK: Commissioners, with all respect to
16 your opinions, I think you should fill the vacancy
17 because you don't know what could happen between now and
18 2030. You know, you may have a critical vote, you may
19 not. I mean, it's up in the air.

20 But the other thing is it -- from what the attorney
21 has said, that, you know, if you don't act then the state
22 auditor will. So I think you should fill the vacancy.
23 Thank you.

24 CHAIR YEE: Thank you, Ms. Westa-Lusk.

25 I should mention if for some whatever reason we did

1 not fill it today, that doesn't mean we would not be able
2 to fill it in the future.

3 So okay. Others? Anyone in the queue?

4 MR. MANOFF: There is no one else in the queue.

5 CHAIR YEE: Any comments from the room? Any further
6 discussion from commissioners? If not, I think we can
7 proceed to a vote. So if we could have the motion
8 repeated.

9 MR. TREICHEL: Commissioner Vazquez, I believe you
10 made a motion that we fill the vacancy.

11 MALE SPEAKER: Is your mic on?

12 CHAIR YEE: Is his mic off? Yeah.

13 MR. TREICHEL: It's on. I believe Commissioner
14 Vazquez made a motion that the commission fill the
15 vacancy, and it was seconded by --

16 CHAIR YEE: Commissioner Fernandez.

17 MR. TREICHEL: -- Commissioner Fernandez.

18 CHAIR YEE: Yes.

19 MR. TREICHEL: So that's the motion before the
20 commission.

21 CHAIR YEE: Okay. Let's proceed with a vote. This
22 vote will require an ordinary majority of nine to pass.

23 MR. TREICHEL: Okay. So I'll call the names. And
24 Commissioner Ahmad.

25 COMMISSIONER AHMAD: I'm supposed to follow the

1 masses. And I don't know how the masses are voting.

2 CHAIR YEE: I should explain our practice has been
3 to vote --

4 FEMALE SPEAKER: After.

5 CHAIR YEE: Okay. To start the vote with the next
6 commissioner alphabetically in line after the chair, so
7 that the chair votes last. And so that would be
8 Commissioner Ahmad, and she is passing at the moment.
9 Yeah. We can come back to her.

10 MR. TREICHEL: Commissioner Akutagawa.

11 COMMISSIONER AKUTAGAWA: Yes.

12 MR. TREICHEL: Commissioner Fernandez.

13 COMMISSIONER FERNANDEZ: Yes.

14 MR. TREICHEL: Commissioner Fornaciari.

15 COMMISSIONER FORNACIARI: Yes.

16 MR. TREICHEL: Commissioner Kennedy.

17 COMMISSIONER KENNEDY: Yes.

18 MR. TREICHEL: Commissioner Le Mons.

19 COMMISSIONER LE MONS: Yes.

20 MR. TREICHEL: Commissioner Sadhwani.

21 Commissioner Sinay.

22 VICE CHAIR SINAY: Yes.

23 MR. TREICHEL: Commissioner Taylor.

24 COMMISSIONER TAYLOR: Yes.

25 MR. TREICHEL: Commissioner Toledo.

1 COMMISSIONER TOLEDO: Abstain.

2 MR. TREICHELDT: Commissioner Turner.

3 COMMISSIONER TURNER: Yes.

4 MR. TEICHELDT: Commissioner Vazquez.

5 COMMISSIONER VAZQUEZ: Yes.

6 MR. TREICHELDT: And Chair Yee.

7 CHAIR YEE: Yes. And then, Commissioner Ahmad.

8 COMMISSIONER AHMAD: Yes.

9 CHAIR YEE: Okay. And how many yeses is that?

10 MR. TREICHELDT: Eleven. Eleven yes, one no.

11 CHAIR YEE: One abstain.

12 MR. TREICHELDT: Abstain, sorry.

13 CHAIR YEE: Yeah, 11 yes, 1 abstain. The motion
14 passes. Okay. So now we move on to appointing a
15 replacement. A little bit of background. The statute
16 requires us to go back to the finalist pool as it existed
17 after the legislative strikes.

18 COMMISSIONER AKUTAGAWA: Chair Yee, I'm sorry. It
19 looks like Commissioner Toledo has his hand up.

20 CHAIR YEE: Oh, I'm sorry.

21 Commissioner Toledo.

22 COMMISSIONER TOLEDO: I mean, I don't think it
23 matters so much anymore, but I think Commissioner Kennedy
24 brought up the question of supermajority, but it sounds
25 like we would've gotten that anyway. So that was just

1 more procedural in nature for the previous vote.

2 CHAIR YEE: Correct. And I believe we do have a
3 supermajority, even though it is not required for this
4 vote.

5 COMMISSIONER TOLEDO: Yeah.

6 CHAIR YEE: Yeah. Thank you.

7 So we are required to go back to the original
8 finalist subpool of the same political party as the
9 commissioner we're replacing. And there were seven
10 finalists in that Republican subpool. We contacted all
11 seven. One was no longer interested. One sadly has also
12 passed away, Mr. Ravinder Shergill, and then five were
13 still interested, available, and qualified.

14 Again, there is no particular procedure or even a
15 supermajority vote required by law currently. The 2010
16 Commission, when they replaced a commissioner after a
17 resignation, they used a ranked choice process. And so
18 Vice Chair Sinay, and our counsel Tim, and I thought
19 through this and came up with a process which is on the
20 third handout, the same handout as the vacancy statute
21 and regulation.

22 And so at the bottom -- this is handout number
23 three. It says, "A suggested voting procedure if the
24 commission determines a replacement commissioner is
25 required." So if I may, I'll explain this, and then

1 we'll seek a motion on whether or not to adopt this
2 procedure.

3 It's two rounds -- and we're open to any other
4 procedure anyone else may want to propose. Two rounds.
5 The first round, each of us would -- each commissioner
6 would have two votes, the covered ballots. We've been
7 requested to do the votes in writing, and we use index
8 cards instead of announcing our votes out loud because
9 that way those who vote later won't have heard who had
10 voted earlier. When the cards are collected, the votes
11 would then be announced out loud with our names and
12 tallied.

13 So for the first round, we'd each have two equal
14 weight votes. You can use for two different finalists or
15 use both votes for one finalist. So those would be
16 tallied, and we would look for the top two to come out of
17 that round. The top two would go to a second round when
18 we would use the same procedure, but with one vote each
19 from each of us, and we would look for the winner of that
20 round by any margin. It would not require nine votes.
21 Any margin. Whoever wins that second round, we would
22 seek a motion to appoint with a nine-vote majority.

23 Okay. What if there are ties? The first round, if
24 there are ties for first place, then everyone who ties
25 for first place would go to the second round and only

1 those. If there are ties in the second round, that gets
2 tricky. Then we'll have to just further discuss and keep
3 taking votes until somebody gets a majority vote.

4 Okay. That's my proposal. Discussion or any other
5 proposal on how to proceed on this and then seeking a
6 motion to adopt a proposal.

7 Oh, I'm sorry. I'm out of practice with Zoom. Yes,
8 Vice Chair Sinay.

9 VICE CHAIR SINAY: I'm not used to being called Vice
10 Chair or Chair. So I've seen this take place for
11 replacement. That was basically how I was selected on
12 the school board, and it worked out really well. We
13 purposely have chosen to do a private ballot, or there's
14 another word for it -- covered ballot, thank you -- a
15 covered ballot just so that what happened in the -- just
16 so that we are speaking our minds versus the group think.
17 But the ballots will all be made public afterwards.

18 The main reason we thought about this is sometimes
19 we need efficiency and effectiveness with this commission
20 to move us forward, and we thought this would be a good
21 way to do it. Thank you.

22 CHAIR YEE: Thank you.

23 Commissioner Kennedy.

24 COMMISSIONER KENNEDY: Chair, in the sequence of
25 events here, are we going to have a discussion of what we

1 feel are our priorities for adding new talent to the
2 talent pool?

3 CHAIR YEE: Yes. Yes.

4 COMMISSIONER KENNEDY: Thank you.

5 CHAIR YEE: Yes, I should have mentioned that, yes.
6 Commissioner Fernandez.

7 COMMISSIONER FERNANDEZ: I just want to clarify the
8 two that we have online, they would submit it via email
9 or something so it's confidential.

10 CHAIR YEE: Right.

11 COMMISSIONER FERNANDEZ: Just want to make sure that
12 we're including everyone

13 CHAIR YEE: Yeah. We're getting to that, yeah.

14 COMMISSIONER FERNANDEZ: Thank you.

15 MR. TREICHEL: Yes, that would be the process that
16 we propose is that online remote would email me with your
17 vote. I understand they have the chart available.

18 CHAIR YEE: Okay. Very good.

19 MR. TREICHEL: Okay. So email me, and then I will
20 announce the vote when I announce the other votes.

21 CHAIR YEE: Yeah. And so we'll have all the votes
22 announced and displayed on screen with names before each
23 round is called. Yeah.

24 COMMISSIONER FERNANDEZ: I forgot the second part.
25 So we have to --

1 CHAIR YEE: I'm sorry. Commissioner Fernandez.

2 COMMISSIONER FERNANDEZ: We have to have a motion to
3 do this?

4 CHAIR YEE: Yes, to adopt a procedure.

5 COMMISSIONER FERNANDEZ: Okay. I move that we adopt
6 this procedure, whatever that is.

7 COMMISSIONER TURNER: And I'll second.

8 CHAIR YEE: The procedure on handout number three.

9 COMMISSIONER FERNANDEZ: The Russell proposed as a
10 commissioner.

11 CHAIR YEE: Also with two 'L's. Yes.

12 Commissioner Turner, did you have a thought?

13 COMMISSIONER TURNER: I second.

14 CHAIR YEE: Okay, Very good. So the motion to adopt
15 this procedure from Commissioner Fernandez, seconded by
16 Commissioner Turner. Further discussion before we take
17 public comment? Okay. Let's go ahead and take public
18 comment.

19 MR. MANOFF: Absolutely, Chair.

20 For those who have joined by Zoom, you can use the
21 raised hand button. We do have a raised hand, Renee
22 Westa-Lusk.

23 MS. WESTA-LUSK: I guess I -- I'm -- commissioners,
24 I'm a little confused how ranked choice process works,
25 but I've heard about the process before. So you have to

1 go through two rounds of voting, and then if there's a
2 problem with ties, then you're going to have to keep
3 repeating the process. I guess if it doesn't get too
4 complicated, I -- I don't see anything adverse about it,
5 but typically, does anybody have any experience with
6 ranked choice process? Does it -- do you not get the
7 results very quickly? Has it been a longer process?

8 CHAIR YEE: Thank you, Ms. Westa-Lusk. We did
9 consider ranked choice voting, a strict ranked choice
10 process, and decided against it for various reasons.
11 There could be a tie in this case, but we think that will
12 be manageable, but we did consider that, yes.

13 MS. WESTA-LUSK: So this is considered, or you're
14 saying this is not ranked choice process.

15 CHAIR YEE: This is not a strictly ranked choice
16 process, no.

17 MS. WESTA-LUSK: So it's just another process that
18 someone came up with.

19 CHAIR YEE: It's a hybrid, yeah, giving
20 commissioners two votes the first round and then one vote
21 the second round.

22 MS. WESTA-LUSK: Okay.

23 CHAIR YEE: Commissioner Kennedy.

24 COMMISSIONER KENNEDY: Yeah, if I can, this would be
25 classified as a two-round system with cumulative voting

1 in the first round.

2 CHAIR YEE: Very good.

3 COMMISSIONER FERNANDEZ: Wow.

4 CHAIR YEE: Now we know.

5 COMMISSIONER KENNEDY: It's my job.

6 CHAIR YEE: Commissioner Kennedy does this all over
7 the world literally. So yes. Okay. If there's no other
8 discussion or public comment, I believe we can go to a
9 vote.

10 MR. TREICHEL: Okay. So commissioners, we want to
11 hand out these cards.

12 CHAIR YEE: I'm sorry. Not this vote yet.

13 COMMISSIONER TURNER: We need to vote for the
14 system, yeah.

15 CHAIR YEE: This will be an ordinary vote on the --

16 COMMISSIONER TURNER: And don't forget your mic,
17 please.

18 CHAIR YEE: -- on the two-stage process. Yeah.

19 MR. TREICHEL: Yeah. Okay. Sorry about that. So
20 I will call your names. Okay. So we're voting on the
21 motion to adopt the two-round cumulative voting system.
22 And it's been -- so I'm going to call for the vote.

23 Commissioner Ahmad.

24 COMMISSIONER AHMAD: Yes.

25 MR. TREICHEL: Commissioner Akutagawa.

1 COMMISSIONER AKUTAGAWA: Yes.

2 MR. TREICHEL: Commissioner Fernandez.

3 COMMISSIONER FERNANDEZ: Yes. I'm sorry. I've been
4 used to Commissioner Andersen going before me, so I keep
5 waiting. Yes.

6 MR. TREICHEL: Commissioner Fornaciari.

7 COMMISSIONER FORNACIARI: Yeah, I was thinking that
8 too. Yes.

9 MR. TREICHEL: Commissioner Kennedy.

10 COMMISSIONER KENNEDY: Yes.

11 MR. TREICHEL: Commissioner Le Mons.

12 COMMISSIONER LE MONS: Yes.

13 MR. TREICHEL: Commissioner Sadhwani.

14 Commissioner Sinay.

15 VICE CHAIR SINAY: Yes.

16 MR. TREICHEL: Commissioner Taylor.

17 COMMISSIONER TAYLOR: Yes.

18 MR. TREICHEL: Commissioner Toledo.

19 COMMISSIONER TOLEDO: Yes.

20 MR. TREICHEL: Commissioner Turner.

21 COMMISSIONER TURNER: Yes.

22 MR. TREICHEL: Commissioner Vazquez.

23 COMMISSIONER VAZQUEZ: Yes.

24 MR. TREICHEL: And Chair Yee.

25 CHAIR YEE: Yes. The vote is unanimous. The total

1 votes.

2 MR. TREICHEL: Total votes, 12 votes for, 1 absent.

3 MALE SPEAKER: Did you turn your mic off?

4 MR. TREICHEL: Twelve votes for, one absent.

5 CHAIR YEE: Very good. The motion passes.

6 Okay. Let's discuss candidates and criteria. So
7 we're in a situation where these finalists were selected
8 initially with mapping primarily in mind and looking for
9 skills and background to help with that. Of course, you
10 all remember the three main criteria from the auditor's
11 office: impartiality, appreciation for California's
12 diversity, and analytical ability. Those still apply,
13 even though there's no mapping to be done, but we are in
14 a different situation now and perhaps looking for
15 different particular skills.

16 So let's have a discussion of what we're looking for
17 and of the specific candidates that we have.

18 Commissioner Sinay and then Commissioner Kennedy.

19 VICE CHAIR SINAY: Thank you. We're using my hat as
20 the transition or whatever the right name of that
21 committee is that I can never remember, Continuation
22 Committee.

23 CHAIR YEE: Continuity.

24 VICE CHAIR SINAY: Continuity Committee. I like
25 transition so much better. Anyway, I think one of the

1 main issues we're going to really need to look at for
2 2030 is the use of technology and the database and how
3 we're going to collect information and AI. Those are all
4 big topics, and they all came up loud and clear in 2020,
5 and in 2030, it'll be completely different field. And
6 when we had the conference with -- the national
7 conference with redistricting commissioners from all over
8 the United States, that was a topic that we discussed at
9 length. So I just wanted to put that, that having
10 someone who has that skill set would be great. And
11 that's the main one that I can think of that would be
12 helpful.

13 CHAIR YEE: Thank you, Commissioner Sinay.
14 Commissioner Kennedy.

15 COMMISSIONER KENNEDY: Thank you, Chair. I have
16 always, since very early on, taken very seriously
17 Commissioner Turner's observation that what we received
18 were essentially briefings, not training. And I think
19 that is something that we have the time at this point to
20 look at developing a robust training program that would
21 enable our successors to do an even better job than we
22 did. I think we should take that opportunity. And so
23 for me one of the highest priorities beyond the statutory
24 requirements is familiarity with facility with adult
25 training methods because I really have, since she first

1 mentioned it in one of our very first meetings, agreed
2 with Commissioner Turner that we need to focus a lot more
3 time and energy on ensuring that our successors are
4 trained, not just briefed. Thank you.

5 CHAIR YEE: Thank you, Commissioner Kennedy. So
6 that would be work to do between now and 2030 to develop
7 that training program. Okay. Very good. Just a time
8 check. We have about ten minutes left in this segment
9 before we take a break.

10 I should've read the names of the finalists. They
11 are available in the meeting handouts. There are some
12 summary documents there. The original 2020 application
13 materials are not there in the handouts. Those were
14 archived by the auditor's office, and we were not able to
15 remediate them and make them accessible in time to post
16 them, but we received no requests for them either.

17 So the five finalists, David Burdick, Richard
18 Gallegos, Genevieve Murphy, Ronald Newton, and Peter
19 Blando, and the summary of those candidates is in the
20 handouts.

21 Okay. Further discussion of what we're looking for
22 and of these candidates.

23 Vice Chair Sinay.

24 VICE CHAIR SINAY: I just wanted to just clarify.
25 We are now talking about the actual candidates so that we

1 can start --

2 CHAIR YEE: We may, yes.

3 VICE CHAIR SINAY: -- so that maybe we can vote by
4 lunchtime. I just wanted to remind everyone. So I
5 really want to appreciate the three candidates that
6 submitted letters. To me, that extra piece really meant
7 a lot. And it's hard to know, where do people fall on
8 the criteria and all that? But then again, we don't even
9 know how we fall in the criteria anymore. We've had two
10 presidential elections. There's been a lot of changes.

11 But I did really want to also appreciate that Ms.
12 Murphy did acknowledge that we had a loss, and that meant
13 a lot to me because we did have a loss. This isn't just
14 something that we're doing casually. I know you all
15 recognized Jane, Commissioner Andersen, and I apologize
16 again for being late. So I just want to put that out
17 there that I really appreciated all three candidates who
18 did send in supplemental information.

19 CHAIR YEE: Those letters are in the handouts. They
20 were not required, but they were invited.

21 Others?

22 Vice Chair Sinay?

23 VICE CHAIR SINAY: Is the fact that no one's saying
24 anything mean we're ready to vote for the first round?
25 Okay. I just want to make sure. We had talked about

1 doing a straw poll, but legally, we can't do a straw poll
2 without opening it up for public comment. And so I just
3 wanted to make sure before -- Alicia, since you like
4 making motions, do you want to make it, or do you want me
5 to make it?

6 CHAIR YEE: Actually, we do not need a motion. We
7 don't need a motion.

8 VICE CHAIR SINAY: We don't have to make a motion.
9 Okay.

10 CHAIR YEE: So as it happens, this two-stage
11 procedure that we've adopted is not yet taking official
12 action. And so, of course, we will take public comment,
13 even though at this point it's not required since this is
14 not a motion yet. We would take public comment before
15 any motion to actually appoint a replacement
16 commissioner. Okay. So why don't we go ahead while
17 commissioners are --

18 VICE CHAIR SINAY: Can I ask a clarifying question?

19 CHAIR YEE: Um-hum.

20 VICE CHAIR SINAY: On these note cards, we should
21 put our name at the very top first. So you have our
22 names and then the three candidates in order or two
23 candidates in order.

24 CHAIR YEE: Two.

25 MR. TREICHEL: Correct. Correct. Your -- your

1 name, commissioner, first. And then your two choices for
2 the candidates.

3 CHAIR YEE: Okay. You have two votes. You can use
4 both votes for one candidate or vote for only one
5 candidate, or vote for two different candidates. And
6 they are equal weight votes. So this is not a true
7 ranked choice. They're equal weight votes. And these
8 will be candidates going forward to the second round.

9 While commissioners are voting. We can go ahead and
10 take any public comment on candidates.

11 MR. TREICHELDT: Just to those remote members, please
12 email me your choices. Tim Treicheltd --
13 Tim.Treicheltd@crc.gov.

14 FEMALE SPEAKER: Now everyone can email you now.

15 CHAIR YEE: Now everyone can -- okay.

16 Kristian, if we could take public comment on -- this
17 is not a motion, but public comment on the candidates for
18 replacement commissioner.

19 MR. MANOFF: Sounds good. Those who have joined by
20 Zoom, you can use the raise hand button to give comment.
21 For those who have called in -- actually, we don't have
22 anybody who has dialed in at this time, and we don't have
23 any raised hands, Chair.

24 CHAIR YEE: Okay. Very good. We'll wait a few
25 minutes. This is our brand-new official CRC ballot box.

1 (Pause)

2 CHAIR YEE: I'm going to suggest we take the break a
3 few minutes early and let the staff tally the votes, and
4 then votes will be fully announced, including
5 commissioner names. Shall we go ahead and do that?

6 Okay. Let's take a break. We'll come back at
7 11:15.

8 (Whereupon, a recess was held from 10:55 a.m.
9 until 11:20 a.m.)

10 COMMISSIONER YEE: Thank you. And welcome back from
11 break. We apologize for the delay. We are in the midst
12 of the first round for selecting a replacement
13 commissioner, and we are ready to hear the votes
14 announced.

15 MR. TREICHEL: Thank you, Chair. I will announce
16 the members name and the two that they voted for. Tammy
17 will tally the votes on a On a spreadsheet, and then we
18 will reveal the spreadsheet at the end of the tally. And
19 we did receive votes from both of the remote
20 commissioners.

21 So beginning Commissioner Ahmad, Blondo, Gallegos.

22 Commissioner Akutagawa, Newton and Burdick.

23 Commissioner Fernandez, Burdick, Gallegos.

24 Commissioner Fornaciari, Blondo, Blondo. That's two
25 votes, both for Blondo.

1 Commissioner Kennedy, Murphy, Blondo.

2 Commissioner Le Mons, Blondo, Murphy.

3 Commissioner Sinay, Blondo, Blondo. That's two
4 votes for Blondo.

5 Commissioner Taylor, Blondo, Murphy.

6 Commissioner Toledo, Gallegos, Gallegos. That's two
7 votes for Gallegos.

8 Commissioner Turner, Murphy and Burdick.

9 Commissioner Vazquez, Gallegos and Gallegos. That's
10 two votes for Gallegos.

11 And Commissioner Yee, Chair Yee, Blondo and Murphy.

12 And those are the votes. I hope I reflected the votes
13 that you cast.

14 CHAIR YEE: Okay. Very good. We'll have Tammy
15 display the votes, and we'll take a moment just for
16 everyone to double-check to make sure the votes are
17 correctly displayed.

18 Okay. Any corrections? Online commissioners, all
19 good? Okay, we have two candidates moving forward to the
20 second round Peter Blondo and Richard Gallegos. Okay.
21 Tim will distribute another set of index cards. Let's go
22 ahead and take public comment as well as any commissioner
23 comments on these two finalists.

24 MR. MANOFF: For those who have joined via Zoom, you
25 can use the raise hand button to give comments.

1 And there is no one in the queue at this time,
2 Chair.

3 CHAIR YEE: Any comments from the floor or in the
4 room? Commissioners are voting. It's one vote. We have
5 one vote between these two candidates. Peter Blondo and
6 Richard Gallegos. This is all happening more quickly
7 than I anticipated. And so at the conclusion of this
8 agenda item, item three, we'll jump ahead to the
9 subcommittee reports and start those before lunch if
10 there's time, which it appears there will be. Lunch will
11 not happen until 12 -- Lunch starts at 12:45. Remote
12 commissioners, we need you to email your votes in as
13 well.

14 (Pause)

15 CHAIR YEE: Let me know when we have all votes.

16 MR. TREICHEL: All votes have been received.

17 CHAIR YEE: Okay. All votes have been received.

18 We'll have the votes tallied out loud.

19 MR. TREICHEL: Okay. I will read the
20 commissioner's name and the candidate they voted for. C

21 Commissioner Ahmad, Gallegos.

22 Commissioner Akutagawa, Blondo.

23 Commissioner Fernandez, Gallegos.

24 Commissioner Garcia, Blondo.

25 Commissioner Kennedy, Blondo.

1 Commissioner Le Mons, Blondo.

2 Commissioner Sinay, Blondo.

3 Commissioner Taylor, Blondo.

4 Commissioner Toledo, Gallegos.

5 Commissioner Turner, Blondo.

6 Commissioner Vazquez, Gallegos.

7 Commissioner Yee, Blondo.

8 CHAIR YEE: Okay. Are those all correct? The
9 second round, the vote is won by any margin now. And so
10 it would appear that Peter Blondo has been selected as
11 our replacement commissioner. We now seek a motion to
12 actually appoint Mr. Blondo as our replacement
13 commissioner.

14 COMMISSIONER TURNER: So moved.

15 CHAIR YEE: Commissioner Turner has made a motion to
16 appoint Peter Blondo as our --

17 VICE CHAIR SINAY: Second.

18 CHAIR YEE: -- replacement commissioner.

19 I'm sorry, who was that?

20 VICE CHAIR SINAY: Me.

21 CHAIR YEE: Oh, sorry. Vice Chair Sinay.

22 VICE CHAIR SINAY: Right next to you.

23 CHAIR YEE: Yes. Vice Chair Sinay has seconded the
24 motion. Can we have discussion and then public comment
25 on appointing Peter Blondo as the replacement

1 commissioner. Mr. Blondo is a resident of West
2 Sacramento. Yes, he works in IT for UC Davis.

3 COMMISSIONER TURNER: Kristian, do we have any
4 public comments?

5 CHAIR YEE: Can we have a formal call for comment,
6 please.

7 MR. MANOFF: For those who have connected via Zoom,
8 you can use the raise hand button to give comment.

9 And there are no hands in the queue at this time,
10 Chair.

11 CHAIR YEE: Okay. Any comments from the
12 commissioners or from the room? If not, let's go ahead
13 and take the vote.

14 MR. TREICHELDT: The vote is --

15 CHAIR YEE: Microphone, please.

16 MR. TREICHELDT: Thank you.

17 This is a vote to appoint Mr. Peter Blondo to the
18 commission to fill a vacancy, and it's roll call.

19 Commissioner Ahmad.

20 COMMISSIONER AHMAD: Yes.

21 MR. TREICHELDT: Commissioner Akutagawa.

22 COMMISSIONER AKUTAGAWA: Yes.

23 MR. TREICHELDT: Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: Yes.

25 MR. TREICHELDT: Commissioner Fornaciari.

1 COMMISSIONER FORNACIARI: Yes.

2 MR. TREICHEL: Commissioner Kennedy.

3 COMMISSIONER KENNEDY: Yes.

4 MR. TREICHEL: Commissioner Le Mons.

5 COMMISSIONER LE MONS: Yes.

6 MR. TREICHEL: Commissioner Sadhwani.

7 Commissioner Sinay.

8 VICE CHAIR SINAY: Yes.

9 MR. TREICHEL: Commissioner Taylor.

10 COMMISSIONER TAYLOR: Yes.

11 MR. TREICHEL: Commissioner Toledo.

12 COMMISSIONER TOLEDO: Yes.

13 MR. TREICHEL: Commissioner Turner.

14 COMMISSIONER TURNER: Yes.

15 MR. TREICHEL: Commissioner Vazquez.

16 COMMISSIONER VAZQUEZ: Yes.

17 MR. TREICHEL: And Chair Yee.

18 CHAIR YEE: Yes.

19 MR. TREICHEL: The motion passes unanimously, 12
20 votes for.

21 CHAIR YEE: Thank you. Peter Blondo is now
22 appointed as our 14th Commissioner, replacing
23 Commissioner Jane Andersen. We'll try to get ahold of
24 him before the end of this meeting. If so, we'll be able
25 to swear him in.

1 MR. MANOFF: Chair?

2 CHAIR YEE: Yes?

3 MR. MANOFF: Mr. Blondo is logged into the meeting,
4 and I can promote them to be a panelist if you would
5 like.

6 CHAIR YEE: Very good. If counsel will prepare the
7 oath of office and Mr. Blondo can be brought on screen,
8 we can administer the oath. And then if Mr. Blondo is
9 available to participate in the remainder of the meeting,
10 he will do so as a commissioner.

11 MR. MANOFF: Mr. Blondo, please follow the
12 instructions to join as a panelist. You'll -- you will
13 be briefly disconnected from the meeting, and you will be
14 asked to rejoin as a panelist. Just follow the
15 instructions on your screen. Stand by.

16 CHAIR YEE: Honestly, I wish we could have appointed
17 them all. They are all well qualified and would have
18 brought a very welcome diversity of gifts. But I'm glad
19 we have selected one.

20 Commissioner Le Mons.

21 COMMISSIONER LE MONS: Yeah, I just wanted to take
22 an opportunity to thank all of the candidates who were
23 still interested, and also to thank the Chair and Co-
24 Chair for all of the diligent preparation work that was
25 put into this process. I really appreciate it.

1 CHAIR YEE: Thank you.

2 Commissioner Kennedy.

3 COMMISSIONER KENEDY: Yeah, I think for all of us,
4 reviewing the application materials was just a reminder
5 of how deep the talent pool here in California is. I
6 think that's something that has impressed me since the
7 very beginning of this commission, and this exercise has
8 just reinforced that impression.

9 CHAIR YEE: Yes. Thank you.

10 Vice Chair Sinay.

11 VICE CHAIR SINAY: I can't take any of the credit
12 for all the great preparation. That was really all Chair
13 Yee. I've been behind him. I keep reminding him of
14 little things, but he's definitely the one who -- I think
15 he thought he wasn't going to have to do much being chair
16 this deep into the lineup. And I'm glad it was -- he was
17 the chair for us during the last three months. He was
18 the right person at the right time.

19 CHAIR YEE: The little things are the big things, so
20 Vice Chair Sinay was definitely a needed backup for me
21 and will be your new chair as of April 1st. And
22 Commissioner Fornaciari will be your new vice chair.

23 Commissioner Fornaciari.

24 COMMISSIONER FORNACIARI: Yeah. Yeah, I want to
25 thank all the candidates, too, especially those who wrote

1 in. It was a very deep pool. And I do want to say that
2 yeah, we'll be chair and vice chair coming up,
3 Commissioner Sinay and I, and we've already begun
4 thinking about the onboarding process for our new
5 commissioner. And so we'll work with him to bring him up
6 to speed, and the hope is that all of you would find time
7 to introduce yourselves and answer any questions that he
8 has and help him become part of the team. So thanks.

9 CHAIR YEE: Thank you.

10 MR. MANOFF: Quick update, Chair. I was unable to
11 get Mr. Blondo promoted as a panelist, but we have
12 enabled his microphone.

13 Mr. Blondo, you should be able to unmute at unmute
14 at this point. And there should be a button in the lower
15 left-hand corner of the screen to unmute.

16 CHAIR YEE: Or is there any chance, Mr. Blondo, that
17 you're local and could come in person at some point
18 today?

19 MR. MANOFF: I haven't got -- I haven't gotten any
20 response from him, so he may not be at his computer. So
21 we may want to reach out directly.

22 CHAIR YEE: Okay. Why don't we probably proceed
23 then for now and hopefully get Mr. Blondo hooked up
24 before lunch? If not, after lunch.

25 Okay. Why don't we go ahead then to agenda item

1 number five, subcommittee updates, and we'll knock out
2 what we can before lunch. So here are your
3 subcommittees. As we go through the updates. It should
4 also be an opportunity to speak up if you are ready to
5 move on from your subcommittee, and we can definitely
6 consider subcommittee reassignments. Also, Mr. Blondo,
7 of course, is available for subcommittee assignment at
8 this point, so let's go ahead and start with finance
9 administration. That would be Commissioners Fernandez
10 and Fornaciari who are giving each other's looks.

11 COMMISSIONER FERNANDEZ: Should we roshambo?

12 COMMISSIONER FORNACIARI: You can go ahead.

13 COMMISSIONER FERNANDEZ: So now with all of this
14 information, we were okay with the budget. We'll go back
15 to see what all of this is going to cost us, and then
16 move forward with A request to Department of Finance. We
17 did not move forward with a BCP this last year. We
18 haven't met for a year and a half, so we're just catching
19 everybody up. Because we pretty much were just going
20 to -- we didn't see the need to at that point. Plus
21 sometimes it can be painful to go through that process.
22 I'm not sure if that's how Commissioner Fornaciari would
23 explain it. But I think we'll work with Gloria and then
24 also the chair and vice chair to see what onboarding
25 would look like, hours, and costs and all that.

1 So anything else, Commissioner Fornaciari?

2 CHAIR YEE: And remind us what the fiscal year is.

3 COMMISSIONER FERNANDEZ: Pardon?

4 CHAIR YEE: Remind us what the fiscal year is.

5 COMMISSIONER FERNANDEZ: Oh, so it ends June 30th.

6 So July 1st to June 30th. Okay.

7 COMMISSIONER FORNACIARI: Yeah, nothing to add. We
8 don't have enough money for another meeting, though, at
9 this point, so --

10 CHAIR YEE: Yeah. So between now and the end of
11 June, we have no more money. Yeah. Used it up. Okay.

12 VICE CHAIR SINAY: We don't want to ruin my streak
13 of never chairing a meeting.

14 CHAIR YEE: A live meeting. Yeah.

15 Okay. Anything else, Finance and Administration?

16 If not, let's move on to Legislative Subcommittee,
17 Commissioners Fernandez and Akutagawa. And I believe we
18 have a handout to refer to.

19 COMMISSIONER FERNANDEZ: Oh, that's right.

20 COMMISSIONER AKUTAGAWA: Yeah.

21 COMMISSIONER FERNANDEZ: We do. Thanks for
22 reminding us. Did you want to -- oh, okay. So in
23 anticipation for this meeting, we did ask our legislative
24 contacts if we could come up with some language. And
25 they did go to their counsel, so it's -- And now I can't

1 find the language. But fortunately, my friend here,
2 Commissioner Turner, found it.

3 So it's basically requesting to change the language
4 in the government code section that would mirror what the
5 California Code of Regulations has, where it would be --
6 the change would be to say that the commission may be --
7 the vacancy may be filled by the commission, and it
8 removed within 90 days after vacancy, so that at that
9 point we could fill it -- if there is a vacancy, the
10 commission can decide whether or not to fill the vacancy,
11 one, and there isn't a time limit as to when that can be
12 done or should be done. And so this did go through their
13 counsel. So it's written. That's why it's written as a
14 legislative language.

15 CHAIR YEE: In the handouts, this is the third from
16 the last handout, vacancy statutory revision proposal.
17 So we can discuss this. And then at some point we'll
18 entertain a motion to direct the Legislative Subcommittee
19 to proceed with this proposal.

20 We had mentioned earlier of possibly adding a
21 provision to require a supermajority in the appointment
22 of a replacement commissioner. Not currently required,
23 but supermajority is ordinarily required for -- certainly
24 required for the approval of the maps, also required for
25 hiring and all personnel matters, as well as consultant

1 contracting decisions, so appointment of commissioners
2 certainly seems to be comparable to those. Is that
3 something we want to add?

4 Okay. I'm sorry, I'm getting a little rusty here.
5 Vice Chair Sinay and then Commissioners Akutagawa and
6 then Kennedy.

7 VICE CHAIR SINAY: I feel like I've looked at two
8 different ones. Were there two out there, or was there
9 just one?

10 COMMISSIONER FERNANDEZ: Just one.

11 CHAIR YEE: Just one.

12 VICE CHAIR SINAY: Okay. I thought there was. Oh.
13 So is all of this new language? Or just --

14 COMMISSIONER FERNANDEZ: Just the strikeout.

15 COMMISSIONER AKUTAGAWA: Yeah.

16 VICE CHAIR SINAY: -- the struckout. Okay. So it's
17 always said in event of -- okay. That was my big
18 question because all of a sudden I'm reading, I'm like,
19 wow, okay. I didn't know that. Okay. Obviously, I've
20 read it before, but I just wanted to check that. Thank
21 you.

22 CHAIR YEE: This would be a change to the governing
23 statute and it changes to read as follows. "Any vacancy,
24 whether created by removal, resignation, or absence, in
25 the 14 commission positions that occurs on or after

1 December 31 of a year ending in the number two," may is
2 the proposal, replacing shall, "may be filled by the
3 commission," period, striking the following language
4 about 90 days. So that's the proposal.

5 Commissioners Akutagawa and then Kennedy.

6 COMMISSIONER AKUTAGAWA: Yeah, I was just going to
7 make that clarification so that everybody understands
8 that this is not during the map drawing process. It is
9 after the maps are submitted and finalized.

10 Also, the purpose of the May and striking out the
11 time limit is with the intent of giving the commissioners
12 in the future -- in this case, 2030 -- some flexibility
13 to decide not necessarily only if but when it may be
14 appropriate to appoint a replacement should it be decided
15 and without the pressure of trying to do it all within 90
16 days. So that was the intent.

17 Also, it was with the help of our legislative
18 partners. The language was with the review and work of
19 the Legislative counsel, so we also know that the
20 language is something that would pass muster with the
21 legislature as well, too, because we were also conscious
22 of the fact that we were not going to have a lot of
23 meetings to keep going back and forth on language. So
24 we're trying to keep it as simple as possible. Thanks.

25 CHAIR YEE: Very good. And indeed, the prior

1 paragraph if the vacancy occurs before December 31st of a
2 year ending in two, a replacement commissioner will be
3 appointed within 30 days. That remains untouched. That
4 will be the same. Yeah. So that will be during the
5 mapping phase.

6 Okay. Commissioner Kennedy.

7 COMMISSIONER KENEDY: Thank you, Chair. Just a
8 reminder that it's not just the consultants, legal
9 counsel, et cetera. It's also when the first eight of us
10 chose the final six, that had to be a special vote also.
11 So again, I see no reason why an appointment to fill a
12 vacancy should be anything less than that. Thank you.

13 CHAIR YEE: Thank you, Commissioner Kennedy. For
14 those doing the math, if a vacancy occurs in neither of
15 the largest two political parties categories that
16 normally has four commissioners, that would be three
17 commissioners. And that would have to be unanimous among
18 them to meet that supermajority. Yeah.

19 Commissioner Sinay and then Turner. Vice Chair
20 Sinay and then Turner.

21 VICE CHAIR SINAY: I wanted to.

22 MALE SPEAKER: Is your mic on?

23 VICE CHAIR SINAY: I was getting there. I first
24 wanted to thank the subcommittee for being proactive, so
25 thank you very, very much. Obviously we know which way

1 you would vote. No, I'm just kidding. But thank you.

2 And I tend to agree with Commissioner Kennedy
3 because it did catch -- that was one of the questions I
4 had asked counsel when we were getting ready for this
5 meeting, was does it have to be a special -- what we call
6 the special vote or not or supermajority? So I do
7 understand that concern.

8 Though I also understand the other side of it being
9 depends who's missing, what party is missing. It can get
10 very complicated. And then the only piece I wanted to
11 put, I was definitely on the side of, we don't need to
12 fill someone, but listening to all of you say we don't
13 know what's coming up until it comes up, and that's kind
14 of -- keeping that in mind, I want to say if we think
15 about onboarding and we say, okay, we're going to push --
16 the next commissions are going to push and wait until
17 they just bring someone on if they need them for
18 anything.

19 By the time they find out they need something, it's
20 going to be too late to onboard them and everything else.
21 And so I just want to put those two pieces of the
22 conversation together as we're thinking about this
23 amendment. Though I support the amendment, but I'm
24 struggling right now.

25 CHAIR YEE: Commissioner Turner.

1 COMMISSIONER TURNER: Thank you. So wanting to
2 clarify, the proposed amendment will bring us in
3 alignment, the statutes and the regulations. It'll give
4 the opportunity. The "may" is what I want to deal with.
5 I want to, though, clarify because of the position that
6 counsel received from the auditors that had we not
7 replaced the commissioner, the thought process was that
8 they would step in and replace, even though the statute
9 and the regulation read the way it did. With this
10 proposal, if we move forward with the "may" and we choose
11 not to, is there something we need to put in place that
12 clarifies the position of the auditor? We've said no,
13 that that is no. Or where do we stand on that?

14 MR. TREICHEL: Well, the current statute regulation
15 requires that if there's no vacancy, if it's not filled,
16 to notify the State auditor, notify them that there has
17 not -- it has not been filled. If it is not required to
18 be filled in 90 days, then the argument could be made
19 that it can be open as long as the Commission wants,
20 because the Commission has the discretion then with the
21 proposed statute, the discretion to fill or not fill.

22 So the requirement to fill is taken away. And I
23 guess my position is leaving the requirement to fill and
24 not filling within the statutory period then moves the
25 obligation to state auditor as the oversight agency.

1 COMMISSIONER TURNER: And it moves it or removes it.

2 MR. TREICHEL: The proposal removes that.

3 COMMISSIONER TURNER: Okay.

4 MR. TREICHEL: The proposal gives permanent
5 discretion to the Commission to fill a vacancy. May.
6 Discretion. So that could go on forever the entire term
7 of the Commission to fill.

8 COMMISSIONER TURNER: Thank you.

9 CHAIR YEE: Very good. Commissioner Kennedy. Yeah.

10 COMMISSIONER KENEDY: Thank you, Chair. This brings
11 up another issue. I mean, if we look back at how long it
12 took us to get to today, in other words, would we even --
13 and this goes to Commissioner Sinay's point. Would we
14 even be able to fill a vacancy within 30 days if it were
15 during that period before the end of the year ending in
16 two if we have to post an agenda two weeks in advance, if
17 we have to gather the information from the state
18 auditor's office?

19 I was actually rather surprised that it took as long
20 as it took to get the application materials from the
21 state auditor's office, and largely that's because the
22 Shape California's Future website disappeared. So I'm
23 wondering if we need to have a requirement for either the
24 Applicant Review Panel website to be folded into the
25 Commission's website in the future or some other

1 provision, so that those application materials are always
2 available to future commissions so that they don't lose
3 time. It did take us time to get these materials, and
4 I'm concerned that if a future commission were faced with
5 a 30-day deadline, they would be hard pressed to fulfill
6 their obligation. Thank you.

7 CHAIR YEE: Thank you, Commissioner Kennedy. And
8 this reminds me to thank you, Commissioner Kennedy, for
9 helping get us that applicant material from the auditor's
10 office, which was a surprisingly heavy lift in this
11 process.

12 Commissioners Le Mons, then Fornaciari, then Vice
13 Chair Sinay, then Fernandez. Commissioner Le Mons.

14 COMMISSIONER LE MONS: So let me make sure I'm
15 tracking this, because we just had a little bit of a
16 discussion about the 30-day. The 30-day is a different
17 window, and that's been tried and tested in the first
18 commission.

19 CHAIR YEE: That's right.

20 COMMISSIONER LE MONS: So that's been done. And it
21 is it is possible to get the information and it happened.
22 So I don't think we need to convolute what we're facing
23 today with that piece.

24 The second thing is there's also been the spirit of
25 our experience and lessons learned and what 2030 may look

1 like, which will be different invariably. And so the
2 kinds of actions we've tried to take in the spirit of
3 that is to address something that we perceive or to be a
4 challenge or have experienced as a challenge but not
5 assume that the 2030 Commission will face the same
6 challenge.

7 So I think that the proposed amended language does
8 that. I think it addresses what we faced because our
9 issue was we had competing guidance, our regulation
10 and --

11 CHAIR YEE: Statute.

12 COMMISSIONER LE MONS: -- the statute. We're moving
13 to remove that so that it's more clear but still leaves
14 the 2030 Commission with the freedom to approach the
15 situation as they need to.

16 Additionally, I think we could add to our lessons
17 learned, this experience and things that they might
18 consider if they find themselves in the position and need
19 to make a decision of whether to appoint or not, what
20 they need to do in order to do that expediently or
21 whatever it is that they decide to do.

22 I think also the state auditor's office will see
23 this experience because this is the first time for it.
24 And we could, in our recommendations to them and also in
25 our lessons learned, suggest how data should be stored

1 and maintained and for what kinds of periods of time, so
2 that a Commission isn't crippled in the event that they
3 go a particular direction. So I think I'd like to see us
4 keep our focus for the amended language where we have it
5 and use other avenues to address some of these other
6 issues.

7 CHAIR YEE: Yes.

8 COMMISSIONER LE MONS: Thank you.

9 CHAIR YEE: Thank you, Commissioner Le Mons.

10 Commissioners Kennedy and then Vice Chair Sinay and
11 then Commissioner Fornaciari.

12 COMMISSIONER KENEDY: Thank you, Chair. Just a
13 reminder that the 2010 commission dealt with their
14 vacancy within weeks of the commission having held its
15 first full meeting, at which point I'm virtually certain
16 that the recruitment, the applicant review panel website
17 was still live. I'm not sure that by, say, September,
18 October of 2022 whether the California State Auditor's
19 office had already pulled the plug on the applicant
20 review panel website. So yes, 2010 was able to fill
21 theirs within 30 days, but if it had been filling it in
22 the fourth quarter of 2012, I'm not sure it would have
23 been as expeditious as it was in the first quarter of
24 2011.

25 CHAIR YEE: This is true.

1 Vice Chair Sinay.

2 VICE CHAIR SINAY: So something that we talked about
3 a long time ago but we never did, which could ameliorate
4 this whole thing is after the selection is done and
5 what -- first of all, I want to say thank you to
6 Commissioner Le Mons. He's always really good at saying,
7 what is the problem we're trying to solve before we -- I
8 know you didn't say it this time, but it's always in my
9 head now. It's something I'm constantly thinking about,
10 and you answered it without saying it this time.

11 But I do think that one of the recommendations we
12 may want to talk -- the transition committee can talk to
13 the auditor's office is about transitioning their website
14 over to the CRC 2030 because it kind of surprised me that
15 those documents disappear because they're public
16 documents. And so they really should continue to be part
17 of the process, and so we can put that down in our
18 recommendations of conversations to have with them.

19 CHAIR YEE: Commissioner Fornaciari and then
20 Fernandez.

21 COMMISSIONER FORNACIARI: No, I was just going to
22 say the same thing that both Commissioner Sinay and
23 Le Mons said.

24 CHAIR YEE: Great minds think alike.

25 Commissioner Fernandez.

1 COMMISSIONER FERNANDEZ: I can defer to Commissioner
2 Taylor. I was just going to make a motion. So --

3 CHAIR YEE: Okay. Commissioner Taylor.

4 COMMISSIONER TAYLOR: Yeah, I just wanted to state
5 that we shouldn't get caught up in the verbiage of a
6 website because it's the information that we're concerned
7 with. So however the transfer of the information is,
8 it's the information we want. It doesn't matter if it's
9 a seamless marriage of the websites. We want the
10 information. We want to have access to the information.
11 Thank you.

12 CHAIR YEE: And some of that was the transition to
13 accessibility certified websites during that whole
14 period. So that was some of the coming and going.

15 We are seeking a motion, but I'm thinking we should
16 at some point include a discussion of whether to include
17 supermajority requirement since that had come up. Would
18 anyone like to speak to that? That would be a further
19 revision. Yeah.

20 Commissioner Fernandez.

21 COMMISSIONER FERNANDEZ: I think I'm torn with that
22 one, and I understand Commissioner Kennedy's point. But
23 I also understand sometimes the need to move forward
24 quicker and to appoint someone, especially when you're
25 talking 30 days, like you really want someone prior to

1 the maps. You really want someone appointed as soon as
2 possible, and the way we did it today, I think, worked
3 really well regardless of whatever political side you're
4 on. So I'm really torn as to whether or not we want to
5 deal with that. And that could be a separate -- maybe
6 later on we can talk about it. So I don't know. I'm
7 just kind of on the fence right now.

8 CHAIR YEE: Okay.

9 Commissioner Kennedy.

10 COMMISSIONER KENEDY: Thank you, Chair. Yeah, I
11 mean, in my mind, the issue of revising the government
12 code to require a supermajority vote in the case of
13 appointing a replacement commissioner is really a
14 clarification of a system that, as I said, is already in
15 place for the first eight in selecting the final six.
16 And I don't see any justification for varying from that
17 established requirement, and certainly not if any
18 consultant requires a special vote. If a consultant
19 requires a special vote, I just cannot see how it would
20 not require a special vote to fill a vacancy.

21 CHAIR YEE: Thank you --

22 COMMISSIONER KENNEDY: Thank you.

23 CHAIR YEE: -- Commissioner Kennedy. I believe I'm
24 kind of losing track of order here, but I believe we have
25 Commissioners Akutagawa and then Vazquez.

1 COMMISSIONER AKUTAGAWA: I think I'm just being
2 conscious of time and maybe in the -- it's debatable as
3 to whether or not it's being shortsighted or not. I
4 think I heard from Commissioner Kennedy two proposed
5 legislative changes. One is the supermajority vote for
6 appointing a replacement, and then there was another one
7 that you spoke about earlier, and I apologize I can't
8 remember, but you were citing a different government
9 code.

10 Given that this is probably going to be the one and
11 only meeting for this year, my question is, is there an
12 urgency to have to include the supermajority in this
13 change if you're talking about it as more of a
14 clarification. Is this something that we could come back
15 to perhaps the next time we meet, which may be after the
16 current fiscal year, which is after June -- I just want
17 to acknowledge that it'll be after June -- with the
18 legislative changes that we could discuss with our
19 partners and have a conversation and then come with
20 proposed language.

21 The reason why I'm saying that is that we have
22 proposed language to clarify the discrepancies or the
23 conflicts between the statute and the regulations, and
24 that will enable us to move forward with better clarity
25 on this issue. And I'd like to see if we could just move

1 forward with this, at this point, right now, and then add
2 then the further clarifications later so that we don't, I
3 think, handcuff ourselves and have to go through all of
4 this. Although, I guess now that we've done this, we do
5 have a process in place, so --

6 CHAIR YEE: So Commissioner Akutagawa, from the
7 legislative subcommittee, you're thinking if we do add
8 the supermajority requirement, that you would need to
9 come back to us to have that approved before we went
10 forward with it?

11 COMMISSIONER AKUTAGAWA: I think what I'm hearing is
12 that that would need to be incorporated into the
13 legislative language, and we're not -- then we would not
14 be prepared to move forward on any of this work at this
15 point now, because, you know, we'd have to go back, we'd
16 have to get the language redrafted --

17 CHAIR YEE: Right.

18 COMMISSIONER AKUTAGAWA: -- and then again we would
19 have to meet and vote on it, and that would delay -- and
20 that's where I'm saying, you know, is that better versus
21 just let's move forward with what we have today and then
22 come back later on once we have a chance to, you know,
23 discuss and revisit and re -- and draft the language and
24 also have a discussion about this other language that
25 Commissioner Kennedy also brought up in this --

1 CHAIR YEE: Right.

2 COMMISSIONER AKUTAGAWA: -- other government
3 statute.

4 CHAIR YEE: So it would not be sufficient just to
5 approve the intent, no. Okay.

6 COMMISSIONER AKUTAGAWA: Yeah.

7 CHAIR YEE: We have numerous hands up, but I'd like
8 to pause the discussion on this matter because we have
9 Mr. Blando available to us, and I would like to proceed
10 with swearing him in as a commissioner so that he can
11 participate in this discussion as our new colleague.
12 Thank you, Mr. Blando, for joining us, and
13 congratulations on your appointment. Our counsel, Tim
14 Trekell, will, if you're available, now, swear you in.
15 And if you'd like to make a brief statement of any kind,
16 we welcome you to do that.

17 COMMISSIONER BLANDO: Well, I'm very grateful and
18 very honored. Thank you for selecting me. I've watched
19 you on occasion, not completely. And I was there in the
20 initial selections process. And I know everybody has an
21 impeccable resume, so I am definitely honored. And as
22 the newest person, I understand the challenges. I've
23 done it before in different contexts, so I look forward
24 to the challenge and hopefully get to know each of you as
25 well and get to that working relationship as soon as I

1 can. Thank you.

2 CHAIR YEE: Thank you so much.

3 MR. TREICHEL: Yeah. Mr. Blando. My name is Tim

4 Treichel, and I am the attorney for the commission.

5 First of all, congratulations. And I'd like to

6 administer the oath of office to you for the position of

7 member of the California Citizens Redistricting

8 Commission. And I ask that you repeat after me.

9 COMMISSIONER BLANDO: Yeah.

10 MR. TREICHEL: Are you ready, sir?

11 COMMISSIONER BLANDO: Yes.

12 MR. TREICHEL: Okay. I, Peter Blando.

13 COMMISSIONER BLANDO: I, Peter Blando.

14 MR. TREICHEL: Do solemnly swear.

15 COMMISSIONER BLANDO: Do solemnly swear.

16 MR. TREICHEL: That I will support and defend the

17 Constitution of the United States.

18 COMMISSIONER BLANDO: That I will support and defend

19 the Constitution of the United States.

20 MR. TREICHEL: And the Constitution of the State of

21 California.

22 COMMISSIONER BLANDO: And the Constitution of the

23 State of California.

24 MR. TREICHEL: Against all enemies, foreign and

25 domestic.

1 COMMISSIONER BLANDO: Against all enemies, foreign
2 and domestic.

3 MR. TREICHEL: That I will bear true faith and
4 allegiance to the Constitution of the United States.

5 COMMISSIONER BLANDO: That I will bear true faith
6 and allegiance to the Constitution of the United States.

7 MR. TREICHEL: And the Constitution of the State of
8 California.

9 COMMISSIONER BLANDO: And to the Constitution of the
10 State of California.

11 MR. TREICHEL: That I take this obligation freely.

12 COMMISSIONER BLANDO: That I take this obligation
13 freely.

14 MR. TREICHEL: Without any mental reservation or
15 purpose.

16 COMMISSIONER BLANDO: Without any mental
17 reservation.

18 MR. TREICHEL: Or purpose of evasion.

19 COMMISSIONER BLANDO: Or purpose of evasion.

20 MR. TREICHEL: And that I will well and faithfully.

21 COMMISSIONER BLANDO: And that I will faith --

22 MR. TREICHEL: Well and faith --

23 COMMISSIONER BLANDO: -- well and faithfully.

24 MR. TREICHEL: Discharge the duties.

25 COMMISSIONER BLANDO: Discharge the duties.

1 MR. TREICHEL: Upon which I am.

2 COMMISSIONER BLANDO: Upon which I am.

3 MR. TREICHEL: About to enter.

4 COMMISSIONER BLANDO: About to enter.

5 MR. TREICHEL: So congratulations and welcome.

6 CHAIR YEE: Welcome, Commissioner Blando. You are
7 now a full member of the California Citizens
8 Redistricting Commission.

9 VICE CHAIR SINAY: And Commissioner Blando did say
10 that he will be here this afternoon so we can meet him in
11 person.

12 CHAIR YEE: Very good.

13 Okay. Let's continue with our discussion of
14 legislative revision. We are on to Commissioners
15 Fernandez, Kennedy, and Le Mons.

16 COMMISSIONER FERNANDEZ: Yeah. I just wanted to
17 clarify that our government code section says that as a
18 commission, we need to approve the specific language by
19 supermajority. And that's why if we -- we cannot
20 approve -- we can approve the approve the intent, but it
21 won't be finalized today --

22 CHAIR YEE: -- Uh-huh.

23 COMMISSIONER FERNANDEZ: -- if that makes sense. So
24 that's why we were hoping if that's something that as a
25 commission wants to move forward with, then we could take

1 it to our legislative partners and maybe just deal with
2 this separately if this is what the commission wants to
3 do.

4 CHAIR YEE: Perhaps you could give us advice on that
5 matter then if we went forward with just these changes.

6 COMMISSIONER FERNANDEZ: Uh-huh.

7 CHAIR YEE: You know, had the revision successfully
8 enacted, and then came back for the supermajority, is
9 that too cumbersome? Would it make more sense to wait
10 until we have all revisions?

11 COMMISSIONER FERNANDEZ: Oh, so the issue is going
12 to be one, we could move forward with the revision now
13 and at least fix this piece of it. We don't know the
14 next time we're going to meet.

15 CHAIR YEE: That's right.

16 COMMISSIONER FERNANDEZ: So that's -- we're just
17 trying to put the --

18 CHAIR YEE: Okay.

19 FEMALE SPEAKER: Move it along.

20 COMMISSIONER FERNANDEZ: Yeah, because it could be
21 another legislative cycle. Right.

22 CHAIR YEE: Right. That's right.

23 FEMALE SPEAKER: Yeah. Yeah.

24 COMMISSIONER FERNANDEZ: So I'm just thinking of the
25 timing. It's been a year and a half since our last

1 meeting --

2 CHAIR YEE: Yeah.

3 COMMISSIONER FERNANDEZ: -- which, you know --

4 CHAIR YEE: We missed each other.

5 COMMISSIONER FERNANDEZ: -- trying to be a realist
6 right now. Thank you.

7 CHAIR YEE: Okay. Very good.

8 Commissioner Kennedy?

9 COMMISSIONER KENNEDY: Thank you, Chair.

10 Yeah, I mean, my take is a little bit different, I
11 guess. But I think, going back to what I mentioned
12 earlier, the discussions today and the issues that we're
13 finding with the legal framework kind of coming into
14 conflict with reality are indicative that, you know, as
15 good a job -- as great a job as the drafters did,
16 originally, they did not have the lived experience of
17 operating under the legal framework. And so I think that
18 we need to, as part of our seven year work plan, or
19 however we want to frame it, I think we really need to
20 look at a deeper dive, looking at the legal framework as
21 a whole, applying our lived experience to it. And I
22 guess my preference would be to come up with a
23 comprehensive package all at once. And we're not going
24 to get there today but just seems to me that it makes --
25 you know, that it's going to be cleaner to go in once

1 with a very well and deeply considered package. And
2 again, I think our discussion today is indicative that
3 there are things that we need to sit down and consider --

4 CHAIR YEE: Uh-huh.

5 COMMISSIONER KENNEDY: -- from a systems perspective
6 and just how do all of these pieces work together? Thank
7 you.

8 CHAIR YEE: Thank you.

9 Commissioner Kennedy.

10 Commissioner Le Mons.

11 COMMISSIONER LE MONS: Thank you for that,
12 Commissioner Kennedy. Actually, I think that's a great
13 idea so that it isn't piecemeal. And I want to make sure
14 I understood. You're suggesting that not holding the
15 current recommended revision up for this process but
16 moving forward with the recommended revision and then
17 taking a deeper dive more broadly to look at legislative
18 recommendations that we might need to make, which I think
19 our committee has been -- I think we have a whole
20 spreadsheet of -- if my memory serves me correctly -- of
21 things that we've been prioritizing, which of those
22 things we should move on. So I think that the
23 supermajority issue should get added to that queue.

24 I did have a question that may be moot at this
25 point, but I'll ask it. And that is, is there a statute

1 currently that outlines which actions require a
2 supermajority vote. Does that currently exist? Because
3 an approach might be to simply add this particular
4 process to that list of processes that require that vote
5 if that's the case. But I don't want to -- I'll stop
6 there.

7 CHAIR YEE: I think it's piecemeal here and there in
8 the statutes and regulations. Yeah.

9 COMMISSIONER LE MONS: Okay. Thank you, Chair.

10 CHAIR YEE: Okay. Commissioners Vazquez and then
11 Akutagawa.

12 COMMISSIONER VAZQUEZ: Yeah. Thank you. I have
13 appreciated the discussion, and mostly just wanted to
14 also bring up the reality that because this is
15 legislation, there may be changes proposed or strongly
16 encourage, whether from community groups or the
17 legislature. And so any -- I would recommend that any
18 changes that come from us have a really strong rationale
19 in order for us to have, I think, any necessary
20 discussions with other folks who may want to give input
21 into how the legislation is worded.

22 CHAIR YEE: Thank you.

23 Commissioner Kennedy, can you remind us, there's a
24 limitation on the years in which legislation can be
25 revised? Perhaps you could -- if you have that off the

1 top of your head or --

2 COMMISSIONER KENNEDY: It's years ending in nine,
3 zero, or one. So anything that we want the legislature
4 to do, they have to finish by the end of 2028.

5 CHAIR YEE: Uh-huh.

6 COMMISSIONER KENNEDY: And you made the point
7 earlier. We haven't met in a year and a half. And you
8 know, I'm looking at this and thinking we really need to
9 prioritize this and make sure that we have completed this
10 important part of our work in time to give the
11 legislature the time it needs to do its job in improving
12 things. We don't want to wait until the last minute.
13 And you know, as much as we need the meetings to sit and
14 discuss this, we don't currently know when we're going to
15 be able to do that.

16 CHAIR YEE: Right. Very good.

17 Commissioner Akutagawa.

18 COMMISSIONER AKUTAGAWA: Thank you. And I
19 appreciate this discussion. I do want to perhaps bring
20 in the perspective being part of the subcommittee,
21 working with our legislative partners and trying to also
22 be a little pragmatic about the process that we've
23 experienced. So I did consider whether or not it would
24 be better to try to come together with a comprehensive
25 package versus like piecemealing, even just what we're

1 discussing now. And I think pragmatically, even though
2 piecemealing seems a little inefficient, there is -- it
3 may be more effective in piecemealing some of this
4 because we do have a long list of things. But just keep
5 in mind that the legislature itself is made up of a lot
6 of different perspectives and a lot of different
7 priorities. There's also a need for sometimes -- I'm
8 going to call it precedent -- where, you know, there are
9 some things that we may be able to move because there is
10 precedent and it's not creating something new.

11 And so those are considerations that I think -- and
12 I'm sure there's a lot of other considerations, but I
13 just wanted to place this out for all of our
14 consideration as we as we think about, you know, coming
15 forward with -- I'm going to call it the omnibus bill for
16 the CRC versus, you know, something that's a little bit
17 more bite sized and pragmatic. And you know, we might
18 have some wins right away. We may have some that are,
19 you know, kind of like continuing to stay on the list
20 because maybe there isn't --

21 CHAIR YEE: Uh-huh.

22 MALE SPEAKER: An appetite.

23 COMMISSIONER AKUTAGAWA: -- an appetite because of
24 current priorities. And/or maybe there isn't just really
25 a structure or framework that kind of makes sense for us

1 to say this fits because this is what someone else or
2 another agency is already doing.

3 And you know, I think government and legislating and
4 just kind of public service and just all of this is meant
5 to be a little inefficient for various reasons. And so I
6 just want to put that out there that maybe we just --
7 let's be bite sized instead of the let's take that big,
8 huge bite. And I think we may then gain more that way.

9 And yes, I am conscious that -- actually, I think
10 what Commissioner Kennedy said about the timeline -- you
11 know, this is then what we are going to need to do is
12 maybe later on today, we'll need to think about what our
13 meeting schedules are going to be so that we can get some
14 of these --

15 CHAIR YEE: Uh-huh.

16 COMMISSIONER AKUTAGAWA: -- things passed, or at
17 least, you know, moved along before we hit the deadline
18 of not being able to make any additional changes. So
19 food for thought for everybody. Yeah.

20 CHAIR YEE: Right. And December 31st, 2028 would be
21 the deadline for the legislature to pass anything.

22 FEMALE SPEAKER: Yes. Yes.

23 CHAIR YEE: It's not just for us to propose. Yeah.

24 Vice Chair Sinay. And then looking for a motion,
25 perhaps, if we're ready. Yeah.

1 VICE CHAIR SINAY: I'm going to do this, since you
2 proposed it. My bad.

3 Okay. Just really quickly. Do we have a sponsor
4 for this --

5 FEMALE SPEAKER: No.

6 VICE CHAIR SINAY: -- or we don't?

7 COMMISSIONER FERNANDEZ: Well, not yet because it
8 hasn't been approved by the commissioner --

9 VICE CHAIR SINAY: Okay. I just wanted to --

10 COMMISSIONER FERNANDEZ: That would be the next
11 step.

12 FEMALE SPEAKER: Yeah.

13 VICE CHAIR SINAY: Okay. Just want to make sure.

14 So I'd like to make a motion that we accept the
15 changes to the legislation -- no --

16 FEMALE SPEAKER: Government code?

17 VICE CHAIR SINAY: -- to the government code section
18 proposed by the legislature subcommittee.

19 CHAIR YEE: Okay. So this is a motion to adopt the
20 legislative change, which is shown in the handout.

21 COMMISSIONER LE MONS: I'll second.

22 CHAIR YEE: Yeah. So the motion made by Vice Chair
23 Sinay, seconded by Commissioner Le Mons. And this is the
24 third from the last handout, which is titled -- does
25 somebody have that right now -- in the handouts -- oh,

1 here it is -- vacancy statutory revision proposal. Okay.
2 We have a motion and a second. Let's have discussion and
3 in public comment. So this is the bite-sized approach.

4 MR. MANOFF: For those who have logged in via Zoom,
5 you can use the raise hand button to give comment. And
6 there are no raised hands at this time, Chair.

7 CHAIR YEE: Okay. Thank you.

8 Any further discussion?

9 MALE SPEAKER: Kennedy.

10 CHAIR YEE: Oh, I'm sorry. Commissioner Kennedy.

11 COMMISSIONER KENNEDY: Yeah, I guess the way that
12 I'm finding peace with this is we've said on many
13 occasions that we want to allow our successors to do
14 things in the way that they see best. I still have
15 concerns about this, but yeah, I think that's where I can
16 land on it.

17 CHAIR YEE: Uh-huh. Legislative subcommittee, do
18 you have an idea, if this goes forward, what the timeline
19 would be going out?

20 COMMISSIONER FERNANDEZ: No. I could maybe, you
21 know -- during lunch I might be able to make some calls
22 and try to figure it out, but I don't -- I think -- I'm
23 trying to think, where are we, in March? I think this
24 late in the game, I think the bills have already been
25 submitted, so I think it'd have to be like attached onto

1 a bill. I'm hoping that someone out there is listening
2 to me, and I might get an email. But hopefully it'd be
3 nice this year, but we'll have to wait and see.

4 CHAIR YEE: So could it be this year but may not be.

5 COMMISSIONER FERNANDEZ: Right.

6 CHAIR YEE: Okay. Wow. Things move slowly.

7 FEMALE SPEAKER: Yeah. They (indiscernible) --

8 CHAIR YEE: Okay. Any further discussion before we
9 go to a vote? Any public comments from the room or
10 online? If not, let's go forward with the vote.

11 MR. TREICHEL: Okay. Vote on the motion.

12 And Commissioner Ahmad.

13 COMMISSIONER AHMAD: Yes.

14 MR. TREICHEL: Commissioner Akutagawa.

15 COMMISSIONER AKUTAGAWA: Yes.

16 MR. TREICHEL: Commissioner Fernandez.

17 COMMISSIONER FERNANDEZ: Yes.

18 MR. TREICHEL: Commissioner Fornaciari.

19 COMMISSIONER FORNACIARI: Yes.

20 MR. TREICHEL: Commissioner Kennedy.

21 COMMISSIONER KENNEDY: Yes.

22 MR. TREICHEL: Commissioner Le Mons.

23 COMMISSIONER LE MONS: Yes.

24 MR. TREICHEL: Commissioner Sadhwani.

25 Commissioner Sinay.

1 VICE CHAIR SINAY: Yes.

2 MR. TREICHEL: Commissioner Taylor.

3 COMMISSIONER TAYLOR: Yes.

4 MR. TREICHEL: Commissioner Toledo.

5 Commissioner Turner.

6 COMMISSIONER TURNER: Yes.

7 MR. TREICHEL: Commissioner Vazquez.

8 COMMISSIONER VAZQUEZ: Yes.

9 MR. TREICHEL: Commissioner Chairman Yee.

10 CHAIR YEE: Yes.

11 And Commissioner Toledo, are you not there?

12 FEMALE SPEAKER: Blando.

13 MALE SPEAKER: Blando.

14 CHAIR YEE: Oh, I'm sorry. Yes.

15 FEMALE SPEAKER: Commissioner Blando.

16 FEMALE SPEAKER: Commissioner Blando.

17 CHAIR YEE: Commissioner Blando, yes.

18 MR. TREICHEL: Commissioner Blando. My apologies.

19 COMMISSIONER BLANDO: Yes.

20 CHAIR YEE: Your first official vote.

21 MR. TREICHEL: Good.

22 CHAIR YEE: The motion is approved unanimously to

23 direct the legislative subcommittee to pursue this

24 legislative change to give ourselves and any future

25 commissioners discretion on whether to appoint a

1 vacancy -- whether and when to appoint a replacement
2 commissioner in case of a vacancy after the mapping
3 phase.

4 Okay. Very good. Legislative subcommittee, any
5 other matters to bring to our attention? Legislative
6 subcommittee, anything else?

7 COMMISSIONER AKUTAGAWA: Actually, so I do have a
8 question. Since we are here together and there is
9 interest in adding to our list of legislative priorities
10 that we would like to just have --

11 CHAIR YEE: Uh-huh.

12 COMMISSIONER AKUTAGAWA: -- potentially be enacted.
13 I guess what would be the process --

14 FEMALE SPEAKER: We have to vote on it.

15 COMMISSIONER AKUTAGAWA: Do we have to vote on some
16 of these --

17 COMMISSIONER FERNANDEZ: It has to be a motion.
18 That's how we've done in the past -- it's a motion for
19 specific items that we're going to add to our never
20 ending list.

21 COMMISSIONER AKUTAGAWA: Yes. Yes.

22 CHAIR YEE: Okay. So even the supermajority
23 concept, we would need to vote on that?

24 COMMISSIONER AKUTAGAWA: Do we need to have a fuller
25 discussion, or do we have already a full discussion

1 enough to vote, or do we need to have a discussion and
2 then call for a motion and a vote --

3 CHAIR YEE: Well, we need a motion --

4 COMMISSIONER AKUTAGAWA: Okay.

5 CHAIR YEE: -- and discussion, then a vote? Yeah.

6 FEMALE SPEAKER: (Indiscernible).

7 CHAIR YEE: Okay. So the legislative subcommittee
8 is telling us that we need a motion and a vote to
9 instruct it to pursue any other changes, including
10 potentially the supermajority requirement change.

11 MALE SPEAKER: And then (indiscernible) --

12 CHAIR YEE: Commissioner Kennedy.

13 COMMISSIONER KENNEDY: Yeah, I just closed on the --
14 okay. So I move that we instruct the legislative affairs
15 subcommittee to pursue amendment to government code
16 Section 8253(a)(5), to stipulate that replacement of a
17 commissioner requires a supermajority vote.

18 CHAIR YEE: Very good.

19 COMMISSIONER LE MONS: I'll second.

20 CHAIR YEE: Okay. The motion made by Commissioner
21 Kennedy is seconded by Commissioner Lemons. As a
22 reminder, a supermajority vote means a supermajority of
23 each of the political categories. So the first largest
24 political party of the State has five members on the
25 commission. The second largest has five members, and

1 neither of those two have four members. So it would be
2 three, three, and three of each of those categories is a
3 supermajority.

4 Okay. Discussion on the motion.

5 Commissioner Fernandez.

6 COMMISSIONER FERNANDEZ: I'm just thinking the -- I
7 can see why you wouldn't need the supermajority. Because
8 what if you don't -- if you're unable to get that many
9 commissioners here that are in the right categories to
10 vote, so then you can't appoint a commissioner. I'm
11 sorry. I'm just trying to think of the --

12 CHAIR YEE: That's why we're here.

13 COMMISSIONER FERNANDEZ: -- the downside of it is.
14 Yeah.

15 CHAIR YEE: Vice Chair Sinay.

16 VICE CHAIR SINAY: Yeah, I was thinking the same
17 thing just because I know how much the Chair and I
18 stressed about, did we have quorum? We knew we needed
19 nine votes. And then I had thrown out the supermajority
20 question, and that got us even more in a frenzy. And I
21 think if you're in a place where you need to get another
22 commissioner on board, the less barriers, the better.

23 And it also raises my other concern that I still
24 think it should be 15, five, five, and five. But I know
25 that that's -- yeah, I just didn't want that to slip

1 through because I think if it -- you know, in many ways
2 the four sometimes has more power than the five and the
3 five the way it's set up right now. And so that's -- I'm
4 going to continue to bring that up, because that one
5 really bothers me.

6 CHAIR YEE: To increase the commission to five,
7 five, and five would require a Constitutional amendment.
8 It is a --

9 VICE CHAIR SINAY: I know, but I can still keep
10 bringing it up because there might be people out there
11 who agree with me.

12 CHAIR YEE: Yes.

13 Further discussion?

14 Commissioner Ahmad.

15 COMMISSIONER AHMAD: Yeah. I just wanted to echo
16 Commissioner Fernandez's point. There could potentially
17 be a situation in which a supermajority doesn't even
18 exist on the commission anymore. So to bring that into
19 legislation as a piece of requirement to fill those empty
20 seats, it kind of almost backfires and puts us at a
21 gridlock situation.

22 CHAIR YEE: So for instance, if two of the -- not
23 two largest political party members were vacant -- if two
24 seats were vacant, you would no longer be able to form a
25 supermajority of that group.

1 Further discussion?

2 FEMALE SPEAKER: Commissioner Blando.

3 CHAIR YEE: Oh, I'm sorry. Commissioner Blando.

4 COMMISSIONER BLANDO: Thank you. So just as a point
5 related to previously, we want to simplify and make it
6 bite sized. This is why some legislation gets really
7 large because you start looking at permutations and
8 combinations. And what will happen -- if these
9 situations happen, given you do have a timeline as well,
10 so that is an issue I see here. So you could increase
11 the wording to account for these permutations and issues,
12 but that might lead to less of a bite-sized bill at this
13 point or proposal.

14 CHAIR YEE: Right. And of course, you know, we or
15 any future commission could always require itself to have
16 a supermajority vote, you know, even if it's not required
17 by legislative legislature -- or by the law.

18 Commissioner Taylor.

19 COMMISSIONER TAYLOR: You know, during the ordinary
20 course of business, the supermajority is always in
21 danger. A regular meeting of supermajority is in danger.
22 So are we saying that there's an exception at a given
23 time? But that's an issue that will always face whether
24 or not that supermajority is present to forward any
25 proposed changes.

1 CHAIR YEE: Uh-huh.

2 Vice Chair Sinay.

3 VICE CHAIR SINAY: We are a very functioning group.
4 You know, I think sometimes we take that for granted.
5 But after the National Conference of Independent
6 Redistricting Commissions, I want us to just -- I want to
7 put that forward, that we do function very, very well.
8 And what Commissioner Ahmad said is actually -- could be
9 a reality because it has been realities in other
10 commissions where one whole party walks out or whatnot.
11 So I would just -- to me, if you have to bring on a
12 commissioner while you've already started the work, it's
13 pretty much an emergency of some kind, and therefore the
14 more flexibility you have to do it quickly and
15 efficiently and effectively, the better.

16 CHAIR YEE: Wow. Real debate.

17 Commissioner Taylor.

18 COMMISSIONER TAYLOR: Then I would think that we
19 would have to define what that emergency or special
20 circumstances would be, because if not, we can devolve to
21 anything being a circumstances where the supermajority is
22 not required or, well, you know, we're not going to meet
23 during the ordinary course of business, so we should go
24 forward. So I think, if that's our standard, we have to
25 define why we wouldn't use the standard.

1 CHAIR YEE: Uh-huh. In the ordinary course of
2 business, quorum is nine. There is no supermajority
3 requirement for quorum. Ordinary votes are nine as a
4 majority. Nine of the 14, supermajority is not required.
5 But supermajority is required for certain actions,
6 including the appointment of the final six, personnel
7 matters, contractor hiring, approval of maps -- and
8 anything else?

9 MALE SPEAKER: Legal counsel.

10 CHAIR YEE: The appointment of legal counsel. Yeah.

11 Another call for public comment, please.

12 MR. MANOFF: For those who have joined the meeting
13 by Zoom, you can use the raise hand button. And I do
14 have a hand here.

15 Renee Westa-Lusk.

16 CHAIR YEE: Ms. Westa-Lusk, please go ahead.

17 MS. WESTA-LUSK: Yes. I personally think you're
18 tying your hands by requiring the supermajority in that
19 piece of legislation you want to modify. I think there
20 may be a time in a moment of need where you have to meet
21 and act quickly, and what if you don't have the
22 supermajority to vote for that additional commissioner,
23 or there's some other emergency vote, you know, if you're
24 in a legal battle, if the maps get challenged somehow
25 before 2030 again, you know, I don't know. I don't think

1 you should tie your hands with the supermajority
2 requirement. Thank you.

3 CHAIR YEE: Thank you. So just to be clear, if this
4 were not a supermajority matter, it could pass on nine
5 votes. Any nine votes? Yeah.

6 Commissioner Vazquez.

7 COMMISSIONER VAZQUEZ: Yeah, thanks. I've been
8 going back and forth, but I do think I ultimately land on
9 the sort of, by definition, most things that are
10 happening during the work phase of the map drawing are
11 going to be under extreme time pressures. And so I do
12 think I land ultimately on the flexibility.

13 Again, we had a once in a generation pandemic --
14 hopefully -- knock on wood. And at the same time, we are
15 in extraordinary circumstances. We just had a fire that
16 impacted several members of the commission and their
17 communities. And so should we be experiencing something
18 like that -- should this commission experience something
19 like that, where, you know, through no fault of anyone,
20 but commissioners, you know, are not available, if we
21 have a quorum, I do feel like the commission should be
22 able to act on certain matters in those sort of dire
23 times, especially, again, in the work phase when we know
24 every day, every meeting day, counts.

25 CHAIR YEE: I should clarify. So an ordinary

1 majority is not any nine votes. A supermajority would be
2 nine votes with at least three from each of the three
3 categories. So that would also be nine votes, but
4 certain nine votes instead of any nine votes.

5 Okay. Commissioner Kennedy and then Le Mons.

6 COMMISSIONER KENNEDY: Thank you, Chair.

7 It occurs to me that if we're looking for a
8 resolution of this, that, you know, maybe we propose
9 something like an interim appointment until such time as
10 we can muster enough commissioners to allow a
11 supermajority.

12 I mean, I keep coming back to it doesn't make sense
13 to me that hiring a consultant requires a higher
14 threshold than replacing a commissioner. I just don't
15 see any logic in that.

16 CHAIR YEE: Right.

17 COMMISSIONER KENNEDY: And if it takes an interim
18 appointment of some kind, subject to subsequent
19 ratification within a further 90 days or something, you
20 know, then let's propose that. But I just -- I have
21 problems getting by, you know, allowing replacement of a
22 commissioner on less of a vote than is required for
23 hiring a consultant. Thank you.

24 CHAIR YEE: Right. Commissioner Kennedy, I suppose
25 one consideration would be that, in this case, you know,

1 a commissioner vacancy is precisely the occasion for such
2 a vote, which precisely makes -- possibly makes a
3 supermajority more difficult. I think that would be the
4 consideration. Right.

5 Okay. Commissioner Le Mons and then Commissioner
6 Blando.

7 COMMISSIONER LE MONS: I think what's on the
8 floor -- while I don't want to waste the legislative
9 subcommittee's time, certainly, I think what this
10 discussion has proved to me is this requires some
11 additional thought, maybe on -- at least on my part.
12 I've kind of gone back and forth just listening to this
13 conversation. And all of the feedback is suggesting that
14 this is -- needs to be a more robustly thought through
15 proposed piece of legislation or recommendations.

16 So maybe the legislative subcommittee can give some
17 thought to some of those obstacles as well. And when
18 they come back with their next report, can suggest to us
19 what might be pathways to write this language in a way
20 that takes into consideration as many of the concerns
21 that have been raised. But for the sake of today, we're
22 just voting to have it be added to the list --

23 CHAIR YEE: That's right.

24 COMMISSIONER LE MONS: -- of things to pursue. So
25 if we could maybe do a down and dirty -- not down and

1 dirty. If we can vote whether we're comfortable to at
2 least add it to the list, but not we're not approving
3 anything. We're not --

4 CHAIR YEE: That's right.

5 COMMISSIONER LE MONS: -- doing anything other than
6 that. Maybe we can move this particular item forward.

7 Thank you, Chair.

8 CHAIR YEE: Thank you.

9 Commissioner Blando.

10 COMMISSIONER KENNEDY: Yeah, just an observation
11 here. If -- and a question, if the process to select
12 commissioners required, initially, just eight voting
13 members, why wouldn't that be the case in this case,
14 since the appoint the final six required the eight. So
15 that might be where somebody sees an inconsistency in
16 this process that, because of the timing, the bar just
17 went up. So that's just my observation here.

18 CHAIR YEE: Thank you.

19 Okay. Are we ready to vote on the motion?

20 FEMALE SPEAKER: You guys got the commission --

21 CHAIR YEE: Yes.

22 FEMALE SPEAKER: -- to replace a commissioner
23 requires a supermajority vote.

24 FEMALE SPEAKER: To be -- to add to this list.

25 MR. TREICHEL: I'm --

1 CHAIR YEE: Okay.

2 MR. TREICHEL: I'm reading the statute 8251, and
3 that's 8251(c). "The legislature may not amend this
4 chapter unless all of the following are met, but at the
5 same vote required for the adoption of a final set of
6 maps, the Commission recommends amendment to this chapter
7 to carry out its purpose and intent." So isn't that
8 requiring a supermajority? So it's already required.

9 CHAIR YEE: At this point, we're not approving --

10 FEMALE SPEAKER: We're not approving the
11 legislation.

12 CHAIR YEE: -- proposed legislation. We're only
13 approving work on --

14 FEMALE SPEAKER: The concept.

15 CHAIR YEE: -- a proposal for such a change.

16 MR. TREICHEL: Okay. But isn't that your motion?
17 No? Okay. My apologies.

18 CHAIR YEE: Yeah. Yeah.

19 So the vote would be on recommending or directing
20 the legislative subcommittee to draft proposed
21 legislation to require a supermajority vote on
22 replacement commissioners. And then at a future time, we
23 would look at that and decide whether to move it forward
24 as an actual legislative change. Right? Yeah.

25 FEMALE SPEAKER: That's the motion.

1 CHAIR YEE: That's the motion. Yeah. Okay. Are we
2 ready for a vote?

3 FEMALE SPEAKER: Yes.

4 CHAIR YEE: No further comments? Okay. Let's vote.

5 MR. TREICHEL: Okay. Roll call.

6 Commissioner Ahmad.

7 COMMISSIONER AHMAD: Yes.

8 MR. TREICHEL: Commissioner Akutagawa.

9 COMMISSIONER AKUTAGAWA: Yes.

10 MR. TREICHEL: Commissioner Blando.

11 COMMISSIONER BLANDO: Yes.

12 MR. TREICHEL: Commissioner Fernandez.

13 COMMISSIONER FERNANDEZ: No.

14 MR. TREICHEL: Commissioner Fornaciari.

15 COMMISSIONER FORNACIARI: Yes.

16 MR. TREICHEL: Commissioner Kennedy.

17 COMMISSIONER KENNEDY: Yes.

18 MR. TREICHEL: Commissioner Le Mons?

19 COMMISSIONER LE MONS: Yes.

20 MR. TREICHEL: Commissioner Sadhwani.

21 Commissioner Sinay.

22 VICE CHAIR SINAY: No.

23 MR. TREICHEL: Commissioner Taylor.

24 COMMISSIONER TAYLOR: Yes.

25 MR. TREICHEL: Commissioner Toledo.

1 COMMISSIONER TOLEDO: No.

2 MR. TREICHELDT: Commissioner Turner.

3 COMMISSIONER TURNER: Yes.

4 MR. TREICHELDT: Commissioner Vasquez.

5 COMMISSIONER VAZQUEZ: Yes.

6 MR. TREICHELDT: Commissioner Yee. Chairman Yee.

7 CHAIR YEE: Yes.

8 MR. TREICHELDT: Okay.

9 CHAIR YEE: How many votes is that?

10 FEMALE SPEAKER: Yeah, supermajority.

11 MALE SPEAKER: Are you sure?

12 MR. TREICHELDT: So 11 votes for --

13 FEMALE SPEAKER: No.

14 MR. TREICHELDT: -- 3 against.

15 CHAIR YEE: I thought there was more --

16 FEMALE SPEAKER: There should only be ten votes for.

17 CHAIR YEE: Yeah. Because Commissioner Sadhwani did
18 not vote.

19 MR. TREICHELDT: Sadhwani did not vote, so it should
20 be --

21 FEMALE SPEAKER: 13.

22 MALE SPEAKER: That's (indiscernible) --

23 FEMALE: No, we have one. Yeah, that's not --

24 CHAIR YEE: We should have 13 votes.

25 FEMALE SPEAKER: Yeah, we should have 13.

1 MR. TREICHEL: So measure passes ten to three.

2 CHAIR YEE: Okay. Thank you. So we are instructing
3 the legislative subcommittee to draft such language.
4 We'll take a look at it again once it's drafted when we
5 meet again.

6 Okay. Legislative subcommittee, anything else?

7 COMMISSIONER FERNANDEZ: We don't have anything
8 else, right, Commissioner Akutagawa? Commissioner
9 Akutagawa, we don't have any -- hello? We don't have
10 anything else, right?

11 COMMISSIONER AKUTAGAWA: No, we don't have any else,
12 but I do -- I guess, again, a question. Okay. So we
13 voted to add it to the list, which --

14 CHAIR YEE: Right.

15 COMMISSIONER AKUTAGAWA: -- I'm in favor of.
16 However, are we actually -- I think our previous -- well,
17 I'm hearing two things. One, I think our previous
18 process was after some extensive discussion about whether
19 or not we -- you know, even though it's added to the
20 list, what that language is going to actually look like,
21 was following discussion.

22 I'm also thinking about what Commissioner Le Mons
23 said about some additional time needed to maybe have a
24 more thoughtful discussion about this topic. And I feel
25 like -- I'm concerned as to whether or not we're ready to

1 actually move to actually drafting language, because I
2 think there is not necessarily agreement about what that
3 language is. My vote yes was that we're just going to
4 add it to the list to think about it and then later on
5 discuss it.

6 I am concerned about just trying to move directly to
7 writing new legislative language. I don't think we're
8 there yet because I don't think we have an agreement as
9 to what that would be, and I don't believe we've had a
10 full enough discussion to look at that.

11 CHAIR YEE: And that ultimately is up to me. You
12 can draft, you know, various alternatives. You can draft
13 nothing and come back with a request for more discussion.
14 It's entirely up to you.

15 FEMALE SPEAKER: You have the power.

16 CHAIR YEE: Yeah, you have the power.

17 COMMISSIONER AKUTAGAWA: Okay. Thank you very much,
18 Chair Yee.

19 CHAIR YEE: Yeah. Commissioners Le Mons and the
20 Vice Chair Sinay.

21 COMMISSIONER LE MONS: Yeah. I was going to say,
22 Commissioner Akutagawa, that was my attempt at a bite-
23 size approach to this process. So you guys do with it
24 what you need to.

25 CHAIR YEE: Yeah.

1 Vice Chair Sinay.

2 VICE CHAIR SINAY: I agree. And I think when we
3 meet again in the future, we should actually put a
4 significant amount of time to just look again at the
5 legislation -- you know, prioritize again. I know we've
6 prioritized in the past, but have a discussion,
7 prioritize what we want to take to the legislature to
8 see -- because we don't want to take a whole menu. Well,
9 maybe we want to take a big menu, but in the past -- it's
10 been a while since we looked at the prioritization list.

11 And with this experience, I think we've also
12 realized we probably should look over some of the
13 language that exists just to see if there's anything else
14 that pops up that we hadn't thought of before, because we
15 didn't think about this one before.

16 CHAIR YEE: Okay. We have about -- oh, sure. Go
17 ahead.

18 VICE CHAIR SINAY: Can I just make a recommendation
19 that if people have things, not to put on the list, but
20 just so that they don't forget it, that they send it over
21 to the committee just to have a list. And I'm saying
22 that because -- kind of like we did with lessons
23 learned -- because you may read something and find it and
24 you may lose it in your notes just so that it's in one
25 place.

1 CHAIR YEE: So we can have a list of approved items
2 and then a scratch list of items to approve, possibly.

3 Okay. We have six minutes till our lunch break.

4 COMMISSIONER TURNER: I have a hand up.

5 CHAIR YEE: Oh, I'm sorry. There you go. Yes.

6 COMMISSIONER TURNER: Just real quick. Can I hear
7 how that vote was called again? Who were the -- what
8 were the votes? I counted it differently.

9 CHAIR YEE: Okay. Very good. Can we have the votes
10 reread.

11 MR. TREICHEL: So rereading the votes.
12 Commissioner Ahmad. Yes.

13 Commissioner Akutagawa. Yes.

14 Commissioner Fernandez. No.

15 Commissioner Fornaciari. Yes.

16 Commissioner Kennedy. Yes.

17 Commissioner Le Mons. Yes.

18 COMMISSIONER TURNER: Oh, okay.

19 MR. TREICHEL: No vote for Commissioner Sadhwani.

20 Commissioner Sinay. No.

21 Commissioner Taylor. Yes.

22 Commissioner Toledo. No.

23 And Commissioner Turner. Yes.

24 Commissioner Vasquez. Yes.

25 Commissioner Yee. Chairman Yee. Yes.

1 And Commissioner Blando. Yes.

2 COMMISSIONER TURNER: Thank you.

3 CHAIR YEE: Thank you.

4 Okay. Five minutes before lunch. Does continuity
5 subcommittee wish to squeeze in? We do have a handout.
6 It's in the handouts -- next to the last handout.

7 COMMISSIONER FORNACIARI: We can try.

8 CHAIR YEE: Yeah. The next to the last handout.

9 COMMISSIONER FORNACIARI: Okay. Do you want me to
10 go?

11 FEMALE SPEAKER: Uh-huh.

12 COMMISSIONER FORNACIARI: Okay. Should I share my
13 screen?

14 CHAIR YEE: Sure.

15 COMMISSIONER FORNACIARI: Maybe. Okay. It's going
16 to take me five minutes to remember how to do that.

17 CHAIR YEE: Lunch will go from 12:45 to 1:45. At
18 1:45, we will have Professor Justin Levitt with us.

19 COMMISSIONER FORNACIARI: Commissioner Turner, your
20 hands up. Did you have a question?

21 COMMISSIONER TURNER: I just wanted to check in and
22 say hey again.

23 CHAIR YEE: Hey.

24 COMMISSIONER FORNACIARI: Okay. So this is the sort
25 of notional timeline that we put we put together 2023 for

1 the work that we may or may not be doing in the out
2 years. We're in 2025.

3 So one of the things that we talked about was the
4 timeline for the CRC 2030. I don't think we're quite
5 ready to have that conversation since we're just having
6 this one meeting today. And that's going to be a very
7 in-depth and deep conversation.

8 Then continue working on legislative change,
9 federally incarcerated populations, and begin
10 conversation with the Complete Count. The Complete Count
11 is standing up at this point. So the committee is going
12 to work to figure out who to engage with there and begin
13 these conversations.

14 One thing I just realized that is not in here that
15 needs to happen too, is we're going to need to make a
16 updated budget request this year. So that would be in
17 August -- right -- for 2026 so that we can begin working
18 with the auditor in 2026, which is when they said they
19 were ready to begin those conversations.

20 So again, this year is really going to be focusing
21 on engaging with the Complete Count and how we can work
22 more closely with them and help make it a more --
23 hopefully have more continuity between the Complete
24 Count, the get out the vote, and redistricting.

25 So anyway, I mean, I guess that's all I have to say

1 at this point. If there are any questions or anything
2 missing, we'd be happy to have you let us know.

3 CHAIR YEE: Could we hear a little bit more about
4 engaging Complete Count or what Complete Count does and
5 how we engage them?

6 COMMISSIONER FORNACIARI: So Complete Count is the
7 organization that gets out the, you know, boots on the
8 ground for the census. And they funded a lot of
9 community organizations to help get the word out and get
10 people to participate with the census.

11 What happened then, though, and is, you know, they
12 got to the end of the census and that their work ended.
13 And what kind of would be nice, if there was more
14 continuity -- and then we ended up hiring a number of
15 folks that worked there that was helpful. But from like
16 an educational standpoint about the census and what we're
17 all about and engagement with the community organizations
18 that work to help educate the public about the census --
19 I mean, about redistricting, you know, it was just sort
20 of a dead stop. And then that all had to be started up
21 again.

22 Which, you know, we were given 2 million bucks with
23 the intent of doing that kind of work. But then, as we
24 all know, we couldn't contract directly with the
25 community groups. So we did an advertising campaign that

1 seemed to be pretty effective. Right.

2 And in fact just a little footnote. Our billboard
3 is still up on I-5 south as you're going just leaving
4 Williams. And I took a picture of it, and I meant to
5 have Christian -- give it to Christian so he could show
6 it, but it's still there. It's very faded, but you can
7 still kind of read it. I don't know why it's five years
8 later, but it is.

9 So anyway, we kind of hope that there's maybe a way
10 to keep some continuity.

11 Patricia?

12 VICE CHAIR SINAY: Yeah, just to add also that the
13 message that the census gave was make sure you get
14 counted so that you get represented and money. And as we
15 know, having done redistricting, counting is the first
16 piece. Redistricting is the second piece. And so that
17 message isn't completely accurate. And I know it would
18 get messy to try to explain it. But nationally, there
19 was a move also to talk to the U.S. census, and we'll let
20 Prof. Levitt tell us what's going on nationally with the
21 census. But the idea is, how can we create a more
22 uniformed message that goes from census to redistricting.

23 And also, how do we talk about it with funders who
24 fund the nonprofit community so that civic participation
25 isn't -- civic engagement isn't looked at in bite-sized

1 funding so nonprofits have to get -- you know, get up --
2 they hire staff for census and then they get rid of --
3 and then they hire for redistricting if they get money
4 and then they lay off people and then they hire them for
5 get out the vote. But really, to educate about civic
6 engagement is a 24/7 activity.

7 CHAIR YEE: Thank you. Let's hold that thought, and
8 we'll come back to continuity subcommittee later this
9 afternoon. It's now lunch break. Lunch is provided.
10 We'll come back at 1:45.

11 By the way, I neglected to point out this is Mr.
12 Peter Petty. You know his voice. Here he is in person,
13 our court reporter and transcriptionist in the flesh.

14 Okay. Let's break till 1:45.

15 (Whereupon, a recess was held from 12:47 p.m.
16 until 1:46 p.m.)

17 CHAIR YEE: Welcome back from our lunch break to our
18 meeting of the California Citizens Redistricting
19 Commission. This morning, we did Phil, our commissioner
20 vacancy. We have a new commissioner, Commissioner Peter
21 Blando, who I believe should be arriving here at some
22 point in the afternoon in person.

23 I've been alerted that we will have a closed session
24 later this afternoon to discuss a personnel matter, and
25 so you can anticipate that.

1 But right now, I'll ask Vice Chair Sinay to
2 introduce our guest and tell us about this afternoon's
3 presentation.

4 VICE CHAIR SINAY: Hi, everybody.

5 Hello, Justin. It's nice to see you.

6 So Prof. Levitt has agreed to speak with us today.
7 It's kind of like a bookend. He was here -- he spoke
8 with us at the very, very beginning when we all got
9 seated. And this is part of the -- what is our name?
10 Continuity subcommittee.

11 MALE SPEAKER: Continuity Transition Subcommittee.

12 VICE CHAIR SINAY: Continuity Transition
13 Subcommittee.

14 MALE SPEAKER: I'm walking away.

15 VICE CHAIR SINAY: We thought we would bring in
16 different speakers to kind of get us thinking about 2030.
17 Obviously, we thought of Justin first just because we
18 haven't seen him in a long time. Sorry. Prof. Levitt
19 first, because we hadn't seen him in a long time because
20 he went to go work for the federal government and
21 abandoned us. I mean, went to go work at the federal
22 government.

23 And Prof. Levitt, I'm going to let you introduce
24 yourself, because not everybody's going to remember you,
25 or they don't know all your different titles and

1 everything that you would like us to know about you. So
2 with that, I will leave it to you.

3 PROF. LEVITT:PROF. LEVITT: Thank you very, very
4 much, Commissioner.

5 Can you all hear me all right?

6 FEMALE SPEAKER: Yes.

7 PROF. LEVITT:PROF. LEVITT: Excellent. Okay.
8 Great. So it's a delight to be back with you again. My
9 name, as Commissioner Sinay said, is Justin Levitt. I'm
10 a professor of law at LMU, Loyola Law School down in Los
11 Angeles. I've had the privilege to be working on
12 elections and redistricting efforts for a few decades
13 now, including stints in the federal government at both
14 the Department of Justice and the White House.

15 I did have the tremendous privilege of addressing
16 this august group back in September of 2020 and also in
17 November of 2020. And so I am delighted to reprise by
18 offering you -- I think Commissioner Sinay and
19 Commissioner Yee had asked for something of a view of the
20 federal landscape, as you all are preparing for 2030.
21 And so particularly focusing on the census and the Voting
22 Rights Act to give you a sense of what's up and what you
23 might expect and what that might mean for your
24 deliberations going forward.

25 I do have, if that's convenient for you, a set of

1 slides that I'm happy to share my screen and present, if
2 that's easy enough.

3 CHAIR YEE: Yes, please.

4 PROF. LEVITT:PROF. LEVITT: But even -- you all are
5 sitting there in person -- even if the slides occupy the
6 Zoom room, please do stop me. Raise hands. Let me know
7 if you have a question. This is not intended to be a
8 lecture, and it's not intended to be very long. So
9 please, in the course if you have suggestions, comments,
10 or questions, please interrupt.

11 So I hope that I have successfully shared my screen.

12 CHAIR YEE: Yes. Thank you.

13 PROF. LEVITT:PROF. LEVITT: And you can see that, at
14 least what I took the mandate to be -- preparing for 2030
15 is the title that I've given this short presentation. It
16 begins with hello again and my having appeared before you
17 in September and November of 2020. A lot of this will
18 very intentionally feel familiar, because I wanted to
19 take the same presentation I gave to you back in
20 September of 2020, back in November of 2020, and use it
21 as a platform for suggesting what may have changed, what
22 remains the same now entering 2030. So most of these
23 slides are very intentionally slides you've seen before
24 but now may have a whole lot more context on now that
25 you've actually been through a cycle of drawing the

1 lines. What I suggested then may take on new meaning
2 now.

3 Let me start with the census. So again, I've been
4 asked sort of to focus on preparing for 2030, in
5 recognizing the federal landscape. When I was back with
6 you five years ago, I flagged that, in particular,
7 because of COVID, and because of adjustments to the
8 census, disruptions to the schedule, disruptions to data
9 processing, and a lot of disruptions that affected us all
10 during COVID, but census among them, that the census may
11 be rocky. Now, here in 2025, looking ahead to 2030, I
12 think my conclusion is the census may be rocky for very
13 different reasons, but there's still a lot of uncertainty
14 ahead.

15 So right now, today, the Census Bureau is mostly
16 planning ahead for census 2030 operations exactly as it
17 would have ten years ago or ten years before that or ten
18 years before that. The Census Bureau is proceeding
19 mostly exactly as you would hope and expect in preparing
20 for a robust decennial census in 2030. It is engaging
21 stakeholders. It is producing data products on time and
22 on schedule. Sort of as you'd expect, things are --
23 outward production of data from some of the surveys that
24 they do outside of the decennial and the like are being
25 released how and when one might expect from them. And

1 for most outward appearances, everything there appears to
2 be operating normally.

3 I had the opportunity to be on a conference call
4 with representatives from the census, including from
5 their redistricting bureau, literally this morning. They
6 were discussing some of their disclosure avoidance plans,
7 differential privacy. And the way that the Census Bureau
8 implemented that was a hot button issue in 2020 and 2021.
9 They're considering revisions to their disclosure
10 avoidance. They have a mandate to protect information
11 that individuals give in the census. How they fulfill
12 that mandate is up for discussion every census. And the
13 discussion that was had today would have been precisely
14 in place at any other time in the Census Bureau's
15 history, sort of proceeded, as you would hope and expect,
16 based on science and policy and a robust decision-making
17 process. So a lot of things are happening exactly as you
18 might hope and expect.

19 That said, there have been some worrisome signs from
20 the Census Bureau lately. They have several advisory
21 committees of statistical experts that help provide input
22 to the Census Bureau in making decisions and help
23 translate census decisions to the public. They're meant
24 to be a vehicle for giving information to the Census
25 Bureau and for communicating information from the Census

1 Bureau.

2 And recently, and without much explanation, those
3 advisory committees -- there are three primary ones --
4 have been disbanded, and no one quite knows what to make
5 of that development. I can't tell you that it portends
6 good or portends ill. I don't know that it portends much
7 of anything, but it's unexpected. And I think of a piece
8 with some of the disruption, for good or for ill, that
9 you see elsewhere around federal government operations.

10 One prominent component of this administration is a
11 disruption in business as usual in the federal
12 government. Some people will find that welcome. Some
13 will find it unwelcome. Some will find it welcome or
14 unwelcome in particular ways. But I think it's
15 undeniable that the federal government has not been
16 acting as it ordinarily would in many areas, and I think
17 it's wise to anticipate that that disruption, even if it
18 hasn't yet come directly to the Census Bureau, might,
19 could well, and that could affect operations leading up
20 to the decennial.

21 As you well know, the census is a multiyear
22 preparation process for the largest civilian engagement
23 every ten years in the country's reckoning. And there
24 are a lot of moving pieces that have to work well for the
25 Census Bureau to collect and distribute accurate

1 information on time. I think it's wise to anticipate
2 disruption in that effort of some kind, even if we don't
3 yet know what that disruption is going to be. And I want
4 to emphasize, as of this morning, everything appeared to
5 be working exactly as one might hope and expect. But I
6 don't know how long that will be the case. And the
7 disbanding of these three advisory committees is a
8 significant, I think, mild alarm portending further
9 change at the Census Bureau, even if we don't know what
10 that will be.

11 Another, I would say, less mild, more serious alarm.
12 It's been reported in the press that the Secretary of
13 Commerce, who oversees the Census Bureau, has been
14 contemplating novel use of the United States Postal
15 Service, which is an independent entity in the Federal
16 Government with independent statutory authorization and
17 independent mission.

18 There have been a series of conversations about
19 changing the role of the post office generally, and the
20 Secretary of Commerce has indicated, potentially, that he
21 might seek to save cost or increase efficiency by using
22 the postal workers in the census process in new and
23 frankly, unpredictable ways.

24 There's not a lot of time to implement a change like
25 that, even if that decision is made, and there's not a

1 lot of time to test the implementation of it, and nobody
2 really knows whether this is a serious policy change, or
3 an idle thought, or something in between. It's a bit of
4 a trial balloon floated out there in some public reports,
5 and it's not exactly clear how serious to take the
6 notion.

7 Postal workers are very important to the census, but
8 not in actually collecting information from households,
9 at least not to date. And it's not entirely clear that
10 they're well positioned to do so.

11 And I bring this up only as one example of the
12 potential disruption ahead. Again, nobody knows how
13 seriously to take this proposal. It hasn't been
14 formalized. It might never happen. But in and amongst
15 some of the unusual efforts that this administration is
16 taking with other federal agencies, there have been
17 suggestions of further unusual that might confront
18 entities like the Census Bureau.

19 And unfortunately, I don't know that I can give you
20 any guidance at this point about which are likely to take
21 shape, and which aren't likely to take shape, how they're
22 likely to take shape, or what effect they're likely to
23 have, other than to say there are signs of disruption out
24 there, and it's wise to keep those in mind even as you
25 begin your preparation, whether or not you, as a

1 Commission, or whether your successors will be able to do
2 anything about them or not.

3 There's not a lot of certainty that I've just
4 offered you in that look ahead. I want to pause there
5 for a moment to see if there are particular questions
6 about what we do and don't know about the Census Bureau
7 before I move on to the Voting Rights Act.

8 CHAIR YEE: Any questions?

9 Vice Chair Sinay.

10 VICE CHAIR SINAY: Thank you, Chair. Prof. Levitt,
11 on the census question yesterday, I think it was
12 yesterday, NPR reported, and I think you just alluded to
13 it that you were in the conversation with the census
14 folks; they were talking about that the data for 2020 may
15 not have been as accurate as they had hoped,. Do we even
16 have to think about that at this point?

17 PROF. LEVITT: Sort of, kind of, no, is the best
18 answer that I can give you. So the Census Bureau does
19 evaluate, and reevaluate, and reevaluate their
20 statistical agencies. So they're constantly assessing
21 and reassessing the accuracy of the products that they do
22 put out, including the Decennial Census that started as
23 soon as the census itself took place.

24 There were plans for a post-decennial assessment of
25 census operations; that happens every census, and

1 happened again in 2020, and immediately after the census
2 I would say -- not immediately -- a year or two after the
3 census, the Census Bureau came out with an assessment
4 that said there were, as there had been in the past, some
5 predictable but not easily remedied gaps in census
6 coverage that did not fall equally on the population.

7 So for example, traditionally underrepresented
8 groups were again undercounted in the census, including
9 kids, including in particular minority populations, but
10 especially Latino populations and Native American
11 populations, differentially from state to state. So
12 those weren't all the same all across the country. Those
13 impacts weren't particularly uniform. And it's not
14 surprising to me that the census announces various and
15 sundry ways in which it has learned new information.

16 That, by the way, is a good thing, that it's
17 announcing when it learns new information, because that
18 means it's constantly learning about how to improve
19 operations, including how to make the next census better.
20 Part of that effort may rely on administrative data.
21 There was a foray into that in 2020, in trying to fill in
22 some of the blanks when they weren't able to receive data
23 back from residents through the enumeration. They relied
24 on administrative data to some degree. That's entirely
25 lawful.

1 It's the best quality -- the gold platinum quality
2 of response is always from the individual themselves, but
3 that's not always available. And the Census Bureau makes
4 use of what data it can and trying to fill in some of the
5 blanks.

6 Some of what I know they're looking to do in 2030 is
7 improve the quality of the administrative data coming in
8 and improve the quality of their statistical analysis to
9 make sure that the administrative data they're using is
10 accurate.

11 Your question was: Is there anything we should do
12 about it? And there, I'm not sure what to recommend.
13 The Census Bureau has individuals who are expert in the
14 collection and statistical evaluation of the data they
15 receive. They're really good at their job. They do
16 quite a bit in that respect. I know that when it comes
17 time for conduct of the 2030 Census, there will be
18 efforts all across California and other states to
19 encourage citizens to respond with the gold and platinum
20 value data.

21 I don't know if beyond that, the Commission, as a
22 Commission, should be doing anything other than
23 monitoring those responses, in particular because I don't
24 know the capacity that the Commission might have to
25 improve on the -- again, so far, very careful work of the

1 data scientists in trying to make sure that the data they
2 collect is as robust as possible and that the data is as
3 accurate as it can be.

4 So it's a great question. There may well come
5 opportunities that show themselves in the years to come,
6 that where the Commission has input, particularly in
7 speaking to suggested tax of the Census Bureau might be
8 really important. There's nothing that I know of at the
9 moment that I can recommend. That's a particular place
10 where the Commission should seek to intervene.

11 CHAIR YEE: Commissioner Akutagawa.

12 COMMISSIONER AKUTAGAWA: I had this vision, and I
13 guess I've got to ask you, worst-case scenario, I mean,
14 just given, everything is being blown up. So you know,
15 as you said, some people may see it as good, some people
16 may see it see it as bad. You know what -- I mean, like,
17 I'm just envisioning that, as you mentioned, you know,
18 perhaps the redeployment of Postal Service workers trying
19 to, I guess, do some of the census collection.

20 I mean, I'm figuring that that, you know, you and
21 other peers have had these worst-case scenario
22 conversations and just trying to -- I don't know, I guess
23 one, I am just curious to understand, like, you know,
24 what could be the worst-case scenarios? And then should
25 the worst of the worst, like let's just say the census is

1 completely botched, quality of data is so poor that it is
2 going to fundamentally impact, at least from our purview,
3 you know, the ways in which redistricting can occur, not
4 only in California but across the country, I think what
5 I'm asking is, one, can you help us understand what could
6 be the worst case scenarios?

7 And then two, I think, you know, how might -- and I
8 think this is kind of a take on the question that
9 Commissioner Sinay asked is that, you know, what might be
10 then potentially things that we, as a Commission, can
11 currently do? Because I know that that, you know,
12 there's only limited things that we can do, but is there
13 anything that we can start to try to do or at least be
14 thinking about in preparation for 2030? And then, of
15 course, then the 2030 Commission, whoever gets seated, is
16 going to have to grapple with it even more directly?

17 So anyways, that's kind of where I'm going. Thank
18 you.

19 PROF. LEVITT: Yeah, that and that's a fair
20 question. So I'll take the last bit first. I do
21 emphatically think there are things that this Commission
22 can do to put its successor in the best position to
23 succeed. I'm not sure how many of those have to do with
24 the census itself. And I'll add, and I want to be
25 careful, it is smart to be thinking of scenario planning,

1 and it's smart to be thinking of worst-case scenario
2 planning in that scenario planning.

3 But I do want to emphasize in a discussion literally
4 this morning, all of the operations of the Census Bureau
5 that you expect to be running as they're running are
6 running now and running, at least to an exterior viewer,
7 exactly as they should be, so aside from the cancellation
8 of the advisory committees, testing is happening on the
9 time frame that one might expect, products are being
10 unveiled on the time frame one might expect, they're
11 planning for sort of progressive testing in the years and
12 online as they might expect.

13 All of that is budget dependent. All of that is
14 actual administration dependent. So they have to not
15 just plan for the things, but do the things. But thus
16 far, today, it looks like the things are being done, as
17 one would hope, to have a very successful census in 2030.
18 And not to get into the worst-case scenario planning,
19 which is a good sign. I think you are wise in at least
20 contemplating: But what if that doesn't happen though?

21 I can tell you that if the census -- a worst-case
22 scenario is that the Census Bureau is not able to execute
23 a 2030 Census in a way that provides accurate information
24 to the public. But the census is so important to so many
25 different aspects of what the public does, that I think

1 you can take some assurance in the fact that you are not
2 the only stakeholders that would be seriously concerned
3 about such an outcome.

4 The census is critically important to not just
5 trillions of dollars of federal grants, not just every
6 state's redistricting process, but enormous amounts of
7 private and public decision making in a way that affects
8 not just every member of Congress, but also an enormous
9 number of private entities that will make their
10 displeasure known if they don't have accurate data on
11 which to base their decisions.

12 So the good news is you are not the only ones who
13 would be dependent on an accurate census count, there are
14 lots of people keeping you company, and lots of people
15 watching, as you are wisely watching, for signs that
16 things are not on the rails.

17 So far things seem to be on the rails. If you reach
18 an inaccurate census in 2030 you're going to share that
19 problem with a lot of colleagues in a lot of other
20 states. And I don't -- of course you are only going to
21 be concerned with California's data, but there will be an
22 awful lot of lot of Californians that will also be
23 concerned with Californians' data, and as a practical
24 matter that would need a pretty radical reshaping of
25 state budget, state law in order to either supplement or

1 supplant the census with something run by the State.

2 That is, if things really did amount to an
3 inaccurate 2030 Census, the State would need to respond
4 in a way that would not only make your input welcome, but
5 also lots of other stakeholders from across California,
6 don't want to minimize the budgetary or administrative
7 scale of that endeavor. Running a separate census in
8 California is not particularly practical if the Census
9 Bureau is anywhere near approximating full capacity.

10 And so that's really a break glass in case of
11 emergency. And you got to get through several panes of
12 glass in order to get to that last one, effort. But if
13 it comes to that, there'll be lots of other people
14 keeping you company and asking California to step up and
15 consider alternative measures.

16 I want to -- I know I've said this already, and I
17 want to say it again, just because what I just said can
18 sound pretty scary, there's no sign right now that we're
19 anywhere near that. Right now, conversations from --
20 again this morning, indicate that the Census Bureau is on
21 track to do what we all hope and expect, what is their
22 Constitutional command.

23 And I know that disruptions elsewhere in the Federal
24 Government may not be adding any comfort to the notion
25 that they might stay on track, but I think it's possible

1 to watch and observe and closely track without needing to
2 disaster plan for worst-case scenario if the worst-case
3 scenario -- if there aren't signs that the worst-case
4 scenario is nigh at hand.

5 CHAIR YEE: Thank you. You're probably going to get
6 to this, but the 2030 count, I believe, will institute
7 new racial ethnic categories, some new categories, and as
8 well as a different way of handling Hispanic, Latino
9 counts. And so wondering how that looks like it will
10 play out very differently for us as a Commission. And of
11 course, at one point, I think you were on track to become
12 our VRA consultant, VRA counsel, so yeah, how's that
13 going to play out? What can we do to help the next
14 Commission prepare for that?

15 PROF. LEVITT: That's another great question. And
16 I'll happily get into -- this actually leads directly,
17 thank you for this segue.

18 CHAIR YEE: Yes.

19 PROF. LEVITT: It leads directly into the next part
20 of the conversation that I was going to have. So the
21 rules around race and ethnicity will have changed in 2030
22 a little bit. And I want to emphasize "a little bit", I
23 think, in a profoundly helpful way. So the Office of
24 Management and Budget, the federal office that sort of
25 sort of directs all of the rest of the Federal

1 Government, has a bunch of statistical experts in it, and
2 it sets federal statistical data policy for all federal
3 agencies, and a whole lot of other state entities follow
4 that lead.

5 It's the reason why, when you all got data relevant
6 to the Voting Rights Act, among other things about race
7 and ethnicity, why you got the data in the form that you
8 did, with the categories that you did, and the numbers
9 you did. That's all set by OMB policy and specifically
10 something called -- and you will never have to remember
11 this -- Statistical Policy Directive Number 15.

12 In 2023 or '24, OMB issued an update, I think it was
13 early '24, OMB issued an update, a long pending, long
14 awaited update, to SPD 15 that asks for statistical
15 agencies to aggregate racial and ethnic data in new ways.
16 It calls for the collection of more detailed information
17 on race. And you saw some of this sort of previewed in
18 the actual census form in 2020. Rather than just ask
19 things like, White, Black, Native American, Latino, et
20 cetera, the Census Bureau asked for more specificity if
21 you wanted to offer it in terms of racial or ethnic
22 background.

23 Aggregating those more specific answers into
24 categories that were familiar for the last 20 years,
25 those categories are going to shift a little bit in 2030.

1 And I should also add, as people track the Census Bureau,
2 they are again, this morning, planning on implementing
3 that new OMB Guidance on how to account for race and
4 ethnicity, exactly as you'd expect, exactly as you'd
5 hope, exactly consistent with the OMB Guidance of 2024.
6 So things there, too, are on track.

7 The two main -- there are lots of small differences
8 in what are going to happen. The two ones of main, I'd
9 say concern even though they're not concerning, two main
10 things to pay attention to for this Commission are one:
11 The race and ethnic categories will be collapsed, so
12 rather than being presented with a group of racial
13 categories, White, Black, Native American, Asian, et
14 cetera, and then a separate ethnic category of Latino or
15 Hispanic, the Census Bureau will be collecting, pursuant
16 to this mandate, race and ethnicity in one question,
17 which will include White, Black, Latino, Asian, Native
18 American, and the like.

19 There will, as there have been before, still be the
20 opportunity to offer more detailed racial information,
21 and for the Census Bureau to collect that. It will be,
22 as there have been before, still, the opportunity to
23 indicate multiple racial identities, which has been
24 really important in accurately showing a true portrait of
25 America. And the Census Bureau will have additional ways

1 to reflect that multi-ethnic status.

2 But the main thing is, the reporting may get more
3 accurate by the inclusion of a category of Latino
4 ethnicity in and alongside the other, more traditionally
5 represented as racial categories. The public don't think
6 of them as different, most people don't think of them as
7 different, most decision makers don't think of that as
8 different, race and ethnicity as distinct categories.
9 And the OMB directive reflects that. It's a good thing.
10 It limits confusion and increases the accuracy of the
11 data.

12 Another, I think, good thing is that consistent with
13 a lot of clamor from Middle Eastern and North African
14 groups or groups with Middle Eastern and North African
15 ancestry, those MENA categories, M-E-N-A, Middle Eastern,
16 North African, will be also visible in a new category
17 produced by the Census Bureau consistent with this data
18 and consistent with the OMB directive. And so you'll
19 have a new category to consider that's sort of front and
20 center of Middle Eastern and North African residents.

21 It's hard to say how much of a change that will be
22 for the Commission, if only because that's not a category
23 that's been familiar in aggregation so far. So we don't
24 really know. with a lot of statistical accuracy, how
25 large those populations are, or where they may live.

1 They're embedded for people who care to take a look in
2 further aggregations of census data, but they weren't
3 available, for example, in the topline data provided to
4 you, I believe, in 2020, and so that will be new
5 information for the new Commission to consider for those
6 populations, wherever they may be.

7 Those are the big two changes coming. And as
8 mentioned, at least as of this morning, that directive
9 issued in 2024 on the basis of years of study, is still
10 very much on track to be implemented by the Census Bureau
11 in the years ahead.

12 Did that answer your question, Commissioner?

13 CHAIR YEE: Yes. Thank you.

14 PROF. LEVITT: Okay. The other things that I wanted
15 to mention with respect to race and ethnicity will be, I
16 hope, a direct reflection of what I told you in September
17 and November of 2020, this should all be very familiar.
18 In fact, it should be newly familiar because now, having
19 experienced it, the things that I said that didn't make
20 any sense at the time, now probably make a lot more sense
21 given your own encounters with these issues.

22 The first rule that I gave you back in 2020, was
23 don't set out to hurt voters based on their race and
24 ethnicity, and despite a fair number of legal cases on
25 discrimination on the basis of race, including in the

1 redistricting zone, the basic rule, the basic legal
2 formula remains exactly the same. It's still not a good
3 idea to set out to hurt voters on the basis of their race
4 or ethnicity so exactly the same advice that I gave you
5 in 2020 still very much applies.

6 The second big rule that I gave you in 2020 is,
7 comply with the Voting Rights Act. And there have been,
8 again, quite a few legal cases in the meantime, not one
9 stemming from California, I might add. So
10 congratulations. You were one of the very few states not
11 to be sued over the implementation of the District lines
12 from this past cycle. I think that speaks to the care
13 with which you did your work. Thank you for that.

14 There's a case right now up before the Supreme Court
15 that was argued, within the last two weeks, on the Voting
16 Rights Act and on other Constitutional limits on the use
17 of race in the process, which I'll get to in a second.

18 But as of today, the only action from the Supreme
19 Court has been to affirm exactly what I told you in 2020,
20 so precisely the same rules that I laid out for you in
21 2020, despite a lot of litigation beyond, are the rules
22 that any government body, including yours, has today, for
23 dealing with racial and ethnic communities under the
24 Voting Rights Act, the most prominent case was a case out
25 of Alabama, where the Supreme Court had the opportunity

1 to consider or reconsider all of the sub-questions I've
2 got here under the Voting Rights Act and a whole bunch of
3 others.

4 And it said: No, we're basically we're going to do
5 things as we've been doing.

6 They reaffirmed in its entirety the existing law
7 before the Court had taken the case. So pretty much
8 everything I told you five years ago still very much
9 applies with respect to the Voting Rights Act. I can't
10 speak to what the next five years will bring, but as of
11 now, the same basic rules.

12 I'm sorry, I thought I saw, and I want to leave
13 space for, Commissioner Akutagawa, I think you had
14 another question.

15 CHAIR YEE: Okay. Actually, we'll start with Vice
16 Chair Sinay, and then Commissioner Akutagawa.

17 VICE CHAIR SINAY: So I've got two questions on
18 this. So one comes from actually Mike Madrid, so I'm
19 going to give credit where credit -- I mean or -- but
20 Mike Madrid is a political consultant, he used to be --
21 for those who don't know -- used to be a Republican
22 political consultant, now one of the founders of the
23 Lincoln Project, and now kind of on his own, wrote a
24 great book, a good book on Latinos and voting that came
25 out in the summer.

1 I saw him recently and he asked me what my thoughts
2 on where the VRA is going, considering how many -- you
3 know, how many reportedly Latinos voted along the same
4 line as the White population. And so I thought I would
5 ask you for -- I didn't answer it. I said, great
6 question. I'll ask others.

7 PROF. LEVITT: So what I told you in 2020 I'm going
8 to stand exactly by, exactly the same thing I told you
9 then, I think it's still true now. The Voting Rights Act
10 is relentlessly local and it demands data rather than
11 assumptions at every stage. And that's part of what's
12 made it a Constitutional model. Whenever the Court talks
13 about statutes that reflect race, it holds the voting
14 rights up as a voting Rights act, up as a model of how to
15 do this work. In part, because it's not based on
16 assumptions and its relentlessly local.

17 So the short answer is that national trends don't
18 really affect your analysis at all, except to the extent
19 they manifest locally, and they might well manifest
20 locally in different ways across different parts of
21 California.

22 So the second little sub-question -- actually, all
23 of these sub-questions involve localized analysis. The
24 Voting Rights Act depends on, as you all know now from
25 having done this work, sizable, relatively concentrated

1 minority communities, that's a local question. It relies
2 on knowing whether minority communities have distinct
3 electoral preferences from the rest of the population.
4 That's a local question. It relies on knowing whether
5 underrepresented minorities face discrimination. That's
6 also a local question.

7 And so what you might well find out in the last
8 election, in fact, I'd anticipate that in some
9 communities around the country, although it's never a
10 good idea to base voting rights analysis on one election,
11 you're looking for trends and electoral consequences that
12 manifest themselves in patterns over time. But those
13 patterns aren't just static from the last election.

14 You might well find in some areas that things have
15 changed, such that Latino voters don't have preferences
16 that are distinct from the surrounding community in some
17 parts of California. Or slightly separate question, but
18 amounts to the same thing for your purposes, where the
19 hour of the data isn't enough to show those distinct
20 preferences.

21 And you might have other communities in California
22 where preferences of Latino communities or of certain
23 Latino communities are either just as distinct or even
24 more distinct. And the data show it. So I expect in
25 every electoral cycle that will have new information

1 about the preferences of the public, public's preferences
2 are not static. And your successors, after 2030, will
3 have to look at get whatever the data reveal locally in
4 order to see what obligations they may have.

5 CHAIR YEE: Thank you. Commissioner Akutagawa.

6 COMMISSIONER AKUTAGAWA: I just had two questions.

7 FEMALE SPEAKER: It's okay. Go ahead.

8 COMMISSIONER AKUTAGAWA: You're probably going to
9 not be surprised that I'm going to ask this question,
10 given my other question. So in a sense, asking you to
11 look at your crystal ball, given the executive orders
12 that have come out dismantling, or at least demanding, I
13 guess, that DEI be dismantled both in the public and
14 increasingly the private sector.

15 You know, there are, I'll just say, obviously, some
16 stories coming out about the viability of the VRA. I
17 know that, you know, court cases say one thing, but given
18 just the kind of forces that we're looking at right now,
19 do you foresee that -- or actually, I should say, are
20 there cases winding its way through the judiciary towards
21 potentially, you know, a later Supreme Court case where
22 the VRA may be relitigated and may be dismantled?

23 PROF. LEVITT: It's a great question. Always, but I
24 don't think that's likely to happen. So first, let me
25 start with the executive orders and just a very quick

1 baseline. I know you all know this, but I think it's
2 worth reiterating. The President's executive orders only
3 have legal authority to the extent that one: They're
4 based on Constitutional authority of the President to
5 act. And two, to the extent that they instruct federal
6 executive agencies on what federal executive agencies
7 should do or not do.

8 They don't, and can't, tell anyone in the private
9 sector or anyone who does not work for the Federal
10 Government what to do. And so it's just -- because they
11 are not written in a way to make that obvious, that's
12 just something that bears repeating that the executive
13 orders actually not only don't, but can't instruct you on
14 your role. And in fact, the California Constitution is
15 quite clear that your role takes a different approach to
16 matters of racial equity than the President may with
17 respect to other matters that are within his control.

18 The other thing that executive orders can't do is
19 override statutes, and they also can't override the
20 Constitution, and all of the legal rules that I'm
21 presenting to you today. The Rule 1, Rule 2, and there's
22 a Rule 3 still to come, those are all based on the
23 Constitution or Federal Statute, and absolutely none of
24 them can be overridden by executive order, nor have they
25 been purported to be overridden by executive order.

1 Your question was also about cases in the judiciary
2 and whether things are trending in a particular
3 direction. And I'll say -- I said, you know, are there
4 cases where the Voting Rights Act could be relitigated;
5 always, constantly. You may have escaped litigation over
6 your maps, but there are still a bunch of states in
7 litigation over their maps in 2025, and I anticipate the
8 same will be true in 2026, and probably '27, and '28, and
9 '29.

10 If previous cycles are any guide, some states have
11 been in litigation for the entire ten years between
12 drawing one map and starting to redraw, based on a new
13 census, another map. So there will always be cases in
14 court, including cases under the Voting Rights Act,
15 attempting to apply the Voting Rights Act or redefine
16 what the Voting Rights Act says.

17 The case right now in front of the Supreme Court
18 that the Supreme Court heard Court heard argument on, but
19 has not yet decided, is the case out of Louisiana. It
20 has the unusual circumstance of having the State of
21 Louisiana on the same side of the issue as the NAACP
22 Legal Defense Fund, which does not happen a lot. It is
23 in some ways an attempt to reconfigure the Voting Rights
24 Act, or Voting Rights Act compliance.

25 And I don't think those attempts are likely to

1 succeed, if only because this court decided that case out
2 of Alabama just a few years ago, where it decided 2023,
3 where it decided -- where the question was squarely
4 presented to it: Should we interpret the Voting Rights
5 Act differently?

6 And the Court effectively said, no, we're good. We
7 will interpret the Voting Rights Act exactly as we have
8 for decades.

9 Could always change its mind, that's the prerogative
10 of the nine people who are wearing robes, I'm not one of
11 them. But the Court was faced with this precise question
12 a very short time ago, and essentially stuck with decades
13 of precedent, which is why I'm confident in saying right
14 now, the rules I have up in front of you are still the
15 rules of the road, just as they were in 2020. And it's
16 also why having had the opportunity to reassess and
17 declined, why, I'm fairly confident the court is going to
18 continue the decades of precedent that it's had so far.

19 CHAIR YEE: Back to Vice Chair Sinay.

20 VICE CHAIR SINAY: Thanks. So are you going into
21 Gingles? Is that your third one?

22 PROF. LEVITT: So this, the third one is not about
23 Gingles. I can talk about Gingles here because that
24 Gingles speaks to exactly the three questions -- or the
25 two questions, really?

1 VICE CHAIR SINAY: Right. That's what I -- so I
2 will say one of my biggest frustrations as a
3 Commissioner, not that you asked, but was how the
4 disconnect sometimes in communication between the data we
5 needed from communities and the activists who were
6 working with community, or leaders in the communities,
7 and that not understanding that what I remember very
8 clearly, you kept saying, you are supposed to use race
9 and ethnicity, but not overly use race and ethnicity.

10 And I always, you know, whenever activists ask me
11 what was my biggest frustration, I'd say this, so I'm
12 saying it in public again, and I don't feel like they
13 understood Gingles a lot of times, and I even had one
14 organization asked me -- they were having a debate
15 internally -- and so they turned to me and they said,
16 hey, we don't know if to put this in or not, but how
17 important is Gingles to commissioners during the map
18 drawing, because we're getting -- the advice we're
19 getting is it's only important if there's a court case?

20 And I was like, no, we talk about it every single --
21 yeah, we talked about it every day I felt.

22 And so how do we have a better conversation about
23 how to represent communities, and how to present
24 information to independent redistricting Commissions in a
25 way that they can use it openly, and have those

1 conversations without feeling like you're tiptoeing
2 around it? I hope that made sense.

3 PROF. LEVITT: That made a ton of sense. And it's a
4 wonderful question, because that is, emphatically, one of
5 the things that you can do to set your successors up for
6 success in 2030, because you've had the benefit of going
7 through this process and understanding what you need,
8 what you can do, what you can't do, what you shouldn't
9 do, and what you have to do. You are in a better
10 position than your successors will be to advise the
11 public on day one of what will be most useful for them to
12 provide.

13 And leading up to the selection of new
14 Commissioners, you know, you're going to have to be very
15 sensitive to not occupying their prerogative. When they
16 are Commissioners, they'll be the Commissioners that are
17 making decisions on behalf of the state. But you can
18 help do public education informed by your own experience
19 leading up to their appointment, that I think they would
20 benefit tremendously from, which includes letting the
21 public know what you do, what you don't do, and the sorts
22 of input that's most helpful to them as they get ready
23 for the next census and the next redistricting cycle.

24 You mentioned, so here one of the rules that you had
25 to do is comply with the Voting Rights Act and account

1 for populations of concentration and size with distinct
2 electoral preferences. That's a mandate that you have.
3 You mentioned one of the things I mentioned back in 2020
4 is you also have to consider -- or at least it's best
5 practice to consider other factors at the same time,
6 because race can only predominate if there's a really
7 good reason, that's a Constitutional limit.

8 It is still the same Constitutional limit as it was
9 in 2020, despite a bunch of cases in the meantime,
10 including cases out of South Carolina, and elsewhere.
11 This is also one of the issues in the Louisiana case
12 currently before the Supreme Court, but I strongly
13 suspect they're going to say, this is still the rule.
14 This is still the law.

15 And it amounts to, as you know, considering lots of
16 other things while you're drawing. In addition to
17 checking back in from time to time to make sure that
18 you've also complied with the Voting Rights Act. Just
19 like driving down the highway and checking a bunch of
20 things, including the route, including the GPS, including
21 the heat and air conditioning, including the music,
22 including the back seat passengers, while you're also
23 paying attention to speed.

24 Too much attention to speed means you crash because
25 you're not looking at anything else. Same thing is true

1 in the redistricting process, it is not only fine, it's
2 required that you consider race and ethnicity at the same
3 time as considering other factors like communities of
4 interest, city neighborhood boundaries, compactness for
5 you based on where the population lives, right; all of
6 the other things that the State Constitution instructs
7 you to consider.

8 Not only is it fine, it's required to consider
9 ethnicity. And you're right that the public doesn't
10 necessarily understand that balance that gets -- hear
11 things from media as they hear things from the from the
12 national federal environment that doesn't apply to the
13 election process. As they hear things that do apply to
14 the election process that's just wrong, that's inaccurate
15 information. You all can be tremendously valuable in
16 helping the public understand what the process entails.

17 And so I think just as I gave this presentation to
18 you all in September and November of 2020, and it really
19 took your going through it, I think, I suspect, to
20 understand what it really meant, you now have the same
21 opportunity to make that clear to communities and to
22 members of the public who haven't been through it
23 themselves and will have to understand what that means
24 going into 2030, in a way that I think will benefit the
25 following Commission tremendously.

1 VICE CHAIR SINAY: Thanks.

2 PROF. LEVITT: These same factors, and I'm not going
3 to go through all of them here because you're not
4 currently in the in the process of building districts,
5 are all exactly the same as they were in 2020. The law
6 has changed a bit in other circuits, but not the Ninth
7 Circuit, which governs California. The law has changed a
8 bit for proceedings that don't have to do with
9 redistricting, that has to do with election
10 administration, for example, but not for redistricting.

11 Essentially, the law that governs the redistricting
12 process, the Federal Law that governs the redistricting
13 process, and I believe most of the State Law that governs
14 the redistricting process is much the same. And so I
15 haven't changed -- these are still the rules, I haven't
16 changed the slides one bit from the slides that I showed
17 you in 2020, because they're still essentially what you
18 consider. What your counsel advised you on are still
19 exactly the same rules in place today, and they help you
20 communicate to the public about what your successors will
21 need in 2030.

22 There are ways that you can help yourselves out.
23 Consider the things that took the most time or attention,
24 or the things in which you wished: Boy, I really wish we
25 had more time on that. I'm hoping that the census data

1 will arrive earlier than you received yours in the next
2 cycle, I know that the COVID pandemic delayed the census
3 data quite a bit. So I'm hoping the data arrive earlier
4 and that it's not -- I know you went through a series of
5 adjustments to your calendar that were not likely
6 pleasant, but were likely necessary.

7 Aside from those disruptions, I think consider the
8 things that you did, and learned, and accounted for but
9 really wished by the time you got to the end of the
10 process: Man, I wish we had more time for that. Those
11 are things that I think you can assist with.

12 And particularly, I don't know that there's a great
13 way for this Commission to set up the next Commission for
14 success with receiving census data, other than monitoring
15 the situation. You're certainly not going to be able to
16 choose the VRA counsel or other individuals ahead of the
17 next Commission, right? That's their prerogative and
18 their responsibility. But I think you can look to your
19 own time line. And this was the time line when I was
20 talking to you, I know it even changed after this for
21 your actual 2021 redrawing.

22 And I would suggest recall the sorts of things that
23 didn't depend on inputs from other Government sources, or
24 other Federal Government sources that you can do, I think
25 would be tremendously valuable to the next Commission

1 from setting up office space that they can use or reject,
2 as you wish, setting up the phone lines, they can use the
3 reject, right.

4 They'll have the opportunity to set up all of their
5 own their own operations, but the more you can set up for
6 them as a default, I think the more helpful they will
7 find it, to doing some public education, to beginning to
8 collect, particularly, community input, not only getting
9 communities ready to provide input, but even collecting
10 some community input if you wish that the next Commission
11 certainly doesn't have to use, but might well find
12 valuable.

13 There are processes that have to do with
14 redistricting that don't depend on waiting for the census
15 results to come out in 2031, and many of those you'll be
16 able to make available to the next Commission, even if
17 the choice on what to do with them and how is really for
18 the next Commissioners. And that may include leaving
19 them rosters of counsel or consultants that don't have to
20 be all of the counsel or consultants that the next
21 Commission considers, but that you, in your experience
22 think would be useful first calls for the next Commission
23 when it comes together.

24 That's effectively the presentation that I had. I
25 know there's not a lot of -- to the extent that there's

1 change coming, there's not a lot of certainty about what
2 that change entails, I hope that this summary shows you
3 that, at least at the moment, things look remarkably
4 familiar to what you experienced despite broader
5 disruption in the environment. And so most of what you
6 considered from the Federal Government is still going to
7 be, at least as of right now, what the next Commission
8 will have to consider as well.

9 I'm going stop sharing my screen and pull us back
10 into a broader, broader meeting, if you like.

11 CHAIR YEE: Okay. Thank you so much.

12 Further questions for Prof. Levitt? Vice Chair
13 Sinay.

14 VICE CHAIR SINAY: First, I wanted to welcome
15 Commissioner Peter Blando. He's here now in person. So
16 welcome. Thank you for joining us.

17 So I've been thinking about this a lot. I mean, so
18 this whole idea of, you know, setting up the next
19 Commission, the operations, and they can decide if they
20 want to keep it or not. I want to make sure -- well, let
21 me just ask my question, which is in your -- in 2020
22 there was a pushback of not allowing -- you know, staff
23 had put out job descriptions and things like that, and
24 there was a pushback on that to allow the Commission to
25 do it.

1 We've had a lot of conversations saying, you know,
2 there is a certain amount of infrastructure that should
3 have been in place that wasn't in place. And you know,
4 we didn't get paid expenses and all sorts of stuff for a
5 long time. We didn't have the best -- you know, there
6 was a lot of pieces that were missing that we feel,
7 especially legal counsel, to be in place, not VRA counsel
8 or any of that, but just the legal counsel.

9 And so what I was hearing is you can create -- you
10 can have it in place, as you know, and then they can
11 reject it if they want. But did I hear you correctly
12 that were you saying actual hires, and rents, and stuff
13 like that, or just recommendations and they decide if
14 they want to implement it?

15 PROF. LEVITT: So I hadn't weighed in, and what you
16 heard was constructive ambiguity. I had not weighed in
17 on whether you actually implemented that or not. I think
18 that you all should go based on your own experience of
19 what you would have welcomed or what you would have found
20 intrusive. I don't think you have the ability to tie the
21 next Commission's hands. So to the extent you enter a
22 contract, I think the next Commission should feel itself
23 free to revoke that contract, or terminate that contract,
24 and just know that.

25 The Commissions, I believe, are set up by California

1 designed to be not only independent from other entities,
2 but independent from each other. So your successors will
3 be your successors and may well decide to go in a
4 different direction.

5 But with that in mind, I think reflecting on what
6 infrastructure you all would have welcomed day one, to
7 the extent you are able to provide some flexibility to
8 the next Commission and having that there, if they want
9 it day one, I think would be useful.

10 And that's going to mean different things for
11 different administrative aspects of your position for
12 sure in terms of long term or short-term planning. On
13 some of those issues, you may well want to offer
14 contracts with the full knowledge that they may be
15 revoked, day one. And on other issues, you may want to
16 provide recommendations, but wait on implementation until
17 the next Commission makes its own choices.

18 I think you all have the best sense, from your
19 experience, of what you would have found to be
20 interloping into your authority from a prior Commission
21 and what you all would have found helpful. And I don't
22 presume that there's actually agreement on the Commission
23 about those things, but those are, I think, really
24 worthwhile discussions to be had.

25 VICE CHAIR SINAY: I think some things we would have

1 thought were interloping later, we realized was -- could
2 have been, thankful too. You don't know what you don't
3 know.

4 PROF. LEVITT: That's true.

5 VICE CHAIR SINAY: So I think that's part of the
6 problem too sometimes.

7 PROF. LEVITT: Yes.

8 CHAIR YEE: I have a question going back to the VRA.
9 There was always the question of whether two or more
10 minority populations could be -- that cohesively could be
11 considered together for the Gingles considerations. I
12 believe last year there was a Texas decision saying they
13 could not be. How much will that affect the -- if no
14 further decisions come down, how will that affect the
15 2030 effort?

16 PROF. LEVITT: So that's a great question. And if
17 no further decisions come down, I think not at all.
18 That's a decision that applies to the Fifth Circuit, to
19 Texas, and to Mississippi, and to Louisiana, but nowhere
20 else. The law in the Ninth Circuit has been very
21 different. And that is that if the data reflect that two
22 communities can be combined, or more communities can be
23 combined, and if the data don't reflect that they should
24 be, then that's not proper. That it is, again, a local
25 and data-driven analysis, and so it depends what the data

1 show.

2 And you're anticipating an article that I might be
3 writing right now in my editorial capacity. I think that
4 the Fifth Circuit's decision was, simply put, not
5 correct. And the rationale is pretty simple. That is, I
6 think that the rules that you all understood in 2020 and
7 2021 are not only the rules that continue to govern
8 California, but the right rules that should govern the
9 rest of the country.

10 As you all know well, the categories included in the
11 census are not monoliths. In White, and Black, and
12 Latino, and Asian-American, and Native American, there is
13 a wealth of diversity. And the Voting Rights Act doesn't
14 presume. I mean, this is a motif. It's a repeated thing
15 that I mentioned because it's true in all of these areas,
16 the Voting Rights Act doesn't assume that Asian-American
17 citizens are going to vote similarly and different from
18 the rest of the population, unless you actually show it
19 in the data.

20 And that's a way of saying that if there are more
21 similarities between, for example, Chinese-Americans, and
22 Japanese-Americans, and Korean-Americans in a particular
23 part of the jurisdiction than there are differences, that
24 you would include all of that population as Asian-
25 American for VRA purposes in that jurisdiction, that may

1 not be true elsewhere. They may not be the same
2 elsewhere.

3 So you may well find cohesion among Asian-Americans,
4 or Blacks, or Latinos in part of California that doesn't
5 exist elsewhere, because those distinctions among either
6 individual voters or ethnic groups are different
7 elsewhere. The same reason for me, why it's not okay to
8 assume that all Latinos are the same, but if the data
9 show it to accommodate that, is exactly the same reason
10 why it's not okay to assume that Black and Latino
11 citizens are the same, but if the data show it to
12 accommodate that.

13 CHAIR YEE: Right.

14 PROF. LEVITT: And so I think the differences within
15 larger roll-up census categories are often, but not
16 always, profound, and the data may show that the
17 similarities defeat the differences. The same is true
18 across categories. That's been the law in California
19 that if the data show cohesion across categories, it's
20 not only perfectly permissible, it is required to
21 consider them in tandem. And if the data don't show
22 cohesion across categories, then what that means is you
23 don't have more than one category that can be lumped
24 together.

25 But that's as with so much else here, I think

1 properly a data question is going to be different
2 jurisdiction by jurisdiction than it is an overall
3 assumption.

4 I think the Fifth Circuit's contrary decision,
5 you're absolutely right, came out of Texas, and it was
6 last year is, in a way, assuming that Latinos may be
7 differently situated from other ethnic groups where the
8 data actually showed differently.

9 I think it is making an assumption based on race
10 that is not warranted, where the data actually lean in a
11 different direction, and that's part of why I think it's
12 incorrect interpretation of Federal Law, and why I don't
13 expect it to spread much beyond the Fifth Circuit in the
14 years ahead. It hasn't yet come to California, and so
15 you're still obligated to apply the same rules that you
16 did in 2020 and 2021. But it's absolutely right to raise
17 the issue.

18 CHAIR YEE: That's super helpful. Thank you.

19 Any other questions for Prof. Levitt?

20 VICE CHAIR SINAY: Prof. Levitt, do you have any
21 questions for us?

22 CHAIR YEE: Any questions from the public as well,
23 yes.

24 PROF. LEVITT: I'm happy to take questions from the
25 public. I admire the fact that you're all doing this. I

1 think the notion that you're thinking ahead to ahead to
2 2030 is of tremendous benefit to the people of
3 California, because I think it will tremendously benefit
4 your successors in 2030. And I so appreciate your
5 efforts in trying to put everybody on better footing
6 going forward, to leave the work of the Commission better
7 than you found it, and for the work of further
8 commissions to do the same thing, I can't commend you
9 more highly, highly enough for undertaking this effort.
10 So thank you.

11 CHAIR YEE: Any other questions?

12 MR. MANOFF: Chair, we do have a raised hand from
13 the public.

14 CHAIR YEE: Very good.

15 MR. MANOFF: Renee Westa-Lusk.

16 CHAIR YEE: Please go ahead, Ms. Westa-Lusk.

17 MS. WESTA-LUSK: This is a question about the
18 disruption. You're saying that could happen to the
19 Census Bureau if we get a change in Congress, like a new
20 House or a new Senate, could the disruption of the Census
21 Bureau be stopped? Because I assume their Census
22 Bureau's funding has to be approved by House and Senate
23 appropriations, correct?

24 PROF. LEVITT: Yes, that is correct. And to the
25 rest of your question, so I want to be abundantly clear,

1 the only disruption I've seen so far is the disbanding of
2 the advisory committees, which is a concerning flag, but
3 doesn't actually indicate that the internal operations of
4 the Census Bureau are changed at all.

5 You're right to watch carefully and to observe
6 disruption elsewhere and think that the Census Bureau
7 might not be immune. But I want to be really clear, the
8 only thing I've seen so far, everything seems to be
9 proceeding as one would expect, with the one exception of
10 the disbanding of these advisory committees for input in
11 and translation of output out.

12 You're right that its budget is dependent on
13 Congress, as all federal agency budgets are dependent on
14 Congress, and those fights in decades past have been
15 significant about getting the Census Bureau the amount of
16 funding that it needs to do the work that it needs to do,
17 the immense work it needs to do in a timely fashion. I
18 suspect we'll be having those fights again. That's a
19 prediction based on a lot of past practice. So yes, they
20 will need support from the public to get the
21 appropriations that they need.

22 I think that in the event that disruption does find
23 the Census Bureau, you would find members of -- many
24 members of Congress, I don't know that that's going to be
25 located in any particular party, I think you'd find many

1 members of Congress very concerned about that
2 development, and whether they choose to weigh in or not
3 is a question of members of Congress' priority.

4 But I certainly think a change in the composition of
5 Congress could well affect both appropriations and
6 oversight of the Census Bureau. I think you might well
7 see discussion of appropriations and oversight,
8 regardless of a change in the membership of Congress.

9 CHAIR YEE: Thank you. Anyone else?

10 Well, we are so fortunate to have you, Prof. Levitt,
11 a few years ago, as well as today. Your expertise, the
12 precision of your responses, and your goodwill are all
13 things we value and treasure. And so thank you also for
14 rescheduling, you were originally scheduled for this
15 morning and you were kind enough to shift for us, and we
16 appreciate that.

17 PROF. LEVITT: A pleasure to be with you. And thank
18 you very much for the invitation.

19 CHAIR YEE: All the best to you.

20 And thank you to the Continuity Subcommittee for
21 arranging for that. It's very helpful.

22 We were in the midst of subcommittee reports, but
23 I'm wondering if we should go to Closed Session now
24 rather than wait till later. And then we'll save
25 subcommittee reports for after the Closed Session. Does

1 that sound amenable?

2 FEMALE SPEAKER: Um-hum.

3 CHAIR YEE: Okay. Let's go ahead and do that.

4 We'll need to -- you'll need to log out and log in for
5 Zoom, on Zoom for Commissioners.

6 And Staff, I'll be asking you to step out of the
7 room while we're in closed session. Thank you.

8 CLOSED SESSION

9 (Off the record 3:56 p.m.)

10 (On the record 3:59)

11 CHAIR YEE: Welcome back to this California Citizens
12 Redistricting Commission. We are returning from Closed
13 Session to discuss a personnel matter. No action was
14 taken.

15 We return to our subcommittee reports. We were in
16 the middle of the Continuity Subcommittee. However,
17 Commissioner Taylor will have to leave the meeting a
18 little bit early. And so I'm wondering if we can jump
19 down to the two subcommittees he's on, which are Website
20 and Cybersecurity.

21 Website happens to be the subcommittee that our late
22 friend Jane Anderson was a member of, and so we'll need
23 to fill her slot. We also do have our new Commissioner
24 who can consider filling her slot.

25 So Website Subcommittee, let's hear from you, and

1 also hear about possibly adding a member.

2 COMMISSIONER TAYLOR: Good afternoon. I have no
3 additional information to report. However, I also would
4 like to remind everyone that the website is front-facing
5 to the public, and also the subcommittee that Jane was
6 part of.

7 So I would love to extend, Peter, the opportunity to
8 stand in her stead. Also knowing that that might be an
9 area of his expertise; so he might be able to add
10 significant impact in that area. So that offer is there.
11 I can't twist his arm.

12 CHAIR YEE: Okay. I know Commissioner Kennedy was
13 formerly on that committee -- subcommittee also. Any
14 discussion?

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: I second that motion. Was
17 it a motion? Yeah.

18 FEMALE SPEAKER: Yeah.

19 CHAIR YEE: There actually doesn't need to be a
20 motion. Subcommittee appointments can be made by the
21 chair directly. So we don't need to vote on that
22 actually, as I recall.

23 Commissioner Blando?

24 Your microphone, sir?

25 COMMISSIONER BLANDO: Sorry. I have to get used to

1 this process.

2 CHAIR YEE: That's the most important qualification.

3 COMMISSIONER BLANDO: So thank you for the reminder.

4 Yes, I'd be happy to assist. I have had some experience
5 with web pages -- designing and redesigning some.

6 Also, the question of marketing and what your intent
7 is so that it all depends on those items. So I know it's
8 a part of the transparency, but also what are the goals
9 and I guess part of it is to also look at it and says
10 you're -- the committee and the work this group has done
11 evolves over time. So that might be one of the things we
12 look at is is how do you evolve even your front-facing
13 web page to reflect that.

14 COMMISSIONER TAYLOR: And I see Tammy's over there
15 shaking her head yes, yes, yes. So I'm thinking this is
16 going to be a good marriage.

17 CHAIR YEE: Any further discussion?

18 MS. BACON: You guys look cute together.

19 CHAIR YEE: If not, as chair, I appoint our new
20 commissioner, Peter Blando, to the website subcommittee.

21 Anything on cybersecurity, Commissioners Taylor and
22 Fornaciari?

23 COMMISSIONER TAYLOR: No, no, no new information.

24 CHAIR YEE: Okay. Commissioner Sinay? Vice chair
25 Sinay?

1 VICE CHAIR SINAY: So based on the -- based on the
2 conversation I was having earlier, we've got everything
3 in place for security since there is a lot of hacking
4 going on right now from external sources of -- yeah, I
5 know it's happening a lot in the nonprofit sector and I
6 want to make sure that in our -- we have everything in
7 place for security right now on our website and our
8 systems.

9 COMMISSIONER TAYLOR: So I'll kind of defer this to
10 Tammy, but our website is actually hosted by the
11 Department of State, Department of Technology. Is that
12 what it's called?

13 FEMALE SPEAKER: Yeah.

14 COMMISSIONER TAYLOR: Right. Or something like
15 that, right. And so they're the ones that are
16 responsible for managing and maintaining our
17 cybersecurity. So if the State gets hacked, then yeah,
18 so.

19 COMMISSIONER SINAY: Is that true also for our
20 emails and all that?

21 FEMALE SPEAKER: Yes, it is hosted through --

22 CHAIR YEE: You need a microphone.

23 FEMALE SPEAKER: -- yeah. Yes, it's all hosted
24 through --

25 CHAIR YEE: Can we turn it on, please? Yeah.

1 FEMALE SPEAKER: Thank you. Yes, it's all hosted
2 through the Department of Technology through Microsoft.

3 COMMISSIONER SINAY: Okay.

4 CHAIR YEE: Any other questions for cybersecurity or
5 website?

6 Sorry. Commissioner Blando?

7 COMMISSIONER BLANDO: Yeah, so one of my experiences
8 working with a cybersecurity group at UC Davis and
9 they're always nervous, so the work is never ending. And
10 I do know one of the things that we're looking at and I
11 have that project. I was looking at email security
12 because email is transmitted as text, usually, over the
13 line. And as you may want to check for medical records,
14 for example, when you get a notice that says you have an
15 updated message, you go to a site that's supposedly more
16 secure than an email. So they don't email you.

17 I'm new but I'm just -- for the sake of the
18 committee, I'd be curious as to what the measures are.
19 But if we are dependent on the State and there's really
20 nothing we can do separately, then I think that's where
21 we stand. We might be able to ask the State some
22 questions, but I would defer to the State.

23 MS. BACON: Hi, sorry. Thank you. Maybe we can
24 talk about that later as well because we do have like
25 SharePoint and other things that we use. Another thing

1 is maybe we could talk about some training for email
2 because often that is how people get into your system is
3 through clicking on links that look legitimate that
4 aren't. So maybe some training as well in that area.

5 CHAIR YEE: Commissioner Fornaciari?

6 COMMISSIONER FORNACIARI: I just had an epiphany.
7 The Cybersecurity Committee was stood up at the very
8 beginning of this Commission specifically because we were
9 managing our own email services and website. And now
10 that that's no longer the case, not clear to me that
11 there's a need for a standing cybersecurity committee.
12 So I'd like to propose that those responsibilities get
13 folded into the website committee.

14 CHAIR YEE: Okay. Any discussion?

15 COMMISSIONER TAYLOR: I probably would agree, but I
16 don't want to. And I agree that that makes the most
17 sense. And just to continue what Peter and Tammy were
18 saying, it's -- the user often is a vulnerability in the
19 email. So we just be careful checking your emails.

20 CHAIR YEE: Yeah. Okay. Then we will sunset the
21 cybersecurity subcommittee and assign its
22 responsibilities to the website subcommittee.

23 Okay. Are we ready to move on? The next
24 subcommittee will be a return back to continuity. And we
25 had that handout for continuity, which we can refer back

1 to. And I don't remember exactly where we left off. We
2 were looking at the seven years -- the complete count
3 committee and its work and how we might support that.

4 COMMISSIONER FORNACIARI: Right. So yes. So we'll
5 begin -- I think we kind of finished up the explanation
6 on that. So I'll just try to get to the bottom line at
7 this point.

8 We're going to work on a budget change proposal
9 for -- to be ready for August to get a little more budget
10 so we can begin working more deeply with the complete
11 count next year, work with the auditor next year. And
12 then probably schedule a meeting early after the
13 beginning of the next fiscal year to have these
14 conversations that we talked about relating to the
15 schedule. In particular, if we want to propose a
16 different schedule and what that would look like and
17 begin -- we have to work with the legislature. We have
18 to work with the auditor. There would be a lot of work
19 to be done there.

20 But the Commission has to decide, first of all, if
21 that's what we want to do or not. And if we decide to
22 pursue that, then we'll go down that road. But to me
23 that would look like a decision for early in the next
24 fiscal year in July. And then if we decide to go ahead
25 and figure out what the budget would look like for that,

1 then we can work on a budget change proposal and get that
2 in for August.

3 Alicia -- I mean, Commissioner Fernandez, that's
4 August, right?

5 COMMISSIONER FERNANDEZ: Yes, I believe so. Right.
6 Gloria?

7 MS. PACHECO: I think so. I'll double check.

8 COMMISSIONER FERNANDEZ: Oh, thank you.

9 MS. PACHECO: It's been awhile.

10 CHAIR YEE: While I'm looking around the room.

11 COMMISSIONER FORNACIARI: And I think, yeah,
12 Commissioner Kennedy had a question.

13 CHAIR YEE: Yes, Commissioner Kennedy?

14 COMMISSIONER KENNEDY: Specifically on this, it just
15 strikes me that we need to have a general discussion
16 about what we want in the budget for the coming fiscal
17 year, but we don't even have budget to have that
18 discussion.

19 CHAIR YEE: Catch 22.

20 COMMISSIONER KENNEDY: It's a catch 22 that we
21 really need to fight our way out of I think. If I may,
22 since I've got the floor and we've got this table in
23 front of us, in the 2026 column, you'll note that begin
24 negotiations with State Auditor's office is both the
25 first item and the third item. So we can get rid of the

1 third one. And then the other thing is at the bottom of
2 the 2029 column, as I mentioned earlier, we need to
3 remove the legislative changes from the 2029 column.

4 CHAIR YEE: Right. Very good.

5 COMMISSIONER KENNEDY: Thanks.

6 CHAIR YEE: Commissioner Sinay -- Vice Chair Sinay?

7 VICE CHAIR SINAY: Thanks. Just a quick reminder
8 from our subcommittee that the auditor's office has asked
9 not to be contacted until 2026, if not 2027, and that our
10 subcommittee was given the authority to make that contact
11 when the time comes. And so I just want to remind us all
12 because we're all very proactive. But I wanted to make
13 sure that we respected them because we want to make sure
14 that we're on their good side.

15 CHAIR YEE: Commissioner Fornaciari mentioned
16 changing the timeline. I think that includes -- we had
17 some thoughts of suggesting that the 2030 commission be
18 stood up earlier and that would involve a lot of
19 different changes. So that's a major project if we
20 wanted to pursue it. The feeling being that there's lots
21 of prep that we could have done and benefited from if we
22 had started earlier. Okay. Anything else from
23 continuity?

24 Commissioner Kennedy? Yeah.

25 COMMISSIONER KENNEDY: Yeah. If I may, on your last

1 point, I'll repeat something that I've said numerous
2 meetings ago, which is in my mind a lot of the reason
3 that the timeline is what it is is because the original
4 initiative establishing the commission was passed in
5 2008. I think if the original initiative had passed in
6 2003, we might be talking about a very different
7 timeline. We might be talking about a timeline where a
8 commission takes office in a year ending in 5 or in 6 and
9 has an extended period of time to train, to learn, to
10 gather information on communities of interest before the
11 census data drops. So that once the census data drop,
12 then it's full speed ahead for six months and then you're
13 done with the mapping.

14 So I think a lot of -- a lot of what we are dealing
15 with are what you might call legacy issues. A result of
16 when the original initiative passed. And that's why I
17 think that in our discussions of the future, I would like
18 to see that constraint loosened. What would the world
19 look like if future commissions took office not in years
20 starting in zero, but in years starting in 9 or even
21 years starting in 8.

22 So I understand and respect the State Auditor's
23 office and their role in this, but I would also want us
24 all to be open minded as we look at the future and see
25 what the best way forward is. Thank you.

1 CHAIR YEE: Thank you, Commissioner Kennedy.

2 I'll remind folks that in their recollections,
3 recommendations, and resources report volume three,
4 there's actually a possible earlier recruitment calendar.
5 And this would actually require no changes because it
6 simply advances the calendar as early as possible in the
7 year ending in 9. And so that's one notional possibility
8 to get started at least a little earlier.

9 Okay. Commissioner Sinay? Vice Chair Sinay?

10 VICE CHAIR SINAY: One thing I would hope we would
11 do, and this would fall on Commissioner Fornaciari and I,
12 is to look back at some of the meetings because we have
13 had some of these discussions. We just haven't made
14 final decisions on things and kind of bring some things
15 back versus restart from the very beginning.

16 The other piece I want to say is I think we brought
17 it up at the beginning, but I don't know if Commissioner
18 Blando was in. Is that Commissioner Fornaciari and I as
19 the chair and vice chair and as the continuity committee
20 subcommittee will work -- help set up an onboarding
21 process sooner rather than later. And we ask that staff
22 and commissioners, we are going to send an email asking
23 you to reach out and set up at least 30 minutes with
24 Commissioner Blando just to -- and to do it via camera so
25 you can see faces and all that. Even though luckily you

1 did come in and you got to meet some of us -- most of us
2 but we'll also do more formal trainings, as well.

3 And just on the training, we've been talking a lot
4 about adult -- how do we actually do trainings for 2030?
5 And Commissioner Fornaciari and I did start talking with
6 the redistricting hub to see if there are trainings that
7 they can create for all. Now that there's more
8 independent redistricting commissions, what can be done
9 in general and what can be done in particular in
10 California. So some of those conversations have started
11 for 2030.

12 CHAIR YEE: Thank you.

13 Commissioner Fornaciari?

14 COMMISSIONER FORNACIARI: Yeah, they have incredible
15 training. They have -- Commissioner Turner, they have
16 incredible training for redistricting. It's hands on
17 training where they have a setup, a scenario, and
18 everyone goes off and does it and they do it over several
19 weeks. And if we would have had that, it would have been
20 so helpful for us to actually have to move three
21 districts around and change it around and understand the
22 ramifications. So we will look more deeply into that for
23 sure.

24 CHAIR YEE: Very good. Anything else for
25 continuity?

1 Okay. Let's move on then to Bagley-Keene ADA.

2 Commissioner Fornaciari?

3 COMMISSIONER FORNACIARI: Nothing to add.

4 CHAIR YEE: Okay. Very good.

5 Let's see, Commissioner Toledo. Looks like he is no
6 longer with us. And Commissioner Sadhwani is not with
7 us. So government affairs will -- government affairs
8 census. Anybody have anything to report in their
9 absence?

10 Okay. If not, incarcerated populations?

11 COMMISSIONER SINAY: That one was created for a
12 specific reason when we were waiting for the census
13 information and all that. Do we still need this
14 commission? I mean, that subcommittee, since we've got
15 the legislature subcommittee? I always get kind of
16 confused why we have two.

17 CHAIR YEE: Government affairs census? Well, on one
18 hand that was created especially during the census delays
19 that we experienced and all that. On the other hand,
20 there could be census drama ahead of us, right.

21 COMMISSIONER SINAY: Well, but can't we bring it
22 back if we have that?

23 COMMISSIONER TURNER: Well, unless there's a need to
24 end it now, since the -- both Sidwani and Toledo is not
25 on, maybe we can just see if maybe they're working on

1 something. We don't know.

2 CHAIR YEE: Yeah, we don't know.

3 Okay. So that brings us to incarcerated
4 populations, federal facilities. Commissioners Fernandez
5 and Turner?

6 COMMISSIONER FERNANDEZ: Well, very little has been
7 done on that. We've been a little bit busy, although we
8 will say that we've reached out a couple times to them
9 and we've had no response. And honestly, my focus has
10 been on finance and admin and also legislative. So if
11 somebody else would like to take my spot on that? I
12 don't know if Commissioner Turner wants to add in to
13 that?

14 COMMISSIONER TURNER: Yeah, I do want to add into
15 that. I would love -- it seemed like Commissioner
16 Kennedy had a lot of passion around it. I could stay on
17 with him as lead. But again, it's been a little bit
18 difficult getting responses back. Yeah, so no update
19 right now and we're looking for a new partner.

20 CHAIR YEE: I mean, it seems that the political
21 climate is even less favorable now.

22 Commissioner Kennedy?

23 COMMISSIONER KENNEDY: I'm happy to jump back on.
24 One of the things that I had found in my research is that
25 there do seem to be a number of states that have made

1 progress on this. So I would start out by going back to
2 my research, finding out which states those are, and
3 getting in touch with them directly to find out exactly
4 where they are and how they made that progress. And if
5 we can -- if we can learn from their experience, then we
6 might be able to advance this.

7 CHAIR YEE: Very good. Okay. Then I will -- we
8 will accept -- I will accept Commissioner Fernandez's
9 resignation from that subcommittee. Wow. What a weight
10 lifted. And appoint Commissioner Kennedy to replace her.

11 Okay. Anything else? We have a question from Vice
12 Chair Sinay.

13 VICE CHAIR SINAY: Well, more of a comment. Common
14 cause and others are actually -- have a federal
15 subcommittee on this. I know at one point I sent
16 information because they were having a meeting. But as
17 much as we can play a role in that, that would be
18 important. What I have heard from advocates is I know in
19 the past we've been like, well, maybe we shouldn't when
20 it came to the census and should we or should we not
21 speak up about categories for the census and all that?

22 We had opted not to, but the feedback I got from the
23 community because of the work that I was doing with
24 Common Cause, the volunteer work, was yes, please do.
25 That the Commission carries a certain amount of weight

1 and that data is really important for us, and that the
2 community does wish that we step up a little bit more in
3 those type of working groups and sharing our experiences.
4 So I just wanted to report that back.

5 CHAIR YEE: Thank you.

6 Okay. We have sunsetted cybersecurity. So only one
7 subcommittee remains, redistricting engagement. And I'll
8 defer to Commissioner Sinay -- Vice Chair Sinay.

9 VICE CHAIR SINAY: There was a lot of -- so the
10 redistricting engagement subcommittee was looking at the
11 national redistricting efforts. And anything we do on
12 the national level is actually volunteer. We don't
13 charge time or anything. And there was a lot of interest
14 in having speakers and such a while ago. It feels a
15 while ago, but it was -- there were some initiatives that
16 were on the ballot in other states to put at the
17 independent redistricting commissions. I know Illinois,
18 Pennsylvania. Pennsylvania didn't get there, but they
19 did have speaker -- they did request speakers.
20 Illinois -- not Illinois, Ohio. Ohio, unfortunately, did
21 not pass but they'll probably do it again.

22 And most of the time when we get a call, they're
23 very specific about the speakers they would like and we
24 ask them to be very specific. So usually they will --
25 I'll be honest -- they want Republicans and they want

1 people of color. Just that's kind of the message. It's
2 not very organized for those of you who I've tried to
3 pull into some of these. They happen, then they don't
4 happen, and then they happen. So thank you for everybody
5 who does respond quickly when they come up. We'll
6 continue to do that.

7 A lot of us participated in the National Independent
8 Redistricting Commission convening in December of 2023.
9 I can't believe it was that long ago. That was a labor
10 of love on my part. I volunteered with Common Cause to
11 put that together. We had over 75 people who came from
12 all over the United States and lots of speakers and such.
13 There is a report about it. If you do fair maps 2030 --
14 roadmap to fair maps 2030, common cause. You can go
15 straight to the report, which is kind of a summary.

16 Again, a lot of things are on hold because it's a
17 little early. It was hard to get people to think about
18 2030. A lot of people still wanted to think about 2020.
19 But I think people are starting to have those
20 conversations. Like Prof. Levitt said, there is that
21 excitement. And from what I'm hearing, it doesn't look
22 like there'll be more independent redistricting
23 commissions nationally. But there are other ways to
24 influence maps.

25 And I go back to what I said earlier about

1 technology and AI and stuff. There is ways to create an
2 infrastructure so that more people can actually give
3 their opinions on how they would like to see their
4 legislative maps. And then even if the legislature is
5 putting together the maps, doing the mapping and they
6 ignore it, the judges and such can actually pay
7 attention, can use that -- not the judges, sorry. The
8 lawyers can use that to influence court cases and say
9 hey, there was some gerrymandering that took place
10 because of these.

11 So that input is still important, but those
12 conversations are very nascent still. So that's it.

13 CHAIR YEE: Commissioner Sinay did a magnificent
14 job. I was able to participate in that conference in Los
15 Angeles, December 2023. She did a magnificent job
16 organizing it, as well as authoring the report, a very
17 good report, substantive report that came out of it. And
18 it was a reminder of how fortunate we are as Californians
19 to have a fully functional gold standard, independent
20 redistricting commission that really is looked on as a
21 model for the rest of the nation.

22 Okay. That's it for the subcommittee reports. Is
23 there any other business for the Commission?

24 Commissioner Kennedy?

25 COMMISSIONER KENNEDY: We did not report.

1 CHAIR YEE: Oh, of course --

2 COMMISSIONER KENNEDY: We did not report --

3 CHAIR YEE: I did not --

4 COMMISSIONER KENNEDY: Lessons learned subcommittee.

5 CHAIR YEE: How did I miss that? Yes, of course.

6 Lessons learned going back to letter D. I see now, yes.

7 Lessons learned subcommittee, yes.

8 Commissioner Kennedy?

9 COMMISSIONER KENNEDY: Okay. So just in preparation
10 for today's meeting, I pulled the summary of
11 recommendations that is in the executive summary of the
12 recollections, recommendations, and resources document
13 and highlighted some of those issues. Part of what we're
14 still dealing with is, because of my health issues, the
15 lessons learned report ended up coming after we set up
16 the list of legislative priorities. Even though if you
17 go into the lessons learned report, there are legislative
18 priorities. So we're still trying to catch up a bit as
19 far as the synchronization of the lessons learned report
20 and the legislative priorities.

21 So I want to go over the ones that I've highlighted,
22 ask if others have other recommendations that are in the
23 lessons learned report that we should be talking about in
24 conjunction with our legislative priorities or any others
25 that need to be incorporated into our lessons learned.

1 So we were just talking a few minutes ago starting
2 the selection process and the work of the Commission four
3 to six months earlier. And particularly to give the 2030
4 Commission the possibility, because I don't think it
5 would really exist otherwise, of gathering community of
6 interest data before the census data. Because if they
7 don't start earlier, they're going to be very much like
8 the 2010 commission and just barely be on their feet by
9 the time the census data hit. So I think we need to have
10 a further discussion on starting the selection process
11 and the work of the Commission four to six months
12 earlier.

13 Seeking and obtaining exemption from state
14 contracting and procurement regulations that would
15 parallel the Commission's exemptions from civil service
16 regulations in hiring staff. It's great that we don't
17 have to abide by all of the civil service regulations in
18 hiring staff. Doesn't do us a whole lot of good in the
19 end` if we are hamstrung and handcuffed by having to
20 follow all contracting and procurement regulations given
21 the extremely tight timelines that this Commission
22 operates under. So I think we need to have a further
23 discussion of that.

24 Seek and obtain a streamlined process for releasing
25 appropriated funds. We've had problems over the years

1 with getting those appropriated funds released to us as
2 we need them. So we need to come up with some sort of
3 better process for getting release of the appropriated
4 funds.

5 Establishing an initial authority and capability to
6 make public statements as soon as the first eight
7 commissioners are selected. The others of you who were
8 part of the first eight will recall that our counsel, at
9 the time, told us that the only thing we were authorized
10 to do was to make that selection. We were not authorized
11 to make even public statements about the process of
12 choosing the final six, which in my mind really hamstrung
13 us particularly given the media firestorm that
14 accompanied the results of the random draws. So I think
15 it is important to, in some way, establish that the first
16 eight, yes, their primary responsibility is selecting the
17 final six. But if they have something that they want or
18 need to say publicly about that process, they should have
19 the authority to do so.

20 More broadly, seek and obtain streamlined
21 contracting, procurement, and reimbursement authority.
22 Obtaining an exemption from the requirement that the
23 Commission needs Attorney General's permission to hire
24 outside counsel. I think that's already on our priority
25 list, yeah.

1 Revisit the question of whether to exclude count in
2 place or pursue reallocating individuals incarcerated in
3 federal institutions in California. So Commissioner
4 Turner and I, as the subcommittee, will continue working
5 on that.

6 Continue advocating for permanent virtual meeting
7 participation without the current requirements for public
8 disclosure of commissioners' home locations and access to
9 those locations. I think we've made some progress but
10 perhaps not as much as we would eventually like to make
11 on that. Maybe we need to invite Little Hoover
12 Commission to our next meeting to have a dialog with them
13 in a publicly-noticed meeting on that topic.

14 Requiring information about redistricting be
15 included in the voter information guide, at least for the
16 first elections following redistricting. So some of you
17 will recall that Marcy and her team had reached out to
18 the Office of the Secretary of State to seek space in the
19 voter information guide. I think the sense of this body
20 is that it is important for voters to have that
21 information in the voter information guide. The initial
22 reaction from the Secretary of State's office was one of
23 interest, but in the end they said: a, there's no
24 mandate that we do this; and b, we're out of space. If
25 there were a mandate, the question of space would go

1 away.

2 So I think finding a way to mandate that there be
3 space reserved in the voter information guide, at least
4 for the first elections following redistricting. But
5 also because of Senate deferrals, we could make a very
6 good case to extend that to two elections beyond the
7 approval of the maps.

8 Determining early in the cycle whether the
9 Commission can and should grant funds for outreach and,
10 if so, how. So that remains an issue that we should have
11 further discussion on.

12 Producing Senate accelerated and deferred areas maps
13 after the final maps are completed. I think the idea of
14 requiring future redistricting commissions to produce
15 those maps is a good one. The Commission has the mappers
16 at its disposal. It would be a fairly light lift to
17 produce those maps at that point in the process. And so
18 again, having a legal mandate to do that would make it
19 easier in the end.

20 Regarding parcel splits including in the 2030
21 Commission's final maps approval motion, a provision
22 granting a legal basis for counties to resolve parcel
23 splits with no change to district population. So the
24 last part of that is the key. No change to district
25 populations. If there's a change to eliminate a split of

1 a property that does not change the population of either
2 district, I don't think that necessarily needs to come
3 back to this body. I think it would be fine to grant
4 counties the authority to resolve those sorts of splits.

5 And then again at the end, seating the 2030
6 commission earlier in the year. Now, not necessarily
7 from the lessons learned document. I have a couple of
8 things that I have added to this list and am open to
9 others. First, and we've discussed this on occasion,
10 requiring our website to be maintained for ten years.
11 Just providing a legal requirement for that website to be
12 maintained for ten years.

13 You may recall that the fair maps act, covering
14 local redistricting in California includes such a
15 provision. So the Long Beach Redistricting Commission,
16 for example, has a legal mandate to maintain their
17 website for a full ten years. We don't have that and I
18 think it would bolster our case for the funding needed to
19 ensure that our website is up and functional for ten
20 years if there were, indeed, a legal mandate, such as the
21 one that already exists in the statutory language
22 covering local redistricting in the State.

23 Next, we've had the conversation multiple times over
24 the years about the meaning of fully functional and the
25 language that says that the State Auditor's office will

1 provide support to the Commission until such time as it
2 is fully functional. It occurred to me in recent years
3 that once Executive Director Hernandez and the other
4 full-time staff left, we are almost back in a situation
5 where we are not fully functional. And the question that
6 occurs to me is is there a need to provide some sort of
7 legal basis for the support that we require "after we are
8 no longer fully functional"?

9 So if we see fully functional as the time during
10 which we're doing the mapping and we have all the staff
11 and so forth. And then when the staff goes away, let's
12 make sure that we're not in a worse situation than we
13 were before we started the mapping.

14 I don't recall if it's already on the list. It may
15 already be, but the transparency and number of
16 legislative strikes. There's been discussion that if
17 legislative leadership are going to exercise strikes,
18 they should at least put their reasoning in writing. And
19 I believe there is a state that has a legal requirement
20 that the legislative leadership provide their strikes in
21 writing with their reasoning for those.

22 The other issue in relation to the strikes is the
23 current number of strikes amounts to a full 40 percent of
24 the sub pools after the random draws. 40 percent seems
25 like a very high proportion of strikes. And do we want

1 to initiate a discussion on reducing that from 40 percent
2 to 20 percent? 20 percent seems like a reasonable
3 number.

4 The next item is what can we do to better integrate
5 our work with the work of local redistricting bodies?
6 Are we able to share community of interest data? Are
7 there other data sets that we could share or they could
8 share? Do we need any sort of legal basis for better
9 integration of local redistricting and our Commission?

10 So those are the issues that came to my mind as I
11 was looking over our report and what we might want to
12 bring to the table for discussion. Thank you.

13 CHAIR YEE: Thank you, Commissioner Kennedy. And
14 apologies once again for missing our subcommittee
15 earlier.

16 Any discussion or further items to add to the list
17 that Commissioner Kennedy has provided? Commissioners
18 Fernandez and Lamont and Turner?

19 COMMISSIONER FERNANDEZ: Yeah, I just wanted to go
20 over some of them that are already on our list.

21 The exemption from state contract and procurement,
22 it's already on the list that we're working on. In terms
23 of seeking or obtaining process for releasing
24 appropriated funds, that we've talked with -- also kind
25 of part of the legislative where we've talked about the

1 budget language when it goes into the act, the Budget
2 act, that's where that requirement is. And if we can
3 somehow get that language changed, that's where it would
4 be. It's not a government type or a government code.
5 It's in the Budget Act itself.

6 AG exemptions already on the list. The federally
7 incarcerated, that's obviously a subcommittee.

8 Information about redistricting on the voter
9 information. I will say that Yolo County did have
10 information on redistricting.

11 CHAIR YEE: Yolo.

12 COMMISSIONER FERNANDEZ: FYI, so it was pretty good.
13 On the first -- it was explaining the different -- the
14 cycles that we had just gone through. So it was pretty
15 cool.

16 Grant funds for outreach, that's part of our
17 subcommittee, as well. Website for ten years is also
18 already on our list. Meaning a fully functional that we
19 were going to talk with the State Auditor about so that
20 we've already discussed it. It's on our list.

21 Legislative strikes. Actually, that's what the
22 government affairs subcommittee is supposed to be doing
23 because it's on the list. So let's not disband it quite
24 yet people. Fortunately, I have my notes and they're the
25 ones getting it. So I just wanted to let you know that a

1 lot of these are already on the list or we've already
2 discussed.

3 CHAIR YEE: Very good. Commissioner Lamont and then
4 Turner.

5 COMMISSIONER LAMONT: That report was overwhelming
6 and I don't know if that, in my mind, was the appropriate
7 place for that piece of business. It felt like it should
8 have been an agenda item and it felt like it was going to
9 need to be an agenda item, multiple agenda items, in
10 order to move these things forward. So I just wanted
11 to -- I don't have any comments about it because, I mean,
12 we could be here all night talking about that list. So
13 yeah, I just wanted to say that.

14 CHAIR YEE: Thank you.

15 Commissioner Turner?

16 COMMISSIONER TURNER: With that, thank you. I'd
17 like to also add to that list of lessons learned is a
18 desire for conversation to push forth -- or a requirement
19 or allocation of funding for commissioners to participate
20 in post map meetings, trainings, et cetera. I've raised
21 the issue before. I still continue to believe it to be a
22 matter of equity or inequity when we have commissioners
23 part of this great work that will not have ability to
24 participate because it's volunteer work.

25 And so unless there is funding for all commissioners

1 to be able to participate, I think that it's a disservice
2 to all of California because we have various salary
3 ranges. Some people will be able to just volunteer, take
4 off work and go and participate. Others will not. And
5 that will continue to impact, I think, future commissions
6 based on who's able to show up at meetings and support.

7 So I think we do need to have that conversation and
8 I think it needs to be a required allocation of funding
9 to ensure that we are continuously training California of
10 how to present better maps, how to be educated around the
11 whole process.

12 CHAIR YEE: Well, thank you, Commissioner Turner.

13 Okay. Any other -- okay. Commissioner Kennedy?

14 COMMISSIONER KENNEDY: Thank you, Chair. Just
15 wanting to --

16 MR. MANOFF: Your microphone, sir?

17 COMMISSIONER KENNEDY: Just wanting to highlight for
18 colleagues, legislators, the executive branch, kind of
19 where we are in the redistricting cycle. And this is one
20 of the handouts that was originally distributed in
21 December of 2022 to help people kind of understand that
22 no, our job is not just drawing maps. Our job is drawing
23 maps and helping prepare for the next cohort of
24 commissioners, leaving things better off than they were.
25 And hopefully they will leave them better off than they

1 found them. And this is how we maintain our position as
2 the gold standard among state level redistricting bodies.

3 Particularly if we're going to get into developing
4 what I called earlier real training rather than what we
5 had at the beginning of our term, which as Commissioner
6 Turner pointed out long ago, was more briefing rather
7 than training. That is going to involve a fair amount of
8 work. And again, we need the resources to do that work.

9 So I just want us all to be aware of that. I want
10 us all to advocate for that. Each of us has state
11 assembly members, state senators that represent us, and I
12 would hope that we could all be encouraging them to
13 support efforts to ensure that this body has the funding
14 that it needs to do all of the work that it is mandated
15 to do, not just the maps. Thank you.

16 CHAIR YEE: Well said. Thank you, Commissioner
17 Kennedy.

18 Okay. Is there any other business? If not, we will
19 take public comment on agenda item number 5, subcommittee
20 reports, as well as final public comments for the day.

21 MR. MANOFF: Sounds good, Chair. The Commission
22 will now take public comment on agenda item number 6 and
23 general public comment for items not on the agenda. If
24 you are in the meeting via Zoom, you can use the raise
25 hand button or you can call in using the call in

1 information on the screen. And there are no hands.

2 Oh, we have a hand. Stand by. Renee Westa-Lusk.

3 CHAIR YEE: Ms. Westa-Lusk, go ahead please.

4 MS. WESTA-LUSK: Yes. Commissioner Kennedy are your
5 reports posted on the website somewhere? I haven't been
6 to the website recently, but I could read over all your
7 directives.

8 CHAIR YEE: Commissioner Kennedy?

9 COMMISSIONER KENNEDY: Ms. Westa-Lusk, the items
10 that I read out, with just a few exceptions, were items
11 that are part of the summary of recommendations that is
12 in volume one of the recollections, recommendations, and
13 resources document that is on the final maps and reports
14 page of the Commission's website.

15 CHAIR YEE: Ms. Westa-Lusk, if you'll reach out to
16 me, I will send you a copy of that report.

17 MS. WESTA-LUSK: Okay. Thank you.

18 COMMISSIONER KENNEDY: Perhaps we should post just
19 that document on the meeting documents?

20 MR. MANOFF: Yeah. We have a another hand. A D.
21 Azarmi. Go ahead. You can unmute.

22 CHAIR YEE: Yes, Ms. Azarmi?

23 MS. AZARMI: Thank you. Good day to everyone on the
24 Commission. I just wanted to introduce myself. My name
25 is D. Azarmi, and I am a master of public policy student

1 at the Goldman School at UC Berkeley, who is looking more
2 into redistricting issues as part of my research. And I
3 also was involved in redistricting work in North
4 Carolina. So I just wanted to say thank you. It's
5 wonderful to see an avenue for the public to listen in
6 and interact with the Commission. And it was really
7 great to hear everything from the census and voting
8 rights forecast up into the lessons learned throughout
9 today. And I just wanted to say thank you again for
10 creating this avenue and for your work.

11 CHAIR YEE: Thank you so much. Anyone else?

12 MR. MANOFF: There are no other hands in the queue
13 at this time, Chair.

14 CHAIR YEE: Thank you. Is there any other business
15 or any other comments?

16 If not, a big thank you to our ASL interpreters, to
17 Kristin and Derek, the USSE, to Peter Petty, our court
18 interpreter -- court reporter, to our own staff, Tim,
19 Tammy, and Gloria and to all of the commissioners who
20 made an effort to be here today. Thank you. This
21 meeting -- and to our new commissioner, Peter Blando.

22 Our meeting is adjourned.

23 (Whereupon, the meeting adjourned at 4:45
24 p.m.)

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CERTIFICATE OF TRANSCRIBER

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

Christine James

April 7, 2025

