STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION

In the matter of:

CRC BUSINESS MEETING

WEDNESDAY, APRIL 27, 2022

9:35 a.m.

Reported by:

Peter Petty
APPEARANCES

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

STAFF
Alvaro Hernandez, Executive Director
Anthony Pane, Chief Counsel

TECHNICAL CONTRACTORS
Kristian Manoff, AV Technical Director/Comment Moderator

PUBLIC COMMENT
None
<table>
<thead>
<tr>
<th>INDEX</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Call to Order and Roll Call</td>
<td>4</td>
</tr>
<tr>
<td>Executive Director's Report</td>
<td>8</td>
</tr>
<tr>
<td>Legal Update</td>
<td>18</td>
</tr>
<tr>
<td>Public Comment</td>
<td>18</td>
</tr>
<tr>
<td>Committee and Subcommittee Updates</td>
<td>19</td>
</tr>
<tr>
<td>Public Comment</td>
<td>87</td>
</tr>
</tbody>
</table>
CHAIR FORNACIARI: Well, welcome, California, to the California Citizens Redistricting Commission's April business meeting. I'm Commissioner Neil Fornaciari, chair this month, and along with Commissioner Sinay, my co-chair, we will be hosting this meeting. I will call this meeting to order and ask Ravi to call the roll, please.

MR. SINGH: Thank you, Chair. Commissioner Kennedy.

COMMISSIONER KENNEDY: Here.

MR. SINGH: Commissioner Le Mons.

COMMISSIONER LE MONS: Here.

MR. SINGH: Commissioner Sadhwani. Commissioner Sinay.

VICE CHAIR SINAY: Here.

MR. SINGH: Commissioner Taylor.

COMMISSIONER TAYLOR: Present.

MR. SINGH: Commissioner Toledo.

COMMISSIONER TOLEDO: Here.

MR. SINGH: Commissioner Turner.

COMMISSIONER TURNER: Here.

MR. SINGH: Commissioner Vázquez.

COMMISSIONER VÁZQUEZ: Here.

MR. SINGH: Commissioner Yee.
COMMISSIONER YEE: Here.

MR. SINGH: Commissioner Ahmad.

Commissioner Akutagawa.

Commissioner Andersen.

COMMISSIONER ANDERSEN: Here.

MR. SINGH: Commissioner Fernandez.

COMMISSIONER FERNÁNDEZ: Presente.

MR. SINGH: And Commissioner Fornaciari.

CHAIR FORNACIARI: I am here.

MR. SINGH: Roll call is complete, Chair. You have a quorum.

CHAIR FORNACIARI: Thank you, Ravi. Appreciate it. So let's see. I'm going to start by going over the run of show. We'll have director announcements, a few subcommittee updates. We will be going to closed session at 11:15. We hope to return at 11:45, but as those of you who follow along know, you know, that's kind of a moving target sometimes.

But we will have a lunch break from 11:45 -- or 12:45 to 1:45 and then wrap up by 3:15, 3:30 with public comment. Based on the number of subcommittee review -- subcommittee reports, I expect we'll end early today, hopefully, around lunch. We'll see, though.

And so I'll start with announcements. So this is a bit of a change for us. This is the first meeting of the
Commission since the expiration of the executive order exempting State bodies from Bagley-Keene. So what we've done in response to that is we're hosting our meeting at two publicly accessible locations, our office in Sacramento and one in Anaheim. Both of those addresses are listed on our website under the meeting announce -- under the meeting tab and also on the agenda.

So the public is welcome to join us. We have no members of the public joining us here in Anaheim, but I understand that we have a few members of the public joining us in Sacramento, so welcome. Thanks for joining us and thank you for following along.

But I just want to mention before we get started, as we have done throughout the entire life of this commission, we will allow -- or enable the public to call and provide public input and public comment over the phone just as we have throughout the whole time. So you know, you're welcome to come in person to our meetings or follow along via live feed and call in and provide your public comments that way.

So with that, I want to thank everyone for joining us. I have one announcement that I will be sharing, and then I'll open it up to our colleagues. I put together a op ed for New Mexico. Some of you know -- it will be published in the Albuquerque Journal. We're just not
I worked with some folks from Common Cause from national -- the national Common Cause and the local New Mexico Common Cause to put that together.

So as you may recall, I spoke with a task force looking at forming an independent commission in New Mexico back in November of 2020. In February, the Legislature created an advisory commission, and that advisory commission was responsible for holding public meetings, getting public input, and generating three maps for each of the four redistricting offices they were responsible for: state legislatures, Congress, and the state education board.

So they went through that. They had seven members on their team, three former justices, or judges, one -- the chair was a former justice on the State Supreme Court. Put in a lot of effort and work, presented their maps to the Legislature, and the Legislature promptly threw them out and drew their own maps to ensure that no incumbents would have to run against each other.

So I sent in an op ed just encouraging the people of New Mexico to push for an independent commission that would be responsible for drawing the maps outside of the legislature. So I will let you all know when that gets published, but I wanted to open it up to see if there were any other commissioners had announcements that they
would like to share.

Okay. I don't see any hands raised. Am I missing anyone? No. Okay. Well, then we will move on to director announcements.

MR. HERNANDEZ: Good morning and thank you, Chair Fornaciari. Before I get started, I wanted to thank our videography team, Kristian, Katy, Andrew, and Brian here in Anaheim, and anyone I forgot. Thank you for all your hard work in setting this up and making sure that we're able to be available to the public. So thanks for all your hard work.

Moving on, we'll talk about our staffing. Our data manager, Toni Antonova, will be leaving the commission at the end of this month. She's been part -- working part-time and working on moving the database into an archive format that will allow archiving the data and attachments beyond the Airtable database. We still have the Airtable, we're still working on it, but we're looking beyond that, and so she's working on mapping that out for us.

Paul Mitchell, who's our data analyst, is working on how to archive the maps. As you all recall, we've been using a map viewer, and so we're looking at ways and options to maintain the map viewer as much as possible. He and Martin Pineda will continue to work through this
process until June.

As far as personnel, we're nearing the end of June fiscal year and the remaining executive level staff, which is basically myself and our chief counsel, and the administrative staff, which is Raul, Anessa, Terry, Ravi, and Martin, will stay on until we close out all activities, likely beyond June.

The remaining team will continue to provide support to the commission and work on completing the financial requirements and other state requirements for closing out operations. This includes equipment and office inventory, archiving the records and all things budgetary and financial.

Lastly, the administrative staff will be working on setting in place processes, contracts, and any other information for the future out years of the 2020 Commission. For example, you know, what's going to be our mailing address? You know, contacts for DGS, the accounting, the budgets, and H.R. Contacts with the State Comptroller's Office and other agency contacts that may be needed through the course of the next eight years.

And also looking at what contracts we can get in place for as long as we can. Most contracts do not exceed a four-year time frame, so there will be a point in time where the commission will have to revisit some of
these potential contracts.

The outcome of the BCP funding request will have an impact on the staffing and the set up for our out years, as you know. So based on our recent memo from -- separately, based on a memo from DGS, they will likely not have year-end reports, that's fiscal year '21/'22, until late July, early August. So realistically, administrative staff may need a couple of months to complete the financial reports, so they -- so I see them onboard probably through the end of September, but any delays can further the need of the staff beyond that point. Any questions on that?

Okay. I'll continue. I wanted to report out about the transcripts. We spoke to and are working with our new vendor to see how we can update the missing transcripts and the cost to do so. We need to update and extend the contract since they have to do the count -- the transcripts from the meeting videos.

Typically, they have a court reporter that records the meeting and takes some notes, and they use that to build the transcripts, but these videos, they don't have that, so we'll have to go back to -- they'll have to go back through the videos to transcribe the entire meeting. So we're looking at what the potential cost is going to be and how we can get that done.
We did receive a media reporting request. The request is from the Department of General Service, DGS, to provide them with the required information on the placement of marketing and outreach activities and advertising materials and to identify the dollars targeting specific ethnic and LGBTQIA communities. This is an annual requirement due by April 30th of each year. We received it last week.

And the information will be used to complete the DGS annual report to be posted on their website on July of each year. We did not have any advertising in 2021, so that was good, but we did have outreach contracts in 2022 which we are working on getting the information from and putting that together for them. Fredy provided much of the general information, but we are reaching out for more specific details from the vendors, if that's available.

I wanted to mention that we continue to receive map requests. So individuals are reaching out to us at our VotersFIRSTAct email asking for an enlarged map, asking for details on the street name, neighborhoods, additional information. In some cases, they're asking specifically for ZIP codes in the districts, and we don't have the tools to do any of that.

We don't capture -- we did not capture ZIP code information, and we just don't have the capability of
zooming in to the street level. The map viewer goes as far in as possible, but it's very -- you know, it is limited based on what they're asking for. So it appears that many of these folks have reached out to the Secretary of State and the Secretary of State has redirected them back to us. So I just wanted to uplift these types of requests to be considered as part of the line drawer lessons learned and see if there's anything that can possibly be done for the next go around.

CHAIR FORNACIARI: I think Commissioner Kennedy has a question maybe on your last.

COMMISSIONER KENNEDY: Two things. One, you mentioned there was no advertising in 2021, but were you referring to 2020?

MR. HERNANDEZ: Yes, I'm sorry. You are --

COMMISSIONER KENNEDY: Okay.

MR. HERNANDEZ: -- correct.

COMMISSIONER KENNEDY: Okay.

MR. HERNANDEZ: My years are a little bit off.

COMMISSIONER KENNEDY: Okay. Second point, on this issue, particularly the ZIP codes by district, this may be somewhere where we can contact the -- that Paul could contact the postal service and say, okay, this is our map viewer database. You have your maps. How can we generate a list of ZIP codes by district by -- just by
combining the Commission's map with the postal service's map? I think it's worth a try.

CHAIR FORNACIARI: And then Commissioner Sinay?

VICE CHAIR SINAY: Thank you, Chair. I think, on the first -- on the report on the advertising and stuff, let Commissioner Fornaciari and I know if we can be of some support and assistance as part of the -- you know, as the outreach subcommittee, and putting that report together, just looking at it after you, you know, just to see if there's anything that we remember.

And then the second, there are others out there in the redistricting world who have created different types of tools to be able to look at the redistricting, and by ZIP code and stuff. I know the L.A. Times had done one and others in California.

I know we don't want to endorse them because we haven't checked them to see if they're actually accurate or not, but that's another option is just to be able to say, here's three resources but we haven't endorsed them, you know, just so we have somewhere to send people. But I definitely appreciate the director saying that we should add it to the lessons learned.

MR. HERNANDEZ: Yes, I will definitely see what we can do in regards to the ZIP codes. And then also, if there are other groups that have done report, it would be
great to maybe have a list of them and maybe use them as
a reference only, not to endorse them or anything like
that, but as a reference for individuals. And as far as
the reporting for the media, I will definitely make sure
we send out a draft to the outreach subcommittee for
review.

Okay. I also wanted to mention that we reached out
to the state archives and are planning our next steps,
which is when and how to transfer the communication,
outreach, and website files. So we'll be continuing
those conversations with them.

In regards to the website, I will be setting up a
meeting with the website subcommittee to discuss options
available and what we are required -- what would be
required of those options for the 2020 website. And keep
in mind, some of this may be impacted by our BCP request.
And BCP stands for budget change proposal. That's a
request, and it will be included funding for the website
on there as well.

And that's a perfect leading -- lead-in to my budget
information unless there's any questions.

CHAIR FORNACIARI: Commissioner Andersen?

MR. HERNANDEZ: Oh.

COMMISSIONER ANDERSEN: Yes. I have a question
about the -- transferring the files. The archives, I
believe, only keep things for seven years and we need longer than that. Oh, I'm seeing Commissioner Kennedy shake his head. So we have already addressed that as an issue?

COMMISSIONER KENNEDY: Chair, if I can. I have also spoken with the state archives and they're getting back to me at some point. But you know, we've made it clear to them that this is information of permanent record value. They have information about the state going back to the founding of the state, so I think that, you know, they do understand the concept of permanent record value and the importance of maintaining what we give them.

COMMISSIONER ANDERSEN: Great. Okay. So we just have to make sure that our information gets categorized in the right category.

COMMISSIONER KENNEDY: Right.

COMMISSIONER ANDERSEN: Thank you.

MR. HERNANDEZ: Okay. So we'll go ahead and talk about the expenditures. We're continuing to work closely with the DGS accounting and budgets to reconcile information and our expenditures. We just recently received an additional invoice from our legal services, our legal team, that we've updated. I did not post a new updated one. I want to make sure that I have a chance to review that further and update the information and work
with the subcommittees to provide that information for
the next meeting.

One of the issues has been how we categorize the
expenditures and how DGS reports, or State Comptroller,
categorizes those same expenditures. As has been the
case with the commission, we are different from other
agencies. We don't really fall into a specific grouping,
and thus, the coding of expenditures does not fall in the
typical categories that they have available or that
they've used, and FI$Cal doesn't allow for many changes.

So we're a square peg, again, in a round hole. So
our budget staff and I met with the newly created audit
subcommittee and provided them information for their
review, and I will defer to them to provide additional
information from that meeting.

Regarding contracts, we are reviewing all our CRC
contracts to close them out as complete and identify any
encumbered amounts to release those funds. Those funds
can then be used for other expenditures, so we're working
through all the contracts that we have, many of which are
completed. We just have to close them out formally.

Moving on to TECs, we received a handful of TEC
payments the week of the 15th and sent them out. We're
anticipating more payments to be issued out by mid-May.

TECs have been processed on our end and entered into
FI$Cal and are either with DGS or the SEOQ (ph.) for review and processing. You should have all received a summary of your TECs and an indicator if they've been paid out. So please let Wanda know if there are any discrepancies.

Also, if you have any outstanding CRC expenditures you have not submitted, please get them in before June. There usually is a moratorium on processing any payments to the -- due to the end of the year activities, fiscal year activities. So the sooner you get them in, the better. Otherwise, there'll be a delay in the payment. A delay beyond the normal delay. Let's put it that way.

In regards to the budget change proposal, we have not heard back from the DGS or JOBC. That is where we stand with that. I believe that is all the information I have to report out unless there's any specific questions that anyone may have, I'm available to answer those.

CHAIR FORNACIARI: A couple comments. Thanks to Raul and Wanda for sending out those emails about our expense reports. And yeah, take a look at them, make sure they've got them correct, and let them know if there's any discrepancies. So thanks for that.

And yes, I neglected to thank you and your team, Director Hernandez, for putting these meetings together and all the logistics of -- and overhead and work to put
these together. So thank you so much for helping us comply with the changing requirements for the commission. And so, at that, are there any other questions for Director Hernandez? Okay.

Chief Counsel Pane, did you have an update?

MR. PANE: Thank you, Chair. For legal updates, I don't have any. There are no new lawsuits and nothing else. I'm happy to answer any questions from any commissioners, of course.

CHAIR FORNACIARI: Any questions for Chief Counsel?

Doesn't look like it. I think I heard that Katy was with us. So Katy, if you could ask for public comment on agenda item 602, please.

MR. SINGH: Chair Fornaciari, this is Ravi. Can you give us one minute? I'm going to grab Kristian. Katy is not present.

MR. MANOFF: So sorry, Chair. In order to maximize transparency and public participation in our process, the commissioners will be taking public comment by phone and in person. To call in, dial the telephone number provided on the livestream feed. It is 877-853-5247. When prompted, enter the meeting ID number provided on the livestream feed. It is 89713121409 for this meeting. When prompted, enter a participant ID, simply press pound. Once you've dialed in, you'll be placed in a
queue. To indicate you wish to comment, please press star nine. This will raise your hand for the moderator. When it's your turn to speak, you'll hear a message that says the host would like you to talk. Press star six to speak.

If you'd like to give your name, please state and spell it for the record. You're not required to provide your name to give public comment. Please make sure and mute your computer or livestream audio to prevent any feedback or distortion during your call. Once you're waiting in the queue, be alert for when it is your turn to speak, and again, please turn down the livestream volume.

And to those calling in, if you would like to give comments on this item, please press star nine. And if there are any members of the public that are in person that wish to give comments, please let us know in the room. I understand here in Sacramento there is nobody waiting to give comments.

And with that, we have no one in the queue, Chair.

CHAIR FORNACIARI: Okay. Thank you, Kristian. We will have more opportunity for public comment as we go forward. So we will jump into agenda item number 3, subcommittee updates and announcements.

I'm just going to go through the five that we know
of, that we've heard from the subcommittees, and then
open it up to the other subcommittees if they have
anything that's come up. So we're going to start with a
report out from the audit subcommittee.

COMMISSIONER TAYLOR: Good morning, everyone. I
hope everyone is well. The audit subcommittee has had
the opportunity to meet and subsequently request
information from staff. Staff has provided that
information to the subcommittee. We are now interpreting
and scheduling a meeting to discuss our findings with
staff, and we hope that we will be able to have an
opinion or a recommendation at the next business meeting.
Relatively simple. You know I like to keep it simple.

CHAIR FORNACIARI: Okay. Great. Are there any
questions for the subcommittee?

Commissioner Fernandez.

COMMISSIONER FERNÁNDEZ: Thank you, Chair. And
thank you, Commissioner Taylor. I think you're the one.
I can't see your lips move because you've got your mask
on, but I think it was you. Just so are -- is the
subcommittee of yourself and Commissioner Le Mons, are
you two the ones reviewing the reports, or did we
actually contract out for that?

COMMISSIONER TAYLOR: No, no. It is us, so it's in-
house. And again, it's just a look at our processes and
how we're coming about these figures and if there's a more efficient way or if there's a gap or something amiss in the process.

COMMISSIONER FERNÁNDEZ: Thank you.

COMMISSIONER TAYLOR: You're welcome.

CHAIR FORNACIARI: Okay. Next up is the finance and administration subcommittee. We wanted to respond to some questions that came up about jobs in -- in the job structure in the commission, and so this was questions during the lessons learned exercise.

And so the job structure and whether or not we need to add jobs for the next commission. So we put two -- included two attachments in the handouts. Let me see. One is the CRC job classifications and one is CRC positions. And so there's a long story and a short story, so I'm going to I'm going to try to give the short story and see how that goes. And if there's questions, I will -- Commissioner Fernandez and I will try to provide clarification.

So I think, as we all know, the Commission is exempt from civil service requirements, so we can, you know, hire and we can add jobs as needed. Where the challenge comes in is the CRC job classifications. If we need to add a job class classification, that gets more complex and takes more time.
And so what Raul had done when he was working with the state auditor to set things up was add a number of job classifications to the CRC. And then, as you know, when we decided to create a -- this deputy executive director position that we added a new job classification that took quite some time.

But you know, we reviewed this with Raul and Director Hernandez in detail, and we have a number of job classifications that are allocated to the CRC, and those will remain in the future. You can see there's a wide range of jobs and salary ranges. So you can -- and then if you go to the next page of the positions, you know, a number of positions that are jobs.

But just to keep it simple, and the bottom line is we kind of feel like we have enough job classifications. We have a wide range of job classifications that we can put -- that the next commission can put a number of folks in, and with a wide range of salaries available. And then as far as the positions go, it's a much simpler process to add positions. These positions that we have will stay, but the next Commission can add or change different job positions.

So Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Chair. You know, when we were discussing this last, my point was we need
to save the 2030 Commission any possible time that they might have to invest in any of this and that having classifications available to them did not obligate them to fill any of those. So I just -- I want to make sure that we are doing our best to ensure that they don't have to spend time establishing positions because they're probably not going to have that time available to them. Thanks.

CHAIR FORNACIARI: Yeah, yeah. And I mean, I think, you know, based on the conversation that we had with Raul and his experience with the state service and, you know, how we could -- how they could manage putting jobs into these job -- or into these classifications, we kind of felt they were covered, but maybe -- I mean, maybe we'll take an opportunity to -- when we get the lessons learned -- the thoughts we have about the job structure, we can go back and review these classifications and make sure we're comfortable before -- you know, before we give up on this.

COMMISSIONER KENNEDY: Great.

CHAIR FORNACIARI: Does that sound okay?

Commissioner Sinay?

VICE CHAIR SINAY: You're not used to using my last name, huh? So I think when I wrote this, I guess my big concern -- and I know it's addressed later, but when I
was looking at the different classifications and the
different handouts that were given to us was just that we
included the communication director, but then the
outreach director was kind of a note later kind of
saying, oh, it falls under this classification. But I
think, you know, we did -- the outreach director and the
communications director did very different things.
So I guess the second piece is, are we going to --
we are going to create job descriptions that kind of back
these up so people know what they mean. But they also
need, besides the long job descriptions, just kind of a
short summary so they can decide which jobs -- which
positions they would like or wouldn't like.
But again, I was just afraid that the way this is
set up, executive team is shorter -- is smaller than the
executive team that we did hire, even though there is a
footnote saying there was a -- you know, that the
outreach director could sit in.
CHAIR FORNACIARI: Okay. Thank you. Yeah. I mean,
we definitely -- we have more work to do on this, but we
just wanted to kind of let you know how -- about the
positions that we have at this point and how the process
works. I don't know if you had anything to add,
Commissioner Fernandez.
COMMISSIONER FERNÁNDEZ: And if you look at the CRC
position, that's just the actual, like, I guess, state service classification. It's not necessarily the working title, so I just want to make sure that everyone's aware of that. And like, for example, the executive director, it could be -- that's the official title. You could actually -- it could be an outreach director. It could be a communications director. It could be whatever.

We were just -- I think the meeting was really good with Raul because we thought that anytime we wanted to increase, like, the analysts, we had to go back through the whole process. But once you have the position established, it's easier to just add an additional one.

Thank you.

CHAIR FORNACIARI: Commissioner Le Mons?

COMMISSIONER LE MONS: Maybe just simply adding --

UNIDENTIFIED SPEAKER: We can't hear you,

Commissioner Le Mons.

COMMISSIONER LE MONS: Okay. Better? Can you hear me now? Yes?

CHAIR FORNACIARI: Yes.

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER LE MONS: Thank you. So what I was saying is maybe what we could do is just -- based upon what Commissioner Fernandez just said, maybe we could add examples like she just gave to those categories, and
hopefully, that would maybe address what Commissioner Sinay raised. So while it may not be a position that's identified specifically, what we understand is that the classification allows for these types of jobs -- these types of positions under that classification. Thank you.

CHAIR FORNACIARI: Okay. Any other questions on that? Redistricting and engagement subcommittee? Or does this --

VICE CHAIR SINAY: Oh.

CHAIR FORNACIARI: -- one, I'm supposed to --

VICE CHAIR SINAY: Yeah. Oh, that's --

CHAIR FORNACIARI: Go ahead.

VICE CHAIR SINAY: Yeah. You confused me for a second because you starting talking. I was like, wait, are we doing outreach?

So anyway, we are continuing our every other week calls with Common Cause national and League of Women Voters just discussing opportunities, and as we identify them, we're connecting them -- discussing opportunities to promote independent redistricting commissions or share the work that we've done both in California and nationally.

And as opportunities come up, we connect to commissioners, and that's how we were able to connect Commissioner Fornaciari with New Mexico. And we had --
we invited Commissioner Fornaciari to work with Common
Cause because he had, way back when, if you remember, he
had actually spoken to the New Mexico -- had spoken to
the New Mexico group to kind of talk about our
experience.

It's kind of funny when you think about talking
about our experience way back then because I think we
were it -- we had only been seated for three months, but
hey, you know, we were three months ahead of them. So
anyway, thank you again. So we do -- you know, we had a,
like -- at first, there was a flurry of opportunities and
then you -- what Common Cause does, just so that you all
understand, is they go to their local chapters and talk
to their local chapters.

And nationally, we brainstorm, then they talk to
their local groups, and then connect -- if they, the
local group, says, yeah, that would be helpful, then we
connect them with one of you all and they work together.
We do have a template. And I would say it's a template
of an op ed you can use and you can create, you know,
build from there, especially if they want to hear your
stories.

And we are trying as much as we can to have two
commissioners from different parties and different parts
of California write it, but it doesn't always happen.
We're all really busy and life is just -- you know, we have a life, and Common Cause understands that. So I want to thank everybody for just -- sometimes you'll have a couple weeks to write it, and some days you may say, hey, let's go by tomorrow. We're trying not to have the, hey, let's do it by tomorrow.

The other update is we're still working on the proposals and the concept paper for a conference with -- for all commissioners of independent redistricting commissions from throughout the United States, state commissioners. On the local level, it's another kind of conversation, so we want to just focus on state independent redistricting commissioners.

So we're working on those things and we'll keep updating you as it comes along. And then, Commissioner Yee had a conversation we would like to have with all of you.

COMMISSIONER YEE: Yes. Thank you, Commissioner Sinay.

So in a different matter, as we get random speaker requests from around the state, sometimes those requests ask for someone to come and explain lines, you know, explain our line-drawing decisions, and this raises the question of whether we should be out there doing that.

Chief Counsel Pane forwarded such a request, and it
seemed like it would be worth a commission discussion with do we need a policy around this or at least a common understanding? Are there any considerations? So I don't know. Chief Counsel Pane, if you're available, if you want to add anything to that question.

MR. PANE: Thank you, Commissioner. No. And as the commission might recall, we did get a previous request to do something along these lines a little bit closer to when the commission has finalized the lines. And I believe that was with the Board of Equalization, and I believe, at that time, the commission had decided to not send either Commission or staff to provide any sort of conclusions or opinions on that.

But as they come up, that's something that the commission could -- you know, could decide on unless they -- unless you all create sort of a blanket policy. But until we have such a policy, we need to address them case-by-case.

COMMISSIONER YEE: And are there any particular considerations that come to mind?

MR. PANE: Well, again, just to be careful. If the commission decides they wish to send someone, either commissioner or staff, to respond to any of these kinds of inquiries, we just need to be mindful that, you know, there's always potential risk in anything we say as sort
of how we drew the lines and making sure that that's consistent with what has been our testimony in the past.
So just want to be careful of that, as always.

COMMISSIONER YEE: Thank you. So redistricting engagement doesn't have any recommendation. We just open the question to our -- the Commission's consideration.

VICE CHAIR SINAY: Just add one thing, Commissioner Yee. We have been asked -- you know, all of us have -- not all of us, but many of us have participated, and I know when Commissioner Fernandez and I were asked by California Women Lead, we knew that that was a potential that someone would ask about specific lines. I know when Commissioner Sadhwani spoke, she was asked about specific lines.

The way that Commissioner Fernandez and I dealt with that ahead of time was we invited Common Cause to do that, to answer those questions. And I think it is a nice practice to invite a local group -- League of Women Voters, Common Cause -- to actually talk about the specifics because --

And then also when people ask very, very specific questions, we have a report that has that information for each of the areas. But I just -- I wanted just to bring up that there is an alternative which isn't just us presenting but us presenting with someone else.
CHAIR FORNACIARI: Commissioner Turner?

COMMISSIONER TURNER: Oh. I didn't hear you. Yes.

Thank you, Chair. I don't think we should be responding
to that as individuals at all. We do have a report. We
have our -- you know, we have guidelines that we followed
while we were drawing the lines. There was a lot of
hearty debate, discussion, input from a lot of
individuals, and I think the culmination of all of the
conversation following the guidelines is what drew us to
draw the lines.

We do have access to video and transcripts now if
people want to go back and look at it. I think that for
one person, you would tend to remember the piece parts
that you weighed in on. I just think that it would be
safer and perhaps a policy that states this is what we
took into account, into consideration, and these -- this
is how lines were drawn. Thank you.

CHAIR FORNACIARI: Commissioner Le Mons?

COMMISSIONER LE MONS: I echo what Commissioner
Turner just said, so I won't repeat it.

CHAIR FORNACIARI: Yeah. My only thought, I concur
about the specifics. I was just wondering if it would be
worth adding a slide to our -- to the most current set of
slides that we have that sort of generically describes,
you know, how we came to these decisions, you know,
balancing the requirements, you know, the public input, in that and keep it fairly kind of generic.

Commissioner Le Mons?

COMMISSIONER LE MONS: Yeah. I support the addition of the slide, but I think that's a separate issue. I think this is about specific questions and a level of specificity, and I think we should get really clear as a commission on how we deal with that because I think the slide can also open a door to this issue. And if we create a lot of wiggle room -- if that's what we decide we want to do, great, but my recommendation would not be.

I think this needs to be buttoned up pretty tightly.

CHAIR FORNACIARI: Okay. Commissioner Sinay?

VICE CHAIR SINAY: I completely agree, and I know that different people have handled it differently depending on what presentation, you know, because we haven't had a policy. So I think this is a really good conversation, having a policy, and making sure that those who aren't here also, you know, are aware of the conversation we've had and the policy. And Commissioner Yee and I can work with legal counsel to create that.

A question I have is, you know, when discussing VRA districts, you know, because sometimes that comes up, you know, is this -- it's still hard in the conversations to talk about VRA districts and majority/minority districts,
and I think we've gotten the language down right. You
know, the slides were still -- the first time I did them,
I was like, wait, we still need to clarify that a little
bit more.

But so I think I'm talking in a circle and just want
to make sure -- I guess my point was just to -- that we
will also look at the slides to make sure we're being
very clear about that piece, the majority/minority
districts -- minority/majority, I really don't like that
term and wish we had a better term. And the VRA
districts so that we all remember what we can and what
we -- what we can and what we should not be saying in
public.

CHAIR FORNACIARI: Okay. So yeah. Thank you. So
you'll take a cut at putting together some guidelines on
that policy for us. Thank you. Any other comments?

I did want to make one comment about the op ed, or
just a lesson learned. Make sure you find out what the
word limit is before you get started because I wrote one
and then I found out it was 600 words and then I found
out it was 500 words. So find that out first, and
that'll save editing and re-editing.

So let's see. I think our -- is the long-term
planning committee -- are you all ready to go? You want
me to go to legal affairs first, or? Okay. Long-term --
COMMISSIONER FERNÁNDEZ: I think we're okay --
CHAIR FORNACIARI: -- planning.
COMMISSIONER FERNÁNDEZ: Are we okay to go,
Commissioner Akutagawa? Yeah. I think we're -- I think
we're good, Chair.
CHAIR FORNACIARI: Okay. Carry on.
COMMISSIONER FERNÁNDEZ: Oh. Okay. I guess I'll
just start it a little bit. Oh, before we go -- Chair
Fornaciari, did you want a motion on our policy for the,
you know, drawing the districts or talking about how we
drew the districts, or are we just kind of moving forward
with we've discussed it and that's what we're --
CHAIR FORNACIARI: Well, when they bring it back,
we'll --
COMMISSIONER FERNÁNDEZ: Okay. All right.
CHAIR FORNACIARI: -- we'll make a motion --
COMMISSIONER FERNÁNDEZ: Sorry. I missed that.
CHAIR FORNACIARI: -- to adopt it.
COMMISSIONER FERNÁNDEZ: I apologize. I'm trying to
listen in to the legislative committee at the same time,
so I apologize. So we provided three document -- three
documents as handouts. One is the updated potential
legislative changes listing. And so what we plan to do
is if there's changes from one meeting to the next, we'll
update it to show what has been approved and what the
status is and if it's associated with a specific bill and what the status of that bill is. So that's the first document.

And the other, I think, two documents, or maybe it was just one document, is the actual Assembly Bill 1848 language that is by Assembly Member Bryan, and this will be the bill that will contain any amendments that we are proposing to the government code sections.

And right now, it's going to -- it's supposed to be heard today in committee, and it only includes the election code language because we are still working on the language regarding to the grant, being able to issue grants and exempting the commission from state procurement and contracting regulations, and also the three-day public notice. And once we have that -- the language somewhat drafted, then at that point it would be amended into Assembly Bill 1848, and again, we would bring that back to the commission.

And in terms of next steps, what we would like to do is, as time allows, continue to look at those items in Section C in terms of if there's additional potential changes that we can move forward with if there is agreement within the commission.

Commissioner Akutagawa, did the -- did I forget something?
COMMISSIONER AKUTAGAWA: I forget to press the button. Sorry. No, I think you captured everything. I think, did you want to bring up the federal incarcerated population part?

COMMISSIONER FERNÁNDEZ: Oh, yeah. So in terms of the AB 1848, there is language in there regarding the federally incarcerated population, and if they're depending on what is the end result of the federally incarcerated population subcommittee, that language can also be amended in the future. We did not want to make any assumptions at this point of what we could or would have. But again, we can make those changes later.

But again, I -- did we remember to provide the legislative calendar? We might not have. We'll forward that to everyone. But by the end of August, that's when everything would be approved. So really, it's only within the next few months that we have a chance to make amendments to the bill. So hopefully, we have -- if we don't have any information regarding the federally incarcerated population, of course, we could do -- we could try to go through this process in future legislative processes.

CHAIR FORNACIARI: Okay. Is that it?

COMMISSIONER FERNÁNDEZ: Okay. Yes, that was it. And I didn't know if we -- you wanted us to go into --
start going into C or, you know, what --

CHAIR FORNACIARI: Into what?

COMMISSIONER AKUTAGAWA: We have other items that were still pending discussion, mainly because we've run out of time. I think --

CHAIR FORNACIARI: Oh. Okay.

COMMISSIONER FERNÁNDEZ: -- the question is, is there an interest today to have a conversation and tick off each one, little by little?

CHAIR FORNACIARI: Okay. Sure, we can do that. I see there's a question from Commissioner Andersen.

COMMISSIONER ANDERSEN: Yeah. Thank you, Chair.

Yes, I appreciate -- thank you very much for the subcommittee for putting together the wording and getting us this information. What I would like to see, if at all possible, is get a copy of this to the commissioners ahead of time in case we want to, like, you know, little edits and things like that because I know how hard it is to then go back.

And that way, you know -- because there are a couple of items here that I thought it would say one thing, but it doesn't quite say that. So in the future, if -- you know, moving forward, if we could -- whichever item we actually put and write up some language, if that could go out and then, you know, again, avoiding serial meetings,
you know, send it all back to one source so it gets added or not added. If we could just please allow time for that, please. Thank you.

COMMISSIONER AKUTAGAWA: Can I just ask a clarification question?

Commissioner Andersen, are you talking about language that is on the sheet that lists the various buckets of potential changes? Because we did not --

COMMISSIONER ANDERSEN: No.

COMMISSIONER AKUTAGAWA: -- make any changes to the language other than what we've noted as a change. Everything else was as it was presented and approved the last time.

COMMISSIONER ANDERSEN: I'm referring to the bill language, yeah.

COMMISSIONER AKUTAGAWA: Oh. Are you talking about --

COMMISSIONER ANDERSEN: So I'm -- yeah.

COMMISSIONER AKUTAGAWA: -- the AB --

COMMISSIONER ANDERSEN: I'm actually talking about the specific bill language to let -- yeah. The bill language that gets written up. If we get -- if the commissioners could get copies of that so we could, you know, make a, you know, hey, if you change this to unless then it'll mean exactly what we were -- what the intent
was at the meeting.

COMMISSIONER AKUTAGAWA: I think on that particular one that if I could respond, and I'm going to invite Anthony if he's available to, or Commissioner Fernandez, the way the bill stands as it is right now, is very, very draft. And so that's why we didn't want to be wordsmithing anything just yet.

There's going to be -- and we expect that there's going to be multiple changes that will be ongoing, and so we thought it would be in all of our best interests to wait until it's a near-final to be able to weigh in on any kind of language changes that we may have, especially because there's going to be a constant back and forth in terms of additional changes. So that was our thought. If the request is to do something different, then --

COMMISSIONER ANDERSEN: Yeah. I sort of might be making that request because there are it looks -- I understand the wordsmithing, and I totally agree with what you're saying. But there are two different concepts that a few words can make it allowable or not allowable. And so those items that I'd like us to be able to pick up.

But again, I appreciate that this is -- you know, this is our first attempt at this. I think it's an excellent, you know, moving forward. Now, let's improve
it. So I really appreciate the subcommittee's work.

Thank you.

COMMISSIONER AKUTAGAWA: I think then, in that case, if you could direct any edits or suggested language changes that you're concerned about to Anthony so that then he can ensure that that distribution gets to -- and that could also be, if appropriate, get passed on to the legislative staff.

COMMISSIONER ANDERSEN: Perfect. Thank you very much.

COMMISSIONER AKUTAGAWA: I may be speaking -- yeah. I may be misspeaking, so please correct me.

COMMISSIONER ANDERSEN: Thank you.

VICE CHAIR SINAY: Can I just ask those who are in Anaheim, can you make sure you're talking really close to the mic because it's really hard to hear you? Thank you.

CHAIR FORNACIARI: So Commissioner Andersen, you still have your hand up. Did you have anything?

Commissioner --

COMMISSIONER ANDERSEN: Just hadn't got --

CHAIR FORNACIARI: -- Akutagawa?

COMMISSIONER ANDERSEN: -- got there yet.

CHAIR FORNACIARI: Do you have something else?

Commissioner Akutagawa, your hand's up. Okay.

COMMISSIONER AKUTAGAWA: Oh. Sorry.
CHAIR FORNACIARI: Let's see. So I'm going to apologize to Commissioner Fernandez because I was doing my chair stuff and I wasn't really paying attention to what you were saying. Shocking, sorry. So you want to review the list of -- you want to review this list of potential legislative changes; is that what you said? I'm sorry.

COMMISSIONER FERNÁNDEZ: I'm crying right now because I'm really hurt. No. Sorry. It's the first time in a month, so I guess I'm missing everyone. So what Commissioner Akutagawa and I, we were saying, if time allows, the items in the handout that is labeled potential legislative changes, 4/27/2020, in Section C, those are items that have been brought up. They require further discussion, and if some point, we reached agreement, then we could move those to the spreadsheet A and then forward that language to be included into the bill. Does that make sense, Chair?

CHAIR FORNACIARI: Um-hum.

COMMISSIONER FERNÁNDEZ: Okay.

CHAIR FORNACIARI: Okay. Commissioner Sinay has her hand up.

VICE CHAIR SINAY: This is more of a general question, but when you go to the handout section on our website, this time there's time slots on that section.
And I was just trying to figure out what those times meant. Was that the time that they uploaded or the time that -- okay. Because we've never had that before and it didn't quite explain it. So as someone reading it, my first thought was that that's when we were going to discuss it. And so I just wanted to bring that up, but thank you for clarifying.

CHAIR FORNACIARI: Yeah. That's the time it was uploaded, the date and time.

VICE CHAIR SINAY: Um-hum. Thank you. Yeah.

CHAIR FORNACIARI: Okay. Well, I mean, we have time.

VICE CHAIR SINAY: Okay.

CHAIR FORNACIARI: We only have one more --

VICE CHAIR SINAY: Yeah.

CHAIR FORNACIARI: -- update and a couple of other things to do. We have a hard -- we have a break at 11, and then closed session, 11:15, so carry on.

VICE CHAIR SINAY: Okay. So okay. I got caught off guard because I'm thinking some of these area -- some of these might be a little bit easier to discuss and maybe move forward to -- with versus not. So I will -- we'll start with C-1 if that -- what do you think, Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Yeah. I was just
VICE CHAIR SINAY: Actually, could we --
COMMISSIONER AKUTAGAWA: -- I think that might be --
VICE CHAIR SINAY: Chair?
COMMISSIONER AKUTAGAWA: -- the easiest way, if
that's okay.
CHAIR FORNACIARI: Just saying, Commissioner
Andersen, any questions?
COMMISSIONER ANDERSEN: Yeah. Yes, I do. Thank
you, Chair. Before we jump into the next section, could
you sort of walk us through -- you know, I would like the
public to make sure we understand that this -- what's
happening with the assembly bill right now.
COMMISSIONER FERNÁNDEZ: Oh. Okay. So what's
happening with the assembly bill right now, hot off the
presses, is I'm actually waiting to be called in so I
could provide testimony because it's being heard today.
So it has to be heard before the end of the month or else
it loses -- it can't be included in the cycle.
And so once it's introduced, and then at that point,
it's an official bill and we can start to -- it's
included in this legislative session and we can make
amendments as we move forward. Is that what you're
asking? And quite a bit of this language is not language
that we put in. It's language that someone else put in.
The piece that -- the 21003, probably D or so, that's the language that we wanted to amend.

Again, the elections code language, and Anthony, you can correct me if I'm wrong, that's not necessarily under our control in terms of being able to -- we can ask for amendments and we can ask for changes to be made, but once it gets to our specific commission code -- government code sections, then that's something that we can specifically request, and that's something that will come back and obtain approval from the Commission to move forward with. Did that answer your question, Commissioner Andersen?

COMMISSIONER ANDERSEN: Yeah. Thank you. I was just giving you an update because, you know, I saw the line. It's being heard right now, so I thought the public should understand that. And kudos to us for the subcommittee for getting it to that point. Thank you.

COMMISSIONER FERNÁNDEZ: Okay. I'm going to hand it over to Commissioner Akutagawa since I'm on standby. How's that?

COMMISSIONER AKUTAGAWA: Oh, good. All right. Chair, it may be just easiest, then, for everybody's sake, we'll just follow it in order of C buckets, where it says C on the handout that says potential CRC legislative changes for 2522, and area -- section C is
titled areas needing further discussion, and we'll start with C-1.

We have had some conversations about many of these items in previous meetings, but given the timeline that we were under, we chose to just bucket them under areas needing further discussion. C-1 is specific to allowing no party preference to be considered a party for purposes of considering commissioner membership categories.

And this is connected also to the area under the constitutional code language. It's not exactly the same, but it is about the idea of considering a no party preference designation as a party, which would then mean that, as registrations in the State of California for elections change, it could be possible for 2030 that somebody who is designated or designated themselves as a no party preference voter could be considered the second largest group.

So that would change the allocation on the commission potentially to five Democrats, five no party preference, and then four Republicans based on the data that we're seeing right now. However, right now, no party preference is not considered a specific party, and so therefore, it will always be five Democrats, five Republicans, and then four no party preference.

CHAIR FORNACIARI: I see Commissioner Sinay has her
hand raised.

VICE CHAIR SINAY: Just a couple of things on this one. I don't think this one's the easiest one, just FYI, because I think we've had a lot of discussion and I'm not seeing the reflection of the conversations we had in here. One of them is that by calling it -- to be considered a party is inappropriate, but it would be better to be calling it a voting group and maybe change the language of the -- of all of it to say the three voting groups versus party. So we had that conversation. Second, we also had a conversation, and that might be somewhere else, but that do we do five, five, and five versus five, five, and four, and then we get around the whole, you know, what -- who's better than who and what's more important than what. And it's more about equity and inclusion if we do five, five, and five.

So I just -- I just want to bring up that we have had this conversations and those two points came up, and I'm probably missing others, and I apologize that I have a foggy brain.

CHAIR FORNACIARI: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yeah. Thank you, Commissioner Sinay, for bringing up all those -- that sort of refreshing our discussion. And I know that we sort of -- we had a general -- you're absolutely right.
We never came to a conclusion about this. We discussed it, and I think it's an ongoing discussion, which is, I also agree with you, this is not an easy item.

My personal preference is the parties do have -- all the different parties, and I'm just not just talking about the Democrats and Republicans -- they have specific roles and they have ideas which help unify a bloc, a group, and which I believe is what was considered in writing this and putting it together as the different parties, and then the other is everyone who's not of the top two most dominant parties, or the largest parties as registered in California.

And I think that's important. To just say I'm not part of a party, it does not mean it's a voting group. Now, it could be completely different and have no connection whatsoever. So to call that a -- also a group, I think it's disingenuous. And I like -- so I would kind of like to keep the party preference the way it is, but I do also agree that the five -- five, five, and five for the other remaining would be a very good idea.

But those are my personal preferences, and I don't -- I don't think we're going to come to a conclusion on that one yet, and that's not an easy item. I completely agree. I think some of the other items are
easier to move forward. Thank you.

CHAIR FORNACIARI: All right. Commissioner Le Mons?

COMMISSIONER LE MONS: So I have a question, I guess, about process. I know we're going through them in order, and are we determining whether or not it is something that is easy or not and then tackling the easy ones in this discussion, or are we doing both?

Because I mean, I have opinions about this one, but I am hearing from both Commissioners Sinay and Andersen, and I agree, this is not an easy one. So my question becomes, do I open up with my opinions about it? So Chair, I'm asking for how we're handling this process. And I don't know whether you have the answer, but if you could query for it, that would be awesome.

CHAIR FORNACIARI: I'm having similar feelings that you are as where are we going and how are we going to get there at this point. And I'm wondering if, you know, if it's -- if this is not a rush, that maybe we ought to put together a process where we would go through this and set aside a few hours of the meeting -- upcoming meeting to really dive in but also give folks chances -- a chance ahead of time to get their thoughts together because I'm not sure everybody is prepared for this.

But I'll go to Commissioner Turner and then Commissioner Akutagawa.
COMMISSIONER AKUTAGAWA: Um-hum. Thank you, Chair.
Yeah, I think we definitely need discussion because I have not just other thoughts, probably contrary thoughts, about how it should be done. And so let's either take the time we have and spend on this one, or maybe the committee can lift up what is easy or what they think is easy because I -- basically, I believe that I like whether it's group or party, I think that the two majorities should have five commissioners, and I'm in support of the lesser party or group having four, representing fewer people.
CHAIR FORNACIARI: Commissioner Akutagawa?
COMMISSIONER AKUTAGAWA: Yeah. So if I can just perhaps, since this is part of our report, I'm just going to say a few things. One, this is, I think, the fourth time --
CHAIR FORNACIARI: You can pull the -- maybe pull the mic a little closer.
COMMISSIONER AKUTAGAWA: All right. This is the fourth time that we're actually addressing these topics.
CHAIR FORNACIARI: Right.
COMMISSIONER AKUTAGAWA: So that's one. From a process point of view, I think, to what Commissioner Le Mons asked, and I was starting to think the same thing when he brought that up, I think we can decide -- you
know, honestly, I mean, what I might think is easy and
what's going to be fast is clearly not turning out to be
that way at times, and I found that out the first time we
brought this up to everybody and that we've been kicking
this topic down the road each time we've met since the
time we brought it up.

So I think there's a couple of thoughts that I have.
One is we could determine, do we want to talk about this
now, or do we want to -- or do we want to just say, you
know what, this is just a nonstarter. Let's just take
this off the list because I think that that would be
helpful, too.

Because there's some things that I think if there's
very strong feelings that we're not going to either come
to an agreement or we're just going to decide, you know
what, it's not going to be the most important thing that
we need to try to work on to get into the current bill,
then we should just say we either have to table it for
maybe a much future discussion or this is just a
nonstarter, let's just take it off, or you know, let's
either just dig into it now or let's just, like, put it
aside, we'll talk about it at the next one.

We'll let everybody know that we're going to talk
about this particular one the next time, and let's move
on to something, you know, perhaps what would be easier.
And honestly, I don't know what's going to be easy about any of these. So if that helps.

CHAIR FORNACIARI: Okay. Well, I think that -- I do like that idea. So --

COMMISSIONER AKUTAGAWA: Maybe we could just address C-1. It sounds like to me from what I'm hearing that this is going to take a little bit more conversation. I think the question I have is, is this a nonstarter? Do we just remove it or do we just table it for a longer, later discussion? Or do we just table it for a much further away future discussion that is beyond the August timeline?

CHAIR FORNACIARI: So let me ask you question on that -- on these. So the ones that are going forward right now are election code -- are election code changes, right? And are the -- do we have any going forward that are 8253-related at this point?

COMMISSIONER AKUTAGAWA: The only things that would be part of maybe 80 -- 1848 right now are -- is everything up in the A section.

CHAIR FORNACIARI: Okay.

COMMISSIONER AKUTAGAWA: Anything in C that we can come to a fairly fast agreement on after some discussion could possibly be moved into AB 1848. But right now, I think -- I think we should just determine what do we want
to spend time discussing either today or what do we want
to table until the next meeting that we'll have to have a
longer discussion, and we'll let everybody know, prepare
for this. And then the third option is this is going to
go well beyond August, and we just need to have -- you
know, table it for the indefinite future.

CHAIR FORNACIARI: Right. And so I see on this one,
it's part -- what does GC mean?

COMMISSIONER AKUTAGAWA: Government code.

CHAIR FORNACIARI: Government code, in part,
constitutional.

COMMISSIONER AKUTAGAWA: Constitutional is down at
the bottom. That's a completely separate one. The
constitutional --

CHAIR FORNACIARI: Right.

COMMISSIONER AKUTAGAWA: -- proposal was actually
then adding a fifth member to the commission. So instead
of 14, it would be 15, but that would require much more
work. There's a constitutional change that would be
required, and so that's a related conversation, but it's
not the exact same as this one.

CHAIR FORNACIARI: Okay. But I think it's -- I
think they're really, really intertwined.

COMMISSIONER AKUTAGAWA: Yes.

CHAIR FORNACIARI: So I mean --
COMMISSIONER AKUTAGAWA: Yes.

CHAIR FORNACIARI: -- based on the -- just the discussion we've had so far, it seems like this is not one we're going to work through today. So I would propose that we move on to some of the other ones, although I see Commissioner Le Mons has his hand up and I guess Commissioner Andersen has a comment, so.

COMMISSIONER LE MONS: Yes. I just wanted to respond to Commissioner Akutagawa. My response is, so I'm thinking about what just transpired with C-1, and one of the things that was brought up is, you know, there's been several discussions, as you've also -- Commissioner Sinay pointed that out, just in that one, she felt like certain information was not present, right?

Add to that your comment that this has been brought up four times, right? So what it suggests to me is that there's a level of preparation for entering commissioners into this process that probably needs to happen.

And I think because the subcommittee has been the closest to this in terms of -- not in asking you to make this -- the decision, but I think that you do have some sense of what -- I respect, the fact that you suggested that you can't determine what's easy or not, so I'm not asking that.

But I do think that there are some complexities
associated with some of these that would indicate whether
or not, and knowing this body, whether or not certain
ones can be addressed and moved forward pretty
succinctly. So I can imagine that we could have a whole
discussion about these sixteen items just about whether
or not it falls into that category.

So for me, I'm still sort of like, who shall kind of
shepherd this in a way that respects all of those
dynamics, that understanding, and get us to the endgame.
I don't expect you to necessarily just give us the
answer, but if any of the commissioners has a thought
about that, I think that's going to help us move this
along. Hopefully that makes sense.

CHAIR FORNACIARI: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yeah. Thank you, Chair.
That sort of really summed it up very well. Thank you,
Commissioner Le Mons. Because Commissioner Akutagawa, I
actually have a question. I thought that AB 1848 was
indeed about election code and had nothing to do with the
government's -- government code sections. I thought that
was another piece of legislation, which is why --

So I was surprised that we're actually adding --
we're going to add and then -- you know, this -- the
wording we have here that we received -- and I'm getting
back to the wording on this -- is all about the election
code. There's no copy or any indication whatsoever on wording of the government codes.

And section A and section C all deal with the actual wordings involved in that section of government code, you know, from 8250 -- I think 51 to 53. I think what might actually really help us, I know it certainly helps me, is when I actually see it in writing.

If we could actually sort of get -- you know, I guess I know we all have that, but if we might actually have those -- the government code and actually even sort of highlight, like, the areas in the code that we would be wanting to change. That might actually bring us around, all of us, to actually say yes, it's a good idea, this is something we can easily do, I agree with this and this and this and this and this. You know, I'm, you know, 51.B but I'm not 51.C, something like that, which is what I would propose.

And I don't know if that's appropriate for the subcommittee to have to put that on or if we need to sort of each make an amendment and work with legal counsel, but I would propose that we throw our words -- the wording out there for all of the commissioners to look at to move this forward.

COMMISSIONER AKUTAGAWA: So just to respond to you, Commissioner Andersen, we did put in the handout next to
it what is the code section as it exists today that we're looking to amend. There's not going to be any bill language for any of these because it's not even to the place where we can even do that. But if you look at that section, you could read what the existing code section does currently say.

I think -- and I'm going to ask, Anthony, if you could clarify this part, but my understanding is that the AB 1848, I -- it sounded like, for me, my understanding is that we could also incorporate in, if it were to be done, the government code changes, but I could be incorrect on this. So Anthony, if you could perhaps clarify that.

MR. PANE: Sure. Thanks. Thank you, Commissioner. Yes, that's correct. So if the Commission will recall that we previously -- commissioners voted to move forward on those A categories. And so those were concepts.

Those were not actual verbiage.

And that you'll also recall any government code changes, the exact language needs to be approved by the commission. And it also requires the legislature to be on board with actual language. If you'll recall, there's a bit of a dance that needs to happen between the commission and the legislature. So what we're trying to do is still have obviously commission oversight and
approval for any ultimate language, but also engage the legislature as is needed for any government code changes.

So you'll notice that out of A-1 through 4 or 5, I forget which -- all of them that are on that handout there, but only A-1 has any proposed language at this time, and that is why we brought it back to the commission for consideration. Is this the only opportunity for the Commission to approve or make further changes to this language? No, but it's the first opportunity that we have.

And so again, part of that back and forth between the legislature and the commission, both have to agree what that language looks like. And so can government code, as Commissioner Andersen, noted correctly, there are -- there's only elections code changes to the bill right now. Could government code, as is also the case has been approved for A-1 through 4 -- I believe 3 and 4 and even 5 are government code changes.

Could that be added to 1848? Absolutely. And I think it likely will as long as the legislature is also interested in pursuing those policy changes. But again, it's an evolving process so the -- when we get -- when we sort of hear back as to whether the legislature is similarly onboard as was the commission for A-1 through 5, then we'll come back with what language might look
like, and then the Commission gets to also decide if they like that language.

What we've posted is the proposed language to address A-1, not any of the other ones yet. And so if the commission wants to look at A-1 and if they have thoughts on A-1, that would be great. But again, that's just what we have because this subcommittee wants to, you know, bring it back to the commission to be able to discuss it and take a look at it and report out. I hope that answers questions.

CHAIR FORNACIARI: Commissioner Toledo? Just let everyone know, we're breaking in five minutes, so we have several hands up. So Commissioner Toledo.

COMMISSIONER TOLEDO: I think that was helpful, Anthony. I'm also thinking, just looking at the topics in area C, if we were to touch on one, I -- one that seems to have -- and I -- some sort of general consensus is the fully functional, what it means to be fully functional at the initiation of the commission. So the C-18. So that may be one that may -- it may have a little bit -- it might be easier to get us to some level of consensus if we wanted to tackle something today. Thank you.

CHAIR FORNACIARI: Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you, Chair. Thank you
very much for that, Counsel. And what I would like to
ask is -- and I understand it's an evolving process.
Could we lead a little more? You know, we're sort of
waiting here now. You know, here we have wording, and
this sort of goes back to my ideas of could the
commission see the wording a little bit before this step
to make some changes on it?

I would actually propose that we actually look at
the actual wording of these, A -- you know, and it is A-
3, 4, and 5 which deal with the government code because
there are a couple of other items in C which are similar
code section that I think we could kind of throw wording
out there of items we would like to possibly work with,
and then the legislature could go, yeah, no, not on that
one, not on this one, but yes, on these three, rather
than try to do each one individually.

I'm concerned we're not going to get there if we do
the dance in this manner. I'd like to kind of lead a
little bit more so the evolution doesn't have quite as
many steps, but I -- you're working with everyone. So
back to steps, I don't want to step on anyone's toes
because we'd like to do several of these items, but would
that help, is my question.

MR. PANE: Yeah. No, that's a great comment,
Commissioner Andersen. Yeah. I mean, we certainly
could -- I would certainly defer to the subcommittee, and frankly, the commission. I'm happy to work and be as leading as the commission wants. The last meeting, it was about agreeing to concepts. The Commission seemed fine with that approach, so if we want to step on the gas a little bit, that's great.

I'm happy to work on particular language for the other ones and bring it back to the Commission if we want to do more than just concepts, but that is something I would want to make sure that everybody wants to do that approach. Happy to work on that as well.

Just keep in mind that even if we, today, magically provided language that even all the commissioners are completely on board with, we would recommend that language to the legislature as well in the hopes that they, too, would be similarly onboard. I just want to throw that caveat out.

CHAIR FORNACIARI: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Yeah. Just in the interest of time, I think what I'd like to suggest is perhaps -- I think this is, I think, going back to what maybe Commissioner Le Mons was going towards. Could we just go through each one of these very quickly and just note do we want to have a further conversation today, do we need to prepare for further conversation the next time we
meet? Because there are some items on here that I'm looking at that we actually did not actually talk about ever at all because we just ran out of time.

And so while this document has been shared multiple times, we have not actually had conversations on a few of the items. So maybe what we just need to do in the interest of time is to just go through it and then just get a pulse from everybody as to, you know, the appetite for what might be possible. And I would suggest maybe no more than one or two today, and then we just identify one or two for the next time and keep moving that way.

CHAIR FORNACIARI: Okay. Well, we will come back to this conversation. So right now, we're up against a break, so we will take our break. And at 11:15, we will come back in closed session under the litigation and personnel exemptions.

We've scheduled the closed session for 30 minutes, which would bring us back to -- scheduled to be back at 11:45, but you know, please keep in mind that we're not exactly sure how long it's going to take for closed session. But we will keep you updated on the website as to when we will return, but we're scheduled for a half an hour at this point. So with that, we will go to break.

(Whereupon, a recess was held from 11:00 a.m. until 2:00 p.m.)
CHAIR FORNACIARI: Are we ready to -- can you hear me?

MR. MANOFF: We can hear you.

CHAIR FORNACIARI: I can't hear me.

VICE CHAIR SINAY: You can't hear us?

CHAIR FORNACIARI: (Indiscernible) mic check just to make sure that those are -- never mind. Check.

VICE CHAIR SINAY: Test.

CHAIR FORNACIARI: Everybody, check --

VICE CHAIR SINAY: I don't think --

CHAIR FORNACIARI: Check, check.

MR. MANOFF: We can hear you, Chair.

CHAIR FORNACIARI: Are we ready -- are we ready to go, go, go, go, go?

MR. MANOFF: Yes, we can hear, Chair.

CHAIR FORNACIARI: Yeah, but are we ready to start?

MR. MANOFF: We are ready to start. Go ahead.

CHAIR FORNACIARI: Are we live?

MR. MANOFF: You're live.

CHAIR FORNACIARI: Oh. I didn't get that part.

Hello. Welcome back, California. We're live. Just a reminder, we're all a bunch of amateurs here, but thank you for having faith in us. Now, I'm completely lost as to where we were. Oh, we came back from closed session. So we took no action with regard to the litigation
exception. And with regard to personal exception, we approved our -- the executive director's performance evaluation and we voted to retroactively approve a five percent raise for director -- communications director, Fredy Ceja back to his one year anniversary to the day he resigned. So that was the action we took in closed session.

Now, we're coming back to agenda item 3, and I lost my first page here. And that was long-term planning. When we last left you, we were talking about the -- you know, going through the list of items in -- under C, I believe, but I think what we decided to do is have the subcommittee put together a process for working through the -- working through each of those items in more detail, and that will probably involve some feedback from the commissioners on which are the higher priorities.

Once we've identified -- once the committee has identified those priorities, fleshing out in a little more detail what the proposal is and what the conversation would look like. And then next time we get together, come back and address those that the commissioners felt were the highest priorities and continue with that approach.

So I didn't know if there was anything else from long-term planning committee at this point?
COMMISSIONER AKUTAGAWA:  Nope.  Thank you, Chair, for that, and we will regroup and also come back to everybody.

CHAIR FORNACIARI:  Okay.

COMMISSIONER AKUTAGAWA:  And I don't know if Commissioner Andersen -- I mean, mot -- Fernandez has something to add.

COMMISSIONER FERNÁNDEZ:  I was trying to -- I was trying to look for the right information.  So just an update, Assembly Bill 1848 was approved and is moving forward.  So I just wanted to provide an update to everyone.  Yay.

CHAIR FORNACIARI:  Thank you for that.  Commissioner Sinay.

VICE CHAIR SINAY:  Thank you.  I just wanted to ask a question around process.  It feels like anything and everything could fall under long-term planning, so any opportunity to engage might fall under long-term planning.

And I was hoping that maybe in the future that we can have some conversation about how we share opportunities to present -- you know, to testify in front of Congress -- I mean, State and other -- you know, just like we are with engagement, you know, constantly trying to share the burden as well as share the opportunity.  So
I was -- I was just curious to hear other peoples'
thoughts on that.

CHAIR FORNACIARI: So the thought would be have
different commissioners have different opportunity to
testify before the Assembly or the Senate on --

VICE CHAIR SINAY: Yeah.

CHAIR FORNACIARI: -- as the laws go forward?

VICE CHAIR SINAY: And other opportunities -- other
opportunities that may come up because I think a lot of
things come up and it depends who's in the office or who
speaks to staff or what-not. And so how do we share the
opportunities across all -- you know, all the
commissioners, or share the burden, you know, because
some opportunities are burdens. But just to make sure
that that we all have some engagement.

CHAIR FORNACIARI: Okay. Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: I was just going to perhaps
say that unless it is likely to be related potentially to
the subcommittee work that's going to be done, so for
example, if there's something that is either related to
or intersecting with some of the committee --
subcommittee work, let's just say, for example, on
federally incarcerated individuals that has a
intersection with the state or something like that. I
mean, it could be that then that subcommittee would do
In the case of the testimony or the testifying that Commissioner Fernandez did, it was specific to the work that we're doing to try to move along 1848, which is related to the kind of legislative items that we're handling right now. We do anticipate that later there may be additional opportunities, both from a commission as well as individual commissioners, to also then either call in or give testimony and/or also submit letters of support for, for example, 1848 -- AB 1848.

And I think that if other opportunities do come, it may be more through a subcommittee, less so than a call to a staff member. At least that's my perspective on what I understand the process usually is.

CHAIR FORNACIARI: Okay. Thanks, Linda. Ray? I mean, Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. Just a reminder, and we've had the conversation and we understand that some of the mission creep, perhaps, of long-term planning is understandable, reasonable, maybe even desirable. But there has been mission creep because the original intent was to deal with budget projections, and it's grown beyond budget projections. And as I say, some of that is reasonable and then perhaps even desirable. But I agree with Commissioner Sinay. We need
to -- we need to be careful and perhaps at some point have a more detailed discussion on that. Thank you.

CHAIR FORNACIARI: Okay. Maybe you can -- maybe you did elaborate and I just didn't follow you, right? So the part of the -- so you're thinking some of this work should -- would be part of the long -- part of the lessons learned committee or --

COMMISSIONER KENNEDY: Not necessarily. I mean --

CHAIR FORNACIARI: Oh.

COMMISSIONER KENNEDY: -- I had said several meetings ago that it seemed to me that I don't, as I recall, and then perhaps Director Hernandez can correct me, I don't believe we extinguished government affairs. And if we did, I don't think we should have because government affairs is something that this body should always be engaged with, and some of this is perhaps better suited for government affairs than a committee that was originally intended to develop long-term budget projections.

And I'm just saying that, you know, let's recognize that the origins of long-term planning was long-term financial planning and be careful with any further mission creep.

CHAIR FORNACIARI: Okay. Thank you. Commissioner Fernandez?
COMMISSIONER FERNÁNDEZ: I wanted to respond and I didn't know how to respond, so I don't know how to respond to this. But after this cycle, I am more than willing to give this up to someone else. It was just, I think, out of the need to get -- with the short time frames of having to get something to the legislature by the end of this month, and that's why we took it on. But after this cycle, I'm more than comfortable stepping back and letting someone else take this on.

But I feel like we've made the connections with the legislative staff, we're working with them on language. I feel it's important to continue on with the group, per se, and the next cycle, it can be an entirely new -- a new subcommittee. And the good part about it is, once we go through it, we'll have the -- hopefully, have the process down that we can pass on to the next subcommittee.

CHAIR FORNACIARI: Yeah. Thank you for that.

Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Yeah. I wanted to also add in terms of reminding everyone about the evolution, we were initially created in terms of the budget, looking at the activities related to budget in terms of the long-term planning that needed to be done as we anticipated what the budget needs are going to be for the foreseeable
I think, as Commissioner Fernandez said, it was also an outgrowth of that work and because of some of the conversations that we were having as a subcommittee that when Commissioner Yee was the chair, we did bring it to him to ask, okay, this is what the need is. Because we had already started some of the work around the budgeting and we were already aware of the -- kind of the issues and the topics we were dealing with related to the budget -- budgeting that we were doing, that we were appointed to then take this work on.

But I agree with what Commissioner Fernandez said. We're happy to finish this part out so that there's some continuity and happy to pass it on to a new subcommittee, whether it's government affairs or if another subcommittee wants to be appointed with or to take our place on this so that a new group of people can also then take the next round. Thank you.

CHAIR FORNACIARI: Well, thank you for that. And I'm just noting that the government affairs committee is still on the list, so it doesn't look like we dissolved it. And so we'll work through that the next effort, and thank you, both, for your work on this. Appreciate that.

Okay. So I guess that's it for legal affairs. I mean, no, for long-term planning. So now we have a -- I
think, a brief report out from legal affairs, or under legal affairs.

Commissioner Toledo, are you aware of -- wait. You're on legal affairs. Who's on the (indiscernible) affairs?

COMMISSIONER TOLEDO: I think it was (indiscernible).

CHAIR FORNACIARI: Toledo, Commissioner Yee, and Sadhwani. Or is Anthony just the one who's aware of this discussion?

COMMISSIONER TOLEDO: No, we are. We --

CHAIR FORNACIARI: Okay.

COMMISSIONER TOLEDO: But Anthony is, I think, going to take the lead in the conversation.

MR. PANE: Thank you. Thank you, Commissioner. So just a -- almost like a -- essentially, a brief report out. Just wanted you all to be aware that the VRA contract is at a point where there's a little bit of money left, but it's been mostly spent. We still have the litigation contract amount, but we would need to -- if there's further -- and we will be in contact with the legal affairs committee as things proceed, but we just received sort of the final invoice.

And so we have a little bit of a better picture now of what's left and that there's not really any big
outstanding amounts left to receive. And so there's a very small amount left in the contracts. So just to be aware, if we have further need under the VRA contract, we would need to find existing and use -- pull from existing funds from other accounts to be able to pay Strumwasser. You know, and it really is up to the commission as to how much they want to further utilize Strumwasser & Woocher under the VRA contract, but I just wanted -- and I worked this through with the legal affairs committee, too. I wanted you all to be aware that that's where we are.


COMMISSIONER LE MONS: Just curious if the legal affairs subcommittee has any recommendations based upon this information. Of course, we'd appreciate knowing it, implications.

COMMISSIONER YEE: I guess I can respond to that. We have not discussed any further work with VRA counsel to do, so the implication simply is to report out, you know, the completion of the work and the fact that no budget -- no further budget action is needed at this time.

I did have a clarifying question for chief counsel, and just for the sake of the public. You know, the work
on the Moreno lawsuit as well as the petition to change
the deadline that we got involved in, that was all under
the VRA contract even though it was not VRA work; is that
correct?

MR. PANE: Oh. Commissioner Yee, it was under the
VRA contract specifically because the scope of work of
the VRA contract would include any sort of pre-map
litigation needs. The litigation contract scope of work
was specifically -- the scope of work for that contract
is much narrower and was specifically designed to address
any post-map certification litigation.

COMMISSIONER YEE: Very good. Thank you.

CHAIR FORNACIARI: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yeah. That sort of brought
up my question was exactly what Commissioner Yee was
talking about, what part of Strumwasser did for us is
handling a case that would have gone past maps, but it
was on pre-map.

So in terms of if -- you know, it we were close, I
would certainly think that would be something we would
consider looking at from litigation funds because it
technically was litigation. I know there's, like, a pre
and a post, but in terms of funding, I think that pre-
work certainly prevented us from having to deal with
anything post. So in terms of where we need to look at
the money, if we do have a shortfall, I would think we
should certainly address the litigation fund.

MR. PANE: And to that point, Commissioners, and I
can certainly work with our contracts administrator,
Raul, but my understanding was the money is tied to
particular conditions, and the condition, I believe, for
the litigation contract was litigation post-maps. So I
don't know that we can -- and I'll confirm this, but I
don't know that we can use litigation funds that were
specifically designated for post-map to use and be spent
for pre-map litigation. But I can confirm and look into
that.

COMMISSIONER ANDERSEN: Yes, if you would please
because I'm talking about more of the context of, you
know, the actual details of each case, of course, you
know, will reflect what merits the case was dealing with,
and that was clearly a merit to affect any map
whatsoever. So if you'll look into that, thank you.

CHAIR FORNACIARI: Commissioner Toledo?

COMMISSIONER TOLEDO: And I believe, at this point,
we've received -- and correct me if I'm wrong, Chief
Counsel Pane -- all of the invoices for VRA at this point
from the various work that they've done. And I think
that's what we were waiting for in order to really
understand and have a clear picture on the -- what's left
in the budget. And there doesn't appear to be very much
left. And then thinking about the future, should we want
to -- you know, should there be a need for us to have VRA
counsel representation in the future, which may or may
not fall under the litigation contract that we have in
place.

CHAIR FORNACIARI: Thank you.

MR. PANE: And --

CHAIR FORNACIARI: And so --

MR. PANE: Okay.

CHAIR FORNACIARI: Oh. Did you have a comment?

MR. PANE: No. I just wanted to make sure I
could -- if Commissioner Toledo had a question on that
sort of -- the hypothetical of sort of post-map VRA
needs, in essence.

We certainly could -- and again, I'll confirm this
with Raul on exactly the process, but my understanding is
we would need to amend the contract if we out -- if we
spent all the funds and either go back and ask for more
money or we use existing operations budget to backfill
behind that need. So either we go out and get more money
from the legislature or we have to sort of further divvy
up remaining funds to pay for the invoice under the VRA
contract.

CHAIR FORNACIARI: Tony?
COMMISSIONER LE MONS: Okay. So this kind of goes back to my implications question, which I thought I was clear on, but this communication that just happened now has me unclear again. So I guess if there are any implications, those will be brought as they are revealed.

And one of the context in which I'm asking this question is myself and Commissioner Taylor on the audit subcommittee, and so we are -- you know, we understand there's been some challenges with late invoices and so on and so forth. And my initial understanding was that the invoices are all in and we don't anticipate any additional expenditures that have already been -- for activities that have already taken place, and this is just a question of whether or not there are any future VRA needs, which Commissioner Yee suggested that there were not. I thought I understood that just a moment ago.

So I'm a little perplexed, to be honest, by this conversation and kind of where we are. So if somebody could kind of sum up where we are, I'd be really appreciative -- appreciative.

MR. PANE: Sure. So first of all, let me see if I can try to clear it up. So there is roughly around $6,200 left on the VRA contract. My understanding in discussions with Strumwasser is that their legal services, through today, are -- we are able to use that
money for existing services. So that means we are not
sort of in any way in arrears or in need of more money,
more funds.

If, however, the commission chooses in the future to
utilize Strumwasser for whatever needs they may choose to
use them for, and it falls under the scope of work of the
VRA contract, then we would need to find a way to pay for
that because we don't have any money left -- wouldn't
have hardly any money left in the account. So it's more
of a future, looking-forward, mindful of future requests
of need for legal services under the VRA contract, if
that helps.

COMMISSIONER LE MONS: Thank you.

CHAIR FORNACIARI: Commissioner Andersen.

COMMISSIONER ANDERSEN: Yeah. Thank you. Again,
this has me a little confused, similar to what
Commissioner Le Mons was just saying. If say, you know,
in six months, someone wants to question our VRA -- a VRA
district, that would be for purposes of litigation or
challenging the maps, so I do not understand why --
litigation was litigation, whether it be for VRA reasons
or for not for VRA reasons.

So wouldn't that then jump into the VRA pot even
though we would have to use our VRA, you know, attorneys
for it because that is the substantive matter as opposed
to just, you know, I don't like the shape of the map or something, which could be any litigation issue? So I'm not quite following here.

I understand the pre-map period and the -- I guess, the scope of the VRA. The scope of the VRA, pre-map, is to make the maps, and then post the maps are there, then it would be also to supply the whys, the wherefores. So wouldn't that still be under the second pot of money?

CHAIR FORNACIARI: So if I can just take a stab at it. I think what maybe Chief Counsel Pane is if the commission has questions about the VRA, whatever they may be, and we want to go ask our VRA counsel those questions, we have a limited amount of money to do that. Does that make -- clarify?

COMMISSIONER ANDERSEN: Yeah. So that's basically if they're just internal looking backwards, that's --

CHAIR FORNACIARI: Right. If someone sues us, certainly -- clearly --

COMMISSIONER ANDERSEN: If someone outside --

CHAIR FORNACIARI: -- that's litigation, and we have --

COMMISSIONER ANDERSEN: -- looking in --

CHAIR FORNACIARI: -- money for that.

COMMISSIONER ANDERSEN: Got it. Thank you.

CHAIR FORNACIARI: Okay. Yeah. Any other questions
or comments? Okay. So those were -- those are all the subcommittee reports that we knew of ahead of time. Are there any other subcommittees out there who wanted to provide a report? Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Chair. Yes. Just from the -- very briefly from the lessons learned subcommittee, we want to, again, thank colleagues for their engagement in the lessons learned discussions. I have almost finished typing up my notes. Commissioner Yee has gotten me his notes. We have the extensive document received from the community groups, and I'm happy to say that those three sets of notes total over 50 pages of just raw notes that I think are going to make for very good raw material for a very substantive lessons learned report.

So it will take us some time. I'm a bit slowed down in what I can do right now, but the next step is going to be to tag all of those inputs with where they fall in the outline of the lessons learned discussion. I've actually tagged a lot of my notes already with whether they reflect strengths and weaknesses, innovations or recommendations.

Once I have those, then I can sort them, eliminate duplicates, and start the work of drafting something, but -- so it will take time, but thanks to the engagement
of everyone on the commission as well as community
partners, I think we have a really good base from which
to work.

CHAIR FORNACIARI: Oh, great. Thank you for that
update. That's great news, and we appreciate all your
hard work on it, and please feel free to delegate work to
subcommittees or whatever to give you a hand. So --

COMMISSIONER KENNEDY: All right.

CHAIR FORNACIARI: -- I know it's -- that's a heavy,
heavy lift to get a report that big put together.

Commissioner Vazquez.

COMMISSIONER VÁZQUEZ: Thank you. Just wanted to
give a quick update on Bagley-Keene, specifically the
Assembly Bill 1733, that the commission at our last
meeting voted to support.

As a reminder, this bill is seeking to put into law
the exceptions for virtual meetings, both attendance from
members of the public and physical spaces as well as
commissioners and board members on state bodies being
able to participate remotely without having to open up
their location to the public.

So the commission submitted a letter of support for
that bill to the committee. It was scheduled to be heard
in the government organization committee last Wednesday,
and I was scheduled to testify on behalf of that -- on
behalf of the bill in support. However, the bill was
pulled at the last minute by the committee chair, so
currently on pause.

I have not heard exactly what that is about staff.
The staff in Quirk's office did not -- who is the author
of the bill -- did not seem especially concerned, but it
does sort of -- at the very least, it is then extending
the timeline for and potentially opening up possibilities
for things to be questioned about the bill. It's just
it's not a super awesome thing when bills get pulled or
held up in committees.

So yeah. I just wanted to give folks an update.
We're still in communication with Quirk's office about
what we can do, if anything, to drum up support, but I
will maybe just say to folks who are watching and the
public that if the spirit moves you, please feel free to
express your support to Assemblymember Quirk's office as
well as the government organization committee members.

Yeah. Any questions?

CHAIR FORNACIARI: Thanks for that. Commissioner
Akutagawa.

COMMISSIONER AKUTAGAWA: Just for, I guess, maybe
understanding and clarification, Commissioner Vazquez.
So I hear what you're saying. Hopefully, whatever issue
is perhaps underlying all of it will be resolved and
it'll move forward again. I'll just say the conversations that Commissioner Fernandez and I had had about, you know, our 1848 bill, you know, like, essentially, you know, everything is going to be wrapped up by August. So is that the same kind of idea here with this Bagley-Keene bill so that anything that will happen around Bagley-Keene, if it doesn't happen fast is going to be resolved by August?

And therefore, we may not be able to do anything until after August, if once the Legislature, I guess, goes into recess, and hopefully, they've passed all the bills that they need to pass?

COMMISSIONER VÁZQUEZ: That's my understanding of sort of the working timeline for getting this settled via legislation. So what would happen then, my understanding is that this -- if the author's office wants to continue to pursue this, it could become a two-year bill, so we would have one more bite at the apple next legislative session.

But again, that pushes out the potential for, you know, much smoother virtual meetings for everybody. So yes, the working timeline right now to get this off the ground is August. But still, I don't believe -- I will have to go back and look. I don't believe that there is an urgency clause in this, which would mean that once --
if it passes the Legislature and it goes to the
governor's desk, once he signs it, it would be effective
immediately.

That's not the case for this bill because there
would be some additional processes to basically get that
urgency clause into the bill at this point. So really,
even if we do get this bill passed by August and it's
signed in the fall, we would -- the earliest we would see
changes would be January 1st of next year.

COMMISSIONER AKUTAGAWA: Just another follow-up
question for you, and I figure you're probably one that
would know more than me. Do you know, to your point, to
anybody who's watching in the public, you know, we did
hear testimony that, you know, being able to be able to
participate remotely was a -- was beneficial.

Are there other advocacy groups that are also
working on trying to have this amended so that -- you
know, for those who would not be able to physically go to
a central location, they can serve and participate also?
I'm just curious. And part of it is, I guess, to inform
the public if they wanted to also find a way to also get
involved as well.

COMMISSIONER VÁZQUEZ: Yes. So as most of you know,
the Little Hoover Commission is one of the agencies that
is pushing really hard for this bill. So we've been in
communication with them. They have been working with and communicating with the other boards and commissions like us to gather the support of other commissions and boards that would be positively impacted by this.

I have not had -- excuse me -- I have not had a chance to check in with some of the disability rights organizations that I am familiar with, but that sort of -- especially with the bill having this little hiccup in committee. That, for me, seems like the right next step.

And so again, definitely for members of the public, if you are -- if you are connected to disability rights organizations, in particular access, you know, government transparency organizations, definitely encourage you to express your support to, again, the author's office, who is Assemblymember Quirk or the Committee on Governmental -- the Assembly Committee on Governmental Organization. The chair of that committee is Assemblymember Miguel Santiago.

CHAIR FORNACIARI: Okay. Well, thank you for that. Appreciate the update. So with that, we have one last item to take care of with regard to subcommittees.

Commissioner Kennedy is going to rotate out of -- off the Begley-Keene, the website, and the federal incarcerated subcommittees. Do I have that correct,
Commissioner Kennedy?

COMMISSIONER KENNEDY: What I have said, and particularly in relation to website, but in general on all of them, if there is any urgency on anything, I need to rotate off. If there's no urgency, and particularly if there's no urgency and there's no interest in someone taking my place, I'm willing to continue to serve on those. Just I can't handle much more right now than the lessons learned work.

CHAIR FORNACIARI: Okay. Well, I think I'm going to open it up just to see where there's interest, if that's okay.

COMMISSIONER KENNEDY: Yeah.

CHAIR FORNACIARI: And we'll go from there.

COMMISSIONER KENNEDY: Yeah.

CHAIR FORNACIARI: So let's see. So we'll start with Bagley-Keene. Does one of our colleagues have a interest -- I mean, it sounds like -- it sounds like exciting things are happening with Bagley-Keene right now, so I don't know how heavy the workload is, but I have Commissioner Andersen's hands -- hand raised.

COMMISSIONER ANDERSEN: Yeah. I certainly appreciate Mr. Kennedy's expertise and background in this item, which is why I don't really want to kick him off any committees. But I do see there is a bit of a need
right now on this Bagley-Keene and/or website. I'd be more than willing to help out and could always sort of back out as he -- you know, like, I'll step forward sort of now and then remove myself as he gets sort of, you know, some of the lessons learned items off his table, if that's -- unless other people are interested.

CHAIR FORNACIARI: Okay. Well, thank you for that. So with regard to the website subcommittee, it sounded like there's some work going on right now with regard to figuring out how to archive it and how that work will be taken -- taking place. I mean, we've got -- so I mean, you're more familiar with the workload on these subcommittees than we are, and we have a volunteer.

So I mean, if that's okay, we -- I mean, I would -- I'm interested in the Begley-Keene work, myself, so maybe I could take over the Bagley-Keene and Commissioner Andersen could take over the website. Does that sound okay, Jane? Okay.

COMMISSIONER ANDERSEN: Yep. Yes, I would be happy to do that because I am --

CHAIR FORNACIARI: And then --

COMMISSIONER ANDERSEN: -- interested in --

CHAIR FORNACIARI: Okay.

COMMISSIONER ANDERSEN: -- following those documents through.
CHAIR FORNACIARI: Okay. And then Commissioner Fernandez has her hand up.

COMMISSIONER FERNÁNDEZ: I could step in as needed for the federal incarcerated. I do have a corrections background, and maybe we can move forward with that and see where we're at and continue to move the bus along because they are transported via bus in California. But I'd probably, you know, obviously need to meet with Commissioner Kennedy to see -- and Commissioner Turner to see what's been done so far. Thank you.

CHAIR FORNACIARI: Okay. Okay. Commissioner Kennedy, we'll go ahead and make those changes. And if, you know, once your workload lightens up, you know, we'll -- we can revisit it, okay? Director Hernandez?

MR. HERNANDEZ: Was there an additional subcommittee, the materials or no?

COMMISSIONER KENNEDY: I'll stick with that.

CHAIR FORNACIARI: Okay. So I think we have that resolved, and that is everything that I had on my list for today. Director Hernandez, did you have --

MR. HERNANDEZ: Yes, I just wanted to mention one thing. Just be aware of spam text messages that are coming through. Someone sent a message to my team on my behalf or using my information, and it was sending him a link to open, and then I'm sure something would have
happened. But just be aware that that's happening with text messages, and we also have that situation with our email. So just be aware, once again, referencing. If you don't recognize it, don't open it.

CHAIR FORNACIARI: Yeah. And I think that's good advice if you're -- with regard to both that you -- if you're not expecting it, you know, maybe double-check. Do you have anything you want to add, Derric -- I mean, Commissioner Taylor?

COMMISSIONER TAYLOR: Yes. From a security standpoint, it is fascinating how these are socially generated to get us to make a response. But yes, if you don't anticipate it, don't open it. Always use that second level of verification and sometimes just make a phone call. Hey, did you send it? And that goes a long way. Thanks.

CHAIR FORNACIARI: Okay. Okay. So with that, then I'm going to ask Kristian to call for public comment on agenda item 3 and general public comment, please.

MR. MANOFF: Sure thing. The Commission will now take public comment on agenda item number 3 and general public comment.

To give comment, please call 877-853-5247 and enter the Meeting ID number 89713121409 for this meeting. Once you've dialed in, please press star nine to enter the
comment queue. The full call-in instructions are read at
the beginning of the meeting and are provided on the
livestream landing page. And for anybody who might be in
person, please let us know if you would like to give
comment.

At this time, I have no one in the queue, Chair.

CHAIR FORNACIARI: Okay. Thank you. Yeah, please
let me know when the livestream feed has caught up.

MR. MANOFF: Will do.

CHAIR FORNACIARI: Otherwise, this is my one and
only meeting I have the opportunity to chair this
rotation since we're only having one in April, and I will
be handing the virtual gavel since we don't have a real
gavel to Commissioner Sinay who will take over next
month.

She has the opportunity -- so far we have -- we have
three meetings scheduled, so that -- that'll be pretty
exciting for her to manage that. And then, I guess, I
believe Commissioner Toledo will be vice-chair next
month, so that'll be fun. Those are --

MR. MANOFF: Those instructions --

UNIDENTIFIED SPEAKER: Two in May.

COMMISSIONER TURNER: Three meetings?

CHAIR FORNACIARI: Yes, Kristian?

MR. MANOFF: Your instructions are complete on the
stream and there are no callers and no one in person to
give comment at this time, Chair.

CHAIR FORNACIARI: Okay. Well, with that then, I
will adjourn this meeting. Thank you, all.

(Whereupon, the Business Meeting adjourned at
2:42 p.m.)
CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of May, 2022.

___________________________
PETER PETTY
Court Reporter
CERTIFICATE OF TRANSCRIBER

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

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

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

LORI RAHTES, CDLT-108

May 15, 2022