STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:
CRC BUSINESS MEETING

MONDAY, MARCH 29, 2021
9:30 a.m.

Transcribed by:
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APPEARANCES

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

STAFF
Alvaro Hernandez, Executive Director
Fredy Ceja, Communications Director
Marian Johnston, CRC Staff Counsel

TECHNICAL CONTRACTORS
Kristian Manoff, AV Technical Director/Comment Moderator
Katy Manoff, Comment Moderator

PRESENTERS
Karin MacDonald, Statewide Database
Lori Shellenberger, Common Cause
Tricia Webber, CACEO
Ryan Ronco, CACEO

Also Present

Public Comment
Peter Cannon
Cynthia Dai
Samuel Sukaton, CA League Conservation Voter's Fund
Renee Westa-Lusk
Kevin Nillar
James Woodson, Black Census and Redistricting Hub
Julia Marks, Asian-Americans Advancing Justice, Asian Law Caucus
Rosalind Gold, NALEO
Helen Hutchison, League of Women Voters of California
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March 29, 2021 9:30 a.m.

CHAIR KENNEDY: Thank you. Good morning, everyone. My name is Ray Kennedy. I am the rotating chair for this set of meetings. It is 9:30 on Monday, March 29th, 2021. And I will call this meeting to order and ask Mr. Singh to call the rules for us.

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

COMMISSIONER AHMAD: Here.

MR. SINGH: Thank you. Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: I'm here.

MR. SINGH: Commissioner Andersen.

COMMISSIONER ANDERSEN: Here.

MR. SINGH: Commissioner Fernandez.

VICE CHAIR FERNANDEZ: Here.

MR. SINGH: Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Here.

MR. SINGH: Commissioner Kennedy.

CHAIR KENNEDY: Here.

MR. SINGH: Commissioner Le Mons.

COMMISSIONER LE MONS: Here.

MR. SINGH: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Here.

MR. SINGH: Commissioner Sinay.
COMMISSIONER SINAY: Here.

MR. SINGH: Commissioner Taylor.

COMMISSIONER TAYLOR: Present.

MR. SINGH: Commissioner Toledo.

COMMISSIONER TOLEDO: Here.

MR. SINGH: Commissioner Vazquez.

Commissioner Yee.

COMMISSIONER YEE: Here.

CHAIR KENNEDY: And we missed Commissioner Turner.

COMMISSIONER TURNER: And I'm here.


COMMISSIONER TURNER: No worries.

MR. SINGH: Chair Kennedy, you have a quorum.

CHAIR KENNEDY: Thank you very much. And as usual, we will now open for public comment.

Katy, good morning. Could you please read the instructions for public comment?

PUBLIC COMMENT MODERATOR: Yes. Good morning. In order to maximize transparency and public participation in our process, the commissioners will be taking public comment by phone to call in 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 92317965628. For this meeting, when prompted to enter a participant ID simply press the
pound key. Once you have dialed in, you will be placed in a queue. To indicate you wish to comment, please press star 9. This will raise your hand for the moderator. When it is your turn to speak, you will hear a message that says the host would like you to talk in a press star 6 to speak. If you would like to give your name, please stay and spell it for the record. You are not required to provide your name to give public comment. Please make sure to mute your computer or livestream audio to prevent any feedback or distortion during your call. Once you are waiting in the queue, be alert for when it is your turn to speak. And again, please turn down the livestream volume. And again, if you are in the queue, please press star 9 to raise your hand indicating you wish to comment.

We do have someone in the queue and they have raised their hand.

CHAIR KENNEDY: Very good. Go ahead, invite them in, please.

PUBLIC COMMENT MODERATOR: Will do, Chair. And the floor is yours.

MR. CANNON: Good morning. My name is Peter Cannon, C-A-N-N-O-N. Regarding the legal committee's recommendation to have co-counsel for litigation, I wanted to make a few recommendations to maximize utility
to the commission and value to the taxpayer. These are based on the strengths and weaknesses identified by the legal committee during their deliberations.

First, the committee identified Woocher as having the clear and less expensive fee structure that Gibson could provide the easiest access to additional personnel. Therefore, in most circumstances, Woocher should be treated as the lead firm, with Gibson supplementing where additional resources are required. This will keep costs down while maintaining flexibility depending on how much litigation arises.

Second, the committee found that as VRA Counsel, Woocher would offer greater efficiency, coordination, and strategy, while there were mixed reviews of Gibson's VRA work in 2010. Therefore, Woocher should be responsible for all work relating to the VRA in consideration of race. This would include both before and after the lines are adopted. You need one firm dealing with this part of the law in and out of court.

Third, therefore, Gibson should focus on preparing for litigation not related to the VRA, particularly where Woocher may not have sufficient capacity or Gibson had greater overall strength.

Fourth, the committee found, Woocher specializing in
representing government agency -- the committee found
that they were specializing in representing government
agencies. Therefore, Woocher should be designated lead
on litigation relating to government bureaucracy, Bagley-
Keene, state contracting rules, et cetera.

So to summarize, use the cheaper firm wherever
possible. Use a bigger firm to supplement when needed.
VRA Counsel is your VRA litigation counsel. And lastly,
leverage unique firm strengths where appropriate. I hope
this helps. Thank you.

CHAIR KENNEDY: Thank you, Mr. Cannon.

Katy, do we have others?

PUBLIC COMMENT MODERATOR: We do have several people
in the queue. I will open this one up.

I would like to remind everyone in the queue to
press star 9 to raise your hand. We do have some with
their hand raised over them and we now have multiple
people. And the floor is yours.

MS. DAI: Hello again, commissioners. This is
Cynthia Dai. Can you hear me?

PUBLIC COMMENT MODERATOR: Yes, we can.

CHAIR KENNEDY: yes, we can.

MS. DAI: Okay. Regarding agenda item 10, I wish to
share our experience hiring litigation counsel from the
perspective of a nonlawyer 2010 commissioner, who headed
the Finance and Administration Committee. Hiring two
firms definitely exceeded the cost of one. I recommend
that you consider delaying your decision to hire counsel.
There are plenty of time sensitive decisions you must
make. This is not one of them. We did not hire
litigation counsel until shortly before we released our
final maps. Reopening the RFP at a later date may
provide better options. New A.G. Bonta may agree to
defend the CRC, as is typically done for a government
agency, which would dramatically reduce the cost. You
may attract additional bidders after they see draft maps.
Regarding our experience with Gibson Dunn, they were
adequate as VRA counsel, but I believe we were much
better served by two expert commissioners as well as two
at Q2, including one extremely experienced attorney who
had previously worked at DOJ. Only after the A.G.
decided to defend the CRC maps did we consider hiring
outside counsel. We would have happily awarded Morrison
Foerster the contract, but appointed Gibson Dunn as co-
counsel because we thought they could bring
(indiscernible) up to speed faster. As the first CRC, we
wanted to provide the best possible chances for our maps
to prevail. I was very concerned about Gibson Dunn's
billing, the majority of our legal expenses. We objected
to mass meetings between the firms where Gibson Dunn than
billed for numerous associates and senior partners. But we only got some of the charges reduced. I urge you to clarify billing practices before hiring.

I share the concerns about lack of disclosure and conflicts of interest. For us, this alone would have been a disqualifier. Transparency and a nonpartisan ethos were key values we sought to embody. I urge you to be responsible stewards of taxpayer money, proactively seek information to thoroughly vet firms, just as the auditor's office did for us. Take your time and save yourself from hiring, from having to terminate another critical hire. Thanks for listening.

I submitted more complete comments in writing and I'm happy to answer questions now or on Thursday. Unfortunate, I'm not available for the rest of today.

CHAIR KENNEDY: Are there any questions for Commissioner Dai while she's on the line? Okay. I'm not seeing any. Commissioner Dai, thank you so much for your comments.


CHAIR KENNEDY: Have a good day.

MS. DAI: Bye-bye.

CHAIR KENNEDY: Bye.

PUBLIC COMMENT MODERATOR: And I will be moving down the line. I would like to remind everyone in the queue.
If you would like to make a comment, please press star 9 to raise your hand.

MR. SUKATON: Good morning.

PUBLIC COMMENT MODERATOR: The floor is yours.

MR. SUKATON: Good morning. Just want to make sure you can hear me.

CHAIR KENNEDY: Yes.

MR. SUKATON: Excellent. Good morning. This is Samuel Sukaton from the California League Conservation Voters Fund. I'm not speaking around the Legal Affairs Committee recommendation, but I did notice that one of its members, Commissioner Sadhwani, brought her attention on Twitter, a really specific community of interest, because, as you may remember, Councilmember DeLeon was mentioning the bear that was visiting Eagle Rock residents. I'm sure it was it was light hearted, but Commissioner Sadhwani invited us to draw a bit of a community interest, which we submitted, some of the -- we drew neighborhood together, folks that live along the edge of the Angeles National Forest and San Gabriel National Monument. So you know, as we're as we're going into a bit of a temp today, I just wanted to invite people to, one, get some fresh air and two, just like you're dealing with bears, no surprises, make no sudden movements. And again, just relax because bears are just
like the rest of us here, just trying to live their lives.

And I actually want to thank Commissioner Sadhwani for that suggestion. We did submit a draft map around the neighborhood, and I'll definitely be tweeting it back out to you. Thanks, Commissioner.

But again, thanks for carrying a lot of difficult decisions this morning, and I hope you're having a great meeting this week.

CHAIR KENNEDY: Thank you so much. My neighbors here at Morongo Valley may be interested in something along the same lines, since we have bear sightings here as well.

Katy, our next caller.

PUBLIC COMMENT MODERATOR: Yes. All right. And we have one more.

And the floor is yours.

MS. WESTA-LUSK: Good morning, commissioners. This is Renee Westa-Lusk calling; just two things. The handout listed for today's meeting. Handout number 9A, CCRC redistricting timeline scenarios. It's not openable from my end of the line. I can't open that handout, so I don't know what's in it.

And then I have a question about when individuals or organizations from a community send in written public
input through letters or emails. Is anyone from a
community eligible to submit letters, including local
elected officials? Just wanted that clarified. Thank
you.

CHAIR KENNEDY: Thank you, Ms. Westa-Lusk. Anyone
is invited to submit public comment. It is public. It
will be posted on our website for the commissioners'
viewing, but for the public's viewing as well. So we are
happy to receive input from anyone.

Marian, I don't know if you have anything you'd like
to add.

MS. JOHNSTON: No, you are correct. Anyone may
submit comment, including elected officials.

CHAIR KENNEDY: So thank you for that question. The
handout -- and I don't know if you would like some help
off-line in getting to that. We can also try to share a
screen with this on it if and when we discuss it. But it
is looking at various scenarios and how the redistricting
timeline interacts with the election timeline for the
2022 primary elections, which are currently scheduled for
early June of 2022.

Commissioner Sadhwani.

COMMISSIONER SADHWANI: Thank you so much, Chair.

I just wanted to add when I clicked it I was able to
open it, but I'm sure everyone's operating off of
different systems. When Ms. Shellenberger joins the call later today, she is intending to share her screen and share this document so everyone will be able to see it.

I also just wanted to apologize. Some of these documents were only posted this morning. I know that we do have a strong desire to get things out sooner than that. And I just want to own that that that was my fault, that it fell through the cracks this weekend. And I just wasn't didn't get it out for posting prior to that. So my apologies to all of my colleagues as well as the public.

CHAIR KENNEDY: Ms. Westa-Lusk, we do anticipate a discussion on this as part of 9A, update and discussion regarding impact of census delay on CRC calendar and the electoral cycle. And we have invited a few outside resources to join us at 11:15, following the morning break. So if you would like to follow that discussion, we will be going into that immediately following the morning break.

MS. WESTA-LUSK: Okay. Thank you.

CHAIR KENNEDY: Thank you.

PUBLIC COMMENT MODERATOR: And that was it for our callers.

CHAIR KENNEDY: Very good. Thank you, Katy.

Are there general announcements at this point or
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items of interest from individual commissioners or staff?

Commissioner Sadhwani.

COMMISSIONER SADHWANI: So I just want to follow up on the comment that was made. Yes, it had been tweeted at, I think, at me as well as at We Draw the Lines, a video of L.A. City Councilmember Kevin DeLeon doing a video of bear sightings in Eagle Rock. And you know, there's an individual dressed up as a bear kind of dancing around him. So I did respond saying if you if you're interested, it was it was tweeted at us as, this is a community of interest that we should be thinking about. And so I just responded with a emoji smiley face, saying, you know, you are welcome to submit a community of interest at the COI tool website. So it does to me when I saw that it did raise a question for me, though. If people are tweeting at us, are we capturing that? Are we putting it on our website somewhere? I think that we should. I don't know that we have a protocol for doing that yet, but I do think we should have that on our radar. I think especially as things pick up, you know, that will be an important piece to be monitoring as well. You know, I can't stop -- I think I've seen many of us get tweeted out at different points in time. So I'm not sure how to respond to that or to not respond. But I just wanted to raise that.
CHAIR KENNEDY: And we have inquired about the possibility of having the commission's Twitter feed mirrored on the Commission website to increase access to it.

Mr. Ceja.

DIRECTOR CEJA: I did want to mention -- thank you commissioner Sadhwani, that as you start talking to the community via social media that it's perfectly fine. I mean, we all have conversations on social media. But once you start getting questions about public input or input to the commission, it's totally appropriate to send them to either wedrawthelines.org or drawmycaliforniacommunity.org, so that we can capture that information properly. And then I had an additional comment.

I want to make it a point to start publicly announcing for the record what's on the public comments list for this week. We did receive substantial public comment. So I'll just read it off the list. And this is posted on our website under the 2021 Main Meeting tab. So we did receive a public comment from Faustina Washburn, from Mr. John Tuteur, from the Napa Valley Vintners, from Lloyd Champion, part of Sherman Oaks, also known as POSO. Christopher Pond, the Wine Growers of Napa Assembly letter, the Winegrowers of Napa House of
Representative letter. They also shared the Wine Growers of Napa Senate letter that they sent into our senators. We received public comment Beckstoffer Vineyards from Tony Bernhard, regarding item 10, meeting interpretation recommendations letter from some of our community partners. Beth Femino, also regarding item 10. Angelo Ancheta, also regarding item 10. Cyntia Dai, also regarding item 10. Letter to the Legislature -- or letter from the Legislature to the commission. And then a public comment from Stacey Andersen. And again, those are all posted on our website.

CHAIR KENNEDY: And I want to take the opportunity to thank all of those who took the time to provide that public input. We encourage everyone with questions or concerns or points that they wish to share with the commission to continue to do so. So thank you to all of those.

Marian, did you have anything else that you wanted to add regarding social media responses?

MS. JOHNSTON: Nothing at this time, Commissioner.

CHAIR KENNEDY: Very good. Commissioner Sinay.

COMMISSIONER SINAY: I just wanted to share that I did meet with the representatives from all the farm bureaus in Zone B or they were all invited and three were able to attend. Some Farm Bureaus have smaller staffing
than others, but it was a really helpful meeting just to understand more the rural area and the agriculture side. And the reason I'm really bringing it up is to encourage all of you to reach out to your Farm Bureau folks, especially if you have rural areas. And the list of all the local contacts is attached to that state outreach list that we've been sharing. So that has all the links to different organizations statewide that can that have local chapters that can help you in your local outreaches.

CHAIR KENNEDY: Very good. Thank you so much.

Let me just, again for those joining us, do a quick review of the agenda. We will have the Executive Directors report, including discussion, possible action on staffing and personnel, as well as budget contracts and or procurement. The Deputy Executive Director's report on outreach activities, Chief Counsel's report, Communication Director's report and then subcommittee reports. No matter what, our intent is to take up item 9A, the impact delay on our calendar and the electoral cycle at 11:15. Depending on how long that takes, we would proceed with the other subcommittee updates before lunch as well as probably after lunch.

We anticipate a an update, including recommendation discussion from the Legal Affairs Committee. The
Government sector panel, given the heavy agenda that we have, that will be deferred for probably the meeting on the 12th and 13th of April. The line draw RFP subcommittee, we do anticipate a report there, followed by data management.

We will be going into closed session this afternoon. I anticipate that that will be after the afternoon break. So we would likely close the public portion of today at the time that we take the afternoon break and then return in closed session, reconvening in open session tomorrow morning with a report on any actions taken in closed session.

We also anticipate that item 12, we would have a presentation from the selected line draws on Thursday and the intent is to complete our agenda by lunchtime on Thursday so that there could be a committee meeting Thursday afternoon. And that would be the public input meeting, design subcommittee meeting Thursday after lunch. So that is that is the review of the agenda. I don't know if there are any questions.

MR. MANOFF: Chair, this is Kristian. I don't have us scheduled for tomorrow. Do you mean Thursday?

CHAIR KENNEDY: Sorry. Thursday, yeah.

MR. MANOFF: Very good. Thank you.

CHAIR KENNEDY: Thank you for that. Yes, this is an
experiment that we decided on some time back to have a
two-day or in this case, one-and-a-half-day meeting with
the two days separated by a few days. So we're going to
see how this works. If it works well, we may do it
again. If it doesn't work well, well, we tried.
So with that, unless there are any other updates or
comments from commissioners, I would ask the Executive
Director to begin his report.

Director Hernandez.

DIRECTOR HERNANDEZ: Thank you, Chair, and good
morning, Commissioners.

First, I'm going to start off by talking about our
staff and personnel. You've all had a chance to hear our
administrative assistant, Ravinder Singh. He started
with us on March 22nd last week and has quickly
acclimated himself to the commission. Mr. Singh will be
taking notes, doing a summary, indexing the meeting and
assisting in future agendas. He's also going to be
staffing our front desk and our main phone line and we'll
be monitoring our Voter First Act email.

So welcome, Mr. Singh.

In regards to our account analyst, we have made a
recommendation to the Finance Administration Subcommittee
to hire the account analyst. The candidate is currently
an accountant I with the California Highway Patrol and
has over three years in state service. The candidate brings knowledge of The State Administrative Manual and government code as it relates to invoices. The candidate is also very familiar with fiscal and personal transaction functions that will assist both our fiscal director and our deputy administrator. And the candidate has an eye for detail.

So I am asking for confirmation of that hire from the Commission, and the Finance and subcommittee will bring that up. In regards to our other positions --

(Audio interference)

DIRECTOR HERNANDEZ: It's interesting. I'm hearing myself. Okay.

In regards to our field staff leads. The paperwork will be submitted today if it hasn't already been submitted, and hopefully it will post at the end of the day or early tomorrow.

We'll be hiring regionally. One of the things that held it up is that we had to hire -- or include that we're going to be hiring regionally, one in Northern California, central area and two in southern L.A. and San Diego split. So that's where we are with that one.

The director of outreach. The paperwork will be submitted as well. And finally, our Chief Counsel, the paperwork was submitted. We're hoping to have that
posted today. As soon as that gets posted, we'll add that one and all the others on to our website as well.

All right. Moving on to the protocols for the Commission Communication, I'm going to defer to the Finance and Administration Subcommittee to discuss any updates they may have on any protocols.

So moving on to our budget, our last budget projections were posted on February 8th, 2021. And shortly thereafter we found out that the census data would be delayed until September 30th. So we have posted the revised budget projections. So they're out there on our web, under the handouts. And you'll note that we have increased our estimated budget shortfall from 7.162 million to 8.593 million. It's an increase of approximately 1.4 million, and that's attributable to new contracts under the contract services and including costs for our in-person meetings.

So now I'm going to just go over high-level highlights for your convenience. Operational, we moved commissioner per diem out of the outreach and public input meetings and also the line draw sessions and moved it all up per year direction into the per diem. So we didn't separate it out for each of the activities under the outreach and all the other public input meetings and sessions. So it's all now included in that one line item.
for per diems. Under the contract services, you'll notice that we now have the line drawer contract included on there. That's 1.6 million.

We've also increased legal services and VRA counsel since we now are working on getting those contracts in place. And we also have included the videography business meetings and line drawing RFP cost estimates. So those are an increase as well.

Under the outreach section under production, we've increased materials by 50,000 and we talked about that at the last meeting. That's for the printing of the paper COI, community of interest, in a paper format.

And again, I mentioned that we moved out the premiums and we've also added the CRC sponsored redistricting meetings that I mentioned at the last meeting. Given that we may be going towards public input meetings also you'll see that is been included there at the very end.

In regards to the public input meetings themselves, we've included estimates for in-person meetings. Should we shift at some point, we want to make sure we have the funding for that and also for the line drawing sessions.

Are there any questions that you have at this point? Okay. I will move on.

Our fiscal director has been in contact with the
Department of Finance and will provide the --

CHAIR KENNEDY: Director Hernandez?

DIRECTOR HERNANDEZ: Oh, yes?

CHAIR KENNEDY: Sorry. Sorry. Under the operational budget -- or maybe I missed it. I'm not seeing that I missed it. Postage for the paper communities of interest tool. I'm not sure I see postage anywhere in the budget. And we've been discussing, we're intending to have that as a postage-paid item to come back through business reply mail, which means we need to fund our business reply permit account before we start distributing those forms so that when people drop them in the mail, we can get them back through business reply mail, which means we need to fund our business reply permit account before we start distributing those forms so that when people drop them in the mail, we can get them.

DIRECTOR HERNANDEZ: That's correct. I do not have it there. I will talk with our fiscal director and see if it's already included. If not, we'll definitely need to be adding that cost into the budget. Thank you for pointing that out.

CHAIR KENNEDY: Thank you. Any other questions, commissioners?

Okay. Please proceed.
DIRECTOR HERNANDEZ: Okay. Thank you.

As I mentioned, our fiscal director has been in contact with the Department of Finance and will provide the budget estimate when it is approved. And has already reached out to them just to let them know that we're working on that and it needs to be approved by the commission before it goes to them.

The videography RFP posted on March 16th and the proposals are due today. And so we'll be receiving those. Just wanted to let you know about that.

Moving on to the outreach updates. One of the things that I've done is changed -- per the commission recommendation, changed -- the Deputy Executive Director's report will now be the Outreach Director's report on future agenda items -- on future agendas, I should say.

In regards to the outreach update, as was mentioned when we approved the strategic outreach plan back in January of 20 -- January 28th of this year, the plan is, was, and continues to be a living document that would be updated as we move forward. So the current plan that we had out there did not reflect the extended dates, the census delays, or any other adjustments that have been made. But you will see that we will be posting an update -- or we have posted an updated draft with some of
the changes that have come up for you to review and/or approve if necessary.

I will defer to the outreach and engagement subcommittee to further discuss that, if you have any specific questions on the revised strategic plans.

And that concludes my report.

Oh, yes, Commissioner Fernandez -- or Vice Chair Fernandez, I should say.

VICE CHAIR FERNANDEZ: I should say through everything, which is fine, but I really wanted to go back to the staffing. I think it's been customary for us if there's new hires that we vote and make motions for them during this time versus the subcommittee. So I wanted to know if we should continue to operate that way.

Chair, do you have a preference?

CHAIR KENNEDY: I -- yeah, I would probably concur that now would be better than under the subcommittee. I mean, in my mind the subcommittee reviews the -- the recommendation, but the -- the request for approval is actually coming from the Executive Director. And so I would agree that now is a better time.

VICE CHAIR FERNANDEZ: Okay. And so with that, I will make a motion and as Director Hernandez mentioned, both Commissioner Fornaciari and I have reviewed the resume, the duty statement, and we concur that the
candidate does have the qualifications. We're very fortunate to find someone that sounds like will need minimal training to be an asset right away.

So I do make a recommendation that we hire the account analyst position.

CHAIR KENNEDY: Very good. Is there a second? Commissioner Fornaciari, thank you.

Discussion? Okay. And before we vote, we need to invite public comment.

Katy, would you please invite public comment? This is on a potential hire that has been recommended by the admin and finance subcommittee and requested by the Executive Director.

PUBLIC COMMENT MODERATOR: I had to make notes on that one. Okay. In order to maximize transparency and public participation in our process, the commissioners will be taking public comment by phone. To call in, dial the telephone number provided on the livestream feed. It is 877-853-5247.

When prompted to enter the meeting ID number provided on the livestream feed, it is 92317965628 for this meeting. When prompted to enter a participant ID, simply press the pound key.

Once you have dialed in, you'll be placed in a queue. To indicate you wish to comment, please press
star 9. This will raise your hand for the moderator.
When it is your turn to speak, you'll hear a message that
says, the host would like you to talk, press star 6 to
speak. If you would like to give your name, please state
and spell it for the record. You are not required to
provide your name to give public comment.

Please make sure to mute your computer or livestream
audio to prevent any feedback or distortion during your
call. Once you are waiting in the queue, be alert for
when it is your turn to speak. And again, please turn
down the livestream volume.

And the commission is taking public comment on a
potential hire that they just discussed. And there is no
one in the queue at this time.

CHAIR KENNEDY: We will stand by until the
livestream catches up.

(Pause)

PUBLIC COMMENT MODERATOR: And the instructions are
complete on this stream, Chair.

CHAIR KENNEDY: Okay. Let's give it thirty seconds
so that people have time to follow the instructions.

Okay. Then thank you, Katy.

PUBLIC COMMENT MODERATOR: You're welcome.

CHAIR KENNEDY: If we can have Mr. Singh call the
roll for the vote, and we start with the person after the
chair, so -- I forget who comes after me.

DIRECTOR HERNANDEZ: Commissioner --

CHAIR KENNEDY: Commissioner Le Mons.

DIRECTOR HERNANDEZ: Chair Kennedy, for this go-around I'm going to do the vote.

CHAIR KENNEDY: You'll call the roll?

DIRECTOR HERNANDEZ: Yes, sorry about that.

CHAIR KENNEDY: Okay. Very good.

DIRECTOR HERNANDEZ: We're still transitioning over to that.

CHAIR KENNEDY: Okay.

DIRECTOR HERNANDEZ: All right. So the motion is to hire the account analyst recommended by me, the Executive Director. Motion made by Commissioner Fernandez, seconded by Commissioner Fornaciari.

Commissioner Le Mons.

COMMISSIONER LE MONS: Yes.

DIRECTOR HERNANDEZ: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes.

DIRECTOR HERNANDEZ: Commissioner Sinay.

COMMISSIONER SINAY: Yes.

DIRECTOR HERNANDEZ: Commissioner Taylor.

COMMISSIONER TAYLOR: Yes.

DIRECTOR HERNANDEZ: Commissioner Toledo.

COMMISSIONER TOLEDO: Yes.
DIRECTOR HERNANDEZ: Commissioner Turner.
COMMISSIONER TURNER: Yes.
DIRECTOR HERNANDEZ: Commissioner Vazquez.
Commissioner Yee.
COMMISSIONER YEE: Yes.
DIRECTOR HERNANDEZ: Commissioner Ahmad.
COMMISSIONER AHMAD: Yes.
DIRECTOR HERNANDEZ: Commissioner Akutagawa.
COMMISSIONER AKUTAGAWA: Yes.
DIRECTOR HERNANDEZ: Commissioner Andersen.
COMMISSIONER ANDERSEN: Yes.
DIRECTOR HERNANDEZ: Commissioner Fernandez.
VICE CHAIR FERNANDEZ: Yes.
DIRECTOR HERNANDEZ: Commissioner Fornaciari
COMMISSIONER FORNACIARI: Yes.
DIRECTOR HERNANDEZ: And Commissioner Kennedy.
CHAIR KENNEDY: Yes.
DIRECTOR HERNANDEZ: Motion passes.
CHAIR KENNEDY: Thank you for that.
Is there anything else on outreach at this point, Director Hernandez?
DIRECTOR HERNANDEZ: The only other thing -- and I think the subcommittee will talk about it, is that we had a very productive meeting with the USBR, that they are going to be helping us with a database. And so that is
very exciting news.

Other than that, I believe the subcommittee will report on any additional information. Thank you.

CHAIR KENNEDY: Very good. Very good. Thank you.

Marian, do you have anything to report at this point?

MS. JOHNSTON: Yes. As I mentioned in my email to you all about the Ohio case, the Census Bureau announced during that hearing that they would be releasing what they call legacy format summary redistricting data files. They've since put out an announcement about it, saying that that would be released to all states by mid to late August 2021.

They said, because we recognize that most states lack the capacity or resources to tabulate the data from these summary files, we reaffirm our commitment to providing all states tabulated data in our user-friendly system by September 30th.

I must admit I didn't understand what this legacy format summary redistricting data file was, but in reading Ms. Mac Donald's memo to you all -- it was posted this morning, and I trust her and her skills and abilities. She says that we are one of the states who do have the capacity to use that data. If that is true, then I agree with the letter from the Legislature to you
all, that that -- release of that information would
trigger the time for you to begin working on your
redistricting maps.

   Now, the timing on that is still a little vague,
because they say they will release it by mid to late
August. If it were by August 15th, that would mean that
your first draft maps are due no later than November
15th, and your final ones would be due by the end of
December. Of course, that's a moving target depending on
when the census actually releases this legacy data. But
I would encourage the commission to be flexible in
adjusting its timeline and to use -- if Ms. Karin is
correct, to use the release of the summary legacy data as
the time to commence your four and a half for preparing
your maps.

   Any questions? I know it's going to be talked
about. Ms. Mac Donald is talking, other people are
talking later today.

   CHAIR KENNEDY: That is very helpful. That will
obviously trigger an adjustment to the Gantt Chart that
we are trying to keep up to date. It will need to be
taken into account in a -- another iteration of the
strategic outreach plan. Essentially this will determine
a lot about our way forward.

   So thank you for that. And yes, we will be
discussing this further approximately an hour from now. Are there any other questions or comments at this point from commissioners? Okay.

Seeing none, the next item is the communication director's report.

Mr. Ceja, please.

DIRECTOR CEJA: All right. Thank you so much. And that's exciting news. Feels like everything is coming together.

So just wanted to let you all know that last week, we did a series of interviews. Commissioner Toledo was on KSRO radio. Commissioner Ahmad was on the (indiscernible) Beat. Director Hernandez did an interview with the (indiscernible). And Commissioner Yee did an interview this morning with KQMS radio.

So the interviews are starting to roll in. I did my first initial touch last week. Just blasting all the zones in case they wanted to do a story on the process or highlight the commissioners. And we got follow up with phone calls to the different regions that hadn't received any luck yet. Don't fret. We have plenty of time to do these interviews.

And I just wanted to -- to thank everyone for participating. And you all sound so professional when you're doing your interviews. It's like you're the
experts in this field. And it felt so amazing to see that happen. So thank you so much.

Also wanted to bring up the fact that we're starting to receive public comment and public input. If you look at the list under public comment to this agenda on the website, you'll start to see a mix of both public comment and public input, where people are saying hey, keep my Napa Valley region together, don't split it up. So wanted to bring that conversation up to you, Commissioners, on how best to capture the information, where to put it, and how to report out when these things come in.

So today, what I did is take an opportunity under the announcement to let you all know what was under public comment. But then also, want to bring up the conversation if we want to add a tab on our website to include -- or to park public input, because we're not using public input yet. But we do want to keep it somewhere so it's readily available when we do start having those conversations and drawing maps.

So wanted to open that up for conversation.

CHAIR KENNEDY: I would -- Commissioner Taylor and I will be putting together more comprehensive recommendations for progress on the website, but I would say that, yes, it is important to have that input
somewhere easily accessible on the website. So my personal feeling at this point before sitting down and discussing it with Commissioner Taylor is -- would be yes. And I would welcome any other input from commissioners.

Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you, Director Ceja, for bringing that up to our attention. And the website subcommittee will I know do a very good job of making good solid recommendations.

One thing I would suggest, just for ease of the public viewing of this input, is if we could possibly group it by county and/or possibly then region. So someone could quickly kind of look up what's in their area. Just at -- obviously that is an item that will be further dealt with I believe by the data management subcommittee. But in terms of just general public viewing, that might be the quickest, easiest thing to help. So thank you.

DIRECTOR CEJA: I will touch base with Commissioners Taylor and Kennedy about the website portion. But as public comment, I get their email. Would the appropriate protocol be to share that with the entire commission before we post it anywhere, and say hey, this has come in so far? I think we've been doing that so far. So --
CHAIR KENNEDY: Commissioner Fernandez, and then Commissioner Sinay.

VICE CHAIR FERNANDEZ: I think if we have a separate tab, I don't necessarily think it needs to be shared with all of us when you get it, and as long as it's in that tab, I think that would suffice because it would be public information out there. I would hate to lose it in my email. And I know that having a separate tab would definitely keep it visible for everyone else.

CHAIR KENNEDY: Commissioner Sinay.

COMMISSIONER SINAY: I was thinking through kind of our -- our agreement that all data is equal. Doesn't matter if it's a first or the last that we received. And we're not going to get emails for every query we receive, so that may not make sense for every community of interest map we receive. So it may make sense to put it in a tab, as Commissioner Fernandez said, and then we review all of it at one time when we're looking at that area.

CHAIR KENNEDY: Thank you. Any others? Commissioner Sadhwani.

COMMISSIONER SADHWANI: Thank you. I completely agree with everything that's been said. If there's a way, as the database that's being developed to data management, as that becomes developed, if -- if there can
be some sort of connection between the two. I think at some point, as we're seeing already, the volume of submissions is going to increase exponentially.

And so that list I think having it available somewhere on our website is absolutely important. But ensuring that -- that there's some rhyme or reason to it besides simply the day on which it arrived to us I think would be really, really helpful and beneficial to think through how to best achieve that.

CHAIR KENNEDY: And we do need to look back because, you know, we have received sporadically public input over the months. I mean, we can probably go back into last year and find input from individuals that we would want to capture under that tab.

DIRECTOR CEJA: The other thing I wanted to mention is that I posted an op-ed, a draft op-ed, under the website for my report. So the idea was to have the chair, which is Commissioner Kennedy, pen the first op-ed, just letting the public know what we're doing with the extra time that we have because of the census delay. So because we have new information today, we might want to change that depending on how the conversation goes later today.

So that's out there. We'll try to pitch the first op-ed to major newspaper, and then use that template or
other templates that are out there to pitch local op-ed in your zone under your title for the commissioners that belong to those zones. Again, this is part of the education process so people know what we're doing with our time and when do we expect to have those final maps in.

We do have the redistricting video. They're putting the final touches on it. So we met with the material subcommittee and we came up with two additional slides. So we're going to need to incorporate that into the video. One is what sort of COI information we're asking the public for. So it's letting them know, hey, this is how to explain your community. This is the input that we're looking for.

And then the other slide that we thought would be essential is language assets. How we're going about making sure that we're allowing all Californians to participate in our process. So we value that. And for all those community groups that are out there that have been telling us, hey, this is important, we get it.

And so we're incorporating it into the slides presentation so that you feel like you're being heard, but also letting the public know how best to go about getting the information in their language. So we will be adding those, and hopefully we can come back Thursday and
present it to you then.

And so the last thing I wanted to share is that we have the social media toolkit that we're going to be sending out this week, today, to our community partners. So the idea is to provide social media content for nonprofit or advocacy organizations, the farm bureau or whoever else wants to share our content on social media.

We're sending out that information on a weekly basis, providing the assets, which is the photos for social media, and then suggested language for Facebook, for Instagram, and for Twitter, so that they can just keep reshuffling our information on a weekly basis and letting their audiences know what we're doing as a commission.

CHAIR KENNEDY: Very good. Commissioner Sinay.

COMMISSIONER SINAY: Director, can you just make sure that the commissioners are on the email list that gets that social media toolkits just so we're in the loop? Thank you.

DIRECTOR CEJA: And what was the -- website?

CHAIR KENNEDY: Very good. Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you, Director Ceja.

And one thing I would like to emphasize in all of our communications is please have all the public go to our community of interest tool and use this. And we should
talk this up because we don't want to have everyone, all the public, think, I'm just waiting for these, quote, public input meetings. Now, is the time to get involved. If we could please emphasize that. Because I know that if all committee people think nothing really matters until we start going out to the public. So I just would like to bring that up.

CHAIR KENNEDY: Thank you, Commissioner Andersen.

Commissioner Sinay.

COMMISSIONER SINAY: I believe that that's the main purpose of the op-ed that's been drafted so that people know we want to hear from you now.

CHAIR KENNEDY: I'll include this in my discussions with Commissioner Taylor, but I also think it's important whenever possible, whenever reasonably possible, but when we refer people to the website, we refer them to a specific place on the website, because if all we do is say, look at our website, then they're left hanging as to where to find something on the website.

So I hope that we can be as specific as possible and help people find what they're looking for. They can take whatever time they want to, to explore the website, but if we are referring people to something specific on the website, I would -- I would suggest that we be as specific as possible as to where to find that on the
website so that they don't waste time that they don't
want to spend moving around the website.

Okay. Anything else is your report?

DIRECTOR CEJA: No, that's it. Thank you.

CHAIR KENNEDY: Very good. Thank you so much.

Okay. So with that, it is -- we are going on 10:30. We
will go ahead and start subcommittee updates but we will
skip item 9(a) for now until we come back from our break
at 11:15. So we are now at 9(b), finance and
administration.

Commissioners Fernandez and Fornaciari, please.

VICE CHAIR FERNANDEZ: Thank you, Chair. There was
a report that was posted because we had quite a few items
since our last meeting. We've already talked about the
account position. So thank you so much for approving
that.

At the last meeting, or maybe it was the meeting
before, I honestly can't remember. We were directed --
excuse me -- to review our current hiring process because
they was I guess questions last time as to whether or not
we should do the hiring and the discussion during closed
session versus open session. And so what Commissioner
Fornaciari did is he provided the current language that
we had already approved as a commission to delegate the
review of the -- the resume and the recruitment
information and the duty statement to have our 
subcommittee review that, and then report back in terms 
of whether we had issues or not, whether we agree with 
the recommendations that were being made.

And at this point, we feel -- and at that point, our 
policy also states that at the executive level positions, 
we do conduct that hiring in our closed session and the 
discussion as well and then we report out in open 
session. But all other positions we discuss in open 
session.

So our recommendation is just to keep with our 
current policy. And again, I just want to reiterate the 
reason we don't give the person's name is because they 
aren't hired yet. And some of them don't -- in case 
maybe their current employer is listening, they want to 
be the ones to tell their employer first before they hear 
it from someone else. And then again, I believe it was 
Commissioner Le Mons last time, we're -- we're making 
motions to hire, to fill the position, not necessarily 
the person. So again, that's why we're recommending we 
don't make changes to the current policy.

So I didn't know if you wanted to discuss that 
further, Chair Kennedy, or should I just keep moving?

You're on mute right now.

CHAIR KENNEDY: Let's see if there are comments from
commissioners. Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you, Commissioner Fernandez. I'm just clarifying when we say the hiring process for the executive staff will be conducted by the entire commission, okay -- oh, executive -- okay. That's -- I just want to make sure that -- the next line seemed to say Executive Director was organizing things, but I see that the staff is indeed by the commission, the executive staff. Where the lower staff is -- so I withdraw my comment. Thank you.

CHAIR KENNEDY: Any other comments?

I would observe that, you know, it is important for the full commission to approve the creation of positions. I guess my question would be to counsel. My understanding is we are still required to approve each individual hired, not just the creation of the position. And if we're required to approve the individual, it has always seemed a bit counterintuitive to me to be asked to approve someone that we know little to nothing about.

MS. JOHNSTON: Yes, Chair, this is correct. Under your statute, it takes a special vote, three from each subgroup, for any hiring of all employees. So it does have to be a vote on each hire. As to how you do that, that's a policy decision for you all.

CHAIR KENNEDY: Right. Commissioner Le Mons.
COMMISSIONER LE MONS: For me, I think it's a matter of interpretation. We are approving the position and we are approving the hire. But we are not involved in the interview process. And whether they give us three sentences or give us three paragraphs, we've not met the person. We've not interviewed the person, and I think that's the point -- kind of the sticking point is some people feel like they don't have enough information.

And I think by keeping it focused on we are voting on the position first, the creation of that position. And then we are voting to support the Executive Director or the hiring manager in their choice. So it -- it suggests to me that we trust the executives that we hire who are serving as hiring managers to make those decisions, and we're doing our regulatory duty to vote on the hiring.

But I would caution us about getting focused on the interview, the review of the person. I mean, if there are some very specific, I don't know, conflict of interest criteria or something that's flag-raising, maybe there's some kind of vetting process that could be put in. And I think we have that through our subcommittee because they work with -- on all the hires. They work with the various hiring managers.

So with that said, I would support Commissioner
Fernandez and Fornaciari's recommendation to leave the policy as is.

CHAIR KENNEDY: Commissioner Fernandez.

VICE CHAIR FERNANDEZ: And I just want to clarify, Chair Kennedy, that Commissioner Fornaciari and I, we do review the duty statements, we do review the resumes. We do review the applications just to make sure that there are -- the candidate does have the skills that they're looking for.

Also, we do also confirm that there was vetting done in terms of reference checks of the candidate.

CHAIR KENNEDY: No, that is helpful. I, you know, it has also seemed to me that inviting public comment when the public doesn't know who the person is, is also a bit counterintuitive. But you know, it is important for the public to understand the process that the subcommittee goes through and to take some assurance away that we are carrying this out responsibly. So thank you for that.

Okay. Go ahead with the next item then.

VICE CHAIR FERNANDEZ: Okay. And so for the next one, Commissioner Kennedy -- or Chair Kennedy, I'll have to -- what is it called -- Ecro or whatever. Apparently, there were transcripts being done. So right now, we have SR, administrative -- director of administration, Raul
Villanueva, to find out where they are. So once we find out where the transcripts are, then they will be posted to the website. So I misunderstand, or I guess actually never knew that we had transcripts. I had asked a few times. So hopefully soon, and I did receive an update from Ms. Villanueva this morning and we're hoping by the end of the week to have resolution as to when to locate who has them, and then two, to post those to our website. So yay, good news. That's it. All right.

CHAIR KENNEDY: It is good news, and it something that we had been promising. If you read the important notes to the agenda, that is included in those important notes. So yes, I'm very happy that we will be carrying through with that commitment.

VICE CHAIR FERNANDEZ: Yes. Thank you. And then the next -- oh, any other questions? I'll keep going.

Okay. The next one is recommendation for agenda management. Initially, we had -- Commissioner Fornaciari and I, we had looked into possibly contracting out to have an automated agenda building solution. And so at this point we've actually dropped moving forward with that. We did actually meet with someone, but it just feels at this point that the Commission really is a short-lived, one year, and for us to get it started, and it's just a lot of effort to go into that. Also, the
costs associated with it.

But on the other hand, we have good news. Thank you to Kristian, our wonderful videographer, he has shown us -- they also do the videography for the California Department of Education for their board, and he showed us through YouTube, it's free, which is a great deal. It's a free feature that we can actually post our video meetings, and what we do is, probably have Ravi, Mr. Singh, it'll probably be his function. What they do is they index. So they would index the specific agenda items so that they just have to click on it and it takes them directly to the video link in terms of when the item was discussed. So we are -- that's what we're going to recommend or we're going to look into further, and Kristian has offered to train one or two individuals, which is great, and we'll work -- go collaboratively with staff to get that moving. So that was additional good news also.

CHAIR KENNEDY: So with that --

VICE CHAIR FERNANDEZ: Any questions?

CHAIR KENNEDY: -- are we able to go back and so we can post past meetings all the way back to the beginning of the 2020 Commission and they would do the same?

VICE CHAIR FERNANDEZ: That was something that we discussed because obviously it would be time-consuming
potentially, but I also mentioned to Executive Director
Hernandez that that might be a good job for, like,
student assistants, you know, because if you can imagine
having to watch days and days of meetings -- so we're
also working with that too, yeah. That would be the
goal, and so we're just going to have to work towards
that and -- towards that goal and hopefully -- and that
should be included in the budget as well.

CHAIR KENNEDY: Excellent. Thank you.

VICE CHAIR FERNANDEZ: Okay. I'm going to move on
now. Yes, so the last part, Commissioner Fornaciari and
I had discussed at the last meeting our business meeting
costs, and we do have information on the handout that
Commissioner Fornaciari provided, and I believe -- now,
my addition's a little bit off right now, but I think it
was like seven or $8,000 a day if we don't cancel a
meeting in time, we're still charged seven or $8,000
because we still have the videographer. Obviously, this
makes sense because, you know, they're providing -- it's
their job and they're providing a service, so it would be
your videographer, your sign language, your captioning,
and your transcription.

So with that, I was -- we're just hopeful that as we
move forward and we build our agendas, we're just a
little bit more deliberate in terms of how we schedule
agenda items and if we have anything for placeholders, to please be very conscious and let the Chair know as soon as possible. If those agenda items are no longer going to be needed, because if it's a difference of maybe having an extra hour or two for a meeting versus carrying it over to the next day for a couple hours, it would make sense to make it an eight-hour meeting versus a six-hour meeting and a two-hour meeting. So I was just trying to be a little bit more aware of the financial costs that go out. And although they said that they require a twenty-four hour minimum notice so that we don't incur these additional costs, it'd be great if we had a two-day notice.

So I just want to throw that out there as well. Building our agendas in the futures to just be aware of that of the additional cost regard. I mean, it's -- I know many of us are elated when we have that extra day or we get done early, it's great, but then on the flip side of it, we also have fiduciary responsibility I feel to make sure that we use the funds as efficiently as possible.

So are there any questions?

Commissioner Fornaciari, this is really your report, but I think you --

COMMISSIONER FORNACIARI: Thank you for taking care
of it for me. Yeah, I appreciate it. Thank you.

VICE CHAIR FERNANDEZ: Sure. Anytime. We're a
team.

CHAIR KENNEDY: Any questions or comments from other
Commissioners?

Okay. So 9C is the Gantt charts, so at this point,
given the new information in Ms. Mac Donald's note as
well as the letter from the Legislature, Commissioner
Taylor and I will endeavor to update the Gantt chart.

This will also be informed by the discussion of 9A
that we'll have in just over a half an hour. So by the
next meeting, we should have an updated Gantt chart up on
the website.

9D, line drawers are FP. Now, we have a separate
item on the agenda, item 12, so unless the subcommittee
wants to take its five minutes or less at this point,
Commissioner Andersen, so ahead.

COMMISSIONER ANDERSEN: Yes, it is with, you know,
great joy and excitement that the line drawer
subcommittee is pleased to say the contract has been
approved. It was approved as of late Thursday. We had
the pleasure of meeting with representatives from both
Haystaq and Q2 on Friday. There's much to be talked
about, worked out, and they will be giving us a short
presentation on Thursday. Now, it looks like it'll be
Thursday morning, so we are very excited and very pleased.

They are also aware of how deadlines and things are changing. They have many different ideas about ways they can move things forward and assist. So it will be, as we work with them, it will be very productive. That will not be the full point of their discussion on Thursday. It will be more of an introduction and organizational type of thing, and we'll have more meetings to come.

So Commissioner Sadhwani, did you want to add anything?

COMMISSIONER SADHWANI: That's it. Thank you so much.

CHAIR KENNEDY: Very good. So agenda item 12 then would be on Thursday. All right. 9E, VRA compliance Commissioners Sadhwani and Yee.

COMMISSIONER SADHWANI: Well, I think a part of the VRA compliance will also be discussing the recommendation of the Legal Affairs Committee. In terms of VRA Counsel, just as way of an update, we're trying to create a panel. We're hoping for April 12th and 13th. I don't think Commissioner Yee actually knows this just yet, but I think that that date is actually not going to work for our panelists to receive the presentation from PPIC in
terms of changes and demographics from 2010 using the ACS data, American Community Survey, so stay tuned on that, and we're working to try and bring that to you.

I think in the next couple weeks as the line drawer comes on as we make some determinations around the VRA and litigation counsel, we'll have a -- plenty of opportunities for trainings in the coming weeks and month or so. So certainly we're thinking about this also in terms of -- in the meantime, we also did reach out to a researcher from CUNY in the State of New York. They have a really great tool called Redistricting and You. We are potentially looking to see if that researcher can come and join us and give an overview of the tool, but you all can also just find it at Redistricting and You, I think dot org. I can double-check that and share that with everyone. It's a great tool.

Specifically looking at where lines are drawn right now, and this is for the entire United States, and taking a look at potential population shifts in a given district where the lines are drawn now. All right. So it just gives you a sense of how much of a differentiation there would be. There's a lot of factors that we don't know yet, right, what will be the total number of people in a district when we draw it this time around, et cetera. So there's many things to still work out, but it's kind a
fun tool to play around with and certainly a great piece
to sit, to kind of wrap our minds around the job in front
of us.

Commissioner Yee?

CHAIR KENNEDY: Very good.

COMMISSIONER YEE: That's all. Thank you.

CHAIR KENNEDY: Very good. Any questions for the
VRA compliance subcommittee?

Okay. Outreach and engagement. Commissioner Sinay
and Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yeah, we just have a very
brief report. Most of the work we've done over the last
week or so is -- will be in number -- letter O, but we
did meet with the Outreach team a few times over the past
week and came up with some recommendations on moving
forward with Outreach that are contained in our, you
know, report. So continue to leverage past and upcoming
district basics presentations, promote through social
media, regular media, through the Commissioners, through
the newsletter, target opportunities to broad reach.
Statewide, continuing some statewide engagement with
organizations. And then continue to monitor the regions
in California to ensure we're reaching out to everyone.
And then continue presentations in Spanish.

I'm sorry, Commissioner Sinay, who's the -- what's
the organization who translated our presentation?

COMMISSIONER SINAY: Commissioner Sadhwani did a presentation for Sherla (ph.), and they had it translated while she was speaking in English, they had it translated.

COMMISSIONER FORNACIARI: Yeah, so we're getting that translated version of our presentation for us to use too and -- yeah, we'll -- so our second recommendation is to promote two redistricting basics presentations, one in English and one in Spanish with Q&A. We'll record those.

We're proposing to do those on April 20th in English at 2 p.m. before the business meeting that's from 4 to 8. And then we're proposing to do the Spanish one, April 26th at 5 p.m. after our business meeting that day, and we're proposing to have multiple Commissioners do that presentation in Spanish, and again, with Q&A, we'll record those presentations and have those posted on our website and available for other -- for folks to view or other organizations to use.

And in particular, for the Spanish presentation, we'll have sign language, closed captioning and comments and questions in language. So we're proposing to go ahead and do that. I don't know that we need a vote or anything. I just want to open it up for comment or thoughts on that.
CHAIR KENNEDY: Commissioner Sinay?

COMMISSIONER SINAY: I just wanted for those who are in the design working group, we're also known as the public input design subcommittee, I think. Anyway, I nicknamed it such shorter, but this builds on the conversation that we had about do we dub all — in all fourteen languages the presentation, and the cost is a lot to dub all fourteen of them, and we're still exploring that and we still want to make everything as accessible especially when requested, but this was our recommendation on how to use our resources, our — what the tradeoffs were, and what the impact we can make, especially the first one, we don't feel that — we feel that there's still a lot more potential of promoting those presentations that are happening even if we're not posting what others are, and just thinking that through. So we'll continue to just do that.

For three, I'm really, really excited and Fredy can probably talk more to this, but we're looking at creating shorter presentations because it's going to make — not too many people are going to sit through a fifteen minute or half an hour presentation, but if we create little vignette second in different languages with the subtitles underneath, we can get a lot more information out to more people in a more engaging way.
CHAIR KENNEDY: Thank you. One question on my part. We've talked a lot about making these as convenient as possible to people throughout the state, and I understand and embrace the idea of these being posted so that people can access them anytime, but I'm still looking at the English presentation being done at 2 p.m. and wondering if we should look for an opportunity to do it later in the day when we might have a larger live audience.

Alternatively, you know, I could possibly see going with two of each, but you know, I take your point about the cost of dubbing and subtitling two sets of videos rather than just one set of videos. And so yes, we do need to take that into consideration, but I guess --

COMMISSIONER SINAY: I think that's a great point, Chair, and one of our thoughts is once it is actually a video, we can have it at different times and do the Q&A live so we can have different Commissioners. So we could be doing Facebook live or YouTube live, and so we can be doing it, and that's like English and Spanish were the two that we really wanted to create as soon as possible so that we could get out to as many people in different ways. So we are thinking that. The reason we have it at the two, the times we have it is we were looking for the cost effective way of doing it with our existing meetings.
CHAIR KENNEDY: Commissioner Turner?

COMMISSIONER TURNER: Thank you, Chair. I'm wondering, we have Director Ceja that's already worked on a video of all of the Commissioners, so I'm trying to determine how is this different from the video we've already prepared?

COMMISSIONER FORNACIARI: So the difference in this case would be there'd be live Q&A that would be recorded and go along with it.

COMMISSIONER SINAY: And it'll have the new slides, so we're constantly updating the presentation, but we could use the video and just do the Q&A as well, but you know, we could do it either of those two ways.

The bigger question we were having was we had asked, you know, staff looked into the research of how much would it cost to dub into all fourteen languages, and we're still going to translate the slides and probably the script in all fourteen languages, but the actual dubbing will be -- we, you know, we need to still talk this further with the language access group, but we were thinking that could be done at request to be very open for at requests.

CHAIR KENNEDY: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Yes, to piggyback on what Commissioner Sinay just mentioned, I believe when we last
had a conversation, we did recommend that the PowerPoint presentation itself be translated into the twelve languages, but we actually recommended that we don't translate the script partly because the script is long and also we believe that there will be nuances that I think those who will be giving the presentations in language would probably prefer to use just the PowerPoint as its base and be able then to present out. And we didn't feel that, you know, just from a resources point of view, we thought that if we translated the PowerPoint that that would actually be the most useful tool to translate. And we're also concerned about how much time it takes to also roll out the script changes, and since there's constant changes going onto it, we were concerned about having to constantly update it, too.

And then also, if I can make a comment on the short little vignettes, I think it's a great idea. I just wanted to just share briefly that I had a conversation with one of the organizations or entities in my particular zone, and they are a local community college that is being very proactive and actively engaged in helping to ensure that redistricting is shared with the community college community as well as the district wide community.

And one of the things that they did also suggest is
using the students to do those little vignettes that they
themselves plan to create, and part of it is students
speaking to students, and then also they're recruiting
different students who can speak other languages so that
they'll also be presenting in various languages, and
we've connected the school with the Outreach and
Communications Team, so I think there's going to be some
certains conversations going on. We have already asked about can
we use you, and they're totally fine with that too, so it
would hopefully, you know, ensure that there could be
some, you know, some other additional materials and
collateral that we'll be able to use that they'll be
sharing with us still.

CHAIR KENNEDY: That is excellent news, Commissioner
Akutagawa, and thank you so much for that.

Commissioner Sinay?

COMMISSIONER SINAY: Just one last update for our
very short report. I want everybody, pat yourself on the
back. Anyway, we've done forty-six presentations and
the -- they have -- we have done at least one
presentation almost every single zone, so we are keeping
track of the zones and where we need to, you know, do
more outreach and more engagement, but I just wanted to
say congratulations, everyone, thank you. Thank you to
staff. We've got forty-six with four of them having been
statewide, so kudos.

COMMISSIONER FORNACIARI: Yeah, and one last thing that we forgot to include in the report, the written report that Director Hernandez alluded to, the meeting with USDR. We met with the outreach staff with USDR and they quickly came up with an idea for database for keeping track of our contacts and questions that we have and the like, sort of a mini contract tracker -- I forget the term, but they're moving forward with that, and it's really going to help out. So hopefully we'll have -- I don't know how long it's going to take, but maybe in a few weeks, we'll have a database we can begin to use to track our contacts, so that's all we have.

CHAIR KENNEDY: Thank you, Commissioner Fornaciari, for that; good news.

Two things before we go to break. One is on one date, presentations in Spanish, do we want to add and other languages upon request? Just a thought.

And second, I think I recall Director Ceja mentioning at one point the idea of a podcast, and if I'm correct, just wanted to touch base and see if there's been further thought on that. That, I guess, goes to this short videos and vignettes. You know, podcasts would be another option, so I just wanted to put those on the table and get some reaction.
Director Ceja?

DIRECTOR CEJA: Yes, so when I'm staring at my ceiling at two in the morning, these are the things that come to mind as, how can we get the word out? Yeah, podcasts. We should actually be doing our own. When I was at the City of LA, we started doing our own, because I was working for the first council district out of fourteen, we started our own TV station, so we started producing our own videos, our own interviews with community folks, with the council member, and we were pushing content out as opposed to waiting for news resources to capture our content and then put it out. So that's definitely something we can do. We can do podcasts. We can do short videos where we interview Commissioners on certain subjects like the deadline continuing to move back and forth and what that means for communities. But yeah, let me put something together and I'll run it by you.

CHAIR KENNEDY: Okay. I'm sure the subcommittee would be happy to consider that recommendation from staff.

Anything further from the subcommittee?

Okay. Very good. Thank you, both, for that. It's 11 o'clock, and we will break for fifteen minutes, after which we will go into our discussion on 9A, update and
discussion regarding impact of census delay on CRC calendar and electoral cycle.

Thank you, all. Have a good break.

(Whereupon, a recess was held)

CHAIR KENNEDY: Thank you, and welcome back from the morning break. We are going back to item 9A, update and discussion regarding impact of census delay on the Commission's calendar and the electoral cycle. I want to thank Commissioner Sadhwani and Commissioner Toledo for inviting some guests to join us for that discussion, and I will ask them to introduce our guests.

COMMISSIONER SADHWANI: Sure. Thank you, Chair.

I'll go ahead and get started, and Commissioner Toledo, please jump in, as I'm sure I'll forget something.

As we have previously reported, we've been attempting to do some outreach to various stakeholders to learn more about what's at stake. With the census delay, we have added to the agenda, this update for the subcommittee. I believe from here on out, Alvaro, you can correct me if I'm wrong. In large part because it's a moving target, and as we've seen or as we'll hear very shortly from Karin Mac Donald at Statewide Database, we keep getting new information. We hadn't even heard of a legacy dataset before, so I think having an opportunity to have an update and allow the experts to come in and
share on an as needed basis, I think will be very
important from here on out.

Today, we have with us a number of guests who will
help share a little bit more about the perspectives of
all sort of key stakeholders. As a way of an update, we
were able to host a meeting with many of these
individuals last week including a few more, including
Karin, who you all know from the Statewide Database,
Ethan Jones and Joel Yang from the Legislature, Ryan
Ronco and Tricia Webber from the CACEO, and I'll let them
introduce themselves and their other respective
organizations in just a moment, as well as Lori
Shellenberger from Common Cause, who I think we were all
familiar with many public comments that we've received
over the last several months.

In addition, in our broader meeting, there were
representatives from the Secretary of State's office.
Unfortunately, they were unable to be here today, but I
anticipate that this is not our first -- excuse me, not
our last conversation, but only our first.

So with that, I wanted to start today with Karin and
allowing her some time to talk a little bit more about
the legacy census data. There was also a memo from her,
which is posted on the website for you all to review.
Again, my apologies. It was only posted this morning.
That's totally on me, so my apologies for that.

After that, we'll move to Lori and talk a little bit about various scenarios that that might mean, and actually, perhaps we can also have Ethan and Joel talk a little bit about the letter that we've received from the Legislature as well.

So with that, Karin, I'm going to pass it over to you.

MS. MAC DONALD: Thank you so much. Good morning, Commissioners. Thank you very much, Commissioner Sadhwani, for this introduction. I will keep my remarks pretty brief.

As Commissioner Sadhwani said, I sent over a memo late last week that outlined pretty much what I'm going to tell you right now. A couple of weeks ago or so we received a message from census with, again, a new update, and that update was that they had assessed their data operations and had come to the conclusion that they would be able to release a dataset earlier than they had told us the P.L. dataset would be released, and they were going to call this the legacy dataset and with that everybody was wondering what is a legacy dataset and what are they actually releasing.

So at Statewide Database, we started to investigate what this legacy dataset is, and we asked ourself some
questions. So mainly, what are the legacy data and you
know, how do they differ from the file that we usually
refer to as the P.L. file or the P.L. 94171 file that the
census had, not too long before told us, was not going to
be released until the end of September.

And so subsequent to getting the email from census,
I reached out. I had a long conversation with census and
ascertained that the data contained in these two files is
actually the same data. So these are exactly the same
data. However, there are some differences. And those
differences all relate to formatting, so the legacy data
set essentially in a completely different format, and
they call it the legacy format because that's how they
used to put data out, and it's essentially an interim
product for them because census formats their data in a
particular way, and this legacy data set, they said they
could put out so that people could get started earlier,
but there are a lot of if's and these if's relate to
basically whether you're equipped to handle a large
dataset that's pretty much in raw format. So it requires
more, you know, database skills. It just requires more
database management skills and so forth.

But once we had ascertained that this is essentially
the same data, that those are the same data that are
contained in the dataset, we started to go to our step 2,
which was asking ourselves whether these data can be
accurately converted into the dataset that they are going
to release at the end of September.

And so we did some work. We, you know, pulled down
a prototype dataset that they had released that has, you
know, it's prototype dataset that is in the legacy
format, started working with that. Again, had some
conversations with census.

And then I reached out to our state demographer,
whom I've been working with, that's Dr. Walter Schwarm,
who heads the Demographic Research Unit for the State of
California. And for those of you who are not yet
familiar with them, this is a really incredible shop that
Walter heads up. They have a nationwide, really fabulous
reputation for the work that they do. And they work with
big data for the State of California, and they work with
more census data than Statewide Database does, because
Statewide Database actually only works with this tiny
little file called the PL94 and then maybe some ACS data,
but you know, they do a whole lot more than we do.

So they're very well equipped to work with these
data as are we, of course, and so we came to an agreement
that we would both, both of our shops would work on this
dataset together, but separately basically, and set up
processing at the Demographic Research Unit as well as at
the Statewide Database and conduct what's called parallel processing for these data. And so you know, we went through the various steps and came to the conclusion that we feel very comfortable saying that we can accurately process these datasets so that, you know, we will in the end we will have a PL94 dataset in the same format that the census will be releasing later.

And of course, our next question was how long will this take, because if it's going to take us just as long as it will the census to get that dataset out, then it's not really worth doing. And we looked through the various processes, and we came to the conclusion that we could do this even if there were some snafus or you know, some data inaccuracies that we would discover along the way where we maybe had to go back to census or so and kind of figure things out. We're very confident that we can turn this around in the span of two weeks.

And then the final question was, what are the cost implications, and that is the question that we have not yet been able to answer. We're still waiting for some documentation from census, so census is developing this documentation right now, and I think once we have that and once we've actually figured out how to set up the files properly, we will have a better idea on that, but this pretty much my presentation. I am, you know, it's
looking good. So thank you. And of course, I'm available for questions.

CHAIR KENNEDY: Thank you, Karin. I do have one question, which is, I'm understanding legacy data not just from the name of it, but also other things that I've read about it. Is there data in the same format as was used in 2011, then you have the experience of using the data that were released in 2011 in the same format, or have I missed something along the way?

MS. MAC DONALD: Thank you. We are still looking at that. They do call it legacy data. They do say that that is the same format, but we're verifying that, but you are absolutely correct that we have the experience to do this. We, you know, obviously work with these data a lot and we work with longitudinal and very large databases for the State of California, so yes, I have that level of confidence to say that we can process this dataset accurately. Thank you.

CHAIR KENNEDY: Perfect. Any other questions?

Commissioner Ahmad.

COMMISSIONER AHMAD: Thank you, Chair. This is more of just legal considerations. I'm just not familiar with it. First, I have total trust in Californians to process this data. We are super nerds out here and we got this, and in terms of the legal side, so my understanding is
that our deadline is triggered once states receive the census data. Does that trigger include this additional adjustment, or is it just because they're going to release that data presumably sometime in the summer, it's going to start that timeline regardless of if we go that route or not?

MS. MAC DONALD: So that's not a question for me. Thank you. Thank you, Commissioner Ahmad. I appreciate it, though. You know, I'm, of course, not an attorney, and I'm hoping there's somebody else on the call who can answer that question.

CHAIR KENNEDY: So I will call --

COMMISSIONER AHMAD: Yeah. No, IDS -- I just should clarify that that yeah, it wasn't directed at you, Karin, but definitely, definitely may impact whether we all choose to go that route or not, and I see Marian's hand up. I don't know, Chair Kennedy.

CHAIR KENNEDY: Yeah, so I would recognize Ms. Johnston, and then I have Commissioner Fernandez, Commissioner Sinay, and Commissioner Henderson after that.

MS. JOHNSTON: The way that your initiative was drafted, it doesn't specifically say what you're looking to for your data. And in fact, it just goes by the data that census was supposed to give it to you, which was
April 1st. And then that triggers your time limits. Under the Supreme Court Decision, the Padilla v. Legislature case, when you get the data is when your time starts to run, and if it is correct, as I believe it is with Mac Donald's testimony that this in fact the same data, just in a different format, then that would trigger your time limits. But again, it's just a matter of extrapolating from your own statute and constitutional requirements that was based on expecting to get it on April 1st and have a delay in your maps based on how long after April 1st you actually received the data.

CHAIR KENNEDY: Okay. Commissioner Fernandez?

VICE CHAIR FERNANDEZ: Yes, thank you, Karin, for the information, and I read your letter. So thank you so much. It really does address my concerns.

So the only other thing was the, you mentioned that there are cost of locations, obviously, and I just wanted to remind myself. The cost for the database, that is under a separate budget than the Commission's budget, correct?

MS. MAC DONALD: Yes, yes. It is funded at UC Berkley, and you know, obviously, this is additional processing, so once we've figured it out, we'll let the Legislature know, and they've been really good partners to us, so I don't foresee any problems, though I don't
know, you know. And I don't think it's going to be
tremendous.

VICE CHAIR FERNANDEZ: Thank you.

CHAIR KENNEDY: Very good. Commissioner Sinay?

COMMISSIONER SINAY: Thank you. I thought
Commissioner Fernandez was going to beat me to this
question, but as part of the incarcerated people's
subcommittee, I just wanted to get clarification. When
you say two weeks, is that two weeks in addition to the
four weeks you had told us before, so it's six weeks, or
you know, where does that all fit into this?

MS. MAC DONALD: Yes, thank you, Commissioner Sinay,
for that question. I should have probably clarified that
from the get-go. The two weeks basically get us to the
same spot where we would have been once the P.L. in the
originally planned format would be released. So the two
weeks are in addition to the four weeks.

CHAIR KENNEDY: Thank you.

Commissioner Andersen?

COMMISSIONER ANDERSEN: Thank you for all this
information, and I want -- my question is actually about
the data before we get into the legal of it, because our
trigger is when the data gets to us. But my question is,
this data until we've had this two-week evaluation by you
and work on it, at what point is it the same data as
2010? Is it originally as soon as it comes out or is it only after the two-week when you have been able to verify that and then you go, oh, indeed this is now exactly the same as 2010? So it's actually accuracy of the data is my question here?

MS. MAC DONALD: Yeah, thank you very much, Commissioner Andersen, for that question. So the data are -- in something like the 2010 format, but the data itself -- and the format, we will be able to verify much before we get the data. And in fact, we'll have to have the formatting verified, and that's what the census is working on right now. They're, you know, preparing all kinds of documentation files right now, and we'll be setting up our systems accordingly.

The data that are released sometime in mid to late August are the actual P.L. data. The first thing that I verified, because, you know, otherwise it would have been -- it would have made no sense to keep talking about this dataset, was that these are in fact the same data. So these are the data -- they are not going to touch these data. They are going to be working at census. If anybody's as curious as I was about what the census does in like four to six weeks with this data, with these data, it's -- they do a whole lot of formatting. They have to load these data into their systems online. Of
course, they have an entire, you know, the entire nation
to deal with.

So these things just kind of take time. So that's
why it takes them longer than it would take us because we
have to deal only with the very small State of
California, and also, we don't have to load things into,
you know, relational databases that they have where
they're, you know, portioning out certain geographic
units that we don't deal with and so forth. So we have a
different lift than they do, but these are in fact the
same data. They are not going to touch the actual data
in between the release of the legacy data to the other
format being released.

And I hope that answers your question, Commissioner
Andersen.

COMMISSIONER ANDERSEN: Just a quick follow-up on
that. So that our two-week window that you need, that is
cause, in your letter as I read it, that is to verify and
work with the, you know, you're saying that you note
independent verification of the accuracy. And with the
DRU, the democratic -- Demographic Research Unit. So in
the parallel processing of that, so that two-week window
is just for, it's not so much -- could you explain why
you want to do that two-week window, let's put it that
way?
MS. MAC DONALD: Yes, uh-huh, thank you. Thanks for that follow-up. So what I meant by, you know, making sure that these data are accurate, it refers to us processing these data and formatting them into the formats that we need to actually work with them. So it's taking the raw data and then, you know, putting labels on records, on merging them together, making sure that they're available on the block, on the block group, on the chart, and so forth. So it's basically just one gigantic set of numbers and then making sense of those and making sure that you can extract the units of analysis that we need to build the database. So that is something that we will be doing at Statewide Database and then independently at the Demographic Research Unit.

What we are not doing is we're not verifying whether the census data themselves, so the dataset that they send us is accurate. That's something that we cannot do at that point. It's not something that would be part of our task. Our task would be to take this legacy dataset and make it into something that we can work with in terms of formatting, and I hope that makes sense.

COMMISSIONER ANDERSEN: Sorry, and one last one. So yes that we have this legacy data, but could we just use it like we did the 2010 without this two-week window, or do -- is this absolutely required, essentially that yeah,
we're getting this, but it isn't apples to apples with
2010, only half the tweak window is it apples to apples
for the 2010, because you don't -- you see where I'm
coming from is what is the data distinction? Can we
actually -- we still have our first reallocation issues.
That aside, complete aside is -- because we're basically
saying, look, because you got, you know, rough numbers go
when these rough numbers are not actually usable until
the two-week window and that's -- I -- if you could
clarify that, because I think that's the big mis --
either yes, it's not a problem whatsoever, and we are
going, or no, we really can't do our regular work until
the two-week window. You being the Statewide Database,
we still have the other issues. Thank you.

MS. MAC DONALD: Yes, so thank you for that. Yeah,
I see your point. I think they're saying that it's
essentially like 2010, but it really isn't necessarily
like 2010. This is really still a different dataset, and
we do need to go through all of these processes before we
can get to our additional four-week window. And of
course, we're going to do this as quickly as possible,
but you know, just considering all of the things that
have happened with the census, you know, we looked at
this dataset and you know, this whole data processing
team, we already found like one issue with documentation
that was a variable that wasn't in there.

You know, things happen with these things. The census is kind of rushing things, so it will just take time to be able to do this accurately, and again, it is -- there are similarities, but there are also differences, and you know, they put out a prototype dataset for Rhode Island, by the way, that shows how they are, you know, formatting these legacy data and you know, people can use that to figure out whether they can work with these data, but it's not exactly the same as back then, no. Thanks.

CHAIR KENNEDY: Okay. Before I proceed with the list, I just wanted to remind colleagues and the public what the wording of the Supreme Court, California Supreme Court decision was in July of last year. If the Federal Government transmits the census data to the state later than July 31, 2021, the number of days of additional delays shall be considered to be the additional federal delay.

So we are not talking about the clock starting when the data reached the Commission. We are starting the clock, and the clock would start when the census data are transmitted by the federal government to the state. I just want us all to be clear on that.

So I have Commissioner Toledo, Commissioner
Akutagawa, Commissioner Turner, and then Commissioner Andersen.

So Commissioner Toledo, and then I have Commissioner Le Mons.

COMMISSIONER TOLEDO: Thank you, Commissioner Chair Kennedy. This is for Ms. Mac Donald. So the data is transmitted to you, but it's my -- in my reading of the -- in my reading of your letter and also just some of the other information that has come to us, it's -- your taking, or the State of California would be taking responsibility of this data because it hasn't been formatted, it hasn't been processed, and in fact, wouldn't you say that your agency, and maybe Caltech as well would be acting as though they were the Census Bureau at that point in processing and formatting the data and then delivering it to the State of California? Because you're in a sense acting as though you are the Census Bureau and in fact you have to guarantee that to make that assurance to the Census Bureau? I'm just, you know, that's just in my reading of it, but please elaborate if that is an incorrect interpretation.

MS. MAC DONALD: Yeah, thank you for that. This may be also a good one for an attorney to get involved here, but I'll tell you what my read on this is. We don't collect the data. We don't know, you know, what their --
we can't control what they're reporting to us. We're not changing the data in any way. We're not applying, you know, disclosure avoidance and all of that. So what we're doing is just formatting, and that's essentially what we always do, if you think about it, you know, at Statewide Database. I mean, we take raw data and then we format these data in different ways and then we make them available, and it's something that we regularly do. I don't really see that we're doing, aside from, you know, making these data available this time in a new format and going through some advanced processing, so you know, that we can get a head start basically. Aside from that, we're really not doing anything out of the ordinary. You know, but we do, and the census does that say that, have to take responsibility that our -- for the fact that our formatting is correct. So you know, if we were to say aggregate some of these flocks up incorrectly and then some of these track totals are wrong, and then, you know, we start drawing lines, we said there's something or somebody uses it and then the census releases their data, and they'll like, well, your tracks are wrong, then that's on us obviously. But that's why we're engaging in this parallel processing so that does not happen, right.

Usually Statewide Database doesn't do parallel processing with the Demographic Research Unit, so that's
that additional step in that collaboration that we're engaging in to make sure that we can do it quick, that, you know, we have, you know, the most, you know, the most educated eyes really with respect to, you know, processing census data on this particular project. So I think that's pretty much what I can say about this. I hope that answers your question, Commissioner Toledo.

COMMISSIONER TOLEDO: Thank you. I appreciate that.

CHAIR KENNEDY: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: This one's for -- question is for Karin. I think I just want to ask maybe to see if you're comfortable doing some crystal-ball. I read in your memo, you know, mid to late August, so in the, I guess in the interim when you heard from the Census Bureau that you have a better sense of what that time frame will be when you will receive this legacy data and also, I guess just for my own clarification, what I'm reading is basically instead of a one-month process to process the data, now we're looking at a six-week process, I guess, just to put it in that way. So if you get it in mid, let's just say August, we're looking at maybe having usable data that, you know, incorporates in the incarcerated people numbers. So we'll probably be getting the -- we could get the data on the early side as early as maybe late September instead of late October.
It is -- is that -- okay. Okay. So I'd be curious to hear what your crystal ball might speculate.

MS. MAC DONALD: You know, honestly, a couple of years ago, I would have been more willing to crystal ball than these days because the census has just gone so sideways on us, and you know, there's all these lawsuits going on right now, you know, I guess they're -- that one lawsuit is fast-tracking to the Supreme Court, and so who knows. But I will tell you this about data people, and I know many of you on the Commission have worked with data and you know this. Is that when you give estimates, time estimates when you are a data person, you usually try to give yourself a few extra days just in case something goes wrong. And you keep your fingers crossed that, you know, nothing goes wrong and you can stick to your earlier deadline. So you know, I think the census tries not to overpromise and under deliver. They're obviously in the public spotlight, so my guess would be that they are assuming that they can get this out mid-August, and then everybody's going to be really happy to get it mid-August, rather than late August, but you know, also having -- they also have a little buffer in case something goes sideways. And I think everything else that you mentioned, yes, it is -- that's accurate --

COMMISSIONER AKUTAGAWA: Thank you.
And Commissioner Chair Kennedy, is are -- or perhaps, I don't know, maybe this is a question for Commissioner Sadhwani. Are we going to be hearing any comments from the rest of the panels, because I'd actually be very interested in hearing Ms. Shellenberger's respective on what these data delays also mean. I was reading her spreadsheet, and there's so many different variables that, you know, for us to think about.

CHAIR KENNEDY: We will be hearing from them all. We just have a lot of interest and a lot of questions upfront, but we'll get through those and turn to the other guests as well.

COMMISSIONER TURNER: Thank you. And thank you, Ms. Mac Donald, thank you, Chair.

A couple of questions still kind of going back along the same line of Commissioner Toledo, had questions in regards to -- so you'll be doing the parallel processing to ensure accuracy of the data translation.

I'm wondering, first of all, do you know, if other states are also considering doing their own translations, and I'm thinking about that only in terms of the vast amount of data that you mentioned obviously that needs to happen the nation and wondering how many states would be
pulling in doing their own research, which may free them up to get the data out sooner to everyone, trying to get an idea of what that look like, number 1.

And then I'm also, along those same lines, wondering, seeing as how that there -- we are ensuring accuracy, and I have every confidence that it will be, is there a point where the Census Bureau will use your data and not have to do the translations for California and is there then a compensation back to California for that when that happens? And if there is any conceivable point, could there be us coming up with data, and then there's still census still releasing data later that there may be a disparity and wonder what might happen then?

MS. MAC DONALD: Thank you, Commissioner Turner.

So on your first point, there are many other states that are looking into converting these data, and I think, you know, very few states have a redistricting database. I mean, there's very few that have a public redistricting database. So all of those states, they are presumably relying on consultants, and some of them have consultants hired and other people don't, you know, so there is quite a bit of juggling going on. I mean, I've already heard that there is some states looking for anybody who can convert these data for them because, you know,
everybody's just struggling with all of these timelines
that were up to us because of the pandemic and you know,
the subsequent delays of the census data.

So there are other states who are doing it for sure.
I know some of them that are, you know, in the process of
it. They have people on board that are working on it and
others are still looking for people to do it for them.
So we're not going to be alone.

With respect to the Census Bureau using these data,
I think we will all be working with these data at the
same time, so when we're done with these data, presumably
the Census Bureau will be done with these data, with
these steps of data processing also, but they just have
to do all kinds of additional steps to get the data out
because they release the data differently. And a lot of
that has to do with loading into their interfaces on the
web.

COMMISSIONER TURNER: Okay.

MS. MAC DONALD: And you know, getting the
programming done on that. They also have mandatory
reviews. I think they also do parallel processing within
the census, so I don't think they would be using the
California data because they already have the data and
they're probably at the same -- they'll probably have
them done around the same time that we do, at least in
that format, it's just that they then don't put them out like that. So it's just -- it's basically just internal things that are happening.

And finally, please remind me of your last question.

COMMISSIONER TURNER: Yeah, so the last piece I'm wondering, what could conceivably happen, so then they will be doing the parallel processing, doing it the same time pretty much as what we would if we agree to move forward earlier, and I'm wondering with the ultimate dataset that is delivered, is there a possibility with the extra steps that they do, that they'll present something that looks different than what we've presented?

MS. MAC DONALD: Well, from -- thanks for -- thanks for that. I -- well, they have assured us that they're not going to touch the actual data again, so the data should be the same. Is there a possibility that they are -- there may be some formatting issues so that some of these totals are different? I suppose there's always a possibility. Is it likely? No, it's not likely. If it does happen, then we'll deal with it and we'll figure it out because that's what we do, we're data people, you know, and so there are ways to figure this out. I mean, you know, was that ten or twenty years ago, the census, they forgot, you know, some of the group quarters, for example. So they weren't there at all, and then, you
know, everybody, you know, called them up. I was like, you guys forgot the group quarters and then, you know, they added them. I mean, they make mistakes too, right, but the good thing about having a lot of people that have, you know, the qualifications to work with these datasets and have their, you know, have the education, basically, to do it is the -- it turns into a big collaboration. So that if there is a problem on their end, on our end, it will be found, it will be dealt with. And that's just, kind of, what we do. So -- but thank you.

COMMISSIONER TURNER: Thank you. Um-hum, thank you.

CHAIR KENNEDY: Very good.

Commissioner Andersen?

COMMISSIONER ANDERSEN: Thank you for all this and all the additional questions and information. I do still see it, as Commissioner Toledo and Commissioner Turner just mentioned, is that basically the Census Bureau is handing over data, which is usable but not really usable, and puts it on the states for -- you know, here's your two weeks of -- if you can do it in two weeks or six weeks, if you can do it in six weeks. And yeah, the other states are going to have to pay for that.

But -- so -- and I'm just looking at this and Karin, if you can kind of correct me timewise, in terms of your
portion. Basically, originally, what would we have a "four-and-a-half-month window", July 31st to December 15th. And we know in that, there's a 30-day window, and yes, the State gets the data, but we can't use it yet because we haven't done prisoner allocation. So it brings us down to a three-and-a-half month. But now, there's an additional two weeks in there that we "get the data", but we can't use it. So I mean, it isn't -- so basically, now by moving this date -- giving us this half data now, they basically cut out two weeks from the line drawing process.

And is there any -- I mean, that basically what's happening because -- is that correct? So essentially, we're down to three months. And then, of course, you put the holidays in, then that affects us even more. But just in terms of the reality, from the time the Census data gets to the state, then you take thirty days -- about thirty days. Given this new getting us this data, it's now going to be the six weeks. So are -- why -- essentially, what I'm saying is our front window has moved up but our back window will also move up but it squishes the part of the in the middle, which the line drawing bites into the two weeks -- it comes out of that.

Is that kind of a fair assumption, a basic summary?

MS. MAC DONALD: So I think Ms. Shellenberger is
going to be talking about the calendaring. So perhaps, that is a question more for her than for me because I'm -- really my presentation for today was really about what we can do, can we get this done and so forth. So if you don't mind, and if Lori doesn't mind, perhaps, she might be better equipped to answer that question.

COMMISSIONER ANDERSEN: All right. No, thank you. Thank you. Let's us -- you know, that two-week window. But in terms of -- this is normally -- this is normally work that the Census Bureau would be doing, it's just to help states out a bit rather than waiting until the July, September 30th, they're saying we can give it to you mid-August, but then there's another two weeks that you have to do, or plus, depending on the states.

MS. MAC DONALD: Right. For -- and -- yes, that's true. And for some -- and for some states, you know, it may be faster because, you know, not everybody has, you know, as many people as we do in California, obviously. So I'm guessing that, you know, in some states you might be able to do it on your calculator. No, kidding. But for California, clearly not.

So for some people it's going to be longer. For some people, it's going to be shorter. For us, it's -- you know, we want to just make sure that we have a reasonable amount of time. We're obviously going to try
to turn this around as quickly as possible. Nobody's
going to go on a mini break in the middle of those two
weeks, you know. So we'll do what we can on our end,
with the two weeks, as well as the four weeks, you know.

COMMISSIONER ANDERSEN: Oh no, it's with the --
your -- we have no question it's going to be accurate and
you will be doing things very, very well. I just --

MS. MAC DONALD: Yes. And as process as we can.

COMMISSIONER ANDERSEN: Exactly.

MS. MAC DONALD: And the Census Bureau does -- this
is an interim product for them. So that -- this is not
something they usually put out, right? So this is an
interim product. This is a response to everybody saying
we cannot get this done, you need to give us data
earlier. This is respond -- this is a response to them
being sued. And so that's how they came up with it, you
know. And they're trying to be helpful.

But yes, is it more work on our end? Yes. Is it a
higher cost? Yes. Are they going to pay us? Probably
not.

COMMISSIONER ANDERSEN: Thank you, very much.

CHAIR KENNEDY: Okay. Commissioner Le Mons. And
then I'll turn it back over to Commissioner Sadhwani.

COMMISSIONER LE MONS: So my question is how
optional this is? And the second part of that is, who
ultimately will be making the decision as to whether or not we'll be receiving legacy data versus the formatted data?

MS. MAC DONALD: Thank you, Commissioner Le Mons. Well, the receipt of the data, they are going to send the legacy data out. So I think we're going to get these data. It's not -- I think everybody's going to get them and they're probably going to put them onto the web, also, for download, most likely in the FTP site. I can verify that, where these data are going to be.

The late September release is also going to be something that they're going to send out. That's just part of what they do. They send it to all of the recipients and then they make it available on their website. So I don't think that that's optional. This legacy data set is going to arrive in various ways in -- on our screens.

And about who makes the decision on whether or not was the question, who makes the decision to process the information earlier? Yeah. So I -- you know, I am -- I am guessing that that is something that we would -- we would all come to that decision in, you know, collaboration with the Legislature, remembering that the CRC's not the only that uses Statewide Database data and has deadlines for redistricting. So regarding the
demands on the data, I think that, generally speaking, you know, if we can get something earlier, we're going to have to process that so that people can use it.

But we have our Ledge colleagues on the call. So perhaps, they can speak to that more accurately. It's a good question. I hadn't actually thought about it. So thank you.

CHAIR KENNEDY: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Sure. Thank you.

So I think that that's actually a great segue, kind of question to bring in some of our other guests here today. And I so appreciate this conversation. I think it needed to be had. And I'm glad everyone's had an opportunity to ask questions and get additional information. It sounds like there's still a lot of unknowns that we're going to have to work through.

Lori Shellenberger from Common Cause is going to present a chart that she put together. But I'm wondering -- Lori, if you're okay with it, before we go into it, I just want to be conscious of our time. Because, Chair, we need to end by 12:30; is that correct?

CHAIR KENNEDY: 12:45.

COMMISSIONER SADHWANI: 12:45, okay great. So we do have a little bit more time.

I'm wondering if Tricia Webber and Ryan Ronco just
want to, at least, introduce themselves and talk a little bit about your organization and some of the timeline considerations of why you need the map set at a certain point of time, just to share a little bit about that before we get into the scenarios. If -- Lori, if you're okay with that.

And then Ethan, Joel, Barnd (ph.), I think if you're there too, perhaps, after we have the conversation of scenarios -- and I'm sure that's going to generate some Q and A also -- but I do want to make sure we have enough time to just discuss the letter from the Legislature and understand your interpretation of the timeline as you put in the -- that letter.

So Tricia and Ryan, do you want to just introduce yourselves a little bit and talk a little bit about, you know, the need for the maps for your work?

MR. RONCO: Sure. Thank you, Commissioner Sadhwani.

I'm Ryan Ronco the county clerk reporter, I register our voters. And as the commissioner said, Tricia Webber's here. We flipped a coin and I lost, so I have to speak first.

So we represent the California Association of Clerks and Elections Officials, which is an -- a statewide organization, obviously. It's set forth to try to manage the needs of fifty-eight different counties, which with
58 counties in California, at least fifty-nine different ways to do everything that we have to do. And I want to make sure that we have plenty of time for Lori because she did a fantastic job, at our meeting last week, in explaining the needs of the counties.

But generally, we're here as the entity that is going to, usually, directly take this data that will be coming to us -- these data and input it so that we can be able to conduct an election. And that is, I think, the end goal here that we're remembering, is that the process is to conduct and election. And we're going to have to conduct an election one way or another, on some date or another.

And I think that we're just here to have a seat at the table to talk out those issues that we have. Because generally speaking, if we did not have COVID and this delay in data, we would be looking at an election that begins, for us, December 16th, which is the first warning shot that is fired for candidates to begin the process of conducting an election for a June 7th, I believe -- I can't remember if it's 7th, 8th, or 9th -- election day 2022. That means it's a long process.

And we have to find ways to be able to shorten, or change, that process so that we can meet these deadlines. And so that's what our role here is today, is to just
remind you that -- and be a resource to you that we can
know how your problem and solutions that you're going to
create is going to impact what we need to do downstream
from that. And we're thankful for the opportunity to be
able to be here with that.

And Tricia, I don't know if you had something you
wanted to add.

MS. WEBBER: Well, I'll just introduce myself. I'm
Tricia Webber. I'm the county clerk registrar for Santa
Cruz County and with Ryan, we're the co-chairs of the
Elections Legislative Committee for CACEO, our state
association. And so we are intimately involved in all
legislation and anything that may have impact or create
legislation, and redistricting is a part of that.

As you know, there's been many redistricting changes
in the past year -- two years, mainly for local
redistricting. And then we get all of the data from all
of our districts. So our counties, our cities, the state
lines, the special districts, the school districts. And
we get all of that as a part of our redistricting portion
that we need to do.

And we have to, basically, throw out everything that
we've had for the last ten years, as far as precincts go,
take in all the new information. Draw all new -- you
know, get our lines all drawn in there and put our
precincts back together before we're even able to open candidate filing. So although we will be getting data in from the different districts on the, kind of, a rolling basis, until we have everything in, it's hard for us to actually create our precincts.

And so I guess you can say we're the complete end users of this entire process. And thank you, very much, for having us here today.

COMMISSIONER SADHWANI: Great. Thank you, so -- thank you for being here, I really appreciate it. And I -- I'll just say, I learned so much from the both of you, as well as the folks from the Secretary of State's office, about how this data -- how the maps will really be used in order to conduct an election. And I just want to make sure that that information gets shared with all of my colleagues here today.

With that, I want to turn it over to Lori. I think you should have the ability to share your screen if you so choose. You know, we're -- I think we're all familiar with -- I know the first time I saw Lori on the screen, I was like, oh my gosh, this is what you look like, after hearing your voice so many times. So I'm very pleased to be able to welcome you here today. And thank you, so much, for putting together these scenarios to start to think about, should the -- given the various delays and
what that might look like for the various stakeholders.

   MS. SHELLENBERGER: Yeah, of course. It's nice to see you all. I feel like I've been stalking you for months and I finally got invited to the party. So it's really nice to be here.

   And I just want to, first, say I am a consultant to Common Cause on the California national redistricting work and I -- on behalf of Common Cause, I facilitate a group of stakeholders, many of whom you hear from regularly. That includes the proponents of the initiative that created the Commission. I -- so the government groups, environmental justice groups, integrated voter engagement groups that'll be engaging people in redistricting, and also civil rights groups that will doing and leading unity mapping and advocating for Voting Rights Act compliant districts.

   I just wanted -- before I share my screen, I want to throw out a few disclaimers. First is, what I'm -- what I've shared with the Commission is a working document that is, probably more than anything, a window into my brain, but is a reflection of conversations that we have had as a collaborative with elections officials. We've spoken to more than a dozen elections officials across the state, representing large, medium, and small counties. And we've spoken with the Legislature. We've
spoken with -- also with the County Government Association, who's also -- the counties are also looking for more time to complete their process. So we've -- we've engaged a lot of stakeholders.

This document that doesn't represent a proposal. It doesn't represent the views of any one of the organizations in the collaborative. It's just a reflection of the ways in which we been putting together, kind of, the time frames that are impacted. Both, the Commission's process, as well as the pressures that this puts on the election calendar. And it tries to map out some of those decision points because, I think, what everyone is realizing is, this is really a share the pain situation where everyone is really looking for ways to give up a little bit to make this work. And it's not ideal for anyone, of course.

And so that's -- that's the goal of the document that I shared with the Commission. And I'll share -- I'll share my screen. This was drafted before we knew what the legacy data was, and before Karin and Statewide Database had time to think through what it would take for them to format that data. So what I've done is use -- let me -- here we go -- can you see that?

So you know, kind of -- we -- when I put this together, I worked from the -- from the deadline that
Commissioner Kennedy through out there as just an example, not based on discussion of the Commission. But just at -- when the delay was announced and we thought that the P.L. data would not be received until September 30th. And so using his January 31st sample deadline, I mapped out three scenarios.

That January 31st deadline, of course, already shaved two weeks off of your process. I would argue that -- you know, in light of the conversation earlier and sort of continuing that, in terms of what is the receipt date of the data, that there is an argument that the Supreme Court, when it issued its order, was contemplating formatted P.L. data. And that -- you know, so that's something for you to consider and for your counsel to consider, and whether clarification is needed from the Court.

But I'd argue the data that's being received is under the extraordinary circumstances that existed due to the pandemic when the Legislature and Secretary Padilla went to court to get the relief and extend the deadline. And there is an argument that that two weeks is a critical time period for what's being formatted. And so under that, January 31st is still, theoretically, an operable deadline because if you assume four weeks being tacked on -- if it's two to four weeks -- and I'd argue,
it's probably -- you want to go with the later date --
you could still see a January 31st adoption deadline if
you take the date that Statewide Database begins
adjusting the data as the two weeks after they've
received the legacy data. But again, I think that's
still probably up for debate and a little -- still a
little hanging in the balance a bit.

But I'm going to go ahead and proceed with this
January 31st deadline just to show you what the decision
points are. And with that deadline, we mapped three
primary dates, June 7th, June 28th, and July 12th. And
I'm going to just explain briefly why those were the
chosen, June 7th being the current date and a January
31st map adoption deadline shows how very difficult it
would be to hold a June 7th primary.

It was -- it was a very difficult to hold a June 7th
primary with a December 15th map adoption deadline
because as Ryan pointed out, the signature in lieu date
is December 16th and would have been -- it would have
required some changes to the -- to that and some
flexibility already. So there was already pressure on
June 7th and then once you start shifting beyond December
15th, June 7th looks further out of reach.

We used June 28th because it bought three weeks.
And then July 12th was the date that was chosen because,
I know the Secretary of State's office and I know Tricia also mapped out all of the Tuesdays, starting from September all the way back where it's -- and July 12th is really -- excuse me -- the latest date that you could have a primary election and still do everything you needed to do by the general. But I put a big asterisk next to that, that that would be -- that would put tremendous pressure on preparing for the general election if you held a July 12th primary.

So I'm going to walk through this without being too specific on each date and really just talk about the various time periods that are in play. And then, I'll open up to questions.

So as Karin said, the Statewide Database, after it formats the legacy data, still needs that thirty days to adjust the data based on prison population and I think, some other, you know, voter -- voter information. After that thirty days, you have your time period for doing a VRA analysis based on that adjusted data. You, obviously, can start some of that before you get it but it turns, significantly, on that final data.

And the drafting and posting of your maps, you had previously allotted two a -- two full months for that. Commissioner Kennedy's proposal had shaved two weeks off of that time period. If Statewide Database released the
data a little bit earlier, then you might land in the
same place and by that weeks, or make a decision to give
up two weeks somewhere else. But that's a really
critical time period and it's a critical time period for
the Commission to ensure VRA compliance and time to fully
draft those -- those maps. But it also is a critical
time for groups that are providing input to the
Commission because there is a distinction between
community of interest testimony that can be presented
prior -- prior to the receipt of state-adjusted data and
the submission of more formal maps which are based on
state-adjusted data.

And I know you'll be going into those distinctions a
little bit more in your public input meeting on Thursday
and bringing folks in to speak about that. And I'd urge
you to continue the dialogue, especially with groups that
do statewide unity mapping, on the importance of that
time period so that those groups have time to submit
draft maps before the Commission posts its draft map,
because that's a really important time period to
influence the -- that first draft.

After that, you had allotted a month for your time
period between the first draft maps and the revisions to
those maps. So a month for public comment and the -- and
that's a really critical time period for you, as well,
because you're -- that's the time when you're making really important decisions based on lots of information that's going to be coming in from the public about how lines should be adjusted. And then, again, you have two weeks until your final adoption deadline.

The next period of time that's really critical but not written into the statute at the state level is the period -- it's this period of time between map adoption and the time needed for court review or referendum. That is -- that is a tw -- and at the local level, that's built in to the local redistricting statute. It's a twenty-eight-day period that is required before signature in lieu can be -- the signature in lieu period can begin. And at the state level, it's generally been considered to be a month -- you know, a month so that you allow the maps to settle before the train leaves the station and they're really being implemented, and candidates are acting upon those.

So that's a really important time period for the Commission, for elections officials so they have certainty, and also for advocates who may be advocating for -- if there are -- you know, I'm sure that this commission is going to do a wonderful job and will comply with the Voting Rights Act, but if -- just in case they don't and they're -- and great minds can disagree on
this -- it allows time to -- for those challenges, if
needed.

Then, you get to the time period -- the time period
that Ryan and Tricia explained, very calmly, that is a
really challenging period for election officials. And
that is the period -- the amount of time they need to
adj -- to implement the map -- to adjust the map. They
call it precincting the maps. But in a nutshell, what it
means is that you and I, the ballot we get in the mail
has the right candidates on it, if they assign us to the
right precinct. And so when they get maps, they have to
assign voters to new precincts potentially. And that can
become very complicated for a lot of reasons.

Despite advances in technology, it still requires a
lot of human review and quality control. Secondly,
there -- this only happens every ten years, maybe a
handful in between if you've had just local jurisdictions
can -- you know, adj -- shifting to district elections.
But otherwise, you oftentimes don't have the expertise in
house. Historically, folks who've done this before --
and there's been a lot of turnover in the elections world
in the last ten years, so this is time consuming. And
any election official you talk to will tell you it's the
one thing that could cost them their job if they don't
get this right. So they want to get it right.
And thirty days is the date that we put in here. Elections officials will tell you they need longer than that. This time period can run concurrently to that court review period. Elections officials will start doing that work to precinct the maps as soon as the maps are adopted. That time period can also -- and has in the past -- overlapped with the beginning of the signature in lieu period. Ideally, they're able to finish that work before the signature in lieu period ends because they have to verify the signatures and they want to make sure the voters have been assigned to the correct precinct before they start the signature verification for the signature in lieu petition.

And here's where you get into some set deadlines that start -- and these -- the items that -- on the rest of this list are dates that work backwards from election day. In the election world, you'll see E minus X number. And you're working back from the date of the election. And these are the time periods that would require adjustment regardless of -- probably regardless of the primary date. And you start to see -- and this -- and this really start to animate how things start to get crunched.

The signature in lieu period is a period that can be flexible. It can be shortened. There are provisions and
statute to shorten it for special elections. And you know, it could be eliminated but you would, then, need to eliminate fees. And you could end up with very long ballots. So there's usually an incentive to keep it. But if you shorten the period, you, then, reduce the number of signatures required proportionally.

The signature in lieu period -- you, then, get into the nominating period. And I put the dates in for, you know, what those would be, depending on the primary. The nomination period can -- the signature in lieu period can overlap with the nomination period if it needed to. That has happened in the past. So that's another area that could be crunched and of course, that's an area where you're starting to put the squeeze on candidates and campaigns.

And of course, here's the -- I illustrate the primary date and the dates following that just because it start -- I think it helps folks who don't think about elections all the time to understand how primary dates start -- can start to bump against a general election, and how a July 12th primary does start to provide very little turnaround time for the work that needs to be done to prepare for an election and mail out ballots to voters.

So I -- hopefully, that frames some of these -- some
of the thinking and you know, there are lots of ways that you can start moving two weeks here and there at the beginning of the calendar, should you be able to buy some time. But I'm happy to take -- I'm happy to take questions or if the Commission needs additional timelines mapped out, I can -- we -- I will probably be doing that myself and can share as we do it.

CHAIR KENNEDY: Thank you, Ms. Shellenberger. You know, this is -- I had put together that revised Gantt chart as -- in large measure, as a means of provoking this sort of conversation. And then hoping colleagues understand there are deadlines before an election date that have to be respected, including the nomination period and the precincting.

So this is extremely helpful to us in this discussion.

Are there questions from colleagues? Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: First off, I just want to say thank you, Ms. Shellenberger. That was really interesting and very, very fascinating. And just I think -- I know for me, personally, I think just even seeing, at a more detailed level, that connection between the redistricting work and the elections work was, I think, really, really helpful and probably not something
that I had imagined when I first got onto the Commission.
Not that we thought that we would be having to go to this
level of detail, I guess. Not in the way we are doing,
we probably would have.
Question for you in terms of the dates. I don't recall
hearing, and I -- I'm a little unclear myself. So who
decides what these primary dates are going to be? Is it
the Legislature that's going to decide it? Is it the
courts? And I think what I heard is there's some kind
of -- the middle ground dates. And then when will that
also be decided as well too, because I think -- I think
that will also be helpful for us to know as well too, as
we consider, you know, all the maps, all the other things
that we're going to need to consider. It's clear that
there's -- there's a lot of other moving parts. And I
guess I'll just put a question out to also Commissioner
Sadhwani, what other things -- I think this is brought to
light, you know, are there other things that we should
also be, as a commission, also be keeping in mind in
terms of, what are going to be those ripple-effect
implications to other parts of the overall? Not only I
would say the electoral system, but you know, to other
areas that maybe we may not be aware of. Thank you.

MS. SHELLENBERGER: Did you, Commissioner Sadhwani,
did you want me to go first, or do you?
Okay. Well, the Legislature can, I mean, if the Legislature can, it -- you would not have to go to court for any of these scenarios, first of all. Other than if you, it may be that you should go to court to get clarity on what your P.L. data release date is for -- that triggers your furthest date out. But the Legislature can change -- the primary, they did so last year by legislation. They moved it to June 7th, as you'll recall.

We had anticipated last year that we might have to --- that the Legislature might have to change the signature in lieu requirement because of your December 15th deadline. But at the time it was decided action wasn't needed because things were still up in the air. You might have gotten -- you might get the data earlier, maybe you would have an earlier adoption date.

So the Legislature can do those things. I think everyone is respecting this -- the Legislature is respecting the Commission's independence. And that the Commission first needs to decide how much time it needs and what its deadline is. And of course, the Commission has interests to protect it. It has to protect the public input process. And all of the work that it's put into that. And recognizing that this time around, you're probably going to get even more submissions than last
time due to all the tools that are available.

But I will also say that in California, we have had, you know, I think very good luck working together as stakeholders. And you know, the hope is that folks will work together to come to a mutual, you know, a mutually agreeable solution. But they need to hear from the Commission. And you have a lot of learning and information to digest. I know this just starts to make your eyes roll back in your head. It's like it's so much to process.

But it -- you all have a lot of power here because you really do have to decide what -- how much time you need. And then folks will start moving from there.

COMMISSIONER SADHWANI: And I think Commissioner Akutagawa, just to echo Ms. Shellenberger, I would tend to agree with that. I mean, I think as the Commission will need to sort out this piece, that we are independent, we can make whatever date we want. But at the same time, so much else hinges on that. And I think what we said in the prior meetings is, we're all here because we believe all Californians should be able to vote, should be -- should have free and fair access to elections and believe in transparency of these processes.

For me personally, I am of the belief that working this out in collaboration is our best path forward for
all Californians. And sure, we could go out and say, no, we're going to wait until the September 30th data comes out. We're taking all of that time until February 15th. I'm not sure that that is really being responsive, though, to the needs of Californians. And that's kind of been my own way of looking at that.

But I certainly recognize and understand that we as a Commission need to come to a decision on this matter. Which is why we've begun this conversation with so many different stakeholders who are involved in the process to come and be a part of that conversation.

CHAIR KENNEDY: Yeah. I mean, I think the point that I've made is, we need to make sure that we have the time that we need to do a good job. But we can't do that without regard for the fact that election officials also need the time that they need to do a good job. And I think it was Ms. Shellenberger who said, you know, this is to some extent the matter of sharing the pain and coming up with the best way to do that. And so yes, this is a very important, very timely discussion. And I want to thank everyone for participating in it.

Ms. Schellenberger and then Commissioner Fernandez.

MS. SHELLENBERGER: Yeah, and I think, I'd just like to, because I am facilitating the other stakeholders and I think the Commission is a stakeholder the -- and you
may mean this by, you know, just necessarily, but I think that, you know, the public is a really important stakeholder in the groups that are going to try and do the work to engage people in the process. And so I would just flag that. I think you probably necessarily meant that. But I think that's really important to me.

CHAIR KENNEDY: To me that's an integral part of our work. And the time that we need is to, you know, make our commitment to transparency and public participation, not just something that exists on paper, but something that, there really is a real opportunity for that. And not just a spoken and written opportunity. So thank you.

Commissioner Fernandez.

VICE CHAIR FERNANDEZ: Yeah. I just want to comment on the, you know, taking our time and you bring -- you brought up a good point, Chair Kennedy. And I just want to reemphasize that, I guess the longer we take and if others cannot adjust, as in the precinct elections and everything. And also, we would not want our maps not to be used for the next election. Does that make sense? Because the Court could say, okay, you're not done, we're going to move on and maybe they'll be ready for the next one. But we are going out there, we're wanting everyone to participate, and for me, it would be a failure on my part if they weren't used. So we also need to keep that
in the back of our minds.

CHAIR KENNEDY: I think I pointed out that there are states that have taken or are considering taking that route, I mean, particularly those states that have statewide elections this year. There's little choice. And so yes, that is an extreme solution, but one that some states are forced to take. It's certainly not one that we would want to see, want to, you know, go with upfront. But the bottom line is that is always a possibility, that maps would not be used until 2024, in our case.

Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: I guess I just feel like I have to ask this question of Karin. Is there a possibility that the census, we're going to see even a remotest possibility that there's going to be additional delays on the census data? Because I think that that -- I hear what you're saying. I mean, we don't want to -- I am of the mind that we don't have to wait. I think we just have to make some decisions about what dates we're going to be working from. Because as a Commission, I think we do need to, you know, have those kind of dates in mind so that we can also do our work properly, too. And I think, too, what Commissioner Fernandez says -- I'm also thinking that we would not be fulfilling our
responsibility to the people of California if we don't -- if we don't get the maps out on time.

And frankly, I don't think that that would be -- that would bode well for the 2030 Commission, you know, if for whatever reason, you know, something happens and our work is considered a bust, you know, even given all of these different factors.

But to me, I think the one concern I do have is, you know, is there anything that you, from what you're hearing, that that could determine that the census is just, all of a sudden, say, we're not going to be able to get you the data by mid-August, much less end of September?

MS. MAC DONALD: Thank you for that question, Commissioner Akutagawa, but I have not heard anything like that. But I think we all have to just continuously remind ourselves that there are lawsuits going on. And who knows, at Statewide Database, I'll tell you, we are working with these dates at this point, because I think that's the best we can all do, is we can only work with the information that they're giving us at this point. I know that sentence is very, very careful with their communications. I think they would not have put this out if they had to -- if they had any -- if they have any concern about potentially having to backpedal on this.
But again, they, of course, can't control what the courts are going to do. If there is going to be something happening. But for us, we're sticking to what they're telling us right now and moving back -- moving forward with those states.

CHAIR KENNEDY: Very good, Mr. Ronco.

MR. RONCO: Thank you, Chair Kennedy. I just wanted to follow up on that same question by saying that we are concerned. And we recognize that there probably will be things that will come up, hopefully not in other census delay. But other things that could impact your schedule. We just wanted to make sure that you understood that from the CACEO perspective, July 12th is the last date that we can move the primary election back in order to accommodate the delays. But also still conduct both the primary and the general elections correctly.

It's already going to be a burden, as was mentioned by Lori. But July 12th -- we have to recognize July 18th, if nothing else changes, is the date that candidate filing begins for the -- nomination period begins for the general election. So that's literally not even a week after the election would be conducted on July 12th. And that doesn't even take into account our canvasing duties and post-election ballot counting and auditing and all that that we need to do.
So if there are further delays, we just wanted to make sure that your Commission understands that July 12th is probably the last date that we can accommodate moving anything backward without real significant other considerations. Thank you.

CHAIR KENNEDY: Thank you. Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yeah. If there aren't other pressing questions or comments from Commissioners, we do also have representatives of the Legislature here as well, Ethan Jones, Joel Yang -- I'm wondering if you all want to just weigh in a little bit, perhaps to talk a little bit more about the question Commissioner Akutagawa had asked about the possibility of changing the primary date and just simply what that process would look like. As well as share a little bit more about the letter that we have received.

MR. JONES: Sure. Thank you. So welcome. Thank you, Commissioners. My name is Ethan Jones. I'm the chief consultant to the Assembly Elections Committee. I believe we also have Joel Yang from the Senate Republican Caucus as well as Dianne Griffiths from the Senate on as well. Although I understand that they may have both needed to jump off at 12:30. So I'm not sure if they're available or not.

But I am -- I can speak generally on behalf of the
Legislature today. So you have seen the letter that was sent by legislative leaders. We are absolutely pleased that the Statewide Database is confident that it can accurately convert data from the Legacy Data format into a format that's more usable for redistricting purposes. That's great news. And it's great to see that it can be done on a timeline that should allow state and local redistricting to proceed sooner than if we had to wait for the traditionally formatted P.L. 94-171 file.

We do understand that conversion is going to require additional financial resources. And that it doesn't eliminate the need to consider adjustments to elections calendars by amending the elections code. But the Legislature has been, and continues to be, committed to working with the Commission to ensure the integrity of California's state and local redistricting process.

I know there's been a lot of discussion today about the issue of the deadline and what the implications are of the release of this Legacy data. I am not an attorney. So I'm not going to get into parsing the legal arguments. What I will say is that our counsel, which is the counsel that brought the Legislature v. Padilla lawsuit in the California Supreme Court to get the Commission additional time to finish its lines last year, before this Commission was formed, has looked at this
issue, and they reached the same conclusion that the Commission's Counsel has -- that the triggering event is the release of the data in the Legacy format. So again, I can't speak to the legal reasoning behind that, but I can tell you that our counsel did reach the same conclusion that your counsel did.

So because it appears that the -- that California may be able to use this Legacy Data format to start the State and local redistricting process sooner than if we had to wait for the release of the traditionally formatted file, there's a possibility that the 2022 primary may not have to be moved in order to accommodate these delays. And that's one of the things that the Legislature will be looking into and having conversations, continuing to have conversations with election officials and other interested parties to figure out how to accommodate those changes.

But the -- any change in the date of the primary election, any other changes to the elections code, the deadlines in the elections code to accommodate the changes in the redistricting schedule are things that the Legislature can and would do through legislation. Including potentially changes to candidate filing deadlines or other changes to reflect the changes in the revised redistricting timeline.
As with any significant changes to the elections process, we always try to evaluate those changes from the lens of making sure that we're minimizing risks to the elections process. And that's especially true when we're considering policy changes, where we don't have recent experience that we can look to, to try to evaluate what the impacts of that are. And to that point, the last time that California had a statewide primary election later in the year than June 8th was almost 80 years ago. So we don't have recent experience with having a primary election beyond the beginning of June. And while we can probably anticipate some of the challenges that would come along with moving the primary back later than that, there are almost certainly unanticipated consequences to such a change as well.

And as always -- and we want to make sure that those unanticipated consequences don't create an unacceptable risk of disenfranchising voters. Which is something that I, I think it's fair to say when the Legislature is -- looks at issues like these is always at the forefront of our minds of how do we make sure that we accommodate a primary election, in this case that can be held in a way that maintains the integrity of the process and that ensures that we're not disenfranchising voters?

So with all that said, the creation of the
redistricting database is something that the Legislature has an obligation under the law to do. And it's an obligation that we have to coordinate with the Citizens Redistricting Commission on that. But it is something that is important not only obviously for the Citizens Redistricting Commission at the state level, but it's essential for redistricting at the local level as well. And all those are important pieces to resolving in time, to then allow for preparations for, and the conduct of, the primary election. And then subsequently the general election on a timeline that works to protect the input process that is an essential part of the redistricting process, both at The State and local level, to protect the time that county elections officials and state elections officials need to prepare for and conduct the primary and general election.

And then to make sure that the turnaround time between the primary and general election allows the general election to be conducted effectively, all while making sure that we're not unduly affecting voters, which at the end of the day, I think is the largest group of people that are going to be affected by all these decisions, are the twenty-plus million voters in the State of California.

COMMISSIONER SADHWANI: Thank you so much. Do --
Commissioners, you have any questions? Comments? Follow up?

CHAIR KENNEDY: Commissioner Sinay?

COMMISSIONER SINAY: Thank you all. This has been really helpful and obviously we need to continue a process out -- be patient with us as we ask questions you may have already answered but we're processing.

Mr. Jones, you had mentioned the disenfranchisement of voters, and that's something that's really top of mind for me as well. But can you explain more how changing the primaries could affect that, that piece?

MR. JONES: Sure there are. Again, I think there are unanticipated potential implications of making such a change. Generally speaking, when California has looked at changing the date of the primary election in the past, not necessarily in the context of the situation that we're in now, but sort of broader policy conversations about the appropriate time for holding the primary election, there are considerations about the amount of time that elections officials need between the primary and general election to make sure that there aren't problems with the general election.

There are considerations surrounding just people's lives generally and how that affects their likelihood to participate in the election and to be able to participate
in the election. You'll notice, for instance, one of the timelines that I don't think anybody has really thrown out as a potential possibility for moving the primary election is July 5th. And the reason is we know that if you move a primary election to the day after a 4th of July holiday, that could very negatively impact that process in a way.

So that's why you've seen, in addition to the existing date, you've seen two other dates that skip over that early July date as a potential. So it's things as simple as, you know, people's travel schedules over the summer. But there are a lot of other more complex factors as well that it really is hard to anticipate all the things that could affect how people respond to what would be a change and an election date that's something that we haven't done in close to eight decades.

CHAIR KENNEDY: Tricia, could I -- yes -- call on you?

MS. WEBBER: Thank you. And I just wanted to add on to what Ethan was saying, is we did -- our last primary was in March of last year. So just by going by, you know, because it was moved back to June, we're already going to need to do a bunch of outreach on our end because people may be thinking in March, now there's going to be a primary because that's the last one we had.
So any time you move the date equals -- you have to
really do outreach to educate people when the actual date
is going to be. And so moving it even later than a month
that they're sort of used to because we did that four
years ago then, you know, it adds extra challenges.

CHAIR KENNEDY: Thank you so much. Any final
comments from our guests?

Commissioner Sadhwani.

COMMISSIONER SADHWANI: Sure. Well, I was just
chomping at the bit to add in from a research standpoint,
when you look at voter turnout in primary elections,
particularly for communities of color, you see a huge
drop off rate, especially for -- in nonpresidential
election years. So I can imagine that moving to the
primary could potentially have a disproportionate impact
on communities of color -- voting communities of color
here in California.

But with that, I know that we are up against our
break. I want to thank our guests so very much for
coming in today. I see Lori has one last thing to say,
which I will certainly make that time for. I think this
has been a great first conversation and you know, the
subcommittee will continue to work with stakeholders to
bring more folks into it for additional conversations and
hopefully develop a recommendation that the whole -- the
Commission can begin to think about and consider.

Lori, do you want to have the last word?

MS. SHELLENBERGER: I just urge you to bring in folks to talk about the impact on voters, because there are folks, you know, folks are going to be doing education already about the primary being moved, whether a few weeks, whether they think that impact -- I'd encourage you to hear from some of those experts.

CHAIR KENNEDY: Let me in closing, thank all of our guests. We do really appreciate this. And also say, I don't want to presume on your time. So I will, I guess, refrain from issuing a formal invitation to join us after lunch. We do always take public comment first thing after lunch. I'm anticipating that we could have quite a bit of public comment. And what we will do is we will take down any questions that are relevant to you and channel those to you and then get your responses and post those on our website so that the public can have access.

So again, thank you so much. And we look forward to keeping in touch. So it's 12:45. We will take our one hour lunch break and be back at 1:45. Thank you, everyone.

(Whereupon, a recess was held)

CHAIR KENNEDY: Thank you. Welcome back from the lunch break. We had a very good discussion of the impact
of the census delay on our calendar as well as the
electoral cycle. And we'd like to open it up for public
comment at this point. So Katy, would you please read
the instructions for general public comment?

PUBLIC COMMENT MODERATOR: Will do, Chair. Okay.

In order to maximize transparency and public
participation in our process, the Commissioners will be
taking public comment by phone. To call in, dial the
telephone number provided on the livestream feed. It is
877-853-5247.

When prompted to enter the meeting ID number
provided on the livestream feed, it is 923-1796-5628 for
this meeting. When prompted to enter a participant ID,
simply press the pound key. Once you have dialed in,
you'll be placed in a queue. To indicate you wish to
comment, please press star 9. This will raise your hand
for the moderator. When it is your turn to speak, you
will hear a message that says the host would like you to
talk and to press star 6 to speak.

If you would like to give your name, please state
and spell it for the record. You are not required to
provide your name to give public comment. Please make
sure to mute your computer or livestream audio to prevent
any feedback or distortion during your call. Once you
are waiting in the queue, be alert for when it is your
turn to speak. And again, please turn down the
livestream volume. And again, if you are in the queue,
please press star 9 to raise your hand indicating you
wish to comment. Thank you.

We do have someone in the queue. However, they have
not raised their hand yet.

And we do have a raised hand. Here we go. And the
floor is yours.

MR. MILLAR: Hi, this is -- Yes, hello. This is
Kevin Millar (ph.) from Antioch. And I wanted to call
about the discussion this morning. It was really, really
concerning to hear that. May I misheard. It sounded
like the panelist suggested ignoring your own lawyers and
filing suit over what's really just two weeks and the
whole process. I mean, I don't understand why we would
sue over two weeks. The last commission drew these
lines -- they eight months, you know, but you know, from
what I can tell, you're going to have sixteen months.
And that's not even enough. That's twice -- twice as
much as the last time -- I mean sixteen weeks, I think.

Anyways, you -- you have two -- less than two weeks
with the data. There's nothing you can do an extra eight
months of planning just to go a little bit faster. I
just, I don't understand why we would get in this big
fight over two weeks. I don't think suing is going to
help you -- help progress things. And you know, they were going to be asking about twenty million people to change everything, all their districts once these maps are done. And you know, just the fact that we can't think through how to deal with two weeks, I think that's really selfish. It's not what we want as part of this. So please reconsider and please share the pain with the rest of the people involved in this process. Thank you.

CHAIR KENNEDY: Thank you, Mr. Millar.

Katy, next caller.

PUBLIC COMMENT MODERATOR: Yes. We do have a couple of people with raised hands. But I would like to ask anybody else in the queue. If you do not have your hand raised, please press star 9 to raise your hand and I will go to the next caller. And the floor is yours.

MS. WESTA-LUSK: Hello. This is Renee Westa-Lusk. R-E-N-E-E. Last name is W-E-S-T-A and then there's a hyphen and then it's Lusk, L-U-S-K. My personal read on this is that because, I've been active in elections and politically for a number of years. And moving the primary has been done before, mostly from the June to the March -- here it's been done, I think, at least two or three times before last year. It doesn't really, in my opinion, I haven't seen
really good data that it affects voter turnout by moving it earlier. My concern is moving it to July 12. I think you're going to have more difficult time getting the voters engaged. And especially under the duress of COVID.

The other thing I think that the Commissioners should do, they should come up with their own absolute deadline of when they must have their map drawing done and everything regardless of the election -- well, not regardless, but in order to accommodate the election cycle, because I'm worried that the county clerks will not have enough time to do their job because you're expecting them to redistrict all their precincts on top of coping with COVID. And on top of doing their regular elections' job. If they only had to do the regular election job without COVID and without having to redistrict, they probably would have enough time to do their work in thirty days. But I think, expecting them to do all their work in thirty days and be ready to start sending out for publishing the ballots and everything is not enough time.

I think they need more than that. They need like fifteen extra days or not actually -- bump it up to sixty. And I think the commission should come up with their own deadline to accommodate the election clerks.
That's my comment. Thank you for listening.

CHAIR KENNEDY: Thank you, Ms. Westa-Lusk. And indeed, as Mr. Millar said, this is about exploring how we can best share the pain among, excuse me, among all of the actors involved. We also have something on the order of 175 or more districts to draw. And those are going to take us more than five or 10 minutes each. So we just have to figure out how best to divide this up to give everybody the best chance of success. So thank you for your comment.

Katy, do we have more?

PUBLIC COMMENT MODERATOR: We do. We have another caller with their hand raised. And we do have other callers in the queue that do not have their hand raised. So if they would like to raise their hand again, it is star 9. And I will unmute the caller that does have their hand raised. And the floor is yours.

MR. WOODSON: Good afternoon, Commissioners, this is James Woodson calling from the Black Census and Redistricting Hub. I hope you all are doing well. I just want to thank you for your consideration of the elections timeline and the final map deadline. I know it's a lot to think about and there's a lot of stakeholders and a lot of opinions.

I wanted to just sort of list up our thoughts on
this. You know, I think folks know that we are connected
to an organization called California Calls that
historically has done a lot of voter engagement around
infrequent voters, voters of color, folks who are at high
risk of being disenfranchised. We were very active last
year trying to figure out what elections would look like
to ensure that we would not disenfranchise voters. And
we do a multiple rounds of voter engagement over the last
several years, every year.

You know, from our perspective, I think that, first
of all, the primary has moved multiple times, right? We
initially had primaries in June. We moved them to March.
And now we are moving them back to June. You know, the
primary is also on a different date every year, that we
have to really sort of contend with, and figure out how
to educate folks on when the primary will take place.

And so that is certainly always an issue that comes
up for us every year. But we do, you know, our best and
use our resources to make sure that folks are educated
about when they can vote. I think for us as a group that
does voter engagement but also is doing redistricting
outreach, there's certainly more important for us to have
time for line drawing, for public input on maps, than it
is to preserve the primary date. Again, we will use the
resources to make sure that the public is educated about
when the primary is. But again, it changes every year. And I think those are issues that we are well equipped to deal with and navigate around.

What doesn't come around every year and what we haven't, you know, better equipped to necessarily deal with, is a shifting and changing redistricting timeline that allows for a minimum amount of public input time. And so we would just ask that, you know, you all do your best to protect as much time as you can. Again, I know that there's a lot of moving pieces in consideration. But again, I just wanted to lift up our perspective on this. Thank you.

CHAIR KENNEDY: Thank you, Mr. Woodson.

Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes. Mr. Woodson, if you're still there. So if I may. Just to clarify, so what I'm hearing then is, having more time during the input process for communities to share their communities of interest or their potential full maps that they might want to submit to the Commission. You see that as being more valuable, that time period, right? Because it only comes around once every ten years, than maintaining primary. Is that is that correct?

MR. WOODSON: That's right. Yes. I think we know, right, that there are, you know, considerations and
restrictions around the primary date. But we don't see moving the date, you know, a few weeks to give folks more time to weigh in on maps as more important than it is to provide time for public input. We also have to sort of evaluate, you know, when redistricting data comes out and draw maps to submit to you all. And to give us more time to do that, I think it would be valuable.

CHAIR KENNEDY: Very good. Thank you again, Mr. Woodson.

MR. WOODSON: Thank you.

CHAIR KENNEDY: Katy.

PUBLIC COMMENT MODERATOR: And we do have one more caller. All right. And the floor is yours. I apologize for that.

MS. MARKS: No worries. Hi. My name is Julia Marks. I'm calling from Asian-Americans Advancing Justice, Asian Law Caucus. And I just wanted to start off by saying thank you for your deep engagement with this. It is a challenging set of circumstances and has a lot of complexity, and I appreciate the care you're bringing to the projects.

I'll be reiterating quite a few of the points made by the previous caller. I just wanted to share some reflections on how the decisions that you're weighing might affect the community's decision that Asian Law
Caucus works with. We do work with organizations on voter education. And we do care deeply about equitable access to the voting process, especially for lower propensity voters and for communities of color. But we are working on redistricting, too, and want to be sure that there's going to be adequate time for communities to engage at the state and local level in the process. And a lot of this takes the form of sharing COI which can occur before the data are ready.

But a large portion of the work is also in coming up with draft -- draft map proposals and talking to community members about what those may look like and bringing them to the Commission as suggestions and recommendations so that we can better inform your line drawing process.

So I want to reiterate the importance of having enough time between the release of the census data and the drafting of maps and the finalization of maps to make sure there is full opportunity for public participation in that essential part of the process.

So to the issue of moving the primary. While, you know, we do have some concerns that it could cause some voter confusion, we're already anticipating needing to educate voters on the fact that the primary will be in June, since the last major primary for the presidency was
in March. And we think there is more importance in
making sure there's enough time to do the best job
possible on these maps that will last a decade than being
too worried about making changes to the primary date.
So I just wanted to share that perspective and thank
you again for being a key stakeholder in these
conversations for the Commission itself and for all
Californians who want to have a say in this process.

CHAIR KENNEDY: Thank you, Ms. Marks.

Katy, do we have any other callers?

PUBLIC COMMENT MODERATOR: That was it.

CHAIR KENNEDY: Okay, very good. Thank you for
that. And we will take public comment again in just over
an hour before going into our closed session. So if
anyone still has anything they want to share with us, we
would be taking our afternoon break at 3:15. And so
about 3 o'clock or so we might be turning back to public
comment.

At this point, we will continue with subcommittee
updates. And the next subcommittee is the Language
Access Subcommittee. I know that Commissioner Fernandez
is away for a couple of hours dealing with family issues.

Commissioner Akutagawa, are you in a position to
report to us on language access issues?

Okay. We will hold on Language Access and go to
Materials Development. Again, Commissioner Fernandez is away for a couple of hours. The one thing that I would report at this point is that we are working with staff to develop two new slides for the presentation. Director Ceja outlined those earlier in the day. Those are on what sort of input we are looking for as far as communities of interest -- what constitutes good and useful input for us.

And the second will be on language access. So hopefully the next meeting, or by the meeting on the 12th, we will have those finalized as far as our recommendations.

Commissioner Sinay.

COMMISSIONER SINAY: Those are great. And I think we might need a third one that's just a little bit more detail on, "How do you identify your community and community of interest?". And that might be in the first one you were discussing. But just really understanding, you know, how to define, not define but how to benefit -- it's a team sport and what does it look like or whatever?

CHAIR KENNEDY: Right. And our approach on this was to say, okay, we currently have a slide that has, what I consider, a pretty good text description of what a community of interest is. And then a bullet talking about describing your community of interest. And we
concluded that the bullet on describing your community of interest could be pulled out into a separate slide and beefed up some. Because we have had people asking us, you know, how do you want this input? Or what would constitute good and useful input?

So I think we could work and continue to refine the main body of the original slide to address what you're talking about, what is a community of interest? And the second one that we're working with staff on right now is, you know, what is good and useful input. And then it transitions into, these are the different ways that you can convey your input to us.

Go ahead, Commissioner Sinay.

COMMISSIONER SINAY: I guess I see it as, what is a community of interest? How do you define a community of interest? and how do you let us know about it? So there's kind of that middle one where when I'm doing a presentation, I kind of struggle -- is where most of the questions come in, you know, is, you know, political parties or is this, you know, a lot of those questions come up.

So that's the part of -- even if it's just examples or -- I know we have that kind of in the drawing but there's a few of different texts that I've read and I shared with Fredy -- sorry, with Director Ceja, you know
that have kind of, these are the three C's, the love for, culture -- I can't remember what they are. But there's just different ways. So it's that middle piece sometimes --

CHAIR KENNEDY: Right.

COMMISSIONER SINAY: -- that people are still struggling with.

CHAIR KENNEDY: Okay. To the extent that you can provide some more input to Director Ceja so that as he's developing this for the subcommittee to review that, that would be fantastic. Okay.

Commissioner Turner.

COMMISSIONER TURNER: Thank you, Chair. I was going to add in addition -- or for me, more importantly than the how or just as important would be the why. I still think that we can blow out some more, why it matters. If people are clear, why the description, the delineation of who they want to be in relationship with, why that matters. I think it'll help them with the how.

Understanding that if indeed they do not define who their community of interest is, they could be broken up into different districts which when issues arise, they don't know who to necessarily call on or with everyone reaching out to different districts and waters down their desire.

I think if there was more, this is why it matters to
you specifically. Instead of giving a general, it can impact even your school districts. It can even impact on maybe some scenarios or something specific about what difference it would make if you had one representative as opposed to people that you're in relationship with or in different areas. I think that would really help our community.

CHAIR KENNEDY: Okay. You know, I'll certainly discuss this with Commissioner Fernandez, but likewise, if you have any specific examples that you could share with or suggestions that you could share with Director Ceja, that would be fantastic. Okay. Anything else? Then we will move to Website.

Commissioner Taylor, do you have anything at this point?

COMMISSIONER TAYLOR: Just a few things real quick. Just want to acknowledge that staff is working hard, diligently for all the suggestions to try to implement those. I know they're especially working hard right now to get all of the videos posted from my engagements. So if you follow on the outreach calendar, more of those videos are now being posted.

Again, this is a work in progress, so continue to send us your ideas and we'll try to implement those with staff. But they are working diligently to try to
accomplish all our goals.

CHAIR KENNEDY: And of course, Commissioner Fernandez's indication from earlier today that we will be working to get the transcripts of meetings up as well. So that hopefully we'll be able to address the concerns of those who wrote in to encourage us to post those transcripts.

Next, we have Data Management. Commissioners Ahmad and Turner.

COMMISSIONER AHMAD: Thank you, Chair. We have three points to deliver today. One is that we are moving forward with the data management -- our data manager position. We have worked with the team to put together that duty statement, revised it, got input from USDR in terms of some of the technical aspects of the position itself. Raul is pushing that through. We do have to get that position established. However, I was told that it will be a more streamlined process this time around. So we are looking forward to that.

We are in conversation with USDR to sort of draft our agreement terms. Not necessarily a contract as we had discussed previously, but just some sort of document that we can point to so we have a very clear understanding of what CRC's responsibilities are and what USDR are volunteering to take on for this project.
And then the last item, we are very excited to have a conversation with the line drawers when it is told to us that it is appropriate to do so. I think it will be very, very beneficial in terms of the management of all the information that comes through, so that we can best create a process that will supplement and support our line drawers in an efficient -- efficient manner moving forward.

Commissioner Turner, am I forgetting anything?

COMMISSIONER TURNER: You are spot on.

COMMISSIONER AHMAD: And Chair, we will not be meeting our additional agenda item. Thank you.

CHAIR KENNEDY: Okay, very good.

Next up, we have Grants. Commissioners Akutagawa and Le Mons.

Commissioner Le Mons.

COMMISSIONER LE MONS: Hi there. Good afternoon. So we have, as you all know, that this innovative, pioneering idea of ours to provide grants to community-based organizations, et cetera, is something new. And based on the nature of our Commission and what governs our operations and how we navigate with the state, et cetera, there's still a few things that we're working out in terms of clearing the path to being able to actually do this.
So unfortunately, we don't have an advancement update to report today. My hope is that, if by our next Commission meeting we'll have something more definitive. But we're still trying to cross the T's and dot the I's with regard to our ability to do this and how we can do it within the framework of how we exist as a Commission and the regulatory requirements that govern what we do or don't do. So that's as much as I can really speak to that today.

But the team is busy working and staff is working diligently with the appropriate parties so that we'll be able to bring a more substantive update at our next meeting. Thank you, Chair.

CHAIR KENNEDY: Thank you. I'm just in order to report on the Communities of Interest, too, I'm just pulling up an email chain, which is a very long thread. The latest from last week was that the Communities of interest input tool is now available in Korean, Russian, Armenian, Japanese, Punjabi and Khmer.

So the colleagues at Statewide Database have made enormous progress in delivering to us the COI tool in additional languages. We really appreciate all of their hard work on this and we look forward to hearing how things are going as far as user statistics. And we know that they are also now -- they're working on getting
Farsi and Arabic up. Those are taking just a little bit longer because scripts are read right to left rather than left to right. And that once Arabic and Farsi are up, they will be able to turn their attention to Hmong and Thai.

So we will continue to roll out languages as they become available. And we are very excited and want to encourage populations throughout the state that need this sort of language, access to make use of the Communities of Interest input tool in their language so that we can all demonstrate the utility of making it available in these additional languages.

Commissioner Akutagawa, do you have anything further to add?

COMMISSIONER AKUTAGAWA: No. That was a great report. Thank you.

CHAIR KENNEDY: Thank you. And can I come back to you at this point for a report on the Language Access Subcommittee?

You're muted. Sorry.

COMMISSIONER AKUTAGAWA: Oh, my apologies. I just want to just share in terms of the language access, we have finalized the contract with one of the vendors for the interpretation and translation. They're called Continental and we are beginning to have some of the
documents translated. I mentioned this morning that the PowerPoint charts, the FAQs and just about redistricting, there's just a simple fact sheet about redistricting that those documents are being translated. And I will also double-check with Director Ceja to make sure I'm not misrepresenting. But I believe those were the three that we had agreed upon, so. Okay. I see that he's nodding yes.

CHAIR KENNEDY: Okay, very good.

Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you. This is back on the COI tool. And I'd actually like to -- both the COI tool group and also goes to the data management to consider -- you both are the subcommittees that are looking at what information we're actually gathering from the Community of Interest tool. And at this point, what I'd like to say is, could you possibly, with that in mind, take the first initial pass at what evaluation criteria might look like for the communities of interest. Because since you have that information, you know, this is an issue we will all need to be dealing with. And the line drawers will obviously be very interested in this. And this -- but this is a Commission decision. So if you guys could just start that process with, knowing the information that you're actually going to be
gathering and looking at, that would be a great step, I think, forward for the entire group. Thank you.

CHAIR KENNEDY: And just, this is mostly for the benefit of the public. If you can just provide a little more detail on what it is you're suggesting that we do, as far as establishing criteria for communities of interest?

COMMISSIONER ANDERSEN: Well, I believe you're -- we're hearing those questions about -- when the public is calling and say, well, what do you want in our -- as we tell you about our community? You know, what is good criteria? Because basically what they're asking is, what we -- what will the Commission be considering? Should we have two communities of interest which are overlap or in direct conflict, direct confrontation with each other. When we need to just draw district lines? Something has to get divided up. How do we as the commission evaluate that fairly, considering the public and considering their input?

And so I think that's making a stab at that. What is in the best -- in the public's best interest? And what can we -- information can we give the public to help us evaluate it as well and equally and fairly? So this is -- so this is the issue I think that we will need to be grappling with. And I believe the public has indeed
started thinking about along those lines as well.

CHAIR KENNEDY: Right. Okay. Thank you.

Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Commissioner Andersen, I don't, I guess, I'm not sure if we can say what is good or what is bad. I mean, their input is their input. And I think that's what we've been saying we want. I think in terms of when there's, let's just say, conflicting interests in a region, I think what my understanding is, we have to be guided first and foremost by those, you know, six different criteria that as a redistricting commission, we have to follow in terms of how we draw those, you know, how we draw those lines.

And so I guess in some ways, to me, those are some of those considerations. But the public is going to give their input. And I would just say, given some of the early inputs that we've already received that were part of our meeting handouts today, you could see that we're going to get, you know, a wide range of different inputs. But I think we're -- I feel a little uncomfortable saying that we're going to judge what's good and what's bad. I think we just have to take what we can get based on what people are able and willing to give in the -- in the best of their abilities. And to try to understand and to, I guess, through the use of both the data
management, but also our line drawers help us to really understand how we can best use that data.

And they may be used in different ways perhaps to guide us around those decisions. But I would just say, if anybody else has any different opinions, I mean, you know, I think this is what makes us really interesting and kind of fun to work with, too.

COMMISSIONER ANDERSEN: Could I say just a little bit more about it?

CHAIR KENNEDY: Yes.

COMMISSIONER ANDERSEN: This is not at all about good or good, bad data or bad data. We want, you know, that's not it. It's -- and we'll absolutely follow the six criteria. What happens is, when you have -- we're trying to draw or gather a district and there is in our number four item, of all equal weight are city lines, county lines and communities of interest. Now, not often, but sometimes city lines go around counties. They're in two counties.

Sometimes those communities might be in that. And then an additional area. When we're evaluating, we have to draw a line, unfortunately, right down the middle of something like that. How do we weigh these issues? And that's something that the line drawer will give us -- you could do this, you could do that, and still meet the VRA
requirements and things like that. But ultimately, the commission has to evaluate these. And we have no basis of that yet.

And it's not good or bad. It's, we want to keep all communities together. It's just sort of, these are ideas we have to start thinking about. It's not your ranking or anything like that.

CHAIR KENNEDY: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: I guess I will say that this is where and why public input is going to be so important, because the more input we can get, the better it helps inform our decisions when we do have all things being equal. You know, what are the communities telling us? And the more we can get, the more nuanced we can also get because of their input in, I would just say for anybody that's listening, this is where, you know, again, another example of our voices really being important and that it does matter. And you know, if anybody thinks that, oh, what does it matter, it matters. And I think -- I would just encourage anybody to please, you know, provide that public input.

Because I think, you know, Commissioner Andersen, you do bring up a really good point, and it would be helpful to hear from the communities themselves, you know, rather than us just trying to weigh all things
being equal and ultimately, you know, doing our best that
we can with the information that we have.

CHAIR KENNEDY: Commissioner Sinay.

COMMISSIONER SINAY: Yeah. This is the question
that we'll all be grappling with, but I think it's a
commit -- that's why there is an independent
redistricting commission of fourteen very diverse, unique
individuals. And they work so hard to get us all with
different lived experiences, professional experiences.
And I don't think you can create a criteria. I mean,
I've thought about it. I'm like, well, how do you do it?
I think it's going to be something that's -- democracy's
messy, and that's going to be the messiest part when we
have these competing conflicts of interest and figuring
it out.

And I just -- I wouldn't want to create a criteria
that people end up trying to work around or whatnot
versus hearing what people have to say. We're going to
get different perspectives from the same geographic area,
and sometimes we'll get actual district maps, and so you
know, we're going to get all sorts of information. But
the State of California and the (audio interference) have
depended on -- you know, put it on us to deal with that
messiness and ask more questions and learn together. So
I just feel really uncomfortable about creating any type
of criteria.


COMMISSIONER TAYLOR: Nothing new from the cybersecurity security standpoint unless Neal has something.


COMMISSIONER SINAY: Thank you. So Commissioner Fernandez and I have met with the three different groups, the California Department of Corrections, Chief Probation Officers of California, and the California State Sheriff. We're going to now take all our notes from the different groups and kind of put them together and see what would work the easiest.

Obviously, all of them -- I was -- all of them are really supportive of what we're doing. They want their folks and you know, the incarcerated people to participate. We've also said, well, how do we get your staff to participate? So that's another group, you know, that a lot of people work in those areas, especially in rural areas.

So we're having good conversations and we'll come back soon with some recommendations, but that I don't
think we'll need to create anything new, that we will just use that -- the COI paper tool that's being created is going to work well.

CHAIR KENNEDY: Commissioner Turner.

COMMISSIONER TURNER: Thank you, Chair.

Commissioner Sinay, I am wondering, with the paper COI tools that we have available for the population, I'm wondering if there is any particular video outreach or something that is targeted to that population that will help them participate and see the importance even of them being housed at the time.

COMMISSIONER SINAY: You're absolutely right, and that's -- it's kind of a two-pronged -- so we have been talking about what time -- do they have videos and all that. So that's part of it as well. It won't be just giving them the paper and they have to figure out what it is. So we're looking at kind of a whole education campaign.

Also, I want to bring up again, we bring it up a lot, but the census really helped with this because the census work within a lot of these -- these institutions, so they're already -- there were already much more open for us saying how can we build on what you did for the census? But yes, I think you're bringing up a great Trena -- I mean, Commissioner Turner.
COMMISSIONER TURNER: Okay.

COMMISSIONER SINAY: Sorry.

COMMISSIONER TURNER: And not just the how to fill it out. I would imagine --

COMMISSIONER SINAY: So --

COMMISSIONER TURNER: -- there would instructions coming with the COI tool. You'll understand I'm talking about why they're -- why they still are concerned and would want to participate even if they were lifers, even if they were -- even if they were -- wherever the case was. Okay.

COMMISSIONER SINAY: Exactly. It's more that civic -- that civic piece, you know, being connected to your -- yes.

COMMISSIONER TURNER: Okay.

COMMISSIONER SINAY: I hear what you're saying. The bigger picture.

CHAIR KENNEDY: And that is what would go as at least part of the text on the tear-off sheet, not the -- not the sheet that comes -- not the form itself, but we do -- at this point, we are looking at having a separate -- not separate -- an attached but detachable sheet accompanying the form so they can't get separated until the person is ready to fill out the form, and that that detachable part would have some text on why it is
important for people to provide this input, not just the
instructions on how to do so.

Okay. 9(O), Public Input Meeting Design.

COMMISSIONER ANDERSEN: Sorry. Did you miss M,
cybersecurity.

CHAIR KENNEDY: I did not. Commissioner Taylor
reported that there was nothing significant to report.

COMMISSIONER ANDERSEN: Thank you.

CHAIR KENNEDY: So 9(O), public input meeting
design.

COMMISSIONER FORNACIARI: Okay. I'll go. Let's
see. So we had our first Public Meeting Input -- Public
Input Design Meeting Subcommittee meeting, and I think it
went really well. There's a several-page attachment here
for you all, six pages. I'm not going to go through the
whole thing. I'm going to hit the highlights, and
Commissioner Sinay is going to help out where I'm missing
points.

But we focused for this first meeting on the -- on
the what and the how. And I think we had a really
spirited discussion. And where was I going to start?

COMMISSIONER SINAY: The why and what, not the how.

COMMISSIONER FORNACIARI: Yeah, the why and the
what? Why did I write how down? What, not how. So one
of the topics that came up, we talked about the different
phases of public input. You know, the public education
and the pre-census public input and post-census public
input, and you know, what do we need during each of those
phases, and what are the tools we're going to use?

But some good questions came up during that time.
The original design, or the kind of let's call it the
baseline design that was used to -- for the budgeting
purposes included four meetings for group presentations.
And so we did have a bit of discussion about that. Is it
fair to give groups more time? How do we -- does that
weight their input more than individual input? How do we
define a group? You know, what types of input are
community groups looking to give?

So Commissioner Sinay and I met with representatives
of few community groups to try to understand that, and we
got some good ideas there, and we've -- for those of you
didn't quite catch it, we added another meeting on -- of
this committee on April 6th before our evening meeting,
and we've invited -- we're inviting folks from community
groups to come and discuss in more detail about what
their plan is to help inform the subcommittee and then
ultimately inform the entire Commission about the
approach so we can understand what they're thinking and
understand how, you know, we can engage with those folks.

And then another good question and good discussion
that came in -- up during the meeting, and we didn't we
don't have answers for but we're thinking about and I
thought I'd share with the whole Commission is, you know,
when does public input stop? I mean, when do we stop
public input?

You know, we can't just continue to take public
input, as -- you know, as we're drawing the maps or you
know, we've got to have some time to digest the public
input and then incorporate that in our maps. And so you
know, we've got a series of questions about that.

And we'll start about, you know, how much time do we
give the public to digest the census information after it
comes out before we put our maps out and when we accept
input from the public. And it was interesting in the --
for those of you who watched the interviews on the
litigation counsel, I think all three of them suggested
giving the public some time to digest the census data
before coming out with your maps. And I think
Commissioner Sadhwani said she was going to capture some
of the other suggestions from the litigation counsel
interviews. And it was, you know, really interesting to
hear their thoughts, but so you know, just some of the
things that came up there.

And we already touched on this idea to dub the -- in
the twelve languages, and we're still following up on
that. We don't have all the cost data on that, but we're finishing up. But again, we thought we'd just go ahead and do what we could do in the interim and have those two public meetings we suggested in the Outreach update.

And so for our next meeting, we're going to be looking at sort of the ground rules or the framework within which we need to work. And so we've got -- we're getting the legal requirements, we're getting the budget, we're going to talk about the contract with the line drawer and what -- you know, what the framework of that contract looks like, and so we can understand that.

And now that we have maybe a little bit better of an idea of a notional time line in there, so we'll try to put something together, at least that we can talk to, for that meeting. And then the meeting on the 6th, we're going to -- as I mentioned, we're going to invite in some community groups and understand what their process is. We're hoping to have the line drawer come potentially to and talk with them a little bit more.

And then the next -- the follow-up, subsequent meeting is on the 14th, and we're hoping that we can begin to make some decisions on what are -- at least our pre-census outlook -- outreach or input meetings look like and begin to start picking out dates for those meetings.
And now I think, Commissioner Sinay, did I missing anything?

COMMISSIONER SINAY: No. The only thing, quoting Commissioner Fornaciari, during our meeting, we won't be making any decisions. We'll be creating recommendations to bring to the full Commission, but it -- we're having fun, I think, and I -- we are hoping that the -- we will be creating a parameters document kind of after our meeting coming up so that we all have it so it's a template that we can all refer to.

Because I think often we get confused on what's Bagley-Keene, what's actually from our -- you know, where are we -- what is -- what are real constraints and which ones have we put on ourselves because we've heard it somewhere that we're just trying to figure all those pieces out. But thank you, everybody, who's been participating.

COMMISSIONER FORNACIARI: We're getting some documents together that we'll be posting as soon as we can. I've put together a legal summary. I've put together a budget summary, and it's just based on the baseline budget, and then -- that we have and that's the budget. You know, we're going to design these meetings the way we want to design.

And then Commissioner Andersen is putting together
some information on the line drawer contract, so we'll have that for Thursday.

You're muted.

CHAIR KENNEDY: Very good. Any questions, comments from other commissioners? Okay. Not seeing any, Lessons Learned Subcommittee, Commissioner Ahmad and I. I want to thank Commissioner Sinay for continuing to channel Lessons Learned suggestions to us.

Commissioner Ahmad, anything else?

COMMISSIONER SINAY: Nope. I made some notes from the interviews, I heard my key word, trigger, of me perhaps this is a lesson learned. So jotted those things down, but keep them coming.

CHAIR KENNEDY: Excellent. Commissioner Sinay.

COMMISSIONER SINAY: I'm loving the fact that the community now is saying that, so I think one of the last ones I sent you actually came from one of the groups said, can you put this in your Lesson Learned document? So keep sending them in, community.

CHAIR KENNEDY: Excellent. Okay. Deputy Executive Director recruitment, which we are now renaming the Outreach Director recruitment. That would be Commissioners Ahmad and Fernandez. So Commissioner Ahmad.

COMMISSIONER SINAY: Thank you, Chair. We have
everything ready to go for the hiring -- recruitment, I should say, of our Director of Outreach. We are waiting for the alert we get in our inbox saying that posting is posted and live. Once that happens, I encourage everyone to share widely with your networks. We do have social media this time around for this executive hire, so we will be sharing on our social media platforms as well.

CHAIR KENNEDY: Very good. And finally, Chief Counsel recruitment, Commissioners Andersen and Toledo.

COMMISSIONER ANDERSEN: Okay. Thank you. Well, you did hear a little bit of the update from our Executive Director. The Chief Counsel recruitment is all finalized. It's all perfect, perfect. It went to DGS, which is Department of Government Services. And as soon as they are able to post it, it will be posted.

And then to coordinate to -- whenever that -- actually, it could be the end of today, it might be first thing tomorrow. And then it will also go up on our website. So it is a -- essentially, it's a done deal and it's up. So it's all done. We haven't quite seen it yet because of the standard procedure. It goes to State, who posts it, and we post -- it posts, essentially, at the same time. So that could be literally any day.

CHAIR KENNEDY: Okay. If it is before 2 p.m. on Wednesday, we would be able to get that listing into
ElectionLine.org for this week. If we miss 2 p.m., which is 5 p.m. Eastern, then it would not be able to appear there until next week. So I am hoping and I'm happy to be the one who reaches out to them if that would be helpful.

There are others, such as Professor Rick Hasen's election law blog out of UC Irvine, that Rick has been generous in listing such things for us in the past. So you know, yes, let us know as soon as -- as soon as it's ready to roll.

COMMISSIONER ANDERSEN: Okay.

COMMISSIONER TOLEDO: As soon --

CHAIR KENNEDY: Commissioner Sadhwani.

COMMISSIONER TOLEDO: -- as we get it, we will -- we will send it out.

CHAIR KENNEDY: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Thank you. Just a quick question, and maybe I missed this. How long are we anticipating the recruitment to be live? Like, how -- when are -- when would applicants be due? When would an applications be due?

COMMISSIONER ANDERSEN: We did not actually set that because of when it actually goes live. So you know, they used to say, what's the date? And we didn't want that to be, you know, in two days. So we did not actually set
Pedro, did you want to talk about what we were considering?

COMMISSIONER TOLEDO: We were looking at about a three-week turnaround.

COMMISSIONER SADHWANI: I would just add that sounds great. You know, many of the folks that we interviewed last week for litigation or VRA certainly have a wealth of experience, some of them particularly in representing public entities. And certainly, I think it would be worthwhile, at minimum, reaching out to them to let them know that this is -- that this -- that there is this opening, and perhaps someone -- if not themselves, perhaps someone in their networks, might have the relevant experience that we might be looking for.

COMMISSIONER ANDERSEN: Yeah, that could -- once recommendations and things for other jobs have been taken care of, we certainly plan to do that. So thank you, Commissioner Sadhwani. And I think that's all unless someone else had a question.

COMMISSIONER TOLEDO: I think Director Ceja had a question.

CHAIR KENNEDY: Director Ceja?

DIRECTOR CEJA: Yeah. I just checked the CalCareers site, and Chief Counsel has already posted on the site.
COMMISSIONER ANDERSEN:  Yay.
DIRECTOR CEJA:  It's live.
COMMISSIONER ANDERSEN:  Great.  So yes.  So we'll have -- get it.  Commissioner Kennedy, if we could get that -- or if, Director Ceja, if you have a copy of it or I know our Executive Director does, if we can hand it to the appropriate people to be distributed, that would be very, very good.  Thank you.  Although we do have to put a date on it now.
COMMISSIONER TOLEDO:  So --

COMMISSIONER ANDERSEN:  So we'll get -- yeah.  We'll give you a date on that.

COMMISSIONER TOLEDO:  And Director Ceja just put the -- the listing, just sent out the email and the weblink to the posting.

COMMISSIONER ANDERSEN:  Perfect.  Thank you.

CHAIR KENNEDY:  Very good.  Okay.  So next up, we have the legal affairs committee update, Commissioners Yee, Toledo, and Sadhwani.

Commissioner Andersen?

COMMISSIONER ANDERSEN:  Sorry.  There's one more committee.  We haven't actually met yet, but we needed to add it.  Remember, we created the -- I'm looking at Commissioner Fornaciari.  Is it the IT Recruitment Subcommittee?  Is that what I think we're calling
ourselves? So which is Commissioner Fornaciari and myself.

Do you want to take over, Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yeah. We haven't met yet.

We're getting a -- Raul's getting the slot, and then we had a draft job posting that we had gotten, but it wasn't quite right. So I had asked Director Hernandez to look into see if there are standard job categories that we went -- we might want to look at for this. So we're going to -- we're going -- we're going to get going here.

We haven't met yet, but we're moving out.

CHAIR KENNEDY: Okay. So we will need to add that to the agenda for the meeting on the 12th and 13th.

COMMISSIONER FORNACIARI: So I did kind of have a question. And so this is a staff role, so why did we form a subcommittee to recruit for a staff role? I mean, we have subcommittees who recruit for executive roles, but it just kind of dawned on me. I mean, I was all gung ho for this subcommittee to be formed, and then as I'm thinking -- reviewing our job, our hiring protocol and reviewing what we've done in the past, yeah. I don't know. It's just something that occurred to me that I thought I'd throw out there, see if anybody else had a comment on that.

COMMISSIONER ANDERSEN: Yeah, I guess it was because
when we did that, it was thinking the special -- the specialty involved, you know, the -- a bit more information on it, but.

CHAIR KENNEDY: Okay. Commissioner Toledo and then Commissioner Ahmad.

COMMISSIONER TOLEDO: So I was just going to point out that on the Chief Counsel job description, the -- April 12th is the filing date. So it appears that we have a -- we do have a date for submission, and that's April 12th, but --

CHAIR KENNEDY: Which is two weeks.

COMMISSIONER TOLEDO: -- that's exactly two weeks.

Two weeks for applicants.

CHAIR KENNEDY: Okay. Very good. Commissioner Ahmad?

COMMISSIONER SINAY: Thank you, Chair. Just in response to Commissioner Fornaciari's question, I do think it's important that we stick to some sort of standardized protocol in terms of hiring practices.

I would also raise asking Alvaro and team if this is a position that they require or if we already have that in-house talent and sort of leaning on their expertise on the inner workings of the organization to determine the specific needs for this type of role. Just something to consider.
CHAIR KENNEDY: Director Hernandez?

DIRECTOR HERNANDEZ: Yes, thank you. As far as the talent being available, what we're looking for is someone who is full-time, IT person who is full-time versus the current staffing, which is not full-time, it's part-time. So that's one of the considerations. In regards to the technical aspect, we don't have anyone else that could fill that role at this point, and that's why we want to do the recruiting.

In response to Commissioner Fornaciari's question, either way would work for us. And if we continue the path that we have, whereas the staff will pursue the duty statement and so forth and work through the Finance and Administration Subcommittee and or the Data Management Subcommittee and/or any other committee that wants to be involved, we'll be more than happy to do so. It's just a matter of letting us know what you would prefer. Thank you.

CHAIR KENNEDY: It's fine with me if we --

DIRECTOR HERNANDEZ: Okay.

CHAIR KENNEDY: -- if we continue -- I mean, I'm happy to continue to support it either way. It just kind of dawned on me that we're kind of treating this one a bit differently, but we're treating the data manager a little bit differently, too. So there you go. We can
just carry on helping out, if that's okay.

Director Hernandez.

DIRECTOR HERNANDEZ: So just to be clear, we don't -- we're not creating a subcommittee for the IT recruitment. Is that what I'm understanding?

CHAIR KENNEDY: My understanding from what was said was that we already did.

COMMISSIONER FORNACIARI: We ever did.

CHAIR KENNEDY: I think the question --

DIRECTOR HERNANDEZ: Okay.

CHAIR KENNEDY: -- whether we should extinguish it or keep it alive.

COMMISSIONER FORNACIARI: What do you think, Commissioner Andersen? Do you want -- I mean --

COMMISSIONER ANDERSEN: You know, I think, you know, it would certainly be helpful because given how many other tasks that I know the staff is doing, you know, if we could help out, I'd be more than more than willing to do that.

COMMISSIONER FORNACIARI: Okay.

COMMISSIONER ANDERSEN: It doesn't have to be on a subcommittee level, but.

CHAIR KENNEDY: Okay. For the time being, we will maintain that subcommittee and we'll add it to the agenda for the 12th and 13th. So now we will proceed to the
report from the legal affairs committee.

COMMISSIONER YEE: Yes. Thank you, Chair. I want to be mindful of time, though. I mean, I think I can give an update of where we are now, but I think it will lead to a longer, fuller discussion from the whole commission. So I know we have a closed session later this afternoon. I'm wondering what your timing looks like.

CHAIR KENNEDY: If there's anything that you want to share in public session, there's probably ten or fifteen minutes for that, followed by public comment, followed by the afternoon break and closed session, and then we would have some time tomorrow. We do have a presentation from the line drawer tomorrow, but it looks like we might not have much else before our scheduled middle of the day conclusion. And then the subcommittee would have its meeting tomorrow afternoon with the Public Input Meeting Design Subcommittee.

COMMISSIONER ANDERSEN: Thursday afternoon.


COMMISSIONER YEE: Okay. So why don't I update the commission and the public where the Legal Affairs Committee is at and then anticipate that on Thursday we'll pick up the topic and open the discussion to the issues that will be raised. How's that?
CHAIR KENNEDY: Good.

COMMISSIONER YEE: Okay. So Legal Affairs Committee did produce a memo which is in your handouts outlining a motion that we had passed as well as the reasoning behind it. So basically, recruiting for the VRA counsel and litigation counsel. We unanimously decided to recommend Strumwasser & Woocher plus David Becker for our VRA counsel. And then Strumwasser & Woocher, David Becker, plus Gibson Dunn for litigation co-counsel.

So those were the recommendations that we voted on and passed. Since then, we've received significant public comment, including from two former commissioners, raising additional thoughts and considerations. I would say nothing has come up that we didn't consider at least somewhat. But the comment from the former commissioners as well as members of the public do add to the depth of probable needed discussion on the full Commission of some of the issues.

Two in particular. One had to do with disclosures, and there was a bit of back and forth with Gibson Dunn about their disclosures of possible conflicts of interest and lobbying activity and political donations. An issue actually did come up in 2011 as well. You can see in the pub -- in the meeting handouts our query to them and their quick response. I would say for Lessons Learned --
ding, ding, ding -- there is -- there was a bit of -- there could have been more precision and clarity in the RFI exactly what we were asking for.

At the same time, you know, within the range of interpretation that the RFI presented, you know, one could disclose more or disclose less. And in the case of Gibson Dunn, it was a little less. When we queried, they responded quickly and fully. However, you know, there have been comments from the public about whether this, you know, represents a -- kind of a way of looking at things and a way of working with us that may give us some pause.

On the matter of -- the other matter that would bear some discussion is the nature of Gibson Dunn's work and how it has represented interests that may be perceived or may actually be contrary to our values as a redistricting commission. And it's the nature, of course, of legal practice that one can specialize and -- for instance, Strumwasser & Woocher specializes in representing government entities, government agencies, and so typically finds itself aligned with the values of those -- you know, of those agencies.

Gibson Dunn has worked kind of both sides of lots of different things, and that includes things that would be perceived by many as being contrary to our values. So
for instance, right now, currently, they are representing the City of Santa Monica in a CVRA issue, which if the side of the City represented by Gibson Dunn prevails, could be perceived as weakening the CVRA, which, you know, could be perceived as contrary to our values as the Commission.

They're also the firm that prevailed in Bush v. Gore as well as Citizens United. So on one hand, there's a perception issue there. On the other hand, they win. And since we have no idea on what basis we might be challenged, it could be our maps, it could be anything procedural starting any time, including, you know, tomorrow, for all we know. And having, you know, the strongest possible litigation resources on -- at our disposal -- you know, our maps will mean nothing if we are successfully challenged on anything, right?

So as we discussed that in the Legal Affairs Committee, we decided that meant something and it meant enough to us to recommend Gibson Dunn as co-counsel. Now, of course, in retaining two firms, of course, hoping that it will not end up meaning fully double the cost, you know, we'd want probably Strumwasser & Woocher to be more involved early on since they would be VRA -- if they are, indeed, VRA counsel, and they can, you know, align their work on the VRA stage of our work with the later
need you to send that work.

And then Gibson Dunn would be more active if and when other challenges come. And the fact that they are a very large firm, international firm, and have, you know, more or less unlimited resources was attractive to us, since we have no idea of what challenges may come or what scale they may be.

So that's where we landed. I should say we did not really consider cost. We were advised early on that that was not -- you know, this is not a competitive bid and you know, that wasn't going to be a major factor in ranking a recommendation. However, the full Commission, of course, is welcome to consider cost and to make that more of a consideration than we did on the Committee. I think that's about it.

Commissioner Sadhwani or Toledo, anything I missed?

COMMISSIONER TOLEDO: I would just add, while cost was not a big factor in our decision, we did recognize that the Commission would be able to, if they -- if we so choose to go forward with our recommendation, would be able to negotiate rates through the procurement process with any or both of the candidates, both with the VRA process and for the litigation RFI.

CHAIR KENNEDY: Okay. Commissioner Turner?

COMMISSIONER TURNER: Um-hum. Thank you, Chair.
Commissioner Yee and Committee, I'm wondering, earlier we heard from former Commissioner Cynthia Dai and you know, a lot of thoughts that she had. One of them was to delay hiring. I'm wondering if that -- how did that land for you?

COMMISSIONER YEE: You know, we really didn't consider that because our job at the moment was to make a recommendation based on the RFIs and the responses we received. However, there's nothing in our discussion, I think, that is averse to that except two considerations. One is, you know, really not knowing when we might be challenged. Commissioner Dines mentioned, you know, really not looking into litigation representation until just about when the draft maps were being released. We could wait till then, you know, and if nothing comes along till then, then, you know, that would be fine.

The other consideration is simply have -- you know, if we -- any firm we retain on our side would be a firm not available to anyone who wants to challenge us.

COMMISSIONER TURNER: Um-hum.

COMMISSIONER YEE: And you know, how -- how to weigh that, that's a pretty inquandrable thing, but a realistic thing as well. So we did discuss that.

CHAIR KENNEDY: Commissioner Toledo?

COMMISSIONER TOLEDO: So for me, and I -- while we
didn't consider it very deeply, we did consider it a --
did consider the issue briefly. And that consideration
had to do with our compressed time line. We have a lot
less time and will be doing a lot of work this winter.
To do an RFI in the middle of the maprawing process
when we have -- would be very difficult and challenging
to do so.

The other thought process that -- the other thought
that came to my mind was, and maybe to others as well,
was that if we retained the attorney, we -- through the
procurement process, we can actually control when we
start to use that attorney. We can control quite a bit
of -- we can control the cost. We can control the
timing. We can control many aspects of the -- of the
process with the vendor.

And so this may allow us to not have to go through
an RFI process later in the -- in the winter. Of course,
if we could postpone until after the maps were drawn in
January and February, that might be a consideration,
although it would be nice, especially in this
unprecedented time when we almost for certain will be --
will face challenge, it may be good to have legal counsel
there to provide us with guidance on preventing
litigation and working with us throughout the map-drawing
process as well.
And we, of course, would have to manage any vendor. I think that whoever we hire as Chief Counsel has to know how to manage vendors, because if we don't manage the vendor and we don't control the cost, that's going to be on us and on our Chief Counsel. And so I think we can do that if we -- if we set ourselves up correctly.

COMMISSIONER TURNER: Um-hum.

COMMISSIONER TOLEDO: And I'll defer to my other two colleagues.

CHAIR KENNEDY: Commissioner Turner.

COMMISSIONER TURNER: Yeah. Along the same lines because there's perhaps new information that just came in. Also the other -- well, it was all interesting points, but the other thing that kind of stuck with me was her suggestion that the new AG Bonta may take on litigation or take -- or assign someone. I wasn't sure. She briefly mentioned that, but I thought that was something interesting that should be considered as well.

COMMISSIONER YEE: Certainly. The 2010 Commission, the AG's Office declined to take on the litigation, at least the primary litigation. But who knows? Yeah, there's a new AG, so.

I'm going to mention the Strumwasser --

CHAIR KENNEDY: (Indiscernible) --

COMMISSIONER YEE: I'm sorry. I --
CHAIR KENNEDY: Go ahead.

COMMISSIONER YEE: I was just going to mention the Strumwasser & Woocher proposal involved a personnel change. Originally, it featured Professor Justin Levitt, who is very familiar to this commission, and we were looking forward to interviewing him, but another opportunity came his way.

The team was able to replace him with David Becker, who has a lot of experience in the Department of Justice as well as being the founder and director of the Center for Election Innovation and Research, an organization that does absolutely align with the Commission's values, you know, straight up. So we found that impressive that they were able to recruit Mr. Becker.

In terms of fees, Strumwasser & Woocher provided us, you know, a full fee schedule. Gibson Dunn did not, and you know, described what they considered to be a more discounted approach from their usual fees, a mix of hourly and a fixed fee arrangements, but we did not -- we did not pursue details on that, so. And then, you know, Gibson Dunn was the largest single vendor expenditure ten years ago.

CHAIR KENNEDY: Okay. Commissioner Sadhwani.

COMMISSIONER SADHWANI: Thank you, and thank you to Commissioner Yee for chairing this process last week and
throughout this month. He's done a phenomenal job, and so I just wanted to recognize his good work here.

I just wanted to also add, you know, in thinking about this recommendation, looking back at 2010, they did actually -- they had a very different setup, but they did have co-counsel. They did have two different law firms that were involved in the representation of the 2010 Commission. And so I just wanted to raise that. I think some comments were made about, you know, why need -- why do you need to, et cetera.

So I just want to remind us that this is not an uncommon solution. And I think what is different, the way we've distinguished ourselves from 2010 is separating the VRA component from litigation, and in that, really honing in on key experts with VRA experience. And I think we did receive several public comments about Mr. Becker, who certainly was new to us. You know, Justin Levitt, we had had as a guest many times. I think there was a lot of comfortability among many of the commissioners with that -- with that applicant, in general.

But we did have many people call in or write in saying that, you know, David Becker is a very reliable substitution of Mr. Levitt. Similar to Mr. Levitt, he's also spent many years at the Department of Justice under
both the Clinton administration as well as the Bush administration. And so he does -- he does bring with him a significant amount of VRA expertise that I think will greatly serve the Commission.

I tend to agree with Commissioner Toledo on this point. Could we wait and do an RFI later on? Sure. But given the conversation this morning with the census delay, a potentially crunched time line, I think we're going to have enough on our hands already, especially once we go out and start to moving into community input sessions. We already anticipate those being very long days for us, so I think we've -- we had decided to do this process at this point in time. And my preference personally would be to continue moving forward.

I don't know if Marian can speak more to the Attorney General's component. I know that there was a letter that had been written to the 2010 Commission at that time that we have full authority to hire outside litigation.

DIRECTOR KAPLAN: The Commission does have statutory authority to hire its own attorneys, and that makes it somewhat unique among State agencies, and we did get that confirmed by the Attorney General. So we don't have to have the permission of the Attorney General like other state agencies do.
Last time around, probably because the Commission was so new and because the AG is a political office, they did not wish to represent the Commission. The cases they did represent the Commission were where they were also representing another State agency, and so adding the Commission as another client did not substantially change the work that was involved in the AG, and it was more of a administrative question or state government procedure, not so much to the merits of what actions the Commissions took. So I have no idea --

CHAIR KENNEDY: Thank you.

DIRECTOR KAPLAN: about the new Attorney General.

If you recall, there --

CHAIR KENNEDY: Commissioner Toledo.

DIRECTOR KAPLAN: -- was some difficulty in getting the Attorney General to represent the Commission in the citizenship case.

COMMISSIONER TOLEDO: I just wanted, you know -- thank you, Marian, for that. I think that's helpful. And I think also through the negotiation process, we can put in a clause that -- that basically would -- that our contract would end once it's transitioned to the Attorney General's Office. I think, at some point, we do anticipate transitioning our legal work to the Attorney General's Office.
At this point, we don't really know when that will be. And so that's perhaps some -- a piece of -- a clause or a provision that we can add and work through and negotiate with the -- with our firms. And to that, I would just ask Marian if she sees any problem with including such a term in our -- in a potential procurement agreement.

DIRECTOR KAPLAN: Attorneys are always at your pleasure, so you can discontinue them for any reason or no reason.

COMMISSIONER TOLEDO: And then I think the other thing that we did discuss during public session was the possibility of, if for some reason any of these -- and it goes back to the point that Marian just pointed out, for some reason we needed a different attorney, we could always go back and post it, worst case scenario, I think. But we're hoping to avoid that scenario and work through -- work through a VRA counsel and a litigation counsel that would work closely with us and our Chief Counsel and be able to represent the interests of the Commission and the people of California.

CHAIR KENNEDY: Very good. At this point, I would like to move to public comment. I see that we already have people raising their hands. So Katy, if you could read the instructions and then go ahead and invite the
first caller in.

PUBLIC COMMENT MODERATOR: Yes, Chair. In order to maximize transparency and public participation in our process, the commissioners will be taking public comment by phone. 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 92317965628 for this meeting. When prompted to enter a participant ID, simply press the pound key.

Once you have dialed in, you'll be placed in a queue. To indicate you wish to comment, please press star 9. This will raise your hand for the moderator. When it is your turn to speak, you will hear a message that says the host would like you to talk, press star 6 to speak. If you would like to give your name, please state and spell it for the record. You are not required to provide your name to give public comment.

Please make sure to mute your computer or livestream audio to prevent any feedback or distortion during your call. Once you are waiting in the queue, be alert for when it is your turn to speak. And again, please turn down the livestream volume.

And we do have a couple people in the queue, and I would like to remind people in the queue if you would
like to comment, please press star 9 to raise your hand indicating you wish to comment. And the floor is yours.

MS. GOLD: Hi. Good afternoon, commissioners. This is Rosalind Gold from the NALEO Educational Fund. R-O-S-A-L-I-N-D. And the last name is Gold, G-O-L-D.

First of all, I want to thank you all again for a very thoughtful, very thorough review and assessment of which firms would be best suited to be both VRA counsel and litigation counsel for the Commission to take on these very important responsibilities. And I also really want to acknowledge the Legal Affairs Committee for your hard work on this.

I would just like to raise some issues for you to think about with regarding the role of Gibson Dunn as litigation counsel. I believe that there had been some consideration of how much Voting Rights Act experience and what kind of Voting Rights Act experience would be needed for the litigation counsel rather than the VRA counsel, particularly since the VRA counsel was specializing on voting rights issues and it wouldn't necessarily be something that might come up for the litigation counsel.

Well, we would just like to note that, given that compliance with the Voting Rights Act is the second-highest criteria that the commissioners have to consider
and the criteria that's higher than that is, you know, compliance with the Constitution. You know, these are core, core redistricting concepts, and we feel it is critical for the litigation attorney chosen to have a very, very high level of experience and knowledge, not only of compliance with the Voting Rights Act, but also with respect to election law, government procedures, law dealing with agencies.

And we just feel if you look at the experience of Gibson Dunn, you are not seeing the level of experience in those matters that you might be seeing or you are seeing with Strumwasser. So I think we would want to really understand better what the role of Gibson Dunn is being seen as with respect to litigation counsel and why a co-counselship is the approach that's being decided on.

I'll be happy to take any questions.

CHAIR KENNEDY: Any questions for Ms. Gold? Okay. Thank you very much, Ms. Gold, for your comment.

Katy, would you please invite the next call?

PUBLIC COMMENT MODERATOR: Yes, Chair, I will. And I would also like to remind anybody in the queue to press star 9 to raise their hand if they wish to comment. I do have someone with their hand raised. I'm waiting for them. And the floor is yours.

MS. WESTA-LUSK: Hello. This is Renee Westa-Lusk.
I just have some questions. One has to do with the design committee on public input. They're having a meeting this Thursday. Will they be answering the questions that they put in their notes? And I'm specifically honing in on some of the questions having to do with criteria the CRC is looking in regards for COI, you know, what is considered eligible to be a community of interest.

Questions regarding security. How will you regard public input to make sure it's actually coming from California residents versus outside the state or even outside a district or a community of interest that's stating that they're within a certain area of the state.

And then I wanted to know about the accepted methods of public input. I know you can send letters in via the U.S. mail to the Commission and you can send emails, but I'm not quite sure what email address to use. And then I think I heard maybe it was from the Executive Director Hernandez or the Communications Director Ceja, people could actually call in on the phone and leave comments.

And then I wanted to know what the role of social media will be. Is social media going to be involved in one of the methods of public input? Because I have a concern regarding security. How can you be sure that's coming from the State of California? Those are my
questions. Thank you for listening.

CHAIR KENNEDY: Thank you very much for calling.

Commissioner Sinay or Commissioner Fornaciari, would you like to answer the in -- and the basic question is, will the subcommittee be responding to its own questions at the Thursday meeting or is that to be at a later date?

COMMISSIONER FORNACIARI: Some of them. I can answer some of those questions now. You know, as far as COI input and what we're looking for in COI input, we're addressing that through the materials committee is developing additional slides for the education presentation to address that issue that's been brought up by a number of folks.

As far as public input goes, you know, we're not -- you know, we can't ask people to identify themselves or where they're from when giving public input, so you know, we have no mechanism for ensuring, you know, that public input is coming from California or from a specific region that we're -- we're targeting.

The other question that you asked at the meeting but you didn't ask today is, you know, if someone misses their regional meeting, can they go to a different meeting? And the answer is yes. We're accepting public input at all times. As far as how to provide us public input, if you go to wedrawthelinesca.org, right on the
home page, if you scroll down, there's a -- it says
public comment. There's an email address. There's a
phone number to call during the meetings. There's a --
there is the mailing address, and then there is a link to
the COI tool, which is drawmycommunity.org.

And I think -- is that all -- did I answer all the
questions? Commissioner Sinay, did I miss any?

COMMISSIONER SINAY: No. There's a lot of questions
and we're not going to answer them all on Thursday, but
that's why we're trying to keep them as people bring them
up and either the public or the commissioners at all
meetings and document them and go back to them and keep
making sure that we're answering them. But I think you
did a great job, Commissioner Fornaciari.

MS. WESTA-LUSK: Okay.

COMMISSIONER FORNACIARI: Thank you.

MS. WESTA-LUSK: Thank you.

PUBLIC COMMENT MODERATOR: And we do have one more
caller.

CHAIR KENNEDY: Okay. Invite them in.

PUBLIC COMMENT MODERATOR: And the floor is yours.

MS. HUTCHISON: Thank you very much. This is Helen
Hutchison with the League of Women Voters of California.
I want to start by saying that we support the comments of
our colleague from NALEO earlier in this -- earlier just
now. The League of Women Voters believes in efficient and economical government that would -- it requires competent personnel, clear assignment of responsibilities, adequate financing, and coordination among different agencies and levels of government.

In addition to the overall principle, while we believe in full funding of government, we also strongly promote fiscal responsibility, the careful use of and accountability for the expenditure of public money. The past history of the Redistricting Commission was one of the firms under consideration raises serious concerns about potential fiscal problems. The amount the firm charged as well as cost overruns.

If they were to be hired, the Commission would need to exercise strict oversight of their work. Do you have that expertise? And if you do, is it the best use of limited time and energy of Commission members? While the Legislature has been generous with funding for the Commission, the funds will not be unlimited. The Commission has an obligation to think carefully before contracting with a firm that has overbilled in the past, and in addition, left litigation mid-stream over a potential payment delay.

We do recognize that any contractor needs to be paid. They're a business with their own costs. However,
in 2011, Morrison & Forester did not leave the
litigation, but instead chose to stay on and accept
delayed payment. We're in debt to MoFo for their
unstinting defense of the 2010 maps.

Finally, I want to suggest that the Commission focus
more on the depth of a potential counsel's experience
than overall size of the firm. Voting rights is a
particular legal specialty, and the Commission needs
counsel that has a strong record of experience in this
area. While challenges to the maps will most likely cite
a variety of areas, at their root, the challenges and
especially the defense of maps, will be based on voting
rights. Thank you all very much.

CHAIR KENNEDY: Thank you, Ms. Hutchison. Katy,
that's all we have in the queue?

PUBLIC COMMENT MODERATOR: Yes, Chair.

CHAIR KENNEDY: Yes, we are overdue for our break.
My apologies to the staff for that. Let us take a
fifteen-minute break. In fact, let's take a twenty-
minute break and come back at 3:45, and that will be in
closed session.

So to members of the public, we thank you for
joining us today. We look forward to seeing you at 9:30
tomorrow morning when we -- not tomorrow, Thursday
morning.
COMMISSIONER YEE: Thursday.

CHAIR KENNEDY: 9:30, Thursday morning, when we reconvene. Thursday, the 1st of April. So we will -- we will take a break right now and then go into closed session.

(Whereupon, the CRC Business Meeting adjourned.)
CERTIFICATE OF TRANSCRIBER

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

LORI RAHTES, CDLT-108

July 4, 2022

DATE