STATE OF CALIFORNIA

CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

CRC BUSINESS MEETING

WEDNESDAY, AUGUST 26, 2020

9:30 a.m.

Transcription by:
eScribers, LLC
APPEARANCES

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

STAFF
Raul Villanueva, Interim Administrator
Marian Johnston, Interim CRC Staff Counsel

TECHNICAL CONTRACTORS
Kristian Manoff, AV Technical Director/Comment Moderator

Also Present

PUBLIC COMMENT
Anne O'Connor
Anne Coal
Daphne Harris
Rosalind Gold, NALEO Educational Fund
Alejandra Ponce de Leon, Advancement Project California
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PROCEEDINGS

August 26, 2020 9:30 a.m.

MS. JOHNSTON: Good morning, everyone. I'm Marian Johnston, your interim counsel. And I would like to call this first meeting of the full 2020 Commission to order. And we'll do a roll call, please.

MR. VILLANUEVA: Thank you, Marian.

Isra Ahmad?

COMMISSIONER AHMAD: Here.

MR. VILLANUEVA: Linda Akutagawa.

COMMISSIONER AKUTAGAWA: Here.

MR. VILLANUEVA: Jane Andersen?

COMMISSIONER ANDERSEN: Here.

MR. VILLANUEVA: Alicia Fernandez?

COMMISSIONER FERNANDEZ: (No response.)

MR. VILLANUEVA: Neal Fornaciari?

COMMISSIONER FORNACIARI: Here.

MR. VILLANUEVA: Did I pronounce that right, Commissioner?

COMMISSIONER FORNACIARI: Yeah.

MR. VILLANUEVA: Thank you.

Commissioner Kennedy?

COMMISSIONER KENNEDY: Present.

MR. VILLANUEVA: Commissioner Le Mons?

COMMISSIONER LE MONS: Here.
MR. VILLANUEVA: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Here.

MR. VILLANUEVA: Commissioner Taylor?

COMMISSIONER TAYLOR: Here.

MR. VILLANUEVA: Thank you.

Commissioner Toledo?

COMMISSIONER TOLEDO: Here.

MR. VILLANUEVA: Commissioner Turner?

COMMISSIONER TURNER: Here.

MR. VILLANUEVA: Commissioner Sinay?

COMMISSIONER SINAY: Here.

MR. VILLANUEVA: Commissioner Vazquez?

COMMISSIONER VAZQUEZ: Here.

MR. VILLANUEVA: Thank you.

And Commissioner Yee?

COMMISSIONER YEE: Here.

MS. JOHNSTON: Good morning, everyone. We're just missing one of the new six Commissioners, Alicia Fernandez. And hopefully she'll be joining us. But for the five of the new ones that are here, welcome to the Commission. And now Commissioner Andersen will be swearing you in. If you would raise your right hands, please?

Commissioner Andersen?

COMMISSIONER ANDERSEN: Good morning. It's my
privilege and honor to administer the -- this oath of
office. And if -- I was just going to say, if you're --
everyone has their right hand raised? Please repeat
after me. I --

COMMISSIONER YEE: I.
COMMISSIONER ANDERSEN: State your name.
COMMISSIONER YEE: Russell Yee.
COMMISSIONER AKUTAGAWA: I, Linda Akutagawa.
COMMISSIONER SINAY: Patricia Sinay.
COMMISSIONER VAZQUEZ: Angela Vazquez.
COMMISSIONER ANDERSEN: Do solemnly swear.
COMMISSIONER YEE: Do solemnly swear.
COMMISSIONER AKUTAGAWA: Do solemnly swear.
COMMISSIONER LE MONS: Do solemnly swear.
COMMISSIONER ANDERSEN: Or affirm.
COMMISSIONER YEE: Or affirm.
COMMISSIONER ANDERSEN: That I will support and
defend.

IN UNISON: That I will support and defend.
COMMISSIONER ANDERSEN: The Constitutions of United
States and the State of California.

IN UNISON: The Constitutions of the United States
and the State of California.

COMMISSIONER ANDERSEN: Against all enemies.

IN UNISON: Against all enemies.
COMMISSIONER ANDERSEN: Foreign and domestic.

IN UNISON: Foreign and domestic.

COMMISSIONER ANDERSEN: That I will bear true faith.

IN UNISON: That I will bear true faith.

COMMISSIONER ANDERSEN: And allegiance to.

IN UNISON: An allegiance to.

COMMISSIONER ANDERSEN: The Constitutions.

IN UNISON: The Constitutions.

COMMISSIONER ANDERSEN: Of the United States.

IN UNISON: Of the United States.

COMMISSIONER ANDERSEN: And the State of California.

IN UNISON: And the State of California.

COMMISSIONER ANDERSEN: That I take this obligation freely.

IN UNISON: That I take this obligation freely.

COMMISSIONER ANDERSEN: Without any mental reservation.

IN UNISON: Without any mental reservation.

COMMISSIONER ANDERSEN: Or purpose of evasion.

IN UNISON: Or purpose of evasion.

COMMISSIONER ANDERSEN: And that I will well and faithfully.

IN UNISON: And that I will well and faithfully.

COMMISSIONER ANDERSEN: Discharge the duties upon which.
IN UNISON: Discharge the duties upon which.

COMMISSIONER ANDERSEN: I'm about to enter.

IN UNISON: I'm about to enter.

COMMISSIONER ANDERSEN: Congratulations.

MS. JOHNSTON: Thank you all very much. And if you would sign your oath of office, and send it to our office at your convenience. There's no rush on that.

Opening statements. Since six of you don't know the other eight of you at all, we may not always want to go alphabetically, but for this morning's ease, let's start by doing that.

Commissioner Ahmad, was there anything you'd like to say to begin the meeting?

COMMISSIONER AHMAD: Sure. Thank you for the floor. Welcome, everyone. I feel whole now that we are fourteen. There's no old Commission and new Commission. It's just one Commission. I'm really looking forward to working with everyone to achieve that common goal.

MS. JOHNSTON: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: I'd like to say that it's a pleasure. I'm looking forward to working with all of you. This is important work, although I've been told it's unappreciated. And so I just want to just say that this is going to be something that I am looking much forward to.
MS. JOHNSTON: Well, we appreciate you.

Commissioner Andersen?

COMMISSIONER ANDERSEN: I'd just like to say welcome, and it's wonderful to not have my mask on and to see everyone's faces here and to actually be a full Commission. I really look forward to working with everyone.

MS. JOHNSTON: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yeah. I -- it's great to see everyone. Welcome aboard. I'm glad we're all together and ready to get going. I'm looking forward to it.

MS. JOHNSTON: Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you. I'm going to break the chain and go for a little bit longer, so I would ask your patience. I'll try to be as brief as possible. Now that we're fourteen, I want to welcome our new colleagues and believe that we have succeeded in building a Commission that is reasonably representative of California's diversity. We're all fortunate to live in such a diverse state. I personally find it both intellectually and spiritually enriching.

Unfortunately, it would be impossible to fully reflect the diversity of our great state within a fourteen-member Commission. But what we can do, what
we're expected to do, is appreciate the full diversity of
our state, think it out, engage with every community in
the State. And as I said towards the close of the final
meeting of the first eight Commissioners, we're not here
to represent a specific population.

If that were the case, far too many Californians
would indeed be excluded from the process of citizen
redistricting. We will only succeed if we understand
that each of us is here not so much to represent as we
are to serve the entire population of California. We're
all challenged by the current health crisis, but I trust
that each of my colleagues is fully committed to doing
everything we can within the time and technology
available to us creatively to reach out beyond what the
2010 Commission was able to achieve in the limited time
that it had available.

We want to hear as many voices of our state as
possible at every step in this process. But let's keep
in mind another important objective, proving to those
both inside and outside California who don't believe that
a citizen-led process is the best way to draw lines, that
we, the people of this great state, are indeed capable of
working together for our common good, not elbowing each
other out of the way.

I remain inspired by the wisdom and commitment of my
fellow Commissioners and hope that we can succeed in our
ultimate task, just as we did in our selection of the
final six Commissioners. Let's always seek to inspire
participation in our input sessions, as Commissioner
Taylor phrased it in his interview, and lift up the
missing, as Commissioner Turner phrased it in her
application. To me, those are two profoundly important
elements to keep in mind as we move forward.

I know I have ideas that I'm looking forward to
sharing now that we have the full Commission in place.
But we're also looking to the public for ideas on how to
maximize our contact with the many communities that make
up this wonderful place called California. We'll also
continue to depend on community leaders, whether formally
seated at the table or participating through the various
forms of public comment, to help ensure the success of
the 2020 California Citizens Redistricting Commission, so
that we do indeed serve as a positive model for the rest
of the country.

Thank you for entrusting us with this critically
important task. And please continue to share your
thoughts with us as we move through the process. We're
just getting started, just getting to know each other,
and just understanding how we can best work together for
the people of California. We may occasionally stumble,
but we're determined to do our best, and we count on the public to help us. Thank you.

MS. JOHNSTON: Thank you.

And I believe that Commissioner Fernandez has joined us now.

Kristian?

Commissioner Fernandez?

MR. MANOFF: Yes, she got audio.

MS. JOHNSTON: Commissioner Fernandez, if you can hear us, can you check your audio, see if you've muted yourself?

MR. VILLANUEVA: Actually, I just received a text that she was looking for the call-in number, if you could send that to her.

MR. MANOFF: (Indiscernible) number she's already (indiscernible).

MR. VILLANUEVA: Correct. And there were some issues with that. Otherwise I wouldn't have gotten a text.

MR. MANOFF: Okay. We've been calling her. So you know, I'm not sure what else I can do at this point.

MS. JOHNSTON: Has she even received the call-in numbers in case her --

MR. MANOFF: She's received all of them, yes. And our tech support is trying to contact her as well.
MS. JOHNSTON: Okay. Well, hopefully, she will join us soon then.

Commissioner Le Mons, pardon the interruption.

COMMISSIONER LE MONS: No worries. Good morning, everyone. Welcome to the additions to the Commission. I'm excited that you're all here, and I echo everything Commissioner Kennedy said. Well done.

MS. JOHNSTON: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Thank you so much. Welcome to all. I'm very -- also very excited to be here, and I look forward to getting to know everyone better in the many months and years ahead of us. I echo everything Commissioner Kennedy said as well. This is only the second Citizens Redistricting Commission to be formed here in the State of California.

And I certainly echo the -- Commissioner Kennedy's words and confirm that we have an opportunity to show that the citizens can play an important role in redistricting and creating fair maps for our state and that this is a possibility for the future of our country as well. We have an enormous task in front of us, especially during these extraordinary times, and I look forward to working through this entire process.

MS. JOHNSTON: Commissioner Taylor. We're not hearing you, Commissioner Taylor. Commissioner Taylor,
could you unmute yourself, please? Oh, well --

COMMISSIONER TAYLOR: Can you hear me now?

MS. JOHNSTON: Yes. Wonderful.

COMMISSIONER TAYLOR: Good morning. Good morning.

No great points. Just look forward to the work. Look forward to everyone. Hey.

MS. JOHNSTON: Commissioner Toledo?

COMMISSIONER TOLEDO: Just thank you for the warm welcome, and I look forward to working with each of you.

Thank you.

MS. JOHNSTON: Commissioner Turner?

COMMISSIONER TURNER: Good morning, everyone. To all of my fellow Commissioners, I am elated that we are all now present and accounted for and ready to begin this journey that we have over the next several years. So I'd just like to say welcome to all. Good to see the others back. And I'm looking forward to our time together.

MS. JOHNSTON: Commissioners Sinay?

COMMISSIONERS SINAY: Good morning. I wrote down a few comments, too, so I didn't want to leave Commissioner Kennedy as the only one. First of all, I want to -- I do want to say you can call me [Pat-ree-sia] or [Pa-'tri-sha], and it is Sinay. But whatever feels natural, I will try to respond to. It is an honor to serve California and all her people. Thank you to all
who served and participated in the 2010 Citizen Redistricting Commission. We will build on your foundation and success.

We may be the second Citizens Commission, and as others have said, we are the first to do this work during a pandemic. I invite us all to take advantage of the many opportunities that working during COVID-19 offers us to implement innovative and creative techniques and tools that promote inclusive and participatory democracy.

Let's not look at this as a negative, but as a positive, because there's a lot we can do.

The People of California, as we have been told, and I believe we all agree on, is the fifteenth member of this Commission. Your input will be a critical piece of this big, big puzzle. I thank you for your past engagement, and I anticipate learning from you. Lastly, I want to say gracias to my kid and my family. Kids, we are doing this for you and for all kids' future. And again, just however you feel comfortable addressing me, I will respond. Thank you so much.

MS. JOHNSTON: Commissioner Vazquez.

COMMISSIONER VAZQUEZ: Hi. Thank you, everyone. I've also prepared some remarks. So we're in good company, Commissioner Kennedy and Commissioner Sinay. So Good morning, Commissioners, staff, and members of the
public. What an impressive group we have here today. Firstly, I would like to thank the Commission tasked with finalizing our composition. I'm excited to join a group of such thoughtful and committed public servants. Redistricting is a core component of our representative democracy and one that I, like you all, and like every person and organization who participated in any way in the selection process, take especially seriously. Political representation, or lack thereof, is one of the more pernicious ways we have kept certain communities marginalized, and I'm proud to live and serve in a state that chose to lead progress toward a more just elections process by entrusting the boundaries of political representation to the people themselves, rather than continuing to entrench political power with those who already wield it.

The Commission as a body should be representative of the incredible diversity of our state, but I do not view myself as a representative of any one constituency. Rather, I view my role and our collective role as stewards of a process that is inclusive of all voices, perspectives, and lived experiences, mindful of the historical injustices communities of color have faced across California, and informed by all data available to us, both quantitative and qualitative.
My many identities certainly informed my perspective and sensitized me to the experiences of others, both like me and unalike me. So I look to my colleagues on the Commission and to the public to hold me accountable to a 360-degree view of the tradeoffs we will inevitably face in drawing fair maps. And I welcome being called in to think more deeply about those tradeoffs.

I would also like to thank the State Auditor and her staff for the work that they've done to date in supporting the application, selection, and orientation of the Commission. The global pandemic hit just as their office was trying to convene in-person interviews and their nimbleness in adjusting to what has become our new virtual reality was impressive, especially for a State agency that specializes in standard operating procedures.

The pandemic has also impacted me personally and deepened my commitment to increasing political access. I became sick with COVID-19 in late March and have since developed complications that have severely limited my physical abilities and preclude any travel for the time being. I'm extremely privileged. I have access to the internet and devices that allow me to participate and lead in the redistricting process in spite of my illness and current disability.

Yes, there are nearly two million households without
internet access in California. The pandemic has not only
made historically-marginalized communities harder to
count in the census, but it also has the potential to
limit the participation of poor and rural communities in
our redistricting process. Having come from community
organizing, I look forward to working with community-
based organizations across the State as partners and
collaborators to ensure that their community's voice is
heard throughout this process and that simply being too
poor to have internet or a computer with Zoom is not a
barrier to political representation in the next ten
years.

I'll wrap up by thanking the public for embarking on
this process with us, and I look forward to the work
ahead. Thank you.

MS. JOHNSTON: Commissioner Yee.

COMMISSIONER YEE: Good morning. And here I am in
my home in Oakland. And it's -- my only regret today is
that I can't be with you all in person. Here we are in
the midst of a pandemic and another record-setting fire
season and a stormy political season. And in the midst
of all of that, it's so good to be part of something so
constructive and so positive as this Commission is. So
I'm just very grateful to be here, and I look forward to
our work together. Thank you.
MS. JOHNSTON: Thank you.
And at this time, are there any public comments, Justin (ph.)?
PUBLIC COMMENT MODERATOR: And just a reminder, ladies and gentlemen, it is pressing 1, followed by 0, if you'd like to place yourself in the queue for public comment.
MR. VILLANUEVA: Do you want me to read it?
MS. JOHNSTON: Go ahead.
PUBLIC COMMENT MODERATOR: It looks like we do have a comment from the line of Anne O'Connor (ph.).
Your line is open.
MS. O'CONNOR: Good morning. My name's Anne O'Connor. Congratulations to all fourteen members of the first meeting. I heard about this meeting just this morning, and I wanted to make sure that we didn't miss this meeting. I'm one of the leaders, and I'm not sure that this is the meeting that I should be talking about. You can advise me.
I'm one of the leaders of an area of Sherman Oaks in Los Angeles, which won our renaming to Sherman Oaks from Van Nuys in July of 2009. We were able to attend the Redistricting Commission meetings in 2010 and '11 and advocated successfully to be added to the Councilman Ryu's district CD4. We had been in Wendy Greuel's
district CD2.

We wanted to be included as part of the greater Sherman Oaks district. However, the congressional district had already been redrawn, and we missed getting into Brad Sherman's District 30 with our greater Sherman Oaks partners. So after ten years, we would like to be added to Brad Sherman's District 30. Our boundaries are approximately Burbank Boulevard to Oxnard and 405 to Hazeltine. So I would appreciate your advice in next steps for us in moving our goals forward. Thank you very much.

MS. JOHNSTON: Thank you.

Any other public comments?

PUBLIC COMMENT MODERATOR: There are no other public comment at this time.

MS. JOHNSTON: Thank you.

All right. Moving to item 4, I'm sorry, item 3, which is the approval of the minutes of the first eight. And only the eight of you would participate in approving those minutes. And I understand there's already one correction from Commissioner Turner?

COMMISSIONER TURNER: Yes. Thank you, Madam Chair. In reviewing the notes, it appears that it reflects that I was late on August 7th and August -- 6th and August 7th. And I believe I was only late to one of the
meetings.

MS. JOHNSTON: Do you recall which one it was? I wasn't here then.

COMMISSIONER TURNER: I am thinking it was perhaps the 6th. I believe it was the 6th.

COMMISSIONER KENNEDY: It was the 6th. I have it in my notes.

COMMISSIONER TURNER: Oh, great. Thank you.

MS. JOHNSTON: Okay. Any further corrections?

COMMISSIONER KENNEDY: Yes. On -- at the top of the first day, we have two vice chairs listed, so a vice chair needs to be removed from Commissioner Taylor's name. Then a couple of paragraphs down, where it's talking about discussing item 5, "Ms. Saxon also clarified that multiple slates could be considered at one time, but only one slate per Commissioner". And I would ask that we add there, at any time, because I believe that will help the public at some point in the future, if they're trying to follow what happened during the course of the meeting.

MR. VILLANUEVA: Commissioner Andersen (sic), excuse me, could you specify where in the document you are? Page number, paragraph number? And what would you like to change?

COMMISSIONER KENNEDY: We're still on the first
page. First page. "At 9:53 a.m., the Commission began discussing item 5".

MR. VILLANUEVA: Okay. And what would you like to change, please?

COMMISSIONER KENNEDY: Twenty-two, twenty-four -- fifth line down, after "one slate per Commissioner", just add, at any time.

MR. VILLANUEVA: Thank you.

MS. JOHNSTON: Any further corrections?

COMMISSIONER KENNEDY: Yes. On the next page, page 2, "At 11:55 Chair Andersen presented a draft slate". Mr. MacPhail's name is William Roy MacPhail. I don't know where Matthew came from.

MS. JOHNSTON: Did you get that?

Any further corrections?

COMMISSIONER KENNEDY: I'm checking. That's all I have.

MS. JOHNSTON: Anyone else?

Okay. Do you have the roll call for the first eight? You want me to call the first eight?

MR. VILLANUEVA: Oh, yeah, if you want to.

MS. JOHNSTON: Okay.

COMMISSIONER TAYLOR: I have a question.

MS. JOHNSTON: Yes.

COMMISSIONER TAYLOR: And I don't know if it would
have to be at the will of the first eight, but are we
able to sort of add a small statement? I know I've seen
it in other minutes. And just the start, a small
statement after we elected a slate, that can read
something such as, after vigorous debate and
consideration of all options, respective of California's
diversity, the Commission came to a consensus.

MS. JOHNSTON: I think that would take a motion,
since it's not actually on the minutes; it's not a
correction. Would you like to make a motion to that
effect? Commissioner Taylor?

COMMISSIONER TAYLOR: I would. I would like to make
a motion that after -- on page 10, let me see, after it
says, "the motion passed unanimously", that the record
reflect that it says, the Commission reached consensus
after vigorous debate and consideration of all options
respective of California's diversity. And I think that's
just to put a record that we were inclusive and
considered everyone in California.

MS. JOHNSTON: Did you get that, or do you need him
to repeat it? Raul, do you need him to repeat it?

MR. VILLANUEVA: Yes, please.

MS. JOHNSTON: Please repeat it, Commissioner
Taylor.

COMMISSIONER TAYLOR: It's the Commissioner (sic)
reached their consensus after vigorous debate and
consideration of all options respective of California's
diversity.

MS. JOHNSTON: Is there a second?

COMMISSIONER TURNER: I'll second the motion.

MS. JOHNSTON: Commissioner Turner seconds it. All
right, let's vote first on that amendment.

Commissioner Ahmad?

COMMISSIONER SADHWANI: Oh, yes. Is it possible to
have discussion first?

MS. JOHNSTON: Oh, I'm sorry. Of course.

COMMISSIONER SADHWANI: Yeah, I don't -- if I may, I
don't have any problems adding it. I do just kind of
feel like it adds some additional perspective, as opposed
to simply stating the minutes -- simply stating the facts
of the -- of the meeting. I don't personally have a
problem with that, Commissioner Taylor. I actually like
it.

But I don't know how others feel, and so I --
because it does fit the idea of vigorous debate that
begins to get an impression of the debate as to the fact
that there was simply -- factually that there was debate.
So I just put that out there for folks to think about
before we engage in changing the minutes in this way.

My only concern is that if this becomes common
practice, then we can, you know, it opens the door to potentially changing the minutes to -- in, you know, to describe various kinds of emotions and such things in the future. And I don't know how we feel about that.

MS. JOHNSTON: Just a point of clarification. Probably when the full Commission meets, there will not be separate minutes kept. The record of the meeting will be the video that's recorded and posted on the website. So the record will be the video itself. Any other comments from the first eight?

Any public comments, Justin?

PUBLIC COMMENT MODERATOR: Just a reminder, press 1 then 0 to place yourself in queue for us. At this time, we have no one queuing by phone.

MS. JOHNSTON: Okay. Unless there's any further comment, I will do a vote first on the motion by Commissioner Taylor.

Commissioner Ahmad.

COMMISSIONER AHMAD: Yes.

MS. JOHNSTON: Commissioner Andersen.

COMMISSIONER ANDERSEN: Yes.

MS. JOHNSTON: Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Yes.

MS. JOHNSTON: Commissioner Kennedy.

COMMISSIONER KENNEDY: Present.
MS. JOHNSTON: Commissioner Le Mons.
COMMISSIONER LE MONS: Yes.
MS. JOHNSTON: Commissioner Sadhwani.
COMMISSIONER SADHWANI: Yes.
MS. JOHNSTON: Commissioner Taylor.
COMMISSIONER TAYLOR: Yes.
MS. JOHNSTON: Commissioner Turner.
COMMISSIONER TURNER: Yes.
MS. JOHNSTON: Okay. That amendment passes. Now, a vote on the minutes as amended.
Commissioner Ahmad.
COMMISSIONER AHMAD: Yes.
MR. VILLANUEVA: Don't you have to make a motion to --
MS. JOHNSTON: There would be a motion. I'm sorry. A motion to approve the minutes as amended.
COMMISSIONER TURNER: I can move that.
COMMISSIONER AHMAD: I'll second. Oh.
MS. JOHNSTON: Who moved it?
COMMISSIONER TURNER: I'll move that the motion be approved as amended with all of the corrections.
MS. JOHNSTON: And who seconded it?
COMMISSIONER AHMAD: I did.
MS. JOHNSTON: Commissioner --
COMMISSIONER AHMAD: Commissioner Ahmad.
MS. JOHNSTON: -- Ahmad. Now we'll do it. I apologize for my lack of familiarity with the procedures, but soon there'll be one of you.

Commissioner Ahmad.

COMMISSIONER AHMAD: Yes.

MS. JOHNSTON: Commissioner Andersen.

COMMISSIONER ANDERSEN: Yes.

MS. JOHNSTON: Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Yes.

MS. JOHNSTON: Commissioner Kennedy.

COMMISSIONER KENNEDY: Yes.

MS. JOHNSTON: Commissioner Le Mons.

COMMISSIONER LE MONS: Yes.

MS. JOHNSTON: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes.

MS. JOHNSTON: Commissioner Taylor.

COMMISSIONER TAYLOR: Yes.

MS. JOHNSTON: Commissioner Turner?

COMMISSIONER TURNER: Yes.

MS. JOHNSTON: Thank you.

All right. Turning to your item 5, which is a vote on the chair and vice chair. First of all, to let you know that there are special rules that apply to this vote. First of all, the law requires that there be three from each group -- each subgroup that supports any vote
on a chair or vice chair.

COMMISSIONER ANDERSEN: I can -- Madam -- well, Madam -- I would say Madam Chair, but -- I know introduced yourselves to the eight of us. I don't know if all six of the new Commissioners were present. And item number 4 is actually introducing yourselves to us, so I --

MS. JOHNSTON: Thank you.

COMMISSIONER ANDERSEN: -- don't know if you want to give a little bit intro for the six, please.

MS. JOHNSTON: Certainly. I am Marian Johnston. I was counsel for the 2010 Commission and served during the past ten years doing things that came up, such as an amicus brief in the Arizona case and response to the Legislature v. Padilla case on extending the time for the Commission. I've been asked by the State Auditor to represent you as your counsel in this interim time, and whether or not I continue will be up to you.

I'm not applying to be the chief counsel, but I would be willing to serve as an R.A. Would anyone like to hear anything more about my background?

Seeing none, Raul, why don't you introduce yourself?

MR. VILLANUEVA: Good morning, Commissioners. My name is Raul Villanueva, and I've been working with the auditor's office. I'm the former office manager for the
2010 Commission, and I guess they brought me back to get the operations rolling. You've probably seen a lot of my emails in the last few days, and so hopefully my responses to you have been, you know, helpful.

MS. JOHNSTON: Anything further, questions people have of Raul?

Thank you, Commissioner Andersen.

All right. Now turning to item 5, which is the election of the chair and vice chair. Under the rules that govern you all, two special rules. One, the chair and vice chair must be of different subgroups. So if one is a Republican, the other has to be a Democrat or an other, and so on for all the other categories.

Secondly, you need at least three votes from each group. And we call this a special vote, and it applies not only to the chair and vice chair, but in two other situations. One, in hiring your employees, and secondly, in approving your final maps. So -- but for this, we do need the special vote of three from each of the subgroups.

And we'll be governed by Robert's Rule of Order, Section 14 -- Chapter 14, Section 46. I will call for nominations from the floor. No seconds are required. You can nominate yourself or anyone else.

Yes, Commissioner Kennedy.
COMMISSIONER KENNEDY: Well, go ahead and finish what you're about -- what you were in the process of saying, and then I'll come in.

MS. JOHNSTON: Once there are no further nominations from the floor, the nominations will be closed, and we'll have a vote. We'll vote by voice vote and as many times as necessary to get the required three, three, and three minimum to elect a chair. Then we'll repeat the same process for the vice chair, which, again, must be of another subgroup from whoever is elected chair.

Yes, Commissioner Kennedy?

COMMISSIONER KENNEDY: Two things. One, this -- and I think we've had this discussion before. Either that, or it was something brought up by the previous Commission. It just feels rushed. I mean, we don't know each other. And electing someone chair and vice chair at this point just seems amazingly rushed.

I take the 2010 Commission's recommendation of a rotating chair generally positively, although I would propose that we rotate somewhat less frequently, because I think it would assist us in maintaining accountability, particularly as far as the Commission channeling instructions to the executive director through the Chair, which has been the practice on commissions that I've been involved in.
So my suggestion, and it's not yet a motion, because I guess I need counsel's input on this. My suggestion is that we retain our current temporary chair and vice chair through the end of September. That would basically be for one quarter, July and August, September, and that we, before the end of September, elect chair and vice chair for the following quarter and that we continue to rotate on a quarterly basis.

MS. JOHNSTON: Thank you. I don't think you can continue the same, because it was not elected by the full Commission and doesn't have the three, three, and three requirements. But you certainly could nominate the same people to serve for that extended time. As to the term of office, I suggest that we save that for a discussion at the next meeting when you all have a chance to work with each other a little bit.

We do need a decision today, if possible, on a chair and vice chair just for our working relationship and being able to make certain decisions that have to be made by the officers of the Commission.

Yes, Commissioner?

COMMISSIONER SINAY: And I just wanted to add that even before I had read any of the documents, and I was -- I really appreciated that during the selection process, they used a rotating chair. And I understand there were
only three. But a rotating chair, I remember hearing you all ask who has experience and who doesn't have experience chairing. And hopefully by the end of this, we all have all experiences, and it allows us to reflect the community that's there.

And other -- also a chair is a facilitator, is -- and so they can't necessarily participate as much. And it allows us to participate -- kind of share in the -- when we participate and when we facilitate. So I would really like us to consider doing that rotating chairs.

And I liked how they have three set up, so you already knew who the -- you know, there was a -- the way they had done it before was one from each category and they rotated.

I understand there's standard operating procedures, and there's Robert's Rules, but it is our opportunity -- you know, there are -- some things are written in stone and -- and are done that way because that's the way they are done traditionally. And others we can actually influence and reflect the participatory democracy that we're looking for.

MS. JOHNSTON: And on that, I think that if you wish to impose the term limits and do the rotating chair at this time, you could make a motion to that effect.

Yes? I saw Commissioner Akutagawa.
COMMISSIONER AKUTAGAWA: Yeah. So I -- I'd like to also support that, that idea of the rotating chair and vice chair. When I read through the previous Commission's report, I took that part very seriously, in the sense that there were a number of positive benefits that I think would be brought upon the Commission and also, I think all of us as a body as well, to be able to -- to rotate that that that leadership role.

I also like the idea of what Commissioner Sinay also said about having something in advance similar to what the other Commission did as well too, so that we were also better prepared to also anticipate when our turn will also come up as well too. I notice that they're doing the rotation. Each person at some point had more than one opportunity to -- to the chair and the vice chair.

I think that that was -- that was also good. I will say that I'm not necessarily committed to deciding today what those terms are. But I'd like to hear what others may think about. I feel like I'd like to know a little bit more information before we actually set up some type of cadence. But I am also hearing what you said about just from a process point of view.

I'm also perfectly comfortable renominating the current chair and vice chair to start us off, since
they've already been in this role. And it'll give
potentially the rest of us some time to just get our --
get our kind of feet solid, so.

MS. JOHNSTON: Any other Commissioners?
Commissioner Yee?

COMMISSIONER YEE: Yes. As -- seeing reviews and
reports from the 2010 Commission, it seems like the
rotating chair is routinely cited as a positive aspect of
their work. And it just -- it's good optics. It's good
practice. It seems like a good idea, even though there
may be some costs to continuity and so on.

If it would help, so thinking about this last night,
I thought, well, what if we just rotated through
alphabetically, alternating the parties? And I actually
set out a rotation, which I've shared with you in Google
Drive. And Commissioner Andersen, conveniently, is
actually the first alphabetically Republican. And so
that rotation starts off smoothly.

So in such a rotation, Commissioner Kennedy would
come next, then, as alphabetically the first Democrat,
with Commissioner Ahmad first no party preference, and
then -- and so on and so on. So if that would help. It
doesn't set any particular timing, but it gets all of
fourteen of us paired up in order, chair and vice chair,
by alphabetical order and party.
MS. JOHNSTON: The one question I would have about that, it certainly would be appropriate to making a motion that effect. But I am not -- we should make sure that all Commissioners would like to serve as chair or vice chair.

COMMISSIONER YEE: Sure. Absolutely.

MS. JOHNSTON: In the last Commission not everyone wished to do that. But certainly for everyone who wishes to, we could set up something like that chair.

COMMISSIONER YEE: Sure.

MS. JOHNSTON: Yes? Commissioner Sinay?

COMMISSIONER SINAY: Just a real small point, but I -- I don't want the public to think that we don't know how to put things in alphabetical order. I've been put after the Ts, though Sinay would fit after it would be in the Ss. And --

COMMISSIONER YEE: That's correct. But since we have to go by party --

COMMISSIONER SINAY: No, no, no. I understand for -- oh, for all -- but the -- but the list, when we do the alphabetical order. Not for you. I'm not critiquing what you were saying, just when the -- when we do roll call and such.

COMMISSIONER YEE: Oh, yeah.

COMMISSIONER SINAY: I keep coming up --
MS. JOHNSTON: Oh, you're right.

COMMISSIONER SINAY: -- after the Ts.

COMMISSIONER YEE: That's very good.

MS. JOHNSTON: I think that's because of being added later. I apologize for that. You certainly are correct. Are there any Commissioners -- well, I feel uncomfortable not -- asking people in public to say if they don't wish to serve as a chair. So what I would suggest is that we ask for a motion to appoint people for this -- until the next meeting as chair and vice chair.

And then if anyone is not willing to serve as the chair vice chair, they contact either Raul or myself before then, and we would then take Commissioner Yee's list and modify it as necessary, if anyone wishes to be excluded.

COMMISSIONER VAZQUEZ: And just to clarify, when you say this meeting, it's then over the next five days.

MS. JOHNSTON: Correct?

COMMISSIONER VAZQUEZ: -- for when we --

MS. JOHNSTON: Correct.

COMMISSIONER VAZQUEZ: -- officially adjourn. Got it.

COMMISSIONER AKUTAGAWA: I also want to just -- what Commissioner Sinay also got me thinking too, I -- I'm -- I'm going to say that I think in this kind of environment
that we're in, it's hyper-partisan. I also want to
suggest that instead of saying we're going to go with a
Republican first, then a Democrat, then -- then either
nonaffiliated or nonpartisan, independent, whatever word
you want to use for the no party preference.

I suggest maybe for the ease of also ensuring that
there's no accusations of being partisan, that we go in
alphabetical order and that we start with the Democrat,
no party preference, and then Republican in that order,
in terms of what the rotation is going to be, if that's
what we're going to do.

I'm not saying that that's what we have to do, but
that's just from a process point of view, I would suggest
that just to ease any other kinds of concerns that could
come up in terms of why is the Republican going first,
why is the Democrat going first, et cetera.

MS. JOHNSTON: Any other Commissioners have
comments?

Any public --

COMMISSIONER AHMAD: I do have a question.

MS. JOHNSTON: Oh, Commissioner Ahmad?

COMMISSIONER AHMAD: So for the process point, if we
are selecting a chair and vice chair for this particular
meeting, would we revisit and go through this process
again at the start of the next meeting?
MS. JOHNSTON: Well, which would be -- the next noticed meeting, not for the -- not for this series of days. The next meeting.

COMMISSIONER AHMAD: Right. Right. The next noticed meeting.

MS. JOHNSTON: Well, by that time, I would hope that the Chair would appoint a nominating committee of two people who could work on coming up with a proposal that would be submitted to you all as a proposed plan of rotation.

COMMISSIONER AHMAD: Right. Got it.

MS. JOHNSTON: Any other public -- comments from the Commissioners?

Any public comments?

MS. JOHNSTON: Oh, Commissioner --

COMMISSIONER SADHWANI: Sadhwani.

MS. JOHNSTON: Sadhwani.

COMMISSIONER SADHWANI: Thank you. Yeah, I definitely support this conversation. I really love the idea of the rotating chairs. I think -- just going back to Commissioner Kennedy's perspective here. I hear you on the quarterly, but I also recognize that the bulk of our work is going to be done within the first year and a half. And therefore, I think having those rotating chairs, as the previous Commission had, at least until
the maps are done, what might make sense for us at this point in time. And then perhaps afterwards for the following eight years or however long it is that's left, then we might move probably year to year to year, like that.

It sounds like we have multiple things happening here at -- all at one time. We're discussing what our plan will be moving forward as well as today. I -- you know, it -- it sounds to me from counsel like you're pushing us to choose someone for today. I hear you. You know, and then that a nominating committee might be -- might be happening, or it sounds like we might also already be agreeing to this idea of rotating chairs using some form of alphabetical order.

So I just want to clarify where exactly we're at, because I think we're conflating the two. At least I feel like we're conflating the two a little bit. It sounds to me like what we are saying is that what we need to choose a chair and vice chair for today. Some of that conversation has been coming back to, perhaps we choose alphabetically, and that would put Commissioner Andersen back in the -- in the seat of chairing again.

I don't know if she wants that seat. She did a wonderful, marvelous job before. But I think that's a question for Commissioner Andersen as well. And I would
certainly respect if she wouldn't want to decline on that. She certainly oversaw quite a many days of Commission meetings. So I think having the conversation more about what we do today would be helpful. And I like the idea -- I didn't realize that this was the plan, but I like the idea that we would have a nominating committee and that one of the first orders of agenda would be identifying those rotating chairs or however we want to -- to proceed forward at the next meeting. Thank you.

MS. JOHNSTON: That is just a suggestion. You certainly could go ahead and do the full thing today if you wish to.

COMMISSIONER SADHWANI: Right.

MS. JOHNSTON: Commissioner Le Mons.

COMMISSIONER LE MONS: Yeah, I wanted to clarify something, because I understood this a little bit differently. I think Commissioner Yee was simply saying that, in the spirit of if we wanted to continue with the previous chair, that Commissioner Andersen, by alphabet, would be the first of the Republicans. And if we were doing it by party separation, then that would be possible with the cadence and formula or process he was using. Actually, Commissioner Andersen would not be the first by sheer alphabetical order. She actually would be
third. So I just wanted to make that distinction -- not, you know, of course, whether she wants to or not, and all that remains the same. But I just heard what Commissioner Yee was saying a little bit differently, and I think we kind of went off on a path like we were insisting that Commissioner Andersen would be the person. Actually, I believe Commissioner Ahmad would actually be the first person, followed by Commissioner Akutagawa. So I just wanted to make that clarification.

MS. JOHNSTON: Thank you. Any further comments from the Commissioners? Any public comment?

Oh, Commissioner Yee.

COMMISSIONER YEE: Yes. Thank you for that clarification.

That's correct. I started with Commissioner Andersen just because she happened to be the interim chair for the first eight. And in the proposed rotation document that I put out, I just -- I, you know, I would love to have her back. She did a great job. But just assuming that she wanted to rotate off, then starting with the first alphabetically, the first Democrat, although we could, you know, change that to make it first no party preference to be the -- the next chair as well. You know, and just go in that rotation just to change
that a little bit. But either way, just alphabetically.

MS. JOHNSTON: Commissioner Sinay?

COMMISSIONER YEE: Yeah.

MS. JOHNSTON: Commissioner Sinay?

COMMISSIONER SINAY: And I just wanted to clarify. I believe what I had said, and I think this is what Commissioner Yee did, was we have to look at all three subgroups. And when we do the rotating chairs, have one person kind of up front from each of the three subgroups, and then you rotate and then you add someone on the back every time.

So the three that -- that Commissioner Le Mons mentioned, yes, they're alphabetically top three, but two of them are no party preference. So we would need to go -- go to the next person in alphabetical order that's actually a Democrat. So that's what -- that's how Commissioner Yee came up with the list that he came up with.

MS. JOHNSTON: Any --

COMMISSIONER SINAY: It's a Rubik's cube.

MS. JOHNSTON: Any other commissioners? Did someone almost speak?

COMMISSIONER ANDERSEN: Commissioner Andersen here.

MS. JOHNSTON: Yes?

COMMISSIONER ANDERSEN: Yes. So since I, you know,
my name's been coming up here, and you know, do I really
want to do this again? It was -- it's been a privilege
and an honor. As Commissioner Sinay said, it does
dominate your part of the meeting. You don't have --
as -- as the chair, I mean, there's good and bad. You
get to put your opinions in, but you do not get to sit
back, contemplate, and really participate in the
discussions as well. Because there is, particularly --
well, this is with the eight.

You know, we didn't have an executive director. We
had a counsel and then me. So there's a lot of
administrative things that I end up doing, and it did
cause confusion at times. And it -- because people were
there, and I -- that's -- that is one of the reasons why
I did go to Sacramento every single day. Because it
really, really helped facilitate the meeting.

You know, because you have to deal with the court
reporter. You have to deal with all these different
things. Having an executive director, however, will
change that. The executive director can do quite a bit
of that as well as the -- counsel will be there. So it
isn't quite as much administrative, but there is a fair
amount of administrative.

That said, I agree with Commissioner -- I do like
the rotation. I think it is a good idea, although I also
agree with Commissioner Kennedy in that a time frame, or
like, the way we have it right now, set up with a meeting
and a person is chair for the entire meeting, however
many days that includes. If it's still the same type of
items, it would make sense to have the chair continue.
So I do think at this time -- and again, for
administrative purposes, we need to have a chair or vice
chair for today for this meeting.

So a nominating committee would probably be a very
good idea. I do like the rotation schedule. Now, that
said, I'm more than willing to step down. And I was
going to say that since the Republican did that first, I
also think it would be appropriate that -- and -- and my
vice chair was Ms. Turner -- Commissioner Turner, a
Democrat, that I do believe a -- and also the Democrats
are the largest party in our state.

I was going to, you know, if it panned out that I
was probably going to nominate a Democrat. And so I --
that's kind of, I would think, it would not be a
Republican chair right now. It would switch. But again,
it should be who would like to do this job? I just want
to give people a little head's up on what's involved with
it before we walk into that.

And so I don't mean to say, you know, that
Republicans, sorry, you can't do this. You can't -- I --
of course, you certainly could. But those are my two
cents, for what that's worth.

MS. JOHNSTON: Thank you.

Any other Commissioners?

Yes, Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Just from a process point
of view, if I can make a suggestion, maybe two
suggestions. One is either we just for the purposes of
this meeting, we go forward with Commissioner Andersen
and Commissioner Turner as the chair and vice chair. The
other option is as Commissioner Andersen had just said,
as vice chair, it seems to make sense that then
Commissioner Turner would then be moved up to the chair
position since she was in that role. And in a sense,
that's typically what a vice chair is -- is there for is
to be then the next person in line for the chair.

And then if Commissioner Turner is then elevated to
the chair, for the vice chair, we put in somebody who's a
no party preference and then I think then we just
continue the rotation after that. So two kinds of
things -- two suggestions that I have here.

MS. JOHNSTON: Any other Commissioners?

Justin, is there any public comment?

PUBLIC COMMENT MODERATOR: Yes, we do have public
comment from the line of Anne Coat. If you would please
spell your name for the reporter.

MR. VILLANUEVA: You should probably read the instructions.

PUBLIC COMMENT MODERATOR: Your line is open.

MR. VILLANUEVA: Do it next time.

MS. COAT: Hi. Thank you very much. My name Anne Coates, A-N-N-E, C-O-A-T. I have a question about, I guess, the limits and the opportunities and Bagley-Keane, particularly with the wonderful work that Commissioner Yee did and shared with you on the Google Drive, that unfortunately the public doesn't have access to. And so it does seem like a small, trivial thing.

And if we were all in the room, it could perhaps be shared on the screen, and the public could also see that. And so maybe an option is to have a screen that is available to us. And I realize that it's just, like, a list of alphabetical names, but I wanted to early on point this out. I may be wrong in my interpretation, but my understanding from the last meetings was that anything that was sort of presented and that the Commissioners had on their screens should be available to the public. And I'm open on -- to if I've made an error.

MS. JOHNSTON: No, that is correct.

MS. COAT: Thank you.

MS. JOHNSTON: And if we were to go with
Commissioner Yee's announcement, we would have to make sure, one, that it has public -- access to a public, and two he could read it out loud.

MS. COAT: Right. And so would it be possible to have a screen available for things? Because in this collaborative world, like, I respect what Commissioner Yee has done. I just want to be able to see it as well.

MS. JOHNSTON: Of course.

COMMISSIONER ANDERSEN: Just for clarification, I don't see it. I haven't -- I don't believe we have. That has not been shared with anyone, so.

COMMISSIONER AKUTAGAWA: Yeah, I haven't seen it either.

MS. COAT: Okay. That's -- that's wonderful. Yee said that he had shared it. And so that was really the only reason for my call. And I don't -- I don't want to be a burden or a complainer, but I just -- I wanted to clarify and -- and get advice on Bagley-Keane if needed. Thank you so much.

COMMISSIONER YEE: That's an excellent comment. And yeah, as we get started, it's great to learn -- start practicing best practices in terms of sharing things. I'm just not quite sure what the procedure is. I shared it on Google Drive, just so that it would be easily accessible if it came up for discussion. I could share
screen, but I don't know how to introduce it as a, you
know, as an official document for the Commission.

MS. JOHNSTON: The normal procedure would be to
provide it to staff, and they would have that posted as a
document with the other documents that are posted for the
meeting.

COMMISSIONER YEE: Okay. So I -- I shared it with
the whole Commission on Google Drive. Does staff have
access to that?

MS. JOHNSTON: I -- I don't.

MR. VILLANUEVA: No, not yet.

MS. JOHNSTON: No, we don't.

COMMISSIONER YEE: Okay. I mean, I could share
screen right now, but I don't know if --

MR. VILLANUEVA: No.

COMMISSIONER YEE: -- that's really useful.

MS. JOHNSTON: That really wouldn't be legible.

COMMISSIONER YEE: Yeah. I should -- I'll say just
on Commissioner Akutagawa's point, yes, it would be --
make a lot of sense to simply rotate that -- rotate up to
the -- the vice chair, Commissioner Turner. However, if
we do want to go with the alphabetical rotation, so that
we can say that's how the rotation was set up, we would
need to start with, let's see, it would be Commissioner
Kennedy as Democrat new chair and Commissioner Ahmad as
the vice chair.

That would be the strictly alphabetical way to
started with the rotation, if we chose to do so.

MS. JOHNSTON: And does your proposed rotation take
into account that there are only four of the others and
two of Democrats and Republicans?

COMMISSIONER YEE: Yes, it does.

MS. JOHNSTON: Okay. Commissioner Le Mons?

COMMISSIONER LE MONS: Yes. I wanted to thank the
caller for the public comment, first off. I thought the
same thing when Commissioner Yee said that he had shared
it on Google Drive. I haven't seen it. I don't -- we
weren't instructed on how to access it, so I personally
haven't seen it. I do think that this is a good
opportunity for us to be very careful about how we move
forward and not take actions without checking in with our
counsel and our administrators, just if we could do that
as a group, decide that -- you know commit to that,
because I think this is a -- some of us are more
experienced than others with Bagley-Keene and other
things. So this way we just don't get ourselves into
tricky waters unnecessarily. So that's on that point.

And then as it relates to the discussion, I think
that there is a few options that have been presented.
I'd like to suggest that we make this a topic in our next
meeting and get to the business of choosing a chair
today. I think we can always pivot with Commissioner
Yee's proposal. If it looks ninety-nine percent like he
proposed it, we could probably live with it. So we don't
have to be strict to, it has to be alphabetical starting
at A. It could be alphabetical starting at T. And then
continue through Z and get to A.

But anyway, I think we can figure that part out. I
think there's been a lot of good suggestions. You know
me, I like to comment more. If we can move along, kind
of thing, and choose a chair, and then this -- however
we're going to go about that next process is agendize
that. And then we can be prepared too to have whatever
discussions we want to have, and the public will be
aware, and all that good stuff. So that's my two cents.

MS. JOHNSTON: Commissioner Sinay? Commissioner
Sinay, did you have a comment?

COMMISSIONER SINAY: Yes, I did. I'm sorry, I
couldn't unmute. I would like to propose a motion for
our chair, vice chair, and the third seat, the third
rotating, based on all the conversations that's been had;
if that's okay?

MS. JOHNSTON: Yes.

COMMISSIONER SINAY: I would like to -- Commissioner
Turner for chair. Commissioner Ahmad for vice chair, and
Commissioner Fernandez for the third chair, whatever we call it.

MS. JOHNSTON: With the -- if I understand you correct --

COMMISSIONER SINAY: Rotating in line.

MS. JOHNSTON: -- Ahmad would become chair at the following meeting, and the third person would become --

I'm sorry, who was the third person?

COMMISSIONER SINAY: Fernandez.

MS. JOHNSTON: Would become the vice chair at that meeting and then move on up?

COMMISSIONER SINAY: Um-hum.

MS. JOHNSTON: Is there a second to that motion?

COMMISSIONER AKUTAGAWA: I second it. This is --

MS. JOHNSTON: Who is that?

COMMISSIONER AKUTAGAWA: -- Commissioner Akutagawa.

MS. JOHNSTON: We need to turn to public comment. Raul, do you want to read the instructions for public comment?

MR. VILLANUEVA: Yes, I would.

COMMISSIONER SADHWANI: I think we can have comment from Commissioners --

MS. JOHNSTON: I'm sorry. I didn't know there was more comment. Yes, please, go ahead.

COMMISSIONER SADHWANI: Thank you, Commissioner
Sinay. And I very much appreciate this. I fully support Commissioner Turner and Commissioner Ahmad as our chair and cochair. My only question is, do we have any update on Commissioner Fernandez, if she is on the phone? I just don't -- I have no problem with having her be in that third spot. I just wanted an update if she's here. If she has any reservations, I would certainly want to hear them first. And I just wasn't sure where we're at with having her on there, but otherwise I perfectly support the motion.

MR. MANOFF: Commissioners, this is --

MS. JOHNSTON: Wait. Commissioner -- Kristian?

MR. MANOFF: This is Kristian Manoff, the videographer. We have made multiple attempts to contact Commissioner Fernandez and have not gotten a response at this time, by email or phone.

MS. JOHNSTON: You could amend the motion so that you don't include Fernandez at this time. That can always be added at the next meeting when it would be -- yes, Commissioner Le Mons?

COMMISSIONER LE MONS: I'd like to recommend to Commissioner Sinay to amend the motion to not include the third position, and also not include the frequency.

MS. JOHNSTON: Do you accept that amendment? Yes, she accepts. All right.
COMMISSIONER LE MONS: And then finally, don't we have to, like, nominate the person, and the person has to say, like, yes or no? I mean can we just motion them in, and they vote on it?

MS. JOHNSTON: We do. And we also have to ask if there are other nominations.

COMMISSIONER LE MONS: Oh, okay.

MS. JOHNSTON: So the current motion is for Commissioner Turner to be chair at the next meeting -- at this meeting. Commissioner Ahmad to be vice chair, to become chair at the next meeting. Are there other nominations?

COMMISSIONER TURNER: Yes, I have a nomination. It's Commissioner Turner. I'd like to nominate Commissioner Kennedy as the chair and Commissioner Ahmad as the vice chair.

MS. JOHNSTON: Commissioner Le Mons?

COMMISSIONER LE MONS: Yeah, I just -- I'd like us not to have it be just for this meeting. I think we still need to sort out the frequency in all of that. So if we're -- they would become the chair, whoever gets chosen would be the chair and vice chair, until we make some change based on whatever that criteria is that we have yet to figure out. Is that what we're doing?

MS. JOHNSTON: We can arrange that the agenda for
next meeting, that the first item would be the terms and
the rotation. And then we would have a motion as to who
would be chair and vice chair.

COMMISSIONER LE MONS: Okay.

MS. JOHNSTON: Yes, Commissioner Sinay?

COMMISSIONER LE MONS: As long as we're not limiting
their role, whoever gets elected today. As long as we're
not limiting their role to this meeting. That's the only
thing I'm asking us not to do.

MS. JOHNSTON: That would be up to the next meeting
to decide.

Commissioner Sinay?

COMMISSIONER SINAY: I'm concerned, as I'm hearing
Commissioner Le Mons speak, that maybe the amendments to
my motion and nomination, I guess, was the right word,
versus. So I apologize for making a motion versus a
nomination.

Do we first need to vote -- make a motion that we do
want rotating chairs to make sure that that's in place,
because I feel like a lot of people have said yes? But
now, at the next meeting we're going to end up discussing
it again, and it might not happen. But if we could at
least say we would like to have rotating chairs and what
it's going to look like, we'll talk about at the next
meeting.
MS. JOHNSTON: I think the nominating committee, if the chair decides to appoint one, could certainly take into account all the discussion at this meeting. But if you wanted to make a motion that it be rotating in some form, that would certainly be appropriate.

MR. VILLANUEVA: We currently have a motion that hasn't been seconded.

MS. JOHNSTON: We don't need a second for nominations. For nominations don't need to be seconded.

MR. VILLANUEVA: Okay, because it was stated as a motion.

MS. JOHNSTON: I'm sorry. It was nomination. And do I see that we have Commissioner Fernandez now?

COMMISSIONER FERNANDEZ: Yes, I'm here. Can everybody hear me?

MS. JOHNSTON: Welcome.

COMMISSIONER FERNANDEZ: Oh, my goodness. I so apologize; I'm not sure if word got to you, but all of the information was being sent to my spam folder. So I had no idea there was a meeting today, until I received the Zoom notification this morning. So I apologize.

I'm Alicia Fernandez. I'm from Clarksburg, California. I'm sure you all know where that is. It's a sprawling town of 2,000 people, I think, something like that. But it's a farming community. But anyway, just so
grateful and thankful to be here and I look forward to
working with all of you. So I apologize for the delay,
but I'm here and okay, let's get going.

MS. JOHNSTON: May I suggest that Commissioner
Andersen and you get together after this meeting and have
you formally sworn in. If you want to do it now, we
could do it. You can't vote until you're sworn in. So
it would be the pleasure of the Commission whether you
want to have her sworn in now or wait until next meeting.

Sworn in now?

COMMISSIONER FERNANDEZ: I should be sworn in, I
would think.

COMMISSIONER ANDERSEN: I would prefer to swear in
Commissioner Fernandez. If I see any dissent, which I do
not. And then we can actually proceed as the full
Commission.

MS. JOHNSTON: Fine. Commissioner Andersen, would
you, please, swear in Commissioner Fernandez?

COMMISSIONER ANDERSEN: Yes. So Commissioner
Fernandez, welcome. Please, raise your right hand and
repeat after me. I, state your name.

COMMISSIONER FERNANDEZ: I, Alicia Fernandez.

COMMISSIONER ANDERSEN: Do solemnly swear or
affirm --

COMMISSIONER FERNANDEZ: Do solemnly swear or
COMMISSIONER ANDERSEN: -- that I will support and defend --

COMMISSIONER FERNANDEZ: -- that I will support and defend --

COMMISSIONER ANDERSEN: -- the Constitutions of the United States and the State of California.

MS. JOHNSTON: Could you repeat that, please?

COMMISSIONER FERNANDEZ: (Audio interference) and the State of California.

MS. JOHNSTON: That was very garbled, at least on this end.

COMMISSIONER ANDERSEN: That was very garbled. The Constitutions of the United States and California, State of California --

COMMISSIONER FERNANDEZ: The Constitutions of the United States and the State of California --

COMMISSIONER ANDERSEN: -- against all enemies --

COMMISSIONER FERNANDEZ: -- against all enemies --

COMMISSIONER ANDERSEN: -- foreign and domestic.

COMMISSIONER FERNANDEZ: -- foreign and domestic.

COMMISSIONER ANDERSEN: That I will bear true faith and allegiance --

COMMISSIONER FERNANDEZ: That I will bear true faith and allegiance --
COMMISSIONER ANDERSEN: -- to the Constitutions of the United States and the State of California.

COMMISSIONER FERNANDEZ: -- to the Constitutions of the United States and the State of California.

COMMISSIONER ANDERSEN: That I take this obligation freely --

COMMISSIONER FERNANDEZ: That I take this obligation freely --

COMMISSIONER ANDERSEN: -- without any mental reservation --

COMMISSIONER FERNANDEZ: -- without any mental reservation --

COMMISSIONER ANDERSEN: -- or purpose of evasion.

COMMISSIONER FERNANDEZ: -- or purpose of? 

COMMISSIONER ANDERSEN: Evasion.

COMMISSIONER FERNANDEZ: Invasion?

MS. JOHNSTON: Evasion.

COMMISSIONER ANDERSEN: Evasion.

COMMISSIONER FERNANDEZ: Evasion. Okay, I'm sorry. It's just, I'm clicking in and out. I apologize.

COMMISSIONER ANDERSEN: And that I will well and faithfully --

COMMISSIONER FERNANDEZ: And that I will well and faithfully --

COMMISSIONER ANDERSEN: -- discharge the duties --
COMMISSIONER FERNANDEZ: -- discharge the duties --

COMMISSIONER ANDERSEN: -- upon which I'm about to enter.

COMMISSIONER FERNANDEZ: -- upon which I'm about to enter.

COMMISSIONER ANDERSEN: Congratulations.

MS. JOHNSTON: Thank you. And would you please sign that and return it to the office as soon as possible?

So right now, there are two nominations pending. First, is for Commissioner Turner as chair and Commissioner Ahmad as vice chair. The next, is Commissioner Kennedy as chair and Commissioner Ahmad as vice chair.

Are there any other nominations? Commissioner Kennedy?

COMMISSIONER KENNEDY: This is not a nomination. I just want to say that while I'm certainly willing to serve at some point, I would prefer not to serve right now.

MS. JOHNSTON: So we have one nomination pending. Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Sure. Just a quick question, I think in terms of the question that was asked. Do we need to also, I think the question that was asked is, do we need to codify or at least vote on
whether or not we're going to rotate? What also then
brought up the question for me, is do we also need to do
something similar with the nominating committee?

I know that you had suggested that, but is that
something that formally, as a Commission, we also have to
do.

MS. JOHNSTON: No. The chair establishes the
committees. So once you have a chair, that can be done.

COMMISSIONER AKUTAGAWA: Great.

MS. JOHNSTON: And it's your pleasure whether you
want to vote today on establishing a rotating system or
not.

So let's have the rules for public comment read.

MR. VILLANUEVA: Okay. In order to maximize
transparency and public participation in our process, the
Commissioners will also be taking public comments during
their meeting by phone. There will be opportunities to
address the Commissioners regarding the items on the
agenda and the process in general.

In addition, for each agenda item that requires a
vote, the public may provide comment on that particular
item. Each time that the Commissioners will bring up an
action item, the viewing audience will be informed that
it is time to call in if they wish to make a public
comment. The Commissioners will then allow at least two
minutes for those who wish to comment to join the public comment queue.

To make a public comment, please, dial 877-226-8163. After dialling the number, you will speak to an operator. You will be asked to provide either the access code for the meeting, which is 5185236, or the name of the meeting, which is the CRC First Commission's Meeting.

After providing this information, the operator will ask you to provide your name. Please note that you are not required to provide your actual name if you do not wish to. When the operator asks for your name, you may provide either your own name or a name other than your own.

When it is your turn to make a public comment, the moderator will introduce you by the name you provided to the operator. Providing a name helps AT&T, which is hosting this public comment process, to ensure that everyone holding for public comment has a chance to submit their comments.

Please be assured that the Commission is not maintaining any list of callers by name and is only asking for some name so that the call moderator can manage multiple calls simultaneously and can let you know when it's your turn to speak.

After providing a name and speaking with the
operator, you will be placed in a listening room, which is a virtual waiting room, where you will wait until your turn to speak. In this room, you will be able to listen to live audio of the meeting and you should mute your computer or livestream audio, because the online video and audio will be approximately sixty seconds behind the live audio that you are hearing on your telephone.

Moreover, if you fail to mute your computer or livestream audio, it will be extremely difficult for you to follow the meeting and difficult for anyone to hear your comment due to feedback issues. Therefore, once you are waiting in the queue, be alert for when you may be called upon to speak, and please turn down the livestream volume.

For the listening room, listen to the meeting and the call moderator. When you decide that you want to make a comment about the agenda action item currently being discussed, press 1-0, and you will be placed in the queue to make a public comment about the item under consideration. When joining the queue to make a public comment, you should hear an automatic recording informing you that you have been placed in the queue. You will not receive any further instructions until the moderator brings you in to make public comment.

The moderator will open your line and introduce you
by the name that you provided to the operator. Once again, please make sure that you have muted any background noise from your computer. And please do not use a speakerphone, but rather speak directly into your phone.

After the moderator introduces you, please state the name you provided to the operator and then state your comment clearly and concisely. Comments will be limited to two minutes. After you finish making your comment, the Commissioners will move on to the next caller. At that point, please hang up your phone.

If you would like to comment on another agenda item at a later time, please check back when the Commissioners open up public comment for that item and repeat this process.

If you are disconnected for any reason, please call back and explain the issue to the moderator. Then report this process and re-join the public comment queue by pressing 1-0.

The Commissioners will take comment for every action item on the agenda. As you listen to it on the online video stream, public comments will be solicited, and this is the time to call in. The process for making a comment will be the same each time beginning by dialling 877-226-8163 and following the steps that I've just described,
which are also available on the website. Thank you.

MS. JOHNSTON: Justin, are there any public comments?

PUBLIC COMMENT MODERATOR: Just a reminder, pressing 1 then 0, we do have a comment from the line of Daphne Harris. If you could please spell your name for the reporter. Your line is open.

MS. HARRIS: My name is D-A-P-H-N-E, Harris, H-A-R-R-I-S. First, I wanted to just thank all of the Commissioners for volunteering for this service. And just watching the presentation thus far has been very informative. One thing I do want to just suggest to all of you is, if we all could just put our party preferences aside and do the work that's best for California; I would appreciate.

Understanding the alphabetical order that you have selected in order to do chair and cochair, something that may be helpful is to look at how Sacramento County does a random selection for placement on the ballot. That way you don't get as bogged down into the political aspects of what party you're in and conducting yourself for the work. But I do appreciate everybody's participation on the Commission.

MS. JOHNSTON: Thank you. Any other public comments?
PUBLIC COMMENT MODERATOR: There are no other comments in queue to address the board.

MS. JOHNSTON: And just a response to that one. To remind the Commissioners that it is in the Constitution, a requirement that you have people from different groups as your chair and vice chair. So it could be done randomly, taking that into account. But it cannot be done totally randomly.

All right, if my memory is clear, we just have one nomination on the floor since Commissioner Kennedy declined at this time. Are there any other nominations?

COMMISSIONER ANDERSEN: Yes.

MS. JOHNSTON: Commissioner.

COMMISSIONER ANDERSEN: Before we sort of -- we do have nominations. But as -- and I don't want to put her on the spot. But as Commissioner Turner nominated someone else, should we at this time actually say who of our Commissioners at this time, would not like to serve?

MS. JOHNSTON: Why don't we ask Commissioner Turner if she would accept the nomination at this time?

COMMISSIONER TURNER: I do accept the nomination. I nominated Kennedy just because I was in favor of going alphabetical and he would start that for the Democrats. And I am not opposed to serving as chair.

MS. JOHNSTON: And Commissioner Ahmad, I believe you
said that you would be willing to serve?

    COMMISSIONER AHMAD: Yes, I would.

    MS. JOHNSTON: And I think that for further rotations, the nominee the chair decides to select a
nominating committee, or the chair directly could hear from any Commissioners who do not wish to serve, and they could be kept out of whatever rotation is proposed.

    Any other nominations? Then I would call for a vote -- Commissioner Andersen?

    COMMISSIONER ANDERSEN: Well, I was going to nominate, just because of the experience. I was actually going to nominate Commissioner Le Mons. My understanding was it was chair, we vote, and then vice chair. So that way it could be either Democrat or a nonparty or Republican.

    MS. JOHNSTON: That's correct. So would you like to propose a different slate of Commissioner Turner and Commissioner Le Mons?

    COMMISSIONER ANDERSEN: I'm sorry, what?

    MS. JOHNSTON: Are your proposing a different slate of Commissioner Turner and Commissioner Le Mons?

    COMMISSIONER ANDERSEN: No, I'm proposing a slate of -- I'm not proposing a full slate. I'm proposing a chair and then a following -- depending on what party gets picked for the chair, then, as opposed to
(indiscernible) it's a Democrat and a no party. I'm proposing that I just do a chair and then whatever party that is, then that will decide who could be eligible for vice chair.

MS. JOHNSTON: Would you like to make that into a motion?

COMMISSIONER ANDERSEN: I was just going to nominate a chair.

MS. JOHNSTON: Well, we have to decide whether you're going to nominate a chair and a vice chair, or just a chair at this time. Whether you're going to have one vote for the two or two separate votes. And I'm not sure which way the Commission is leaning. Commissioner Le Mons?

COMMISSIONER LE MONS: Yes. So I'm like Commissioner Kennedy. First of all, thank you, Commissioner Andersen, but I would not be interested in being the chair at this time. I certainly would love to be the chair at some point, but not the chair at this time. But thank you so much, Commissioner Kennedy -- I mean, Commissioner Andersen for the nomination. I appreciate it.

COMMISSIONER ANDERSEN: And that said, I will withdraw what I've said and stand down.

MS. JOHNSTON: So is it the sense of the Commission
you would like to vote for a chair and a vice chair together? Nodding or raising your hand.

Yes, Commissioner Ahmad?

COMMISSIONER AHMAD: I would like to make a motion for a vote, nomination of Commissioner Turner for chair and myself, Commissioner Ahmad, for vice chair, for purposes of this meeting.

MS. JOHNSTON: Okay. A nomination does not need to be a motion, but your motion, as I understand it would be to nominate a slate, at this time, of two?

COMMISSIONER AHMAD: Yes.

MS. JOHNSTON: A second to that motion?

COMMISSIONER YEE: I second.

COMMISSIONER ANDERSEN: I'll second.

MR. VILLANUEVA: Who second?

MS. JOHNSTON: Who seconded it?

COMMISSIONER SADHWANI: I think several of us seconded.

MS. JOHNSTON: I think it was Fornaciari.

MR. VILLANUEVA: Sure.

MS. JOHNSTON: Do you want to call the roll call on that motion?

MR. VILLANUEVA: Yes. So as I understand it, a motion has been made for Commissioner Turner as chair and Commissioner Ahmad as vice chair.
MS. JOHNSTON: The motion is to do a slate of the chair and a vice chair --

MR. VILLANUEVA: Together?

MS. JOHNSTON: -- and vote.

MR. VILLANUEVA: Okay. That's why I'm asking, because both were occurring.

COMMISSIONER AHMAD: I'm sorry. I believe you are correct, Raul. We are nominating individual people into the slots of chair and vice chair at this time.

MS. JOHNSTON: All right, without objection we will follow and nominate one slate for both the chair and the vice chair. And the slate would be Commissioner Turner and Commissioner Ahmad. Any objections?

All right. Now, we can call the roll to accept that nomination.

MR. VILLANUEVA: Okay. So in alphabetical order.

Commissioner Ahmad?

COMMISSIONER AHMAD: Yes.

MR. VILLANUEVA: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Yes.

MR. VILLANUEVA: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yes.

MR. VILLANUEVA: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes.

MR. VILLANUEVA: Commissioner Fornaciari?
COMMISSIONER FORNACIARI: Yes.

MR. VILLANUEVA: Commissioner Kennedy?

COMMISSIONER KENNEDY: Yes.

MR. VILLANUEVA: Commissioner Le Mons?

COMMISSIONER LE MONS: Yes.

MR. VILLANUEVA: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Yes.

MR. VILLANUEVA: Commissioner Sinay?

COMMISSIONER SINAY: Yes.

MR. VILLANUEVA: Commissioner Taylor?

COMMISSIONER TAYLOR: Yes.

MR. VILLANUEVA: Commissioner Toledo?

COMMISSIONER TOLEDO: Yes.

MR. VILLANUEVA: Commissioner Turner?

COMMISSIONER TURNER: Yes.

MR. VILLANUEVA: Commissioner Vazquez?

COMMISSIONER VAZQUEZ: Yes.

MR. VILLANUEVA: And Commissioner Yee?

COMMISSIONER YEE: Yes.

MS. JOHNSTON: The motion passes. Thank you, all.

And I'm delighted to turn the chair over to Commissioner Turner. Congratulations.

CHAIR TURNER: Thank you. Thank you, I appreciate it. What I'd like to do --

MS. JOHNSTON: One moment, please. We're going to
be taking a break at 11, Commissioner Turner, if that
helps your planning?

CHAIR TURNER: Yeah. So actually my plan was for us
to take a break now.

MS. JOHNSTON: Okay.

CHAIR TURNER: So that we don't get into the middle
of the next agenda item. And so it's 10:54 now. And so
we will come back at 11 --

MS. JOHNSTON: 11:10?

CHAIR TURNER: 11:10? Help me do the math. 11:10,
we'll be back. So we'll break at this time, thank you.

MS. JOHNSTON: Thank you very much.

(Whereupon, a recess was held)

CHAIR TURNER: Thank you. Okay, we're going to
reconvene our meeting. And we'll start with, I'd like to
just hear a little bit of discussion from the Commission.
Are you feeling like -- do you want to go with a
nominating committee or individual? Or do we want to
just save that for an agenda topic item on our next
meeting? Commissioner Sadhwani?

COMMISSIONER SADHWANI: I think in the interest of
being able to move forward, our plans having a nominating
committee makes a lot of sense to me. My understanding
from the advice that counsel just said that moving on,
that makes sense and then in that way, whoever those two
are can come up with, perhaps a couple of different plans
or just one, whatever they choose to do. That we could
review those plans at the next meeting and hopefully move
forward in a more timely manner.

As Commissioner Le Mons had mentioned, right, being
able to move at an efficient rate.

CHAIR TURNER: Okay. Well, barring any objections
we will move forward with a nominating committee. And
let's see, are there volunteers and we can do this
expeditiously too -- that have that energy. I know that
Commissioner Yee expressed some interest. Are you
interested and is there someone else that is interested
in serving on the Commission -- oh, not the Commission.
Toledo? Commissioner Toledo. Okay.

And Counsel, we have Commissioner Toledo.
Commissioner Yee, you're interested in being on that
committee?

MS. JOHNSTON: You can appoint the committee; you
don't need to commit any action.

CHAIR TURNER: Commissioner Yee, is that a yes?

COMMISSIONER YEE: I'm happy to serve, yes.

CHAIR TURNER: Okay.

COMMISSIONER YEE: But also happy to defer to anyone
else.

CHAIR TURNER: Okay. Well, I'm not seeing anyone
else jumping up and down, waving their hands excitedly.
So yes.

MS. JOHNSTON: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: I just have a question, because I'm late to the game, right now. What would encompass this committee? I'm sorry, and the purpose of it?

CHAIR TURNER: Yes. So the purpose of it is really to kind of expedite time. What they will do is to meet offline and come back with a recommendation to the full Commission about how we should move forward with rotating or naming our chair and vice chair.

COMMISSIONER FERNANDEZ: Okay. All right, thank you.

MS. JOHNSTON: And terms of office.

CHAIR TURNER: And the terms of office, thank you. Okay, so with that, we'll go ahead. I would like to appoint Commissioners Yee and Toledo as our committee for -- the nominating committee.

Okay. So can we move now to the next agenda item?

MS. JOHNSTON: Yes. So that's the --

CHAIR TURNER: Okay.

MS. JOHNSTON: -- Raul Villanueva will handle that part of the agenda.

CHAIR TURNER: Thank you. Our next agenda item is
agenda number 6. And I ask at this time, to have the
report from Mr. Villanueva for discussion and action on
his reports.

MR. VILLANUEVA: Thank you, Commissioner.

Did everybody receive the budget notice that I'd
sent? Very good.

COMMISSIONER FERNANDEZ: I just got it this morning,
by the way.

MR. VILLANUEVA: Very good. Congratulations. Thank
you.

So this is your budget condition as of June 20,
2020. Your appropriation was made in the 2019
legislative cycle. At that time, 16,811,000 was
appropriated for the entire Commission engagement. So
that's basically from the beginning the process for
actually selecting the Commissioners. Which resulted
here in all fourteen. And then moving forward all the
way to post-maps and litigation.

Okay. So you have basically two programs. The 731,
which is 12,514,000 and then the 732, which is the post-
redistricting, which is really aimed at litigation. And
that's 4,297,000.

The budget details that I'm providing you are from
the Budget Act of 2019. And what it does is, it
segregates certain amounts of the money to certain
occasions or times. So for example, for the California State Auditor, for the entire selection process, 5.2 million dollars. And then there's 1.3 million dollars and 2.065 million dollars available after August 15th. The former is for operational costs and the latter is segregated for outreach efforts.

Both of those are available after August 15th. What we'll have to do is send a notice to the Department of Finance and to the Joint Legislative Budget Committee, indicating that the purpose of the funds and that you're requesting those funds to be made available.

And then finally, the litigation, which is the 4.297 million dollars available right now. In other words, that hasn't been indicated on any of those, is 3.9 million dollars. So as of June 30, you started out with a 12,514,000. The State Auditor, 5.2 million went to those efforts. In fiscal year 2019/2020, 69,702 dollars were expended in terms of the budget for the 2010 Citizens Redistricting Commission.

I can only give you the condition of the funds as of June 30. We don't have July and August. Some of those figures are pending in that they're still closing out requests for per diem and travel expense claims by the 2010 Commission. And hopefully that will be complete before the end of the month.
MS. JOHNSTON: Commissioner Sinay has a question.

MR. VILLANUEVA: Yes. Commissioner Sinay, I think you're on mute.

COMMISSIONER SINAY: Sorry. On the amount to the State Auditor for the first, do we get -- since the process work differently than originally intended, it seems like the costs might be lower. It might not be. But it seems like the costs would be lower since there wasn't as much travel. Do they still get the full amount, or does it have to be accounted and then what's not used rolls forward to this base?

MR. VILLANUEVA: So that's a really good question. So that part of the appropriation, it goes to the State Auditor, pretty much to be assured that they will be really documenting all of that. And if there is any underage or overage, that that will be pretty detailed. We don't have that yet. But hopefully by the end of the month or -- actually, probably into October, we'll probably have those figures.

MS. JOHNSTON: Commissioner Vazquez?

MR. VILLANUEVA: I can --

COMMISSIONER VAZQUEZ: Yes. Along those lines, specifically I'm curious about how much on Southwest flights and travel for interviewee candidates that were not used during the transition to virtual interviews.
How much of that are we able to claw back?

MR. VILLANUEVA: I understand the concern and I say, we should have more set figures towards the end of September, possibly into October. Right now, some of the services that we're using, even today, videography, transcription, et cetera, those are contracts made on your behalf as part of the process for the California State Auditor to get these operations up and running.

I don't know if you remember, or for the last six, when I introduced myself to the first eight, one of the issues that we had to work with is, it's kind of a gray area on who actually has authority to contract on behalf of the Commission. Which that means, right now then, is -- which actually is one of the agenda items we're about to run into, is getting authority to do some of this contracting. That's a longwinded way of saying that's why some of these figures won't be ready until into September and October, because there are still going to be expenditures going into September.

Commissioner Sinay?

CHAIR TURNER: So have you concluded their report all the way to the end?

MR. VILLANUEVA: Pardon me?

CHAIR TURNER: Were you complete with your report?

I know we had a question that came in. Were you finished
with the end of this report?

MR. VILLANUEVA: Yes.

CHAIR TURNER: Oh, okay.

MR. VILLANUEVA: So I'm taking questions based on
the information I just provided.

CHAIR TURNER: Okay, good.

MR. VILLANUEVA: Yes. Yes, Chair.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: How does this budget compare to
the budget for the 2010 Commission? Just because there
was different advice that they had given us in their
report. Also, I think it's important to note that the
Irvine Foundation had granted out significant amount into
the community for outreach and the Irvine Foundation has
moved on to other priorities. So I don't know that who
would be funding that at this time. So if we could have
an idea of what was the budget last time.

MR. VILLANUEVA: Okay. I can get you those figures.
If you want something specific in relation to the Irvine
Foundation monies, that's probably part of the reason
that you have, as part of this appropriation, 2,065,000
dollars specifically for outreach efforts.

I can tell you this, that there was one million
dollars that was appropriated in 2009, and that really
wasn't enough. That was for the whole process, okay.
That wasn't just -- so that was selection, everything.
And you know, to be fair, part of that was because they
really couldn't anticipate how much this would cost. And
as such then the Commission had, I think, three requests
for additional funding over that six-month period. At
the end of -- when we closed operations in 2012, June of
2012, we put all of those figures together and made
projections. Those recommendations then were part of the
consideration, I do believe, that helped create your 2019
appropriation.

CHAIR TURNER: And with that, I think I would agree
that it would be helpful to have the initial budgeted
amount and the actual dollars that was either expenses or
leftover in these various from the 2010. It would be
helpful, probably, in kind of giving us heads up as to
where we might be able to get what we have to get.

COMMISSIONER SADHWANI: Just as a follow-up question
for Commissioner Sinay or anyone else. Do you have a
sense, was the Irvine Foundation funds, was that directly
given to the Commission or was that given -- that was
given to organizations, correct? And is it possible to
get a report? Do they have a report somewhere available
and is that something you could share with us or tell us
where we could find that?

COMMISSIONER SINAY: Yeah. There's a public report
that was drafted by the -- sorry, I don't know if I interrupted you.

COMMISSIONER SADHWANI: No, go ahead.

COMMISSIONER SINAY: There was a public -- there's a report that's public about those grants and the whole process. It was drafted by the League of Women Voters California, and I can forward it to staff to have staff share with everybody. It's a good complementary report to the one that was done by the Commissioners. But the grants were given out to community groups.

MR. VILLANUEVA: Correct.

COMMISSIONER SINAY: Both at the time to identify, you know, volunteers or people to apply, and then through the outreach process and then the mapping process. And they were significant grants and significant parts of the process.

COMMISSIONER SADHWANI: And if I can ask a follow-up question? It sounds like we have information that Irvine is not going to be doing that again this time, or is it -- I mean, this sounds very similar to kind of census outreach activities. Is it that once the census is finished, can we anticipate the Foundation will be engaging in similar activities? And I ask because I think that having that participation, particularly of communities that may be underserved or that we often

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don't hear from. Certainly one of the conversations that we have talked about before was some of the northern -- the much further northern counties, et cetera. As well as, of course, we know there's a number of communities that are not represented on this Commission. As we had discussed in previous meetings, certainly I think would be important. So I am curious what our -- as a Commission, what our conversation might be about how do we outreach to those communities and to the extent that we may or may not want to coordinate with various kinds of philanthropic foundations to ensure that that happens.

MR. VILLANUEVA: And if I might suggest, that sounds like an excellent topic for an agenda item, which we'll be doing at the end of the meeting. And so it's really good then to keep a list of those and keep yourself propelled in a forward direction.

Any other questions about the budget?

So as I understand it then, there's been a request to get some of the figures off the 2010 appropriations. And then understood you want -- the budget detail is for the current expenditures and costs of the 5.2 million, correct? But then I also heard, and I'm asking, you wanted something more detailed on expenditures for the 2010?

CHAIR TURNER: Yes. The expenses from 2010. I
thought what I heard was, when you were talking specifically about the operational -- I don't know what area it was, about the outreach efforts. What made me think along these lines was, is for the outreach efforts you said that in 2010 that they were only allowed one million and they found that was not enough, of course, because it was the first time. This time we've been allowed two million. I was interested in knowing what were the expenses for outreach and for each of these areas. What did they actually end up spending?

MR. VILLANUEVA: Right. Okay. Understood. Thank you for the clarification, Chair.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: Who makes the actual line item budget? Is that a staff -- ones hired by the executive director or do we need to create a finance committee who sets up, who designs the budget for the Commission?

MR. VILLANUEVA: Basically, your staff do. There's certain processes with the State. I'll get into some of the contracted services. But one of them is for budget and fiscal services. And that's to ensure that your budget and accounting practices are compliant with the State and its requirements. But yes, so basically in terms of your staffing, this is an item, another agenda item. Which is my only hesitation, but I'll provide you
more detail in terms of the staffing structure last time and why it was used. Ultimately, you know, that's something that, in consideration of your executive director and their preferences, will come into play. So it's really more for informational purposes. But Commissioner, I will be going into that in more detail in another agenda item.

So shall I move on to the interagency agreements?

CHAIR TURNER: Any more questions, Commissioners?

Yes, Commissioner Vazquez?

COMMISSIONER VAZQUEZ: Yes. I just wanted to confirm that we will get final expense reports for the application process. Again, I'm really interested and hoping that we are able to claw back some of the expenses initially spent on traveling for candidates that ultimately wasn't used.

MR. VILLANUEVA: Right. And I understood that. And I will be requesting that on your behalf. There are a bunch of attorneys and accountants over there. They're really good at this. So you'll get it. I'm sure you'll get a very detailed report.

CHAIR TURNER: Okay. Oh, yes, Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Just, this may be obvious, but I think just for clarification and for the record.
So on Commissioner Vazquez's point, just for clarification. So any refunds, any additional monies that would have been saved as a result of having to go virtual during the early part of the selection process, is that money that then could be applied to other activities should it be needed? Or is it a, we don't use it we lose it, kind of situation? I just want to be clear about what the State of California, how they work on their budgets?

MR. VILLANUEVA: You know, and that's something that I would have to ask Department of Finance, in terms of how they're approaching that part of the appropriation. I will ask.

COMMISSIONER VAZQUEZ: Thank you.

CHAIR TURNER: The other last, I guess, kind of point along those lines I would say, Mr. Villanueva, is that because I did not need to travel, I'm not certain if individuals all went through the State to book travel; and I'm hoping so. And that people were not booking themselves, because then for most airlines that's being held strictly as credits for future use. And so with that said, even when we checked, indeed those are credits being held at the State level, then I would imagine, Commissioner Akutagawa, as we travel we'll be able to pull from those funds as well. But I just noted that as
something else we could confirm.

MR. VILLANUEVA: Right. There was a number of staff, and I don't know if -- does this stay part of the topic?

MS. JOHNSTON: It's fine.

MR. VILLANUEVA: Okay. Very good. So there was a number of staff who were actually doing the travel arrangements. So if an applicant decided to do the travel themselves, they still had to provide documentation of the how, when, and how much. I understand your concerns in terms of, if there was travel made and then canceled. So there is a certain amount or record for that. But on an ongoing basis, as these arrangements were being made, there was staff there in place and documenting it.

All that to say is that I'm trying to assure you that there is a record of what occurred. And what I'm doing is listening to the different concerns and so be able to put that in terms of the request to state your concerns.

CHAIR TURNER: Thank you.

I see you, Commissioner Vazquez.

COMMISSIONER VAZQUEZ: Yes, sorry. And to be a broken record on this, but my concern is that I don't just want a report of what was expended. But I want some
documentation of action to get those credits back from Southwest. I don't want the report of sunk cost. I want that money back, if we didn't use it for travel. I don't want Southwest to have that, and I don't necessarily want it to go back to the State. I think if it was allocated for the Commission and for our work, and we didn't use it, someone didn't take a flight to Sacramento for their interview, I want that money back. That's my concern.


CHAIR TURNER: It looks like we're ready to move on.

MR. VILLANUEVA: No, and they're very legitimate concerns. And I understand that, yes, I hear you and I'll be in contact with them. Okay.

Chair, shall we go to the interagency agreements?

CHAIR TURNER: Please do. Thank you.

MR. VILLANUEVA: Okay. So the interagency agreements are predominantly with the Department of General Services, who provides these types of services to small departments, commissions, throughout the State. They have to do with, I guess, the ones that I've presented to you are for human resources services. Which would then entail payroll, which is a critical function for you. The timekeeping, of course. Assisting with getting your staff into the system, because it has to go
through -- from HR to the Controller's office, through budgets, and finally into the payroll process. So these folks would take care of all that type of thing.

With DGS Fiscal Services, again that's for your budgeting and accounting. The FI$Cal, that's the State budgeting and accounting system.

CHAIR TURNER: Well, can I interrupt you for a minute --

MR. VILLANUEVA: Yes. Thank you.

CHAIR TURNER: -- (indiscernible)?

MR. VILLANUEVA: And I appreciate that.

CHAIR TURNER: And so when you mention the human resources services, I was looking at the one that you sent. It had a standard agreement, kind of a blank form. And then (indiscernible) behind it --

MR. VILLANUEVA: Yes.

CHAIR TURNER: -- to select Department of General Services, Human Resource Services.

MR. VILLANUEVA: Right.

CHAIR TURNER: Is this that document you're referring to?

MR. VILLANUEVA: Yes.

CHAIR TURNER: Okay. Does everyone have that? Okay. Okay, I'm sorry. Go ahead.

MR. VILLANUEVA: Okay. And so the one with FI$Cal,
is really a memorandum of understanding. Meaning that for any entity to participate with the State budget and fiscal entry systems, that there's an agreement in areas regarding information security, the knowledge of the people who are involved with the process, designated individuals of responsibility. So that one carries a personnel time cost and attention cost and not a budget cost.

The HR IAA, interagency agreement, is for 3,500 dollars. The fiscal services, which is budgets and accounting, is for 10,000 dollars. And so what I would need is for each one of those, a motion to either accept or reject the interagency agreement. Knowing that you're not going to replace with staff, in terms of staffing costs, what it's going to cost you to have this agreement and have somebody else do it for you.

So that's one of the considerations to look at. As well as the expertise that's needed, especially with the State's budgeting and accounting practices, again, to have experienced people doing that for you.

CHAIR TURNER: Are you looking for a motion at this time?

MR. VILLANUEVA: Is there any questions?

COMMISSIONER SINAY: This has already been started though, right? I mean, has it moved forward without us
signing it already? Is it some expenditures, already?

MR. VILLANUEVA: So except for the FI$Cal, these are contracts that I helped put in place back for the 2010 Citizen's Redistricting Commission. Right now, they're done in terms of fiscal year, because the fiscal year ends June 30, begins July 1st. And so right now, these parts of the Department of General Services are providing these services on behalf of the Commission on an invoiced basis. So they're waiting for the interagency agreement to get signed, but they're not penalizing the Commission. So even after the 2010 Commission ceases operations, effectively July 2nd of 2020, all of the invoices, requests for per diem, travel expense claims and other items that are running through fiscal services, accounting, and budgets, still need to be processed. And so they've been doing that on your behalf, rather than just saying well, alto.

COMMISSIONER FERNANDEZ: Okay. I make a motion to pass -- you said the HR and the FI$Cal, because that is something that's going to be needed. It is the accounting system and obviously the HR that we're going to need. And because it is paid, it does have to go through the FI$Cal system for the accounting purposes. So I do make a motion to approve both of it.

COMMISSIONER YEE: I'll second the motion.
CHAIR TURNER: Is there any other -- that's been motioned and seconded. Before we go to vote, is there any other discussion that needs to be had on this? And do we have to take this to public comment, while in the middle of it, as well.

MS. JOHNSTON: You do need public comment on any action item.

COMMISSIONER LE MONS: Yes.

COMMISSIONER ANDERSEN: I do have one question, just for discussion purposes. The 10K, is that just a budget amount? That has also been audited, you know, like you get a report or is that a broken down, like, so much per quarter? That was the FI$Cal.

MR. VILLANUEVA: Okay, but that's with DGS Fiscal Services. The FI$Cal is the memorandum of understanding of operational necessities and constraints to engaging the budgeting and accounting system. The fiscal services is the 10,000-dollar one. So yes, theoretically it's allocated across the months on a more or less equal basis. Obviously, at the end of the year cycle there's a lot more work, so there May, June, July. So it's not completely a hundred percent equitably partitioned across months, but I mean that's one way of looking at it.

COMMISSIONER ANDERSEN: But my question is, is this bill actual expenses, or this is a 10,000 that's all they
can charge us?

MR. VILLANUEVA: So it's 10,000 billed -- so billing-wise, we'll see a bill every month, an invoice.

COMMISSIONER ANDERSEN: And so is this a total, it's a 10,000 cap? Or you know, if they go over we pay it, or under, we get money back. That's the question.

MR. VILLANUEVA: I'm sorry, I misunderstood the question. No, it's a 10,000 dollar for all services rendered throughout the fiscal year. Okay. And I apologize, these won't be invoiced. Once, should you decide to accept them, they'll probably just hit in one payment.

COMMISSIONER ANDERSEN: And so these are numbers that matched, you know, 2010? These numbers are common practice?

MR. VILLANUEVA: Yeah, they're very comparable. They didn't go -- so like, HR didn't go up very much at all. The budgets and fiscal services across ten years, went up a little bit.

COMMISSIONER ANDERSEN: Thank you.

CHAIR TURNER: Commissioner Sadhwani?

COMMISSIONER SADHWANI: I understand that there's a motion on the table and I'm prepared to vote on it. But I, also, just to throw out there as a possible idea. I personally don't feel like I have enough information
about just how the State budgeting system works. From what I can understand this what we need to do, but at the same time I'm wondering if it makes sense, as we developed a nominating committee, if perhaps, even if it's a short-term component or something like that. Perhaps one to two Commissioners might want to serve in some sort of budgetary or operations kind of oversight capacity? Just to make sure that, of the fourteen of us, that we're making sure that we get full information, that we're fully prepared in understanding how our budget works. How the State's budgeting process works. I just want to, like, throw that out there as a possible idea.

CHAIR TURNER: And I'm certainly not opposed to that. The question I'd like to layer on top of that, the question is, is that, does that function under either yourself or the executive director or any of the positions that we're going to be hiring on for them to present that information for the Commission?

MR. VILLANUEVA: If I might answer that? Your executive director, your budget officer, if they have accounting staff, those would be the individuals who would be putting together, say if you wanted a monthly report, in a month report, a quarterly report. Those would be the individuals who would be preparing that for you. If you do have, let's say, a fiscal operations
subcommittee, they would be then working with those two Commissio

COMMISSIONER FERNANDEZ: I just want to provide a little bit of background, because I have worked for the State for many years. And I am familiar with the whole budget process --

CHAIR TURNER: Commissioner Fernandez, I'd like to ask that you hold and I'd like to recognize Sinay that had her hand up and then we'll go to you next.

COMMISSIONER FERNANDEZ: Okay, I wasn't sure how you do that. If you do it physically raising hand or down here where you raise your hand on the --

CHAIR TURNER: Don't use the down here when you raise your hand.

COMMISSIONER FERNANDEZ: Oh, that's too bad.

CHAIR TURNER: Okay. Commissioner Sinay?

COMMISSIONER SINAY: Thank you. Thank you, Commissioner Turner. I think having a finance committee always makes sense. I'm using my nonprofit background and best practices, but I don't want to say we don't trust staff, but we have to -- staff has to hold us accountable and we have to hold staff accountable and so I would recommend -- I don't want to be on it, but I do recommend we have one.

CHAIR TURNER: Commissioner Fernandez?
COMMISSIONER FERNANDEZ: Sorry about that.

Okay, yes, I do have many years with the State in terms of the FISCa1 that they've used to track all the expenditures for every State agency. And I've also worked in the budget shop. And aside from that, I've also been on a school board and we've had monthly meetings, obviously, just as -- I'm not sure how often we'll have meetings here on the Commission.

But as Raul did mention that we do have an action item or a regular ongoing item that actually, a fiscal or budget person would present and then they also present all of the detail that goes behind there in terms of all the expenditures that have occurred during that month. So it does provide us a picture of what has been spent and then they also do a projection in terms of what they project to spend.

So it gives us a two-fold, to question what has been spent and look at it from month to month and we can try to evaluate the difference spikes, if there are spikes. And then also looking forward to try to project to ensure that we stay within our budget.

So I would recommend that that be an ongoing agenda item in future meetings. I think it's fiscally prudent for us to do that.

CHAIR TURNER: Seeing how that's relayed to us that
that's something that I can do. Why don't I appoint, then, a subcommittee of two to be able to serve as that fiscal oversight? What was the name you gave it, Commissioner Sadhwani?

COMMISSIONER SADHWANI: I mean, I think fiscal oversight would be fine. I don't have any problem with that.

CHAIR TURNER: Okay. And Commissioner Fernandez, I saw that you have that experience and would like to serve. Is there someone else that has the background, that would like to serve as the fiscal oversight committee with Commissioner Fernandez?

Running from the numbers. I see you, Commissioner Fornaciari. Wonderful. Okay. So then I'd like to appoint the two of you. And so Raul, the two of them will work with, once we have the path in place, we'll have Commissioner Fernandez and Commissioner Fornaciari, as the commission of financial oversight committee to --

MR. VILLANUEVA: Very good.

CHAIR TURNER: I want to say something real quick before you go with the other parts, just because it's helpful to our latest Commissioners.

On this particular process, on Zoom, this is different for all of us and I certainly want to ensure that as a Chair for the time that I'm here, that I'm
recognizing everyone in the proper order. So what we
typically do is to just raise -- I know there is the hand
raise function and all that on Zoom, but I don't believe
it's activated. At least I'm not seeing it on my screen.

So if you could just put up and then the Chair will
recognize you. And if I don't see, you say, you know,
Madam Chair, Commissioner Turner, whatever, and then I'll
make sure I'm looking at you as well. But I do have us
on our Brady Bunch screen, trying to see everyone at one
time. So that's helpful for the new people.

COMMISSIONER ANDERSEN: Madam Chair. Madam Chair?

CHAIR TURNER: Yes, Commissioner Andersen.

COMMISSIONER ANDERSEN: Having done that, it really
does help as the Chair, if you do say Madam Chair,
because it's an unusual sound, as opposed to Commissioner
so and so. Which, you know, we're all calling each other
Commissioner. And it does help the chair find out, you
know, where on this Brady Bunch you are, because it
changes. It's not everyone is in the same location. And
so I really strongly recommend you say Madam Chair, and
then the Chair can kind of note who comes in when and
then recognize you. It really will help. And I know
it's hard to remember that, because I just did. But just
for the process, it will really help.

CHAIR TURNER: Thank you, all. Raul?
MR. VILLANUEVA: So we had a motion to accept the HR and -- so just for clarification, as that the fiscal services or the MOU for the FI$Cal?

CHAIR TURNER: Actually, and you can -- oh, go ahead Commissioner Fernandez. I'll hold.

COMMISSIONER FERNANDEZ: It was actually the 10,000.

MR. VILLANUEVA: So that one --

COMMISSIONER FERNANDEZ: It's for both of them.

CHAIR TURNER: Yes.

COMMISSIONER FERNANDEZ: It's for the 3,500 and for the 10,000. Those were the two that you were asking for, correct?

MS. JOHNSTON: No, there's a third one?

MR. VILLANUEVA: For all three?

COMMISSIONER FERNANDEZ: Oh, there's a third one?

MR. VILLANUEVA: Yes, for all three.

COMMISSIONER FERNANDEZ: For all three.

MS. JOHNSTON: And we need to ask for public comment before we have a vote.

MR. VILLANUEVA: I don't think it's been seconded.

CHAIR TURNER: I was going to --

MS. JOHNSTON: It was seconded.

CHAIR TURNER: -- go for clarification before we go to public comment. Are we wanting the Commission, the newly appointed committee, to review the document first
or are we going to accept them now? What's the desire of those that made the suggestion?

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: So my desire at this point would be to accept them now.

CHAIR TURNER: So Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: I apologize. For whatever reason, I have been looking through my documents and I cannot find the one with the 10,000 dollars. So I'm uncomfortable voting on anything that I have not yet seen. So I just wanted to make that known. There was a lot of documents. I may have missed it, but I can't find it.

COMMISSIONER ANDERSEN: Madam Chair, I also agree with Commissioner Akutagawa, that I did not see the 10K.

MR. VILLANUEVA: Okay. I'd go ahead and resend those, and we can table --

COMMISSIONER ANDERSEN: Can you tell us what the 10K was in? Was that 6B or 6C?

MR. VILLANUEVA: It's a 6B. The quickest --

COMMISSIONER ANDERSEN: I think -- pardon.

MR. VILLANUEVA: I was going to suggest the quickest way would be, either I could just send it, or it is on the website and available. But due to considerations of what's been brought up, may I suggest, let me do that.
We can table this motion and pick it back up --

MS. JOHNSTON: After lunch?

MR. VILLANUEVA: After lunch or even when we do the contracts.

COMMISSIONER SADHWANI: May I just ask? I'm looking at the documents that are online, since that's what's also would be available to everyone. Do we know, for the 10,000, I'm also having trouble finding it, do we just know what the title for it is online?

MR. VILLANUEVA: Let me get you an exact title.

COMMISSIONER SADHWANI: We started with minutes, budget, the human resources services piece, the FI$Cal.

MR. VILLANUEVA: It's there at the very bottom, 2020/2021 fiscal services IAA.

COMMISSIONER SADHWANI: Thank you.

MR. VILLANUEVA: So it's right there at the very bottom. So is there a consideration then to table this, Madam Chair?

CHAIR TURNER: Maybe we should push it to the top of tomorrow morning, because in keeping with what I said earlier, I don't necessarily want to have people to have to find it and read it on lunch or whatever. And it may be at the top of our meeting tomorrow.

Commissioner Le Mons?

COMMISSIONER LE MONS: Do we need to push it that
CHAIR TURNER: No, we don't.

COMMISSIONER LE MONS: The only reason why I ask that, I mean, now that Commissioner Akutagawa and Andersen has located it or sees it, is it something that we can address when we come back from lunch? Does it really need to be pushed back to tomorrow? It seems that we have a lot of infrastructure and business to handle, and so I don't know, you know, how they feel about how complicated it is. I have my opinion. So I would just say that I ask that we not get into the habit of pushing stuff so far forward, because we have a question. So that's all.

CHAIR TURNER: Yeah. I agree. I guess we can hear from them. My thought process and what I want us also to get in the habit of not doing, is conducting business while we go on health breaks and ensuring that we are ensuring health. And that when we take a break, we are breaking and taking lunches, we are lunching. And so if someone chooses to work on break or lunch, then certainly that is your option, but I don't ever -- I'm hopeful that we don't, from a Commission standpoint, assign work to people on breaks or lunches, was my only thought about it. But you're right. Looking at it quickly, they may say I don't need to take much time on it, but that would
be then up to those Commissioners. That was my, kind of, rationale behind it.

COMMISSIONER LE MONS: I understand. And I support that as well.

COMMISSIONER ANDERSEN: If someone just told me where it was, I, again, I don't see it. Like, what day or where are you guys finding it.

COMMISSIONER LE MONS: Well, Raul offered to send it. I recommend that Raul just send it to you, it'll be at the top of your email box.

COMMISSIONER ANDERSEN: Thank you.

COMMISSIONER LE MONS: And that way you don't have to look for it.

COMMISSIONER ANDERSEN: Good, that will be wonderful. Thank you.

MR. VILLANUEVA: And I can certainly do that at the top of lunch, so everybody has it.

CHAIR TURNER: Thank you. Okay, Raul, you had interagency agreement, interim signature authority. You have a few more things to cover still, right?

MR. VILLANUEVA: Yes.

CHAIR TURNER: Okay.

MR. VILLANUEVA: Do you want me to proceed, Madam Chair?

CHAIR TURNER: Please.
MR. VILLANUEVA: Okay. So as a kind of an introduction to the interim signature authority. I have an example here. The CALNET CATR/ATR form that was sent, that's an authorization designating an individual authorized by the agency to obtain telecommunications services. So in other words, to get you your phones.

So ten years ago, I was the person who was designated chief agency telecommunications representative, the CATR. That lapsed. The Commission no longer has a designated individual to get you your phone service. And so to get you your phone service, you would need to basically give me the authority to get you the service.

One of the problems is that gray area in terms of who can contract or enter into agreements on behalf of the Commission. And basically until you do so for your executive officer, your executive director, you need something in the interim. So Marian and I, we're looking at various means that you could consider. One is, the chair has to sign and approve everything on your behalf. So that means everything goes to the chair and I have to wait for it to come back to get you your services. You can designate a subcommittee to do the same thing. I get the documents together it goes to them. I can wait for it to come back and then I can get you your services.
But then you'll also be signing invoices. You'll also be signing pretty much everything that comes through.

The other thing to do is you can set it up to where you can give me partial interim authority, which means that I would have a designated individual, or here, if you wanted to designate your subcommittee. And I would go to them and I'd say here, here's what I have. Do I have authority to sign on your behalf. And they would either go aye or nay.

And the last one would be, if you just gave blanket authority. So those are the different options that Marian and I are bringing to you to consider.

CHAIR TURNER: Thank you. Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes. I just had a question, because this is something that we just recently are going to, is a DocuSign which is online signatures. Instead of you having to wait until you receive an actual signature from Madam Chair Turner. Then if we can do it online, that might expedite the process. So I'm just wondering if that's a possibility?

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: Well the rotating chairs, getting signature of the chair may be complicated for staff. And I'm wondering if it makes sense, since we have a finance committee, to give kind of, whoever wants
to head up the -- it's not the finance committee, the fiscal oversight committee. If want to give the fiscal oversight committee that responsibility. So I see Commissioner Kennedy saying no. But I'm just trying to think, that committee's not changing.

CHAIR TURNER: Well, as I was understanding it, one of the options too, as an interim signature authority, we could have you do it -- and is this for the telephones we're talking about right now, right?

MR. VILLANUEVA: Basically it's for the telephones, for the different contracts that are coming up. To sign on behalf for your invoices. So if an invoice comes in, somebody has to sign it and approve it. You know, I did the math, but right now I can't sign it.

CHAIR TURNER: Okay. Commissioner Sadhwani?

COMMISSIONER SADHWANI: Just for clarity, when we talk about the phones, are these phones in the office or -- and one of the things, and this might be separate from this conversation and that's perfectly fine, but we were also given --

CHAIR TURNER: Temporary cell phones.

COMMISSIONER SADHWANI: Yes, temporary cell phones that I don't, like, I don't even use.

MR. VILLANUEVA: Yes. So --

COMMISSIONER SADHWANI: That communication? Are we
talking about the AT&T caller? Like, what kind of
telecommunications are we talking about; because I think
I'll have a better idea and will be able to better judge.
It might just make more sense for the executive director
to have that power as we determine, from oversight as we
determine perhaps the fiscal committee powers.

MR. VILLANUEVA: Okay, so --

COMMISSIONER SADHWANI: I don't, like -- I think I
need a little bit more clarity on what are the boundaries
of telecommunications that we're talking about before we
can have this.

MR. VILLANUEVA: So --

CHAIR TURNER: My understanding was that it's to
replace the temporary phones that we have, that kind of
antiquated.

MR. VILLANUEVA: It's your office phones, right?
Your landlines, your 1-800 number, your fax number, your
cell service. All of these are State master service
agreements. They've already been bid. The different
entities were providing the services, have been
designated. They have to provide them within very
certain prescribed constraints. And the costs have all
bee pre-negotiated also.

So when you talk about the signature authority
there, what you're really authorizing is somebody to say
yes, we want the service, and then to go get it for you.

CHAIR TURNER: Okay. Any other questions, Commissioners, or thoughts?

Commissioner Sinay?

COMMISSIONER SINAY: I'm sorry. I'm confused on this conversation. Are we mixing a lot of apples and oranges right now? Is the main question that's being asked right now, in the interim not having a staff member who does these things, can we give that authorization to you? And we're not necessarily talking about phones, that that was just an example you had provided to us? But it's the bigger question of during this interim, who wants to be -- how do we want to deal with the administration; some of these pieces of work that eventually staff will actually be doing?

MR. VILLANUEVA: Exactly.

CHAIR TURNER: Right. It's the signing authority, and I think Raul listed a few different options. One being the chair, one being some of the middle option, and then also again as the interim signing authority. Thank you for the clarification.

Yes, Commissioner Fornaciari? You're on mute, sir.

COMMISSIONER FORNACIARI: Yeah. Took me a minute to find the button. Well, just to put in my two cents. I kind of like the option of just delegating authority to
Mr. Villanueva and have an oversight by the financial oversight committee.

CHAIR TURNER: Commissioner Andersen, were you saying something?

COMMISSIONER ANDERSEN: Thank you. Yes, I was. Now, I misunderstood that. Is this just temporarily until we establish that? So we'll have to answer this whole question again once we get staffing? Or is this, we're setting up a procedure that is going to continue on?

MR. VILLANUEVA: This is temporary. Right now, you have a staff of one, okay. And so one of the other things I'll be asking you is to authorize me to pick up some retired annuitants, some additional staff to assist me. But yes, once you have an executive director, as many of you know, it's customary that they have that authority. They have that authority up to some, you know, 250,000, 500,000, whatever you decide on. And then they go out. You have a discussion. You say, these are the services we want. Your staff get the information. Say here's what it looks like, here are the costs, here are your choices. You make the choices. And your executive director carries it through, signs for it, and obtains those services. All of that is really pending your hiring of an executive director.
What my job here at this point is, is to make sure that those services that keep you operating until that time are in place and functioning and are being paid for appropriately.

CHAIR TURNER: Okay. Thank you. I also agree with Commissioner Fornaciari. Any comments, questions?

Yes, Commissioner Le Mons?

COMMISSIONER LE MONS: I just wanted to say, I agree also, and the good news is, Raul's done this before. And I think there's some interim steps that we need to do in order to get to the business and I think we should feel comfortable, hopefully, and not too suspicious. Not about you, Raul. Just generally speaking.

That we need the infrastructure to move forward. We need a interim infrastructure. So I think these are things that are operational, we can undo whatever we do. So I don't think we have to be so nervous about. And yeah, so I agree. I'd like to recommend that we make Raul in interim signing authority. He's right there. I know Commission Fernandez will keep a eye on him, so we won't have to worry.

I'm also trying to bring a little levity.

MR. VILLANUEVA: Yeah.

MS. JOHNSTON: Is that a motion? Is that a motion?

COMMISSIONER LE MONS: Yeah, that's a motion. Yes,
that's a motion. Yes.

VICE CHAIR AHMAD: Actually, Madam Chair, I believe the motion from previously was still on the table. So I think we would just have to amend that motion to include the last item that Raul just went over, which is the interim signature authority. And I guess other matters are really important too.

MS. JOHNSTON: The prior motion had to do with the three interagency agreements.

MR. VILLANUEVA: Correct.

MS. JOHNSTON: This is to give Raul the interim signing authority.

VICE CHAIR AHMAD: Okay. So would we have to vote on that motion or withdraw it?

MS. JOHNSTON: That one's been tabled.

VICE CHAIR AHMAD: Okay.

CHAIR TURNER: Thank you. Is there a second on the motion? Commissioner Fernandez?

COMMISSIONER FERNANDEZ: I'll second that. And I'll try to keep an eye on that, Commissioner Le Mons.

MR. VILLANUEVA: I did want to make one comment. You know, we joke and yeah, it is funny. But at the end of the day, we're working with public funds. And so on behalf of the Commission, to have some kind of oversight into ensuring that those public funds are being expended...
appropriately, is just the right thing to do. And so
myself, I completely support working with your fiscal
oversight committee to ensure that while you're getting
off to a good start, that fiscally and budgetarily you're
making sure of doing that also until your executive
director comes in.

CHAIR TURNER: That's beautiful. So we have a
motion -- yes, Commissioner Sadhwani?

COMMISSIONER SADHWANI: Thank you, (indiscernible).
I also just wanted to add. Earlier you had mentioned
that there might be some -- in the spirit of, you know,
good governance and budget oversight, that there might be
some limit that we set to your authority so that it's not
signing a check for a million dollars to your family
member or something; not that you would do that.

But would it make sense to include some kind of sort
of maximum limit and at such time it has a greater
oversight or something of that nature? Is that something
that we would want to consider adding onto this motion?

And I largely raise it because you had mentioned it
yourself.

MR. VILLANUEVA: As I understood the motion, it's
for me to have signing authority with oversight from your
fiscal oversight committee. The way I would understand
that then is if something comes in, I minimally have to
communicate to them and say, this is what has come in. Do you want to go over it together? Or those things that are -- an invoice for example. Those things that are higher level than an invoice, then it's up to me to be responsible and go, hey, this came in, can we set time to talk about it because it entails these other factors. So as I understand it, then I have zero independent signature authority.

CHAIR TURNER: Thank you for that clarification. Commissioner Sadhwani, does that satisfy you?

COMMISSIONER SADHWANI: That satisfies me, if everybody feels comfortable with it. I was actually under the assumption that we would be giving greater authority to Raul to sign off on some of these things that we know need to get down, kind of to Commissioner Le Mons's point. But I'm actually, I'm fine with this motion of the fiscal oversight committee involving all of the --

CHAIR TURNER: So we had Commissioner Le Mons that made the motion. I believe it was Commissioner Fornaciari --

COMMISSIONER FERNANDEZ: Fernandez.

CHAIR TURNER: Oh, Fernandez had seconded it. So before we vote, I think we need to go to public comment.

MS. JOHNSTON: Correct.
CHAIR TURNER: Okay. So --

MS. JOHNSTON: Justin?

CHAIR TURNER: Take it away Justin.

PUBLIC COMMENT MODERATOR: Right. Hi, good afternoon. This is Tom. I took over from Justin.

But ladies and gentlemen, to ask a question please press 1, followed by the 0 at this time. Right?

Followed by the 0. One moment, I'll just connect you up.

All right, first question will come from Daphne Harris. Please, go ahead.

MS. HARRIS: Hello, Commission, again. I noticed that on the documents that are online, there was an executive branch listing. And I'm just curious if there was a structural listing that existed for the 2010 Commission? And maybe seeing what subcommittees would be needed in order to function properly on a tactical basis, sounds like it needs to be done. And it would help us, in the public, to just see how things are supposed to be done procedurally.

If we have a procedural document for the Commission, that would be helpful. And then also I few have a structural document for the Commission and how it interfaces with the executive branch, that would also help us.

CHAIR TURNER: Thank you. Is there another comment?
PUBLIC COMMENT MODERATOR: And for additional questions or comments, please press 1-0.
And nobody else is queueing up.
CHAIR TURNER: Thank you. At this point, is there any other last discussion, comment, anything, because if not, we'll go to vote.
Commissioner Kennedy?
COMMISSIONER KENNEDY: Yeah. If Raul could respond to the caller's question about an organigram of the 2010 Commission, please.
MR. VILLANUEVA: Absolutely. So as part of the agenda item regarding your staffing, I do have for you what the staffing structure was at that time and a discussion about those roles and responsibilities. Also looking at the salary structure that was existent at that time, why it was selected the way it was. I'll be asking for a motion on consideration of accepting that, a similar type of salary structure.
All of that is kind of a preliminary, on the one hand, in terms of looking at a personnel budget. The other side of it is in terms of starting the discussion that you will have then later with your executive director, in terms of the actual staffing structure, what these men and women can and will do for you.
So that's -- which the segue then is the
recruitments that are out there right now. So that was a
bigger explanation, but I wanted to give you more of a
big picture of why that's waiting until then.

MS. JOHNSTON: I don't think that there is a thing
about what committees the 2010 Commission --

MR. VILLANUEVA: No.

MS. JOHNSTON: -- had, but we can certainly give
that to you if you wish.

MR. VILLANUEVA: They have that in terms of the
policy and procedures, I do believe.

MS. JOHNSTON: Ah-ha. Good.

MR. VILLANUEVA: I'll look to make sure, but I
thought it was included in there.

CHAIR TURNER: Is that agenda 14, or where is that,
(indiscernible)?

MR. VILLANUEVA: Okay. Let me look.

COMMISSIONER SINAY: I believe a lot of the
committees and which ones they found helpful and not
helpful was in their report. And again, though there was
a Commission in 2010, 2020 different than 2010 for
different reasons and we have different expertise on
the -- and we'll have different staffing, so --

MR. VILLANUEVA: Um-hum.

COMMISSIONER SINAY: -- I think what's important for
the public to know is that we're building our plane as
we're flying it right now and they're getting to watch us
do that.

MR. VILLANUEVA: Yes.

CHAIR TURNER: Thank you. Raul, if you have -- you
mentioned that it was there already. Is that agenda 14
or no?

MR. VILLANUEVA: In regards to the staffing
selection?

CHAIR TURNER: Yes.

MR. VILLANUEVA: I do believe so. Let me check and
make sure. That is correct. That is correct, Madam
Chair.

CHAIR TURNER: Thank you.

MR. VILLANUEVA: And really so I'm just going to be
describing those pieces of the plane and what they do
because Commissioner Sinay is actually -- is absolutely
correct. It's up to you and your executive director
exactly what kind of plane you're going to put together,
how you want it to fly, how fast. They're all going to
need an engine, wings, tail, ailerons, things like that,
landing gear.

CHAIR TURNER: Thank you. Can we call to vote at
this time?

MS. JOHNSTON: Okay. The motion is to give interim
signature authority to Raul Villanueva subject to review
by the fiscal oversight committee.

Commissioner Ahmad.

VICE CHAIR AHMAD: Yes.

MS. JOHNSTON: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Yes.

MS. JOHNSTON: Commissioner Andersen.

COMMISSIONER ANDERSEN: Yes.

MS. JOHNSTON: Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Yes.

MS. JOHNSTON: Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Yes.

MS. JOHNSTON: Commissioner Kennedy.

COMMISSIONER KENNEDY: Yes.

MS. JOHNSTON: Commissioner Le Mons.

COMMISSIONER LE MONS: Yes.

MS. JOHNSTON: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes.

MS. JOHNSTON: Commissioner Sinay.

COMMISSIONER SINAY: Yes.

MS. JOHNSTON: Commissioner Taylor.

COMMISSIONER TAYLOR: Yes.

MS. JOHNSTON: Commissioner Turner.

CHAIR TURNER: Yes.

MS. JOHNSTON: Commissioner Vazquez.

COMMISSIONER VAZQUEZ: Yes.
MS. JOHNSTON: Commissioner Yee.

COMMISSIONER YEE: Yes.

MS. JOHNSTON: Motion passes.

CHAIR TURNER: Thank you. We'll move to agenda 7, training on the Commission for per diem, travel rules, and reimbursements. And we're -- yes, Commissioner Kennedy?

COMMISSIONER KENNEDY: Sorry. We received a CRC org chart from the 2010 Commission, but I'm not finding that on the handouts on the web page for today's meeting. That was the information that the caller was seeking.

MR. VILLANUEVA: Correct. There were some issues regarding how to post it so it would be accessible, and so they were looking into that, the web folks, because that's a -- that's JPEG, basically, and not a PDF and some of the factors that go along with that.

CHAIR TURNER: It's very simple to convert from a JPEG to PDF.

MS. JOHNSTON: Part of the problem is, right now, the posting is not within our control. It's still within the control of the State Auditor's Office, so we have to go through them to get things posted.

COMMISSIONER KENNEDY: The caller had perfect -- perfectly good reason to hold us to account on that.

MR. VILLANUEVA: It should be available when the
item actually comes up in the agenda, which is item 14. But I understand your concern, and I share it.

CHAIR TURNER: Thank you. It looks like they're going to get to work on it and we'll have it available by item 14.

MR. VILLANUEVA: Yes.

CHAIR TURNER: So if you would proceed then, please, with the training for the per diem, travel rules, and reimbursement.

MR. VILLANUEVA: Okay. So I sent the -- a draft of a fillable travel expense claim form and the instructions and an example filled-out form. Did everybody get a chance to look at those? So I'd rather start in terms of questions. Are there any questions about filling out that form? I mean, here at the top.

Yes, Commissioner Sinay.

COMMISSIONER SINAY: Sorry. Are we going to have an employee number or are we going to have to use our Social Security number?

MR. VILLANUEVA: We'll have all those on file, and so --

COMMISSIONER SINAY: Okay.

MR. VILLANUEVA: -- and so that's why the instructions were -- are saying to, you know, on file, so --
COMMISSIONER SINAY: Okay. Sorry.

MR. VILLANUEVA: No, no. That's a really good question. Also, too, please know that while I'm here and available for you, as you fill those out, you can reach out and we'll -- we can fill the first ones out together. They go from very simple to really obtuse. Commissioner Fernandez is smiling because she knows it looks -- it looks really simple one way, but it can get crazy, so I have no problem with that. And I just got my Commission phone, and so I should be able to make that number available to you.

CHAIR TURNER: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: So then we have to sign them and get you a hard copy? Is that the requirement?

MR. VILLANUEVA: Right now, under the COVID-19 rules, I can go with an electronic copy, with an --

COMMISSIONER FORNACIARI: Do we have to have --

MR. VILLANUEVA: -- electronic signature.

COMMISSIONER FORNACIARI: -- a new signature, or what do we -- what do we do there?

MR. VILLANUEVA: So you can take it, print it out for yourself, sign it, PDF, and send it to me as a PDF, signed PDF. I'm able then to take the signed PDF, print it, put on my signature, PDF it, and send it in for payment.
CHAIR TURNER: That's where that DocuSign would be great, huh?

MR. VILLANUEVA: Yeah.

COMMISSIONER FORNACIARI: Sounds like a lot of scanning.

MR. VILLANUEVA: It --

COMMISSIONER FORNACIARI: Okay.

MR. VILLANUEVA: Well, it is. And yet, DocuSign is wonderful. We don't have access to that service at this point in time, but that could be a procurement to look at for the future.

CHAIR TURNER: Yes, Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: This is going to sound kind of silly, but I'm taking the -- I guess, our counsel's word very seriously about trying not to have any comingling of Commission-related documents on personal laptops or even my phone, but to be able to scan, I guess, it -- my concern is just being able to do something as simple as that without having to work it through my own laptop to then get it to this email to then send it on to you. I feel like that's what I have to do right now, and I may resort to faxing.

CHAIR TURNER: I think you're absolutely right --

MS. JOHNSTON: Unless --
CHAIR TURNER: -- because the computer that was provided does not completely scan.

COMMISSIONER AKUTAGAWA: Yeah.

COMMISSIONER SINAY: What if we took pictures and sent it in with our modern phones?

CHAIR TURNER: Commissioner Ahmad.

VICE CHAIR AHMAD: I don't even know how to use a fax machine, but if there is a feature -- and I want to defer to Counsel and Raul if this is allowed as well -- on the PDFs on our issue -- State-issued laptops that allows us to draw a signature and save that as a PDF and then you can just send it directly from your laptop.

MR. VILLANUEVA: Um-hum.

MS. JOHNSTON: I have no idea --

VICE CHAIR AHMAD: Is that something that's permissible or it would require to have --

MS. JOHNSTON: That would be permissible --

VICE CHAIR AHMAD: -- a wet signature?

MS. JOHNSTON: -- if it worked. Again, we did not pick out these computers. They were picked up by the State Auditor's Office, so we had no control over them. At some point, you may wish to decide if you want to get a different computer system or --

MR. VILLANUEVA: Oy. Don't say that.

MS. JOHNSTON: -- whatever.
VICE CHAIR AHMAD: Right. For the time being, is that permissible or is it required to have a wet signature?

MS. JOHNSTON: It's not -- a wet signature is not required.

VICE CHAIR AHMAD: Okay.

MR. VILLANUEVA: No. No, what Commissioner Ahmad's asking about is using the PDF, the Acrobat software, to create a signature for yourself and then use that. Let me check on --

VICE CHAIR AHMAD: Yes.

MR. VILLANUEVA: -- that to make sure. I know that when it's been scanned or copied, it's appropriate when it's been done through DocuSign, they'll accept. So just let me make sure for you.

VICE CHAIR AHMAD: Okay. As a matter of functionality and feasibility, that is feasible on our laptops and through the software. I just wanted to make sure that it's allowed.

MR. VILLANUEVA: Right. Well, I would hate to tell you yes, something gets submitted, and then two weeks up the road when you're waiting for it, we got to tell you it got kicked back. So just please let me make sure that I have a solid answer for you on that.

CHAIR TURNER: Thank you. Commissioner Sinay.
COMMISSIONER SINAY: I was just curious, what items do we need an actual receipt for and how -- you know, how -- is there a minimum or max -- minimum that you need to submit the receipts? Because that complicates things on the scanning and all that.

MR. VILLANUEVA: I think business -- business expenses over it's either twenty or twenty-five dollars. I would always have them for your hotel. If you have meal expenses beyond the maximum per diem amounts, you're probably going to need to have them. Gas, tolls, parking. All of those are going to require receipt for reimbursement. It's probably easier to ask what don't you need a receipt for?

COMMISSIONER SINAY: With all those requirements for receipt, the scanning piece becomes a -- as an independent contractor, that can become --

MR. VILLANUEVA: Right.

COMMISSIONER SINAY: -- a pain.

MR. VILLANUEVA: What we used to do back in the old days, as you would -- and I only read about this, I didn't actually do it. But you would you take the receipts and you would Scotch tape them onto the back, right? Copy that, and then that would be your scan for all the receipts and you'd be able to hand them in, originals, and keep your copies that way.
CHAIR TURNER: Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Thank you. Well, I just have like a -- since I've been with the State forever, just have a few questions for those that -- and clarifications --

MR. VILLANUEVA: Okay.

COMMISSIONER FERNANDEZ: -- for those that aren't familiar with the whole State system. One, how long -- how quick of a turnaround is the reimbursement time from the time we turn in the travel claim to when we get paid?

MR. VILLANUEVA: Approximately two to three weeks.

COMMISSIONER FERNANDEZ: Okay. Which is actually better than my agency right now, so that's good. I applaud you for that. And then also, just for clarification, all of our expenses, we pay the expenses initially and then we get reimbursed, right? There aren't travel advances. How is this going to work?

MR. VILLANUEVA: Under customary -- right now, under customary basis, it's probably -- requesting a travel advance, I mean, you could, but kind of why?

COMMISSIONER FERNANDEZ: No, that's fine.

MR. VILLANUEVA: Right?

COMMISSIONER FERNANDEZ: I just wanted --

MR. VILLANUEVA: In the future, let's say you are traveling across the state now, and we can anticipate a
whole body going. You're going to be on the road for a week and a half, and so you don't want to start maxing out your credit card, that would be the appropriate time then to work out a good solid travel budget and do a travel advance. It takes a while to get it. And so that type of planning, then, is really important for that.

MS. JOHNSTON: Isn't there a credit card for CRC for travel --

COMMISSIONER FERNANDEZ: Right.

MR. VILLANUEVA: We're not --

MS. JOHNSTON: -- for the plane?

MR. VILLANUEVA: We're not -- we can't right now --

MS. JOHNSTON: We didn't -- we didn't have that last year?

COMMISSIONER FERNANDEZ: I've asked about their --

MR. VILLANUEVA: No, no.

COMMISSIONER FERNANDEZ: Are there any direct pays in terms of, at some point in time before flying or even with the lodging, do we have a direct pay with the State so that it doesn't come out of our --

MS. JOHNSTON: Christina (ph.) had a credit card that she --

MR. VILLANUEVA: So the travel card, there is a Cal travel card that -- actually the Commission has one. At
this point now, I can go ahead and start -- see, by
giving me authority, I can go, hey, we have a travel
account. Here are the folks, go -- here's what I'm going
to need in terms of documents that we can get your Cal
travel card in your name now. So that's the wonderful
thing about why we're doing some of these items that had
to wait, so that would be available.

There's a credit card, per se, but in terms of
contracting, we don't have what is known as delegated
authority. So I'll be talking about that in terms of the
contracting, which also segues into the staffing a little
bit, again, in terms of the choices that are available to
get that type of authority.

By the way, very soon now, we need to break for
lunch, if I may. Every ninety minutes, we are -- as you
know, the captioners need to take a break, and we're
pretty much right at that, couple minutes.

CHAIR TURNER: We have, I think, until 12:40.

MR. VILLANUEVA: Until 12 --

CHAIR TURNER: Um-hum. We could probably finish
this discussion.

MR. VILLANUEVA: Very good.

CHAIR TURNER: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes. Thank you. I just
also wanted to clarify, I recall the previous counsel had
advised me to keep track of hours that I had spent doing work of the Commission, right, in terms of for the first eight reviewing of applications and such, and that there is a per diem for each day of work for the -- towards the Commission work. Do we use the same travel form for that, and is there a preferred way in which we should be documenting those kind -- those hours and time?

MR. VILLANUEVA: So your per diems, yes, you do earn a per diem per day. And I've got some forms that have been recommended for you to start using. Not to go into the past process too much and how they were doing it, one of the things to keep in mind, even for State employees, it takes a good thirty days to get on -- to get on to the system, and that's kind of what's going on now. I'm working with different agencies to get you on the system so you can be paid.

But yes, you do need to be keeping track of the time. One of the things that you may want to consider is, for Commission business, here during a Commission meeting it's pretty clear-cut. In terms of those activities outside of a Commission meeting, do you want to make a discussion and consideration for what's going to be allowable time or not?

One of the things to keep in mind is the previous Commission had decided that they could collect time over
multiple days and collect one day, eight hours. I think they designated their day as six hours. When I was looking at the law, it specifically identifies your day as one twenty-four-hour period, not over, across multiple days. So that's something to look at.

You know, I'm working with Marian. We can send you that part of Government Code. It's actually Government Code 8250 through 55, which is the code that has to do with California Civil -- I mean, Citizens Redistricting Commission. So right now, I'm going to send you those forms. Do start collecting your days as there's a part on there to document the day and what you did, and that'll be good here on the front end. But that's as far as we can go right now. Like I said, I'm working those departments to get you on the system.

CHAIR TURNER: Commissioner Sinay.

COMMISSIONER SINAY: My understanding, just from reading the different reports and hearing you say this is how they did it in the past was that we set up kind -- I mean, we still -- I think the training piece of the per diem we still need. I don't think you've explained --

MR. VILLANUEVA: Yeah.

COMMISSIONER SINAY: -- to us, you know, what the per diem is per day and all that, but that we can design how we want to use the budget. Unfortunately, we don't
know what the line -- that budget line item is for per
diem for us, but that it -- that there was different
recommendations that had -- that were kind of put forward
on thinking about this.

One is they did it -- people kept track and some
people ended up with more, using much larger budget --
portions of the budget than others did. Or there's
looking at just getting monthly all the way through the
ten years, which means, we'll be low on one year in the
end, but that there are different models.

And one of the things that came up often in reading
about the past Commission is really understanding how
much are commissioners on other commissions being paid
and how are they being paid? So we're not creating it
out of nothing, but we have something to compare because
we will be use -- this is going to take a significant
amount of time on us, and we need to figure -- you know,
figure out our budget -- our personal budgets for life,
but I -- and so I'm wondering when we get some of that
information and get a more in-depth training on this so
that we can make some of these decisions.

MR. VILLANUEVA: Right. And when you talk about a
budget item for per diem, fourteen commissioners at about
378 per hour, you're talking about almost 5,300 dollars
an hour in per diem when all fourteen commissioners are
present. It's a very, very large budget item.

That being said, when you look at the law in the way it was set up, it appears that the intent in having a one-day per diem for the full amount, it serves as a way of equalizing, not so much now, but in the future when all fourteen commissioners, say, are on the road or you're doing multiple days of meetings and you can't go to work, right? You're meeting. Okay. That's going to impact individuals at different socioeconomic levels more than others.

What this does then is it helps to equal some of that out, and so that an individual who is at a more moderate level of income isn't penalized for being a member in the -- of the Commission and doing the Commission's business. In other words, if I make a -- if I have a fairly high level of salary, then I wouldn't be as disadvantaged, quite frankly. And so it's one of those equalizing things.

So as you look at this, yes, it's a budgetary item, but you have to do your work. And so maybe the way to look at it isn't so much as a budgetary item because your staff will keep track of that for you and look at that expenditure. Maybe the better way to look at it is on what basis do you earn it outside of the meeting?

Because when you're in the meeting, by law, that's what
you earn, right?

So anyway, those discussions, I think, are fruitful for you to have because I can talk to you about the mechanics of here's how you -- here's the paperwork you fill out so that you can get your per diem, here's the process, here's how long it takes for you to get it.

COMMISSIONER SINAY: You just said 378. What is that? I'm --

MR. VILLANUEVA: I'm sorry. That was per day. It was not per hour.

COMMISSIONER SINAY: So that's 378 dollars per day for a six-hour day is the way it's set up right now?

MR. VILLANUEVA: No.

MS. JOHNSTON: Well, it's set up for 300 with a cost of living increase, and so that's how you get to the 378.

MR. VILLANUEVA: Yeah, approximately. Yeah. And it's per day, and it's not --

MS. JOHNSTON: In a statutory.

MR. VILLANUEVA: The law defines day as that twenty-four-hour period.

MS. JOHNSTON: The last Commission decided that on their work away from actual Commission meetings, they would not claim -- some of them would not claim until they had accrued six hours and then they'd put in a claim, but that may not work for everybody.
COMMISSIONER SINAY: And is that the 378 across all commissions or that was a specific number they came up for this Commission?

MR. VILLANUEVA: Oh, no. That --

MS. JOHNSTON: That's only this Commission. Most commissions do not get paid anywhere near that. It's usually either nothing or 100 dollars a day.

MR. VILLANUEVA: It varies. There are quite a few commissions and committees, over 100 some odd of them. But if your Counsel's correct, for the vast majority, it's reimbursement and 100 dollars per diem. Others get paid more.

MS. JOHNSTON: We get more money because --

MR. VILLANUEVA: Many get paid less. For those who do have a per diem like this, they turn it in pretty much almost like a timesheet and timekeeping system. And so once a month that -- it's submitted for payment, it's documented, it goes through the process, and a check is issued. That's what common across commissions with this type of payment.

CHAIR TURNER: I see Commissioner Fernandez. I want to call to your attention the ability to break within three minutes, if you have something quick or you want to wait till we get back.

COMMISSIONER FERNANDEZ: Yeah. Just quickly, I
think it is important that we have some parameters in
terms of what we determine a day is because we are -- we
do have limited funding overall. I'm not sure if that's
another subcommittee, but it's probably something that
should be thought -- thought out and looked at our budget
as well, you know, because we don't want to do a -- you
work two hours so you get paid for the full day. You
know, that may not be appropriate. So I think probably
sooner rather than later if we can come up with those
parameters, I think it would benefit us.

CHAIR TURNER: Okay. Sounds like we still need to
have more discussion on this particular item, and a few
more questions, I know, but we are up against our time to
break for lunch, speaking of requirements. So if it's
okay with the Commission now, we'll go ahead and recess
for lunch.

COMMISSIONER SADHWANI: I just wanted to mention --

CHAIR TURNER: Commissioner Sadhwani?

COMMISSIONER SADHWANI: -- Madam Chair, that I
may -- it might take me a little bit longer to get back
after lunch, but please go ahead without me and I will
join back in as soon as I can.

CHAIR TURNER: Okay. Thank you. Okay.

PUBLIC COMMENT MODERATOR: Please excuse me. This
is the operator. Are you just going to keep your line
connected, then?

MS. JOHNSTON: No, you can disconnect until 1 --

MR. VILLANUEVA: No, no, no, no, no. We're going to go ahead and keep it open.

MS. JOHNSTON: We are?

MR. VILLANUEVA: Yes.

PUBLIC COMMENT MODERATOR: Okay. Wonderful.

MS. JOHNSTON: For public comment?

PUBLIC COMMENT MODERATOR: You just wanted to keep open in the main room or do you want to be transferred in a private host room or just want to stay here so that you can just start whenever you're ready?

MR. VILLANUEVA: Okay. If you'll hold out a minute, we'll get back to you outside of the meeting and --

PUBLIC COMMENT MODERATOR: Okay.

MR. VILLANUEVA: Thank you. So for the Commissioners --

PUBLIC COMMENT MODERATOR: Thank you. Right now, you're the only line on.

MR. VILLANUEVA: Yeah. This is the AT&T operator that we're working with, so to let you guys go ahead and take lunch and we'll take care of this business for you.

CHAIR TURNER: Okay. So we will reconvene at 1:40.

Thank you.

(Whereupon, a recess was held)
CHAIR TURNER: Thank you, all, and welcome back from lunch. We'll reconvene our meeting, and we were on agenda item number 7. Wondering if we want to hear public comment before we go back into further discussions over (audio interference).

MR. VILLANUEVA: Do you want me to read the blurb?

CHAIR TURNER: Will you call for public comment at this time if there's --

MR. VILLANUEVA: Marian --

CHAIR TURNER: -- anyone (indiscernible).

MR. VILLANUEVA: -- do you want me to read the blurb?

MS. JOHNSTON: Yes.

MR. VILLANUEVA: Okay.

MS. JOHNSTON: Read it, please.

MR. VILLANUEVA: Okay. I'm going to read the instructions for the public comment.

MS. JOHNSTON: Thank you.

MR. VILLANUEVA: In order to maximize transparency and public participation in our process, the Commissioners will be taking public comment during their meeting by phone. There will be opportunities to address the Commissioners regarding the items on the agenda and the process in general.

In addition, for each agenda item that requires a
vote, the public may provide comment on that particular
item. Each time that the Commissioners bring up an
action item, the viewing audience will be informed that
it is time to call in if they wish to make public
comment. The Commissioners will then allow at least two
minutes for those who wish to comment to join the public
comment queue.

To make a public comment, please dial 877-226-8163.
After dialing the number, you will speak to an operator
and you will be asked to provide either the access code
for the meeting, which is 5185236, or the name of the
meeting, which is the Citizens Redistricting Commission,
First Commission Meeting.

After providing this information, the operator will
ask you to provide your name. Please note that you're
not required to provide your actual name if you do not
wish to. So when the operator asks for your name, you
may provide your own name or a name other than your own.
And when it's your turn to make a public comment, the
moderator will introduce you by the name you provided to
the operator.

As such, providing a name helps AT&T, which is
hosting this public comment process, to ensure that
everyone holding for public comment has a chance to
submit their comments. Please be assured that the
Commission is not maintaining any list of callers by name and is only asking for some names so that the call moderator can manage multiple calls simultaneously and can let you know when it's your turn to speak.

After providing a name and speaking with the operator, you will be placed in a listening room, which is a virtual waiting room where you will wait until it is your turn to speak. In this room, you will be able to listen to live audio of the meeting, but remember to mute your phone, computer, or livestream audio because the online video and audio will be approximately sixty seconds behind the live audio that you are hearing on your telephone. Moreover, if you fail to mute your computer or livestream audio, it will be extremely difficult for you to follow the meeting and difficult for anyone to hear your comment due to feedback issues.

Therefore, once you are waiting in the queue, be alert for when you may be called upon to speak and please turn down the livestream volume. From the listening room, listen to the meeting and the call moderator. When you decide that you want to make a comment about the agenda item currently being discussed, press 1-0, that's 1-0, and you will be placed in a queue to make a public comment about the action item under consideration.

When joining the queue to make a public comment, you
should hear an automatic recording informing you that you have been placed in the queue. You will not receive any further instruction until the moderator brings you in to make your public comment. At that time, the moderator will open your line and introduce you by the name that you provided, and once again, make sure that you have muted any background noise from your computer. Please do not use a speakerphone, but rather speak directly into your phone.

When the moderator introduces you, please state the name you provided to the operator and then state your comment clearly and concisely. Comments will be limited to two minutes. After you finish making your comment, Commissioners will move on to the next caller. At that point, please hang up your phone. And if you would like to comment on another agenda item at a later time, please call back when the Commissioners open for public comment for that specific item and you can repeat this process.

If for any reason you are disconnected, please call back and explain the issue to the operator, that way, you can repeat this process and rejoin the public comment queue by pressing 1-0. The Commissioners will take comment for every action item on the agenda. As you listen to the online video stream, public comments will be solicited and that is the time to call in. The
process for making comment will be the same each time and 
will begin by dialing 877-226-8163 and following the 
steps I just gave. And these steps are also posted on 
the website. Thank you.

CHAIR TURNER: Thank you, Raul.

MR. VILLANUEVA: You're welcome.

CHAIR TURNER: (Indiscernible).

MS. JOHNSTON: AT&T, do we have any comments? AT&T?

PUBLIC COMMENT MODERATOR: Yes.

MS. JOHNSTON: Do we have any comments?

PUBLIC COMMENT MODERATOR: Yes. For public 
comment --

MS. JOHNSTON: Yes.

PUBLIC COMMENT MODERATOR: -- please press 1-0 at 
this time. Please press 1-0. One moment, please.

Nobody is queuing up at this time, Madam Chair.

MS. JOHNSTON: Thank you.

CHAIR TURNER: Okay. So we can continue with 
discussion. We were, at the time we recessed for lunch, 
we were still on agenda item number 7, discussing the 
specifics of the reimbursement, the travel, and how we 
wanted to handle ours that was, again, outside of actual 
meeting time.

So if we want, we kind of have Commissioner Le Mons 
and maybe the good counsel that we may want to try to
limit what we are putting off but we also don't want to rush the process. So I'm wondering if we're at a point where we have a suggestion on how we want to move forward with handling the reimbursement, or what time period, the hours?

Commissioner Sinay.

COMMISSIONER SINAY: This is, I guess, to Counsel. You had said that the law says that a day is a twenty-four-hour period. So do we have a choice on how we're defining it? I'm a little confused on that.

MS. JOHNSTON: You have a choice in that you don't have to claim it every time you're eligible for it. If you wanted to wait until you had accumulated enough hours that you considered it a day, you could then submit that day for your one-time payment. That's what the last commission decided to do.

MR. VILLANUEVA: Marian, I think she's asking for clarification on the Government Code and how it defines a day.

MS. JOHNSTON: Well, it does define a day, but it doesn't require you to submit a claim for every day that you meet.

CHAIR TURNER: Commissioner Le Mons?

COMMISSIONER LE MONS: Yeah. I'm asking for that clarification as well. It sounds like we -- there was
something that the previous Commission did that they did whatever they did. But then we're getting guidance, it sounds like, that suggests that a day is considered a one twenty-four-hour period and maybe that we can't sort of accrue over multiple twenty-four-hour period even though they are subsets.

MS. JOHNSTON: Well --

COMMISSIONER LE MONS: So I'm a little bit confused as to how do we move forward with a -- putting together a practice that respects whatever guidelines and legalities that we need to respect.

MS. JOHNSTON: You are entitled to submit a claim for every day that you work for any -- within any twenty-four-hour period that you work, you may submit a claim for the 300 dollars. What the prior Commission decided to do was they had sometimes where you'd spend an hour one day and maybe two hours the next day, and it really didn't amount to a lot of time.

So they decided that they would not submit a claim for any day that they only worked a limited amount of time until they accrued six hours, and then they'd submit a claim for the day -- the day that they were entitled to claim the 300, but they had, in fact, accrued six hours, they would submit a claim on that day. That's not to say that's something that's binding or even recommended for
this Commission. It's totally up to you.

CHAIR TURNER: Senator Akutagawa. Senator.

Commissioner.

COMMISSIONER AKUTAGAWA: So I think let me just -- I just want to make sure I didn't -- I'm with the other commissioners where I was a little confused. So if I think I'm -- if I'm hearing it correctly that by Commission rule, if we were to say -- let's just say even if we worked an hour or two hours, we would have the right to submit as if we had worked the whole entire day.

However, by maybe -- by agreement within the last -- what they chose to do instead of submitting for an entire day even though that entire day was maybe an hour or two, the Commissioners decided to just wait until they felt that they had acquired or accumulated (audio interference) like a six to eight-hour equivalent of work regardless of when it happened. And then at some point, they then submit for per diem for a full day's work.

MS. JOHNSTON: On the day that they had accumulated the six hours. Even if they'd only worked for one hour that day, they would be entitled to claim the 300 dollars. So that's why they would wait until that day to submit the 300-dollar claim.

COMMISSIONER AKUTAGAWA: Okay. I think I understand now. Thank you.
MS. JOHNSTON: And that's not a decision you all need to make now. For the next few days, you'll be earning your money by long days.

MR. VILLANUEVA: Um-hum.

CHAIR TURNER: Le Mons.

COMMISSIONER LE MONS: So I guess my question is -- I'll just be direct. Was there a question of whether or not that approach that was chosen was considered proper as it was backed into the framework that suggests that a day is a one twenty-four-hour period?

MS. JOHNSTON: It was proper because they only submitted a claim on a day where they had, in fact, worked during that day. What they're -- just because --

COMMISSIONER LE MONS: I see.

MS. JOHNSTON: -- the Commission is --

COMMISSIONER LE MONS: I get it. I get it. I get it now. Okay. Thank you.

MS. JOHNSTON: And that's not to say that that's something that you all should -- I mean, your economic situation may be totally different. There are commissions I've worked with before where commissioners didn't submit any claim at all for the -- for their daily per diem. It depends on the commission, depends on the individual.

CHAIR TURNER: Commissioner Fernandez?
COMMISSIONER FERNANDEZ: Yes, I did -- she just answered the same responses. Even if you work one hour a day, you don't have to claim it.

MS. JOHNSTON: Correct.

COMMISSIONER FERNANDEZ: And as mentioned, once you get to your six hours, if that's what we choose to do, then at that point, you can charge your one day. I mean, I think the six hours is probably a good measure to use. Personally, I think that would be good for a full day, but obviously that's up to discussion.

CHAIR TURNER: I'd like to just have -- gain clarity, ask a question of probably Counsel. And I won't try to flip it over now, but I did read on the website for Shape California the wording in how Commissioners would be paid. I recall that there was a 370-dollar amount that was -- and I believe the way it's stated is, is per day there -- you do Commission work or something. Do you have that, what is actually quoted on the website?

MS. JOHNSTON: I don't, but I agree with that. You're entitled to -- I was saying 300 because that's what the statute says, but it's with the cost of living, which is now apparently 378. And you are entitled to claim it any day that you work. Yes.

CHAIR TURNER: Okay. Commissioner Le Mons.

COMMISSIONER LE MONS: Just so I make sure that I'm
clear, it sounds like the previous Commission came up
with sort of a good-faith approach that they decided to
use. While the rule is you're entitled to claim it on
any day that you do Commission work, the group said,
well, let's come up with a measure that we'll use as
guidance for when we claim when we have these partial
days or they aren't official meeting days or public days,
et cetera. Am I understanding that correctly?
MS. JOHNSTON: Yes.
COMMISSIONER LE MONS: And is that what we're trying
to determine right now probably is my second -- the
second part of my question.
MS. JOHNSTON: You may or you may decide to not even
consider that and just do it any day that you work.
CHAIR TURNER: Commissioner Ahmad?
VICE CHAIR AHMAD: Yeah. I think just -- in the
spirit of discussion, I think we should determine some
type of metric to measure that because what I'm seeing is
it's written as, quote, engaged in Commission business,
and that is very broad. It could be I opened my email
and responded to one email. That is considered engaging
in Commission business and would I charge the full per
diem amount for that day?
So I think it definitely would help us for our own
timekeeping purposes and fidelity to our public funds to
determine some sort of standardized metric that we would use across all fourteen of us to charge as per diem.

The other thing that I think we need to consider is that we are determining or potentially determining some sort of metric at this point, but there were eight people who conducted Commission business prior to this determination so we might have to have a conversation about how we're going to be charging those days because there -- we didn't really determine at that point on day one that, hey, this is what's considered a Commission day. So that's just something for us to consider as we continue our discussions.

CHAIR TURNER: And I will obviously and for sure be comfortable with whichever direction we decide and determine to go. I guess the thing that I wanted to raise and why I went back to what was originally stated, you mentioned earlier that each of us are in different economic income brackets.

And what I want to do is have us consider setting guidelines that for all of us that -- all of -- everyone that can will follow those guidelines, but I don't want to also have someone on that -- was going by what was listed and now having the Commission do something different if it's going to negatively impact.

So yes, Commissioner Kennedy.
COMMISSIONER KENNEDY: Thank you, Madam Chair. I think part of the problem that I'm having with this discussion and some of our other discussions is how we read the 2010 Commission's report and their narrative that they were building the airplane as they went down the runway and hoped that we could avoid it. And it seems like we end up in the same situation because, somehow, the 2010 Commission ceased to exist and everything that they did ceased to exist with them and we're having to start from scratch.

To me, it's more like the legislature or some other body where there are discrete terms of office, but the institution continued. And so to me, I'm happy to go with what was the policy established by the 2010 Commission, you know, until such time as we decide otherwise. But it seems to be that policies like that should carry over so that we're not be the situation of having to recreate.

I mean, it doesn't seem -- as Commissioner Ahmad said, it doesn't seem right that eight of us were, you know, working on the reviewing the application materials of the remaining candidates without any idea of what the payment for the time that went into that would be. I mean, it was on faith there would eventually be some sort of payment for it --
MR. VILLANUEVA: I agree.

COMMISSIONER KENNEDY: You know, I think that upon this and in general, if we can approach it as policies and procedures put in place by the 2010 Commission exist unless or until we change them, then we'll have less engineering and construction work to do as we go speeding down this runway. Thank you.

CHAIR TURNER: Thank you for that. Commissioner Sinay.

COMMISSIONER SINAY: I hear what you're saying, and I support what you're saying. My only concern, it -- for me, some of this has been set up a little -- the agenda's not organized the way I would have organized it because -- like, for instance, this section's supposed to be a training, but we weren't trained. We're just have -- we're kind of training each other and we're looking at documents like that, and then the number 378 was thrown out there like we knew about it, but we didn't.

And so I would actually -- I'm having an uncomfortable time because I want to understand -- and this -- when I was on the school board, this is where I drove people crazy, too, is what is the legal, what is what we do it because that's the way we've always done it, and what can we do differently?
And so on -- that's the only reason, Commissioner Kennedy, I wouldn't say, yes, let's do -- you know, let's just take the plane of the way it was and tweak it. I think ten years is a long time. I think policy, we're in a really exciting time right now because a lot of policies, a lot of rules and regulations that were very black and white are very gray because of COVID-19, and they may end up actually staying gray and going to white versus black.

And so I -- that's why I keep asking the questions and don't want to just fall back to what the former Commission did and what the former Counsel said. And even what our current Counsel said, I will always ask is that the law or is there room around it because we're going to have to be creative on how we engage the public, how we gave each other, and how we get to know each other.

And so I don't want -- it's going to be painful to sit through these meetings. It's going to be, hopefully, fun and we can make jokes like Commissioner Le Mons said, but I don't -- I want us all to appreciate the smarts that we have and what we bring to 2020 moving forward.

MS. JOHNSTON: If I may just answer, you should have been provided -- hopefully, the State Auditors did give everyone a copy of the statutes and the constitutional
provisions governing the Commission. And Government Code 8253.5 says that members of the Commission shall be compensated at the rate of 300 dollars for each day the member is engaged in Commission business. For each succeeding Commission, the rate of compensation shall be adjusted each year ending in nine by the cumulative change in the California Consumer Price Index or its successor.

MR. VILLANUEVA: All right. And a day is defined.

MS. JOHNSTON: Day is defined in a statute as being 24 hours so that any day where you do Commission business, you are entitled to claim the 300-plus dollars.

MR. VILLANUEVA: Well, actually, Marian, if I may be more specific, because 8251(a)(2), day means a calendar day except that if the final day of a period within which an act is to be performed is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday. So that's specifically when you ask what's in the law, that's the Government Code section for Citizens Redistricting Commission.

CHAIR TURNER: Commissioner Vazquez and then Commissioner Akutagawa.

COMMISSIONER VAZQUEZ: Yeah. My question was, did -- I think, and Commissioner Le Mons started to ask
this before we went on break, do we need to decide this
now and do we -- I'm sort of curious if we need to decide
this at all.

Do we need a formal policy? Can we create an
informal policy or -- sorry, not a practicum -- an
informal practice, an agreement that you claim to the
extent that that you need it so that we're not putting
someone in a particular position to not claim something
that they had made financial planning arrangements
around. And also that we are making the best use of what
is ultimately a limited funding for this work.

MS. JOHNSTON: That would be perfectly fine. It's
up to you to submit a claim, and if you do or don't
submit it claim is your personal decision.

MR. VILLANUEVA: You know, as far as the
documentation of work, though, you might want to consider
including that in some way, and that's to protect your
interests as a Commission and to be able to demonstrate
that the per diem was paid -- earned as required by
statute when performing Commission business. Just an
aside there.

CHAIR TURNER: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Thank you, and thank you
for, as well, for --

MS. JOHNSTON: I'm have trouble hearing you. Can
you speak closer to the mic?

COMMISSIONER AKUTAGAWA:  Sure. So thank you all for bringing that up. I think that that was partially my question that I wanted to ask. There is what's legal? There's been what's been precedive (sic)? And then there's what we can change and do differently. And I think we're in a different kind of time frame than we were in 2010.

We're a much more polarized society, and I, unfortunately, I think I'm looking at it through this lens of whatever we do, there was an earlier point that we made that we are also stewards of our taxpayer dollars. I think how we use it, I think we would want to be able to prove to all of our constituents, all of our residents, all of our fellow Californians that what we're doing is, you know, with the best interests of all Californians in mind.

And so I think partly what I want to understand is I know what's on the -- you know, what's on the policy, but it would be helpful to know what would be, I guess, (audio interference) aspect of should we be aware of what could be construed illegally or unethically. And then beyond that, I think some of the other comments that were made about being about to I think clearly document what it is that we're claiming in terms of our time so that
should we be challenged, we can, with confidence, all
stand behind each other, this is legitimate work that
we're doing.

And then lastly, I want to ask what budget is money
coming out of?

MR. VILLANUEVA: Okay. If I may, please, Madam
Chair.

CHAIR TURNER: Go ahead.

MR. VILLANUEVA: The last question first. It's
coming out of your operational money, okay? So there's 3
million for that right now, and you can -- there's -- you
can request an additional, I think, is, what, 1.7 million
after August 15.

Something for you to consider, just kind of maybe
looking at this from a slightly different perspective.
The letter of the law says that the day is a calendar
day. It goes on to say that you earn your per diem by
day as long as you are engaged in Commission business.
That's pretty much what the law is saying.

What the group is discussing is -- because that's
very broad, the group is discussing, well, maybe one hour
in a day isn't enough for me to get my per diem of 300-
plus. Maybe I should have to work more to get that. And
so you're narrowing that. We have to do six hours over
this many days, but the law doesn't say that.
And so just for your consideration, the bra (sic) take -- the law takes a much broader approach as you look at how you document it, as you look at how you come to an agreement that we're going to agree that our day is at least this, you're narrowing the letter of the law. The law was created broadly. It appears to be on the basis of allowing folks of multiple socioeconomic backgrounds to be able to participate equitably. Anyway, I think it --

CHAIR TURNER: Thank you. Commissioner Taylor?

COMMISSIONER TAYLOR: Yeah, I think, you know, hopefully, I can put it succinctly. I think this is where Raul was going. Counselor, you can correct me if I'm wrong.

So we're entitled to take that per diem when you open up that email, as Commissioner Ahmad said. However, the past Commission decided -- or their spirit was that that per diem is earned after six hours. So I think that's what their thing was. You're entitled to take it once you do business on a given day, but they wanted you to -- their spirit was that you've earned it after six hours. So that would be what we are agreeing on, whether or not we want to meet that threshold or not.

MS. JOHNSTON: That's correct.

CHAIR TURNER: Thank you. Yeah.
Commissioner Yee?

COMMISSIONER YEE: Agreeing with everyone's concerns. You know, I think when it comes to per diems with public money it really has to absolutely pass the smell test, right? I mean, we have to be absolutely comfortable, if anyone asks, explaining what the policy was. And I think the six-hour minimum as practiced by the 2010 Commission sounded like a good practice. I would be comfortable, you know, defending that or explaining it to someone from the public.

But also as Commissioner Sinay discussed, you know, to be open as well to how things may change, especially as we do so much more on Zoom. But I'm comfortable with that continued practice and also comfortable with retroactively applying it to the first day and all the hard work you did in the early going to get us to this point.

Just a point of procedure, so do we need a motion about this or how do we -- is this a policy decision or what happens?

MS. JOHNSTON: You can either make it a policy decision of the Commission or you can each individually decide how you're going to claim your compensation.

MR. VILLANUEVA: It should probably be --

COMMISSIONER YEE: Well, I should say also -- I'm
sorry. It would also help probably to be more explicit about what constitutes Commission work just so that we have that in writing, you know, and that would be part of our ability to explain the policy to others.

CHAIR TURNER: One of the things that I've -- I know that we did receive from previous counsel instructions to track daily -- the suggestion to track daily to keep up with time. I'm just wondering, because it was said -- how do I say this? It wasn't a definitive. It was like, keep up with your time, you know? And so I'm thinking if anything needs to be determined with this whole Commission is that, yes, indeed, we will go back, or we will not go back. And then for me, I'm comfortable with everyone making their decision as far as following the letter of the law, the intent, and the fact of feeling good about the amount of time that you worked on for the Commission. But I think we need to, because it was left so vague as far as the first eight, perhaps set something to say that yes, indeed, we will claim that time.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: I so move that the Commissioners that were the first eight Commissioners get compensated for their time in the way that it was agreed upon in the 2010 Commission for six hours equals a day of work.
CHAIR TURNER: Commissioner Fernandez? You did the
opposite. You're on now.

COMMISSIONER FERNANDEZ: I did. I did. I just want
to clarify, when we talk about six hours, I would see
that as cumulative, nonmeeting days, because I'm thinking
on meeting days, we may actually go beyond the six hours.
So in my opinion, if it goes beyond the six hours, like
let's say we do ten hours. Personally, I don't think
it's appropriate to take those extra four hours and add
it to another partial day, but maybe you feel
differently. But I do agree that the cumulative of six
hours on nonmeeting, or whenever we actually do outreach
and it does go beyond the six hours in a day. I don't
think it's appropriate to claim beyond -- if you're going
to claim it for that day, you can't -- I wouldn't think
that you could claim overage to the next day, if that
makes sense, or maybe I'm confusing everyone, but if
you're going to claim it for that day, that's for that
day, and you're not carrying any hours over to another
day. So I just wanted to clarify that.

CHAIR TURNER: Thank you.

Commissioner Sinay?

COMMISSIONER SINAY: Scratch that first motion. Let
me see if I can be more articulate on the second take on
it. I move that we use the six hour per day for work
that is when we're not all convened, and we and that it
goes retroactively to the first eight Commissioners, to
the work of the first eight Commissioners.

And if someone can be more articulate, I allow you
to amend it any way you want.

CHAIR TURNER: Commissioner Yee?

COMMISSIONER YEE: Okay. So Commissioners Fernandez
and Sinay, so the question is, when the first eight had
their deliberations, and I know a lot of you, after the
meetings, went home and viewed videos and put in midnight
hours. So the question is whether that would count,
since you already met that day, but you did after-work
work at home. The question is whether, per Commissioner
Fernandez, we should actually not allow those hours to be
counted towards a different day, or whether they could
be. I'm trying to get the sense of the smell test. I
don't quite know.

CHAIR TURNER: Commissioner Kennedy?

COMMISSIONER KENNEDY: Yeah. I mean, just in
response to Commissioner Yee, I will say that in all of
my professional experience, I would not expect to collect
per diem for hours spent later in the day after an all-
day meeting. That to me, that's in the course of a day,
and if I work six hours in that day, or twelve hours in
that day, or eighteen hours in that day, that's a day.
So I'm perfectly happy submitting a claim for one day of per diem, no matter how many hours I spent on that day. If it's a -- if it's a meeting day, or really any day. I mean, if I spend eight hours in a day viewing videos before the selection of the final six, I would still say that's one day of per diem, and the two hours beyond the six are just -- they're bundled in with the six, and that's one day per diem.

CHAIR TURNER: Commissioner Fernandez, and then Commissioner Le Mons?

COMMISSIONER FERNANDEZ: Yes. That's what I was -- I was agreeing with Commissioner Kennedy, where let's say I claim eight hours today. I have no carryovers after today. It's like the clock resets tomorrow, if that makes sense. Yeah, because I've been on boards, also, and -- well, we don't get reimbursed, but if we did get reimbursed, sometimes you've got a two-hour day and sometimes you have a twelve-hour day, and that's just the way it is. And at the end of the day, we all have to feel comfortable with what we're doing. We have a fiduciary responsibility to the tax holders of the State -- taxpayers of the State, and so I guess, ethically, we just really need to look at the best way to spend the funding that's been allotted to this Commission.
CHAIR TURNER: Thank you.

Commissioner Le Mons?

COMMISSIONER LE MONS: Yes. I wanted to delineate, because I don't believe that at any point we were suggesting that we were defining a day as six hours. So it sounds like we're kind of shifting there now, determining that a day is six hours, and anything over six hours doesn't carry over, but that wasn't the spirit, I thought, of this discussion at all. It was more on days where we did minimal work, like if you just opened an email, or you spent an hour on something, and at what point do you accumulate that time to count it as a day? That was my understanding as to really what this discussion was about.

So I'd like to be clear that we're not determining that a day's work is six hours. I don't think that's what we were trying to do, and I don't support defining what the day is. The day is a twenty-four-hour period. We've already been told that, basically. So it really is about the smaller increments of time that we may choose on any given day. So we used the example of all-day meetings and viewing videos, et cetera.

I think what would have been a more accurate example in the context of this conversation would be that prior to meeting, we review videos, and all of those things
that have nothing to do with a meeting day. And so
depending on the amount of time that you spent doing
those things, that would fall more clearly into this
framework that I think we're discussing, and then
saying, okay, six hours sounds like a reasonable amount
of time, whether you did that over the weekend prior to
the meeting, or you did it over one day, whatever period
of time, and then counting that time in this six-hour
framework. So it sounds like we're trying to determine
those smaller increments of time and how we would bundle
them to charge a day's per diem.

I'll close with saying simply, I think we have had a
pretty robust conversation about this, and I think we all
share the respect for the proper use of State funds and
all of those things, and I personally am comfortable with
each Commissioner using their judgment and prudence in
being able to submit their per diem claims as appropriate
for their effort, their ethics, and everything else
involved, so I don't personally feel like it's necessary
to design a very specific number that has to be the
number.

CHAIR TURNER: Thank you.

Commissioner Sinay?

COMMISSIONER SINAY: I don't know where I got this.
I agree with everything everybody's actually said even
though it may not seem like we're all saying the same thing. But somewhere I heard that the reason the six days was created was -- I mean, six hours was to figure out -- so here's my question. There will be -- now that we're doing things virtually, something that would have taken a whole day, because we would have had to travel to a hearing and then travel home or whatnot, now may only take two hours or three hours, just the time that people are gathered.

And so that's where some of this came from, I believe, that they did the six days, and sometimes we meet for a short period of time, and because some Commissions don't get paid at all, they felt that they needed the day, to define what the day was so that it was equal, it was fair compared to other Commissions. But I think everything that's being said, I agree with.

CHAIR TURNER: Thank you. And what I'd like to say is I believe this Commission is not like other Commissions, and so I don't think we necessarily need to keep doing the comparison about who doesn't get paid. I think the salary was set based on the level of work, the intent, the intensity of the work that's being done here. And as was pointed out, there will be a number of days where we are out of town -- out of town, but it won't last forever, we're hoping, that we will spend extensive
amount of hours and days for which we will claim the one
derem for that day.

So for me, I'm not even as concerned about a three
hour, or two and a half, or four. If I'm comfortable on
one hand working ten and twelve hours, or being out of
town a week, working on Commission business, I don't feel
it's an indicator of lack of integrity or concern to
claim per diem for something less than six hours. But
certainly, you know, pulling up an email and those kind
of things like that would be like a no-brainer that was
not any pull on your time, but I just wanted to also
state that, too, since we're having the conversation, I
think that it swings both ways, perhaps not equally, but
I wanted to say that.

Commissioner Sinay?

COMMISSIONER SINAY: I don't mean to hog the time.
I just had a just training question for staff. You had
said, don't worry, you're getting paid. So do we not
need to submit anything for the days that we're all
meeting together, staff does that for us, or do we also
have to do that?

MS. JOHNSTON: You have to do that.

MR. VILLANUEVA: So it's best if you document your
time and submit it rather than to have somebody submit it
for you. And like I said, I'll have those forms out to
CHAIR TURNER: Commissioner Andersen?

COMMISSIONER ANDERSEN: Oh, just another similar question. I heard you say that Saturdays and Sundays are not considered days, and we're getting ready for things, and yeah, sure, have I worked on the weekends? Yes. Does that mean though rather than claiming that day, we're actually supposed to be claiming either the Friday or the Monday closest to it?

MS. JOHNSTON: That's not the way I read it.

Do you?

MR. VILLANUEVA: No. What it actually says is if the period within which an act is to be performed is a Saturday, Sunday, or a holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday. Given that if you start working -- you're doing work on Sunday, it'll -- the day with the calendar day being considered would extend into Monday, which would be the next day that is not considered a Saturday, or Sunday, or a holiday. That's very clear, right?

COMMISSIONER ANDERSEN: So basically, how you document it, you put it on the actual -- a workday must be a legal workday; is that correct?

CHAIR TURNER: Before you answer, Commissioner Kennedy?
COMMISSIONER KENNEDY: Thank you, Madam Chair. My reading of that, and I was discussing this with our previous counsel in regards to the filing of our Form 700s, my reading of it is that that's for things like that, that have a statutory deadline. So our Form 700s were due on a Saturday, and my reading of that provision is because that deadline fell on Saturday, it was not actually due, not legally due, until Monday. I read it as not having anything to do with how we account for our time. It's a matter of complying with statutory deadlines.

COMMISSIONER ANDERSEN: I just wanted to make sure we're all consistent, so that's the reason I brought this up.

Can we have a clarification on it?

MS. JOHNSTON: Well, I think that Commissioner Kennedy is correct. If you have a legal obligation to do something, and that day falls on a Saturday or a Sunday, that time is extended to the next business day, but I'm not sure how that applies in this situation.

CHAIR TURNER: Thank you.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: I believe that what Commissioner Andersen was asking is if we put in time on a Saturday, we can claim our time on a Saturday, correct?
MS. JOHNSTON: Yes.

MR. VILLANUEVA: Yes.

COMMISSIONER FERNANDEZ: Right? Okay. And then I have one more thing. I do agree with Commissioner Le Mons, where I think it should be up to us individually to decide how we claim for our time.

CHAIR TURNER: Well, with that -- yes, Commissioner Yee?

COMMISSIONER YEE: I trust everyone. And here we are, acting in good faith. At the same time, smell test, I think we need something we can explain to people that they will feel comfortable with when they ask -- I don't want a news story to go out saying Commissioners were paid for days when each judged he or she did work, so I still think the six-hour standard is usable, and workable, and defensible, and would be worth considering. So potentially, do we need -- so I heard previously, we could just have a policy decision so we don't need a formal motion?

MS. JOHNSTON: And I don't believe that Commissioner Sinay's motion had been seconded. I didn't hear a second.

MR. VILLANUEVA: No.

COMMISSIONER YEE: I think she withdrew it as well, did she not?
MR. VILLANUEVA: No. She made an initial motion, amended it, made that motion, which is to use the six hours per day of work when not in session, my words, and to take that back to the time it applied --

COMMISSIONER YEE: Oh, right. Right.

MR. VILLANUEVA: -- to the time of the first eight Commissioners.

COMMISSIONER YEE: Right.

MS. JOHNSTON: But it was not seconded, so.

MR. VILLANUEVA: But it was not seconded.

COMMISSIONER YEE: And do we -- I mean, do we need a motion for this? Because then we'll have to have public comment and so forth.

MS. JOHNSTON: You don't need a motion if you want to just do it individually.

COMMISSIONER YEE: Oh, I see.

MR. VILLANUEVA: If I could just --

COMMISSIONER YEE: So I guess to build consensus, then that would just be up to us individually to implement, and it's not actually binding. Whereas if we have a motion, it's actually binding on all of us?

MS. JOHNSTON: No, it wouldn't be binding because you have a legal right to claim the money if you work any time during that day. So you couldn't be punished if you claimed time contrary to a policy the Commission has
COMMISSIONER YEE: But if we made it a formal
motion, then --

MS. JOHNSTON: No, you still couldn't -- each
individual has the right to -- I mean, just a motion
would be the consensus of the Commission said we should
not do it.

CHAIR TURNER: Commissioner Ahmad?

VICE CHAIR AHMAD: I believe my question was just
answered. I was still trying to grapple with the comfort
of claiming hours that are subjective, right? So one
hour for me, as someone who doesn't have children,
doesn't care for an elderly, is quite privileged in this
moment of COVID with a stable income, et cetera, et
cetera, might look very different to someone else who has
all these other obligations, and how much effort it takes
to commit that same amount of time for work and being
compensated differentially across the board.

But Counsel answered my question that we have a --
we are legally allotted to claim an hour -- or claim time
for Commission work if we engage in Commission business
for the day. So I guess it is truly what Commissioner Le
Mons said, you might that it's up to each one of us
individually. And I know for myself, when I do claim
time, I'm going to make sure I have a laundry list of
items to defend that time if it ever comes up.

CHAIR TURNER: Thank you.

MS. JOHNSTON: By the way, Madam Chair, I think you should ask for public comment just because it's been such a robust discussion that it might be good to have the public viewpoint, if any, expressed.

CHAIR TURNER: Thank you, Counsel.

Commissioner, are we ready? Any other comments from the Commission, because after public comment, that's (indiscernible). Okay. Well call for public comment at this time, please.

MS. JOHNSTON: AT&T, is there any member of the public?

PUBLIC COMMENT MODERATOR: Ladies and gentlemen on the phone lines to ask a question, please press 1 followed by the 0. 1 followed by 0. One moment, please. Nobody is queuing up at this time.

CHAIR TURNER: Thank you so much.

As far as the agenda training, et cetera, there are no action items after all of the discussion that we had, and so I believe we can move to the next agenda item.

Commissioner --

COMMISSIONER SINAY: Do I need -- do I need to remove my motion? Oh, it wasn't seconded.

MS. JOHNSTON: No, it wasn't seconded.
COMMISSIONER SINAY:  Perfect.

CHAIR TURNER:  Commissioner Andersen?

COMMISSIONER ANDERSEN:  Yes, Commissioner Turner -- or Madam Chair, could we go back to item 6 that we tabled?  I'm prepared to put -- if we want to handle that item?  I don't know if Commissioner Akutagawa also had a chance.

CHAIR TURNER:  Commissioner Akutagawa, did you get a chance to look at the document?  Thank you.

Was there anyone else?  Commissioner Sadhwani?

COMMISSIONER SADHWANI:  Yes, thank you, Madam Chair.

And I do apologize.  I came into this conversation late.  I do not want to take up anyone's additional time, but just before we move away from this agenda item, can I just get clarity on what exactly are we agreeing to at this point in time in terms of that per diem?

MS. JOHNSTON:  I think --

COMMISSIONER SADHWANI:  For myself, I'll just add, I am open to whatever we choose, but Commissioner Ahmad's point, I definitely am someone with kids at home and another job, and it is challenging for me.  So I'm happy to do whatever we decide as a Commission, and certainly, I want to uphold the --

CHAIR TURNER:  Yes.  So what the decision was is that we came to the conclusion, or understanding, that
legally, a Commissioner is entitled to a per diem for
every day that they engage in Commission business. That
will, again, be based on -- at the discretion of each
Commission member as to whether or not they choose to
take that time, allow some accumulation of hours, or not,
but we will trust -- and what was noted in Commissioner
Ahmad's response is that, again, and was per the counsel
and our staff, that we'll keep good records of how we're
using that time, should we ever need to defend it, you
know, vague activity, that kind of thing. But it's going
to be to the discretion of each Commissioner.

Commissioner Yee, did I see your hand, sir?

COMMISSIONER YEE: Yes. So well said. I'm just
wondering whether, as a general understanding, then, we
do agree that this does not include any additional hours
on meeting days spent outside of meeting days -- I mean,
spent outside of meeting hours, right? And that in
general, are we not -- are we not thinking the six-hour
standard at all, or we're just leaving that to people's
discretion, or is that going to be our rule of thumb?

CHAIR TURNER: If I can answer, and then Counsel or
other Commissioners, the agreement we're walking away
from is that it is based on individual discretion, how
they will use those hours, and my understanding is that
we were talking about a daily per diem, which if you've
claimed it for a meeting, you wouldn't be claiming additional hours in that day, is what I'm walking away with, and would love to know if there's any difference of thought.

MS. JOHNSTON: I would just add, I think that legally, the most you can claim for a twenty-four-hour period is 300 dollars.

CHAIR TURNER: Okay. Perfect. And so Commissioner Andersen, as it seems like everyone has had an opportunity to look at item number 6 now on the --

COMMISSIONER LE MONS: Madam Chair, I think Raul wants to say something.

CHAIR TURNER: Oh, thank you.

MR. VILLANUEVA: Thank you, Madam Chair. I was just going to suggest, just listening to the conversation, that it might be helpful for at least one of you to collect different comments. There's a lot of informal agreements that occurred during that discussion, and for somebody to maybe just collect them because you're kind of creating an informal policy, and it might be good to have those on the table then.

CHAIR TURNER: Commissioner Le Mons?

COMMISSIONER LE MONS: I want to respectfully disagree with Raul. I think that the jump-off point for this whole discussion was looking at what the previous
Commission did in relationship to per diem, and that
guided our discussion around to accept that, to do
something similar to it, et cetera. It sounds like we
had a pretty robust discussion, but what we defaulted to
was basically the letter of the law and the regulation,
period. So I don't think we established any particular
guidance or policy at all. I think we simply said that
was a great discussion, great considerations. We had a
lot of different points, all of them very valid, but at
the end of the day, as it is laid out in the law, each
Commissioner has the right to per diem for days of doing
any Commission business, and that's where we simply
landed. And whatever each individual Commissioner
spirit, intent, however they want to interpret how they
go about filling out that form within the letter of the
law is on them. That's my understanding.

CHAIR TURNER: I would agree. Thank you,
(indiscernible). With that, the document in question
from agenda number 6, with the 2021 fiscal services IAA,
that is for 10,000-dollar budget allotment for this
document. And so we wanted to, I think this one did call
for action or --

MS. JOHNSTON: There was a motion pending, if I may,
Madam Chair, that Commissioner Fernandez moved and
Commissioner Yee seconded to approve the HR, the FISCal,
and the fiscal services understandings.

MR. VILLANUEVA:  (Indiscernible), yes.

CHAIR TURNER:  And because we tabled it, we did not

call for public comment on that item.

MS. JOHNSTON:  No action was taken then, so but we

should, before you vote on this, call for public comment.

CHAIR TURNER:  Right. So for those that are just

reviewing it, is there any discussion, questions, or

comment that you have before we go to public comment?

Yes, Commissioner Andersen?

COMMISSIONER ANDERSEN:  I have no comment. I have

read it, and have -- I am prepared to vote.

CHAIR TURNER:  Okay. We've got public comment at

d this time, please.

MS. JOHNSTON:  AT&T, any public comment?

PUBLIC COMMENT MODERATOR:  Once again, ladies and

gentlemen, for public comment, please press 1-0 at this

time.

Madam Chair, there's nobody queuing up at this time.

Thank you.

CHAIR TURNER:  Thank you. So we will call for a

vote on the motion that's on the floor.

MS. JOHNSTON:  Commissioner Ahmad?

VICE CHAIR AHMAD:  Yes.

MS. JOHNSTON:  Commissioner Akutagawa?
COMMISSIONER AKUTAGAWA: Yes.

MS. JOHNSTON: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yes.

MS. JOHNSTON: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes.

MS. JOHNSTON: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yes.

MS. JOHNSTON: Commissioner Kennedy?

COMMISSIONER KENNEDY: Yes.

MS. JOHNSTON: Commissioner Le Mons?

COMMISSIONER LE MONS: Yes.

MS. JOHNSTON: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Yes.

MS. JOHNSTON: Commissioner Sinay?

COMMISSIONER SINAY: Yes.

MS. JOHNSTON: Commissioner Taylor?

COMMISSIONER TAYLOR: Yes.

MS. JOHNSTON: Commissioner Toledo?

COMMISSIONER TOLEDO: Yes.

MS. JOHNSTON: Commissioner Turner?

CHAIR TURNER: Yes.

MS. JOHNSTON: Commissioner Vazquez?

COMMISSIONER VAZQUEZ: Yes.

MS. JOHNSTON: Commissioner Yee?

COMMISSIONER YEE: Yes.
MS. JOHNSTON: Raul has the authority.

CHAIR TURNER: Thank you so much.

MR. VILLANUEVA: So I'll get those signed.

CHAIR TURNER: Say again?

MR. VILLANUEVA: And the other one was for the telephone services, the telecommunication services. Those were not included in that.

CHAIR TURNER: (Indiscernible) --

MR. VILLANUEVA: That's not an interagency agreement. It's to give me authority to go ahead and order you your phone services. (Indiscernible) --

CHAIR TURNER: Right. We did that one already.

MS. JOHNSTON: We did that one. That passed.

(Indiscernible) --

MR. VILLANUEVA: Really? For the CATR?

MS. JOHNSTON: Subject to the review by the --

MR. VILLANUEVA: No, no. So the one that Marian is talking about is as these things come in -- well, yeah. I guess so because it would fall under that.

MS. JOHNSTON: Yeah.

MR. VILLANUEVA: I stand corrected.

MS. JOHNSTON: You were given interim signature authority.

MR. VILLANUEVA: Yes.

CHAIR TURNER: So we'll move to agenda item number
8, the required training on defensive driving and sexual harassment prevention.

MR. VILLANUEVA: So that's an easy one. You were each sent an email with the addresses to access the online training. As you access it, just please remember to send me a copy of the certificates. I believe several of you have taken some of the training, and I thought this would be a good opportunity for you to share your experiences. Was it good? Was it worth it? Was it easy to access?

CHAIR TURNER: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Actually, I just wanted to ask Raul a question on this because for my work, I have to already take these classes, so do I have to retake them? I actually just did the defensive driving one yesterday online. Very stimulating and exciting two hours of my life.

MS. JOHNSTON: I believe if you're already -- if you're a State employee, and you've already done the State training, that that's sufficient.

COMMISSIONER FERNANDEZ: Yes. So I just need to forward you copies of the certificates?

MR. VILLANUEVA: Please.

COMMISSIONER FERNANDEZ: Okay. And the training, the training's good. I don't want to say it's bad, but
it's good. It's easy to get through.

CHAIR TURNER: Okay. Commissioner Ahmad?

VICE CHAIR AHMAD: For folks who haven't taken the sexual harassment prevention training, spoiler alert, Ross from Friends is in one of the videos. I was paying attention, and then I heard the voice, and I was like, wait a second. That can't be real. And so it was quite a surprise in the middle of the training to reengage me in the topic. Very important topic.

MS. JOHNSTON: And hold on to that sheet, because it also had the web address of your ethics training that you're required to take within six months.

CHAIR TURNER: Commissioner Yee?

COMMISSIONER YEE: Got a quick question for Raul. For the harassment training, there's an option whether to take it as a supervisor. I assume that we're considered supervisors for the purposes of the training?

MR. VILLANUEVA: Yes. Well, I didn't think you had an option because as I understood it, that training substitutes for both. It's the Department of Fair Employment and Housing training to meet the recent law changes for California.

COMMISSIONER YEE: I had a choice at the beginning, click one or the other.

MR. VILLANUEVA: Okay. Well, yes, for all of you,
then, click supervisor.

COMMISSIONER YEE: Very good.

CHAIR TURNER: And the question on -- looking at the agenda item, it leaves off the ethics. Is that because we had up to six months? Because I did that one. Should that be there as well, the required training on ethics, defensive driving, and sexual harassment?

MS. JOHNSTON: You are required to do it within six months of assuming office.

CHAIR TURNER: Okay.

MS. JOHNSTON: I'll cover that on the conflict of interest section training, but if you have done it already, that's perfect.

CHAIR TURNER: I think that would have been my only comment, is to just -- they're much longer and more robust than ones I've done in the past.

MS. JOHNSTON: Yes.


We can move if that's -- any other comments, questions? We'll all get it done, signed off, sent to you.

Commissioner Sadhwani?

COMMISSIONER SADHWANI: Help me locate the links for these trainings? Was this sent to our CRC emails, or
there were a few initial emails sent to our personal emails addresses.

MR. VILLANUEVA: For those folks who hadn't verified their CRC email, I went ahead and sent it to both, but I can go ahead and make sure that that goes to you again.

COMMISSIONER SADHWANI: Okay. Thank you.

MR. VILLANUEVA: No problem.

COMMISSIONER SINAY: It's in the email that says handout 8 and 9.


MR. VILLANUEVA: Also, if I may, Madam Chair, before we move off of item 6, so we communicated with some representatives of the Legislature.

CHAIR TURNER: Oh, Raul, hold on. Let's finish the conversation --

MR. VILLANUEVA: Oh.

CHAIR TURNER: -- because we did move off of that. I'll come right back, but Commissioner Le Mons and Fornaciari, were you still on training?

COMMISSIONER LE MONS: Yeah. For all intents and purposes, this is actually a request to Raul, if possible.

Is it possible, Raul, to send us a glossary of attachments? And the reason I say that is we've had a
couple of situations, and I'm -- no fault of anyone, but
I think if we know what we should have, it'll give us an
opportunity to cross-check and make sure that we have
everything, and then if we don't, we can reach out to
your office to request that item, et cetera.

MR. VILLANUEVA:  I could certainly do that.

CHAIR TURNER:  Commissioner Fornaciari?

COMMISSIONER LE MONS:  So in the -- like with each
meeting, I'm sorry, with each meeting, and any time we're
going to be getting attachments, that if we just have
that glossary, I think that'll be helpful.  Thank you so
much.

MR. VILLANUEVA:  And absolutely, because this
meeting was just exceptional in the amount of handouts
that you folks had to go through.

COMMISSIONER LE MONS:  Thank you, Raul.

MR. VILLANUEVA:  You're very welcome.  I understand.

CHAIR TURNER:  Commissioner Fornaciari?

COMMISSIONER FORNACIARI:  Yeah, no.  I don't have a
comment.

CHAIR TURNER:  Oh, I thought you did.  And
Commissioner Vazquez?

COMMISSIONER VAZQUEZ:  Sorry about that.  This is
also Commissioner Le Mons's point, can we talk about,
maybe not today, but in the future, about how best to
share documents amongst each other between staff, and Commissioners, committees, et cetera? Personally, I find file management via email extremely confusing and prone to losing things. I'm happy if we move to something cloud-based that we can sort of share and coedit documents, however. And I get, again, this is exceptional, and we might not have an infrastructure yet, but would like to have something other than email.

MS. JOHNSTON: My only question about that would be the coediting. You cannot do coediting outside the public record, but you certainly -- the easiest way would be to have everything come to staff and then have staff put it, if we can create a Google file.

COMMISSIONER VAZQUEZ: In a central space.

MS. JOHNSTON: But not to have Commissioners individually put things up there that we don't know about.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: There's a lot of different formats where dockets can be put in. That would be -- because if we also are going to want to go back to some of these dockets, and the way it was sent out this time won't allow for that at all. So when we hire -- I think when we hire staff, we can ask them to look at which ones are usable because I don't even think a Google Doc's
going to be -- Google files are going to be safe enough for this, or whatever the right word is. So I'll write it down on our list for future agenda items.

COMMISSIONER VAZQUEZ: Yes. Thank you.

CHAIR TURNER: (Indiscernible). Raul, you wanted us, sir, to go back to agenda item number 6 again?

MR. VILLANUEVA: I just wanted to mention -- and thank you, Madam Chair -- that we reached out and communicated with representatives of the Legislature who can provide some additional information on how the money was appropriated in the budget. That was a topic that had been brought up, and as such, they could have somebody come in later on during this meeting, or if you wanted to agendize it as an actual presentation, like, for example, when I provide the 2010 closeout information. Anyway, I just wanted to bring that to your attention before we move too much further.

CHAIR TURNER: Thank you. Commissioner Fernandez, was that something you'd requested? I remember when it came up, I just don't remember the genesis of it.

MS. JOHNSTON: Someone did ask how the amount was calculated. I don't recall who asked.

MR. VILLANUEVA: Yes.

MS. JOHNSTON: Commissioner Sinay?

CHAIR TURNER: (Indiscernible) Commissioner Sinay.
And with that information, is that something we want agendized? (Indiscernible) --

MS. JOHNSTON: If it's a member -- comment from a member of the public that you're not going to discuss, it could be done at any time, but if you want it as a discussion item, we'll put it on for a future agenda.

COMMISSIONER SINAY: Just for clarification, the question was, what was the -- how much money did -- what was the budget for the 2010 Commission versus the 2020 question? Is that what we're saying?

MS. JOHNSTON: Right.

MR. VILLANUEVA: Correct.

MS. JOHNSTON: Raul is going to get you the budget for the 2010 Commission, and it was, I guess, the auditor working with legislative staff that came up with the budget for the 2020 Commission.

MR. VILLANUEVA: No, no, no. They're asking about the appropriation that the Legislature -- the moneys appropriated by the Legislature for the Commission. And I would -- right? On what basis certain amounts were allocated for different things because they weren't there for the 2010? So for example, the public outreach.

COMMISSIONER SINAY: Yeah. For me, the reason I think that the 2010 budget is important is so that we, when it comes time, create, and you had said that staff
creates the line item budget on what we're spending where, but we approve it, and therefore, it would be helpful to know what 2010 looked like based on the comments that they had provided us.

MR. VILLANUEVA: Okay.

CHAIR TURNER: Commissioner Fernandez?

MR. VILLANUEVA: And that's something that (indiscernible) --

COMMISSIONER FERNANDEZ: Yes. I think, one, definitely helpful to have the 2010 budget, and also showing what the expenditures were per line item. And I think another concern, when we talked about earlier for the 2020 budget, was to see potentially, I think this was maybe Commissioner Vazquez, correct me if I'm wrong, to see potentially if we could move money around from line items because if there wasn't this huge expenditure up front where you're having to fly in for one on -- for the interviews and other situations, like right now, we're not spending money. So I think part of it was wanting to know if we can move money from different line items going forward. I believe that was the point of it.

MR. VILLANUEVA: And the only reason I'm bringing this up again is because we can get folks from the Legislature to talk about the 2019 appropriation, but that's what it's about, is the 2019 appropriation, not
the use of those funds. That would include how the funding amount was determined, which is different from many of the things you're bringing up now. So I just wanted to come back to it. That's what I'm presenting to you, is I can have somebody come in this meeting, or if you want to put it on your agenda in the future.

MS. JOHNSTON: And it always is true that you can go back and ask for more funding. If you want a project and you're running out of money, the Legislature is the place to go to see if you can get additional funding. And last time around, they did give us the funding necessary.

CHAIR TURNER: Commissioner Sadhwani, and then Commissioner Sinay?

COMMISSIONER SADHWANI: I have no comment.

CHAIR TURNER: Oh, I'm sorry.

Commissioner Sinay?

COMMISSIONER SINAY: That's an interesting question about having someone come in and tell us how that was created. One of the suggestions from the 2010 Commission was to create those relationships with the Legislature earlier versus later. So that seems like it would be a good opportunity for us, even though there's a -- yeah, it's not the best way, but I think it could be an opportunity to start those relationships.

MS. JOHNSTON: So perhaps for your next agenda, we
should put that on, is developing contacts with the legislative staff?

MR. VILLANUEVA: No. They don't want to do that.

MS. JOHNSTON: No?

MR. VILLANUEVA: Those are the -- invite somebody from the, say, one of the budget staff to come talk to you about the appropriation. Because there has to be a certain distancing just because of the nature of the work, so when you talk about fostering relationships, that's important to keep in mind.

CHAIR TURNER: Okay. So as far as putting Raul's proposal on the agenda, on a future agenda, can we just get a sense of, yes, that's what we want, and no, we don't?

Yes, Raul, please. Thank you.

Commissioner Le Mons?

COMMISSIONER LE MONS: Okay. I had a question about that. So it sounds like there were two options. I'm sorry. That either we could just have someone come and give us some information, and one of the agenda items in this current meeting, or we could agendize it for a future meeting.

MR. VILLANUEVA: If you wanted a fuller discussion.

COMMISSIONER LE MONS: Correct. So I think based on that it -- and I think it's a great piece of information
to have, and it sort of is the precursor to some of the
other more intentional budget and fiscal questions that
we're waiting for documentation for. I propose that we
just have them come and give us some information in this
meeting with, I think you said item 8 or 9, whichever
item you thought it would be appropriate, Raul, rather
than making it a whole -- that one piece, a whole
agendized item for a future meeting. That's sort of
my -- that's my thought.

MS. JOHNSTON: It would be item 6.

CHAIR TURNER: Okay. And so we would -- now we've
passed item 6, so would we need to still agendize it
later? I mean, what would that look like?

MS. JOHNSTON: It would be public comment, which
could come, for instance, the end of any day or at the
end of the meeting as a whole, to invite somebody to talk
as part of public comment. You would not be able to
discuss it then, but you can receive the information.

CHAIR TURNER: Okay. And for our finance numbers
people on the Commission, the ability to discuss, are you
good with that?

Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Could this be resolved with
just having Raul get the information and just sharing it
with us? Do we need to have somebody come in and present
it to us? Unless there's a lot more questions that the
other Commissioners would like to ask.

CHAIR TURNER: So I'm trying to determine if there
would be a matter of questions or not, because if there's
not a matter of questions, that's one of either could
happen. Either Raul could get the information and share,
but it was also suggested by the former Commission that
we built the relationship with the Legislature, so I'm
thinking the intent for them coming directly is to start
building some of that relationship as well, even though
it would be one way, and we wouldn't talk about it, we
wouldn't ask questions.

Commissioner Fernandez? Well, actually, it was Le
Mons first, but Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Thank you. I think part of
the purpose, it would be much easier just to get the
information and we're good to go, but I think earlier,
when we were talking about agenda item number 6 is some
of the Commissioners wanted information, or more of an
educational background in terms of how money is allotted
to different agencies, commissions annually, statewide.
And I think this would be a good opportunity for all of
the Commissioners to ask questions about the process, not
only the process, what we went through, but in the
future, what if, like we mentioned earlier, what if we
are running out of funds, and what that process would be
like in terms of requesting additional funding?

So yes, we could just get the information, which
would be fine, but I think we might have some other
questions that they could answer. I'm comfortable either
way, because like I said, I've been in the State budget
cycle for years, so I understand it, but I also
understand that it can be a confusing process, so.

CHAIR TURNER: Commissioner Le Mons, and then
Commissioner Kennedy?

COMMISSIONER LE MONS: Yeah. I just thought this
was limited to just the appropriations, so I was thinking
it was a very focused, very specific piece of
information. We weren't going to get into all those
other questions that we have, and that Raul is still
moving forward with his charge to get us that additional
detailed information that we asked for. So I'd just like
some clarification on that part. That was my
understanding.

CHAIR TURNER: Okay. Okay. Commissioner Kennedy,
and then, Raul, if you can confirm for us, clarify.

COMMISSIONER KENNEDY: Thank you, Madam Chair.
We're all still learning how all of this works, and I'm
reading on our agenda that the Commission may consider
parts of an agenda item without closing the item, and
agenda items may continue from day to day. So my question then is, could we not just resume discussion of item 6 and hear from whoever our interim administrator is able to bring in to speak to us, without that having to be considered part of the public comment period? I mean, my reading of this item on the agenda is that we should be able to resume discussion of item 6 at a later point in time during this meeting, if that's what we'd like to do.

CHAIR TURNER: Okay. Counsel?

MS. JOHNSTON: It's a fine point. If you invite someone to come and talk to you, that should be an agenda item that they are on the agenda so that people would be on notice that that person is coming to talk to you on that item. If a member of the public or a member of the State employees wanted to come and make a presentation as a member of the public, that would not have to be agendized. The key is whether or not you're going to give -- what notice you give to the public about what's going to happen at the meeting.

CHAIR TURNER: And Raul, Commissioner Le Mons raised a point of clarification. Can you clarify what -- back to the --

MR. VILLANUEVA: The offer of information was specifically about discussion on the appropriation, it's
basis for determining the amounts, and any questions about the appropriation. Very specific.

But Commissioner Le Mons, you are also correct. What I am going to do is get you, the Commission, the information about the 2010, that closeout, and I also have on my do list to reach to the State Auditor's Office for basically the expenditures on that 5.2 million.

CHAIR TURNER: Well, with that, how does the Commission feel? Do you want them to just come in, then, share the information, no discussion? Have them part of the agenda?

Commissioner Andersen?

COMMISSIONER ANDERSEN: Yes. I would like to hear that, just for background information, and as well as thinking, should we need further appropriations, we have an idea about where to start. Whether or not we have to have questions on it is another matter, and if it's easier not to have an ability to ask questions, if that's easier to do now, I still think that's okay. It's information I think would be very valuable, even if it's just sort of a public comment situation, where we cannot discuss it. I still think that would be very valuable. It would also be a little shorter, probably, but the information would be very valuable.

CHAIR TURNER: Thank you. Commissioner Toledo?
COMMISSIONER TOLEDO: I would agree as well with Commissioner Andersen that it would be helpful to have the presenters come, even if we might need to invite them again for a fuller discussion in the future, should we need that. Thank you.

CHAIR TURNER: Okay. I think we're all good with that, looking at faces.

Raul, that's what we'll go with, please.

MR. VILLANUEVA: Very good. So I'll contact them. And at the end of the day, when you're looking at agenda items, let me know about when you're going to want to agendize that, I'll reach out to them, and I'll get some speakers for you. I think it might be good, too, to consider then, for additional moneys, maybe somebody from the Department of Finance, because that's who you'd go to first.

CHAIR TURNER: Commissioner Kennedy?

(Indiscernible). Commissioner Kennedy, you're still on mute. It looked like it was funny, but you're still on mute. (Indiscernible).

COMMISSIONER KENNEDY: Sorry. Somehow, my screen minimized to a little tiny box, and I couldn't figure out how to get unmuted on that.

I've just done a very quick search, and Raul, you can probably provide even more, but there are handbooks
and videos about the California budget process that we might want to review individually beforehand. I mean, for those who need an overview, there are materials already out there that can give us a good overview.

CHAIR TURNER: Thank you. Commissioner Andersen? I see you.

MR. VILLANUEVA: (Indiscernible).

COMMISSIONER ANDERSEN: Yes. I did have a question. So I'm sorry. Are we saying that we're not asking someone to come in as public comment right now, but we're going to agendize this for a meeting at a later date?

CHAIR TURNER: No, I thought we were saying that we're going to have them come in now for comment.

MS. JOHNSTON: (Indiscernible).

CHAIR TURNER: That's what I --


COMMISSIONER ANDERSEN: That's what I thought, too. Just postpone public comment, and then adding, at a later date, if we also agree at that time.

MR. VILLANUEVA: Got it. Okay.

CHAIR TURNER: (Indiscernible) but thank you.

MR. VILLANUEVA: So for public comment, and not to extend the agenda item?

MS. JOHNSTON: Right.

MR. VILLANUEVA: Understood.
COMMISSIONER ANDERSEN: Further clarification, as Commissioner Kennedy said, we can indeed add that as a public comment to a particular item, if we have it tabled, if we can come back to items. So you know how there's general public comment at the end, that there's public comment on each item? This could be public comment on item number 6.

MS. JOHNSTON: That's true.

COMMISSIONER ANDERSEN: That's what I thought we were talking about. If that's not the case, I mean, I --

CHAIR TURNER: I think that's what we're talking about, public item. And someone read a statute, policy, something that said for sure, we could continue, you don't have to end agenda item number 6, and so we will have them speak public comment on number 6 when we -- later on in the meeting.

COMMISSIONER ANDERSEN: Yeah. And that was Commissioner Kennedy, and it's from our actual just agenda item.

CHAIR TURNER: Okay. Commissioner Le Mons?

COMMISSIONER LE MONS: Sorry about this, but that made me need some further clarification. I felt like what Commissioner Kennedy raised, Counsel gave us a framework that, yes, in the public comment context, the
person can speak. Absolutely. But we couldn't tack on a
speaker to item number 6. And I don't think it matters,
and this is a question for Counsel, whether this public
comment that we're getting from the Legislature is
associated with number 6, specifically, or it could be
associated with one of the other agenda items, because I
think Raul mentioned a different number, actually, in his
first introduction of the idea. So that part now has me
a little bit confused as to this needing to extend agenda
item 6 versus -- or when the person will speak, I guess.

MS. JOHNSTON: I'm sorry. I'd like to try and try
to explain this better. If you're talking about the
budget and the current appropriations, that is on your
agenda, and it's no problem talking about it and
discussing it later on during your meeting. If you're
talking about how to increase the Commission's funding in
the future, that's a new item. You can have someone talk
on the procedure for that, but you couldn't discuss that
at this time. Is that any clearer? No. Sorry about
that.

COMMISSIONER LE MONS: Because now you're starting
to talk about the content. I thought that we were clear
on the content. The content was just an overview of the
appropriations process --

MS. JOHNSTON: Right.
COMMISSIONER LE MONS: -- and how it came to be.

MS. JOHNSTON: But that's different than going -- how you would go about getting additional money appropriated.

COMMISSIONER LE MONS: Correct. No, I'm clear on that.

MS. JOHNSTON: Okay.

COMMISSIONER LE MONS: I'm clear on that part.

MS. JOHNSTON: That's all I was trying to explain to Commissioner Kennedy.

COMMISSIONER LE MONS: I see. My question to Raul is, when you first introduced the idea of this person coming, you mentioned -- was it item 6, or did I mishear? I thought you mentioned a different item number.

MR. VILLANUEVA: Whatever.


MR. VILLANUEVA: The intention was item 6.

COMMISSIONER LE MONS: Okay. No worries.

MR. VILLANUEVA: Cause now I'm getting confused.

COMMISSIONER LE MONS: I apologize. I apologize.

MS. JOHNSTON: It's late in the day.

COMMISSIONER LE MONS: I'm good. So it sounds like -- my takeaway is we're inviting someone, we'll speak on 6. We can do that. It's all good. It'll be in the frame of public comment. We just can't discuss it.
And --

MS. JOHNSTON: You can discuss it. You can't discuss how to go about getting more money appropriated.

COMMISSIONER LE MONS: Okay. Yeah. We don't want to -- I don't think we're asking about doing that. We're asking for the money we have, right?

MS. JOHNSTON: Well, somebody at some point did.

The last Commission went through its money much too fast.

They kept going back for more.

MR. VILLANUEVA: So we know how to do it.

MS. JOHNSTON: Is it time for a break --

MR. VILLANUEVA: It is.

MS. JOHNSTON: -- Madam Chair?

MR. VILLANUEVA: It is. It's time for a break.

CHAIR TURNER: Well, we'll invite them for the overview of the appropriations, and just to comment.

And yes, I think it is time for break at 3:08, back at 3:23. Okay? So we'll recess at this time.

MS. JOHNSTON: Thank you.

CHAIR TURNER: 3.3, please.

MR. VILLANUEVA: Thank you.

CHAIR TURNER: Thank you.

(Whereupon, a recess was held)

CHAIR TURNER: Welcome back, Commissioners, from break. We'll go ahead and resume our meeting, and we're
resuming with item on the agenda number 9, which is the
discussion and possible action on the Legislature v.
Padilla and the census. And so I believe this is a area
that our counsel, Marian Johnston, will lead us through.

MS. JOHNSTON: Thank you. And I apologize, the
people on the first eight have heard part of this before,
but for your information, I'll repeat some material. The
census was originally intended to give material to each
state by April of 2021. Then, due to COVID last spring,
the Census Bureau issued a statement saying it was going
to be delayed about four-and-a-half months so that it
wouldn't be getting the data into -- it wouldn't finish
collecting the data until October 31st. And it wouldn't
get the data to the states until July 31st of 2021.
Which obviously would have presented a problem to the
Commission, since you're supposed to do your maps by
August 15th. That would give you fifteen days. And with
the fourteen-day notice period, you'd be in big trouble.

So the Legislature, being aware of the problem filed
a suit against the Secretary of State. They did not name
the Commission. However, when the -- they filed it
directly with the California Supreme Court. When the
California Supreme Court got the petition, it sent a
letter to the 2010 Commission asking for input. And so
on -- working under the direction of the chair and vice
chair of the 2010 Commission, I filed a brief with the
court explaining the substantial amount of public input
that was required and all the steps that the last
Commission took and how it wanted to preserve your
opportunity to do substantial public outreach.

And in mid-July, the California Supreme Court issued
a decision. And that decision, I believe, has been
posted. And you've all been provided copies with it.

But basically, instead of requiring you to release
your first map -- first draft maps by July 1st of next
year, it gave you until November 1st, 2021. And you were
to certify your final maps by December 15th instead of
August 15th. And then they put a caveat in it, that if
the federal government transmits the census data to the
State later, the number of days of additional delays
shall be considered the additional federal delay and your
time would be extended proportionately.

It also said that in the event the federal
government transmits the census data earlier, the
Commission should make every effort to expedite its
process in advance of the deadlines that -- the new
deadlines the court had given.

Then, about two weeks after that decision came down,
the Census Bureau issued a new directive saying that, in
fact, it was going to speed up its record collection
process and get it done a month earlier than had originally been intended. And no one was quite sure what that process would involve. But obviously it would be not doing as much outreach as was originally intended because it simply couldn't do it given the time it had been off because of COVID.

So substantial discussion has been held around the country about this new speed up by the Census. And at last Commission meeting I mentioned that there were a couple of bills that were pending. And I gave you copies of them this time. One is S.4048 from the Senate. And I think it's virtually identical in the House -- is H.R.7034.

And then I also provided you with a copy from the letter from the Senate, forty -- I believe, forty members of the Senate to the Bureau saying what problems it would cause, particularly for tribal governments who had assumed they would have additional time to provide information. They're traditionally one of the harder groups to get accurate counts on.

There has also been a new lawsuit filed by the National Urban League, the League of Women Voters, Black Alliance for Just Immigration, and a bunch of individual counties and cities, including the City of Los Angeles, the City of Salinas, the City of San Jose, saying that
the speeded up -- new, speeded up scheduling of the census would be inadequate to do a sufficient, accurate count.

So the question came up last meeting, when the first eight were meeting, about what, if anything, this Commission would want to do. So that would be your choice at this time to decide if you wanted to take any action now that the Census Bureau has decided to speed up and do an abbreviated count.

CHAIR TURNER: Thank you. (Indiscernible).

Commissioner Sadhwani.

COMMISSIONER SADHWANI: I'll just chime in because I think it was me that had raised that suggestion or idea at that last meeting. So just to put it out there, right, I mean, as we have discussed, in order to get this far in the Commission in the selection of final six -- California is an extraordinarily diverse place and (indiscernible) of the census, particularly during COVID, could certainly have detrimental impact to our work as a redistricting commission, you know, whether it's weighing in with a letter to the U.S. Secretary of state or to members of the -- I mean, I think there's a multitude of avenues in which we could potentially weigh in. But I think, I wanted to put it out there for you all it if it would make sense to send a letter saying that from --
from the perspective of the Commission -- the redistricting -- the Citizens Redistricting Commission of California, which is bipartisan in nature, that we have tremendous concerns about the speed-up because we would potentially be having a complete undercount of very significant communities through that process.

So I wanted to -- that was -- that was what I had raised at last time. And I thank you, you know, to Counsel for including this on the agenda. I mean, you know, I put it out there for discussion.

CHAIR TURNER: Thank you. Commissioner Sinay.

COMMISSIONER SINAY: I'm definitely worried about the census and cutting it short. And you know, that's the foundation for the work that we're doing. And also, it's supporting the infrastructure and that -- this isn't our role, but that those who are out there right now engaging the -- the nonprofits have been sent out throughout the -- throughout The State of California -- received contracts and stuff to do the outreach. And that's the same groups that we would want to be engaged in what we're doing. And conversations that we've had locally in San Diego have been, how can we also use those individuals who are promotoras (sic) and community organizers and trusted individuals to help with the COVID and the tracing?
You know, so that whole infrastructure is just critical for us. As well as making sure that the data is accurate. So I was really hoping that we would talk about this and really support Commissioner Sadhwani's desire to draft a letter and present it.

CHAIR TURNER: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: I also wanted to echo what was said, too. I absolutely believe that our voice should be heard in this case. I'm particularly concerned, I know that the earlier meetings that we had, that there were concerns raised about Native American communities. I also wanted to make sure that we also address the fact that the Native Hawaiian and Islander communities are being adversely impacted as well as communities of color, Latino, and also the African-American communities --

CHAIR TURNER: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Yes.

CHAIR TURNER: We're not able to hear a lot of what you're saying.

COMMISSIONER AKUTAGAWA: Oh, I'm sorry. Okay, so if I move closer to the --

CHAIR ANDERSEN: You sound better already.

COMMISSIONER AKUTAGAWA: Yeah. This whole camera thing, this is just separate thing. This is not what I'm
used to. And I'm trying to figure out to make it all
work and getting closer to this.

I was just saying that I do echo what was said about
the letter I highly support it. I think we need to make
our voice known. I'm particularly concerned about, not
only the Native American communities that were brought up
in your earlier meetings. But also I want to say that
the Native Hawaiian and Pacific Islander community -- a
relatively small community but it is one that is being
adversely impacted as well too, along with, I know
specifically the Latino and African-American communities
particularly.

And then depending on which Asian ethnic
communities, there's also adverse impacts to them as well
too. And I think my concern is to ask them to put
themselves out on the line. I think there are community
organizations that are trying to ensure that there is an
accurate census count but at the same time trying to
balance, you know, safe, I guess, outreach. And I think
we need to be conscious of the fact that it's just going
to take longer to do that outreach because we want people
to stay safe. And so I think for the record, I just
wanted to say that out loud.

CHAIR TURNER: Thank you. Commissioner Ahmad.

VICE CHAIR AHMAD: I echo what's been said. I also
support voicing our concerns related to the expedited
deadline of the census. And we all know COVID has been
happening and that's impacting. But Northern California,
actually, a lot of California is in flames right now as
well. And that has displaced thousands and thousands of
people from their homes. And guess what? The census
goes to addresses and nonresponse follow-up folks go to
different addresses. And we have to consider how that's
going to impact the overall count as well, which will
feed into our fair maps and equitable maps. So I, too,
support saying something to the people in power about
this.

I do have a question for Counsel. Given the census
deadline of September, end of September, does this mean
that the U.S. Census Bureau is planning to uphold their
original time line and deliver data to the states by
April 2021 or --

MS. JOHNSTON: They've actually moved it up one
month.

VICE CHAIR AHMAD: Oh, okay.

MS. JOHNSTON: But the information you'd be getting
would be, I would say, incomplete.

VICE CHAIR AHMAD: Right, right. Okay, so
theoretically, the states would be getting the data a
month earlier. And how would that impact what we're
discussing for this item in terms of our time line?

MS. JOHNSTON: It depends on how you want to respond to the Supreme Court's suggestion. It asks that, if the government transmits the census data earlier, the Commission should make every effort to expedite its processes.

VICE CHAIR AHMAD: Okay.

CHAIR TURNER: Commissioner Sinay and then at the end I might want to say something.

COMMISSIONER SINAY: I would ask that (indiscernible), but I would also ask that we be overt on the topic of undocumented immigrants, because that's -- there's several different approaches that are being taken to not count undocumented immigrants. And that's going to affect the census count. First, they're not answering the census because they're afraid. And those who are answering it, there has been efforts to try to find out at the household level which ones might be undocumented so that they can be -- those numbers can be taken out.

And so we won't have accurate numbers of the -- of who lives in what -- who lives and -- in where. And the census is about counting all individuals. Not counting all documented individuals or adults or any of that. It's about all individuals.

MS. JOHNSTON: And there is there are a number of
lawsuits across the United States. There is one filed by
The State of California, by the people in the Attorney
General's office. And I have been in contact with them.
So far, the federal government had been delaying filing a
response. And they just got an order from the court
setting a briefing deadline. But nothing has happened in
that case, as far as I know. Nothing substantive.

CHAIR TURNER: So -- Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: How does that, or how --
given the lawsuit, how would that impact our time line,
given what the Supreme Court -- the California Supreme
Court also said?

I know they encouraged moving up our time line
should we receive it earlier, but given that there's a
lot of uncertainty and who knows how long this will wind
its way through through the courts, can we still retain
the original current deadline without moving this up
earlier?

MS. JOHNSTON: It's hard to say. It depends on what
the federal courts decide. These are litigation in
federal court. I think the Commission could make a
strong argument that if the census is delayed for any
reason, whether it's because of the Census Bureau's time
line or because of a lawsuit requiring it to do
additional outreach, that those conditions would justify
you all extending your time. But probably we want to go
back to the court just for clarification, because we
wouldn't want to be wrong and have you miss out on your
time to do your maps.

CHAIR TURNER: And the question I have for Counsel
is, in writing the letter, I'm in total agreement and
support, is that the strongest avenue that we can take on
behalf of Commission or is there a suit that we can join
or what -- what are the other options other than writing
the letter? Because it seems like there's been two or
three that's been sent written without response. I'd
like to know what else can we do?

MS. JOHNSTON: You certainly could either join the
litigation filed by the Urban League, or you could just
file an amicus brief in that one, which doesn't make you
officially a party, but can make your views known. You
could also file your own action. But we really don't
have the resources for that.

CHAIR TURNER: The amicus brief or join the
litigation. And who all is on the litigation? Couple of
(indiscernible).

MS. JOHNSTON: Yeah. It's being handled by private
counsel, pro bono. The firm of Latham and Watkins. And
the current plaintiffs are the National Urban League, the
League of Women Voters, Black Alliance for Just
Immigration. And then there's Harris County in Texas, King County in Washington, as I mentioned, the City of Los Angeles, City of Salinas, City of San Jose, and then a few individuals.

CHAIR TURNER: Thank you. Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Madam Chair. My experience working with commissions elsewhere, I'm wondering if we have a somewhat unique opportunity at this point. I mean, when a new commission is formed, it's, in my experience, good form and helpful to introduce the Commission to the public at large.

And you know, yes, we're livestreamed, but I'm thinking, you know, is there an opportunity that we could use our voices? I'm enjoying the Brady Bunch screen and the diversity that we are and thinking, you know, can we use the opportunity to introduce ourselves to the people of California and encourage everybody to be counted?

MS. JOHNSTON: By a press release, or how are you thinking?

COMMISSIONER KENNEDY: Well, I know that we don't have a director of communications yet, but I think we've got a good talent pool among us. And it could be, you know, a fifteen-second spot. It could be a newspaper ad. It could be any number of things. It could be, you know, a YouTube video of us and put it out there. There are
all sorts of options.

MS. JOHNSTON: Those are all possible.

CHAIR TURNER: Commissioner Sinay.

COMMISSIONER SINAY: Commissioner Kennedy, I thought you were going to say to do a TikTok video.

COMMISSIONER KENNEDY: No idea what it would involve.

COMMISSIONER SINAY: Well, anyway, I -- building on what Commissioner Kennedy said, that is there is that infrastructure that's out there for census. And there are -- they are feeling a little desperate right now to have more content and more -- and so it may not be difficult to, you know, a lot of us may know the lead agencies in our cities. So if we had a press release, you know, we may be able to ask them, hey, you know, how could we help you? Especially if we're, you know, a lot of us are multilingual and we can speak to the ethnic press. And that'd be kind of the kickoff to also talking about that redistricting is happening and this is important for that piece.

CHAIR TURNER: I like that. I'm game for TikTok or others. I'd just rely on those of us that can do it. But I also feel that a release such as what you're speaking of, Commissioner Kennedy, I think it will have great weight to it. But I also think it's more of the
same. I know that for my organizations in the Central Valley, it's what we've been doing from the beginning, of releasing Zoom video, regular video, social media, kind of overload. It's almost on a schedule, and that's good. All of that has to happen.

But I say that for this second part. Because of the competing priorities in people's lives right now as it relates to COVID and the fear of COVID and the fires and everything else in California, we also have to weigh in, how many people are actually sitting down to look at, read a newspaper or a press brief, or what have you. I say that -- I think it's necessary that we do it for those that we can catch. But I'm also warning us not to get past or let, you know, let others off the hook as well.

I think we definitely still should look toward some sort of an amicus brief, adding in, I mean, I think that we have to stop that time line or slow it down as well. To me, it's totally contradictory to speed up a time line and then suggest we speed up as well. It's almost as if you, because you've set it up, we need to take more time to do the due diligence that was not done. So I just wanted to say that.

Other comments? Yes, Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Just a thought. I do like
this idea of the maps getting out there and encourage the participation (audio interference) --

CHAIR TURNER: Closer to the mic.

COMMISSIONER AKUTAGAWA: -- (indiscernible) -- I'll get closer.

I do like what you're saying about, you know, just how people have been bombarded with -- I do wonder if maybe this might be an opportunity, thinking about the outreach that we would do normally around redistricting, I wonder if we start that outreach process early to encourage participation. And time to introduce all of ourselves in some type of, even Zoom forum meeting, where we reach out to our community partners and ask if they would be willing to host us for a meeting so that we can try to speak to communities.

Maybe even just encourage those who are doing the work that what they're doing is important. I think continue to motivate them to keep doing the hard work too. And when I introduced myself, I said that I was told that this was unappreciated work. But I think those who are doing the get out the census, you know, and making sure everybody's counted is also unappreciated work. And I think that might also help to build that kind of relationship with folks. To just say, you know, we're partners in this. We want to help to encourage
more participation. And if it's something that we can do, might help with that, and invite media. Ethnic media might also help as well, too. And it could be recorded and then it could be distributed out via, you know, YouTube in some of those places.

CHAIR TURNER: Commissioner Sinay.

COMMISSIONER SINAY: It feels like there's two conversations going on. And Trena, you really helped. I'm sorry, not Trena, Commissioner Turner. I'd rather have everyone call me Patricia. So any time you want, feel free to call me Patricia. The one is, let's make sure people get counted. But there is this other one that's much more important. And it's urgent. And is what I think Commissioner Sadhwani and Commissioner Turner and Commissioner Ahmad is saying is, hey, you can't cut the deadline. We need this extra time to get an accurate count.

And I think that's the one that we need to act on right now. If we don't have staff, you know, it's limited. I'm hoping that our counsel can help us on an amicus brief, but that might be, as Commissioner Turner was saying, that might -- I'm glad you asked that question, because I hadn't thought about the lawsuits, but that might be the quickest, best way.

I think that the letter, I would say, is second,
because some public letter shows the community that we're aware and that we care about the broader community and their voice.

And third, would be trying to do that outreach piece. Because I don't think we all know enough to be able to be out there yet talking about it. So that's just the way I kind of see it based on all the conversations we're having.

CHAIR TURNER: Commissioner Andersen, did you have your hand up? No.

COMMISSIONER ANDERSEN: I did not, but you're reading my mind. I'm concerned that -- I agree with what Commissioner Sinay has been saying. There is multiple step. I also like the perspective of, there was an arrangement put in place and all of these outreach groups, all of the communities, all the Census Bureaus themselves, laid out a time line. And then he changed it on them. And that you can't do. And that's -- the tone of the letter that the senators wrote, I think that is a -- it's more a defensible position. As I say, it's a stronger position -- you have changed the procedure. And can't do that because everyone counted on that. And now you yanked it back a month, will prevent us -- it's going to -- it's going to make what was already bad even worse.

And our account -- it's, you know, it's already very
important but right now, it is also now being impacted by other disasters. So you can't do that.

Some other point I had. You know, well, I know the second point after I -- I didn't write it down. I wasn't quite prepared to speak, so --

CHAIR TURNER: Well, go ahead and call back in when you're ready.

COMMISSIONER ANDERSEN: Thank you.

CHAIR TURNER: Commissioner Ahmad and then Commissioner Fernandez.

VICE CHAIR AHMAD: I like the way the Commissioner Sinay laid out the different avenues that we can take this issue to voice our collective concern about this. But I do think these things can happen simultaneously. I don't think that it has to be one completed and then another. And it might benefit us as Californians, drawing these maps, to approach it more in a simultaneous manner so that we can show the community and Californians that, hey, we are taking these steps and this is what we did. We filed an amicus brief at the federal level. And we can show the federal level, like, hey, you know, we're really concerned about this because of the work of the Commission and what we have to do.

So I really like the way that she laid it out, assuming your identity is "she" and we didn't do gender
pronouns. But so I like that and I think that we can start hopefully creating some tangible next steps.

CHAIR TURNER: Commissioner Fernandez and then Sadhwani.

COMMISSIONER VAZQUEZ: Madam Chair. I'm not sure if you can see me, but I also had my hand up.

CHAIR TURNER: Oh, I'm sorry. Thank you.

Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Just a couple of comments. Just a reminder that we all know that it's -- we're a nonpartisan body. And my only concern with joining a lawsuit that's already out there is, if it's already been filed by other groups, is what does that signify? Because we do need to be nonpartisan.

Also, I do like the idea of doing a letter that would be independent, which I think would be good. It would be our voice. And I just have to -- my very first job was, once I graduated college, was a lecturer. So I always -- the back in my mind it's always scope -- so we have to remember what our mission and our scope is. And granted, yes, the census plays such a major role in what we're doing. But it's also not our responsibility, per se, to ensure that those that have that responsibility are doing what they're supposed to be doing.

So I just want to make sure that we stay true to our
scope and our focus is. I don't like that they did try to move up the date and census. It just feels like they're trying to purposely, maybe, count -- not count some people. And I've grown up in an agricultural area. So right now, if you go knock on people's doors, is anyone home? No, because they're working in the fields, the farms. Well, not school. School's back in. But so it's just interesting. But I just want to remind ourselves that, where our focus and our mission is and to try to be independent like we're supposed to be. So but thank you. Wonderful discussion. Good ideas. I truly appreciate it.

CHAIR TURNER: If you would, Commissioner Sadhwani, let's go Commissioner Vazquez first.

COMMISSIONER VAZQUEZ: Thank you. So I would like us to consider joining the lawsuit, especially considering -- my understanding is that a couple of government entities have joined, like the City of Los Angeles. So yes, I would really like us to consider joining. I think it makes a statement to, I think, Commissioner Andersen's point about moving the goalposts. And that there are -- there were statutory deadlines put in place based on a particular understanding and legal framework for executing the census, right. So our redistricting process relies on another
statutorily driven process. So for me, I believe there's a nonpartisan, legal, defendable position to joining a lawsuit that argues as such. And I think that also then creates an opportunity, to Commissioner Kennedy's point, to introduce ourselves to the communities, that is in many ways free media for the Commission and its work to say, look, this is our first big action toward ensuring fair, representative maps for California. That we take our work very seriously. And unless we have good data, and good data includes counting everybody, our maps are going to be as good as the data that informs it.

And for me, I think that, you know, potentially radio spots, right, talking to local radio, local media about why it's important for the Commission to take this position in joining the lawsuit.

And that gives us an opportunity to talk about the need for community engagement, whether or not, you know, we're successful in moving the deadline. But, again, I think we can start as soon as possible getting our work out there. And this is a really high -- sort of high octane media opportunity for us to start that community engagement work, which is, to Commissioner Fernandez's point, that is our mission. Our mission is to draw fair, representative maps. And I just, I can't imagine how we would do that with bad data. Junk in, junk out.
CHAIR TURNER: Yes. Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes. Thank you. I love this conversation and I'm glad, I mean, what I'm hearing is that there's definitely a lot of support in general for us to do something, and I'm glad to hear that. I think a couple of -- a whole bunch of things, actually. So I'm going to try to go through them one at a time.

In terms of this piece about whether or not we join the lawsuit, I think before we can actually -- we probably need to get a little more information about the -- from the community groups and other cities that have joined onto that lawsuit as well as the attorneys, but I would just put that as something that we -- additional information that we need to glean in order to better inform such a decision. But in the meantime, kind of going back to Commissioner Sinay's comments as well as Commissioner Ahmad, that there are these pieces that we can move forward sooner rather than later. It sounds like time is of the essence.

So a letter, an amicus brief, potentially some sort of -- maybe a press release that goes along with a letter, amicus brief, you know, potentially, those are pieces that we can begin to work on now. In terms of action steps, I would be happy to help work on those in some regard, in terms of perhaps creating some sort of
draft that could be brought back to the full Commission's
review. And you know, if we want two people on it the
way we did for other -- what are we calling them -- that
would be -- that sounds great. Or if someone else wants
to do it, that's totally fine, too. You know, I like the
idea of moving something forward while we can continue to
have the conversation around if we wanted to actually
join the lawsuit.

I think also separately -- and we don't need to have
this discussion now per se, but it kind of keeps coming
up in this conversation, is we do at some point, need a
fuller conversation about as a Commission, what is our
relationship to the media or the press?

So you know, previously I had received requests from
the media and at the advice of the previous counsel had
turned them down for fear of Bagley-Keene issues. Is
that still the case? If we were talking about, like, you
know, everyone's going to go out and do radio ads saying
this and that. And in general, I support, I definitely
support that community engagement and the idea of doing
that. But what are some of the consequences of that?

What might we need -- what might we need to be
cautious about or fearful of? And to what extent might
we have those talking points that are crafted that we are
all kind of sort of referring to? So it just raises a
whole number of questions around what our media strategy might look like? And I know we've talked about the hiring of a (audio interference). So I think that's a longer conversation, one I definitely want to have. I'm not sure how to what extent we want to have that now. But I do think a letter and amicus brief, those are things that we should be working on.

CHAIR TURNER: Thank you. Commissioner Andersen, did you remember your other point?

COMMISSIONER ANDERSEN: Thank you, Madam Chair. Yes. It's about our State of California, had to do with the undocumented immigrants. And in the State of California, we are very, very specific; everyone counts. Our lines are drawn on everybody -- anyone who's here, no matter how they're here. That's how our lines are drawn. And that's not true for many other states. We have different criteria. So that's another -- that's something that we would bring up.

However, that said, we need to be very careful because there are many, many groups out there who would be very interested in discrediting our Commission so someone else can draw the lines. So we have to be extremely careful about, you know, the talking point, something like that. We have to be very, very careful. And I was going to ask Counsel, in terms of joining a
lawsuit, we have no control over, then, what that group
is saying; is that correct?

MS. JOHNSTON: That's correct. And so I would
probably recommend is an amicus letter setting out your
position rather than actually joining it. The other
possibility that just occurred to me while you were
talking, given that the State of California does have
this lawsuit about undocumented, I don't know if the
Attorney General's office would be willing to expand its
lawsuit, add cause of action on the census timing and how
they're speeding it up and not doing a full count.

COMMISSIONER ANDERSEN: What's -- that's -- my
concern was, indeed, we have several, as you said, very
defendable points. And this is coming from a bipartisan
group, which we are. We're looking at the numbers, the
accuracy, and credibility. And we don't want to come
across as any direction or any partisan. We want to be
fair all the way across. And that's how we need to --
and that's how we need to stand.

And there are clearly things that we know that are
hindering the actual documents and the numbers, and
that's our concern. So however we could write those, I
think, those are the points that we really need to
emphasize. We are concerned about everybody being
counted. So however -- I don't know if a letter,
multiple things, but I think an amicus brief would be where we'd go so we can control it rather than join the lawsuit. That's what I -- that's what I would say. But we do have the undocumented immigrants because, again, we need full numbers for California. And then also, if you've already done a statutory deadline, then you shift it, that affects everybody. So those are the points I want to bring. And thank you Commissioner and Madam Chair for coming back to me on that.

CHAIR TURNER: Thank you. We're at eight minutes before break. Can we take eight minutes of public comment, just to hear from the public on this (audio interference) we need to come back? Okay.

MS. JOHNSTON: AT&T, do we have any public comment?

PUBLIC COMMENT MODERATOR: Ladies and gentlemen on the phone lines, if you wish to make a comment, please press 1 followed by 0.

And we do have one queued up. We will go to our Rosalind Gold. Please go ahead.

MS. GOLD: Hi. Good afternoon, Commissioners. My name is Rosalind Gold. I'm chief public policy officer with the National Association of Latino Elected and Appointed Officials. That's the NALEO Educational Fund. Some of my colleagues have had a chance to talk with you,
but this is the first time I have.

So I did want to congratulate you and thank you so much for your dedication and service. My understanding is there might have been a little bit of a lack of clarity about the state of play with regard to the deadlines for the delivery of apportionment and redistricting deadlines and the deadlines for how the census is proceeding with this operation. I just wanted you to be aware that our organization is cochair of the Census Task Force with Asian-Americans Advancing Justice of the Leadership Conference on Civil and Human Rights. We are very active in census outreach and census policy work.

Our chief executive officer, Arturo Vargas, has served in the past on the National Advisory Committee to the Census Bureau. So you know, this is an issue that is very, very close and dear to the mission of the organization, and one in which we have done a lot of work and are continuing to monitor and advocate on very closely.

So first of all, I wanted just to clarify, and if I misunderstood my apologies, but the statutory deadline of December 31st for the delivery of apportionment data and the statutory deadline of March 31st for the delivery of redistricting data have not been changed. Okay. Those
are still in statute. And a statutory action by
Congress, legislation, or court order, would be required
to change those to get the extension.

What's going on with census operations is that
initially the administration had indicated they would
support an extension of 120 days in both of those
deadlines. And so the Census Bureau came up with a plan
that would have self-response and nonresponse follow-up
go through October 31st. The administration changed
course, changed its mind, does not appear to be
supporting that extension.

MR. VILLANUEVA: Five seconds, please.

MS. GOLD: And when the Bureau found out they were
going to essentially have to live with the current
deadline, they truncated --

MR. VILLANUEVA: That's two minutes.

MS. GOLD: -- the self-response period and the
follow-up period. So those are going to end right now in
September 30th for both nonresponse follow-up and for
self-response.

So the December 31st deadline for the delivery of
the data is still the statutory deadline. You know, from
our perspective, we are advocating both legislatively and
following the Court cases on the extension. You know,
our concerns, I think, are concerns you're very much
aware of that trying to not only get nonresponse follow-up done and self-response done in a truncated schedule, especially during the pandemic, will lead to an accurate data.

But even more troubling is that after that data is collected, the Census Bureau has to go through all sorts of quality checks, all sorts of work to review it. And normally they would have about six months to do it. And with the truncated deadline and then sticking to December 31st as the statutory delivery deadline, they're just not going to be able to do the kind of quality control and quality checks and work that needs to be done.

So you know, I very much appreciate the Commission talking about ways how they could be helpful in terms of seeking in some way or another to get that deadline extended or weighing in on that dialogue. It is a nonpartisan issue. Again, people should be aware the Secretary of Commerce did indeed request an extension of those deadlines but the administration changed its mind. And so I am not necessarily in a position right now to comment on what might be the best way for the Commission to weigh in. But I just felt this particular dialogue might be helpful and I wanted to provide these comments, and I'd be happy to take any questions.

MS. JOHNSTON: Just to clarify, my understanding was
the reason why the Census Bureau asked for the additional
time was that in light of COVID, they initially said they
would be unable to complete a complete count within the
statutory time lines. Is that your understanding?

MS. GOLD: Yes, they actually -- several people in
the Bureau, top officials as of May were saying, we can't
do a quality count in light of COVID. We can't do a
quality count by December 31st. And that's why they came
up with several extensions of different operations,
including self-response and a nonresponse follow-up to
October 31st. And frankly, their challenges -- not only
are they being challenged by the truncation
in the schedule, they've now truncated to September 30th,
but sort of literally a perfect storm is hitting. If you
look at the hurricanes, people trying to do door-to-door
where there's hurricanes, where there's natural
disasters, where there's wildfires, people trying to do
non-response follow-up in those conditions. It's very,
very challenging.

CHAIR TURNER: Thank you. Thank you. Counsel?

MS. JOHNSTON: Yes. Thank you.

MS. GOLD: Thank you.

PUBLIC COMMENT MONITOR: Ms. Gold, would you please
spell your first and last name for the record?

MS. GOLD: Sure. R -- first name R-O-S-A-L-I-N-D.
Gold is just as it sounds, G-O-L-D. And for the record, I am chief public policy officer with the NALEO Educational Fund. And again, Commissioners, congratulations. It looks like you're jumping in and dealing with some tough issues right off the bat. So thank you for your service.

CHAIR TURNER: Thank you. And we --

PUBLIC COMMENT MODERATOR: Thank you very much. And our -- go ahead.

CHAIR TURNER: I was going to say, we're 4:10 so we are required to take a break now.

PUBLIC COMMENT MODERATOR: Okay. We do have one more person queued up. Would you like to take that after the break?

CHAIR TURNER: We would have to.

MS. JOHNSTON: We did -- didn't we just come back at --

PUBLIC COMMENT MODERATOR: Okay. Thank you much.

MS. JOHNSTON: -- when did we return?

CHAIR TURNER: We returned at 1:30? Am I off on my time?

MS. JOHNSTON: But we took a break already.

CHAIR TURNER: Well, I didn't take a break. Did I?

MR. VILLANUEVA: At 3. And change.

CHAIR TURNER: Well, okay, then. We are good then.
Let's go ahead. Thank you. Let's go ahead and take the other call. (Indiscernible) thank you, though. Public comment, please.

PUBLIC COMMENT MODERATOR: We are opening the line now. Are we opening the line?

CHAIR TURNER: Yes.

PUBLIC COMMENT MODERATOR: Okay. Thank you very much. Next, we'll go to the line of our Alejandra Ponce de Leon. Please spell your name for the record. Thank you.

MS. PONCE DE LEON: Hi. Good afternoon, Commissioners. My name is Alejandra Ponce de Leon, spelled A-L-E-J-A-N-D-R-A. Last name, P-O-N-C-E, D-E, L-E-O-N. I'm calling with the Advancement Project California, on behalf of the Redistricting Alliance, a coalition of fifteen regional and statewide networks committed to racial and economic equity.

We greatly appreciate the initiative from all of you to discuss how the census time line will impact California's redistricting process. And we really are on board with your, you know, possible decision to take action and to at least either submit a letter or create your own amicus brief on this topic. We are encouraging you to send a letter to the U.S. Census Bureau, strongly urging that the Bureau return to the enumeration that
lined up October 31st for the census or -- for the 2020 census in order to have a complete and accurate count of our population.

Many of our partners are actually working, having efforts on the ground as we speak, you know, to outreach to hard to count communities to fill the census. And so for them, this deadline, this change in the deadline, is really impacting their work. And ultimately, it's going to impact everybody's ability to be counted and to have accurate data to be reflected in the redistricting process.

In addition, we highly encourage the Commission to take any additional time that is allowed by the California Supreme Court decision allowing for a modified redistricting time line so that it enables more time for community residents and community-based organizations to fully engage in the process.

So definitely looking into that and ensuring that if you are able to take additional time with this decision that was recently made by the California Supreme Court, that for you to take it into consideration, and we hope that you're able to move forward with that. Thank you very much for your time.

CHAIR TURNER: Thank you, Ms. Ponce de Leon.

Are there any other callers in queue?
PUBLIC COMMENT MODERATOR: There are no other participants queued up at this time.

CHAIR TURNER: Okay. Thank you. Okay, Commissioners. I think we can go back to our discussions then with the information that was shared with the comment and from our counsel.

Yes. Commissioner Toledo. You're on mute, sir. Are you -- might be your audio. You don't show on mute but we can't hear you. Commissioner Toledo?

MS. JOHNSTON: It says he's connecting to audio. I don't know what the problem is.

CHAIR TURNER: Okay. What we'll do while we're waiting for him to connect, and I hope he can still hear us, we'll go to Commissioner Taylor.

COMMISSIONER TAYLOR: Yeah. I just would like to add that I think I agree with the Commissioner Andersen. I think if we provide a brief, we control more of the dialogue and we can pinpoint the issues that we know are at hand. So I think I would agree that that rather than attach that, we should put out our own statement.

CHAIR TURNER: Um-hum. Thank you.

Commissioner Toledo, let's try your audio again. Is it your volume on your -- I don't know what to say.

COMMISSIONER TOLEDO: Can you hear me now?

CHAIR TURNER: Yeah.
MS. JOHNSTON: Yeah, yeah.

COMMISSIONER TOLEDO: I'm sorry about that. I was just thinking that perhaps we should maybe put a couple people together. Maybe two individuals together to draft a letter that we can all agree on. And that that might be a good course of moving this whole word -- would be just to begin the process of drafting.

I think we all agree on the importance of having an accurate count and a complete and accurate count, that's something that, as Californians, we all would agree on. And making that point to the Census Bureau would be important, and starting there. And then perhaps from that, we can begin the process of also thinking about whether -- or what type of argument we would make for -- in an amicus brief. And what would be the most effective and the most appropriate argument based on our bipartisan -- the bipartisan nature of our Commission.

CHAIR TURNER: I like that. I think -- do we need a motion that we, as a Commission, is in agreement that --

MS. JOHNSTON: Yeah, if --

CHAIR TURNER: -- (indiscernible) --

MS. JOHNSTON: -- if it's appointing a committee, you can do that yourself, Madam Chair.

CHAIR TURNER: Right. But as far as the decision to actually write or send in an amicus brief.
MS. JOHNSTON: You could make that now. I would personally prefer that we get the draft of the letter first, because right now I have no idea if everything you'd like to have included. I don't know if the committee would be able to meet and come back with something before the end of this series of meetings, the series of days.

CHAIR TURNER: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Just a clarification. One, are we going to ask or are we asking counsel to write the amicus brief for us? Two, is that possible for the actual writing of the amicus brief to be done and (indiscernible) by Commissioner Toledo --

MS. JOHNSTON: We can't hear you.

COMMISSIONER AKUTAGAWA: -- outlining what should be on it.

CHAIR TURNER: Okay, what's your second point? So we heard the first point. Should --

COMMISSIONER AKUTAGAWA: Oh, sorry about that. One, are we asking the counsel to do -- write the amicus brief on our behalf? And can she do so?

And then secondly, is the committee that Commissioner Toledo has suggested, is that more just to get the guidelines on what should be included in the amicus brief on our behalf?
CHAIR TURNER: Counsel, you'd have to answer if you're willing or able. But I think earlier, Commissioner -- was that Sadhwani, there was -- that agreed to draft the amicus brief for us. I wanted to just put that back on the table as well.

Commissioner Toledo, you wanted to add in?

COMMISSIONER TOLEDO: I was suggesting maybe drafting the letter. And by drafting the letter, I think that'll help us think about the arguments that are potentially -- can be made in an amicus brief. But the letter first and then maybe the amicus brief afterwards.

MS. JOHNSTON: Would it be possible to do the work on drafting the letter before the end of next week when you all are still meeting, and bring it back to the Commission at that time?

CHAIR TURNER: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes. I know I offered to do that. I don't have to be the one, by the way. Anyone else can do it. But yes, that was my idea, is that if we leave this agenda item open within the next couple of days, a letter could be drafted before we end this meeting of multiple days. But before we completely close out this meeting or adjourn this meeting, that we could all review such a letter, make edits to it, and actually finalize something, because time is of the essence and
we're up against a very short deadline.

So that would be my thought. And I agree with Commissioner Toledo, if we can do a letter fairly quickly, that that can help us help to form an amicus brief that, you know, if Counsel could write. I can help write. You could write it. I mean, either way, I think that there's options.

MS. JOHNSTON: I'd be happy to work with an advisory committee on that.

CHAIR TURNER: The question that I had that I want still clarification for Counsel is just, one, a matter of protocol, and this will just help for my training going forward. It seems like a lot of time and investment for something that the counsel has -- that the Commission has not agreed to do. And so I know you're saying the letter that it would turn into the amicus brief and then we will vote and do the amicus brief -- I am questioning the timing of it.

Should we -- or I don't know. It feels like we should be in agreement that that is what we want to do because there were a few things that was thrown out initially. And if we're in agreement that that is the direction, then I see the investment of time by the Commissioner Sadhwani or Toledo or whoever is going to take it on, and so that that was my question.
MS. JOHNSTON: I would certainly appreciate a draft letter from the committee or the Commission, the Commission can discuss the draft letter, to give me guidance in what you'd like to have said in an amicus brief.

CHAIR TURNER: Okay. Thank you. One more way, we'd write the letter to give guidance, we write the amicus brief, and then for whatever reason we determine we don't want to do any of it, we don't want to go that route?

MS. JOHNSTON: You could do that.

CHAIR TURNER: Yeah. But it seems like then it's a lot of wasted time on behalf of the Commission.

MS. JOHNSTON: Well, given the --

CHAIR TURNER: And that my -- my duty (indiscernible) --

MS. JOHNSTON: -- sentiments, I doubt you would not want to do the letter even, but --

CHAIR TURNER: -- why should we be getting (indiscernible) first. I'm sorry. What were you saying?

MS. JOHNSTON: Yeah. I can do it either way. I would just -- in either case, I would need guidance from the Commission.

CHAIR TURNER: Sure. You need that.

Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: I think, so -- if I'm
hearing this correctly, and just maybe this is a question
for everybody. I don't know if it needs a motion, but
what I'm hearing is do we have agreement among all of the
Commission whether or not the appetite or letter or
amicus brief? I know that there was several of us that
have spoken out, but I will say that not everybody has
commented on it one way or the other, and so perhaps, I
don't know if we can motion or whether we just take an
informal poll and then that may then alleviate the
question that you're asking for, Madam Chair --

CHAIR TURNER: Absolutely.

COMMISSIONER AKUTAGAWA: -- and save time on the
other end.

CHAIR TURNER: Yeah. Yes. And there were a couple
of other hands. Would you show them to me, again, that
wanted to speak?

Commissioner Le Mons.

COMMISSIONER LE MONS: Yes. I was going to say
exactly what Commissioner Akutagawa said. So I think
that we should come to some consensus whether we should
go down this path. I think that's the step, and I think
you're asking counsel procedurally --

CHAIR TURNER: Um-hum.

COMMISSIONER LE MONS: -- what are our options to
come to that consensus?
CHAIR TURNER: Um-hum.

COMMISSIONER LE MONS: So Counsel, that's the question. Is do we need to make a motion that this is something we as a Commission want to do? Is this something we can just all do a head nod? I mean, that's what, I think, Chair -- Madam Chair is asking.

MS. JOHNSTON: I think you could do it either way. You could decide now that you want to file a letter and do an amicus brief and then have something drafted to give guidance to me and to have a letter drafted. Or you could have the draft come back to the Commission and then decide if you want to turn that into an amicus brief or whatever. It's really your choice.

MR. VILLANUEVA: No. They're asking should they do a motion to have it decided --

MS. JOHNSTON: Oh. I -- that's up to the Chair. You can either appoint a committee now to bring to something back to the Commission, or you could make a decision now. And I can't imagine that what the committee would come up with would be unsatisfactory to the Commission. So if you want to decide now to go ahead and do it, it can be done either way.

CHAIR TURNER: And I have one point to clarify. Let me try it one more time. To clarify, and the reason I asked procedurally is not even just for this discussion.
We're now -- and thank you. I understand that I can appoint a commission and I'm grateful for those that is willing to write a letter to present to you for an amicus. I'm saying that's a lot of time and investment for something we have not agreed to do. So whether we're talking about this topic or future topics, my question is, is should we not come to consensus, agreement, motion, vote, or otherwise that we're going to take a particular path before we invest work down that path.

That was the question.

MS. JOHNSTON: Well, since you all seem to be substantially in agreement as to the general direction, I don't think -- I think it would be fine to have a motion now. I think if it was -- there have been other situations I have dealt with in the past where maybe there's disagreement among the Commission, and you don't know which way they want to come out, in which case I'd really want to have more direction before I'd proceed. But if there -- if you think there's a consensus of the Commission now, then certainly a motion to appoint this subcommittee and come back with a draft later on during this meeting, and then to proceed with an amicus brief, would be fine.

CHAIR TURNER: Commissioner Yee, was your hand up?

MS. JOHNSTON: I'm sorry?
COMMISSIONER YEE: Yes. So I definitely support doing something. I think having a draft, which I think you -- Madam Chair can just appoint a committee to work with counsel to develop, will give us a lot better sense of what's going forward. But I do think we all seem to be agreed, you know, more time and a better count, absolutely. I support that. On the other hand, I am worried of mission creek as well, and you know, taking on a task that really isn't our task, although it does affect us very directly. But I definitely support doing something.

CHAIR TURNER: Commissioner Le Mons. No?

Oh, Sinay. Commissioner Sinay.

COMMISSIONER SINAY: I think your question, Madam Chair, was a really good one about how do we want to do work? And I'm hearing what counsel's is saying. There are going to be times where we may be very divided and so we want to see the draft before we make a decision. And there may be other times where we want to make a motion versus -- make a motion to support so that -- and move forward. Because we'll still want to have another motion to approve the letter. And so I think that's up to you, Madam Chair, which way you feel. I think for something like the census, maybe a vote is in -- you know, having a motion is important.
But I also want to speak to Commissioner Le Mons's comment around consensus. And we haven't had that conversation, and I was hoping we would have a lot more conversation at the beginning of this meeting on how we want to work together. And if there is this -- if we feel that we want to work in consensus building a consensus -- coming to things as a consensus or do we just vote and the majority, you know, wins type thing. And that can either be blended as well, but I do feel --

CHAIR TURNER: Yeah.

COMMISSIONER SINAY: -- that we're missing some key conversations about how we want to work together as a group. That we kind of jumped forward and that's where some of the tension is lying right now.

CHAIR TURNER: Okay. Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you for that, Commissioner Sinay. Yes. I think how we are going to work together is extremely important. And that's a discussion we really need to have. And I have a -- what I thought from listening to Commissioner Toledo, is that the subcommittee would put together and write a letter, in which case, all -- and as we review this letter, it will become sort of apparent about who likes this, doesn't like it, or what points would even go into -- should we at that point say, yes, we do want to do an
amicus brief, or you know what, all we can agree to right
now is a letter? So I think we can sort of possibly vote
on doing a letter with the idea being if we come to an
agreement, then we would proceed with an amicus brief or
not, based on results of our discussion with the letter.

CHAIR TURNER: Commissioner Vazquez.

COMMISSIONER VAZQUEZ: Question for counsel. If we
vote on doing a letter, does that close this discussion
item at which point in order to review the letter and
talk about an amicus brief, do we have to create a new
agenda note and notice?

MS. JOHNSTON: No. No.

COMMISSIONER VAZQUEZ: Okay.

CHAIR TURNER: Commissioner Le Mons.

COMMISSIONER LE MONS: Yeah. I just wanted to voice
my support for the subcommittee and coming back with a
draft letter and then that setting the stage for whatever
our next steps might be. So if this contributes to the
decision to do that, I'm doing that now outside of a
vote. I don't know if we need a vote or not, but there
we go.

CHAIR TURNER: Commissioner Fernandez or Fornaciari.

Fernandez --

COMMISSIONER FERNANDEZ: I'll second that.

CHAIR TURNER: -- Fornaciari, and then Akutagawa.
COMMISSIONER FERNANDEZ: I will second Commissioner Le Mons's motion that we draft a letter, because it's just a draft letter. It doesn't mean that we're going to approve it. It doesn't mean we're going to send it, but it is a very good starting point for all of us. And although I didn't know what an amicus brief was because I'm not a lawyer, I haven't played one on TV either, so. But now that I know what it is, I think it's a good avenue and at least it's taking us in a direction where I believe most of us want to go, so. I'm seconding that.

CHAIR TURNER: Wonderful.

Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Yeah. Me, too. I'm on board.

CHAIR TURNER: You, too.

And Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: I'm on board with that, but I wanted to come back to something that Commissioner Sinay said, which is about, I'm going to call it just basic team building. And I realize, and I should have known better, too, but I think we skipped over some steps maybe because we just jumped into the agenda in the way that we did and it may help facilitate future meetings if we may consider taking a step back and doing some basic team building, as was suggested in the previous
Commission's report to us.

But the team building that I'm talking about is not just, like, let's have, like, a virtual lunch together. I think we should perhaps take some time -- first off, I think -- I know that we all read each other's stuff, right? All our applications and everything like that, but I think it would be interesting to hear from each of us individually how we would talk about ourselves, what we would choose to share with this group, at least to begin with.

I also would suggest that we also consider thinking about what are our expectations in terms of all of what we are tasked to do? I know what our charter is. I know what our mission is. However, what are our expectations? What are our needs in terms of being us -- us being able to get to the end goal? I would also suggest that we also think about just going forward, what kind of cadence, what kind of decision-making styles are we going to use as we think about this?

I think it would also be helpful for us to share, perhaps, our communication styles as well, too. That may be helpful in terms of knowing, you know, how we may communicate or maybe not communicate and having an expectation that we're all going to do the same things in certain ways.
And then lastly, I would also suggest that we come up with some standard ground rules in terms of how we're going to work. I know we have the Robert's Rules of Order. However, I do want to say that there are informal rules, and I think we need to just spell them out. And I think that that may help us maybe accelerate our team building.

CHAIR TURNER: Thank you.

Commissioner Le Mons.

MS. JOHNSTON: Just --

CHAIR TURNER: Commissioner Sadhwani -- oh, Fornaciari.

MS. JOHNSTON: Should I --

COMMISSIONER FORNACIARI: I agree 100 percent with both of the last comments. We really need to spend some time figuring out how we're going to work together and figuring out what we're all bringing to the table.

Just a little note on my communication style, if I don't have anything to add, I'm not going to add anything. And it doesn't mean I don't agree, it just means that I don't have anything to add. So yeah. 100 percent on board with that.

I'll add a little bit. I think Commissioner Fernandez and I both have a little bit of project management background. And Commissioner Akutagawa said
it, I know what our mission and our goal are. I think we need to be pretty explicit about writing that down and taping it to the wall and so that when we -- you know, when we get in a place where things are getting funky, we turn around and point at it. Okay. This is our mission. This is our goal. These are our grand rules about how we're all going to work together. So outstanding.

Thanks.

CHAIR TURNER: Thank you.

Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes. So we've crept away from the conversation of the census and that piece, and that's okay, because I think this is so important. I agree with everything that has been said from Commissioners Fornaciari, from Akutagawa, Sinay. I also just -- just to throw it out there, I think that this is part and parcel the fact that thus far, we, as a Commission, had never had the power to set our own agenda, right?

It's kind of this agenda that's thrust upon us. We can't change it because of the Bagley-Keene rules and that there's this ten-day -- or now fourteen-day notice. And so I do think -- I'm not suggesting that we change those rules, but simply acknowledging that that's kind of what led us here. And that as we move forward, I think
we're going to need to take the reins of agenda setting
so that we can ensure that these kind of conversations
can happen, so that we can talk about our mission and our
communication styles. Because at this point, it's not
part of our -- any of -- it hasn't been a part of any
agenda yet, and hopefully, it can be.

MS. JOHNSTON: And that is an item on the agenda,
for you all to do that.

MR. VILLANUEVA: It's on your agenda to set your
agenda.

COMMISSIONER SADHWANI: Thank you.

CHAIR TURNER: Thank you.

Commissioner Sinay.

COMMISSIONER SINAY: Thank you, Madam Chair.
To move us forward, Commissioner Sadhwani, I will
partner with you on that letter, if you -- it would be an
honor to work on that.

MS. JOHNSTON: There is a motion pending, unless you
want to withdraw it.

COMMISSIONER SINAY: Oh, sorry. I thought people
were still asking. You're right.

CHAIR TURNER: So and was the motion for Sadhwani
and Toledo? Le Mons? Yes, sir. Commissioner Le Mons.

MS. JOHNSTON: I don't think you specified who in
your motion, Commissioner Le Mons.
COMMISSIONER LE MONS: I didn't. And what's funny is I didn't even really make a motion. That's why I kind of laughed, but --

MS. JOHNSTON: Oh.

MR. VILLANUEVA: I didn't think there was a motion either.

MS. JOHNSTON: I thought it was seconded.

COMMISSIONER LE MONS: Well, there was but --

MR. VILLANUEVA: Yeah. But there was no motion.

COMMISSIONER LE MONS: But it didn't exist. So thank you, Commissioner Fernandez.

MS. JOHNSTON: Okay.

COMMISSIONER SINAY: He was trying not to make a motion.

MS. JOHNSTON: Motion's withdrawn.

COMMISSIONER LE MONS: But I will make one. I don't mind making one. So I'd like -- but I was going to nominate -- I mean -- yeah. I was going to suggest Commissioner Sadhwani and Commissioner Toledo because they had both kind of stepped forward, if they were open to it.

But so the motion was to establish the subcommittee that would establish a letter -- draft letter, and then from that letter, we would also talk about whether or not we wanted to move forward with an amicus brief and go
from there. And so I was pinpointing the two particular Commissioners. I know Sadhwani said it didn't have to be her, but anyway. It seems like a lot of passion was coming from the two of them, so.

CHAIR TURNER: Then I wonder if we --

COMMISSIONER LE MONS: That's my motion.

CHAIR TURNER: Thank you. I wonder if we could save, then, time, since it is a subcommittee that, as I understand, it doesn't require a motion. And we just name write so we can -- if I can, I'd like to just name Sadhwani and have Toledo and then we have someone else that wanted. I know it's only one other person.

MS. JOHNSTON: You can only have two people. Otherwise, you've got to comply with Bagley-Keene.

CHAIR TURNER: Thank you. That's exactly what I said. So we have either Toledo or Sinay -- so Toledo.

Okay. Great. So subcommittee Sadhwani and Toledo will work on the letter to submit to our counsel to appoint for an amicus brief.

MS. JOHNSTON: And it will be brought before the Commission before you conclude this meeting. And I'll be happy to work with you on drafting that if you wish my help.

CHAIR TURNER: Okay. Great.

Commissioner Yee.
COMMISSIONER YEE: I just wanted to remind Commissioner Toledo, you're also working with me on the nominations committee. You're going to be a busy man.

COMMISSIONER TOLEDO: Yeah. That's fine.

COMMISSIONER YEE: Okay.

CHAIR TURNER: Commissioner Andersen.

COMMISSIONER ANDERSEN: Well, sorry. Just -- the subcommittee right now is doing the letter, which is coming to the whole group so we can go over it.

CHAIR TURNER: Um-hum.

COMMISSIONER ANDERSEN: After we go over it, then it would go to the amicus brief, if we decide at that point.

MS. JOHNSTON: Well, you could decide who you want to send a letter to, whether you want to send it to the court, whether you want to send it to the Census Bureau, whether you want to send it to the bill authors. There could be a variety of uses for the letter.

COMMISSIONER ANDERSEN: Right. So I just don't want us to commit the subcommittee right now to kind of starting to work on the amicus brief until it comes back, I don't want to waste anyone's time if it turns out that we go, you know what? A letter is where we're going to go. So that's what I'm just saying. Let's just make sure that -- I'm not -- I don't mean we can't go that way, but I really think we need to take our time and make
sure that -- I mean, I don't mean to slow it down, but let's do a letter, bring it back in this meeting, and then discuss.

COMMISSIONER SADHWANI: That was my understanding as well. For the end of this meeting of multiple days, there will be a letter -- a draft letter for everyone to review and at that time, we can change the language as well as determine if we want to turn sort of the contents of that letter into an amicus brief, and that would be a decision we would have to make as a Commission.

CHAIR TURNER: Very good. All right. Any other comments on this particular agenda item before we're concluding for the day?

MS. JOHNSTON: Do you want to make the announcement about item 10?

MR. VILLANUEVA: Oh.

CHAIR TURNER: No?

MS. JOHNSTON: What other -- go ahead.

MR. VILLANUEVA: Madam Chair, you asked -- you were asking the Commission a question?

CHAIR TURNER: Yes. I was asking because we won't be move -- my thought is to not move to the next agenda item until tomorrow morning.

MR. VILLANUEVA: Right. That's what I understood.

MS. JOHNSTON: Right. But we should let people
CHAIR TURNER: So what I was asking is if there's --
MR. VILLANUEVA: Let her finish.
CHAIR TURNER: -- anything else that the
commissioners or you, Raul or Counsel, have before we
conclude our -- recess, I mean, until tomorrow?
MR. VILLANUEVA: I just wanted to let you know that
item number 10 has been -- they'll actually be doing
their presentation on Friday at 10 a.m. I'll have
available for the Commission, for all the presentations,
they're set times now.
CHAIR TURNER: Okay.
MR. VILLANUEVA: I'll provide that for you tonight
and read it out for you tomorrow morning so the public
can hear it. Only because I'm looking at the time, and
we'll go over for the captioner very soon.
CHAIR TURNER: Okay. Will that include the document
that the -- one of the callers called in about for agenda
12?
MS. JOHNSTON: We should get to that without any
problem tomorrow.
CHAIR TURNER: There was a document, though, I think
was going to be sent out.
MS. JOHNSTON: Document for 12?
CHAIR TURNER: Um-hum. The caller -- I think it
was Commissioner Kennedy kind of helped --

COMMISSIONER SINAY: I think it's agenda 11.

CHAIR TURNER: -- the caller called in and was requesting --

MS. JOHNSTON: You were going to send out the --

MR. VILLANUEVA: No. I think it was actually agenda item 14 on the staffing, that JPEG, the --

MS. JOHNSTON: That was it.

MR. VILLANUEVA: -- right?

COMMISSIONER LE MONS: Yeah. It was 14.

MR. VILLANUEVA: Yes. So I'll be checking on that tonight and see if they found a solution for it.

CHAIR TURNER: Okay. Are we good? Okay. And we're going to recess for the day.

MS. JOHNSTON: Do you want to ask if there's any public comment waiting?

MR. VILLANUEVA: No.

CHAIR TURNER: Oh.

MR. VILLANUEVA: Yes, they have to.

CHAIR TURNER: All public comment, please.

MS. JOHNSTON: AT&T, any public -- members of the public waiting?

PUBLIC COMMENT MODERATOR: Thank you. And as a final reminder, ladies and gentlemen, if you'd like to make a public comment at this time, please press 1
followed by the 0.

And Madam Chair, nobody is queuing up at this time.

CHAIR TURNER: Commissioner Sadhwani.

COMMISSIONER SADHWANI: It may not need to be said, but because we'll be starting a new agenda item when we begin tomorrow, perhaps we could begin with public comment. I just -- I always worry, like, when we have these meetings, then, and now we go to public comment, like, how difficult must that be for people that actually provide public comments.

So I liked that in our previous meetings we would start the morning with public comment, and I just put that out there to kind of, you know, keep that as a -- somewhat of a practice where it makes sense. So that if there are people that want to call in, they don't have to wait all day for that -- you know, when it's convenient for us.

CHAIR TURNER: Okay. So they would start tomorrow morning with public comment on what?

MR. VILLANUEVA: It'd be general.

COMMISSIONER SADHWANI: Either a general public comment or because we will be starting a new item, it could be on that item. But to me, it's about -- it's more so about creating opportunities for folks to actually call in if they so choose.
CHAIR TURNER: Okay.

COMMISSIONER SADHWANI: That is easy and convenient for the public.

MS. JOHNSTON: Um-hum. Right.

CHAIR TURNER: Okay. I just wanted to be sure.

MS. JOHNSTON: You are required to have public comment on every item, but you can also have general comment whenever you wish.

CHAIR TURNER: So then we will agree to open the meeting with general comment tomorrow for a time period and then we will begin.

Commissioner Sinay.

COMMISSIONER SINAY: Just so that the public knows what item -- agenda item we will be doing, since agenda number -- item number 10 is moved to Friday, will we be beginning on training a general -- training on the general government structure?

MS. JOHNSTON: Yes.

COMMISSIONER SINAY: Okay. I just want to make sure.

CHAIR TURNER: Yeah. Raul, you said there were different times that you were going to assign tonight, but can we count on starting with 11, or is there something else first with the times?

MR. VILLANUEVA: The only things that have changed
out of sequence are the presentations --

CHAIR TURNER: Okay.

MS. JOHNSTON: By outside people.

CHAIR TURNER: Okay. So yes.

MR. VILLANUEVA: I'm sorry. Yes. By outside entities, yes.

CHAIR TURNER: Okay. So we are starting then with counsel Marian Johnston on agenda item number 11 after public comment.

COMMISSIONER SINAY: And can I clarify one more thing? Can we do public comment at the beginning and then public comment after she presents? Because some people may have -- there might be public comments after they hear.

CHAIR TURNER: Um-hum. I think to provide the maximum opportunity, what has been suggested is that we start with public comment, general, then go into our first agenda item, which tomorrow will be item 11. And after that presentation, we'll have public comment. I think one of the other things we can do is to come back from lunch with public comment, so we can put out that as well.

Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: I have a question. So what I heard is that agenda item number 10 is going to be
delayed to Friday or is being moved to Friday at 10 a.m. I do want to just let everybody know that I have a standing commitment that I cannot move, so I will be unavailable from 11:45 to probably 3:15, 3:30, our time here. So I just wanted to just say that out loud and then (indiscernible) if there are other items that are possibly (audio interference).

CHAIR TURNER: You were really bad on us hearing you, but I think you were telling us you would not be here Friday between --

COMMISSIONER AKUTAGAWA: 11:45 and about, say, 3:30. And so I just want to ask if there any other items that are being moved to Friday around that time?

MS. JOHNSTON: I don't think so, are there?

MR. VILLANUEVA: It depends on where we are on the -- it really depends on where the group is on the agenda.

COMMISSIONER AKUTAGAWA: Okay.

MS. JOHNSTON: There's nothing else on Friday. There's -- there is a 1:30 on Friday. A training on --

COMMISSIONER AKUTAGAWA: A 1:30 presentation?

MS. JOHNSTON: -- diverse demographics and geography.

MR. VILLANUEVA: Yes.

COMMISSIONER AKUTAGAWA: Okay.
MR. VILLANUEVA: At 1:30, yes.

MS. JOHNSTON: Number 19.

COMMISSIONER AKUTAGAWA: Okay.

MS. JOHNSTON: But all of this is being videotaped, and that will be available for you to review later if you miss a meeting.

COMMISSIONER AKUTAGAWA: Okay. Thank you.

CHAIR TURNER: Okay. One last question I have then before we close is, which of the agenda items will allow us to talk about any -- such as Commissioner Akutagawa just named, if there are any other days, times, et cetera, that we should avoid? Is that something that's going to come up on the agenda or do we need to set it as an agenda item?

MS. JOHNSTON: Do you want to give them the times now, then?

MR. VILLANUEVA: No. What -- as I understood the question is, is the suggestions about the team building, communication --

CHAIR TURNER: Um-hum.

MR. VILLANUEVA: -- all that discussion, what you're asking is where could it fit or does it fit on any agenda item for the current meeting; is that correct?

CHAIR TURNER: That's good. And what I was asking specifically, if, indeed, we know in advance that
Commissioner Akutagawa will not join us Fridays from 11 to 3 --

MR. VILLANUEVA: Right.

CHAIR TURNER: -- perhaps as we go forward, we will plan around that and any other such dates that a Commissioner may have that we know is not -- some of the Commissioners, some of us still work full-time jobs, some of us, you know, are off, retired. And so I just wanted to know when do we establish what will work optimally and then understand that we'll all make changes where we can? But we need to have that discussion.

Commissioner Le Mons.

COMMISSIONER LE MONS: Yeah. I was going to ask, can we -- I guess you're asking, when can we have that discussion? I think that we're a fourteen-member Commission. We have a quorum. I've mentioned this before. Sometimes we won't be here. And I would prefer that we don't get in the habit of trying to build agendas around personal schedules. So that's what I want to say to that.

CHAIR TURNER: Yeah. I hear you.

MR. VILLANUEVA: Do you have an answer to your question that you asked?

CHAIR TURNER: Oh, yes.

MR. VILLANUEVA: Okay. So the very last agenda
item, number 23, will -- the discussion of meeting dates
and future agenda items, that's really where that
belongs --

CHAIR TURNER: Oh, thank you.

MR. VILLANUEVA: -- in terms of identifying not just
your agenda items, but look at your calendar, be prepared
to talk about your future meeting, the things you would
like to include there. If you want us to have certain
presentations available for you. That's the time to have
that discussion. So as we move forward to item number
23, that's something to keep in the back of your mind to
make the best use of that agenda item.

CHAIR TURNER: Um-hum.

MR. VILLANUEVA: Thank you, Madam Chair.

CHAIR TURNER: Thank you for answering that, because
I'd asked the question.

Commissioner Sinay. Okay. Someone else had one --
had their hand up. No.

COMMISSIONER SINAY: I did have my hand up, but he
answered it. I was going to say 23.

CHAIR TURNER: Okay. So we're at 4:49, and this
meeting is recessed until tomorrow morning, 9:30. Thank
you all.

MS. JOHNSTON: Have a good evening, everyone.

(Whereupon, the CRC Business Meeting adjourned)
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_______________________ July 14, 2022

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