STATE OF CALIFORNIA

CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

CRC BUSINESS MEETING

WEDNESDAY, JULY 13, 2022

9:31 a.m.

Reported by:

Jacqueline Denlinger
APPEARANCES

COMMISSIONERS
Trena Turner, Chair
Linda Akutagawa, Vice-Chair
Isra Ahmad, Commissioner
Jane Andersen, Commissioner
Alicia Fernandez, Commissioner
Neal Fornaciari, Commissioner
J. 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
Alvaro E. Hernandez, Deputy Executive Director
Anthony Pane, Chief Counsel
Wanda Sheffield, Office Technician

TECHNICAL CONTRACTORS
Kristian Manoff, AV Technical Director/Comment Moderator

Also Present:

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CHAIR TURNER: Good morning, California. I'm Commissioner Trena Turner, and I'd like to welcome you to our July 13 California redistricting business meeting. I'll be your chair for today's session. The vice chair is Commissioner Akutagawa. And with that, we will ask, please, for the roll call.

MS. SHEFFIELD: Good morning, Commissioners.

Commissioner Vazquez?

Commissioner Yee?

COMMISSIONER YEE: Here.

MS. SHEFFIELD: Commissioner Ahmad?

Commissioner Akutagawa?

VICE-CHAIR AKUTAGAWA: Here.

MS. SHEFFIELD: Commissioner Andersen?

COMMISSIONER ANDERSEN: Here.

MS. SHEFFIELD: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Present.

MS. SHEFFIELD: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Here.

MS. SHEFFIELD: Commissioner Kennedy?

COMMISSIONER KENNEDY: Here.

MS. SHEFFIELD: Commissioner Le Mons?

COMMISSIONER LE MONS: Here.
MS. SHEFFIELD: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Here.

MS. SHEFFIELD: Commissioner Sinay?

COMMISSIONER SINAY: Here.

MS. SHEFFIELD: Commissioner Taylor?

COMMISSIONER TAYLOR: Estoy aqui.

MS. SHEFFIELD: Commissioner Toledo?

COMMISSIONER TOLEDO: Here.

MS. SHEFFIELD: And Commissioner Turner?

CHAIR TURNER: Here. Thank you, Ms. Sheffield.

MS. SHEFFIELD: You're welcome.

CHAIR TURNER: I'd like to go through the run of show so that those that may be listening in will know exactly what to expect.

It is so good to see all of the commissioners again. We went from seeing each other daily to now just a couple of times, perhaps a month. So it is always a pleasure. So you all are looking well and I hope that is in alignment with how you feel.

So today our run of show, we're going to first of all, so prepare yourself, if there are any general announcements from commissioners, we'll start there. At the top of our meeting, we will go through the director updates from both our Director Hernandez and Chief Counsel Pane and then we'll take -- and that will be
probably a good chunk of time that the information that 
has to be shared. And we will go then to a public 
comment for item number two, at which time we'll go 
through our subcommittees -- the subcommittees that I 
have that we'll be presenting today and we'll go in this 
order.

First of all, it will be our Legislative and Long-
Term Planning, Commissioner Akutagawa, and Fernandez, and 
they will probably still be presenting through our first 
break and we'll come back and complete that task. And 
we'll move then into the incarcerated populations with 
just Commissioner Fernandez, Commissioner Turner into 
Lessons Learned, Commissioner Kennedy and Yee website.

Oh, I'm going through this because there was a -- I 
wanted to give you a heads up. We do public comment at 
the end, of course, of every agenda item. I will be 
taking public comment after Legislative, Long-Term 
Planning, and Incarcerated Populations, just in case the 
public wants to weigh in on either of those items. So we 
will have public comment at the end of every agenda item.

And in addition to that, when we complete 
Legislative Long-Term Planning and Incarcerated 
Populations, there will be a special call for public 
comment at that time. Once we finish that, we'll move to 
Lessons Learned website. We will take a lunch.
After lunch, we will go into closed session to talk about possible litigation and maybe a personnel issue, and that should last no longer than one hour. We'll come back and continue with our subcommittee, and that will be our Redistricting Engagement, Commissioners Sinay and Fornaciari. Our Audit Subcommittee Commissioners Taylor and Le Mons. And then we'll end with our Staff Services, SSM-1 Subcommittee, Commissioner Turner, and Fernandez.

At that time, we will see if there are any other -- I think everyone I think that's everyone that said they had something to present, we then will have our general public comment. So we may be finished before break. We may go after. We'll do the work to get it done.

So at this time, I'd like to ask for all of the commissioners, if there are any general comments that you have for this session. Okay. Seeing none, we'll get into our day.

Director Hernandez, take it away.

EXECUTIVE DIRECTOR HERNANDEZ: Thank you, Chair.

And good morning, Commissioners. Again, today, I'll be covering just what staff has been doing. We'll go over a budget presentation that I put together for you and I'll be able to answer any questions at the end of the presentation as well.

I'll start off talking about our staffing and it
ties into the BCP that we have submitted and also in our budget requests that we had submitted. So on July 5th, the Department of Finance and to JLBC release post-map funds in the amount of $2,797,000. Staff worked very closely with DOF, JLBC to identify the needs for the next fiscal year, including our staffing needs. And a lot of the information came from the long-term planning worksheet that was put together, the number of meetings, how often and so forth.

So that information was very helpful in conveying our needs to the Department of Finance and Joint Legislative Budget Committee. And based on all our reduction or closing activities, we've estimated that our current staff would off board by the end of December 2022, and I'll go over some of the activities during my presentation.

So one of the things that we are trying to do as we're winding up our activities or reducing our activities, is making sure that we're systematic in our approach to capturing all our information, storing our information. So in essence, what we're trying to do, we're trying to organize the closet in talking with Raul, the last commission, because it was shut down so abruptly, they basically threw everything into the closet, closed the doors and left everything to you to
figure out and organize. And so we're trying not to do that.

We're trying to organize that closet as best we can so that the next commission can open the door and find things where they should be. And so that's essentially what we're trying to do in the next six months is organize everything for the next commission, as well as organizing the information for our staff person who will be with you for the next eight years that SSM-1 that you'll hear more about later on today and they will basically be on board soon, hopefully.

And beginning in January, they will be your primary contact person for anything and everything. Okay. Any questions on that part of it? And like I said, I'll be adding and sharing additional information on what those reduction activities or closing activities will be and during the presentation. Okay. I'm going to go ahead and move on.

These are some updates regarding our transcripts. Our new vendor who's doing the transcripts is making tremendous progress in completing the missing transcripts. So we're getting very much to the point where we're almost caught up. Our map request -- there was a request a couple of months ago to have ZIP codes available.
As you recall, we reached out to the U.S. Postal Service and we have yet to hear back from them. However, in the interim, we did find another website that did provide essentially what we were looking for. It's UnitedStatesZIPcodes.org website. We have a link on our website to that. And again, the data sources for that website are the U.S. Postal Service, the U.S. Census Bureau, Yahoo!, and the IRS. So I just want to update you on that.

Regarding our website, we'll have some additional information today. I'm going to defer to the Website Subcommittee for that update. Regarding our database beginning in August will be providing the State Archive a copy of our database and corresponding PDFs.

In addition, we're looking at possible long-term solutions beyond our table to improve access and ease of use by the public. That also connects the maps and the map viewer, the ESRI. So that will be available for the next eight years as well. So that's a long-term plan that we're looking at. More information is going to come in the future as we're identifying some of these possible solutions for you to consider. Any questions?

Okay. I'm going to go ahead and move on to some budget updates. As I mentioned earlier, DOF and JLBC approved the release of the post-map operations funds in
the amount of 2,797,000. As part of our justification to them, we identified those funds -- what those funds would be used for, and that'll be part of my presentation. On July 1st, we also, with the input of our Chief Counsel, Chief Counsel Pane, submitted another letter requesting the release of funds for litigation for the litigation contract because we're unable to finalize that contract at this point.

So we've explained in that request a bit more detail that is not just for litigation, but it also includes for advice, memoranda, and other legal services regarding the finalized boundaries. So we're getting -- we're hoping to have additional conversations with them to have the funds released for that.

An update on the COVID funds, we did ask JLBC and the DOF to consider releasing the remaining COVID funds. They asked for us to go back and see if we can identify any expenditures related to COVID funds beginning July 2020 through December 2021 that we can directly identify as COVID related.

And so after our review, we were unable to identify any additional COVID expenditures. And therefore, those funds that were remaining from the COVID that we did not request originally have reverted back to the general fund as of June 30th, 2022.
So essentially that request was canceled because we wouldn't have been able to use those funds. As I have mentioned before, the COVID funds will not be used to calculate the 2030 Commission Baseline Appropriation. And that's important to note because when we did look back, I think when we did look back, we wanted to make sure that whatever activities the Commission was involved in or performed that would need to be performed by the next commission were not assigned to COVID in the sense that those need to be included as part of the baseline for the next commission.

So we took a lot of care to identify and make sure that we weren't identifying activities that would need to be done regardless of COVID. So just wanted to make sure I clarified that piece of it, why we went back and why we weren't able to identify any additional funds.

So in regards to our expenditures, today I'll be providing you an update of our budget and expenditures in a PowerPoint presentation. The PowerPoint presentation is posted under the handouts for today's meeting, and we've also posted several PDF documents that show the detailed expenditures.

All of this was reviewed and discussed with the Audit Subcommittee and approved to be posted. So all that information is out there and is available. And with
that, I'm going to go ahead and start the PowerPoint presentation. Can you all see the presentation?

CHAIR TURNER: Yes.

EXECUTIVE DIRECTOR HERNANDEZ: Okay, wonderful. All right. So I'll take questions as they come up. I can't see everybody on the screen.

So Chair Turner, if you don't mind letting me know if there is a question, I can go ahead and pause at that point.

CHAIR TURNER: Will do.

EXECUTIVE DIRECTOR HERNANDEZ: Thank you. Okay. So first I started off, here's our appropriations. We have the 2019 which was 16,811,000. 2020, we had 92,000. 2021, we had 8,594,000. So total appropriation that the commission received was 25,497,000. Of that, 5,200,000 was directly transferred to the State auditors, and that's to perform the activities as the commission was standing up. So commission specific funding was 20,297,000.

Now, they've also identified the expenditure authority, which has a little bit more detail than just the lump sum amounts. So the baseline cost, you'll see that it was 3,936,000. 2019, operational cost was 1.3. Outreach, 2.065 million. Operational costs in 2020 was 92,000 that they gave us then. And then we requested --
as you recall, we did request additional funds when we
evaluated whether or not we needed them because of the
delays to COVID and also the data from the Census Bureau.

So the adjustments will be reflected there as part
of the 2021 allocation. So we just received as of July
5th, the 2,797,000. I did not include it in this report
as it was after the June -- end of the fiscal year. And
so just makes it for a clean break or separation of
information. So total amount that was released to the
commission is $14,778,614.

So unreleased funds -- as I mentioned, we did have
some unreleased funds from the COVID pot. If you
would -- that we did not use even though we did go back
and try to identify additional covered expenditures.
This is the amount that has been reverted back to the
general fund and this is the amount that is available
through June 2023. And that's the post-map funds.

And we did have those funds released prior to June.
So that's why they're included as part of this report
because they were released prior to the June 30th. Those
post-map activities carried us from January through June.
And now the additional funds that we've received as of
July 5th will carry us through --

CHAIR TURNER: And --

EXECUTIVE DIRECTOR HERNANDEZ: Yes?
CHAIR TURNER: And Alvaro, Commissioner Kennedy has a question.

EXECUTIVE DIRECTOR HERNANDEZ: Okay.

COMMISSIONER KENNEDY: Thank you, Commissioner Turner.

Director Hernandez, I just want to make sure that I'm understanding on that last line where it says reappropriated 2019 Budget Act funding. We're not double counting anything that was in that budget act of 2019 baseline operational costs or the Budget Act of 2019 Additional operational costs are we?

EXECUTIVE DIRECTOR HERNANDEZ: We are not. So in the original 2019 budget, they appropriated 4.297 million for litigation. That amount was reallocated in the 2021 Budget Act and it allowed for the Commission to use it for post-map operations, including litigation. So that same amount just carried over and we're not double counting on that.

COMMISSIONER KENNEDY: Okay. So have we taken out of the Budget Act of 2019 anything that we're showing under this reappropriate action of 2018 funding?

EXECUTIVE DIRECTOR HERNANDEZ: No.

COMMISSIONER KENNEDY: Okay.

EXECUTIVE DIRECTOR HERNANDEZ: Any other questions?

Okay.
CHAIR TURNER: Yes, Commissioner Yee?

COMMISSIONER YEE: Thank you, Chair. So Director Hernandez, just theoretically, if we had in fact expended the post-map litigation funds on litigation, then what would have happened to what we -- would we need an additional allocation for post-map operations?

EXECUTIVE DIRECTOR HERNANDEZ: That would have been one option. The other option would be basically to shut the door and say good-bye to staff and then we're done. And we didn't want to do that. So we would most likely request additional funds to get us through to the point where we were completed and had everything organized.

Fortunately, that hasn't happened. If there were to be any additional litigation moving forward, we would need to request those additional funds for that activity, for that litigation from the Department of Finance and JLBC as well.

COMMISSIONER YEE: Okay.

EXECUTIVE DIRECTOR HERNANDEZ: That would be a separate process, a separate activity that we would have to be involved in for that. Okay. Moving on.

So this was a preliminary budget. It was discussed in August of 2020. We discussed in October and discussed again in December 2020. This was before we knew all the delays of the Census, the COVID mandate. This was all
before then. So this is the original amount that the
Commission looked at and established as the budget.
And you'll see in the next slide here that our total
expenditures were less than that. But we did make some
adjustments throughout the process and this was the
adjusted budget. So it went down a couple of hundred
thousand from the previous from the original estimate.
So 15,339,000 is what we estimate in our budget, and we
came in our total expenditures at 12,200,000.
So here you'll see that there's an additional
breakdown. We have the pre-map expenditures, we have
post-map expenditures and then we have the total and then
we have the total amount that is remaining and we're
using the adjusted budget.
CHAIR TURNER: Alvaro?
EXECUTIVE DIRECTOR HERNANDEZ: Yes?
CHAIR TURNER: Yeah. I'm sorry to interrupt. In
case the questions that are coming now is based on the
previous slide before you get too far, Commissioner
Akutagawa and then Commissioner Fernandez.
VICE-CHAIR AKUTAGAWA: Yeah, just a quick question.
I know that you had reported that the new vendor for the
transcripts is working at a good pace. Is it's
interesting that the budget is significantly -- the
actual, I guess, expenditures, much less than what was
actually budgeted. Is it because of the delay of the
previous vendor?

Essentially, they didn't get the work done. So you
know, they just didn't have to charge for as much of the
work. And so you know, it's small, but it still adds to,
you know, to the size of the budget as we look at the
future. Is that a discrepancy due to nonperformance,
basically?

EXECUTIVE DIRECTOR HERNANDEZ: I would say, yes. As
you recall, the contract is they get paid when the
transcript is completed. So if they didn't complete the
transcript, they would not get paid. And so that's where
you would find that discrepancy. There's quite a bit of
difference. And then moving forward, the transcripts
that are being completed that were passed meetings, those
funds will be coming out of the post-map operation fund
because that's an activity that's being performed after
the maps.

VICE-CHAIR AKUTAGAWA: Okay. So it is --

EXECUTIVE DIRECTOR HERNANDEZ: After June.

VICE-CHAIR AKUTAGAWA: -- it is skewing it then.
And then also why is the translation interpretation
contract costs so much lower than what was budgeted?

EXECUTIVE DIRECTOR HERNANDEZ: We didn't have that
many requests. If you recall, we did share the
opportunity for people to call in and ask for translation
or interpretation in the meetings. And we didn't have a
whole lot of folks calling in for that, but we did have
and make that available to them if they needed it. So
that is part --

VICE-CHAIR AKUTAGAWA: Okay.

EXECUTIVE DIRECTOR HERNANDEZ: -- of the
discrepancy. We just didn't have the volume of
interpretation that we anticipated.

VICE-CHAIR AKUTAGAWA: Okay. That's helpful to
know. I think I just want to put a note, though, that we
shouldn't reduce it just because it wasn't used as much.
I think that doesn't mean that it won't in the future. I
think this was the first time that it's been offered as
extensively as it has, and I think it'd be important to
ensure that we continue to account for that and ensure
that in the future budgets, you know, that that is at
least at the full cost. And then if they don't use it,
then, you know, that's fine, but it should be made
available. Thanks.

CHAIR TURNER: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Thank you, Chair. Director
Hernandez, I think my question is similar to Commissioner
Akutagawa and has to do with the total expenditures,
because there are expenditures that are delayed that, you
know, as of July 1st, we hadn't paid yet. There's
outstanding invoices and some of the salaries and TDC's
and per diems. So I just want to make sure that I
understood. So these are just the expenditures that you
have as of June 30th. So would it necessarily reflect
all the expenditures of June 30th? It's just what has
been paid to that date; is that correct?

EXECUTIVE DIRECTOR HERNANDEZ: I would say so. And
for the most part, all of the activities we estimated
based on previous amounts from the previous months, there
may be some changes to that final amount if we have an
additional invoices that come in after the fact. But as
far as salaries, those are pretty much static. They're
not going to fluctuate too much. Commissioner per diem
and travel, as far as the travel, that's not going to
that may change a little bit, but the per diem may not
change all that much. All the other ones are pretty
caught up.

COMMISSIONER FERNANDEZ: Okay. So like for the
salaries, you projected it?

EXECUTIVE DIRECTOR HERNANDEZ: Correct. And we
projected --

COMMISSIONER FERNANDEZ: Okay.

EXECUTIVE DIRECTOR HERNANDEZ: -- primarily for June
because we don't have the actuals for June yet.
COMMISSIONER FERNANDEZ: Yeah. And that's probably one of the major costs. Thank you.

EXECUTIVE DIRECTOR HERNANDEZ: Yeah. The other note I wanted to make here is that we added some additional line items, for example, the ASL, the transcription and the translation. And the reason that we did that is because there were the higher dollar amounts and there were very specific contracts that we were tracking and so we added those. Obviously, we have many, many more contracts. And if you look at the contract services PDF, you'll see a list of all the different contracts that we have.

But these were the primary ones that the Commission identified that they wanted to track, and they were associated with a lot of the meetings that we had. So that's why we have added those into this chart and that's why we're tracking them like this. Any other questions?

CHAIR TURNER: Looks like we're good.

EXECUTIVE DIRECTOR HERNANDEZ: Okay. So here, this is a bigger picture with some detailed breakdown. We have the adjusted budget, we have the pre-map expenditures. Oh, I don't know what happened there. And you'll see that we estimated or we calculated the expenditures through December and that's the pre-map. The maps were completed December 27th, so we just carried
it all the way through the end of December.

Our total expenditures up until that date was 10,832,000, and then post-map expenditures was 1,376,000. So that's kind of where we separated. And part of the reason that we separated that out is because the Legislature has requested and the statute requests that we provide a specific information on the costs to complete the maps. So all the activities up to the map completion is what we're capturing, and that's a distinction that has been asked for us to provide details on. Any questions? Okay.

So of the release funds, the 14 million, we have 2.5 million remaining. If we subtract out those funds that were not expended, that leaves us with 1,503,000. That 1,503,000 coincides with the amount that was released for post-map activities. So you'll see that. And this is -- I find this very unique.

And I think it was a testament to how efficient this commission was in conducting their business, that we were able to come and be under budget because we had to pivot so often throughout the process. We added things throughout the process and so we were very good at tracking and making sure that we didn't overspend. So the total amount that we had available was 44,300,000 for all our closeout activities.
Okay. So here are projections through July 20, 22 through June 2023. Now, we're going on a fiscal year for the previous information that was shared, that was two fiscal years, actually, 2021 and 2022. Now, moving forward, we're in a new fiscal year is a '22/'23 fiscal year. And this is what our projections are. And this is based on, again, the information that was shared from the Long-Term Subcommittee, where they estimated the number of meetings that we would have for the for the next year.

Also, based on the salaries that we anticipated and some of the other activities for closing operations or reducing operations. And I'll get into more details at the end of the presentation as to what is involved in some of these activities.

I see a hand, Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Thank you, Executive Director.

I just wanted to make a comment that I really appreciate you showing that there's office space, because that's really one of my concerns. I want to make sure that there -- last time with the 2010, they kind of didn't have a home after they closed shop. So I want to make sure that there is some sort of office space for our staff and potentially our meetings. Thank you.

EXECUTIVE DIRECTOR HERNANDEZ: Yes.
CHAIR TURNER: Commissioner Kennedy?

COMMISSIONER KENNEDY: On that, this -- we pay rent on the space that we currently have or that's provided? So I'm not understanding why we pay rent in the future if the requirement in the legal framework is that the Governor's office provide us with office space. I don't recall there being a time limit on that provision that the Governor's office provide us with office space.

Thank you.

EXECUTIVE DIRECTOR HERNANDEZ: We are looking at that. Our understanding from the last Commission at the end of the activities of drawing the maps, essentially everything ended. So we're being a little bit more precautious, anticipating that that may change. We'll certainly pursue that and see if we can have that available to us at no cost. But in the event that we don't, we wanted to make sure we have the funds available to move forward.

Again, as Commissioner Fernandez mentioned, the last time we didn't have an office space, it was basically you're done, you know, figure it out. And we had staff that figured it out. You know, they were working remotely before it was the thing to do.

So moving forward, we'll look into it. But we want to be cautious and want to be prepared. We're looking at
particular office space here so that we don't have to change everything. And hopefully that will work out. More information will follow on that piece of it. Thank you.

Okay. I'm going to go ahead and talk a little bit more details about the pre-map and the post-map expenditures. And this will be more of a visualization piece of it. We'll have some graphs that will help you kind of see our activity peaks and valleys. So the pre-map budget, again, this is through the end of December. Those are the activities that we performed through that time frame.

This was the budget for that time frame. Our expenditures were 10,832,000. From January through June, this is kind of the breakdown. We budgeted 1 million for salaries. It came up a little bit higher. But in the end, we were below what we originally estimated to be the budget. We're at 1.3.

So again, this is a slide that I showed earlier. This shows you the big picture. I'll move on here. This is a visual. The majority of our budget was spent on salaries, wages and per diem and videography costs. And you'll see that our operations was a lot less than what we originally estimated.

One of the big things that we realized was that a
lot of the contract services were included in the -- and all references from this point on OE&E bucket, if you would call it. OE&E stands for operation expenditures and equipment. And so a lot of these contract services were included there.

We separated them out so that we can track them individually. So that's why you'll see that originally our operations cost was extremely high and ultimately it was reduced because we pulled information out to itemize it a little bit better.

Here, this slide is just to show the activities for the salaries. And you'll see as we picked up our activities in December of 2020, it's the hiring of our Communications Director, Executive Director, Deputy Executive Director and some other staff. We peeked a little bit there. We had some changes and then we went up again in February, March.

And then as we started doing the outreach activities through the end of December and January, actually, we were at full staff, full capacity. And you'll see the activities of the of the staff as well as the commissioners.

This here, this is our meeting expenditures. This shows and reflects the expenditures to put on a meeting essentially without the commissioners or the salaries of
the staff. This is just meeting expenditures. So we have videography, ASL, interpretation and translation. As I noted, that wasn't as high as we anticipated it would be. In August, we had kind of our peak of our interpretation services, so that is reflected there.

I see a hand there, Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Director Hernandez. M

I'd like to go back and endorse Commissioner Akutagawa's point about making sure that there is an ample budget for interpretation for the 2030 Commission. I think part of the reason that we see the interpretation costs varying so much during this period is that we did not implement a policy of offering Spanish interpretation for all meetings.

And I think we've generally, my sense at least is we generally reached agreement that that should in fact be the case going forward. So I would have met I would imagine that if we had had Spanish interpretation for all of our meetings, that the interpretation costs would be more significant and a little more even throughout the period. Thank you.

EXECUTIVE DIRECTOR HERNANDEZ: Okay. The next slide here is in regards to our line drawer and legal services and we didn't have them before March. And so that's why
it doesn't reflect any information there. But you'll see, you know, all the activities ramped up from November through December as we were completing the maps. So it's just a nice visual to kind of capture that activity.

And then here it everything together, all the different activities that we have going on. As I mentioned, these are our projections from July 2022 through June 2023. The funds that were allocated for post-map operations, they revert back in June of 2023. So just to note that. These are some of the activities that will be performing during that time frame. The staff that is remaining.

Now, obviously the SSM-1 will have carryover of some of these activities as well as some additional activities moving forward. We would work with them to ensure that they -- there is a smooth transition to any of the activities that were not completed or were upon completion so that they can carry them forward and also provide additional information to the Commission as needed on any activities that were not yet completed or any follow ups that needed to be done.

But obviously the Budgets and Accounting, we're working on that on a regular basis. The majority of the information for the previous fiscal year is going to be available in the latter part of July, early August, is
our understanding. So we'll be working on a lot of
information to put together a report, and we will be
working with the Finance and Admin Subcommittee to
provide that information so that they can work on that
report as well.

Property inventory: We're going to be conducting a
property inventory. That means all our equipment that we
have, all the laptops, our office equipment, things of
that nature. A lot of it is going to go back to the
State warehouse and we're going to work with the
Department of Rehabilitation, which is the building in
which we are in, and the Department of General Service to
identify an office space for the next eight years.

Accounts and Contracts: We've identified some of
the contracts that will remain. For example, the
videography ASL, transcription, some of the other
contracts will include our contract services will include
our Verizon contract for our cell phones, AT&T, things of
that nature that will carry forward to ensure that the
commission continues and is able to conduct their
business.

Commissioner Sinay?

COMMISSIONER SINAY: Thank you. This presentation
is really well done and it's really helpful. A quick
question you had said about returning equipment and
property. It's an inventory, but we're not returning our
laptops and cell phones until the end of the ten years or
what's the thought there? It just feels like we have
really good laptops.

EXECUTIVE DIRECTOR HERNANDEZ: Yes.

COMMISSIONER SINAY: They are probably not being
used as much as somebody else may be able to use.

EXECUTIVE DIRECTOR HERNANDEZ: The laptops that the
commissioners have will stay. I'm referring mostly to
the other laptops, other equipment that we have from
staff that is no longer with us or won't be with us. The
Commissioner's equipment will continue on.

CHAIR TURNER: Commissioner Fornaciari?

Commissioner Andersen?

COMMISSIONER ANDERSEN: Yes. Sorry.

CHAIR TURNER: That's okay.

COMMISSIONER FORNACIARI: Yeah, I, too, want to
thank Executive Director Hernandez and his team for
putting this together. This was really, really helpful.

Really well-done snapshot of what we did and what we
spent. It's going to be very helpful, obviously, for
writing the report that we need to write to the
Department of Finance and for those committees that are
looking to the future for work.

I just want to say to the -- to you and the
Commission that, you know, while there were some additional expenses that -- COVID related expenses that the Commission undertook, there are also some savings. So we need to be really deliberate about how we think of that and how we present to the Legislature, you know, what our estimated actual costs, what we believe the costs will be for the next commission. Sorry. But thank you again for this this report. Really well done. Thank you.

CHAIR TURNER: Thank you. Commissioner Andersen?

COMMISSIONER ANDERSEN: Thank you, Chair. Yes. also concur with the congratulations and thank you on this document. It really is very helpful. I also concur with the thought. We did have a lot of savings in what we did over this time period based on travel specifically and many other items that would have had to been done in a much shorter time period, which causes in inefficiency usually and more time.

So I want us to be really careful about that. But the item I want to talk about just briefly is the office space for the next eight years, and this is going to the close of '23. But as it stands now, July 1st of '23, we have to -- any of our meetings have to be in public so you know where our office is and the cost of how we do a public meeting.
It needs to be in the budget somehow because we are planning on actually having some meetings and I'm not sure I didn't see where that would be quite included in specifically where it might be included. So that's an item I want us to keep in mind when we look at office space for the next eight years.

EXECUTIVE DIRECTOR HERNANDEZ: Sure. And if I can answer that question. The budget moving forward from July 1st, 2023 and thereafter until the new commission is seated, that was part of the BCP and there is an associated expenditure or budgeted amount for meetings to be held in person. That's one of the things that when we were discussing it with Department of Finance, we made clear that we don't know if the law will change.

We need to have and make sure that we have available funds for travel, for the commission and for a venue site if we are now -- if we go back to in-person meetings. That is yet to be seen. Obviously, the things have changed considerably now that we're back to remote meetings. Come July 1st of 2023, I don't know what that will be, but we have considered that and we have funds available for those activities.

CHAIR TURNER: Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. Going back to my previous comment regarding office space, Government
Code Section 8250 3.6(A), in the middle of that paragraph says the governor shall also make adequate office space and meeting space available for the operation of the commission.

Now, admittedly, there are references elsewhere in that paragraph to a period of three years. So we would need Chief Counsel Pane's advice on whether that three-year period also refers to the Governor making available adequate office space and meeting space. But to the extent that there is a -- that we would see -- might see a statutory limit to a three-year period on providing adequate office space and meeting space, this might be something that we add to our list of Legislative changes that we want to make it clear that that sentence the governor shall also make adequate office and meeting space available for the operation of the Commission is for the entire term of the commission.

And I would also encourage us to focus on the fact that this does say both. This does refer to both office space and meeting space. Thank you.

CHAIR TURNER: Thank you, Commissioner Kennedy.

Director Hernandez?

DIRECTOR HERNANDEZ? Oh, thank you. That concludes my presentation.

CHAIR TURNER: Okay. Thank you for the
presentation. Is that for your full report today? Do you have anything else?

EXECUTIVE DIRECTOR HERNANDEZ: No, that is my complete report. The PowerPoint is available and it was posted on our website under the handouts, along with the other handouts that detail the expenditures by month.

CHAIR TURNER: Okay. And just a quick question. Chief Counsel Pane or Director Hernandez, the concern to questions that was lifted today, what is the expectation on path forth to be able to determine how we should move?

EXECUTIVE DIRECTOR HERNANDEZ: So just for clarification, are you referring to the office space question?

CHAIR TURNER: Um-hum.

EXECUTIVE DIRECTOR HERNANDEZ: Okay.

CHAIR TURNER: Yeah, yes.

EXECUTIVE DIRECTOR HERNANDEZ: That's the one I have listed here. We're going to look into that a little bit more. Based on our experience or Raul's experience from 2020 -- from 2010, it was very different. And so we're charting a different path. And so we'll look into this a little bit further. I'll consult with Chief Counsel Pane as to what will happen next and what path we should take.

CHAIR TURNER: Um-hum. Okay. Okay. And to then the commissioners, I was also writing and listening. Was
there something else? Do we have clarity on all of the piece parts that was lifted as far as what we need and who's taking -- who's going to check into it, I know there was the request to ensure that translation services are not minimized and you took that one. Is everything else clear in our minds?

Commissioner Sinay?

COMMISSIONER SINAY: I just want to make sure that the right subcommittee took on the recommendation from Commissioner Kennedy to create language around that last piece that Commissioner Kennedy brought up.

CHAIR TURNER: Is that your -- whose subcommittee is it?

COMMISSIONER SINAY: Yeah. Commissioner Fernandez and Akutagawa.

CHAIR TURNER: Okay. Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes, I did jot it down. Obviously, it won't be on the spreadsheet that we go over today because we've already we already have that out there. But it can be discussed in future meetings. And I did have one more thing. I missed this -- I missed my hand on this one, Executive Director Hernandez. On the transcripts, I think it's important with -- to provide feedback on the initial vendor that we had that did not perform.
I think it's important to provide feedback to Department of General Services in terms of them not completing what we had requested. And I think it's important for other agencies who may be wanting those services as well. I think it's very important to provide that feedback. Thank you.

CHAIR TURNER: Thank you.

Commissioner, Yee?

COMMISSIONER YEE: Thank you, Chair. Thank you, Dr. Hernandez, for this presentation and all the details that you and your staff put together. I'm wondering if I can risk digesting it down to a sound bite version. I'm hoping you can check me on this. So as I understand it, so the auditors spent a little over 5 million to see this. We then spent a little over 12 million through June this last month to do all our work. So that's a little over 17 million.

We're projecting about 3 million for the coming year or so until all staff are wrapped up. So that's 17 plus 3, about a little over 20 million for all operations and everything through the end of next year. And then you said at the very beginning there were initial appropriations, the total of all the appropriations was about 25 million.

So total appropriations, 25 million, actual
expenditures through in the next year, about 20 million. And so we end up not spending almost 5 million that was appropriated. Does that sound right? And basically, that was litigation. Post map litigation we didn't have to spend money on. So in round numbers does that sound about right?

EXECUTIVE DIRECTOR HERNANDEZ: That sounds about right to me.

CHAIR TURNER: Thank you. Any other questions or comments for Director Hernandez?

Director Hernandez?

EXECUTIVE DIRECTOR HERNANDEZ: Yes, I just wanted to thank my staff, Terry, our budget officer, Raul, and our Audit Subcommittee. They were very helpful in providing guidance and going through and looking at the PowerPoint to make sure that it made sense and we were able to get through it. So I wanted to thank them for all their assistance.

CHAIR TURNER: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes, thank you. Just quickly, I also wanted to thank Director Hernandez and his staff and also the subcommittee. This is what Finance Admin Subcommittee. That's what we're looking for, all the detail, all the information. So thank you so much. I know it was an easy task and it was a lot of
work. And I appreciate you presenting it in a
information -- in a in a method that was easy to
understand. Thank you so much.

CHAIR TURNER: All right. Director Hernandez, do
you feel appreciated? A lot of the commissioners have
said one-on-one. We've all went through. We are very
much pleased with the report. We look forward to the
just the tweaks, the upgrades, the answers to the
questions. But job well done for sure. Thank you.

EXECUTIVE DIRECTOR HERNANDEZ: Thank you.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: It took a long time to get
here. And so I really appreciate the report we have and
that we finally can understand everything. What I would
hope is, Director Alvaro, that you may write a good memo
to whoever heads up the commission 2030 on what is a good
financial accounting and good report for the public and
for commissioners, because it took us a long while to get
here. And of course, they're going to want to do it
their own way. But I think just having a template or
something is always a great place to start and then build
from there.

CHAIR TURNER: Beautiful. Okay. Thank you. Thank
you. At this point, then we'll go ahead and move to our
Chief Counsel Pane for any updates or announcements you
have for us there.

MR. PANE: Thank you, Chair. Good morning, Commissioners. I did want to make one mention, as you all may know, that the Governor had signed the budget. And there's a provision in that in SB 189, which was signed for the budget that allowed suspension of the Bagley-Keene requirements for the in-person locations essentially to continue what was happening under executive orders, where there's not a requirement for a physical location and all -- where members are able to participate remotely. And so we will -- are able to continue that until July 1st of 2023, at which point that statute is repealed.

In the interim, it's very likely that a more permanent solution is going to be worked out Legislatively. We don't know what that is yet, but that's something we will certainly monitor and work closely on. So I'll be engaging the commission on that when we know more. So just sort of -- there's sort of two pieces. There's the bridge to July 1st of 2023 and then in the interim, there's likely to be a permanent solution. And that may or may not be what it looks like -- what keeps us going until July 1 of 2023.

CHAIR TURNER: Thank you, Chief Counsel Pane. We appreciate that. And I'd like to say yay. And we have
all fourteen commissioners online. So I'm super excited about that. And I'm just really hopeful that with the work that's being done and with our adding into that work, we're able to have something a little bit more permanent, even beyond the year in place, so that we won't keep tripping over this depending on what's going on in the world. So yes, thank you for the update and I'm glad for our reprieve. We have, at least for the next twelve months, to be able to still conduct business in a safe manner.

At this point, I'm going to call for public comment on item number 2. Kristian?

PUBLIC COMMENT MODERATOR: Yeah. I can help you with that, Chair. Just a moment. In order to maximize transparency and public participation in our process, the commissioners will be taking public comment by phone. To call in, dial the telephone number provided on the livestream feed. It is 877-853-5247. When prompted, enter the meeting ID number provided on the live stream. It is 81170012495. When prompted to enter a participant ID simply press the pound.

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

Please make sure to meet your computer or livestream audio to prevent any feedback or distortion during your call. Once you're waiting in the queue, be alert for when it is your turn to speak. And again, please turn down the livestream volume. And there are no callers in the queue at this time, Chair.

CHAIR TURNER: Okay. Then we will go ahead and move on to our subcommittee reports. We have a good chunk of time about thirty minutes before our first break. So we will begin with our Legislative and Long-Term Planning, Commissioners Akutagawa and Commissioner Fernandez.

COMMISSIONER FERNANDEZ: I thank you, Chair. We had quite a few documents, handouts, and I was trying to figure out which order we should go in. I think hopefully Commissioner Akutagawa will agree. I think we'll start with the letter of support. Is that part of the best? Okay. So one of the one of the documents is a letter of support for Assembly Bill 1848. And this is the bill that would make the change related to how we -- how future commissions handle the incarcerated population in our state facilities instead of the Legislature
requesting that we count the incarcerated population at prior residence, that it will be an automatic, that they will do it that way. Also provided as handout was a copy of the -- or a link to the bill, or maybe there was a copy of the latest bill. And you can look at that language and you can see what the changes are. And so what this is a letter of support as we as the bill moves forward. It has I think right now it's at the State appropriations. I think that's the last place it's going to be. Before then it would move forward to the governor's office. The Legislature is on recess this month, so it won't be heard until next month. So we felt that it was important to move this forward as soon as possible, because for the appropriations, they may not -- there may not be a chance to testify because there is not a fiscal financial impact or the financial impact is under a certain amount. So what's brought forward is a letter of support. So we're asking the commission to hopefully vote to forward this to the Legislature. Thank you. Or to the Governor's office. Sorry. Thank you.

CHAIR TURNER: And Commissioner Fernandez -- oh, Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. I'm trying to get back to the copy of the letter that I just got. Okay. The last sentence in paragraph 3 is to me, I can't...
figure out what the intent of that sentence is, and I
hope we can redraft it before the letter goes out. I
don't know whether it's trying to convey that once the
last -- the incarcerated person's last known address is
known or because it's known and it just -- it comes
across as very awkward and I think we can help. We can
come up with better wording for it. Thank you.

CHAIR TURNER: Commissioner Kennedy, you're
referring to the as the as opposed to one of your other
word choices?

COMMISSIONER KENNEDY: That whole sentence,
basically.

CHAIR TURNER: Okay.

COMMISSIONER KENNEDY: I think it needs to be. I
mean, I keep coming back to the purpose of language is to
make it impossible to be misunderstood. And I think this
sentence has many possibilities of being misunderstood.

CHAIR TURNER: Okay. We'll look at that.

Commissioner Andersen?

COMMISSIONER ANDERSEN: Thank you, Chair. Yeah.
First of all, I want to say, while the committee -- the
subcommittee has done amazing amounts of work and I
really love so much of all of the items and I had very
little comment, unfortunately, this particular one I
have -- I do have a lot of comments on. I agree with
Commissioner Kennedy. It tries to be concise and say what it means, but it's a little vague. And I would -- I was trying to come up with proper wording for it. And you know, rather than take a bunch of commission time, I'd like to actually say that I possibly even worked with Commissioner Kennedy or just suggest ideas to the subcommittee to quickly revise this because basically, I think it's simpler than that.

Right now, all the other jurisdictions are required to do this. But we were only requested. So we're just trying to be consistent with the other jurisdictions. It's sort of that simple and put into law. And we sort of get around to saying that. But it's just a little to --

CHAIR TURNER: God bless you.

COMMISSIONER ANDERSEN: I did not have a chance to actually work up exactly what the -- oh, how about this passed everybody? But I would really like us to reconsider because I think it -- well, this letter does not reflect all the fantastic work the subcommittee has been doing and all the precise wording and changing that I think they've been doing. And this one, I still don't understand it.

CHAIR TURNER: Yeah. Okay. So I'd ask Commissioner Akutagawa and Fernandez your intent for this letter. The
intent and what is your desire?

COMMISSIONER FERNANDEZ: Well, the intent of the letter is so that we go on record as a commission to support the Assembly bill.

CHAIR TURNER: Right. So not necessarily reflection of all the other work you're doing is just to say --

COMMISSIONER FERNANDEZ: No, not at all.

CHAIR TURNER: -- yes, we support what you are already doing.

COMMISSIONER FERNANDEZ: Yes.

CHAIR TURNER: Okay.

COMMISSIONER FERNANDEZ: Yes, yes.

CHAIR TURNER: Yes. Okay. And with that --

COMMISSIONER FERNANDEZ: -- just for this piece of it.

CHAIR TURNER: Yeah.

Commissioner Andersen?

COMMISSIONER ANDERSEN: Yes. Could I ask, what is the time frame of -- do we need to -- if we don't send this forward right now is it too late?

COMMISSIONER FERNANDEZ: I would say yes because we won't meet until next month. And next month is when it will be heard and sent to the Governor's office. And we've been able to get around it in terms of the support because I have been able to carve-out some time to
testify at each of the committee meetings.

But as I mentioned earlier, for the next step, there may not be a chance to testify because it may go on a consent calendar due to the low fiscal impact of this bill.

CHAIR TURNER: Yeah, and I'm certainly hoping we don't delay and miss the opportunity to support it. So maybe with just a couple of word choices that can even be sent and submitted while we're in this meeting, we can have something that we will land on.

Commissioner Sinay?

COMMISSIONER SINAY: Pass.

CHAIR TURNER: Commissioner Akutagawa?

VICE-CHAIR AKUTAGAWA: Yes. Thank you, Chair Turner. I think you did say what I wanted to say. I think, you know, we just need to go on record that we're in support of this. And I think that's essentially what we were trying to just say. It's as simple as possible and just get something out there before the Legislature reconvenes in August. So yes, sooner than later, please. Thank you.

CHAIR TURNER: Yes. Good, good.

Commissioner Sinay?

COMMISSIONER SINAY: I passed, but then I just -- I hear what's being said. You know, the letter is shorter
than the headers. And so it is a good, simple letter. But I don't want us to take for granted that everybody understands the issue and why this is important. And you know, when Commissioner Fernandez and I first presented it to the -- to you all, to the commissioners, we really did a good background piece.

And maybe what I think what I'm hearing is it might be good to just add a couple of the bullets from the background piece so that all the member -- we don't make any assumptions that the members that are sitting on this committee or the greater Assembly and Senate when they have to vote, know what we mean by prisoner or even using the word prisoner gerrymandering, but that's what we're trying to get around.

So it might be good just to add a couple of bullets as a primer because we kind of stuff everything in that last sentence. But if you're not in the know, it doesn't really make sense.

CHAIR TURNER: Okay. And are those bullets that you'd have prepared tonight, Commissioner Sinay, to send over to Commissioners Fernandez and Akutagawa for this meeting? Are you suggesting that we do some work and --

COMMISSIONER SINAY: I could probably look at the original memo that Commissioner Fernandez and I created and just pull some from there because that we -- there
was a lot of that went into that.

CHAIR TURNER: Okay, great. So we won't -- so Commissioners, I'm going to -- Fernandez and Akutagawa, I'm going to punt back to you to continue with the rest of your report.

COMMISSIONER FERNANDEZ: Okay. Thank you. And I guess I want to go on record and I've read that last sentence like three or four times. It's probably 20 times by now and I guess I wasn't confused by it, but I think maybe I'm just a little too close to it. So I'm not sure -- yeah, again, I don't know if we'll have time to make changes and maybe we just omit that last sentence if it is that confusing, which we can discuss that further.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: I guess I wouldn't want to omit that sentence just because that kind of is the heart of why this is important from how I read it. And I could be reading it incorrectly.

CHAIR TURNER: Well, to Commissioner Kennedy's point, we want no possibility that she'll read it incorrectly or very little possibility. So let's see, Chief Counsel Pane?

MR. PANÉ: Thank you, Chair. Just to reiterate what Commissioner Kennedy recommended earlier. I think he
recommended the word once instead and replacing that
instead of the other two words that begin that sentence.
So I mean, that sounds like that could be a concrete
solution, easy replacement. And I think that would work
out fine as well.

CHAIR TURNER: Except he said that was not just that
first part, that whole sentence read a little wonky, for
lack of a better term for him. So if we go with the once
and then maybe just let's sit with it for the next little
bit. And if we because we read that once the last known
incarcerated person's address is known, it is a farairer determination to count incarcerated persons at
their last known address rather than at the correctional
facility. Okay. Once the last known incarcerated
person.

Yeah. So we're talking about in this letter, the --
that the fact that we want the last known then
incarcerated persons last known address known. So
perhaps we can just even say, what do you think,
Commissioner Kennedy, about, just lose the first part of
that sentence entirely and just kind of double down on
the last part.

It is a fair determination to count incarcerated
persons at their last known address rather than at the
correctional facility. Maybe it's a repeat it. Oh,
there you go. Maybe it's the repetition of that first
part that causes some problem. I'm not certain.

Commissioner Kennedy?

COMMISSIONER KENNEDY: It is -- I'm just making sure
I'm unmuted, that that is certainly part of it. I think
if we said something like because an incarcerated
individual's previous address is known, it is a far
fairer determination to count incarcerated persons at
their last known address rather than at the correctional
facility.

CHAIR TURNER: Beautiful.

COMMISSIONER FERNANDEZ: Just one more time, please.
I started to write, and then I lost my train of thought.

COMMISSIONER KENNEDY: Sorry.

COMMISSIONER FERNANDEZ: That's it. No, that's me.

COMMISSIONER KENNEDY: Because an incarcerated
person's previous address is known and then the part
after the comma remains the same.


Because an incarcerated person's --

CHAIR TURNER: I like that a lot.

COMMISSIONER FERNANDEZ: Yeah.

CHAIR TURNER: Commissioner Kennedy?

COMMISSIONER KENNEDY: Pass.

CHAIR TURNER: Okay. Commissioner Taylor?
COMMISSIONER TAYLOR: Good morning, everyone, if I haven't said it already. So as I'm reading through the letter, I'm a little concerned that it feels like we're advocating for a specific population knowing that we have to represent all Californians. So I just think there should be a slight statement in there that says how this affects our work. I'm not saying that it's not a correct advocacy, but how this lends itself to gerrymandering, how it lends itself to an improper count. We just state that it's not fair to this specific population.

But again, we have to represent all of California. So I think in the last sentence, we say doing the latter artificially drives up numbers in a county -- in a city with a correctional facility. And that lends itself to gerrymandering from our point of view. I think that has to be stated why -- I think we have to stay why we're doing. And how it affects everyone. If we have an improper count, it affects everyone. And we're not just advocating for a specific population of people in my opinion, since the Commission represents all.

CHAIR TURNER: Got it. Thank you.

COMMISSIONER TAYLOR: Thank you.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: Thank you, Commissioner Taylor. That's what I was trying to say. I did go back to the
original memo and we -- that when we voted on this and we said, by inflating the apparent size of the political influence of areas within incarceration facilities, prison gerrymandering violates our Constitutional right to equally -- to equal political power based on population size.

This problem is especially urgent and harmful in today's mass incarceration era and may limit the voices and power of communities of color. So we might want to tweak it a little, but that was what we used as our reason why we voted to do this back in May.

CHAIR TURNER: Thank you.

Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. It also occurs to me that if a major part of our rationale for supporting this change is to make the provisions regarding statewide redistricting compatible with the requirements for local redistricting, let's go ahead and say that. You know, it's mandatory that other jurisdictions do it this way. So why not go ahead and make it mandatory for the statewide redistricting? Thank you.

CHAIR TURNER: I like it.

Commissioners Sinay? Nope. Okay. Okay. Chief Counsel Pane, you know, you got all of that. And
Commissioner Fernandez and Akutagawa, we're going to sit with those suggestions and our little busy people in the back that doesn't exist, really, those elves, will start to put that letter together while we're talking so that we'll be able to present it at the end and conclusion of this part of the session. So yep, we'll be working on it behind the scenes.

So Commissioner Fernandez and Akutagawa, if you will continue.

COMMISSIONER FERNANDEZ: Okay. We're we the elves? Commissioner Akutagawa and I were working on it. I thank our Chief Counsel Pane --

CHAIR TURNER: Chief Counsel Pane.

COMMISSIONER FERNANDEZ: -- which I have to go on record and say that he has been invaluable to the long-term and also -- what do we call -- the Legislative Subcommittee. And when drafting letters, drafting Legislative language, pretty much keeping us on track. So thank you so much for that, for being such a wonderful ally, I guess. I think should the next -- you want to move on Commissioner Akutagawa. Should we move on to the language for the areas?

CHAIR TURNER: Commissioner Fernandez, I guess your mic -- something just happened. You were clear earlier and now there's --
COMMISSIONER FERNANDEZ: Yeah, Kristian told me there's something going on. So how about Commissioner Akutagawa, could you take over and I'm going to reboot, please?

VICE-CHAIR AKUTAGAWA: All right. Sounds good. Okay, so we had a number of handouts. I will start with the draft proposed Legislative changes with support handout. So that way then we will all be on the same page. There's a lot of documents in this round. So in it you could see that we had voted and agreed upon certain areas in which we wanted to see Legislative changes.

So as part of the last discussion that we had, there was a request to come back with some proposed language, draft language, for the Legislative changes. So in the order in which you'll see on the document, I'll start here. So we have we have language -- and this is so that everybody, again, is on the same page. We have a draft. I'm sorry. I guess the document is called Draft Proposed Legislative Changes with Support.

And then the other document is called Potential Legislative Changes 711 2022 So the potential Legislative changes document, what that shows is all of the changes that have been brought up previously. The ones that are highlighted in Gray are the ones in which we are coming
forward with language under the document that is called Draft Potential Legislative Changes with Support.

So on that document, you'll see that the first one, which is it is labeled A1 and A2 because we were using a different document that we ported over. So the first one is in the changes to the elections code regarding reallocation of state and federal inmates residences.

We did just present the support letter that is for AB 1848, which does impact the reallocation of state incarcerated people in state facilities. The federal incarcerated people, we are still working on that right now. So I wanted to just note that. So we are not going to be presenting anything.

I know that after we finished the Federal Incarcerated People Subcommittee, who is working on the federal level are going to be making a report as well too. I also want to, now, just keep moving forward. On the document that I'm looking at, which is the Draft Proposed Legislative Changes. We have also A4, which is a procurement exemption on this. What we wanted to do is to make it for the next commission easier for them to be able to procure or enact contracts, especially given the limited time frames that the Commission is working in.

And you'll see that at the very end of this particular public contract code, which is section 10430.
There is a simple change in which you'll see highlighted in green that transactions covered under Chapter 3.2, commencing with 8251 of division one of title two of the Government code. The Commission shall annually file a report disclosing the total amount of money paid or to be paid to the contractor under the contract. The Commission shall provide notice to the Joint Legislative Budget Committee within thirty days of posting the report.

Part of this is, we have requested to be added to a procurement exemption list so that we can be able to enact these changes. But with the also known -- I guess I'll just say the accountability of us as a commission or the future commission, not just doing things on their own without any accountability. And so what we've written into here is language that will also ensure that there is going to be public disclosure and also accountability to this particular topic.

Next one, and I'm just going to go through all of them real quick, and then we can go back through and then talk about each one individually. The next one is A5, which is a request to have three days' notice in the Legislative language so that as we're closer to the time of line drive --

CHAIR TURNER: Commissioner Akutagawa?
VICE-CHAIR AKUTAGAWA: Yes?

CHAIR TURNER: May I may request just a slight upgrade to that so that we'll know if any of these we can kind of put to bed we're good with it? But some may have a little more discussion than the other. Like, so you just went through that A4 and its -- and just to see if there's anything there so that we're not then going back to them again.

VICE-CHAIR AKUTAGAWA: Okay.

CHAIR TURNER: Is that okay?

VICE-CHAIR AKUTAGAWA: Okay.

CHAIR TURNER: So for -- Commissioner Kennedy?

COMMISSIONER KENNEDY: Yeah. Just some small concern on the within thirty days of posting of the report. Just wondering if we need thirty days? If we're posting it, we should be able to alert the JLBC concurrently or within, I don't know, three days', not 30 days of the posting of the report. Thank you.

VICE-CHAIR AKUTAGAWA: And actually, I'm going to ask Commissioner Fernandez to step in on this one about the procurement exemption. I believe that we wanted -- I think, Commissioner Kennedy, are you asking for -- are you commenting that it should be less than thirty days to post the report versus --

COMMISSIONER KENNEDY: Yes.
VICE-CHAIR AKUTAGAWA: Okay.

COMMISSIONER KENNEDY: But not so much the posting
of the report, it's the providing notice to the JLBC that
we have posted the report. That last sentence in green.

VICE-CHAIR AKUTAGAWA: Oh, I see what you're saying.

Okay.

COMMISSIONER KENNEDY: Yeah.

VICE-CHAIR AKUTAGAWA: Okay.

COMMISSIONER KENNEDY: So if we're posting it, we
should be able to let them know immediately or know
within three days' rather than thirty days.

VICE-CHAIR AKUTAGAWA: Oh, okay. I see. So it's a
clarification of language in terms of when we'll notify
them when the report is posted versus --

COMMISSIONER KENNEDY: Correct.


COMMISSIONER KENNEDY: Thank you.

VICE-CHAIR AKUTAGAWA: We'll note that. Any other
questions --

COMMISSIONER FERNANDEZ: Did you just want me to
respond? I think that was fine.

VICE-CHAIR AKUTAGAWA: Yeah, I think I misunderstood
what he was asking originally, so. Okay, that makes
sense. We will note that clarification and make that
language clearer.
COMMISSIONER FERNANDEZ: What I'm thinking -- I don't know. This kind of makes sense as the Commission shall provide notice to the Joint Legislative Budget Committee when the report is posted. That way it's done simultaneously. Is that -- okay.

VICE-CHAIR AKUTAGAWA: And that'll probably happen anyway, so.

COMMISSIONER FERNANDEZ: Yeah, but that's good to have that so you don't forget to do it and it's all in one.

VICE-CHAIR AKUTAGAWA: Yeah.

COMMISSIONER FERNANDEZ: Yes.

VICE-CHAIR AKUTAGAWA: Thank you for that clarification. That's great. Okay.

CHAIR TURNER: Okay.

VICE-CHAIR AKUTAGAWA: Okay. We'll go on to A5, which is three days' notice proposed legislation --

CHAIR TURNER: I'm sorry, Commissioner Akutagawa. Commissioner Andersen?

VICE-CHAIR AKUTAGAWA: Oh, sorry. Okay.

COMMISSIONER ANDERSEN: Yeah, sorry. Thank you about that. You know, I appreciate this, but and please correct me if I'm wrong here. I thought the procurement exemption actually had to do with our ability -- it's that we did not have the ability to actually go and do
contracts and things like that because we didn't have the proper channels of it.

I thought that was what we were trying to get at. And I don't see how this -- what we've done here addresses the issue at all. Now, maybe I mixed -- I'm confusing issues, but it was, you know, the issue that, you know, we couldn't just we everything had to go to contract. Everything had to, you know, we couldn't except for something like $5,000. We always had to go back and get full contracts.

And I thought that was the idea of the procurement exemption. Am I just mixing up two different issues here? I'm seeing a head nod from Commissioner Fernandez. In which case, what are we doing here? Where does it come from?

COMMISSIONER FERNANDEZ: So this is -- the language for this as you remember, I think Commissioner Sadhwani remembers how long it took to go through. Like for the -- our attorney are the legal ones and also the line drawers some of these other contracts that took anywhere four to seven months and then Commissioner Akutagawa and Commissioner Le Mons having trying to get through the whole grant process and the back and forth.

So this would provide an exemption from having to go through all of that process. Not to say that we would
use it at every opportunity, but it would be available to us. But if we do go through this process and we don't go -- if we don't go through the regular procurement contracting process, we would have to notify, you know, we'd have this report at the end of the year notifying which contracts we did not go through the process with.

COMMISSIONER ANDERSEN: Great. Okay.

COMMISSIONER FERNANDEZ: Does that make sense?

COMMISSIONER ANDERSEN: No, it's -- yes. No. And I get it because by just adding our, you know, Section 8251 into this then we're covered, correct.

COMMISSIONER FERNANDEZ: Yeah.

COMMISSIONER ANDERSEN: All right. Great. Thank you very much.

CHAIR TURNER: Thank you.

VICE-CHAIR AKUTAGAWA: I'm just making sure no more questions.

CHAIR TURNER: No more questions.

VICE-CHAIR AKUTAGAWA: Okay. All right, then we'll go to the next proposed language. We combined two topics. One is three days' notice proposed Legislative language and clarifying purpose of public input meetings. Since it's in the same code that that governs our commission, 8253, it didn't make sense to have the same language on two separate documents.
So we did combine it together into one, and this is the one in which we would be able to provide three days' public notice in the three months prior to the final map deadline, three days' public notice for meetings in the three months prior to the final map deadline. And also, we wanted to clarify the purpose of public input meetings, which is here you'll see that in that first paragraph, 8253, Section A, subsection 1, which speaks to the commission, shall comply with the Bagley-Keene Open Meeting Act, Article 9, commencing with Section 11120 of Chapter one, a part one of Division three or its successor.

And we added, however, the Commission shall provide not less than 14 days public notice for each meeting held for the primary purpose of receiving public input testimony. Except that meeting held three months prior to the final map deadline may be held with three days' notice. So what it does is it clarifies meetings that is for the primary purpose of public -- receiving public input and also giving us the flexibility to be able to notice meetings within three months of the final map deadline.

And I see that Commissioner Kennedy has a -- and Commissioner Fernandez, since you're back, do you want to add anything to what we're presenting or what I've said
so far?

COMMISSIONER FERNANDEZ: No, I think that was very -- I think just the clarification, the first part of the changes and hopefully you've had a chance to review it. That deals with the public comment portion of it. And the last part deals with the three days.

But I'm thinking, Chair Turner, the conversation might go longer than two minutes, so it might be a good time to break and then come back.

CHAIR TURNER: Um-hum. That sounds great. We'll be back at 11:15. So 11:15. Thank you.

(Whereupon, a recess was held from 10:58 a.m. until 11:15 a.m.)

CHAIR TURNER: And welcome back to our California Redistricting Commission Business Meeting. We are in the midst of our subcommittee reviews and updates, and we're in our long Legislative, Long-Term Planning in the hands of Commissioners Fernandez and Akutagawa.

We had questions coming at this point from Commissioner Kennedy, all of my commissioners and I.

COMMISSIONER KENNEDY: Thank you, Chair. Three items in relation to 8253 A1. So first of all, are we -- I just want to make sure that we're adequately defining public input testimony somewhere if we're not doing it here, because that's part of what's been tripping us up
is what does public input testimony mean.

Second of all, I would just suggest that we say that meetings held less than three months prior, maybe held with at least three days' notice. Thank you.

CHAIR TURNER: I'm just going to give a space to make sure the commissioners could capture that. Good.

Okay. Commissioner Sinay?

COMMISSIONER SINAY: I'm still not comfortable with the three days' notice for such a large, long period of time, a three-month period. It just is really hard for the community to engage, especially when these are meetings where, you know, a lot of changes take place and then the community has to organize around the changes that we made.

Looking at this, though, I was like, Oh, wait, we've always had three-day notice. But I believe that the three-day notice piece of it, you know, was for a shorter period of time. And so you know, I keep thinking that it might make sense to do the three-day notice from after the draft maps are presented till the final maps, you know, to just shorten that time because it just feels like three months is a really long amount of time. And that's what we heard from the community as well.

CHAIR TURNER: Thought? Comments?

Commissioner Kennedy? Commissioner Andersen?
COMMISSIONER KENNEDY: Thank you, Chair. I'm happy to support that change. I think that making that three-day period operative once the draft maps are out, is reasonable. We know that community attention to redistricting really ramps up once those draft maps are out.

And I think our biggest concern was that by the time the three-day notice period came into effect, we were pretty much past a point where it would have been useful to us, you know, given the time required to work on the final report and so forth. But I do think that that starting a three-day notice period with the publication of the draft maps is reasonable. Thank you.

CHAIR TURNER: Commissioner Andersen?

COMMISSIONER ANDERSEN: Thank you, Chair. I certainly agree with the sentiment here. I'm just wondering how it's going to be presented. And remember, the reason for that three-day is so the agenda would actually be substantive rather than our sort of general, you know, well, we're going to cover all these things. This could actually be almost like a scope of work agenda, which is extremely important. And I -- what I'm considering, though, is if, you know, this was originally written, you know, way back when now, as the three months, the draft maps that could actually be maybe
before that, you know, would people be, you know, agreeable? You know, as soon as the draft maps come out, we go to three days'. That's a thought to consider. But I do like that idea.

CHAIR TURNER: Subcommittee?

COMMISSIONER FERNANDEZ: Okay. So what would I have captured -- I want to make sure I captured it correctly. Commissioner -- well, Commissioner Kennedy wanted to make sure we had adequately defined public input testimony somewhere. And he also commented less than three months and at least three months' notice. I believe that was the change that he had.

Commissioner Sinay was not comfortable with the three days' notice for three months. And so she was wondering for a shorter period of time, possibly from the draft maps. And it appears that Commissioner Kennedy was also supportive of that. And it sounds like Commissioner Andersen was as well. I will say when we initially talked about it, I was thinking more of between the draft maps and the final, but then the three months came up so that for me personally, my opinion from the draft maps does make more sense.

So if there's any additional comments to that, or.

Yeah. Please.

CHAIR TURNER: Commissioner Andersen?
COMMISSIONER ANDERSEN: Yeah. Thank you. You know, rather than saying, you know, taking up three months, I think we might leave that in — and because there could be other reasons we don't think of that — we might need that and add the three months, add the note, make a little clarity in there about the draft maps.

But the item I really want to say is we say, however, and I don't know why we're saying however that word is not that it doesn't relate to the first sentence. So I believe it could just say the Commission should comply with that Bagley-Keene. Then the Commission shall provide not less than fourteen days' notice da, da, da. But we definitely have to define primary purpose somewhere in there. You know what is public input? But I don't believe we need the word however at all.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: I just think the reason we need, however, is, if I'm not mistaken, Bagley-Keene says ten days and we are doing fourteen days. So that's why the, however is in there. But the other question, I mean, so I'm going to go back to the three days because I kind of jumped over that last time and check in with everybody. I know three days was there originally, but does five days -- would we be comfortable with five days?

I mean, it's still better than fourteen days, but it
gives a little more time or this is actually input for first step. And I mean, the public has already said that they would like five versus three. And so I just wanted to put it out there. Again, I'd like to do it from draft map on. And change it to five days versus three days.

CHAIR TURNER: Commissioner Akutagawa?

VICE-CHAIR AKUTAGAWA: I was just going to comment on ensuring that we define which draft maps. So I think we should say from the first set of draft maps or initial set of draft maps or something like that, so that -- as I've found through this process, I think adding in some specificity where we can so that there's less interpretation and it's clear for the next commission would be better.

So in terms of the three days, I think, I can support both. I think the three days as we found through our process, there were times when we were making some big pivots at times, and the three days was where we thought was somewhat reasonable. But if it's -- if everybody else is in support of five days, then I don't think it's anything that I -- for me, I'd be opposed to. Thanks.

CHAIR TURNER: Is there any other alternative or contrary thought to the five days?

Commissioner Andersen?
COMMISSIONER ANDERSEN: Yeah. You know, I'll be the thorn here. You know, we had more time. The next commission probably will not. And if they are also down, oop, we can't do that by five days. Now, you can get around that by having it posted every single day, which is what we've sort of done before. But that's -- and I understand the public really wants to participate, which is absolutely crucial. But I do not want us to change something and then we prevent a -- for future commission from not being able to get the work done. So I'm kind of let's -- why don't we say with three days? Because if they need to get around it, they're going to put -- just put it down for every single day.

CHAIR TURNER: Commissioners Fernandez and Akutagawa?

COMMISSIONER FERNANDEZ: Thank you, Chair. And I think I do like the three day and I do understand the five day as well. As we were really getting into it, the line drawing, if we had the three days, the major thing aside from the agenda were the times that we posted. We there were times where we thought, oh, why don't we start earlier so we don't have to end so late? And we couldn't because we were bound by either the fourteen days or the three days at the end.

So I think the only difference or one of the major
impacts would be being able to adjust that time schedule of what you've already posted as your start time. Because we know, as we know, we can go past our -- the end time or projected end time, but we can't go we can't start earlier than what we posted if we're not within that time frame.

So I think that was a major thing. And the other thing is, yes, we can get around it by posting agenda every day. But again, I just feel that we really should be more meaningful with our agendas for the public so that they know this is what we will be discussing on this day and also with the ability of maybe scheduling some days off instead of just like, okay, if we get done early, which Commissioner Kennedy was, so you know, he was hoping that maybe if we had the three days, we can actually let people know that we're not going to meet on a certain day ahead of time instead of waiting until the day before or whatever the case may be.

Just a few thoughts I -- three-day versus five days. Five days is still better than fourteen days, I will grant you that. So it's not something that's critical on my part, but I do believe that we do need to lengthen the time of when the agenda time period is shortened. Thank you.

CHAIR TURNER: Commissioner Fornaciari?
COMMISSIONER FORNACIARI: I'll just chime in with my thoughts. I'd rather stick with the three days. And I do like the idea of starting the three days after the release of the initial draft maps.

CHAIR TURNER: Um-hum. Um-hum. Thank you. Okay. We have a sense of the room. Subcommittee, please continue.

VICE-CHAIR AKUTAGAWA: Actually, if Commissioner Fernandez is okay, I think I've done enough.

COMMISSIONER FERNANDEZ: Oh.

VICE-CHAIR AKUTAGAWA: She'll take over.

COMMISSIONER FERNANDEZ: Well, I'm actually going to backpedal a little bit because we do -- there was some language posted for the federally incarcerated population, and that was something that Commissioner Turner and I worked on as the Federal Incarcerated Subcommittee. I'm trying to think what was it noted as A1, A2, the amended elections code changes.

So this will not be part of this year's Legislative process with the bill with AB 1884, because we haven't finalized the information we have. So right now, it's kind of just there for your FYI. We have sent it out to Karin to make sure that this does encompass what the information that she needs. Another piece of it that we've also shared it with our Legislative committee.
And another thing we want to talk about or consider as a subcommittee of Commissioner Turner and myself is to decide if they can get us all the information, but maybe not the race and ethnicity. Would that still be okay? So I mean, there's still -- we're still working on it, but we've kind of wanted to give you an idea of what we're looking at right now.

So it's really not a discussion item per se right now unless you have something major feedback, because we do know it's going to change. We just wanted to give you an idea of what we're looking at right now, and it somewhat mirrors what we as a commission did because we did not get the information from the Federal Bureau of Prisons.

What we ended up doing was taking that population out and we were not able to redistribute it to other areas in California. So that's kind of an FYI unless there's anyone has a burning comment or anything that wants to be okay. Okay, it'll come back at some point.

Okay. So Commissioner Akutagawa, you did 5 and 7.

Okay, so --

VICE-CHAIR AKUTAGAWA: We're on A6.

COMMISSIONER FERNANDEZ: Oh, I see you're getting me 6. Thanks, I appreciate that. So at our last meeting, trying to define a day, we actually had two discussions
in terms -- or two different thoughts. And when I say
we, I mean the commissioners. One thought was to define
a day as right. The twenty-four-hour period starts right
after a motion or a decision is made.

And then the other, so you're actually going to
have -- there are two separate wordings. One is for
it'll happen as soon as a decision is made and the other
one would be to implement Black's Laws Dictionary or
defining -- definition of a day, which would start on --
at midnight of the day that it happened. So if that --
if we made a decision at eight in the morning, the clock
wouldn't start until midnight of that day.

So one of them says the start of a day is calculated
as a period of elapsed time that begins at midnight and
ends twenty-four hours later at the next midnight. And
that's the Black's Law definition. And the other one is
the calculation of a day starts from the time of the
decision and ends twenty-four hours later. So we've got
two to choose from or maybe there's a third one out there
somewhere.

CHAIR TURNER: Commissioner Fernandez, Commissioner
Kennedy has a question.

COMMISSIONER FERNANDEZ: Okay.

CHAIR TURNER: And for this part Commissioner
Akutagawa is going to field the questions.
COMMISSIONER FERNANDEZ: Perfect.

COMMISSIONER KENNEDY: Thank you, Chair. One of the things that we need to be careful of and I think this is part of what has been or this is what has been part of the confusion is whatever definition we use or whatever definition we put in place needs to be useful, both prospectively and retrospectively.

In other words, it's not just, you know, no later than three days later. It's also the no later than three days before. So if you say, you know -- if we're if we're looking at a situation where we're saying, you know, three days' notice for a meeting that has nothing to do with a period starting after the meeting, it has to look retrospectively and tell you where that starts.

And this was part of what we dealt with Bagley-Keene and the ten-day and the fourteen-day requirements. Do we need fourteen clear days or do we say, okay, if today is the meeting yesterday -- the day before is one day, two days before, it is two days before, et cetera, et cetera

So in that case, if you had a three-day meeting requirement do you -- from the start of the meeting, do you countback one, two, three, which is kind of a common sense, logical counting of days, or do you need three clear days? So if I have to have three days' notice of a meeting on Friday, does that mean notice has to be given
on Monday in order to have Tuesday, Wednesday, and Thursday, three clear twenty-four-hour periods available?

And my sense all along has been kind of the logical counting is more useful. More people are likely to say, okay, if the meeting's on Friday, three days' notice, Thursday, Wednesday, Tuesday, so notice has to be out on Tuesday. But yeah, then whatever definition has to be suited to calculating both a deadline before something as well as a deadline after something. Thank you.

VICE-CHAIR AKUTAGAWA: Thank you, Commissioner Kennedy. Any other comments?

COMMISSIONER ANDERSEN: Yeah. That's a really good perspective, Commissioner Kennedy, that the only bugaboo in that is when if you ask a person to say, okay, so three days before and they would literally do, as you say, Friday, okay, Thursday, Wednesday, so Tuesday. But if you say three days from now, Friday, they would often go the other way.

I mean, they might go okay, but they'd often go, okay. So we have done so it can't be we have two, three days', so it wouldn't be Saturday, Sunday, Monday, it would actually be on Tuesday. And that's where I think, you know, you're absolutely correct. That is our bugaboo. As I see it, if we say by midnight to midnight.
We are clarifying it is three clear days either way. And if we do the other, it looks -- it works really well going backwards. Going forwards, the issue would be if we're talking in three days, it's not quite as much, but it's really two.

And in terms of the public's notification, that's where, you know, we're trying to give the public more notice. Like, say, we end something at 5 o'clock. Well, actually, at eight in the morning. So they would have since it's three days, they'd have, you know, say eight in the morning on Monday, they would have Tuesday, Wednesday. And but then on Thursday and before eight the morning they haven't said anything that's that. So and that that's an item to consider, the actual meaning of the difference of the two. But it's an absolute valid point, a consideration, I should say. And now it's which we do want.

VICE-CHAIR AKUTAGAWA: Thank you, Commissioner Andersen.

COMMISSIONER KENNEDY: Thank you for that. Some of this, you know, can easily be cleared up through just additional definitions or additional work on the definition. If you say, you know, that any decision taken during a meeting. The clock doesn't start until
the end of that meeting. You know, and I'm just saying
there are ways to provide further clarity.

And you know, I recall a couple of meetings back
when we were talking about three days. We were also
talking about changing within a certain small window
around something changing from a definition based on days
to a definition based on hours to give people that much
more certainty. You know, when I've seen that done in
places where I've worked that, you know, the definition
of a day is a little more malleable or you know, maybe
it's the Black's Law Dictionary definition of the day.

But then when you get down to, you know, the last
month or the last week or something, then you count hours
so that people have a very clear understanding of what
you're doing. And again, you know, all of this can be
done by just adding further definition. Thank you.

VICE-CHAIR AKUTAGAWA: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yeah. I appreciate the
conversation on this topic. It's kind of a bit of a
challenge to figure out. And I do like Commissioner
Kennedy's thoughts about, you know, when we're getting
towards the end of things, everybody's under an enormous
time pressure and an extra day -- having an extra day is
helpful. So maybe we ought to consider defining it in
hours at that at that time. I mean, maybe for other
applications, we can define it in days and try to be clear on that.

One thing popped into my head, Commissioner Kennedy, when you said at the end of a meeting, I think we really need be careful with that, because we had meetings that were five days long. And if we made a decision on the first day, we'd be eight or nine days later before we get to something like that. So just something to think about.

VICE-CHAIR AKUTAGAWA: Thank you, Commissioner Fornaciari.

COMMISSIONER FERNANDEZ: I think that what would be helpful at this point, is to -- if we can maybe get to a decision point as to which definition. And I understand that, you know, the difference that Commissioner Kennedy and Commissioner Fornaciari said, as we get closer do it to the hours versus days. I think that would probably be a little bit more challenging to get through it. I guess it would be similar to an agenda item, you know, from the draft maps on. Maybe it'd be something similar to that.

So is there -- I'm just trying to see what the general consensus, which Commissioner Toledo always like to get to in terms of is it a -- starting at the time of a decision or Black Laws starting at midnight. Is there any preference either way or stronger preference?
VICE-CHAIR AKUTAGAWA: It looks like Commissioner --
Chair Turner is back.

CHAIR TURNER: No, I'm here. I'm just off camera
for a bit and wanted you to do the questions. I'm
thinking if we go for midnight would provide more
consistency instead of the time in the meeting, which
could fluctuate depending on when it came up on the
agenda, how long, you know, how many -- how much of the
comment that pushed it overall? A bunch of different
things. And so I like midnight.

VICE-CHAIR AKUTAGAWA: Thank you, Chair Turner. All
right. Now, we're getting. Okay.

Commissioner Taylor?

COMMISSIONER TAYLOR: Commissioner Turner took the
words right out of my mouth, just as a point of
consistency I'd go with midnight. It's the next day.
Thank you.

VICE-CHAIR AKUTAGAWA: Thank you. Commissioner
Taylor.

Commissioner Andersen?

COMMISSIONER ANDERSEN: I concur. I also want to
say that that is consistent with -- I've mentioned this
before, but in contracts of protest period. Those are
clear days the midnight, midnight. So that would be a
well-known quantity, midnight to midnight.
VICE-CHAIR AKUTAGAWA: Thank you, Commissioner Andersen. I see no other hands right now. I'll just also weigh in on this. And it's similar to what Commissioner Taylor, Commissioner Turner and Commissioner Andersen has just said. I think given the preciseness of what we have to do, I think anything that ensures utmost clarity in terms of what is a day, so starting at midnight, even though in some cases, for example, if we end the meeting at 5 o'clock, we're going to lose seven hours as maybe as could be said that if we're going from a twenty-four-hour clock, I think starting at midnight to midnight ensures consistency and clarity.

And I would hate for there to be some type of challenge to a future map, because there is an argument about what time the twenty-four-hour clock started. And so I think if we just keep it clear, I think that would create the best conditions for the least challenge for any future maps. Let's see if anybody else wants to comment. I know that, Commissioner Fernandez, you're looking for some sense of consensus. Anyone else who has not yet weighed in want to weigh in with your thoughts on this?

Okay. Commissioner Kennedy?

COMMISSIONER KENNEDY: I mean, I'm okay with that. The only thing that I would say at that point is would
probably do well to go through the legal framework, see where the definition is relevant, and make sure that the wording of each of those cases is a good solid wording that doesn't in and of itself contribute to any possibility for confusion. Thank you.

VICE-CHAIR AKUTAGAWA: Thank you, Commissioner Kennedy. All right, not seeing any other hands, Commissioner Fernandez, I'm turning this back over to you.

COMMISSIONER FERNANDEZ: Okay. Thank you. So we'll move forward with the midnight. So we won't do the -- so that definitely helps. It cuts down -- and then we will look -- continue to look at language, the legal framework, as Commissioner Kennedy mentioned.

Okay. So the next one, wait, did we have another one? Yes, we did.

VICE-CHAIR AKUTAGAWA: A8.

COMMISSIONER FERNANDEZ: Oh, okay. So this one is one of the easiest edits we had to do. I shouldn't say we -- Anthony had to do. And that one has to do with exemption from ability to hire outside counsel without the attorney general's prior approval. And so that one, if you look at Government code section 11041, there already is a Government code section that has other agencies that are exempt from the AG prior approval. And
the only edit we made was to add California Citizens Redistricting Commission to the list. Yay. Any comments?

I think Commissioner Sadhwani's probably really happy with that one. Right.

VICE-CHAIR AKUTAGAWA: Yeah. So is Commissioner Yee.

COMMISSIONER FERNANDEZ: Oh that's true. And probably Commissioner Toledo too, probably all three of them. Okay. So I think that's it for what we have so far on the eight that we have moved -- somewhat, moved forward to come up with language. We will come back again with any changes that we have. And at some point during the next Legislative process, we will find -- hopefully find an author for the changes for our language for our specific government section as well as one of them is elections code. So we'll look for that as well.

CHAIR TURNER: And Commissioners Fernandez and Vice-Chair Akutagawa, do you want to go back to the draft letter, the support letter at this time?

COMMISSIONER FERNANDEZ: Sure, we can do that.

Oh, Commissioner Sinay, did you have something before we go over the letter?

COMMISSIONER SINAY: I know that we had agreed on moving forward that this group, but that we haven't put
to bed all the other thoughts we had. We'll just bring
that that list back to keep moving things forward.

COMMISSIONER FERNANDEZ: Yes, correct. We were
going to continue to go through that list today. Go
through the next items.

Is that what you're asking, Commissioner Sinay?

COMMISSIONER SINAY: Yeah, I mean, that there was a
lot of other -- we never said no to anything completely.
We didn't say let's get rid of anything. And so I feel
like we still need to say if there's some items on our
Legislative changes and I'm using Legislative changes
broadly. You know, if there's something that we put on
there because it sounded good, but the more we thought
about it, we should get rid of that would be great. But
I just wanted to make sure that we haven't forgot -- that
that list still exists somewhere.

COMMISSIONER FERNANDEZ: Yes. And it's posted as a
handout. So we were going to discuss it today and we're
going to continue to discuss it. And if you looked at
the handout -- well, we'll go over to hand out after we
do that.

COMMISSIONER SINAY: I did look at handouts. I just
didn't get one.

COMMISSIONER FERNANDEZ: Oh, okay.

COMMISSIONER SINAY: Sorry.
COMMISSIONER FERNANDEZ: That's all right.

COMMISSIONER SINAY: I'm like, I'm going to be protected. I did prepare.

COMMISSIONER FERNANDEZ: So we'll go back to the letter. Chief Counsel Pane, would you mind sharing your screen with the changes that we made during break?

MR. PANE: Sure. Let me try to pull it up here.

COMMISSIONER FERNANDEZ: And as he brings that up, we did meet during our break and the letter will have the highlighted areas so that will make it easier for our review in terms of the changes -- some of the wording changes.

MR. PANE: Okay. Can everyone see that?

CHAIR TURNER: Yes.

MR. PANE: Okay. So the first highlighted area is to try -- Commissioner Taylor, I'm not sure if that captures kind of the sentiment you were you were expressing. Can certainly make further changes.

CHAIR TURNER: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yeah. Thank you. I really appreciate the idea what we're trying here. I would actually almost like -- I have also done a quick little modification here. Unfortunately, I don't type quickly at all. So me trying to put it into something into a document that I could also through on the screen did not
happen in my fifty minutes. But because what I would
like to do is actually just put it -- actually it
mentioned this is to address the issue of prison
gerrymandering and then below that actually describe,
which is kind of what we're trying to do in this
paragraph.

But it's we're being very verbose and not kind of
getting to exactly what we're trying to say. And I
appreciate the inflating apparent sizes is very -- is
accurate. It's just I think we could maybe get it
simpler. I know I haven't actually heard. But
Commissioner Fernandez has been very eloquent when she's
been testifying, saying different things I've heard. And
I wonder if we can maybe shorten this a bit.

And what I'd like to do is if I could just maybe
even read, going back to the beginning, what I have --
what I'm proposing, and see if the commission likes this
idea at all, in which case then I'll sort of stop there.

CHAIR TURNER: Okay. Let me ask this before you do.
Commissioners Taylor and Sadhwani, do you want to comment
on this current writing or should we hear -- do you want
to have just general discussion?

COMMISSIONER TAYLOR: My answer was to Chief Counsel
Pane. So yes, that addresses my concern, the why we're
doing it, how it's a detriment to our to our working
hard. Thank you.

CHAIR TURNER: Okay, great.

Okay. And Commissioner Sadhwani?

COMMISSIONER SADHWANI: Yeah, I think this is good as it reads. I would just potentially add an opening -- one opening sentence, something loftier, like your fair representation is at the heart of our democratic practice or something, something like that. And then go into all of this, right? Just something kind of grounding as to why we're doing this. But otherwise I think it's as good as it reads.

CHAIR TURNER: Okay. Thank you.

Commissioner Andersen, we want to hear your version.

Ready?

COMMISSIONER ANDERSEN: Okay. Yes, if we go back to the first page. Yeah, here we go. I would start with, you know, we support this letter about da, da, da, da, that would make permanent necessary changes to the election's election code specifically on how incarcerated person or persons count for the purpose of redistricting. Then I would say current law requires local redistricting to, then essentially delete from request to the end of commission.

The current law requires local redistricting to count these individuals at their last known address
rather than the institution where they currently reside. This is to address the issue known as gerrymander and in parentheses, prisoner gerrymandering. However, current law only requests that the CRC also count these individuals at their last known address rather than at the institution where they currently reside.

Then, say, the 2020 Commission did so but believes the law should be made consistent and require for each feature committee would require that the commission, the California Citizens Redistricting Commission also count these individuals at their last known address. And then go into, you know, as you may know, prisoner gerrymandering is -- and then we can write that second paragraph.

So I'd kind of like to shorten to something you boom, boom, boom. This is why we're doing it. This needs to be consistent and then say that we can get into our -- essentially our advocacy point. And if we want to write that, how we want to write that, that's -- I have no objection.

CHAIR TURNER: Okay.

Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. I see two additional potential benefits of harmonizing the treatment of incarcerated populations at the State level
and at the local level. One is it would reduce confusion
among the public as to which version of the Statewide
Database's redistricting database to use. Because if
they're if harmonized, you run the risk of having two
different versions and people are getting into squabbles
over which version is being used.

And the second is, you know, it reduces the workload
on Statewide Database, which at that point in time
already has quite a workload. And I think it would be
easier for them. So it may make sense for us to mention
those two advantages as well. Thank you.

CHAIR TURNER: Okay. So I'd like to then suggest
Chief Counsel Pane, if you would consider the two
additional benefits.

And Commissioner Andersen because now we have it in
writing and yours was verbal. I didn't see how it was
shorter. So if you could take a bit, perhaps, during
lunch or what have you, to write out what the suggestions
are because you were trying to go through it quickly. So
some of it was already there. And so maybe -- I don't
know that we got the full appreciation for what you were
lifting to be able to compare so that you could write
that out. We can look at it and then perhaps make a
determination on how we're going to move forward. But I
think we are a lot closer. I think a lot of the issues
raised have been addressed. And so I certainly
appreciate that.

And so Chief Counsel Pane, we ask your indulgence if
you would work with that -- this latest offering and see
if we can get a document that we are in agreement on.

Okay. Subcommittee, do you want to move to your
next part?

COMMISSIONER FERNANDEZ: Sure. The next part is
going to -- we're going to go back to the list that has
everything. And again, that list will not have, at this
point, office space that Commissioner Kennedy brought up,
but will add it for the future list.

Commissioner Akutagawa, could you share screen?
Because you know how technically not advanced I am.

VICE-CHAIR AKUTAGAWA: Yeah, hold on. Let me --

COMMISSIONER FERNANDEZ: Thank you.

VICE-CHAIR AKUTAGAWA: I just accidentally closed
it, so my apologies. Of course.

COMMISSIONER FERNANDEZ: And as a reminder, it is a
handout for the public. If anybody's out there watching
it. And what we try to do is we left items on there, but
we highlight them if we had potentially moved them
forward so that we're not discussing it again, but we
didn't want to remove it completely. Thank you. So as
you can tell, the first four items, 1, 2, 3A and 3B,
those we've already moved forward to develop some
language, so we won't discuss that one. And then also 4C
that's on the second page. At the last meeting. Oops.
There we go. There we go. That's a blue.

At the last meeting, the chair requested that we
move it to a lower priority. So we'll discuss it at some
time in the future. And that one had to do with adding
language to note nothing impedes the commission from
rotating the chair. So at this point, what we'll do is
we will go back to 4C. And that one used to be a prior
C9 and that one has to do with the strikes by the
Legislature are not transparent and should the
Legislature be allowed to strike.

And the prior discussion that we had was discussing
that the entire process from the time that the State
auditor conducts this process, gets the application and
starts eliminating, I guess, candidates, it's all done
publicly. The only part that is not public is when the
strikes go to the Legislature and they're given the list
and they come back and they've lined out, whichever ones
are no longer on the list. So I will say my own opinion,
I think this will --may be a difficult one to get through
the Legislature, but we'll see.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: I think this one is one that
needs a strategy. It's not just we change the language and we hope someone takes it on, but that we actually work with our community advocates and you know, hear from them why -- what, you know, why it makes sense and kind of in some ways make sure that we are going in with support from the community and then go to the Legislature.

This one is not -- this is different than the rest. But I think this is one of the more important ones that we can do, because as we learned last time, it has real effects on his on the first part of the ping pong ball, you know, random selection. So that would be what I would recommend is that we really create a strategy, bring in a panel to talk to us at the next meeting and then move forward from there versus just jump right into it.

CHAIR TURNER: Okay. Commissioner Sadhwani?

COMMISSIONER SADHWANI: Yeah. Sorry. This is on the Legislative strikes.

COMMISSIONER SADHWANI: Yes, yes.

COMMISSIONER SADHWANI: I would agree with Commissioner Sinay on that. I mean, in this round in particular that had -- that seemed to have particularly a detrimental effect on Latino candidates in the pool. So I'd be really curious to see what some of the Latino
community advocates might have to say about this concept. 

The Schwarzenegger Institute also had done a report on the commission and the commissioners very early on, which specifically identified the Legislative strikes as being the place where Latinos were removed from the candidate pool.

So I agree with Commissioner Sinay. And I think reaching out to many of the advocates who were very much involved in the result. There was a significant push from community advocates saying, hey, look, there's not enough Latinos on the commission. There were none. Right. Based on the ping pong ball process and really a strong push to make sure that that was improved upon. Those are the folks, I think, that should be involved in this if we're able to move it forward.

COMMISSIONER FERNANDEZ: Yeah. I mean, I would agree, I think. Absolutely right. It is a much bigger effort than drafting up some language.

Commissioner Vasquez?

COMMISSIONER VAZQUEZ: Yeah, I would agree. And I think also if this is going to be a Legislative attempt as opposed to ballot initiative change, we're going to need the support of the Legislature. And this is a particularly -- I bet they're not going to amend that power easily. And so I think if this is something we're
committed to working with community partners to ensure that we have the concept and the language of our solution really buttoned up, tight and has a groundswell of community support is what we're going to need to actually change this particular component of our of our mandate.

COMMISSIONER FERNANDEZ: Okay. I completely agree. I think it -- I'm thinking it'll be a different subcommittee, not our subcommittee. So that would go to Chair Turner.

CHAIR TURNER: So is there interest?

Commissioner Kennedy?

COMMISSIONER KENNEDY: Just a reminder that in my mind we still have a Government Affairs Subcommittee and this might be appropriately assigned to them. Thank you.

CHAIR TURNER: Let's see, who's our Government Affairs -- I have --

COMMISSIONER FERNANDEZ: That's Commissioner Toledo and Sadhwani.

CHAIR TURNER: How are you feeling about that?

Commissioner Sadhwani?

COMMISSIONER SADHWANI: I am feeling like I could work on that later this fall, not right now. But only because I'm about to leave for a few weeks. But when I get back, that's something I could certainly start poking around on and see if there was interest in some. My
thought is not to remove the Legislative strikes entirely, but at least to provide the transparency part. Right. That's my explanation of why folks are being are being removed not to take that power away.

That being said, of course, as the Supreme Court, and I think we'll probably talk about this later, but as the Supreme Court takes on the State Legislature and whether or not the commission continues to have a role nationally, this this could be a moot point. But I would be happy to look into this and see what the possibilities are to advance something. Is Commissioner Toledo still on? I can't see --

CHAIR TURNER: I don't see him currently.

COMMISSIONER SADHWANI: Okay. Yeah, I could follow up with him and make sure he's comfortable moving it forward.

CHAIR TURNER: I think it a great suggestion and would support that for sure.

Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. The other aspect of this that we're looking at, of course, is whether it makes sense for Legislative leadership to be able to eliminate a full forty percent of the remaining pool or whether twenty percent might be a more reasonable figure for the Legislative leadership to be able to
eliminate.

CHAIR TURNER: Um-hum.

COMMISSIONER KENNEDY: Just seems that 2424 may not sound like a huge number, but when it's twenty-four out of sixty and it's a full forty percent, that can have a huge impact, as we've said, on the outcome.

CHAIR TURNER: Um-hum.

COMMISSIONER KENNEDY: So I do encourage us to consider how reasonable an ability to strike forty percent of the applicant pool is. Thank you.

CHAIR TURNER: Um-hum. I like that. The forty percent moving to a smaller amount. But for sure, I think my top priority as well would be just even an understanding and have some sort of accountability to Californians to say why the strikes were given, so.

Commissioner, Yee? I'm sorry.

COMMISSIONER YEE: Thank you, Chair. Yeah. Yeah. I'm trying to imagine, you know, Legislative staff coming up with publishable reasons why individuals were, you know, struck from that list. It's hard for me to be really optimistic that the reasons will be, you know, fully true and useful.

CHAIR TURNER: Um-hum.

COMMISSIONER YEE: So I'm wondering, you know, as we think about this, just to encourage us to keep a wide
sense of what the possibilities are. So for instance, to at least have the Legislative leaders who do the strikes own them, so who struck whom, to least have that information, you know, as some objective sense of what's going on, some objective transparency. There may be other possibilities. But I'm just trying to think of, you know, how this could actually happen and how it would actually be useful if it did exist.

CHAIR TURNER: Okay. And to just give us a sense, we certainly want to have complete and total and robust discussions. We have about twenty more minutes for -- to get through the potential Legislative changes to stay on schedule and more time if we want to adjust the schedule. So just a time check.

Commissioners Sinay?

COMMISSIONER SINAY: I think that's -- just to address what Commissioner Yee was saying. I think that's why we want to invite our community partners in and really think this through and have their input. And then from there come up with what would our suggestion be? Right now we're just saying, let's explore what do we think is reasonable? And we may have, you know, we may have several panels and one of the panels is Legislature. Yeah, some of the legislators there.

For instance, Senator Atkins won't -- you know,
isn't running again. So we can invite Senator Atkins to
talk to it. You know, there is different options on
this, but I think we're exploring, we're not --

CHAIR TURNER: Um-hum.

COMMISSIONER SINAY: -- we're learning right now.

CHAIR TURNER: That's good. It's good.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Okay. So with that 3C, we
will note on it on the next update that Government
Affairs will continue to work on this and then we'll
report back at some point.

So thank you, Commissioners Sadhwani and Toledo.

And the next one is 4A is to clarify -- oops.

Sorry. Phone's ringing. I have a water heater being
replaced today. So here we go. Anyway, the next one is
to clarify, provide definition of what public input
means. And so that we did have prior discussions. Like
some said, liked it to be broad, which allows for
community input and other discussion was let's just leave
it alone and let each commission decide how they want to
define it. So any comments or feedback on that?

CHAIR TURNER: I like the flexibility of commissions
deciding.

COMMISSIONER FERNANDEZ: I have to admit that I like
that. I like each commission deciding as well. I
thought that was good conversation that we had early on
and it definitely helps to see where everyone is on their
definitions and hopefully come together on some sort of
unified framework.

Any other comments? So if there are no comments or
any no one's -- either way, I'm thinking that there isn't
a need to amend this particular Government code section
at this point. We can move it to the bottom of the list
in case maybe we decide differently.

CHAIR TURNER: Okay.

COMMISSIONER FERNANDEZ: Okay. The next one is 4B
in that one is clarify provide definition of what
district matters means. As you know, as we are all aware
of we did have a good conversation on what we felt that
was as a commission. And I think that was really good
for all of us to hear each other's thoughts and then come
up with a united definition, which is great.

So prior discussion is what I just mentioned, and
then also maybe just leave it as it is and let future
commissions decide for themselves, how they are going to
define it. And then there was also another comment that
said, if we leave it too vague, then someone else may
define it for the commission. So I guess you always run
into that issue where somebody else could have their own
definition of what it is. Any comments?
Commissioner Akutagawa?

VICE-CHAIR AKUTAGAWA: Yeah. I think I understand about, you know, someone else may define it for the commission, but I would also say then who's to say that that couldn't happen for public input either? I felt that us being able to define it for ourselves in the ensuing discussions all around it and it intertwined with public input and other topics that we talked about. I think to impose it on the next commission I think could impact the way they work together.

And so for me personally, I like the previous one. I would I would just say, let's, let's leave it as it is. Let the next commission define it for themselves. It's all part of just how they're going to also learn to work together and understand each other as well, too.

CHAIR TURNER: Commissioner Sinay?

COMMISSIONER SINAY: I was on that comment that someone else may define it for you. At that point, I think the commission would have an opportunity to share their perspective as well. So it would allow the commission to come together, I mean. And so that was just my thought. I don't think anyone can define it for you without the commission being part of it.

CHAIR TURNER: Commissioner Yee?

COMMISSIONER YEE: Thank you, Chair. Yeah. You
know, I mean, the next commission, of course, could, you
know, work on this on their own and to it for themselves.
But they may not in the fact that we actually got us
sued. Now, that suit got dismissed pretty readily, which
was nice. But you know, it was a fairly serious and you
know, important matter, this question of, you know,
subcommittees meeting outside folks. Outreach pairs
meeting outside folks, that redistricting matters or not?

You know, I mean, that's a I think it's an important
question, and I think I would rather see it resolved
rather than just leave it open because, you know, it got
us in trouble and it can easily get the next commission
in trouble as well.

CHAIR TURNER: Um-hum. Thank you.
Commissioner Andersen?

COMMISSIONER ANDERSEN: Thank you, chair. Yeah, I
do see Commissioner Yee's point. I do feel, however, it
was extremely valuable for us to decide on our own what
these were. What I would like to see is this very
specifically pointed out in our Lessons Learned for both
this and public input, one that we strongly recommend
based on previous litigation that the correct -- every
commission defined both of these terms for themselves and
give for them very specifically what the 2010 and 2020
versions of them were. So they can actually see for
themselves compare and go, oh, but I think we should put that point that out. I'm kind of glad that we didn't -- it wasn't specifically defined for us. However, I wish that we had been aware of how important to define it was before we eventually got around to.

CHAIR TURNER: Thank you.

Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. The point about making this a prominent mention in the Lessons Learned. Our report is well taken. That was the first point that I was going to make after raising my hand. The second point, and this goes more to Commissioner Yee's statement is, you know, in political science and not just kind of theoretical political science, but you know, the real world of politics and elections, one of the lessons that we've learned over the decades is when you have critical decisions, it's often better to make them at a point in the cycle where you're not under the gun, where there can be both, you know, serious deliberation as well as, well, I'll leave it at serious deliberation.

Because often when you're under the gun, well, you might find yourself trying to make this decision at a point in time where your decision, one way or another, has a very clear known outcome. All right? And when
you're trying to set rules for elections and politics, you're usually better off setting the rules at a point in time where you're not pre determining who wins and who loses. So I just wanted to put those considerations on the table for us. Thank you.

CHAIR TURNER: Yeah. Okay.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Thank you. And I think Commissioner Kennedy, because he actually did trigger something, a different train of thought is we did have extra time because of COVID and Census. If we were tasked with defining redistricting matters right off the bat, I don't know if we'd be ready to discuss it or if we'd know enough to discuss it. Right.

So I guess I am kind of torn as to whether to leave it to the next commission or each commission to decide or maybe alleviate that from happening for the new commission because they won't have the extra time that we had to discuss it. Thanks.

CHAIR TURNER: Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. And you know, as we've said on a number of other topics, the fact that we decide something, you know, and this comes down to how this is dealt with. If it's dealt with through regulation, it's easier to change than if it's dealt with
through a change in a statute. But you know, to whatever extent, you know, there may be a possibility for a future commission.

I mean, but generally, if we make it through a quote/unquote policy decision, future commission would certainly have the opportunity to make changes to what we leave behind. But we will have left something that they can start from. Doesn't mean that it necessarily makes their discussion easier because yes, we will have perhaps narrowed the options or narrowed the opportunity to change somewhat. There's a lot to be unpacked here. A lot to be considered. Thank you.

CHAIR TURNER: Yeah.

Commissioner Sadhwani?

COMMISSIONER SADHWANI: Yes, sorry. I would lean on the side of leaving it vague. I'd like to get Anthony's perspective on whether or not going to the lengths to legally define these terms is actually helpful or not. Sometimes there can be benefits to the ambiguity, and I think leaving the opportunity for the next commission to have that ambiguity could potentially be helpful. We don't know what this is going to look like in 2030.

And I just wanted to remind us all some of these terms, particularly redistricting matters, were defined for us by our attorney. Early on, Marion gave us a
different definition and her definition, her legal
definition of redistricting matters and how to apply it.
I think leaving detailed notes on how we use that
definition, what that was for us, how it applied, some of
perhaps even some of the questions that arose from it are
really helpful.

And should issues arise for the 2030 Commission,
certainly they could point to our -- the documents that
we leave behind as a justification for how they want to
define it in the future should they find themselves in
court. But I think getting some input from Anthony and
our Chief Counsel or others would potentially help guide
this conversation.

CHAIR TURNER: Okay. Commissioner Sadhwani, if you
would just indulge me, let -- since we had Commissioners
Taylor and Fornaciari's hand popped up, Fornaciari and
Taylor, can we have them comment because their hands were
up prior to your request for him and so they won't be
swayed or they can still state what they want to before
Chief Counsel Pane speaks.

COMMISSIONER FORNACIARI: I will just concur with
Commissioner Sadhwani's statement. I am apprehensive
about codifying a definition, but I very much support
forwarding all the information that we have and what
definitions we use, why and what our experiences --
CHAIR TURNER: Um-hum.

COMMISSIONER FORNACIARI: -- were with to the future commission.

CHAIR TURNER: Beautiful.

Commissioner Taylor?

COMMISSIONER TAYLOR: Oh. Thank you, Chair. Yeah, I think I agree with Commissioner Sadhwani. Oftentimes ambiguity in the law is deliberate and it falls under, you know, especially when I look at it since we had the 2010 and us the 2020 not pitting us against each other. Well, we fall under the sides of the coin that is the spirit and the letter of the law, neither one is -- cancels out the other.

And I don't think that we should make it -- we should forward language that makes the spirit of the law -- the determinant or the letter of the law, the determinant going forward, I think it's deliberate, and you can interpret that law either side of the coin. So I'm probably -- I lean more towards leaving the verbiage as it is.

CHAIR TURNER: Okay.

Chief Counsel Pane?

MR. PANE: Thank you, Chair. And I appreciate the conversation from all the commissioners on this. This is certainly defining terms in a statute or is always a
double-edged sword. On the one hand, you think you're providing specificity, but in trying to provide specificity, you may create new ambiguities. And so it ends up becoming almost potentially a vicious circle. And I guess this is how attorneys have employment.

So it's really a very much a policy call for the commission. I think there's a lot -- it's strategy. And I think if you just forecast to a future commission and a future lawsuit in a future California Supreme Court, what are they going to have to go on? They're going to have to go on the same language that the commission at the time has. They're going to have to go on the same Constitutional language that the commission has. And there are going to be legal arguments as to why the commission's interpretation application is the preferable one.

I do think regardless of whether there's further specificity or not, there's going to be somewhat of a deference. Could be slight, but some deference to the commission in a future lawsuit because arguably you all are the future commissioners of the subject matter expert closest to this issue. And so there's going to be some deference to the arguments made by the redistricting commission as to why it came up with the application that it came up with.
That's tempered, though, obviously, with justices on the Supreme Court who will have their own understanding and their own interpretation application of it. So there's pros and cons, no matter which way you go. I don't think there is a right way to do it. I think there are strategies and burdens associated with each.

And so it really just does depend on do you want to give the future commission the flexibility and arguably the chaos that comes with it? Or do you want to define it more particularly understanding, of course, that in trying to define it, you -- there may be problems that get created by trying to solve one set of problems. So it really is a tough choice. It's a tradeoff.

CHAIR TURNER: Okay. Flexibility and chaos, latitude, and potential problems.

Okay, Commissioner Sinay and then Commissioner Toledo.

COMMISSIONER SINAY: I think a commissioner --

CHAIR TURNER: Chief Counsel.

COMMISSIONER SINAY: -- Chief Counsel -- thank you -- Pane brought up one side of it is what is our feel about the future of the Supreme Court? Right. And then there's the other, you know, if we're looking future wise, is how do we feel about, you know, the 2010 and
2020 commissions, really this election, you know we believed in in their maps as and we really use the definition.

You know, VRA became kind of one of our tenants. And so one of the questions and I trust the process and I that the 2030 Commission will look like -- yeah, will not look like, but it's just one of those questions we have to put out there as we're looking into the future and watching what's happening in other parts of the country. Do we trust -- it comes down to do you trust that the future commission and future Supreme Court and future da, da, da will interpret fair maps in the same way that therefore they'll have a good conversation about redistricting matters, all these different pieces.

And I guess that's part of what's playing into my mind as I -- I believe I have in the past I've said I completely want to leave it open for the next commission so they can have the conversations and they can grapple with it. But that is based on my assumption that it will be a reflective commission and of the State of California. And so I don't want to walk away from this without being a negative person and saying, you know, can this process be manipulated?

CHAIR TURNER: Commissioner Toledo?

COMMISSIONER TOLEDO: Thank you. Just if memory
serves me, we -- our definition of our redistricting matters was very consistent with the previous commissions, the 2010 commissioned definition. And I'm just curious to hear from Anthony whether it would make sense to have to go through the rulemaking process or some similar process, to try to move this sort of thing, to clarify what -- to essentially codify what's been done for the past two commissions.

And I don't -- given that it's been pretty consistent and something I can't remember if the courts have upheld or even looked at the question in the cases that have gone before it. So just wondering if he can speak to that.

MR. PANE: Sure. Thanks. Thank you, Commissioner. Whether to do regulations, I think first the issue would be getting regulatory authority in the first place. I think the commission would need to get that first. Let's assume we do get that. The advantage of a regulation is that it's still an open process -- transparent process for making changes. I do think no matter which process you go with, whether you go through a regulatory process or a statutory process to further clarify the term -- any term, frankly, not just necessarily redistricting matters, you -- but I would say with redistricting matters, you're probably going to get the most probably
the most vociferous debate on that because it's so central to what the commission deals with.

And so where do you, you know, maybe what you're getting at, Commissioner, is where do you want to have that discussion? Do you want to have that discussion over a regulatory hearing? As you're trying to define it, once we have regulatory authority, do we want to have that conversation amidst a potential statutory change or do we want to have that conversation as an argument in the courts where the commission is arguing one side of it and the other -- the opposing litigation firm or opposing side is arguing a different interpretation and the California Supreme Court is deciding what that means.

As you may know, we've already had one lawsuit interpreting what redistricting means, redistricting matters means. The California Supreme Court agreed with the Commission on what it meant. So you know -- so again, I think it depends where the redistricting commission wants to have this conversation. What's the venue? Different prospect regulation, a statute or a law or a court decision, those are different audiences, different environments. And so that is, I think -- that's sort of based in your question, Commissioner, I think is where do you want to have that conversation? Because I think you will have the conversation. It will
be a very you know, as I said, a very vociferous conversation. But the question, I think, is where you have that.

COMMISSIONER TOLEDO: Can I respond to that, Commissioner -- or Chair Turner? Well, given that the Supreme Court has agreed with our interpretation and previously and we pretty much been consistent with the 2010, and now our definition is pretty similar to the 2010 definition it may make sense to go through reducing some of the risk to the commission.

Ultimately, this is a risk issue. Not having clarity around that may pose a risk to the work of the commission and may make sense to either go through a regulatory process to define -- that doesn't alleviate all of the risk. But it may reduce it for a future -- for our current and future commission. Thank you.

CHAIR TURNER: Okay. Subcommittee, I'm not sure if you want to kind of test the consensus of the --

COMMISSIONER FERNANDEZ: Well, it kind of -- I don't think there is consensus at this point. I think we have -- and Commissioner Toledo, I just wanted to clarify, when you talk about -- are you talking regulatory, is us having our own regulatory authority or are you talking about going through the Legislative process and amending the -- our language, our government
COMMISSIONER TOLEDO: I would be in favor of getting regulatory authority so that we can go through the roll making process and us taking the lead on defining what our -- us interpreting and taking the lead on going through that process. It is a burdensome process because we have to have hearings and such. And I'm sure Chief Counsel Pane can give us a more detailed explanation of how that would work.

But it would be us being in the lead of defining our own statute and interpreting our statute and having the public weigh in and then having us be part of that. So instead of having the Legislature kind of frame the conversation, we'd be framing the --

CHAIR TURNER: Um-hum.

COMMISSIONER TOLEDO: -- conversation. And which I think is appropriate if we wanted to do something like this, because it is the independent commission deciding it's -- deciding the definition of this of legal term.

And so I would have preferred to do it through the rulemaking process. I do know it's burdensome and would require resources to do so. But I just wanted to give that perspective. Thank you.

CHAIR TURNER: Thank you for your response.

Commissioner Fornaciari?
COMMISSIONER FORNACIARI: You know, that's not on our list of things you want to do. I mean, how do we do that, Anthony? I mean, Chief Counsel Pane.

MR. PANE: So I would say if we're trying to add terms and the consensus is to do it through regulatory action, the first thing we would need to do is get regulatory authority for making regulations. That I would defer to the subcommittee as to where it falls on this list. And you know, certainly if it's not on a particular list, then I guess there is a question then for the commission, is it important enough to put it on a list?

And that's very much a policy discussion for the commission to have. My understanding is the commission is sort of taking sort of -- there's one list that the commission has already at least edged towards as far as making recommendations on topics and concepts. And then there's another list that could still create topics for discussion that maybe isn't quite as far along, but you know, doesn't prevent further discussion of particular topics.

And so I'll leave it up to the commission as to how which list or if it falls into of the topic of getting regulatory reform.

COMMISSIONER KENNEDY: So just to be clear, though,
to get regulatory authority, we have to go through the Legislature to get it to us?

MR. PANE: We would need --

COMMISSIONER KENNEDY: That's the process?

MR. PANE: Yes, we would need statutory --

COMMISSIONER KENNEDY: Okay.

MR. PANE: -- authority that allows the commission to promulgate regulations.

CHAIR TURNER: Um-hm.

MR. PANE: And there's enough departments and enough -- I mean, the language itself is standard. It wouldn't be unique, but because it is standard, the absence of the commission, having that basic language, we wouldn't be on very solid ground by then saying, well, it's sort of implicit in our statutory scheme when the language itself is pretty clear as to how to have that.

So yes, I would say we would need the statutory authority which allows the Commission to promulgate regulations because not every department that exists in the State of California has that authority. So we would want to make sure and clear first that we have that authority.

CHAIR TURNER: Um-hm. Um-hm. Okay. I'm not feeling a lot of energy around it right now, but will absolutely support what the Commission decides.
Commissioner Akutagawa?

VICE-CHAIR AKUTAGAWA: Yeah. Thanks for this really interesting conversation. If I can make a suggestion because to the point that perhaps Anthony just made, could we just put this on the -- I'll call it the parking lot where we'll just table it for right now as something that we may want to do. I'm realizing that as we're going through each of these other things that we have not had really detailed conversations about yet, there are new things that are being added to our list.

And so perhaps we should just go through everything first, and then we could then determine what makes sense around at least this particular one. Because if there's other things in the course of the discussions of the other topics, there is -- let's just say, for example, that there are other things that come up that would meet this kind of statutory authority to be able to create regulations it maybe then something that would make sense for us to then more seriously consider in the pursuit of multiple changes versus just the one.

And then as we go through other things too, we may also decide some other things are going to be more important than other things. Also, remember that we got eight more years. It doesn't have to be all done in the first year. And that's also going to be important
because we're clearly going to be different than the previous commission in a sense that we're taking a much more active role in some of these things.

That also means that from a budgetary perspective, we will need to think about, you know, the kind of the budgets available for some of the work that we're hoping to enact. For example, if we do hearings and other things like that, obviously it's going to be much more than what we had estimated in our original BCP. So those are also things that I think we'll need to consider and to plan for as well, too.

CHAIR TURNER: Um-hum. Okay. And Commissioner Akutagawa, I think your mic is what Commissioner Fernandez said earlier. So you may need to log off and back on.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Glad you said that. I wasn't sure if it was me or my computer. Yeah, similar to what Commissioner Akutagawa said, I believe with this regulatory, I believe it's more staff consuming or intensive. And I just reminder we're only going to have one full time, but I do think it's something that we should look at. And when I say we, that doesn't mean me, the commission should look into if they are interested in obtaining that, regulate the regulatory authority is to
see what it entails in terms of getting the authority, what that entails, after you get the authority and what process you have to go through.

CHAIR TURNER: Um-hum.

COMMISSIONER FERNANDEZ: And if there is more responsibilities placed on the commissions -- because another piece of it is we also don't want to add more on to future commissions as well. So I think it's probably good to look into it so that we kind of know what the pros and cons are before we actually make a decision point -- a decision at that point.

CHAIR TURNER: Okay.

Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. We have discussed rulemaking authority on a number of occasions, so we've discussed it in relation to defining fully functional. In that case, it's probably, though not necessarily, going to be a matter of working with California's state auditor's office, using their regulatory authority to modify the regulations that currently exist. Because CSA does have regulatory authority. We are at least the selection process for redistricting commissioners is already subject to those regulations.

And I believe, you know, to the extent that Chief
Counsel Pane may wish to offer us some advice on this as to whether it would be better dealt with through CSA regulations or through our potential eventual regulatory authority. But you know, that issue defining fully functional is definitely something that we've been talking about for quite a while. That would be -- that would go through the regulatory process. Thank you.

CHAIR TURNER: Um-hm. Thank you. Okay.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Well, we're at an impasse. How's that sound for this one specifically in terms of one, whether to move forward and define it. There seems to be it's almost like an equal amount -- number of commissioners that would prefer that future commission define it. And then there's also the other side of it that they're maybe leaning towards defining it to get rid of any ambiguity.

So at this point, we're kind of stuck in the middle. So there is --

CHAIR TURNER: It's not time sensitive, right? We have no --

COMMISSIONER FERNANDEZ: It's not time sensitive. I'm thinking we could do a couple of things. We could maybe look into the process for -- to obtain regulatory authority and see what the staff needs would be and what
the process would be and whatever else is needed. We could do that. When I say we, it's probably not our subcommittee. That's something -- that's a different process. But again, we're probably going to have to put this one maybe on the shelf and then continue to move on so we can get through the other ones to see where they land.

CHAIR TURNER: Okay. And we're probably going to have to get to the other stuff, too, after lunch, after closed session, into the afternoon. So we are right now -- yeah. Before we start another one, we're at 12:43 now. We're going to go ahead and go to lunch. And once we come back from lunch, we're going to come back from lunch into closed session. That should be for about an hour before we come back again.

Commissioners Sadhwani and Fernandez?

COMMISSIONER SADHWANI: Thank you. And I know I'm holding us up before lunch, but I just wanted to say apologies I'm not to be able to stay on this afternoon. I don't have childcare this summer, so I have to take kids to the dentist. But I did want to just note before getting off that I am very concerned about the Supreme Court taking up this case around the Legislatures and their potential like extreme authority to oversee elections and what that would mean for the California
Citizens Redistricting Commission and whether or not we could continue to exist. So I just wanted to make sure that that's -- I just wanted to note that in case we are able to discuss it later and just to register my concern. Thank you.

CHAIR TURNER: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes, I just wanted to --

there is no urgency for us to go through the entire list today. I just want to make sure --

CHAIR TURNER: Okay.

COMMISSIONER FERNANDEZ: -- I put that up because we won't be able to draft up the language and have it to bill until early next 2023. So I just want to make sure that you.

CHAIR TURNER: Okay, so when we come back and we're going into closed session for pending litigation and for personnel -- possible personnel exemption. So when we come back, then perhaps we'll move on to the next subcommittee. Okay. All right. So we're back from lunch into closed session at 1:45.

(Whereupon, a recess was held from 12:43 p.m. until 1:45 p.m.)

CHAIR TURNER: Thank you and welcome back from lunch. And we are coming back from a closed session under pending litigation. And for that, we have nothing
to report at this time. And then also for a personnel exemption, and we'd like to report that we have received a motion to hire an SSM-1 pending reference checks. So excited about that.

We're going to go and finish out our subcommittee readout from the Legislative and Long-Term Planning and go for the third attempt back to the support letter. And when we finish this part, we will be moving to public comment. So for the support letter of approval, Anthony, let's see where we are in our language. And please, Commissioner Fernandez and Akutagawa.

MR. Pane: Okay. Thank you, Chair. So the highlights are the edits and additions I have made based on the recommendations that commissioners have made. The first one here, fair representation, is at the heart of fair elections, and appropriate district lines was an addition from what Commissioner Sadhwani had requested.

The second highlight, Commissioner Taylor, we had already touched base with him on that. So that sounded like that captured his sentiment. And the third highlight here is Commissioner Kennedy's edits to the first phrase of that sentence. And the fourth highlighted area was a comment that Commissioner Kennedy requested be inserted regarding an additional benefit of the passage of the bill that's specifically as it applies
to the Statewide Database and a local redistricting.

And then so I wanted to see in light of this, I note, Commissioner Andersen, you had some suggestions as well. I wasn't sure if Commissioner Kennedy's point here fourth one down is capturing at least some of the recommendations you had made. But with that, I wanted to also -- I know we need to also look at Commissioner Andersen's points as well.

CHAIR TURNER: She's here. Let me -- Anthony, can you put the full on the screen again?

MR. PANE: I'm sorry.

CHAIR TURNER: I wanted to see the full --

MR. PANE: All the changes?

CHAIR TURNER: Yep. Okay. Because I want to read all of it out loud so I can hear it -- so we can hear it. So it's fair representation is at the heart of fair elections and appropriate district lines. Counting each incarcerated person at the last known address makes far more sense than the place of incarceration. Doing the latter artificially drives up numbers in a country -- in a county and a city with a correctional facility. Inflating the apparent size and the political influence of areas with incarceration facilities violates our Constitutional right to equal political power based on population size. This needed change will provide equal
and fair representation for all districts in California.

   Additionally, incarcerated persons do not intend to remain in a correctional facility. An important consideration when determining resident status. Because the incarcerated persons last address is known, it is a far fairer determination to count incarcerated persons at their last known address rather than at the correctional facility.

   The harmonization of requirements between state and local redistricting will also ensure that there would only be a single version of the official redistricting database. This would reduce both the possibility of confusion among the public and the workload of the Statewide Database, which would already have a significant workload without having to produce two versions of the redistricting database.

   For these reasons, we support this legislation and urged speedy passage and enactment. Thank you for your consideration. Okay.

   Commissioner Andersen  (Audio interference) oh, Fernandez?

   COMMISSIONER FERNANDEZ: I think I just received something. Is that online feed is the volume on?

   MR. MANOFF: Yes, it is.

   COMMISSIONER FERNANDEZ: Okay. Thank you.
CHAIR TURNER: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yeah. Thank you. My comment is, if I could pull up my screen, it just affects the first -- I actually did incorporate Commissioner Kennedy's, which is essentially, I guess, this -- well, I guess, well, the last paragraph. I did incorporate that into my moving. I could just share my screen to show you.

The point I was trying to put in here is right the beginning to say right now, and the bill does not actually mention this, right now local redistricting is being required to do this. We're being requested and so as to make it consistent. And we kind of get to that of eventually, but not right to beginning. You know, at the end here we say, you know, let's make it the same. So if I could just go in and share my screen, I think we can see that and see if we like that or not.

CHAIR TURNER: Sure.

COMMISSIONER ANDERSEN: Okay. So here's the first part. I just delete the -- it's -- it would say on behalf of the 2020 California Citizens Redistricting Commission, we write this letter and support a bill that would make permanent, necessary changes. Just delete that part. Then it says current law requires local redistricting agencies, but only requests California
Citizens Redistricting Commission count these individual's last known address rather than where the individuals or rather than at the institution where they reside.

The 2020 Commission counted them the last known address and believes the commission should also be required to do to do this to not only address what's known as the prison gerrymandering issue -- oh, I missed that, but make state and local redistricting census databases consistent and reduce the workload of the Statewide Database. And that I didn't -- and then I didn't -- so I took the last part out. I didn't change anything from there down.

So this last sentence essentially is a short version of Commissioner Kennedy's idea. And essentially, this part here, the switching, as you may know, but just for that and that current redistricting requires this, but only requests us. And I changed the sentence, we should also be required to do so. And then this is a -- my first was that was my first reasoning prison gerrymandering and then I added in these other two.

CHAIR TURNER: Okay. Comments? Questions? Feedback? What are we thinking? Does the addition being offered make it clearer? Does it clarify? Or do we like it the way it is? What's the desire or thought of the
commissioners?

Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair. Yeah, I think it improves the letter. I would still add in the bit about having a single redistricting database reducing potential confusion among the public.

CHAIR TURNER: Um-hum.

COMMISSIONER KENNEDY: I'm fine with this. On the items in yellow on the other version, I think that we can still look at reordering some of those because it almost to me, it's not reading as a logical sequence --

CHAIR TURNER: Um-hum.

COMMISSIONER KENNEDY: -- the way the sentences are ordered. But I think as far as the elements that we want. You know, I think we're there.

CHAIR TURNER: Okay. Great.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yeah. It's definitely more than I wanted a simple letter of support to have contained. And it's fine we can make the changes to it. We're down to the wire now, and I'm hoping, you know, we'll take the information and probably put it in a different -- there are sections that I thought weren't in the right order, as Commissioner Kennedy said. So I'm hoping we can just have the authority to make the changes
and send it on behalf of the commission at this point.

CHAIR TURNER: I'm definitely comfortable with that.

Commissioner Andersen?

COMMISSIONER ANDERSEN: I think I'm still on -- you can hear me. I'm totally on board with that. And I've forwarded this to Anthony. So I believe, you know, he has this. And I also like what Commissioner Kennedy said about if they want to use this version and punch up this last part here in the green to make that consistent with what he was intending. I think that would flow -- it might help us with the flow of that letter.

CHAIR TURNER: Okay, great.

COMMISSIONER ANDERSEN: I'll stop sharing my screen.

CHAIR TURNER: Okay. So with that, what I'm hearing is that we will then give the subcommittee authority to make the last little bit of wordsmithing tweaks in the order and be able to send this forward. Beautiful. Okay. Anything else from the subcommittee at this time?

And can we retire?

COMMISSIONER FERNANDEZ: I think that's all we had.

CHAIR TURNER: Anthony?

COMMISSIONER FERNANDEZ: Do we need to vote on this, Anthony?

MR. PANE: Yeah.

CHAIR TURNER: Where's Anthony?
MR. PANE: I'm right here. Hi. If we could, because this is going to be sent in by the commission, even though you've delegated it, it would be helpful to have a vote by the commission to essentially send a letter of support with the changes to be made by the subcommittee, you know, that went on record as a commission supporting this letter.

CHAIR TURNER: Okay.

Commissioner Andersen?

COMMISSIONER ANDERSEN: I so move and I want to say thank you. Thank you to the subcommittee who has done a huge amount of work on all of these items and move them forward and stayed with us and been very tolerant of all our changes and things like that. So but I'm -- I make the make the motion.

CHAIR TURNER: Is there a second?

COMMISSIONER FERNANDEZ: I think Commissioner Kennedy seconded.

CHAIR TURNER: Okay. Didn't see it. Okay, great. Didn't' see it.

COMMISSIONER FERNANDEZ: Put words in your mouth.

COMMISSIONER KENNEDY: Seconded.

CHAIR TURNER: Beautiful. So it will be the motion in a second. We will go to public comment for this section. And prior to the vote for the Legislative Long-
Term Planning. And for the incarcerated populations, Commissioner Fernandez included that in the readout for the Legislative Long-Term Planning. So at this point we'll go then to public comment --

MR. MANOFF: Sure thing chair.

CHAIR TURNER: -- for these items.

MR. MANOFF: And please remind me what are the items again?

CHAIR TURNER: P, Legislative Long-Term Planning and incarcerated populations, federal facilities.

MR. MANOFF: All right. So Item P?

CHAIR TURNER: Yes, P and F.

MR. MANOFF: P and F. And are we taking a public comment on the motion?

CHAIR TURNER: Yes. Thank you.

PUBLIC COMMENT MODERATOR: Sounds good. The Commission will now take public comment on sub item P and item F and the motion on the floor. To give comment, please call 877-853-5247 and enter meeting ID number 81170012495. Once you've dialed in, please press star 9 to enter the comment queue. The full call instructions are read at the beginning of the meeting and are provided on the livestream landing page.

We do have a caller.

CHAIR TURNER: Yes, please.
PUBLIC COMMENT MODERATOR: Caller 6252, please follow the prompts to unmute. The floor is yours.

MS. HUTCHINSON: Thank you. Good afternoon, commissioners. This is Helen Hutchison with the League of Women Voters of California. I am speaking today on behalf of the league and also of California Common Cause and the LEO Education Fund and Asian Americans Advancing Justice Asian Law Caucus. We strongly oppose any reduction in the public notice period for your meetings.

Our rationale is outlined in a letter that was sent from the league and Common Cause in May. And we want to also let you know that if this language were to be introduced in the Legislature, we will be actively opposing it there also. Thank you very much.

CHAIR TURNER: Thank you.

PUBLIC COMMENT MODERATOR: That is all our callers at this time, Chair.

CHAIR TURNER: Okay. Thank you so much. Any other discussion before we go to vote? Okay. We are ready for a vote.

MR. MANOFF: Yes, Chair. I'll pull that up right now. Okay. The motion is to approve the Commission letter of support with edits for the Assembly Bill 1848. Is that accurate, Commissioner Andersen?

COMMISSIONER ANDERSEN: Sorry. Yes. Yes, it is.
MR. MANOFF: Thank you. So the motion was made by Commissioner Andersen, seconded by Commissioner Kennedy. We will begin the vote.

Commissioner Vazquez?

Commissioner Yee?

COMMISSIONER YEE: Yes.

MR. MANOFF: Commissioner Ahmad?

COMMISSIONER AHMAD: Yes.

MR. MANOFF: Commissioner Akutagawa?

VICE-CHAIR AKUTAGAWA: Yes.

MR. MANOFF: Commissioner Andersen?

COMMISSIONER ANDERSEN: Yes.

MR. MANOFF: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes.

MR. MANOFF: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yes.

MR. MANOFF: Commissioner Kennedy?

COMMISSIONER KENNEDY: Yes.

MR. MANOFF: Commissioner Le Mons?

COMMISSIONER LE MONS: Yes.

MR. MANOFF: Commissioner Sadhwani?

Commissioner Sinay?

COMMISSIONER SINAY: Yes.

MR. MANOFF: Commissioner Taylor?

COMMISSIONER TAYLOR: Affirmative.
MR. MANOFF: Commissioner Toledo?

COMMISSIONER TOLEDO: Yes.

MR. MANOFF: And Commissioner Turner?

CHAIR TURNER: Yes.

MR. MANOFF: The motion passes.

CHAIR TURNER: Thank you. Okay. And also wanted to acknowledge the letter that was sent in from the California Black Census and Redistricting Hub that is posted on our website as well concerning the incarcerated populations federal facilities. I forgot to do that earlier.

At this time, we're going to move to the last of our subcommittee updates. And so we'll go to Lessons Learned, Commissioners Kennedy and Yee.

COMMISSIONER KENNEDY: Thank you, Chair. The main work that is ongoing at this point is coding of the data. I have my notes, I have Commissioner Yee's notes, I have the letter received from community groups. All of those are being converted into a database, eventually a single database where every single item will be coded as to where it falls in the outline of the Lessons Learned discussion.

Each item will be coded as to whether it's a strength, a weakness, an innovation, or a recommendation. Each item will be coded as to the source. I'm thinking I
may also code them as to frequency, because one of the
tings that I'll be doing is eliminating duplicates. But
I think it's important to keep track of how often some of
these inputs were received. So there will possibly be a
field in the database for frequency and then that will be
sorted by the outline sub sorted by the type of input.
And Commissioner, he and I will be able to begin
drafting.

We've also been working to ensure that we have the
information that we need for the annexes. I reminded
Director Hernandez that we will be wanting to include a
complete listing of all contracting actions, including
their start date, how long it took to award the contract
so that we can provide a comprehensive picture of the
contracting side to the 2030 Commission and anyone else
who's interested in that aspect.

We will be including a very comprehensive version of
the Gantt chart, which will include every single meeting
that we had, as well as some other highlights that aren't
yet in the current version of the Gantt chart. You know,
all of this is going to take time. We recognize that the
Legislative issues that we're currently dealing with
don't need to wait for the Lessons Learned report.

There may be further Legislative issues that do
arise from the Lessons Learned report. Those would
probably be destined to be brought up with the Legislature next year or further out. So that is where we are on the Lessons Learned report itself. I will also report that I have -- I had heard back from the chairman of the San Diego County Redistricting Commission. They were one of the commissioners that was initially invited to join us back in March during our Lessons Learned discussions, along with the other commissions.

The Chair, at that point in time when I sent my letter, did not have access to his commission email, so he did not get the invitation at that point. We have since then established contact. I have floated with him the possibility that if they do have any Lessons Learned from their experience that they would like to share with us that might inform our Lessons Learned report that I would endeavor to add that to an agenda for one of our future meetings. So he's checking with folks that he needs to check with before getting back to me on that.

Thank you.

CHAIR TURNER: Nice. Nice. Thank you. Great website, Commissioners Taylor, and Andersen?

COMMISSIONER TAYLOR: Good afternoon. Plenty of stuff going on with the website. We've met a few times and we've corresponded back and forth with staff. I guess, I'll try to give you some of the high-level
highlights. My team is transferring our website over to a Department of Technology server so that the website will be sitting on a CA dot gov address.

The idea behind that is that the website can exist in perpetuity as opposed to it being dissected into a this is the 2010 website and this is a 2020 website and we can just hand this over to the 2030 Commission and everything can sit from this point on, as is on this website.

CHAIR TURNER: Nice.

COMMISSIONER TAYLOR: The problem that -- the larger problem with that as we've discussed with Commissioner Kennedy is that the 2010 website is not in compliance. So it doesn't fall under the Government code guidelines or the web content accessibility guidelines. So all of that material has -- is supposed to be sitting at the State archives. So they're going to be the caretaker for all of those materials to get that information.

To get that information -- to retrieve that information, you'll have to go to the State archives if you want to get information regarding the 2010 -- the 2010 website or the 2010 Commission. That process is still -- it hasn't been totally vetted yet. So we will have to have a moment where we go through to ensure that all of the 2010 materials have reached that point.
So I think that is the largest issue that is hand, the migration to the CA dot gov -- the migration of ensuring that all of the 2010 material is on that State Archives website. So it's in hand to the State Archives so that it can be retrieved.

CHAIR TURNER: There's a question or comment.

Commissioner Kennedy?

COMMISSIONER KENNEDY: Thank you, Chair.

Commissioner Taylor, if you could remind us what those accessibility requirements are that are impeding the posting of materials from the 2010 website. And I'm wondering if there are key items from 2010 that if there is an expense involved, if we might want to go ahead and incur that expense for key items from the 2010 Commission to be made available in accessible formats that would meet the California Department of Technology requirements. Thank you.

COMMISSIONER TAYLOR: So Commissioner Kennedy, to answer your question specifically, the Government code section is 7405 and 1135. And the State follows the web content accessibility guidelines. Now, I don't know verbatim all of the standards that the 2010 website would fall short of. But those are the guidelines that that it falls on 7405 of the Government code, 1135 of the Government code and the web content accessibility
guidelines. So I relied on their expertise that the 2010 Commission -- the 2010 website didn't fall to those standards.

CHAIR TURNER: Okay. All right. Anything else, Commissioner Taylor?

COMMISSIONER TAYLOR: No. Commissioner Andersen?

CHAIR TURNER: Oh, thank you.

COMMISSIONER ANDERSEN: Yeah. Yeah. Thank you, Commissioner Taylor. You did a great job. The other item that we are still talking about is, you know, should there be some sort of listing even just on our website and what is on the 2010? But so far, we -- as Mr. Taylor said, there's a vetting process that we sort of said, let's have a look and see what we can actually get with that ends up with.

And that's part of the -- what kind of listing could we even have? But Commissioner Kennedy, you mentioned, you know, key items and it often comes up like what key items would you think we would want? And because that is so easy to see if, oh, those items might actually be compliable, I don't know. But in terms of if you have any sort of ideas of what might be key items, that would really be helpful.

COMMISSIONER KENNEDY: I'll take a look.

CHAIR TURNER: Thank you.
COMMISSIONER TAYLOR: Yeah. The idea is not to eliminate -- to scratch all the history. We know that we'll be able to have tabs. There'll be some reference to the 2010 website that in -- for lack of a better example, video may not be compliant or the way the videos posted might not be compliant.

Because it's not compliant per the Government code. We'll have to you'll have to sit in the State archives. It can still be requested. We can have instructions on how to get here. But it would take the current website, the website that we use out of compliance. So just in an effort to follow the Government code, we might have to seat or embed those somewhere else and with a pointer.

Thank you.

CHAIR TURNER: Okay. Thank you. We're going to -- Redistricting Engagement. Commissioners Sinay and Fornaciari?

COMMISSIONER SINAY: Actually, it's Commissioner Sinay and Yee.

CHAIR TURNER: Okay. Thank you.

COMMISSIONER SINAY: Do you want to start Commissioner Yee?

COMMISSIONER YEE: Sure. So as Commissioner Sinay mentioned, we continue to meet with Common Cause on noncommissioned team, to stay engaged with their national
efforts to help encourage and support independent redistricting commission efforts. Most recently, we were on a panel with a group of Minnesota Common Cause folks as they try to do ground work there to pursue an independent redistricting commission proposal they wanted to build there. So that was a good experience. We got to share our experience.

And I have to say personally, wow, it's just so daunting thinking about being in their position. It would be like being in California in 2005 maybe, or something like that, you know, and just the long odds, the hard work, the seeming unlikelihood of getting anything done. And yet here we are. It can be done. And so I'm glad we can provide that inspiration to them. It can be done. And you can put a system in that really does work. So I'm very glad to provide that.

Commissioner Sinay?

COMMISSIONER SINAY: Yeah. Just to add to that, the one piece that's even more daunting on theirs is that they don't have the citizen's initiative process. And so just thinking through how they're going to do that. And we did. So anyway, and then the other piece we've been working with is a conference for all commissioners on independent redistricting commissions throughout the country and at the State level. And a professor at the
law school at Stanford has agreed to host it. We're looking at mid-December, but we're still looking to raise funds to cover the cost of transportation. And then we will create a, you know, transportation as well as hotel and such. And we will create, you know, so we're just at the beginning even though December's around the corner.

So the feedback has been positive from funders that we've shared it with. But no one has said, here's a check. But everybody thinks it's a great idea. And to have these, you know, to bring everyone together, to have a conversation. And we will -- once we know that we can do it because we have the funding, then we'll look at how do we set it up all legally to follow every state equivalent of Bagley-Keene and all that.

CHAIR TURNER: Um-hum. Beautiful. And Commissioner Sinay, as you know, that December for all the reasons we struggled when we were going through the process is an extremely crucial time. So even without the money, if you all ever land on a date or time period, I would think it would be important to notify that as soon as possible.

COMMISSIONER SINAY: Yup. We also need to figure out how to be equitable to all commissions on how many numbers of people they can invite from their commissions and what they have to cover all that stuff. So yeah, we're working on all four details.

COMMISSIONER TAYLOR: Good afternoon, again. The Audit Subcommittee function as another set of eyes. We met with staff, corresponded back and forth a number of times. We hope that the work was evident in the more comprehensive financial report in the budget presentation.

If there are any concerns or questions that need to be addressed, please direct them to staff. We'll look it over again. Staff did the hard work. Commissioner Le Mons and I were just there to ask a whole bunch of questions and they when they got the answers for us and they presented it in what I thought was -- what we thought, we hoped that a much better form that the committee could digest and use and you know, sink our teeth into. So thank you. Thank you, staff.

CHAIR TURNER: Beautiful. Beautiful. Thank you. And for our Staff Services Manager Recruitment Subcommittee we've reported out already coming out of the closed session.

Commissioner Fernandez, did you have anything else to add? Okay, great. So what we'll do at this point, I think we've gone through our subcommittees. We are going
to go to closed session -- go to the public comment,  
because we've completed this particular section.

What I'd like for -- while we prepare for
that Kristian, would like to also ask commissioners to
kind of just run through your minds real quick. Our next
meeting is scheduled for August 3rd and in checking I
don't see a lot of pressing information for August 3rd.
So give that some thought while we wait for public
comment and general public comment and we may not have
that meeting.

And if that's the case, I'd like to announce it now
for public that's here and for your own schedules to have
it back, which would mean our next meeting would be
August 31st. Kristian, let's go to public comment for
our agenda item number three and for general public
comment.

Mr. Manoff: You got it chair.

PUBLIC COMMENT MODERATOR: The Commission will now
take public comment on agenda item three and general
public comment. To give comment, please call 877-853-
5247 and enter meeting ID number 81170012495. Once
you've dialed in, please press star 9 to enter the
comment queue. The full call in instructions are read at
the beginning of the meeting and are provided on the live
stream landing page. And for those who are called in, if
you'd like to give a comment, please press star 9.

We have no raised hands at this time, Chair.

CHAIR TURNER: Okay. So let's see. So Commissioners, just kind of a quick discussion, August 3rd, we may end up with a quick meeting on the third because of the needing to vote. If we are going to do something on that, an amicus brief. But anyway, so stay tuned. We won't make that determination now. We'll see where we are August 3rd. And the meeting following that is August 31st. So I would just watch our emails and see how we'll be able to move on that. Commissioners, I don't have anything else on the agenda. Anyone have general comment?

Commissioner Kennedy?

COMMISSIONER KENNEDY: Just a reminder of the note that I had staff circulate, The Future of California Elections Conference is coming up in Burbank on the 25th of this month. I am hoping to be there. I hope to see colleagues there. I've participated in these conferences in the past. It's a great opportunity to see folks and discuss topics of, I think, great interest in our state and how we can continue to improve elections.

And as far as redistricting, there is a panel specifically on local redistricting. So even though our work isn't going to be the focus of a specific panel, I
think the panel on local redistricting could certainly be
useful. And if there are enough of us there and we can
split up and attend all of the concurrent panels, then we
could put our heads together afterwards and make sure we
all have a good understanding of what was discussed.
Thank you.

CHAIR TURNER: Beautiful. Okay. We do need to get
our additional meetings scheduled. I think the last
scheduling meeting -- the scheduled meeting we have is
August 31st. And I'm always a proponent for having it
marked and saved on the calendar just to ensure that we
have the best opportunity for all of us to attend,
particularly now that we're remote.

So look for a Doodle Poll of sorts that'll be coming
out to make a determination of when our next meetings
will take place. And let's see, I guess we'll make one
last call for public comment for Section 5, because it's
listed as its own about the next meeting. And I don't
see any new callers, but we'll still make a call for our
last public comment and then we will let you go.

Kristian?

MR. MANOFF: There are no hands raised at this time.

Did you want to read the instructions again?

CHAIR TURNER: No.

MR. MANOFF: Okay.
CHAIR TURNER: I don't think anyone new has joined. So you've read it?

MR. MANOFF: Yes. The same folks are here and they have not raised their hands and they gave comment earlier.

CHAIR TURNER: Okay, beautiful. Well, with that, we're going to adjourn for the day and we will see you all again either on August 3rd or August 31st. And we will, of course, give you plenty of notification time based on what we'll do. Thank you so much. This meeting's adjourned.

(Whereupon, the Citizen's Redistricting Commissions Public Meeting adjourned at 2:24 p.m.)
CERTIFICATE OF TRANSCRIBER

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

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

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

JENNIFER BARTON, CDLT-247
July 28, 2022
DATE
CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of July, 2022.

___________________________
JACQUELINE DENLINGER, CER-747
Certified Court Reporter