

STATE OF CALIFORNIA
CALIFORNIA STATE AUDITOR'S OFFICE (CSA)
2020 CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

FIRST EIGHT COMMISSIONERS PUBLIC MEETING

621 Capitol Mall, 10th Floor
Sacramento, California 95814

TUESDAY, JULY 21, 2020

9:35 A.M.

Reported by:
Peter Petty

APPEARANCESCOMMISSIONERS:

Isra Ahmad

Jane Andersen

Neal Fornaciari

J. Ray Kennedy

Antonio Le Mons (Remote attendance)

Sara Sadhwani, (Remote attendance)

Derric H. Taylor, (Remote attendance)

Trena Turner, (Remote attendance)

STAFF:

Amanda Saxton, Counsel

Shauna Pellman, Secretary, (Remote attendance)

CALIFORNIA STATE AUDITOR'S OFFICE

Elaine Howle, State Auditor

Stephanie Ramirez-Ridgeway, Chief Counsel

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APPEARANCES (CONT.)PUBLIC COMMENT:

Jonathan Mehta Stein, California Common Cause

Cynthia Dai

Douglas Johnson

Anne Kohl

Jaqueline Coto, NALEO

Eran Hazary, American Jewish Committee San Francisco

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P R O C E E D I N G S

9:35 a.m.

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2
3 MS. SAXTON: It's now 9:35 and I believe we're
4 ready to begin. Welcome everyone to the first meeting of
5 the first eight Commissioners of the Citizens Redistricting
6 Commission.

7 I'm Amanda Saxton, staff counsel with the
8 California State Auditor's Office. I will be serving as
9 legal counsel for the first eight as they work to select
10 the final six members of the Commission.

11 Shauna Pellman, an auditor specialist with our
12 office, will serve as secretary for the first eight members
13 of the Commission and is joining us remotely.

14 Madam Secretary, please call the roll.

15 MS. PELLMAN: Okay. Commissioner Ahmed?

16 COMMISSIONER AHMAD: Here.

17 MS. PELLMAN: Commissioner Andersen?

18 COMMISSIONER ANDERSEN: Here.

19 MS. PELLMAN: Commissioner Fornaciari?

20 COMMISSIONER FORNACIARI: Here.

21 MS. PELLMAN: Commissioner Kennedy?

22 COMMISSIONER KENNEDY: Present.

23 MS. PELLMAN: Commissioner Le Mons?

24 COMMISSIONER LE MONS: Here.

25 MS. PELLMAN: Commissioner Sadhwani?

1 COMMISSIONER SADHWANI: Present.

2 MS. PELLMAN: Commissioner Taylor?

3 COMMISSIONER TAYLOR: Present.

4 MS. PELLMAN: Commissioner Turner?

5 COMMISSIONER TURNER: Here.

6 MS. PELLMAN: Thank you.

7 MS. SAXTON: With all eight members present we
8 have a quorum.

9 I will now turn the meeting over to the
10 California State Auditor, Elaine Howle, for opening
11 remarks. Afterwards she will administer the oath of office
12 to the first eight members of the Citizens Redistricting
13 Commission and they will be sworn in.

14 MS. HOWLE: Thank you, Amanda. And welcome
15 everyone to the first meeting of the 2020 Citizens
16 Redistricting Commission. An exciting day for the State of
17 California.

18 So, I want to welcome the Commissioners who are,
19 present in the room, and certainly those that are
20 videoconferencing in. In advance, I know you have a lot of
21 work to do over the course of the next year or 14 months,
22 but we thank you in advance for your service. You've been
23 through a rigorous process already to be selected as a
24 Commissioner to represent Californians in drawing the
25 district lines for the legislative districts, congressional

1 districts, and certainly Board of Equalization districts.
2 A tall task, but based on the qualifications and the work
3 that you went through to get letters of recommendation,
4 your interviews, that rigorous process, we believe we have
5 highly qualified Commissioners ready to serve the State of
6 California.

7 So, I thank you on behalf of all Californians in
8 advance of your service.

9 Of course, as you know, my office will provide
10 support to you as you begin the process of -- in the next
11 few days you're going to go through some training and your
12 first task is to select your colleagues, the remaining six
13 Commissioners that will form the full, 14-member Commission
14 by August 15th of this year. So, that's a tall order, but
15 I think there are a lot of highly qualified individuals
16 remaining in the pool from which you can select your
17 remaining six Commissioners.

18 But my office, my attorneys, my other staff in
19 the office are here, ready to assist you in any way we can,
20 and we'll continue to do so until you're fully formed,
21 you're able to hire your own staff, and then move forward
22 in the process of establishing those new district lines and
23 working with all Californians.

24 Some of the things that we have already done to
25 help you in getting started with this important process,

1 certainly is the training that's going to be provided over
2 the next few days. But also, as I'm sure you're aware, we
3 issued an RFP. It's a nonbinding RFP. It was intended to
4 assist you in determining whether or not you want to
5 interview the individuals who submit proposals, whether you
6 want to start over from scratch, we wanted to make sure we
7 got that started for you. But, certainly, it's ultimately
8 up to the 14-member Commission to decide what you want to
9 do with those proposals when they come in.

10 In addition to that, we've put some position
11 announcements out. Again, to give you an opportunity to
12 get a head start on selecting who your next executive
13 director's going to be, your legal counsel, your
14 communications people, and any other staff that you feel
15 you need to assist you in your important process over the
16 course of the next year, again maybe 14 months or so,
17 depending upon when that Census data comes in.

18 In addition, we have already worked with the
19 Governor's Office, as is required by the initiative, to
20 find space for the Commission. We're in the final process
21 of establishing that space and getting it ready for the 14-
22 member Commission to be able to meet together. I know in
23 this era of the pandemic, it may be difficult at this point
24 in time to bring everyone together. You may have to
25 continue to do videoconferencing, like we're doing today.

1 But we certainly wanted to make sure that you had space
2 available to you, here in Sacramento, to have the
3 opportunity to commence some of the important work that
4 you're going to do.

5 So, with that, I'm excited to administer the oath
6 of office to all eight Commissioners. So, if you would
7 raise your right hand and repeat after me:

8 (Whereupon the oath of office is administered
9 to all Commissioners simultaneously.)

10 MS. HOWLE: Congratulations. And welcome to
11 everyone, the first eight Commissioners for the 2020
12 Citizens Redistricting Commission. Again, I thank you in
13 advance for your service.

14 For those of you participating, who have
15 participated in the process up to this point, the important
16 work is now beginning for this Commission and they will
17 need the support of Californians. So, I encourage you to
18 continue to participate in the process via
19 videoconferencing. If and when the Commission is able to
20 get out to different localities in California, please
21 attend the meetings, share your opinions. They need your
22 input to make sure that they do draw the lines that truly
23 represent all Californians.

24 So, thank you again Commissioners. Best of luck
25 in your responsibilities. We absolutely have the utmost

1 confidence in all of you selecting the next six, and then
2 carrying out the important duties that you all are
3 responsible for. So, again, congratulations.

4 I'll hand it back to Amanda and we'll get started
5 with the remaining part of the meeting. Thanks again.

6 MS. SAXTON: Thank you Madam State Auditor.

7 At this time we're going to move to Agenda Item
8 Number 3. And now that the Commissioners have been
9 officially sworn in, we're going to invite each of you to
10 introduce yourselves and make a short statement, if you
11 choose.

12 And I thought we would go in alphabetical order,
13 so our first Commissioner would be Commissioner Ahmad.

14 COMMISSIONER AHMAD: Thank you. Hi, everyone.
15 My name is Isra Ahmad. I'm from Santa Clara County,
16 specifically San Jose, California.

17 First, I would like to thank the Applicant Review
18 Panel and (indiscernible) for the huge undertaking under
19 the most unimaginable circumstances. The culmination of
20 your hard work is reflected here today, with the inception
21 and launch of the 2020 Citizens Redistricting Commission.

22 Second, I'd like to thank the staff and team that
23 have been working tirelessly behind the scenes to ensure
24 that our meetings go smoothly and efficiently. I see you,
25 I appreciate you, and I thank you.

1 To my fellow Commissioners, congratulations on
2 your selection. I'm confident that your passion and
3 commitment to this work will help elevate our collective
4 goal.

5 And to my fellow Californians, I am absolutely
6 honored to have been selected for this role. I hope to
7 work with all Californians to ensure that our voices and
8 communities are represented in our district maps.

9 Thank you.

10 MS. SAXTON: Thank you.

11 Our next Commissioner, Commissioner Andersen.

12 COMMISSIONER ANDERSEN: Good morning. My name is
13 Jane Andersen. And similar to Commissioner Ahmad, I would
14 like to thank Elaine Howle, the entire staff at the State
15 Auditor's Office, particularly the Applicant Review Panel
16 and their counsel, and everyone in the group for their
17 manner in which they were always polite, always helpful,
18 and always with integrity and commitment to nonpartisanship
19 performed all of their duties.

20 I would like to thank my family for all their
21 support and through the application process, and for all
22 the support they will continue to give me as we proceed
23 with our Commission work.

24 It's an honor and a privilege to be on this
25 Commission and I deeply respect that. And I hope to live

1 up to the ideals with which we are all charged, and
2 represent our communities of interest in the best way we
3 possibly can, and draw the lines so that Californians
4 themselves realize I now can represent and vote for my
5 person who I believe will represent me. I will use all my
6 ability and power to do such. And I certainly appreciate
7 the opportunity that I've been given and will do everything
8 in my power to work in the best behalf of the Commission.
9 Thank you very much.

10 MS. SAXTON: Thank you, Commissioner Andersen.
11 Commissioner Fornaciari.

12 COMMISSIONER FORNACIARI: Yeah, I just echo the
13 sentiments that have been shared already. I'm just deeply
14 honored and humbled to have this opportunity. You know, I
15 want to thank my family for their support and help getting
16 here. I thank the staff for all their support.

17 I'm very much looking forward to getting to know
18 my fellow Commissioners and in working together in this
19 awesome undertaking. Looking forward to representing, to
20 enable the citizens of California to -- all of the citizens
21 of California to participate and, you know, to fill the
22 ideals behind this Commission. And I'm just honored and
23 looking forward to getting underway. Thank you.

24 MS. SAXTON: Thank you.
25 Commissioner Kennedy.

1 COMMISSIONER KENNEDY: Good morning. I'm Ray
2 Kennedy from Morongo Valley. Morongo Valley is a rural
3 community in San Bernardino County. We're one of the
4 Joshua Tree gateway communities.

5 I believe that the Redistricting Commission
6 serves an incredibly important role as a model for the rest
7 of the nation. So, we have a duty to the citizens of
8 California, all of the citizens of California to perform
9 our duties with great care and discernment, but we also
10 have a duty to the nation. And I look forward to working
11 with my fellow Commissioners in that.

12 I think one of the things that we have to
13 recognize is that the pandemic crisis that we find
14 ourselves in also represents an opportunity. An
15 opportunity for much more community input than the 2010
16 Commission had time for. The fact that we have pretty much
17 a full year until we receive Census data will allow us, if
18 we can figure out the logistics of it in the pandemic, to
19 really deepen our understanding of the communities of
20 interest here in California.

21 And I look forward to working with the Auditor's
22 Office and with our own staff to make that happen. Thank
23 you to the Auditor, and her staff, and the Applicant Review
24 Panel. It's an amazing thing and, as I say, and important
25 model for the rest of the country. Thank you.

1 MS. SAXTON: Thank you.

2 Commissioner Le Mons. Is Commissioner Le Mons
3 with us?

4 COMMISSIONER LE MONS: Sorry about that, I was
5 muted. Hello, good morning. I'm Antonio Le Mons from
6 Southern California. I just want to thank the California
7 State Auditor's Office, everyone that supported the process
8 that brought us to where we are today. I'm looking forward
9 to participating in the process and working with my fellow
10 Commissioners to ensure that the objectives and our mission
11 is fulfilled with integrity and transparency.

12 This is an honor to be selected to the Commission
13 and I look forward to serving and meeting the duties that
14 are put forth for our work. Thank you so much.

15 MS. SAXTON: Thank you.

16 Commissioner Sadhwani, please.

17 COMMISSIONER SADHWANI: Thank you. Thank you all
18 so much. I'm very pleased to be here and to be a part of
19 the lucky eight, as I think the 2010 Commissioners referred
20 to themselves. And I'm so proud to be serving the State of
21 California in this way.

22 I echo the sentiments of the previous
23 Commissioners in thanking the State Auditor's Office for
24 all of their tireless work to get us this far in the
25 process, and to provide excellent counsel.

1 I look forward to getting to know all of my
2 fellow Commissioners, even under these difficult
3 circumstances that have us participating remotely from
4 across the state. And I do hope that we can all meet in
5 person very soon.

6 I enjoyed watching all of your interviews and
7 reviewing your applications. And the one thing that stood
8 out to me most was that most, if not all of the
9 Commissioners reflected on the need for legitimacy,
10 transparency, and public trust. And for me, one of the
11 keys to ensuring that legitimately and public trust is
12 upholding our commitment to diversity.

13 Now, I know that our time together these first
14 few days is for training and not the discussion of the
15 selection of the final six. I was very moved by the number
16 of public comments that we've already received and I
17 encourage my fellow Commissioners to review them carefully,
18 as well as reports that have been circulated around the
19 state, and editorials that have been written by a number of
20 newspapers.

21 Particularly, regarding diversity and our
22 tremendous responsibility to ensure that the Commission
23 reflects the diversity of the state. Notably, at present
24 we have no Latinos sitting on the Commission, despite
25 Latinos comprising a large proportion of the state's

1 population. We also have no East or Southeast Asians, no
2 Native American or Pacific Islanders. We continue to lack
3 geographic representation from key regions. And we also
4 have no individuals with household incomes less than
5 \$75,000.

6 So, I think we definitely have a large task in
7 the coming weeks as we embark upon our first
8 responsibility. And I think that as we continue to grow
9 and work together in these coming days, I look forward -- I
10 look forward to that.

11 MS. SAXTON: Thank you, Commissioner Sadhwani.
12 Commissioner Taylor.

13 COMMISSIONER TAYLOR: Good morning. My name is
14 Derric Taylor. I'm a Los Angeles resident. I was also
15 born in Los Angeles. I spent a great deal of time in the
16 San Gabriel Valley, in a little city called Altadena, which
17 nestles the San Gabriel Valley Mountains.

18 I thank everyone that's participated in the
19 process thus far. The Applicant Review Panel did a
20 spectacular job. I place a lot of value in the votes. A
21 lot of history behind the votes and I intend to uphold that
22 history. As was very well said by the other Commissioners,
23 I agree wholeheartedly with what's been brought before us
24 thus far, and I look forward to working with everybody.
25 So, I feel honored to be -- honored and humbled to be able

1 to represent the people of California. Thank you.

2 MS. SAXTON: Thank you, Commissioner Taylor.
3 Commissioner Turner?

4 COMMISSIONER TURNER: Thank you so much. I'm
5 Trena Turner. I'm a resident of the San Joaquin Valley,
6 specifically Stockton where I pastor locally. And I'm
7 really grateful just for the opportunity to serve on this
8 2020 panel. I'm grateful for and extend a great
9 appreciation for all of those that supported me through
10 this process with just written recommendation, public
11 comment, of course to the Panel, and for everyone that just
12 supports this very thorough and important role that we have
13 before us.

14 So, I just want to say how much I do count it an
15 honor. I intend to hold this up with most importance and
16 diligence. And I'm grateful for the opportunity to serve
17 and I'm very clear that this is a service that will be
18 provided on behalf of the amazing people in California.
19 So, thank you.

20 MS. SAXTON: Thank you. Thank you,
21 Commissioners.

22 The next item of business is for me to deliver
23 the report of counsel, which is number four on our agenda
24 today.

25 If anyone should need a break at any time, please

1 speak up. Normally, that would be addressed to the chair,
2 which is one of the things we're going to do is vote on
3 that. Well, not me. You.

4 The purpose of the report of counsel today is to
5 provide some background information on the Citizens
6 Redistricting Commission. Also, to speak to the role, your
7 role of the first eight Commissioners, go over what's in
8 store for us today, and also what to expect for the next
9 meeting that will be held. We anticipate that it will be
10 scheduled for August 4th through August 15th. And we will
11 issue the agenda fairly soon after this meeting adjourns.

12 I should mention that typically an agenda like
13 that is agendized for several days and then additional
14 days, if the work isn't complete and you need them.

15 After the conclusion of my report, the
16 Commissioners will attend to some housekeeping matters and
17 will then elect a temporary chair and temporary vice chair,
18 with time for public comment on the election beforehand.

19 So, some background on the Citizens Redistricting
20 Commission. It was created in 2008 by the passage of
21 California Proposition 11, also known as the Voters FIRST
22 Act. It draws the boundary lines for California state
23 legislative districts, and Board of Equalization districts
24 every ten years after the Federal Census.

25 In 2010, the Commission also became responsible

1 to redraw district lines for California's congressional
2 district when Prop. 20, the Voters FIRST Act for congress
3 passed.

4 The 14 members of the Citizens Redistricting
5 Commission, which is the full Commission, are selected in a
6 multi-step process. The first step is the creation of a 3-
7 member, diverse Applicant Review Panel, or ARP for short.

8 The ARP reviewed every application it received
9 and eventually narrowed down the pool of over 20,000
10 initial applications for Commission positions to a pool of
11 60.

12 Meanwhile, the office engaged in extensive
13 statewide outreach, working with a number of partner
14 organizations to get those applications to come in.

15 The pool of 60 was then divided into three equal
16 subpools. One with 20 Democrats, another with 20
17 Republicans, and the last with 20 applicants having no
18 affiliation with the others. And I just want to state that
19 when I say Democrats and Republicans that's based on
20 statutory language that tells us that it's going to be the
21 number one and number two parties in California. That's
22 what it happens to be now. But the law is written such
23 that if that should change, it could be different.

24 So, we have our 20 Democrats, 20 Republicans, and
25 20 applicants with no party preference. Then, the

1 California Assembly Speaker, the California Senate
2 President pro Tempore, and the Minority Party leaders in
3 the Assembly and the Senate exercise their right to reduce
4 each subpool of 20 by as many as eight applicants.

5 Then, the Legislature submitted its final list of
6 35 back to the State Auditor's Office.

7 Now, this time one applicant withdrew while the
8 Legislature was reviewing applicants and that's why we have
9 35, instead of 36. And that's why if your math seems
10 funny, that's why.

11 On July 2nd, 2020, the State Auditor then
12 randomly drew three Democrats, three Republicans, and two
13 applicants with no party affiliation. And those applicants
14 became the first Commissioners we have here with us today.

15 Okay, so the next thing people are probably
16 wondering about is what are our first eight going to do?
17 What are your duties? And they are very narrow for this
18 stage. It's going to be the responsibility of the current
19 first eight to accomplish one task, and one task only,
20 which is to select the final six members of the Commission.

21 The first eight Commissioners have no authority
22 to take any other action regarding redistricting process
23 beyond the selection of the final six.

24 The actual work of redistricting will be
25 performed only once the full 14-member Commission is

1 established. The only way to achieve a complete 14-member
2 Commission is for the first eight to select the final six
3 Commissioners by the August 15th, 2020 deadline, which is
4 set forth in law. So, that means that the selection of the
5 final six, you have until August 15.

6 During the selection period, the State Auditor's
7 Office, we will provide support services for the first
8 eight Commissioners. And that consists of administrative,
9 technical, clerical support, providing office equipment,
10 facilities, and staff, including legal counsel.

11 So, once the first eight receive requisite
12 training to prepare to carry out their duties, then you can
13 begin the selection process. The law requires that the
14 first eight Commissioners choose the final six to ensure
15 that the final 14-member Citizens Redistricting Commission
16 reflects the diversity of California.

17 The categories of diversity that the first eight
18 Commissioners are to consider are set forth in law and
19 include racial, ethnic, geographic, economic, and gender
20 diversity. The law also makes clear when selecting the
21 final six to establish the full Commission that will
22 reflect California's diversity the first eight
23 Commissioners may use no formulas, quotas, or specific
24 ratios to achieve that.

25 In addition to ensuring the Commission reflects

1 California's diversity, the final six must also be chosen
2 based on relevant analytic skills and the ability to be
3 impartial.

4 With a deadline for selection of August 15th, I'm
5 pleased to tell you that although you could gather more
6 information, it's likely unnecessary. The Applicant Review
7 Panel, the ARP, has already thoroughly examined the
8 remaining applicants for these attributes. As part of the
9 ARP's rigorous screening process, whether an applicant had
10 the relevant analytic skills, appreciation for diversity,
11 and the ability to be impartial, those are all elements of
12 the criteria the ARP used to identify the most qualified
13 applicants.

14 The current Commissioners have had the same
15 screening by the ARP, as all of the applicants remaining in
16 the pool from which you will select the final six.

17 So, I think you will be able to find sufficient
18 information to evaluate the remaining applicants in the
19 pool because it's already included in the applications you
20 currently have for those remaining applicants.

21 The applications have been available also to the
22 public for some time on our website already and anyone in
23 the public who's interested in looking at those
24 applications can find them at
25 shapecaliforniasfuture.auditor.ca.gov.

1 I also want to mention that our office has
2 provided, to the first eight Commissioners, comments made
3 to the Commission by the public.

4 If members of the public want to submit comments,
5 our website provides all the avenues to do so. I need to
6 point that the law prohibits public comments to be made
7 directly to any of the first eight Commissioners. That
8 includes any kind of communication, an email, a letter, a
9 text, a phone call, talking in line at the grocery store.

10 So, I know some of you are thinking, well, what's
11 that all about? These are the Redistricting Commissioners
12 and we aren't allowed to talk to them? No, they're
13 deciding how the lines are going to be drawn.

14 Well, members of the public do have a voice and
15 we're going to have public comment opportunity later on.
16 But the process for selecting the Commissioners was
17 designed for maximum transparency and inclusion and that's
18 why Commissioners may only communicate and receive
19 communication on redistricting matters in an open, public
20 meeting, like this one. That way the process is in the
21 open and the public has a greater ability to follow the
22 Commission's progress.

23 Today's meeting is a training meeting. The law
24 requires that our first eight Commissioners have specific
25 training before they can begin the selection. Also,

1 Commissioners will likely want to set some meeting ground
2 rules, including setting a reasonable time limit for each
3 person making public comment, if they choose.

4 And one of the decision points will be whether to
5 follow the informal procedure for small boards that is set
6 forth in the Robert's Rules of Order, which is
7 parliamentary procedure, which the law requires that you
8 use to conduct your meetings.

9 Robert's Rules of Order tells us that if not more
10 than about a dozen board members are present, a more
11 informal procedure is followed. So, that means that
12 perhaps what you may want to do is to elect your temporary
13 chair, temporary vice chair, and then make some decisions
14 about what you'd like to do with the parliamentary
15 procedure rules.

16 The training topics that you can see on the
17 meeting agenda are going to provide you a sense of
18 concepts, laws, information that you'll be considering as
19 you select the final six.

20 The training provided at this meeting is geared
21 toward preparing the first eight Commissioners to perform a
22 singular task, which is to select the final six, while
23 leaving time to finish selection by the August 15th
24 deadline.

25 While the trainings for the first eight

1 Commissioners are for the most part prerecorded, the same
2 training that the ARP panel viewed, we anticipate that once
3 the final six Commissioners are selected, and the Citizens
4 Redistricting Commission is fully formed, the full 14 will
5 likely participate in live training as a group.

6 We received, there was feedback given in a report
7 by the former Citizens Redistricting Commission that
8 indicated that it was preferable to have the Commissioners
9 take as much training together as possible. In part to
10 avoid uneven training between the first eight Commissioners
11 and the final six, and also because you have to work
12 together and those are team building experiences.

13 Today, we're going to start with the training
14 about the process and procedures for selection of the final
15 six Commissioners. We will learn about Bagley-Keene, the
16 Open Meeting Act. And we'll work on, next, the address
17 California's diverse demographics and geography, and we'll
18 finish with a former Commissioner's experience with
19 communities of interest and diversity as they relate to map
20 drawing.

21 As I said, the next meeting is anticipated it's
22 going to be August 4th through the 15th, and the focus is
23 going to be selection of the next six. And one thing to
24 mention is that it's difficult to predict the amount of
25 time that the first eight Commissioners are going to need

1 to complete selection. As an aside, the 2010 Commission
2 did it in two days.

3 So, we're going to plan -- as I said, we're going
4 to notice the meeting that will enable you to have maximum
5 flexibility, carrying it all the way through to the 15th,
6 if you need it.

7 The videos of the meeting, the transcripts, as
8 well as other documents that are presented at the meeting
9 will be posted on our website for the public. And again,
10 they're the same trainings for the most part that the ARP
11 had.

12 So, let's see, it's going to be a really full
13 day. There will be a lot of information for you. But,
14 thankfully, I'm not planning to give anyone a quiz at the
15 end.

16 And thank you for your time and attention. Does
17 anybody have any questions so far? No.

18 So, the next item on the agenda is that the first
19 eight will discuss ground rules for meetings, consider
20 setting a reasonable time limit on public comment, and
21 potentially take action on these general operating
22 procedures.

23 Would anybody like a break at this time or we're
24 okay? Hearing and seeing none, I will move along.

25 Before we can have you elect a temporary chair

1 and temporary vice chair, I will give instructions to the
2 public. They are going to make public comment before that
3 vote takes place. And then, after that you can commence
4 motions to -- for the chair and for the vice chair.

5 So, I will do that, now. Are we ready? I'll go
6 into the special instructions for this meeting. Just so
7 you know these are also available on our website for public
8 comment, callers who want to call in. And I will be
9 reading a shortened version of them throughout the meeting.

10 To maximize transparency and public participation
11 in our process, in addition to all public comments we have
12 been receiving prior to our meetings, we will also be
13 taking public comment during our meeting by phone. There
14 will be opportunities to address the first eight
15 Commissioners, as well as the process in general.

16 In addition, for each agenda item that requires a
17 vote, the public may provide comment on that particular
18 item. Each time that we bring up an action item, we will
19 inform the viewing audience it's time to call in if they
20 wish to make a comment. We will then allow at least three
21 minutes for those who wish to comment to join the public
22 comment queue.

23 To make a public comment please dial, and I'll
24 repeat this number again, 844-291-5495. Again, that's 844-
25 291-5495.

1 After dialing the number you will speak to an
2 operator. You'll be asked to provide either the access
3 code for the meeting which is 8121803, again that's
4 8121803, or name of the meeting, and the name of the
5 meeting today is training meeting for the first eight
6 Commissioners.

7 After providing this information, the operator
8 will ask you to provide your name. Please note you're not
9 required to provide your name, if you do not wish to. When
10 the operator asks for your name, you may either provide
11 your own name or a name other than your own, such as
12 anonymous. When you are on the line you will spell your
13 name and give your affiliation, if you are so inclined.

14 When it's your turn to make a public comment, the
15 call moderator will introduce you by the name you provided
16 to the operator. Providing a name helps the call
17 moderator, who's hosting our public comment process, to
18 ensure that everyone holding for a public comment has a
19 chance to submit their comments. Please be assured that
20 our office is not maintaining any list of callers by name.
21 We're only asking for some name so that the call moderator
22 can manage multiple calls simultaneously, and let you know
23 when it's your turn to speak.

24 After providing a name and speaking with the
25 moderator, you'll be placed in a listening room, which is a

1 virtual waiting room where you will wait until it is your
2 turn to speak. In this room you will be able to listen to
3 the live audio of the meeting. Please mute your computer
4 or your livestream audio because the online video and the
5 audio will be approximately 60 seconds behind the live
6 audio that you'll be hearing on the telephone.

7 Please note, if you fail to mute your computer
8 livestream audio, it will be extremely difficult for you to
9 follow the meeting and difficult for anyone to hear your
10 comments due to issues with feedback. Therefore, you're
11 waiting in the queue -- while you're waiting in the queue
12 be alert for when you may be called upon to speak and
13 please turn down the livestream volume.

14 From the listening room, listen to the meeting
15 and the call moderator. When you decide that you want to
16 make a comment about the agenda action item currently being
17 discussed, press 1 then 0 and you will be placed in the
18 queue to make a public comment about the action item under
19 consideration.

20 When joining the queue to make a public comment,
21 you should hear an automatic recording informing you that
22 you've been placed in the queue. You will not receive any
23 further instruction until the moderator brings you in to
24 make your public comment.

25 The moderator will open your line and introduce

1 you by the name you provided to the operator. Once again,
2 make sure you've muted any background noise.

3 We also ask that you do not use a speakerphone
4 but, rather, speak directly into your phone. After the
5 moderator introduces you, please state the name you
6 provided. Comments will be limited to a reasonable amount
7 of time this morning, as we have much work to do.

8 After you finish making your comment, you will
9 move on to the next caller. At that point, please hang up
10 your phone. If you'd like to comment on another agenda
11 item, at a later time, please call back when we open up
12 public comment for that item and repeat this process. If
13 you're disconnected for any reason, please call back and
14 explain the issue to the operator, then repeat this process
15 and rejoin the public comment queue by pressing 1 then 0.

16 The chair will ask for a comment before every
17 action item on the agenda. As you listen to the online
18 video stream, you'll hear the chair solicit public comment.
19 This is the time to call in. The process for making a
20 comment will be the same at the beginning each time.
21 Beginning by dialing, and here I'll give you the number
22 again, that's 844-291-5495, and follow the steps that we've
23 outlined.

24 So, the next thing to do is to open up the public
25 comment on the agenda item that is election of the

1 temporary chair and the temporary vice chair. Public
2 comments need to be limited to this agenda item, specific
3 to the election of the temporary chair and the temporary
4 vice chair.

5 So, do we have anyone in the queue waiting for
6 comments?

7 PHONE OPERATOR: As a reminder, ladies and
8 gentlemen on the phone, if you wish to have public comment
9 on this agenda item please press 1, then 0 at this time.

10 There is no one queuing up at this time.

11 MS. SAXTON: While we're waiting for people to
12 queue on the phone, we can begin a discussion and take
13 motions, if you'd like to open it up to discussing who you
14 would like to be your temporary chair and temporary vice
15 chair. You can nominate yourself, you can nominate others,
16 you can discuss among yourselves who you might be
17 interested in doing it.

18 COMMISSIONER TURNER: Yeah, this is Trena Turner.
19 I'll start. I'd like to open it just for a quick
20 discussion and to ask the question who desires to be
21 temporary chair. That will make it a little easier, yeah.

22 COMMISSIONER SADHWANI: And if I can just add to
23 that, who has a desire and who -- this is also just a
24 temporary chair, who might have background in Robert's
25 Rules of Order experience?

1 COMMISSIONER ANDERSEN: On that item, I would
2 also like to say could we, each of us go through and say,
3 yes, we do have experience or not have experience? That
4 way it sort of takes the pressure off of everyone. Since I
5 brought the idea up, I will say that I have served on two
6 boards which followed Robert's Rules of Order. I was just
7 a member. I was not actually the president or vice
8 president. That's my experiences with the Robert's Rules
9 of Order.

10 COMMISSIONER TURNER: Let's say our names while
11 we're learning each other's voices.

12 COMMISSIONER ANDERSEN: Oh, I'm sorry. And I'm
13 Commissioner Andersen.

14 COMMISSIONER KENNEDY: Okay, Commissioner
15 Kennedy. My experience was mostly overseas and did not
16 strictly adhere to Robert's Rules of Order.

17 COMMISSIONER AHMAD: Hi, Commissioner Ahmad. I
18 have minimal experience in Robert's Rules of Order, mostly
19 as a participant in meetings, not leading.

20 COMMISSIONER FORNACIARI: Commissioner
21 Fornaciari. I have essentially no experience in Robert's
22 Rules of Order.

23 COMMISSIONER TURNER: I'm Commissioner Turner. I
24 served on two boards years ago, and so I have no current
25 but of our little books we just got of Robert's Rules of

1 Order.

2 COMMISSIONER LE MONS: I'm Commissioner Le Mons.
3 I have minimal experience with Robert's Rules of Order.
4 Not in the strict form, more in the less formal. And I've
5 sat on several boards and been vice chair of one.

6 COMMISSIONER SADHWANI: For myself, it's been
7 many years since I've actively used Robert's Rules of
8 Order.

9 COMMISSIONER TAYLOR: Commissioner Taylor. I
10 have some informal experience in Robert's Rules of Order.
11 I mean I've attended meetings, watched many meetings.

12 MS. SAXTON: Just to note, I don't believe that
13 the types of motions and other parliamentary procedure that
14 will be involved in the work of this particular Commission
15 are going to be complex, or arduous, or require reading the
16 footnotes of Robert's Rules of Order or anything like that.
17 So, I think any number of you, any of you, this would not
18 be a difficult task to pick up quite quickly.

19 COMMISSIONER AHMAD: Can I nominate someone?

20 MS. SAXTON: Absolutely.

21 COMMISSIONER AHMAD: Can I nominate Commissioner
22 Andersen to be chair, the temporary chair.

23 MS. SAXTON: We have a motion to nominate
24 Commissioner Andersen for the position of temporary chair.
25 Is there a second?

1 COMMISSIONER FORNACIARI: Yeah, I'll second that
2 motion, Commissioner Fornaciari.

3 MS. SAXTON: Okay. Then, let's take a vote on
4 that. Secretary, can you please call the roll?

5 MS. PELLMAN: Yes. Commissioner Ahmad?

6 COMMISSIONER AHMAD: Aye.

7 MS. PELLMAN: Commissioner Andersen?

8 COMMISSIONER ANDERSEN: Aye.

9 MS. PELLMAN: Commissioner Fornaciari?

10 COMMISSIONER FORNACIARI: Aye.

11 MS. PELLMAN: Commissioner Kennedy?

12 COMMISSIONER KENNEDY: Aye.

13 MS. PELLMAN: Commissioner Le Mons?

14 COMMISSIONER LE MONS: Aye.

15 MS. PELLMAN: Commissioner Sadhwani?

16 COMMISSIONER SADHWANI: Aye.

17 MS. PELLMAN: Commissioner Taylor?

18 COMMISSIONER TAYLOR: Aye.

19 MS. SAXTON: Okay, I'm sorry. Yes, I've made a
20 mistake. We're going to have to take public comment before
21 we can take the vote. Forgive me.

22 Is there anyone in the queue?

23 PHONE OPERATOR: There is no one in the queue at
24 this time.

25 MS. SAXTON: I knew that. No, I'm just teasing.

1 Okay.

2 MS. PELLMAN: Ms. Saxton?

3 MS. SAXTON: Yes.

4 MS. PELLMAN: I understand that someone was
5 trying to join the queue but was unable to get into the
6 queue a few minutes ago.

7 MS. SAXTON: Okay.

8 PHONE OPERATOR: If that person is Jonathan, he's
9 not able to queue up. He's in the host room.

10 MS. PELLMAN: Okay, there was actually another
11 individual, a female who sent us an email to our email box.

12 PHONE OPERATOR: And who is that?

13 MS. PELLMAN: Cynthia Dai.

14 PHONE OPERATOR: They are not in the conference.

15 MS. PELLMAN: Okay.

16 MS. SAXTON: We'd like to take public comment if
17 we're able to.

18 PHONE OPERATOR: Agreed, but they have to
19 actually call in. The person is not called in to queue up.

20 MS. SAXTON: Oh, I didn't understand that they
21 didn't actually call in. I thought they were. They're
22 not, then.

23 Since there's no public comment at this time that
24 we can receive, I'd like to recall the roll, please.
25 Secretary, please call the roll.

1 MS. PELLMAN: Commissioner Ahmad?
2 COMMISSIONER AHMAD: Aye.
3 MS. PELLMAN: Commissioner Andersen?
4 COMMISSIONER ANDERSEN: Aye.
5 MS. PELLMAN: Commissioner Fornaciari?
6 COMMISSIONER FORNACIARI: Aye.
7 MS. PELLMAN: Commissioner Kennedy?
8 COMMISSIONER KENNEDY: Aye.
9 MS. PELLMAN: Commissioner Le Mons?
10 COMMISSIONER LE MONS: Aye.
11 MS. PELLMAN: Commissioner Sadhwani?
12 COMMISSIONER SADHWANI: Aye.
13 MS. PELLMAN: Commissioner Taylor?
14 COMMISSIONER TAYLOR: Aye.
15 MS. PELLMAN: Commissioner Turner?
16 COMMISSIONER TURNER: Aye.
17 MS. SAXTON: It's unanimous we have a new
18 temporary chair, Commissioner Andersen.
19 COMMISSIONER ANDERSEN: Thank you very much.
20 MS. SAXTON: You're welcome.
21 COMMISSIONER TURNER: And Counsel, can we be
22 reminded, Andersen is she -- what affiliation?
23 MS. SAXTON: I'm sorry?
24 COMMISSIONER TURNER: Can we be reminded what was
25 the party affiliation for Andersen?

1 MS. SAXTON: Yes, I was just going to do that.
2 Commissioner Andersen is a Republican. That means the vice
3 chair cannot be of the same party, so that should be
4 considered as Commissioner Turner pointed out, as part of
5 who you might want to nominate next.

6 COMMISSIONER SADHWANI: If I may, can I nominate
7 Commissioner Turner to sit as the vice chair? I believe
8 you said you had some experience in Robert's Rules.

9 COMMISSIONER TURNER: Oh.

10 MS. SAXTON: There's a motion for Commissioner
11 Turner as temporary vice chair. Do we have a second?

12 COMMISSIONER KENNEDY: Second.

13 MS. SAXTON: Secretary, please call the roll.

14 MS. PELLMAN: And who seconded that.

15 MS. SAXTON: Oh, wait, sorry. Do we have anybody
16 left in the --

17 COMMISSIONER KENNEDY: Commissioner Kennedy.

18 MS. SAXTON: -- or anyone in the queue?

19 PHONE OPERATOR: Once again, 1 0 to place
20 yourself in the queue. We do have one in the queue. We'll
21 go to the line of Jonathan Mehta Stein, with California
22 Common Cause. Your line is open.

23 MR. MEHTA STEIN: Good morning and
24 congratulations on the incredibly important role you began
25 today. I'm Jonathan Mehta Stein, Executive Director at

1 California Common Cause. Common Cause is a nonpartisan,
2 nonprofit organization working to build a better California
3 democracy. Specifically, work towards state and local
4 governments that are responsive to and reflective of the
5 communities they're meant to serve. We work to grow civic
6 engagement and strength in public participation in the
7 political process.

8 California Common Cause led efforts to create
9 this Commission by drafting Proposition 11 and supporting
10 passage of Proposition 20.

11 MS. SAXTON: Excuse me, sir.

12 MR. MEHTA STEIN: We believe deeply in --

13 MS. SAXTON: Excuse me one moment. Do you have a
14 comment that's related to the motion on the floor?

15 MR. MEHTA STEIN: I do. I have a comment on
16 administrative matters, which we understand is part of this
17 agenda item. It is not specific, however, to the
18 appointment of the vice chair.

19 MS. SAXTON: Okay.

20 MR. MEHTA STEIN: I'll skip ahead. We have been
21 part of -- we were part of engaging the 2010 Commission,
22 and part of engaging the Applicant Review Panel, and the
23 Auditor's Office the last 9 months. And we supported, for
24 example, the Legislature's successful petition to the
25 California Supreme Court to extend the time frame available

1 to you to complete redistricting, in light of the Census
2 delay. We hope to serve as a resource to you in the
3 important matters ahead.

4 So, we understood this agenda item to include
5 administrative items other than, you know, or in addition
6 to the selection of the chair and the vice chair. So, I'd
7 like to call your attention to an administrative issue that
8 relates to your independence in making critical decisions,
9 and about the line-drawing consultant, also known as the
10 demographer. I encourage you to have a conversation on
11 this topic --

12 MS. SAXTON: I'm sorry, one moment, please. One
13 moment. The administrative issues that are on the agenda
14 today are election of a temporary chair and vice chair, the
15 rules of parliamentary procedure with Robert's Rules,
16 reasonable time limits and other housekeeping matters. Do
17 you have a comment that relates to those standard
18 administrative issues that are on the agenda at the moment?

19 MR. MEHTA STEIN: No, I'm sorry. I understood
20 administrative matters to include other administrative
21 duties that the Commission has available to it. I'm happy
22 to hold this comment until Thursday, if that's more
23 appropriate.

24 MS. SAXTON: It might be. But additionally,
25 we're going to be having a general comment period later on

1 in the agenda that you'll see for this meeting.

2 MR. MEHTA STEIN: Right, scheduled for Thursday.
3 I'm happy to wait until then.

4 MS. SAXTON: Okay, thank you. Let's stand at
5 ease for a moment and see if anymore callers queue up,
6 because this is new and people may be wanting to join and
7 figuring it out. So, we'll take a quick --

8 PHONE OPERATOR: As a reminder for those of you
9 on the audio line, you may press 1, then 0 to put yourself
10 into the queue.

11 And we do now have one in the queue. It is
12 Cynthia Dai, with Past Redistricting Commissioner. Please
13 go ahead.

14 MS. DAI: Hello, can you hear me?

15 MS. SAXTON: Yes. Welcome.

16 MS. DAI: Okay, good morning Commissioners. I am
17 Cynthia Dai and one of the 2010 Citizens Redistricting
18 Commissioners. Congratulations on your selection and
19 welcome to the next ten years of public service.

20 I was also one of the lucky eight. You must
21 repair the damage caused by two factors, random selection
22 and the --

23 MS. SAXTON: Excuse me. Excuse me, I'm going to
24 stop you right here.

25 MS. DAI: Yes.

1 MS. SAXTON: This public comment period is for
2 the current agenda item.

3 MS. DAI: I'm getting to that.

4 MS. SAXTON: Okay. Well, we're ready.

5 MS. DAI: If you'll let me continue. You must
6 repair the damage caused by two factors, random selection
7 and they undoubtedly more intentional legislative strikes.

8 Your critical task it to create a full Commission
9 that looks like California. With the selected six we were
10 able to rebalance the CRC by gender, race and ethnicity,
11 geography, and socioeconomic status. But we ended up with
12 a broadly diverse Commission in many other respects, which
13 helped inform our line-drawing decisions.

14 For example, when drawing California's
15 agricultural districts, we benefitted from the perspectives
16 of both farmer and farmworker. When considering other
17 business interests we tapped Commissioners who worked in
18 diverse industries ranging from high tech manufacturing --

19 MS. SAXTON: I'm going to stop you. I'm going to
20 stop you for a moment. I'd like to remind you that the
21 motion that's on the floor right now has to do with whether
22 Commissioner Turner is going to become the next temporary
23 vice chair. We're preparing to take a vote on that.

24 Do you have a comment related to that or the
25 other administrative matters that we've taken up in this

1 agenda item?

2 MS. DAI: I did want to put it in context with
3 overall diversity. So, if the Commission would allow me to
4 finish my comments, I will end with the selection of the
5 chair and the vice chair.

6 MS. SAXTON: Okay.

7 MS. DAI: Thank you for your indulgence.

8 When considering other business interests, we
9 tapped Commissioners who worked in diverse industries
10 ranging from high tech manufacturing, financial services,
11 professional services and retail to education, government
12 and nonprofits. For functional expertise we had our choice
13 of experts from all aspects of law, financial management,
14 communications, community outreach, technology, urban
15 planning, and more. We had incredible age diversity,
16 ranging from the early 30s to septuagenarians, which gave
17 us generational insight.

18 Our members include military vets, small business
19 owners, professors, a stay-at-home mom, immigrants, and
20 native Californians. Despite our differences, we shared a
21 commitment to a mission of fair representation for all
22 Californians.

23 Yet, Angelo Ancheta, our last chair, almost
24 didn't make it on the Commission at all. Angelo, fondly
25 dubbed "the chosen one" was a replacement for a

1 Commissioner who resigned. The minute that my lottery ball
2 came up, Angelo knew that he would never be on the
3 Commission because he is also an Asian Democrat from San
4 Francisco.

5 MS. SAXTON: I'm going to stop you again for one
6 moment, please. I'm going to ask that you skip ahead to
7 the point that you indicated you had about this particular
8 agenda item.

9 And in the meantime, I am going to hand the
10 meeting over to our new chair, Commissioner Andersen.

11 MS. DAI: Okay.

12 CHAIR ANDERSEN: Thank you very much, Ms. Saxon.
13 Yes, if you would please get to how your diversity of the
14 2010 Commission and how you all augmented that relates
15 directly to the vote, the motion on hand which is the chair
16 and vice chair.

17 MS. DAI: Sure.

18 CHAIR ANDERSEN: Thank you.

19 MS. DAI: Yeah, so my point was he was our chair,
20 but he almost didn't make it on the Commission. And that's
21 because the rest of the Commission felt that we had enough
22 diversity on the four official criteria to choose someone
23 like him.

24 So, you will next elect a chair and a vice chair,
25 and congratulations on being elected chair, which is an

1 extremely awesome task. But these are only temporary
2 positions. And your newer members, who have yet to join
3 you, may yield admirable leaders as well. So, I urge you
4 to consider rotating shared leadership like we did. This
5 practice helps spread the burden of leadership, as well as
6 telegraphing our nonpartisan ethos to the public. And we
7 also learned to appreciate each other's unique leadership
8 styles and trust in each other. Trust that you will need
9 to get through the challenges ahead.

10 So, I will defer the rest of my comments until
11 another public comment period. But thank you and good
12 luck.

13 CHAIR ANDERSEN: Thank you very much for that
14 comment.

15 Are there any other comments in the queue?

16 PHONE OPERATOR: As a reminder, it's 1, then 0 to
17 place yourself into the queue. And there is no one else
18 queuing up at this time. Please continue.

19 CHAIR ANDERSEN: Thank you. Finding no other
20 members of the public in the queue, I'd like to take a roll
21 call for the motion on the table, which is the -- I'd like
22 to restate it. So, I'd like to -- the motion on the table
23 is the nomination of Commissioner Turner as the vice chair,
24 as temporary vice chair.

25 So, on that, I'd like to call the roll.

1 MS. PELLMAN: Commissioner Ahmad?

2 COMMISSIONER AHMAD: Aye.

3 MS. PELLMAN: Commissioner Andersen?

4 CHAIR ANDERSEN: Aye.

5 MS. PELLMAN: Commissioner Fornaciari?

6 COMMISSIONER FORNACIARI: Aye.

7 MS. PELLMAN: Commissioner Kennedy?

8 COMMISSIONER KENNEDY: Aye.

9 MS. PELLMAN: Commissioner Le Mons?

10 COMMISSIONER LE MONS: Aye.

11 MS. PELLMAN: Commissioner Sadhwani?

12 COMMISSIONER SADHWANI: Aye.

13 MS. PELLMAN: Commissioner Taylor?

14 COMMISSIONER TAYLOR: Aye.

15 MS. PELLMAN: And Commissioner Turner?

16 Commissioner Turner, I think you're on mute. Could you
17 take yourself off of mute?

18 COMMISSIONER TURNER: Aye.

19 MS. PELLMAN: Thank you.

20 CHAIR ANDERSEN: That's the vote being unanimous,
21 I believe we have -- the motion was passed. And
22 congratulations Commissioner Turner on being the temporary
23 vice chair.

24 MS. SAXTON: If it pleases the Chair, perhaps now
25 is a good time to take a ten-minute break.

1 CHAIR ANDERSEN: That's fine. I believe that
2 would be in order. So, at this point we'll recess or
3 adjourn the meeting -- recess the meeting --

4 MS. SAXTON: Recess for ten minutes.

5 CHAIR ANDERSEN: -- for a ten-minute break. So,
6 we'll come back at, say, 10:40.

7 (Off the record at 10:35 a.m.)

8 (On the record at 10:48 a.m.)

9 CHAIR ANDERSEN: So the time being 10:43, and I
10 see all our Commissioners I believe are present, and we
11 have our interpreters. And caption speakers, are they all
12 present. Great. So, then I'd like to bring the meeting
13 back to order.

14 And we'll go to the next item on our agenda,
15 which is still under Item 5, establishing our other general
16 operating proceedings. And in that, since we just had a
17 discussion of the Robert's Rules of Order, I believe the
18 first -- I'd like to propose a motion that as we are a
19 small board that we adopt all of or part of the Robert's
20 Rules of Informal Procedures for Small Boards.

21 Now, that is -- all Commissioners, that's on your
22 page 158 of your Robert's Rules of Order in brief. And
23 with that being the motion, could I have a second.

24 COMMISSIONER LE MONS: I have a question.

25 CHAIR ANDERSEN: All right, Commissioner Le Mons.

1 COMMISSIONER LE MONS: Yes. We received some
2 guidance as it relates to the informal Robert's Rules of
3 Order, with the exception of them that might impede. So,
4 if it pleases the rest of the Commissioners if we could
5 jump to that and just go through that in its entirety, the
6 ones that we are going to embrace, or the recommendations
7 of the ones. I can't remember if it was 2 and a couple
8 other numbers, I think, if everyone's had an opportunity to
9 review that.

10 And then, move to a motion after we've had a
11 chance to have some discussion.

12 CHAIR ANDERSEN: Yes. One thing I must say at
13 this time, if Ms. Saxton could give the information about
14 the public can call in about this item, which is our --
15 basically orders of procedure. And then, I believe we have
16 to do just a second, and then follow by discussion, and
17 then we can take public comment.

18 MS. SAXTON: Thank you. What I'm going to do now
19 is to give the instruction for public comment on this vote
20 ahead of time, so that people have plenty of time to get
21 into the queue.

22 If you'd like to make public comment regarding
23 adoption of Robert's Rules of Orders shortened
24 parliamentary procedures, you may dial 844-291-5495.
25 That's 844-291-5495. You will need the access code which

1 is 8121803. That's 8121803. Or, you can give the name of
2 the meeting which is the training meeting for the first
3 eight Commissioners.

4 Again, these instructions are available on our
5 website and I'll be reading a shortened version of them
6 throughout the meeting.

7 CHAIR ANDERSEN: Okay, thank you, Ms. Saxton. I
8 believe now, Commissioner Antonio, I do not mean to cut you
9 off, it is -- that is exactly what we'd like to do is
10 discuss that. It's just I believe we -- since there's a
11 motion, you have to second the motion to either discuss it
12 or then you open it up for discussion, then followed by
13 public comment.

14 COMMISSIONER LE MONS: So, I'm not seconding that
15 motion. I actually had a variation on what was motioned.

16 CHAIR ANDERSEN: Oh.

17 COMMISSIONER LE MONS: So, how do we get to that
18 point?

19 CHAIR ANDERSEN: We have a secondary motion on
20 the table. And could you, please Commissioner Le Mons,
21 state your motion that you would like to do?

22 COMMISSIONER LE MONS: What I'd like us to do is
23 I make a motion to adopt the abridged -- what's the formal
24 term? I want to make sure that I'm using the proper term.

25 CHAIR ANDERSEN: Actually, since I know your

1 intention, I apologize I believe I do need to make the
2 motion and then we can second it.

3 I believe the motion on the floor is to consider
4 our advised, slightly modification of Robert's Informal
5 Procedures for Small Boards and discuss the items so
6 mentioned in a memo. So, that is the motion. May I have a
7 call for a second?

8 COMMISSIONER AHMAD: I'll second.

9 CHAIR ANDERSEN: So, now, I'd open it for
10 discussion. Anyone wish to discuss?

11 MS. SAXTON: Commissioner Ahmad.

12 CHAIR ANDERSEN: I'm sorry excuse me, who was
13 that?

14 COMMISSIONER TAYLOR: This is Commissioner
15 Taylor. So, I believe we have a motion on the floor that's
16 been seconded.

17 CHAIR ANDERSEN: Oh, I think Commissioner Taylor
18 froze.

19 COMMISSIONER TAYLOR: If we take that abridged
20 rules, Commissioner Le Mons could add an amendment to that
21 motion.

22 CHAIR ANDERSEN: I believe we could add an
23 amendment. I don't believe we need to add an amendment at
24 this time if we wish to discuss. So, we can discuss and
25 possibly, since -- I might need clarification on that one.

1 Commissioner --

2 COMMISSIONER FORNACIARI: Fornaciari.

3 CHAIR ANDERSEN: Yeah, Fornaciari.

4 COMMISSIONER FORNACIARI: Yeah. I'm wondering if
5 we should just read what exactly the rules are that we're
6 proposing to adopt so we can all know exactly, you know,
7 what we're voting on.

8 MS. SAXTON: Chair Andersen, one thing that's
9 available to you, if it pleased the Chair, is you could
10 withdraw that initial motion and have the discussion first,
11 and then put another motion. That's entirely up to you.

12 COMMISSIONER LE MONS: That's what I was asking
13 for.

14 CHAIR ANDERSEN: All right, as the Chair, I
15 believe since there's been a little confusion that I would
16 like to withdraw the motion and open for discussion on what
17 rules we, as a temporary -- as a Commission of eight, which
18 we would like to follow. So, open for discussion.

19 COMMISSIONER LE MONS: So, I'll just --
20 Commissioner Le Mons here. I'd like to just say that I
21 support adopting the abridged version with the
22 recommendation of the three, which unfortunately I don't
23 have it in front of me. I don't know if you, Chair, have
24 them. That it was suggested that we consider not adopting
25 that are part of that abridged version for various reasons.

1 So, I'd like us to discuss where we'd like to go as a
2 Commissioner with those recommendations.

3 CHAIR ANDERSEN: Thank you, Commissioner Le Mons.
4 I do have these in front of me. And I believe what I will
5 do is actually read these, indicating which items we may
6 not, we want to discuss further adopting those or not.

7 These are -- there's approximately eight of these
8 motions. Number one was that the board members may raise a
9 hand, instead of standing to be recognized. And they may
10 remain seated when making a motion or speaking.

11 Number two that motions need not be seconded.

12 Number three, a board member may speak any number
13 of times on a question, instead of only twice, except that
14 regular rules apply to appeals.

15 Number four, a motion does not have to be pending
16 in order to discuss a subject informally.

17 Number five, votes may be taken initially by a
18 show of hands.

19 Number six, if a proposal is perfectly clear to
20 everyone it may be voted on, even though no formal motion
21 has been made.

22 Number seven, in putting questions to a vote a
23 Chair need not stand.

24 Number eight, the Chair can participate in debate
25 just as any other board member and, subject to the custom

1 in a particular board, can also make motions and vote.

2 Those are the items that are listed, motions that
3 we -- the proposed would be to modify the proposed
4 modifications to those rules.

5 Let's see, number two, motions need not be
6 seconded. Number five, votes may be taken initially by a
7 show of hands. And number six, if a proposal is perfectly
8 clear to everyone it may be voted on, even though no formal
9 motion has been made.

10 I open this matter for a discussion.

11 COMMISSIONER SADHWANI: Can I jump in here? Is
12 that okay? Do I need to be recognized by the Chair? Thank
13 you, Commissioner Andersen for reading out those proposed
14 changes. Those all sound fine to me.

15 I was just curious, given that several of us are,
16 you know, on Zoom and, you know, participating in the
17 meeting virtually, I don't know what the set up in the
18 room. So, if we raise a hand, is that something that you
19 can see? Just, you know, to make sure we're on the same
20 page about the effectiveness of raising your hand.

21 CHAIR ANDERSEN: Yeah, I'd like to maybe make
22 another clarification. The items, those are the items as
23 they are listed in the Robert's Rules of Order. We could
24 make the proposal that I believe we were discussing is on
25 Item Number 2, motions need not be seconded. I believe we

1 wanted to leave that in just because we're used to a motion
2 being made and seconded.

3 The motion, number one, the board members may
4 raise a hand instead of standing to be recognized. Since
5 we are Zoom and half of us are here, I believe the hand
6 raising alone may or may not work. And I believe what we
7 are proposing is if you actually say, you know, madam
8 chair, and then I can say, you know, yes Commissioner so
9 and so. And that way we can get it -- and that way the
10 transcript can also get it written, and the interpreters
11 can have rather than just hand motions.

12 VICE CHAIR TURNER: Madam Chair?

13 CHAIR ANDERSEN: Yes, Commissioner Turner.

14 VICE CHAIR TURNER: This is Commissioner Turner.
15 I just wanted to assist on that one. That's number five on
16 the votes.

17 CHAIR ANDERSEN: Thank you very much,
18 Commissioner. It is number one. It's partially in number
19 one and number five. And you're right, I believe we would
20 like to have that not just a show of hands, but actually a
21 roll call and/or a verbal request.

22 Then number six is the proposal is perfectly
23 clear to everyone, it may be voted on even though no formal
24 motion has been made. As we've already found out, that
25 gets a little confusing. I think before we do a vote we

1 indeed, you know, restate the motion so then everyone
2 understands and, again, it's much easier in the
3 transcription.

4 And I believe we've already sort of taken care of
5 we are not standing. I think everyone is -- that works to
6 facilitate the meeting, it speeds things along and, you
7 know, quite frankly if you're already at your desk on a
8 Zoom call, unless you lift your laptop it's very hard to do
9 that.

10 So, with those exceptions that is -- my first
11 idea, that is something that I would think that we might
12 want to make a motion on. Any further discussions on those
13 items? Any modifications or changes that we are -- that I
14 proposed or discussed?

15 Okay, at this time I believe we should ask for
16 public comment.

17 MS. SAXTON: Yes. The agenda item, the vote will
18 be taken on whether or not to adopt Robert's Rules of Order
19 Informal Procedures in Small Boards as modified. If you
20 have public comment on that, please call in.

21 Do we have anyone in the queue or in the room?

22 PHONE OPERATOR: As a reminder 1, then 0 to place
23 yourself into the audio queue.

24 MS. SAXTON: At this time, if it pleases the
25 Chair, we should stand at east for two minutes while the

1 callers enter in the virtual waiting room.

2 CHAIR ANDERSEN: Thank you, Ms. Saxton. That
3 will become a standard procedure. So, yes at this point we
4 will stand at east or take a minute or two to give people a
5 chance to call in.

6 Are there any callers in the queue?

7 PHONE OPERATOR: There's no one in queue at this
8 time. Please continue.

9 CHAIR ANDERSEN: I think hearing --

10 COMMISSIONER LE MONS: Madam Chair?

11 CHAIR ANDERSEN: Yes, Mr. -- sorry, Commissioner
12 Le Mons.

13 COMMISSIONER LE MONS: I'd like to make a motion
14 that we adopt Robert's Rules of Order as informal
15 procedures with the modifications as discussed on numbers
16 1, 2, 5 and 6.

17 COMMISSIONER TAYLOR: This is Commissioner
18 Taylor. I'll second that motion.

19 CHAIR ANDERSEN: At this time do we want to have
20 a -- or, I'd like to call the roll call, please, for a
21 vote.

22 MS. PELLMAN: Commissioner Ahmad?

23 COMMISSIONER AHMAD: Aye.

24 MS. PELLMAN: Commissioner Andersen?

25 CHAIR ANDERSEN: Aye.

1 MS. PELLMAN: Commissioner Fornaciari?

2 COMMISSIONER FORNACIARI: Aye.

3 MS. PELLMAN: Commissioner Kennedy?

4 COMMISSIONER KENNEDY: Aye.

5 MS. PELLMAN: Commissioner Le Mons?

6 COMMISSIONER LE MONS: Aye.

7 MS. PELLMAN: Commissioner Sadhwani?

8 Commissioner Sadhwani, I think you're muted right now.

9 COMMISSIONER SADHWANI: Sorry.

10 MS. PELLMAN: Commissioner Sadhwani?

11 COMMISSIONER SADHWANI: Aye.

12 MS. PELLMAN: Thank you.

13 Commissioner Taylor?

14 COMMISSIONER TAYLOR: Aye.

15 MS. PELLMAN: And Commissioner Turner?

16 Commissioner Turner, I couldn't hear you.

17 COMMISSIONER TAYLOR: I think, Commissioner

18 Turner, your mic -- you're muted.

19 VICE CHAIR TURNER: Aye.

20 MS. PELLMAN: Thank you, I heard that.

21 CHAIR ANDERSEN: Then as it's unanimously, we
22 will adopt. And just for to read into the record for
23 clarification, the following rules of order will be what
24 we're using, informal procedures.

25 Number one, now Commissioners do not have to

1 stand to be recognized by the Chair in order to speak or
2 make motions.

3 Number two, a Commissioner may speak any number
4 of times on a question instead of only twice. And motions
5 to close or limit debate are generally not permitted.

6 Number three, a motion does not have to be
7 pending in order to discuss a subject informally.

8 Number four, in putting a question to a vote, the
9 Chair need not stand.

10 And number five, the Chair can participate in
11 debate just as any other Commissioner, and subject to the
12 customs in a particular board can also make motions and
13 vote.

14 At that time -- at this time, I believe we should
15 also consider open for the idea of any other rules of order
16 that we'd like to discuss. I open for discussion, any
17 other sort of specifics.

18 MS. SAXTON: Madam Chair? I just advise it is
19 traditional and common to adopt meeting ground rules that
20 you either post or keep. For instance, having people
21 silence their cell phones, or maintaining a polite and
22 respectful demeanor when they make public comment, et
23 cetera. So, I'd just submit that as something you may want
24 to discuss.

25 CHAIR ANDERSEN: Yes. I apologize, what's open

1 for discussion is our meeting ground rules, the general
2 ground rules. And any discussion on that or I can propose
3 a motion that we adopt meeting ground rules containing some
4 of the -- well, no, no, that's not exactly what I want to
5 do.

6 I'd like to open it for discussion. And what I
7 would initially propose, open for -- I'll make a proposal,
8 thinking possibly of amendments. That our ground rules are
9 we do open each meeting, cell phones are silenced, we will
10 all address each other as Commissioners. There will be, of
11 course, no profanity. We will be respectful, try to never
12 raise our voices, treat everyone with respect. Take time
13 to listen, to let someone complete their sentences before
14 you try to speak over them. And that we also might want to
15 consider putting a limit on individual comments or public
16 comments.

17 Those are the matters that I propose at this
18 time. Would like to have a second and/or amendments.

19 MS. SAXTON: Forgive me, Madam Chair. We would
20 need to open this up to public comment, as well.

21 CHAIR ANDERSEN: Oh, yes, I apologize.

22 MS. SAXTON: No problem.

23 CHAIR ANDERSEN: So, for meeting ground rules, if
24 anyone is interested in the public to make public comment,
25 please call in at this time.

1 And now, the matter is on for discussion.

2 MS. SAXTON: If you have public comments on the
3 adoption, by the first eight members of the Citizens
4 Redistricting Commission, ground rules, you can make your
5 public comment at 844-291-5495. That's 844-291-5495. And
6 that is access code 8121803. 8121803. Or, you can give
7 the name of the meeting which is training meeting for the
8 first eight commissioners.

9 And we can stand down for two minutes or
10 discussion can continue, Madam Chair.

11 CHAIR ANDERSEN: Thank you.

12 VICE CHAIR TURNER: Madam Chair? For discussion
13 under the additional rules for observance in public, I do
14 want to address, I guess, the full Commission and consider
15 putting a time limit, seeing as how we do need to move at a
16 quickened pace. And I'm open to two or three minutes for
17 public comment.

18 CHAIR ANDERSEN: For discussion?

19 VICE CHAIR TURNER: Uh-hum. And in case any
20 other Commissioner had a different thought on the actual
21 amount of time. I just think it will be important that we
22 have a time set so that we can move expeditiously through
23 our proceeding.

24 CHAIR ANDERSEN: Yes, that's a -- thank you very
25 much for that comment. That's certainly -- I believe what

1 I should do here is be a little more specific and read some
2 of these in, and then we can discuss each one, or discuss
3 the group.

4 So, I propose that the Commissioners and the
5 public will turn off cell phones to silence or vibrate.
6 Placing or all answered calls are to be made outside the
7 meeting area, not inside in the meeting area.

8 Commissioners and the public will all show
9 professional courtesy to all. Disrespectful conduct
10 including yelling or the use of profanity is unacceptable.

11 And the appropriate title or honorific and
12 surname should be used as forms as address. Such as Ms.
13 Saxton, professor so and so, and we'd -- I proposed that we
14 be called ambassadors -- I mean, I'm sorry, Commissioners.

15 Then, in the sole discretion, the public comment
16 could be limited and it's been proposed that say three
17 minutes, and we can talk about that one.

18 Then, only one person at a time can speak, so
19 after being recognized by the Chair.

20 And if a speaker wants to speak when an action
21 item is pending, the speaker may speak only on the issue
22 being considered at that time.

23 For purposes of creating the record of the
24 meeting and to assist others in hearing your comments, if
25 you want to speak -- this is usually referring to the

1 public who can come and stand at the podium in normal
2 situations. So, for anyone who's calling in and/or on
3 otherwise microphone, please state your name or pseudonym
4 for the record, and what organization they belong to or
5 representing.

6 And every person -- this is particularly more to
7 address to public comment. Every person who wishes to
8 speak on a matter should have the opportunity to do so
9 before a person speaks a second time on the same matter.

10 So, those are the items that I'm reading in for
11 proposal and discussion at this time.

12 COMMISSIONER LE MONS: Madam Chair?

13 CHAIR ANDERSEN: Yes, Commissioner Le Mons.

14 COMMISSIONER LE MONS: So, I do have a comment as
15 it relates to the length of time. I support there being a
16 time limit. What my -- also, in the time limit is there
17 may be topics where people are -- a lot of people are very
18 interested in sharing perspectives on, and maybe other
19 topics less so. So, I'd also be open to a differential
20 which will be dictated by the number of public comment on a
21 particular item.

22 So, say for example we had 20 people that wanted
23 to speak on a particular item and so, in that case, for
24 example in might be a two-minute window. And then, if we
25 had a situation where there was only ten, and I'm using

1 these as arbitrary numbers for discussion, then the time
2 limit might be three minutes because we have a little bit
3 more time.

4 So, that's just a thought. I'd be interested to
5 hear what other Commissioners feel about the variation
6 based upon the volume of interest in giving comment,
7 particularly since our job, one of our tasks and duties is
8 to get as much feedback from the community as possible.
9 So, those are my thoughts on that.

10 CHAIR ANDERSEN: Thank you, Commissioner. Any
11 other -- I think those are -- that's a very, very valid
12 point. Any other Commissioner want to address that as
13 well?

14 VICE CHAIR TURNER: Yeah, I'd like to address it,
15 Madam Chair, Commissioner Turner. I totally understand and
16 support what Commissioner Le Mons said. I want to lift up
17 for consideration one of the benefits I think in setting a
18 time period in advance is it really does inform the public
19 how to be disciplined about what they want to say. If we
20 don't know in the moment for a particular item if there's
21 going to be 20 people in queue, and if we shift the time in
22 that moment for those that do prepare comments it may throw
23 them off as far as what they timed and prepared to say.
24 So, if they know they're only going to get two minutes,
25 then they will prepare comments to get their major points

1 in at two. But if we have an agenda item that comes up and
2 we see the phones, or however we're going to be notified,
3 lining up 20 people in queue, which lets us know and we
4 switch in the moment and say, okay, instead of three
5 minutes it's going to now be two, I'm just concerned that
6 people won't have enough advance notice to prepare their
7 sentiments. And particularly when many people call in,
8 it's something that's of great importance to them and then
9 we're limiting them in the moment. So, just some thoughts.
10 And I could probably go either way, but I did want to name
11 that.

12 CHAIR ANDERSEN: Thank you, Commissioner Turner.
13 Any other Commissioners want to comment on this item?

14 Commissioner Kennedy?

15 COMMISSIONER KENNEDY: Thank you. Just my
16 understanding, based on number five, every person who
17 wishes to speak on a matter should have an opportunity to
18 do so before a person speaks a second time on the same
19 matter. When I've facilitated group discussions, yes, we
20 established a two-minute limit, but if someone was not yet
21 finished they would go back down to the bottom of the list
22 and wait until everyone else had had a chance to speak, and
23 then he could continue if there was sufficient time in the
24 overall time period for comment.

25 So, I'm just making clear that that's my

1 interpretation of number five that someone could, in fact,
2 speak a second time as long as they wait until everyone
3 else wanting to speak has had the chance to speak first.

4 CHAIR ANDERSEN: Thank you, Commissioner Kennedy,
5 that's also a valid point.

6 Any other discussion, any other Commissioners?

7 COMMISSIONER LE MONS: At the hearing -- Madam
8 Chair?

9 CHAIR ANDERSEN: Pardon? I'm sorry.

10 COMMISSIONER LE MONS: Madam Chair?

11 CHAIR ANDERSEN: Commissioner Le Mons.

12 COMMISSIONER LE MONS: After hearing from
13 Commissioner Turner and I believe that was Commissioner
14 Kennedy?

15 CHAIR ANDERSEN: Yes, Commissioner Kennedy.

16 COMMISSIONER LE MONS: I would then -- I
17 understand what you guys are saying and I think that that
18 gets to my point. It moves me more in the direction of
19 going more to the two-minute time limit as opposed to
20 three, all things considered.

21 CHAIR ANDERSEN: This is a very important item.
22 I know we want to limit it just in terms of moving things
23 along. However, I believe we are all concerned. We want
24 the public to speak. So, I know this is a very -- it's an
25 important issue and I think what we're trying to come

1 across here is we don't want -- we don't actually have time
2 for people to go on. If they have things to talk about, we
3 don't really want to shut them off. We want to hear from
4 the public.

5 So, I understand this is an issue of concern, so
6 I would actually like each Commissioner to sort of just
7 give an opinion here. If we could go down the -- if we
8 could do the -- or, if we could start with I think
9 alphabetically, we've sort of been doing it that way, if
10 that would work. So, Commissioner Ahmad?

11 COMMISSIONER AHMAD: Commissioner Ahmad speaking
12 here. I think a two-minute time limit for public comment
13 is sufficient. I do understand there are certain topics
14 that might warrant an extension of that two minutes. And
15 maybe we can make a motion ahead of those topics, if we
16 anticipate a greater number of folks in the queue, to
17 extend that time frame for that specific agenda item. But
18 I do think we should be setting a standard time limit for
19 public comment.

20 CHAIR ANDERSEN: Thank you, Commissioner. I've
21 sort of already spoken. So, who goes next?

22 COMMISSIONER FORNACIARI: I think I am.
23 Commissioner Fornaciari, I think I'm next.

24 CHAIR ANDERSEN: Oh, yes, Fornaciari.

25 COMMISSIONER FORNACIARI: Yeah, I agree. I think

1 that we should start with a two-minute time limit. I think
2 that's sufficient. I think the fact that folks will get an
3 opportunity to get back in the queue and speak again, if
4 they didn't get their say. But I think we should also be
5 open to, you know, revisiting this issue down the road.
6 You know, if it becomes a problem, you know, we can revisit
7 it and change the time.

8 CHAIR ANDERSEN: Great. Thank you, Commissioner.
9 Commissioner Kennedy.

10 COMMISSIONER KENNEDY: I would concur. My
11 experience is that when people understand up front that
12 they have two minutes, they're generally able to say what
13 they want to say on the topic in two minutes. And again,
14 as long as our understanding is that someone who needs more
15 time is able to go to the end of the queue and wait their
16 turn again, if there is time available, I'm perfectly happy
17 with that.

18 CHAIR ANDERSEN: Thank you.
19 Commissioner Sadhwani.

20 COMMISSIONER SADHWANI: Yes, I concur with
21 everything that's been said. I think having the two-minute
22 limit makes perfect sense. Folks can go to the end of the
23 queue. And I think, also, we can also just remind
24 ourselves, I think they can also submit longer written
25 comments, as well, public comments to tell their full story

1 or to give greater background on, you know, their issues
2 and concerns.

3 And, you know, I agree with Commissioner
4 Fornaciari, if I'm saying your name correctly, you know,
5 that in the future if we need to revisit this, then that's
6 certainly something that I would support.

7 CHAIR ANDERSEN: Thank you. I apologize,
8 Commissioner Le Mons, I goofed up on the alphabet there.

9 COMMISSIONER LE MONS: Oh, that's okay. No
10 additional comment.

11 CHAIR ANDERSEN: Thank you.

12 Now, Commissioner Taylor.

13 COMMISSIONER TAYLOR: I agree with what's been
14 put forth already, two minutes. A standard form for
15 everybody to know, for the public to know, so that they can
16 prepare ahead of time. And we have additional methods to
17 contact. If they feel they need additional information,
18 they can submit it and we can consider it thusly so. I
19 agree with the two minutes being the standard.

20 CHAIR ANDERSEN: Thank you, Commissioner Taylor.

21 And Commissioner Turner.

22 VICE CHAIR TURNER: No further comments, thank
23 you.

24 CHAIR ANDERSEN: Thank you very much.

25 At this time are there any public comments? Is

1 anyone waiting?

2 PHONE OPERATOR: As a reminder it's 1, then 0 to
3 place yourself into the audio queue for public comments.
4 We do have one public comment in the queue at this time.
5 We will go to the line of Douglas Johnson, no affiliation.
6 Please go ahead.

7 MR. JOHNSON: Good morning, Commissioners. My
8 name's Doug Johnson, as was mentioned. I was the
9 redistricting consultant to the San Diego Redistricting
10 Commission and the first Arizona Redistricting Commission,
11 and a bunch of other redistricting commissions, Modesto and
12 other places.

13 On this item, one suggestion I have is for you to
14 consider groups. Some of the most important input you'll
15 get is from groups. And what many jurisdictions have very
16 successfully done is allow people to yield time. So that
17 if there are 20 people from a group there, the 20 people
18 can yield their time to the speaker in the group.

19 What we've found is that this generates much more
20 useful advice, instead of all 20 members of the group
21 coming up and giving the same 90-second speech, or 120-
22 second speech. They get to give a much more thoughtful
23 presentation.

24 And you can limit it. What we've seen them do
25 most successfully is make everyone who's yielding their

1 time stand up or raise their hand, or otherwise verify that
2 they're still there, so people don't turn in cards and
3 leave.

4 But it does tend to get you much more in-depth,
5 useful guidance from a group than forcing each person to
6 read, you know, 90 seconds of the group presentation.

7 So, that's one suggestion I have for you to
8 consider as you vote on this motion. Thank you very much.

9 CHAIR ANDERSEN: Thank you for that comment. Are
10 there additional public comments in the queue?

11 PHONE OPERATOR: There are no additional public
12 comments in queue at this time.

13 MS. SAXTON: At this time, if it pleases the
14 Chair, I believe it would be a good idea to restate the
15 motion, to reread all of the rules into the record.

16 CHAIR ANDERSEN: All right. At this time we're
17 going to restate, I think that's a very good idea. And I
18 will actually propose as I believe is a motion. Well, I'm
19 going to restate the rules, first.

20 VICE CHAIR TURNER: Madam Chair?

21 CHAIR ANDERSEN: Yes, Commissioner Turner.

22 VICE CHAIR TURNER: Before you go on, just a
23 matter of clarification. With the last comment that
24 suggested the -- I can't even remember the terminology, the
25 pooling the things. Do we need to shift something because

1 of that, because that's not in our current -- or have
2 further discussion about that? How would we weigh that in
3 if we decided to allow that? Or, is that something that
4 happens automatically?

5 CHAIR ANDERSEN: I would entertain a motion to
6 discuss that public comment.

7 VICE CHAIR TURNER: Then I move that we discuss
8 the opportunity to allow people to pool their comments.

9 CHAIR ANDERSEN: I'll just second that and then
10 let's discuss what are Commissioners' views on that? Oh,
11 sorry, the item being, as proposed by the public comment,
12 that people could yield their time to a collective group.

13 You know, I do have one thought myself, which is
14 while that could be very useful and we do want a comment
15 that could be giving a group much, much more say and sort
16 of time to actually kind of -- I mean, if we have -- I
17 think we would need -- if we want to do that, we would need
18 to set a limit to that. Because you can envision, you
19 know, 25 people saying I'm going to give my two minutes.
20 And then, we'd be sort of stuck with -- which it could have
21 great import, but we might be tied to -- you know, I think
22 we should consider an overall limit for groups, as well as
23 individuals.

24 MS. SAXTON: Madam Chair, if I may? One thing,
25 as the California State Auditor's Office, I would ask that

1 it be considered how as a practical matter, in COVID-19
2 pandemic times if, as the caller said you have the people
3 who are yielding doing so in a way that can be confirmed,
4 that how would that work exactly?

5 The other thing I wanted to mention that I didn't
6 mention is that the rules that are being made now will not
7 carry over to the rules of the full 14, so you'll do them
8 again.

9 CHAIR ANDERSEN: Oh, correct.

10 MS. SAXTON: I'm certain you knew that, but I
11 wanted to --

12 CHAIR ANDERSEN: Yes, yes.

13 Commissioner Fornaciari?

14 COMMISSIONER FORNACIARI: Fornaciari. Yeah, so
15 my reaction is, you know, groups have the opportunity to
16 submit a written comment. And so, they can refer to the
17 written comment in their spoken comments.

18 I agree with Ms. Saxton's comment, too, that, you
19 know, how would we manage that effectively? You know, in
20 this time frame that we're working on to, you know, pick
21 the next six. So, I would lean towards, you know, not
22 allowing folks to pool their time at this point and it's
23 something we can revisit, you know, when we get to the 14
24 and when, you know, we get out of the pandemic state here
25 and have public meetings.

1 CHAIR ANDERSEN: Thank you, Commissioner.
2 Commissioner Ahmad?

3 COMMISSIONER AHMAD: Yes, I would like to concur
4 with the Commissioner. I think it's important for us to
5 know what the agenda items are for this meeting, being
6 primarily trainings.

7 CHAIR ANDERSEN: Yes.

8 COMMISSIONER AHMAD: It might not be as necessary
9 for groups to pool their time and yield their time to
10 others. We do have an item on Thursday, Agenda Item Number
11 9, that allows folks to come in and give their public
12 comments, and I think two minutes might be sufficient,
13 along with written public comments, as well.

14 CHAIR ANDERSEN: Thank you, Commissioner.
15 Any other discussion for the Commissioners? Not
16 at this time.

17 Then, I would like to address that public comment
18 by saying we will stick to our proposed two-minute rule,
19 including groups, particularly for -- given that we're in a
20 COVID situation it's very difficult who is yielding to
21 whom. And groups, even more than individuals, sort of
22 already have -- often already realize that they can submit
23 public comments of any length that can be sent in to us.
24 So, with that, I believe we've -- I'd like to restate the
25 motion.

1 So, again, I know this is repeating, but this
2 will be the motion. That Commissioners and the public will
3 turn off cell phones, turn them off to silent or vibrate.
4 Placing/answering calls must be done outside the meeting
5 area.

6 Commissioners the public will show professional
7 courtesy to all. Disrespectful conduct including yelling,
8 the use of profanity is unacceptable.

9 The appropriate title of honorific and surname
10 should be used as forms of address, such as Ms. so and so,
11 or professor so and so, commissioner so and so.

12 All attendees will assist the first eight
13 Commissioners in their effort to start and end on time.

14 The public comments will be limited to a time
15 limit of two minutes at this point, as permissible by the
16 Bagley-Keene Opening Meeting Act. And that includes
17 groups.

18 Only one person may speak at a time and only
19 after being recognized by the chair.

20 If a speaker wants to speak about an action item,
21 he may only speak on that issue being considered at that
22 time.

23 And those who are speaking should say who they
24 are -- this is more for the public, who they are and state
25 their name and/or, you know, they're not going to state

1 their name for the record.

2 And this is very important; every person who
3 wishes to speak on a matter should have the opportunity to
4 do so before a person speaks a second time on the matter.

5 So, those being the proposed ground rules, I so
6 move that those are the proposed ground rules.

7 Could I have a second?

8 COMMISSIONER SADHWANI: I second.

9 COMMISSIONER FORNACIARI: I'll second the motion.

10 CHAIR ANDERSEN: Oh, I'm sorry.

11 MS. SAXTON: One comment, please, legal comment.
12 You'll want to amend the portion about people needing to
13 state their name because in a public meeting they don't
14 have to, if they don't want to. So, it can't be stated as
15 an imperative. If that makes sense?

16 CHAIR ANDERSEN: I'm sorry, I did say or that
17 they do not want to speak their name.

18 MS. SAXTON: Oh, forgive me, then. And then, the
19 two minutes is also a part of that motion as well.

20 CHAIR ANDERSEN: That's correct.

21 MS. SAXTON: Awesome.

22 MS. PELLMAN: Who seconded the motion?

23 CHAIR ANDERSEN: I'm sorry, did someone --

24 MS. PELLMAN: Yes, this is the Secretary. Who
25 seconded the motion, I couldn't tell who seconded.

1 CHAIR ANDERSEN: I believe we had a second this
2 time.

3 MS. PELLMAN: Okay.

4 COMMISSIONER FORNACIARI: Commissioner Fornaciari
5 seconded the motion.

6 CHAIR ANDERSEN: Oh, Commissioner Fornaciari has
7 seconded the motion.

8 MS. SAXTON: Let me please ask, first, are there
9 any callers, any public comments in the queue on this
10 agenda item to adopt ground rules?

11 PHONE OPERATOR: As a reminder, the public can
12 put yourself into the audio queue by pressing 1, then 0 at
13 this time.

14 There is no one in the queue at this time.

15 CHAIR ANDERSEN: Thank you. Since there's no one
16 in the queue, and we have had people in the queue -- oh,
17 no. Then I would like to have the roll call on this
18 motion.

19 MS. PELLMAN: Commissioner Ahmad?

20 COMMISSIONER AHMAD: Aye.

21 MS. PELLMAN: Commissioner Andersen?

22 CHAIR ANDERSEN: Aye.

23 MS. PELLMAN: Commissioner Fornaciari?

24 COMMISSIONER FORNACIARI: Aye.

25 MS. PELLMAN: Commissioner Kennedy?

1 COMMISSIONER KENNEDY: Aye.

2 MS. PELLMAN: Commissioner Le Mons?

3 COMMISSIONER LE MONS: Aye.

4 MS. PELLMAN: Commissioner Sadhwani?

5 COMMISSIONER SADHWANI: Aye.

6 MS. PELLMAN: Commissioner Taylor?

7 COMMISSIONER TAYLOR: Aye.

8 MS. PELLMAN: Commissioner Turner? Commissioner
9 Turner, you're on mute.

10 VICE CHAIR TURNER: Aye.

11 MS. PELLMAN: Thank you.

12 CHAIR ANDERSEN: Then the motion's passed. We
13 have adopted our ground rules and I believe we can move on
14 to Item Number 6.

15 VICE CHAIR TURNER: Madam Chair? Oh, I'm sorry,
16 Commissioner. Madam Chair, I require a break at this time.

17 CHAIR ANDERSEN: I was just going to propose if
18 anyone would require a break. So, having that being asked,
19 I'd give us a, say, ten-minute break, five-minute break,
20 ten-minute break? What's the -- given our time frame, it
21 is 11:30, we still have many items to go. So, I might
22 propose a five-minute break at this time.

23 So, we'll recess for five minutes. Meet back at
24 11:35.

25 (Off the record at 11:35 a.m.)

1 (On the record at 11:42 a.m.)

2 CHAIR ANDERSEN: It's 11:40 [sic], do we have all
3 the Commissioners present? We have Commissioner Le Mons.
4 It looks like we're still waiting for a couple of
5 Commissioners.

6 COMMISSIONER FORNACIARI: And there's
7 Commissioner Taylor.

8 CHAIR ANDERSEN: Oh, Commissioner Taylor. We're
9 just waiting on one more Commissioner, then we'll begin the
10 meeting, or resume the meeting. And we'll be taking up
11 Item Number 6.

12 COMMISSIONER SADHWANI: Madam Chair, I will note
13 that in the Zoom chat Commissioner Turner did say that she
14 would actually need a 15-minute break. I'm not sure if
15 that's -- you know, maybe she has something.

16 CHAIR ANDERSEN: Oh, thank you for that,
17 Commissioner. I did not catch that.

18 Since this is training -- actually, do we want to
19 ask for public comment? But it's not an action item is
20 that correct so --

21 (Off-record conversation)

22 CHAIR ANDERSEN: Then, yes, since the next item
23 is training, I think it's very important that all
24 Commissioners are here. So, I think we might wait until
25 Commissioner Turner has returned. So, I think everyone,

1 we've got about at least five more minutes.

2 (Off the record at 11:44 a.m.)

3 (On the record at 11:49 a.m.)

4 CHAIR ANDERSEN: And we're -- the item would be
5 Item Number 6, the training relating to the process and
6 procedures for selection of the final six Commissioners,
7 including discussion and possible action regarding
8 additional info information about the remaining applicants.

9 At this time, I would like to invite the public
10 to -- I'll invite the public to go ahead and queue up. It
11 will be a while before they will actually be called on.
12 But if you know there's something you really want to say I
13 mean you can get in the queue now.

14 So, at this point I'm recognizing Ms. Saxton.

15 MS. SAXTON: Thank you. And I'm going to ask
16 Mr. Porche if he can read the phone number for the public.
17 It should be on legal pleading paper, right there. Thank
18 you.

19 MR. PORCHE: The toll free access number is 844-
20 291-5495 and the access code is 8121803. And participants
21 will be asked for a name, but you don't have to give your
22 actual name. Any name will suffice.

23 MS. SAXTON: Good morning.

24 (Off-record conversation)

25 MS. SAXTON: Thank you. This presentation is to

1 provide you with an overview of the criteria that you must
2 apply when selecting the final six members of the
3 Commission. The goal of this presentation is when it's
4 over I'm hoping that you'll say to yourself, you know, I
5 have a pretty good idea of how to begin thinking about
6 selecting the final six now.

7 You've heard me say already about the training
8 for today. The intent is not to make you experts on the
9 law. There's not going to be a quiz. The intent is to
10 familiarize you with the important legal concepts you will
11 apply so that when you all go to work on selection at your
12 next meeting, you'll have a basic understanding of the
13 concepts the 2020 Commission will need to apply to its
14 work, and you will be ready to do that first important
15 assignment.

16 You'll know the essentials of what you need to do
17 and what not to do, and when to ask for help from legal
18 counsel. And most importantly, you should begin to develop
19 some thoughts about how you'll formulate your own slate or
20 evaluate other suggested slates.

21 Of course, you'll review all the applicant
22 materials within the framework of what you learn today.
23 But you'll, hopefully, have a sense of the qualities you're
24 looking for in the final six commissioners, and also the
25 mechanics of how you eight will go about the selection

1 work.

2 Although I know that some of you are already
3 elections experts, and may be interested in going into the
4 weeds about some very nuanced hypotheses, I want to start
5 at the beginning so that everybody has a similar
6 understanding of the basic principles.

7 So, the Voters FIRST Act and the implementing
8 regulations are very specific about how you're to select
9 the six people to complete the 14-member Commission. The
10 first eight, you have three things to consider and balance.

11 So, the first thing, to ensure the Commission
12 reflects the state's diversity. However, it's not intended
13 that formulas or specific ratios be applied for this
14 purpose. And also based on relevant analytic skills and
15 the ability to be impartial. Those are your criteria right
16 there.

17 So, the first thing I'll point out -- what's
18 going on -- is that the Commission as a whole, the full 14,
19 that's what has to reflect the state's diversity. So, when
20 you're selecting, you're looking for six more Commissioners
21 that when added to you, your ranked, you eight, that whole
22 will reflect the state's diversity.

23 The additional challenge to you is that you're
24 not choosing six Commissioners from a unified pool of 27.
25 You're not picking them individually. Instead, the Voters

1 FIRST Act requires you to choose two Democrats from a pool
2 of eight, two Republicans from a pool of ten, and two who
3 are not affiliated with either party.

4 So, although the terms of the Voters FIRST Act
5 mandate a partisan balance, those provisions also pose a
6 challenge as you consider a proper balance to ensure that
7 the Commission's entire membership reflects California's
8 diversity.

9 So, when you read that first, "ensure the
10 Commission reflects the state's diversity", some of you may
11 have asked yourselves, well, I know what diversity means to
12 me, but I'm not sure what it means here in the law. And
13 this is a really good way to think about the law, or any
14 rule, really, we can't all play by the same rules if we
15 don't know what they mean.

16 I think everyone will agree the first eight must
17 all play by the same rules when selecting the final six
18 Commissioners. Or, in other words, you have to follow the
19 law. So, we have to make sure -- I have to make sure that
20 you understand those rules. Because even though the saying
21 goes, "you don't get to make the rules", here, when you
22 select the final six, you get to apply them.

23 So, we're told what diversity means for the
24 purpose of selecting the next six. It means racial,
25 ethnic, geographic, economic, and gender characteristics of

1 the population of California. That's the definition. So,
2 when it says diversity, that is what diversity means.

3 And when you do this, however, it's not intended
4 that formulas or specific ratios be applied for this
5 purpose. So, additionally, there's nothing in the Voters
6 FIRST Act that tells us one of these, in and of itself, is
7 more important than the other.

8 Again, what we're talking about is balancing.
9 Balancing the factors. So, when it tells us it's not
10 intended for formulas or specific ratios, you know, to be
11 applied, I sort of think to myself and I can't help it, I
12 think, well, it's almost like saying this isn't math class.
13 It's more subtle, it's a balancing between all of those --
14 among all of those factors.

15 So, when you're looking at the applications for
16 the remaining 27 potential Commissioners, the same
17 information that's available on the Shape California's
18 Future website, and you endeavor to select six to ensure
19 the Commission reflects the state's diversity, you may
20 receive many different perspectives as to what you should
21 and what you shouldn't be considering in making those
22 decisions. But keep in mind that what the law tells us is
23 the Commission should be reflective of the state's
24 diversity, and that diversity, what that encompasses is
25 here.

1 Okay, the second consideration is relevant
2 analytic skills. All of the first eight, all of you
3 already went through the screening process of the Applicant
4 Review Panel. So, none of you would be here under that
5 screening process if you didn't have these relevant
6 analytic skills.

7 If you accept that premise, then you are looking
8 at -- then, when you're looking at relevant analytic skills
9 for the purposes of selecting the final six, you're
10 probably going to be less interested in spending time to
11 determine whether an applicant possesses these, because we
12 know they do, but whether the skills that a particular
13 person has will be a good complement to the skills you
14 already have among the eight of you. And who the other six
15 should be, so that your final 14 has all the analytic
16 skills that are relevant to the redistricting work you will
17 be doing.

18 For instance, if all eight of you were
19 accountants, you might want to find a person who has public
20 outreach skills, because part of redistricting work
21 includes outreach. You probably would not want to select
22 another accountant. And I know I made that sound really
23 easy, but just by way of example.

24 In other words, if you think about the relevant
25 analytic skills that the redistricting work calls for, and

1 you look at what you all already have, what the first eight
2 already has, that may help you consider what additional
3 relevant analytic skills would help you, help the 2020
4 Citizens Redistricting Commission succeed.

5 Okay. The third consideration is the ability to
6 be impartial. Again, all the applicants have been screened
7 extensively by the ARP for this criterion as well. When
8 you're looking at who to select for the Commission, you're
9 going to again be looking at, I suggest, these
10 considerations to determine whether or not the individuals
11 you're selecting are people who, based on your assessment,
12 can put aside their personal interests, put aside their
13 biases, put aside their partisanship or support for a
14 particular cause, and make decisions in a fair and
15 impartial manner.

16 This one I think often comes across a little bit
17 like monsters under the bed, right. Because, you know, if
18 one Commissioner comes along and injects bias into your
19 selections, or whose work is marred by a conflict of
20 interest that can undermine the integrity of your
21 selections, the people's trust in them, invite litigation.
22 And I think you'll agree that even if it just looks like
23 that's what happened, your hard work will still be suspect.

24 The California Constitution, the Voters FIRST Act
25 portion, says that: Commission members are required to

1 apply the constitutional provisions in a manner that
2 reinforces public -- the public's confidence in the
3 integrity of the redistricting process. So, it seems like
4 that might be something you would say, oh, you know, of
5 course we should do that. We should do this in a way that
6 reinforces the public's confidence. So, that's actually a
7 requirement because it's that important.

8 One thing I wanted to mention, I think, is that
9 going back to what are relevant analytic skills. One of
10 the things I think that would be important, if I were one
11 of the first eight selecting the next six, is you can't get
12 very much done if -- you can have all the smart people in
13 the world, if they're cranky and unpleasant, and at the
14 very last bullet can't work effectively as a member of the
15 group. To do your redistricting work, that's going to be
16 really counterproductive.

17 So, I point that element out as the element that
18 the law says you can consider. Is this person going to fit
19 in? Is this person going to work effectively as a member
20 of a group? So, I point that out because that's sort of a
21 soft one, you know, to make sure that you're picking people
22 that you've seen their interviews at ARP, and these are
23 people you can work with. It's something to consider.

24 So, you know, let's see, let's talk about -- are
25 there any questions on this portion right now, sort of the

1 criteria of what you have to look at? As we, you know, get
2 further into this, obviously, if there's some fine point of
3 law or something like that, you're going to have lots of
4 help. The idea of this is to just let you enter into your,
5 again, meeting next week having a sense of, okay, this is
6 what I need to look at. This is how I apply it. This is
7 how it balances, et cetera.

8 So, if there aren't any questions, I will move on
9 to the nuts and bolts part of the selecting of the slate.
10 And, obviously, you can ask questions at any time but --

11 CHAIR ANDERSEN: Commissioner Fornaciari?

12 COMMISSIONER FORNACIARI: Yes. So, relevant
13 analytic skills, what I'm interpreting you saying is more
14 broad, much, much more broad than good at math kind of
15 thing, right. So, it's the broad set of skills that we, as
16 a Commission, need to execute our work.

17 So, by way of example, the last Commission had
18 five attorneys on it. It might be handy to have an
19 attorney, I don't know. That would be considered an
20 analytic skill in the context here?

21 MS. SAXTON: I believe so. And I think sometimes
22 what happens is certain professions become a shorthand for
23 the kinds of analytic skills that are traditionally
24 associated. I mean I used the accountants, right. But
25 then, you might have somebody who is a community outreach

1 person, and those people have skills. But they're also --
2 in your Applicant Review Panel materials, you can see the
3 kinds of things that they've done. So, to me it is a
4 shorthand and it's a good way to start to look for folks
5 like that, yeah.

6 And again, all of you are here because you
7 possess relevant analytic skills, because the ARP really
8 worked to screen people on that basis.

9 So, like I said, all of the people that are
10 currently in the applicant pool have these. It's just a
11 question like you said, exactly, is that if you look at the
12 composition of the current eight, what specific relevant
13 analytic skills might you be wanting to add to get to where
14 you need to go. So that you've got this team of people,
15 and you look at all the work that you have to do, and you
16 can say, okay, this person has these skills, they'd be
17 really good at outreach, this person would be really good
18 at the other thing and so forth. So, it's just a way to
19 think about who can you all add to maintain that balance,
20 whether it's the diversity element the relevant analytic
21 skills, the ability to be free from bias. And it's really
22 those three main ones.

23 Okay. Anybody else?

24 Okay, here's the fun part. As I said before,
25 when you select the final six members of the Citizens

1 Redistricting Commission, they are selected as a group of
2 six, a slate. And you're going to -- let me see, let me
3 think about this for a second. You're going to want to
4 create a slate. It has to include two Democrats, two
5 Republicans, and two not affiliated with Democrats or
6 Republicans.

7 Any Commissioner can propose a slate or
8 Commissioners may build a slate cooperatively for proposal
9 by one. In 2010, the first Commission put together a slate
10 that I believe was referred to as the chair's slate, and
11 they built it together, putting it together. Or, someone
12 can come in with a slate, the chair, and then people work
13 on that person's slate together. And then, it goes up for
14 a vote based on that collective creation.

15 Because one thing that's probably not going to
16 work very well is to have eight different people come in
17 with eight different slates. That's a lot to look at.
18 It's difficult to make any kind of meaningful comparisons,
19 I would think, in the amount of time that you have.

20 These are some of just the mechanics of the
21 rules. So, you understand multiple slates can be
22 considered. But as a Commissioner you can't be like I
23 brought five, here they are all at once. You do one at a
24 time.

25 Nobody can hijack anybody else's slate. The

1 slate can only be modified by the Commissioner who proposed
2 it.

3 And again, when we were speaking about diversity
4 as a factor for consideration, when you design or modify a
5 slate no formulas or specific ratios can be applied to
6 ensure the Commission diversity.

7 So, it's really, you know, not a situation where
8 the law intends for you to have a slate and for you to say,
9 well, we have 40 percent in the State of California of
10 this, let's make sure the slate has 40 percent represented
11 of this. You're going to be again, I think the key term is
12 balancing. Balancing all of those factors.

13 And then, the first slate that's approved by five
14 votes gets adopted. And then, again, we have our two
15 Democrats, two Republicans, one not affiliated with either.

16 This, I think perhaps you don't agree, but this
17 looks a little tricky to accomplish perhaps among eight
18 people of varying ideas. How are you going to come in a
19 public meeting, right, and work this all out? Well, I
20 think -- I mean, they did last time in two days.

21 So, what I would suggest is maybe what you'd want
22 to come in at your next meeting and do is to just have a
23 discussion about what kinds of qualities you Commissioners
24 think the final six need to have to balance out the skills
25 and talents that you already have.

1 And in order to do that, one of the things is
2 that you've all started looking at each other's
3 applications, not just the ones of the folks in the pool.
4 Because that's, I think, probably the best starting point
5 is to figure out what you've got already.

6 For instance if you as a group have a discussion
7 and think that maybe a particular geographic area is
8 underrepresented, or if a particular skill set is missing,
9 you might want to propose that to your fellow
10 Commissioners. You want to be able to say, well, don't you
11 think we need somebody who has this skill set? Or, we
12 don't have anybody from Redding, or we don't have whatever
13 it is and, you know, that you should be looking at that.

14 If you can find that there are certain things you
15 agree about amongst yourselves, when you have the
16 discussions at the public meeting, then that would guide
17 you about how to construct your slates. You know, and then
18 it means when you come together to discuss it again at your
19 next meeting, you have clearly road mapped the kinds of
20 skills and abilities that you need. And you may be able to
21 reach a slate selection consensus sooner if you have those
22 discussions up front, before you start trying to discuss
23 specific applicants.

24 Now, that's just something to consider. But it
25 did occur that the -- in 2010, our staff actually got

1 together and they played let's make a slate. I'm joking.
2 But they practiced and they tried different ways of going
3 about it to see what was a good way, what worked, what
4 didn't work. That's where my comment about, you know, if
5 everybody comes in with their own it's potentially going to
6 be difficult, everybody with their own.

7 And also the notion, they tried building it
8 collaboratively and that was what they found to be the most
9 successful.

10 Obviously, you're not the same people as the
11 first eight last time, but I would feel I was remiss if I
12 didn't have something to offer by way of a suggestion of
13 what to do.

14 Any questions about that? It's a lot to think
15 about, I know.

16 When I first saw this and I was reading it, I
17 thought that perhaps I was maybe reading the instructions
18 to like a board game, by Milton Bradley, you know, the
19 let's build a slate. So, anyway.

20 All right, I'm going to move on. One of the
21 issues that you'll have to grapple with, and it's something
22 that State Auditor staff is going to ask you to make some
23 decisions about, is the issue of what additional
24 information, if any, you want regarding the applicants when
25 you're making your decisions about who to select.

1 At this point, the first eight have all the
2 information that was available to the members of the
3 Applicant Review Panel, and the Legislature, and the
4 public, including the interviews, all the public comments,
5 all of it.

6 The regulations do allow you, with some
7 limitations, to ask for additional information on the
8 applicants, working through our office, the State Auditor's
9 Office. You may want to avail yourselves of that ability
10 in some way or you may feel that the Applicant Review
11 Panel has done a perfectly wonderful job of gathering the
12 information. And that you're comfortable making a decision
13 based on the record that they've established.

14 Now, the other thing that's written into the
15 regulation is the ability to make written requests for
16 information from the applicants. There's also the ability
17 to conduct further interviews of the applicants.

18 The caveat, of course, is that engaging in
19 further fact finding or interviews will take a lot of time
20 with the August 15th deadline. And it all has to be done
21 in an open, public meeting, and with COVID-19, the
22 pandemic's also a factor to consider.

23 The other thing to maybe think about with
24 additional interviews, I think, is that whether you want to
25 place your future colleagues, the final six, under a higher

1 level of scrutiny than you faced. You know, to treat them
2 like suspects who have more questions to answer than you
3 needed to answer. That's hyperbole, but I think you get
4 the point that I'm making.

5 I encourage you to consider that while the law
6 permits you to further scrutinize the remaining 27, there's
7 practical limitations that exist. It's largely your
8 choice. But just to mention, our office has some ability
9 to decline to undertake any request we believe is unduly
10 burdensome on our office, or its unduly burdensome on the
11 remaining applicants, or on meeting your August 15th
12 deadline.

13 My recommendation to all of you is that if you
14 find you do not something an applicant said or wrote, that
15 you would submit to us written questions for that
16 applicant, so we can quickly obtain the information that
17 you seek, if you think that's necessary.

18 You know, after you were selected as the first
19 eight, we provided to you all the application materials
20 regarding the applicants that remain in the pool, as well
21 as regarding each of you. I don't know whether you've had
22 an opportunity to get through all that, yet. It's
23 understandable that you may have not had a full handle on
24 it, or you may not know at this point whether every
25 question has been answered that you might have, and that

1 every piece of information you need's been obtained.

2 But hopefully, at least you'll have a general
3 sense of whether you think the record that you have for the
4 applicants is sufficient to make the decisions, the
5 selection decisions by August 15th, which I said is the
6 deadline.

7 I think that after this meeting, after this
8 training, consider the factors you think your fellow
9 Commissioners should focus on, what kind of balance you'd
10 like to bring to the 14, go home and review all the
11 application materials again. Actually, under the
12 regulations you're required to review all the applicant
13 materials.

14 And then, identify the applicants you think can
15 bring the right balance and diversity to your group. Come
16 back knowing the 6 to 12 people you really think can knock
17 it out of the park in terms of meeting your legal duty to
18 produce a diverse Commission poised for success.

19 So, I think that, you know, what happened last
20 time, when everybody went home and everybody came back with
21 their own slates that that wasn't productive. But when the
22 worked to build it together, as I said, the saying of many
23 hands make work light, that is how they found success and
24 they found it quickly.

25 I think that you can show the public that eight

1 regular people from different backgrounds and political
2 parties can go in a room together with a common goal, and
3 come out successful. I think the world needs a little bit
4 of these days and you're just the people to do it.

5 Anybody have any questions?

6 CHAIR ANDERSEN: Can we see if any of the other
7 Commissioners -- yeah, can we see if any of the other
8 Commissioners have questions or please speak up if you do.
9 Any comments from the other Commissioners or you'd like to
10 say something at this point?

11 Commissioner Le Mons?

12 COMMISSIONER LE MONS: I have a question
13 regarding the -- there was a lot of emphasis in this
14 presentation on the individual slate versus the collective
15 slate and how the individual slate process seemed to be
16 perceived as a failure.

17 and so, I'm curious if you have any insight into
18 procedurally what was different about the process in
19 seeking individual slates versus actually building it
20 collaboratively. How did that procedurally work, if you
21 can share that.

22 MS. SAXTON: Thank you, Commissioner, I think
23 that's a good, good question.

24 From what I read in terms of the materials that
25 were left behind historically, from 2010, was that there

1 was a sense that when folks in with their very own slate,
2 they're very focused on their very own slate. And they
3 tend to begin to defend their own slate against others'
4 choices that they forwarded. It becomes somewhat more
5 competitive.

6 Now, that being said, I do want to state I offer
7 what I understand from that particular group of people.
8 And you all may be very, very different. But I think that
9 was mostly it was a lot to keep track of with everybody
10 having different applicants. It was a lot of trouble to
11 compare and contrast all those different people that were
12 included. And that was sort of the impression from, you
13 know, the historic, the after-the-fact discussion of
14 improvements in the future, and advice.

15 CHAIR ANDERSEN: I do have a thought, similar
16 along the lines of Commissioner Antonio -- I mean, sorry,
17 Le Mons. It seems to me that there is still a validity of
18 everyone considering a panel of their own. And even if
19 it's similar to the way the Applicant Review Panel, they
20 picked their next group and then they looked at, well, you
21 know, how many had all, you know, all of them were on the
22 same list.

23 And, you know, in our case if we did eight slates
24 and then we said, okay, let's compare, if we have all
25 picked five of the eight that leads us very quickly along

1 the path of, well, boy, these certainly look like that's a
2 group that was a possibility. And then, we could almost
3 like redefine from there. So, I'm wondering how -- you
4 know, I understand if you just take, okay, this is mine and
5 that's what I think. But if the idea is bringing these all
6 together, it's kind of like rather than start from scratch
7 completely, you've already sort of had time to consider
8 those. Was that method ever used at all because that's --
9 I want to say that out.

10 MS. SAXTON: Well, let me just clarify because I
11 think that maybe this will help it make more sense. Some
12 of it's, I think, procedural. Which is if everybody brings
13 in their own slate, and everybody officially puts it on the
14 table to be considered as in play, I think that would be
15 very different than people coming in with their idea of
16 what they think their slate should be already and made.

17 Because under the rules, multiple slates can be
18 considered all at one time. So, if that's the case, then
19 you're putting them into the realm of they're being offered
20 to vote up or vote down or, you know, debate them.

21 If you bring it for your own use in order to
22 potentially compare with what other people think, et
23 cetera, in more of the discussion portion of the decision
24 making selection process, I would submit that that would be
25 less troublesome than when you're actually putting them us

1 as fully formed, ready to be considered.

2 Does that make sense?

3 CHAIR ANDERSEN: Any other ideas about that?

4 That's exactly -- like I'm sort of thinking, you know, you
5 can't just go, okay, here's we're open to everybody all at
6 once. You know, there should be a way to kind of go, you
7 know, I've given all -- from what I've considered, I'm kind
8 of thinking of these, but again then to be combined. And I
9 think on this item we want as much discussion as possible
10 because I am considered about if the first slate approves
11 by five votes that's adopted.

12 And I think I, personally, would really like it
13 if we got, you know, a unanimous slate as opposed to, well,
14 wait a minute, that went too fast for me. I'm concerned
15 that, you know, if we don't have a long lengthy discussion,
16 and consider what everyone's thinking we won't get there.
17 You know, we'll end up with something that we're like,
18 well, here we are and that wasn't exactly where we
19 intended. So, I'm very concerned that I want to make sure
20 everyone is included in this.

21 So, I'd like to know kind of when do we have the
22 discussion of how we'd actually like to do it? Is this now
23 the time or I think we should have --

24 MS. SAXTON: I think it is most helpful, since
25 this is the first meeting with the focus on training --

1 CHAIR ANDERSEN: Right.

2 MS. SAXTON: -- that to get through the training.
3 Maybe there will be things in the training that will inform
4 your thoughts about what you need to do, how easy it might
5 be to do, et cetera.

6 But, you know, you will have time to figure out
7 what I -- you know, what I said, which is to think about
8 who -- essentially that conversation about I went back and
9 looked at all of us, and I come to this meeting and I think
10 we need this, this, and this.

11 Now, let me just state this is just my gathering
12 of what I learned about what happened last time. It is not
13 instructions. It is not trying to tell anybody what to do
14 whatsoever. It's just information. And again, this will
15 be the second time that this process has taken place so --
16 and that might be something to discuss as well. You come
17 and you said I had this great idea, here's what we're going
18 to do. What do you think.

19 CHAIR ANDERSEN: Okay. Any comments at this time
20 from other Commissioners? Commissioner Sadhwani?

21 COMMISSIONER SADHWANI: Yes, thank you. I really
22 appreciate your comments Commissioner Andersen and
23 Commissioner Le Mons. Certainly, I agree with you that we
24 will need our time for a lot of discussion.

25 And I think it sounds like what I'm hearing is

1 that we'll also need to bring with us a generosity and a
2 sense of collaboration on this topic.

3 I'm curious just to get clarity about who
4 actually sets the agenda for that meeting? Right, for
5 these trainings that was set by the Auditor's Office for
6 discussing the process of how we will discuss this. Who
7 actually establishes that agenda? Is that us, as the
8 Commissioners, or is that the State Auditor's Office?

9 MS. SAXTON: The State Auditor's Office has been
10 the -- we have prepared the agendas. Agendas are typically
11 going to cover those things which the second half of your
12 duties as first eight, first train then select.

13 The second agenda is the selection meeting, so to
14 speak.

15 Was there something in particular that you were
16 thinking about the agenda you'd like to do or --

17 COMMISSIONER SADHWANI: No, not necessarily. I'm
18 curious as we're talking about whether or not, as
19 Commissioners, we should each bring our own slate or not.
20 But it seems like whether or not we do that would be --
21 would determine how the agenda is established for those
22 days. So, I'm curious about who sets that agenda.

23 MS. SAXTON: Typically, agendas are going to be,
24 and I believe Mr. Dawson will speak about this in terms of
25 Bagley-Keene, they are specific enough to let the public

1 know what will happen, but they're not so narrow that you
2 have placed undue burdens and limitations on yourself to
3 get your work done.

4 So, I mean anybody can come with their own slate,
5 I would think. Anybody can come with no slate. People can
6 come with spread sheets where they're going to show
7 everybody how they said who it was they thought should be
8 the next final six.

9 Of course, you can, you know, have discussion
10 right now if you want to about what you want to bring to
11 the next meeting, et cetera. It's really quite up to you.

12 Or, maybe people have a good picture.

13 CHAIR ANDERSEN: Would we like to open this for
14 discussion right now? Because it's unclear to me, so it's
15 maybe unclear to other Commissioners that now -- the next
16 training will be for the Bagley-Keene, and then we'll go
17 into the particulars of what we're looking at for the
18 people.

19 And I think unless this happens, it's either in
20 Item 6 or in Item 7 on the Bagley-Keene, the details of --
21 essentially, I think what we're sort of looking for is what
22 are we preparing to do and so how do we start that next
23 meeting as opposed to -- so, basically, we'd like to get
24 into action here.

25 And if we start like, well, now we'll say this

1 and go back and look at it. I mean, we kind of need to
2 have done that ahead of time or --

3 MS. SAXTON: Well, I think that that's part of
4 what your next meeting potentially is going to be is to go
5 -- you're going to go back, you're going to think, you're
6 going to read your applications and then by then you may
7 have a very good idea of what you'd like to do.

8 I mean, you can work that out at the next meeting
9 as well.

10 CHAIR ANDERSEN: Yes, that's true. We don't have
11 to do anything here. I'm just wondering if people would
12 like to. On that one, I'd like to have just a really short
13 comment from everybody, if they have any ideas or not at
14 this time. So, I might ask for -- and actually, at this
15 time what I might start doing, as opposed to moving
16 alphabetically from the top, we might go reverse just to
17 mix things up a little bit. I hate to put you on the spot
18 --

19 MS. SAXTON: We're also going to need to take
20 some public comment at this time, too.

21 CHAIR ANDERSEN: Yes. Yeah, exactly. So, and
22 it's also 12:30. We might end up breaking after this and
23 then going on to Item Number 7 after lunch if that's --
24 that might work.

25 So, can we -- going reverse order of

1 alphabetical, I'm going to put you on the spot,
2 Commissioner Turner, please, if you have any ideas about or
3 any comments on as to how -- the slate process and things
4 like that for the next meeting and this meeting.

5 VICE CHAIR TURNER: Yes, thank you Madam Chair.
6 The Counsel, the distinction that was being made. I could
7 see the distinction. For me it was a slight distinction
8 and it has everything to do with intent of the
9 Commissioners as they bring a slate in. And for me, I can
10 actually see value in people bringing in a slate, having
11 discussion on it. And I understand the concern about the
12 first five is a set slate.

13 And I think if we set intention to not vote until
14 there is discussion, there is room for us to make
15 adjustments. So, I don't necessarily have the same
16 concerns. I think we will work collaboratively to get it
17 figured out.

18 CHAIR ANDERSEN: Thank you, Commissioner Turner.
19 Commissioner Taylor? Commissioner Taylor?

20 COMMISSIONER TAYLOR: Yes. So, I think there's
21 some prudence in taking all the training and then possibly
22 determining a methodology at the end of all the training.
23 I agree with Commissioner Turner, I think it's sort of form
24 and function that if you come with a slate and it's not
25 presented to be voted up or down, then it still can be

1 discussed. So, if we all determine that we want to bring a
2 slate and discuss that slate, without the formality of it
3 being voted up and down, we're pretty (indiscernible) -- we
4 don't have to worry --

5 CHAIR ANDERSEN: He froze. We lost you there.
6 You froze.

7 COMMISSIONER TAYLOR: Methodology that we can
8 discuss at the end of the training.

9 CHAIR ANDERSEN: Thank you, Commissioner Taylor.
10 Commissioner Sadhwani?

11 COMMISSIONER SADHWANI: Yes. I think I missed a
12 little bit of Commissioner Taylor's comments there, but I
13 think I'm in agreement. That, you know, I think that
14 there's value to all of us identifying a potential slate,
15 bringing that forward, but in that discussion discussing
16 well, why is it that we would choose such people.

17 And I think, you know, to your point earlier
18 about Commissioner Andersen about, you know, maybe we
19 identify there's five people that we all kind of agree upon
20 already and then -- you know, and then there might be back
21 and forth. So, I think that would be a helpful process and
22 ensuring that there's an opportunity for those discussions
23 before we move into that vote so that we can all be heard,
24 as we talked about for some of our ground rules.

25 CHAIR ANDERSEN: Thank you, Commissioner

1 Sadhwani.

2 Commissioner Le Mons.

3 COMMISSIONER LE MONS: I concur with the comments
4 of the previous Commissioners. The only thing I would, I
5 guess highlight, would be I think as long as we're going to
6 get to the understanding of what it is that we want to do
7 when we're not in the room, like what our -- like what's
8 being asked of us and that everyone be prepared to do that,
9 that would be what would be important to me that we are in
10 sync around the duty, and then our spirit of cooperation.
11 And I don't have any concerns that that won't be the case.

12 CHAIR ANDERSEN: Thank you, Commissioner.

13 Commissioner Kennedy.

14 COMMISSIONER KENNEDY: I would agree that, you
15 know, maintaining the spirit of cooperation is going to be
16 very important in this. I don't want it to be a race where
17 we're competing against each other. I mean, I think it is
18 an incredibly important and very solemn duty that we have
19 at this point. I've certainly spent a good bit of time so
20 far looking over, watching videos that I didn't see live,
21 reviewing applications. And I know that I still have a lot
22 of work to do. So, I anticipate that, you know, when we
23 come back by that time I will have a sense of kind of what
24 I might like to see, but I'm certainly going to be looking
25 for input from the rest of you at that point.

1 CHAIR ANDERSEN: Thank you, Commissioner.

2 Commissioner --

3 COMMISSIONER FORNACIARI: Fornaciari.

4 CHAIR ANDERSEN: -- Fornaciari. I have to write
5 that down, Fornaciari.

6 COMMISSIONER FORNACIARI: Yeah, I concur with
7 what's been said before. And I want to echo Commissioner
8 Le Mons' comment. You know, I think we ought to figure
9 out what we can agree to, what we're bringing to the table
10 when we come back.

11 CHAIR ANDERSEN: Okay. And Commissioner, I'd
12 like to go last. Commissioner Ahmad?

13 COMMISSIONER AHMAD: I agree with what's been
14 shared already. I do think that we have to keep our
15 intentions clear about we're bringing this slate in with
16 the purpose of discussion and to hear inputs from our
17 fellow Commissioners.

18 I think maybe we can also benefit from
19 potentially looking beyond just the six people in case
20 there are people we were kind of on the fence about, and
21 other folks are more strongly for. So, similar to what was
22 discussed during the Applicant Review Panel, and really
23 being open to that negotiating process.

24 CHAIR ANDERSEN: Thank you to all the
25 Commissioners for your comments because I think that's --

1 as you say, I really like the idea of bringing the six, but
2 essentially you have a whole -- it's almost like you have
3 your starters and your whole team. And it's so, you can
4 actually go, okay, right, now I did like those, but then I
5 was also thinking of this other person.

6 So, you know, we want to consider everybody.
7 This is not a race. But the idea of being -- we do have a
8 bit of an assignment. Don't just review everybody, but
9 then ultimately, unfortunately, we have to come up with
10 just six, which is going to be very difficult.

11 But I think if we try to do that a little bit on
12 our own it will actually help us work together much more
13 efficiently.

14 So, and one thing I also think in terms of this,
15 it's a little bit different, and again I'd like for ideas
16 of discussions, is it's very important who are we right
17 now? I think we've all -- you know, most of us have looked
18 at all of us and said, okay, so I think, you know, you have
19 this ability, that ability, these characteristics. I'd
20 like us to kind of possibly even think we might start the
21 next meeting or even the end of this with this is who I
22 think I am and what I bring to the group.

23 Because, you know, while like we might think --
24 you know, I think, you know, you have such and such, or you
25 have such and such, and you go, oh, but I really, I'm

1 thinking I do this a bit more, which I think might give us
2 an idea of just -- so we really know what we have to
3 facilitate our trying to come up with what else do we need
4 and what are we looking for.

5 Now, that's just an idea I threw out for
6 discussion. I don't mean to overstep here, but if anyone
7 would like to discuss that as well. Should we do a reverse
8 again?

9 Commissioner Turner?

10 VICE CHAIR TURNER: Yeah, I think that's
11 important that we establish who we represent, who we are
12 and skills that we think we have already, so I'm in support
13 of that.

14 CHAIR ANDERSEN: Thank you.

15 And Commissioner Taylor?

16 COMMISSIONER TAYLOR: Yeah, I agree it's
17 important to know who we are as a group so we can see what
18 our strengths and deficits are.

19 CHAIR ANDERSEN: Thank you.

20 And Commissioner Sadhwani?

21 COMMISSIONER SADHWANI: I agree with that. I
22 think in earlier comments Commissioner Fornaciari had
23 mentioned attorneys, so I think that might be an area where
24 we need some additional bolstering. So, yes, I'm
25 definitely in favor of such a discussion.

1 CHAIR ANDERSEN: Thank you.

2 Now, Commissioner Le Mons?

3 COMMISSIONER LE MONS: Agree.

4 CHAIR ANDERSEN: Commissioner Kennedy?

5 COMMISSIONER KENNEDY: No further comment at this
6 point.

7 CHAIR ANDERSEN: Commissioner Fornaciari?

8 COMMISSIONER FORNACIARI: I agree.

9 CHAIR ANDERSEN: Commissioner Ahmad?

10 COMMISSIONER AHMAD: I agree, but I also would
11 want us to focus on the Voters FIRST Act and the specific
12 criteria that are listed on there.

13 CHAIR ANDERSEN: Very, yes. Obviously. Thank
14 you very much.

15 So, I think maybe, you know, we might add that at
16 the end.

17 Now, at this time I believe it's time for public
18 comments. Are there any -- anyone in the queue?

19 PHONE OPERATOR: As a reminder, you may place
20 yourself into the audio queue by pressing 1, and then 0.
21 We do have one already in the queue. We'll go to the line
22 of Cynthia Dai, with 2010 California Citizens Commission.
23 Please go ahead.

24 MS. DAI: Hi Commissioners. First of all, I
25 think Chair Andersen's comments are right on target and I

1 thought the training was excellent on this. I understand
2 you got my written comments, so I'm not going to try to go
3 through those again. But I thought I would let -- answer
4 any questions you might have about what we did with the
5 chair's slate. And it sounds like there were a few
6 questions from Commissioners on that.

7 CHAIR ANDERSEN: Thank you. Did you offer that
8 in the public comment or could you give us just --

9 MS. DAI: Not specifically on the chair's slate.
10 Let me just -- I'll just provide a brief overview.
11 Everyone did actually go home, and do their homework, and
12 come up with their own slate and ideas for who should be on
13 their slate. But what we tried to do at the beginning was
14 in order to not have anyone anchor on their choices is that
15 we nominated someone for the chair's slate one at a time.
16 Because, obviously, whoever you pick, you know, affects the
17 other people in the slate. So, we did it one at a time.

18 And we tried to -- you know, different
19 Commissioners would nominate so and so for the chair's
20 slate. We tried to start with the least controversial
21 picks. And then, people would say, oh, that person was on
22 my slate, too, for these reasons. And, you know, we went
23 around and built it up that way. So, by the time you get
24 to four people, you know, the choices change obviously, as
25 the mix changes.

1 So, I think your idea of taking inventory of the
2 first eight, of the lucky eight first is great. And then,
3 as you add to each -- add, you know, the 9th, and the 10th,
4 and the 11th, the inventory will change it will, you know,
5 have an effect on your final selections.

6 CHAIR ANDERSEN: Thank you. Thanks for that
7 comment.

8 Any questions from the Commission on that idea?

9 PHONE OPERATOR: As a quick reminder, the toll
10 free number for public comments is 844-291-5495 and the
11 access code is 8121803. You will be asked for a name, but
12 you can give any name.

13 CHAIR ANDERSEN: Thank you. Are there any
14 callers on line?

15 PHONE OPERATOR: We do have a couple, we'll go --
16 or, we have one at least. We'll go to the line of Anne
17 Kohl, no affiliation. Please go ahead.

18 MS. KOHL: Hello. Yes. What I'd like to do is
19 simply suggest and support the counsel's idea of having a
20 discussion of the types of qualities and the types of
21 qualities that they need to be balanced out. And maybe
22 this came up a little bit in terms of thinking about
23 inventory, about that sort of craft way of thinking about
24 different people.

25 Because one of the most disconcerting elements of

1 the last days of the ARP, was many of you probably saw, was
2 the horse trading that went on amongst people. And it was
3 very hard to figure out what were the qualities that they
4 were looking for.

5 And so, I think without a larger discussion ahead
6 of time, before you bring your slates, sometimes even
7 though you may think about, oh, I like this person because
8 they were an attorney, or I like this person because they
9 have outreach that often gets lost.

10 And so, to have an open conversation about what
11 you already think are some gaps, or what additions might
12 fill out the team, I think is really important before you
13 begin the process of nominating an building the team which
14 can so often come into horse trading. Thank you very much.

15 Anne, A-N-N-E Kohl, K-O-H-L.

16 CHAIR ANDERSEN: Thanks for that comment. Are
17 there any others in the queue?

18 PHONE OPERATOR: There is one more. We'll go to
19 the line of Jaqueline Coto, with NALEO Education Fund.
20 Please go ahead.

21 MS. COTO: Good afternoon. My name is Jaqueline
22 Coto from the NALEO -- I'm sorry, from the National
23 Association of the Latino Elected and Appointed Officials.
24 NALEO Educational Fund -- yes, Jaqueline Coto. My last
25 name is spelled C-O-T-O. From the National Association of

1 Latino Elected and Appointed Officials, NALEO, N-A-L-E-O,
2 Educational Fund.

3 So, I'm going to express and congratulate you on
4 being selected as the first eight Commissioner. And in
5 advance would like to thank you for your public service.

6 We are concerned about the selection process so
7 far that has resulted in no Latinos being appointed to the
8 Commission. And we would like to gently reiterate that one
9 of the most important responsibilities of the Commissioners
10 is to choose the remaining six Commissioners under the
11 California law to ensure that the Commissioner reflects the
12 state's diversity, including but not limited to the
13 racial/ethnic, geographic, and gender diversity.

14 During public comment later this week, many of
15 our partners will also be calling to urge you to ensure
16 that the Commission fully reflects the diversity of the
17 state's Latino population. So, we want to thank you in
18 advance, again, and we look forward to our collaboration.
19 Thank you.

20 CHAIR ANDERSEN: Thanks for the comment.

21 Any additional comments in our queue?

22 PHONE OPERATOR: We have another one, now, from
23 the line of Jonathan Mehta Stein, with California Common
24 Cause. Please go ahead.

25 MR. MEHTA STEIN: Jonathan Mehta Stein, Executive

1 Director at California Common Cause. I'll try this again.
2 I'd just like to take a moment here at the beginning of my
3 comment to introduce ourselves to you, because you'll be
4 hearing a lot from us in the next 18 months. I'll be
5 brief.

6 Common Cause is a nonpartisan, nonprofit
7 organization working to build a better California
8 democracy. We are believers in independent redistricting,
9 both because it's the fairest approach to drawing district
10 lines, and because it's a catalyst for community engagement
11 and civic participation. We were very strong supporters of
12 the ballot measures in '08 and 2010 that created this
13 Commission.

14 We've engaged with the Applicant Review Panel and
15 the Auditor's Office for the last nine months, and in the
16 months ahead I suspect you'll be hearing a lot from us.

17 Earlier, I had hoped to make a comment about an
18 administrative topic. I'll actually save that for later,
19 likely Thursday. Instead, today I want to say that we
20 share the concern of many others regarding the glaring
21 absence of Latino Commissioners at this point. Latino
22 representation on this Commission is deeply, critically
23 important.

24 On July 13th we submitted a letter to you,
25 together with a range of partners. It explains that the

1 law empowers you and in fact requires you to use your
2 selection of the final six Commissioners to ensure that the
3 Commission reflects the state, racial, ethnic, gender, and
4 geographic diversity.

5 This requires you to keep in mind other factors,
6 like geography and gender, the fact that 40 percent of the
7 state's population is Latino. There are a number of
8 excellent Latino candidates in the final pool who are as
9 qualified or more qualified than any others.

10 Again, congratulations on your selection. We're
11 incredibly excited for you. We will be with you every step
12 of the way and look forward to working alongside you to
13 make California's redistricting this year a success.

14 Thanks.

15 CHAIR ANDERSEN: Thank you. Any other people in
16 the queue?

17 PHONE OPERATOR: No one else in the queue at this
18 time.

19 CHAIR ANDERSEN: Thank you. Any other comments
20 from the Commissioners at this time? Commissioner Le Mons?
21 Oh, sorry, you're on mute.

22 COMMISSIONER LE MONS: Yeah, there we go. Yeah,
23 I'd like to make a comment. And I don't know if we need to
24 have a discussion on this, but of course I've read a lot of
25 the public comment, and of course we've heard the comment

1 today. And some of our Commissioners have already
2 highlighted the absence of Latinos. And I think as a
3 Commission we take that very seriously. And that is
4 without question something that we will be looking at as we
5 pursue this process.

6 And I'd like us to -- I'll go on record, and I'd
7 like the rest of the Commissioners, if we could
8 collectively go on record so that the community can
9 understand that that's not lost on us, and we are putting
10 attention to that. I just think that we really have to
11 address it. And I know one of our Commissioners addressed
12 it this morning.

13 But I think it would be important for the first
14 eight to have a collective position on that because we're
15 going to hear this a lot, you know, over the next couple of
16 days. And not that this is an attempt to not hear it, but
17 I do think it's important that we not appear to be tone
18 deaf to the situation.

19 CHAIR ANDERSEN: Thank you for that comment.

20 Does anyone else want to -- or, I think we're --
21 I might just speak up right now and say, yes, diversity in
22 all aspects we are planning on considering and acting on
23 this as a Commission. That is our number one concern.

24 We understand that the group that you have, these
25 eight were random. It could have been anybody else in our

1 whole group. We are lucky that we're here. We know we
2 don't represent the entire state. And we are well aware of
3 several public comments about issues that we are missing.

4 You know, we're not deaf to them. We did read
5 them. And some, you know, we do have glaring errors, but
6 it's not actually an error, yet. Don't think this -- we're
7 not done. This is eight. We have six more. We're going
8 to become one group that will represent California to the
9 best of our ability.

10 Unfortunately, we need to say there are 58
11 counties. There are only 48 of us. So, some county will
12 not be represented.

13 And also, just if we go by all the percentages,
14 we can't physically exactly match the percentage of
15 different populations in our state because, again, there
16 are 14 of us. We will do absolutely everything we can with
17 our qualities, our racial, our ethnic, our geographical
18 diversities that we really want to achieve. And I think we
19 genuinely all want to achieve this and that's our top
20 propriety. Because we want all of Californians to feel
21 represented.

22 But remember, we are not representing you. We
23 are actually working for you to make the lines represent
24 you. So you, as a community, can come and realize this
25 group in my district, we have the power to elect the people

1 that we feel represent us. So, that's what we're looking
2 for. We're looking for qualities and diversity in every
3 aspect is absolutely considered.

4 So, don't think that we're deaf and we're not
5 trying to do that. And I spoke a little bit ahead of
6 everybody. But I understand from all the comments and
7 reading everyone's applications that that is our intent.
8 So, I, you know, thank you for all your comments. And
9 don't stop, but don't -- you know, we're not tone deaf.

10 So, you know, if any other Commissioner wants to
11 add to that, please do.

12 VICE CHAIR TURNER: Trena Turner. Yes, Madam
13 Chair. I want to really thank Commissioner Le Mons for the
14 call to have it go on public record that we are very aware
15 of the public comments that's being made. I'm reminded of
16 counsel that told us that it actually was a requirement
17 that we reinforce public confidence and in us, as a
18 Commission.

19 And for sure, looking through the interviews,
20 looking through comments and what have you, I believe it is
21 our collective intent to ensure that we have a full slate
22 of individuals so that our full Commission is
23 representative of as many people as possible. And that is
24 my intent. I believe it's also the rest of our intent as
25 well.

1 And as, Madam Chair, you pointed out in that we
2 cannot have -- based on the numbers, we cannot have someone
3 representing from area. Even for those that we don't
4 represent, I believe we will carry and hold the intent, and
5 we are leaned in to be able to ensure that we are
6 representing as many people as possible.

7 But for now, yes, I want to be on as well on
8 public record saying that we are very aware of the
9 comments, and we are holding them all at most importance.

10 CHAIR ANDERSEN: Thank you, Commissioner Turner.

11 Should we do a -- I'm sorry, Commissioner Ahmad.

12 COMMISSIONER AHMAD: Hi. I would also like to
13 appreciate Commissioner Le Mons' call for us to go on
14 public record.

15 I, too, hear the comments. I saw the stark
16 absence of certain voices within the first eight
17 Commissioners selected, and I am committed to making sure
18 that the full Commission represents California's diversity.

19 CHAIR ANDERSEN: Thank you. I think we'll just
20 go through. So, we've hit a few alphabetically, I've
21 spoken, so next would be Mr. Fornaciari.

22 COMMISSIONER FORNACIARI: Yes. I concur with
23 everything that's been said so far. It's critical that the
24 Commission is representative, as representative as it can
25 be, and we do have a glaring omission in the Latino

1 representation that, you know, has been brought up in the
2 public comments. You know, we're all aware and I think
3 we're clearly all committed to address or, you know, put
4 together a Commission as representative as it can be.

5 CHAIR ANDERSEN: Thank you.

6 Commissioner Kennedy?

7 COMMISSIONER KENNEDY: We have a duty and as I
8 said earlier it is a very solemn duty to not just respect
9 the letter of the law, but to embrace the spirit of the
10 law, and the constitutional provisions that established
11 this Commission. And I certainly join all of you in saying
12 that, yes, I want to see us carry out this duty.

13 We may or may not have differing ideas on how to
14 do it, but I think we are all united in our desire to see
15 this Commission be seen as a reasonable and faithful
16 reflection of the diversity of California. As has been
17 said, there's only so much that we can do with a total of
18 14. And, you know, no matter what people may or may not
19 want, we can't toss any of the eight of us off. So, we are
20 stuck with that. But I definitely want to see us do the
21 best we can with our six choices and look forward to
22 working with everyone to make that reality.

23 CHAIR ANDERSEN: Thank you.

24 Now, let's see, we haven't -- well, should we
25 just go ahead and if you want to add more, Commissioner Le

1 Mons, do you want to say anything else or --

2 COMMISSIONER LE MONS: No, I don't have any
3 additional comments. I know we didn't hear from
4 Commissioner Taylor.

5 CHAIR ANDERSEN: Yes. Yeah, that's what I was
6 saying.

7 COMMISSIONER LE MONS: Yes, that's fine.

8 CHAIR ANDERSEN: So, I didn't mean to skip over
9 you, Commissioner Sadhwani, but I was just going to go to
10 Commissioner Taylor, if that's all right. So, Commissioner
11 Taylor.

12 COMMISSIONER TAYLOR: Yes, I concur with all the
13 other Commissioners. I think it's -- I take this job of
14 tantamount importance and I would like the opportunity to
15 gain the trust in our actions. So, I'm not tone deaf. I
16 believe we all hear what's being said and we'd like the
17 opportunity to correct any perceived error in the actions
18 of the upcoming meetings.

19 CHAIR ANDERSEN: Thank you very much.

20 Oh, Commissioner Le Mons?

21 COMMISSIONER LE MONS: Yeah, I just wanted to
22 acknowledge our Commissioner Sadhwani, also. She was
23 actually in our opening, the first to put the issue
24 forward. So, I wasn't ignoring her. You had skipped her
25 as well. But I wanted her to be aware of that.

1 CHAIR ANDERSEN: Thank you very much. Before you
2 got up I did the same, actually. I apologize Commissioner
3 Sadhwani. If you want to say something in addition --

4 COMMISSIONER SADHWANI: Yes, no problem. I'm
5 very pleased that I can hear my fellow Commissioners taking
6 on this mantle of a commitment to diversity and ensuring
7 that the Commission will ultimately reflect to the best of
8 our ability, and under the constraints of the institutional
9 limits that we have here, the diversity of California.

10 I think from my own calculations, I think there
11 was like a 90 percent change that a Latino would be chosen
12 from the random draw, and it just so happened that we fell
13 into that 9 or 10 percent chance and that did not happen.
14 That's the way this system is set up.

15 But I think we can, you know, take comfort in
16 knowing that the entire Commission is not selected by
17 random draw. It's set up this way so that we can ensure
18 this kind of diversity. So, I would like to, you know,
19 reaffirm that process and I'm very glad that Commissioner
20 Le Mons brought this up, and brought this to everyone's
21 attention as well. Thank you.

22 CHAIR ANDERSEN: Great. Well, thank you very
23 much. I think, unless there is an additional public
24 comment, I think we can conclude this item. And given the
25 time, I believe we should probably break for lunch.

1 And if it's okay, given that it's already one
2 o'clock, do we have ideas, is 1:30 all right, or 1:45,
3 1:40? We have a fair amount to go and I don't want to keep
4 us too late.

5 PHONE OPERATOR: Commissioner?

6 CHAIR ANDERSEN: Yes.

7 PHONE OPERATOR: I just wanted to make you aware
8 that we did have one more in the public comment, if you
9 wish to go to it.

10 CHAIR ANDERSEN: Oh, thank you very much. Yes,
11 please, one more comment.

12 PHONE OPERATOR: Yep. We'll go to the line of
13 Eran Hazary, with the American Jewish Committee of San
14 Francisco. Your line is open.

15 MR. HAZARY: Good afternoon. I will be brief
16 because I don't want to hold you any further for lunch.

17 I wanted to say that I am moved -- of course,
18 first name E-R-A-N, last name H-A-Z-A-R-Y. And I'm the
19 Associate Director for the American Jewish Committee in San
20 Francisco.

21 And again, I would like to thank the Commission
22 for their commitment to diversity on this panel and
23 bringing Latino voices to it. I would like to say that it
24 should be lauded that this Commission is removing the
25 political and partisan elements from this redistricting

1 process. And that American Jewish Committee of San
2 Francisco request that every effort be made to assign as
3 many of the remaining positions in the redistricting
4 committee to Latinos. And we hope that in the future there
5 are safeguards to establish that this Commission remains
6 representative of the diversity of California.

7 And this year, in particular, all Americans are
8 tuned to the importance of acknowledging our country's
9 diversity. And even with the best intentions, as we
10 believe this Commission possesses, implicit bias can have
11 an adverse on people of color, including Latinos. And we
12 stand with our Latino partners requesting that the State of
13 California remain an ally in the movement for diversity and
14 assuring us that the Citizen's Redistricting Commission
15 will reflect the racial balance of California. Thank you.

16 CHAIR ANDERSEN: Thank you for that comment.

17 There are no additional public comments?

18 PHONE OPERATOR: Not at this time.

19 CHAIR ANDERSEN: Thank you. Then, I think we'll
20 bring that to a close.

21 I would like to recess, or recess for lunch and
22 I'm looking to the counsel for advice on when we should be
23 coming back. It is now, you know, a few minutes after one
24 o'clock.

25 MS. SAXTON: It's really what pleases the

1 Commission. Depending on whether people need to drive
2 home, et cetera. We're here as long as you need us.

3 CHAIR ANDERSEN: Well, I'm not looking over here
4 because I know you guys probably are home. So, I might --
5 do we have any concerns here?

6 COMMISSIONER FORNACIARI: I think a half-hour
7 would be plenty of time for me?

8 COMMISSIONER AHMAD: I would concur. I think a
9 half an hour is fine and it will put us back on schedule.

10 CHAIR ANDERSEN: That's kind of what I --

11 VICE CHAIR TURNER: I'd like to offer 45 minutes.

12 CHAIR ANDERSEN: Pardon?

13 VICE CHAIR TURNER: I'd like to offer 45 minutes.

14 CHAIR ANDERSEN: Okay. All right, we'll bring it
15 to -- we might end up -- let's see 45, can we just go ahead
16 and say 1:45? We might be 43 minutes or so. To try to
17 start. And I don't mean to cut you off, but we might --
18 since we've gone on, I'd like us to try to move back as
19 quickly as possible. So, can we say let's re-adjourn at
20 1:45. Everyone agreeable? Okay.

21 Then the meeting's recessed for now.

22 (Off the record at 1:04 p.m.)

23 (On the record at 1:47 p.m.)

24 CHAIR ANDERSEN: I'd like to bring the meeting
25 back to order. And Item Number 7 on our agenda for today

1 is the training on the Bagley-Keene Open Meeting Act
2 requirements, which I will turn over to Mr. Dawson.

3 MR. DAWSON: Thank you. Thank you, Madam Chair.
4 My name is Chris Dawson. I'm Senior Staff Counsel with the
5 California State Auditor's Office, and formerly the
6 Applicant Review Panel counsel. So, it's very nice to see
7 you all again.

8 If you'll indulge me a bit, I'm glad that all of
9 you are here both remotely and in person. I had the
10 pleasure of sitting through all of your interviews, and
11 encouraging and assisting, and encouraging the ARP's
12 consideration of your applications. So, I know personally,
13 very well how qualified and competent all of you are, and
14 what a great balance so far has occurred.

15 It was interesting, you have already gotten a
16 little bit of taste of the Bagley-Keene Open Meeting Act.
17 And what I hope you'll take away from this training is that
18 it is really fundamental in the conduct of the people's
19 business that it needs to be open, and transparent, and
20 allow the public to take part. And as we have seen, it
21 requires public comment on every item. You've already
22 received public comment and you'll receive much more public
23 comment.

24 And what I hope that you'll take away from this
25 training is that every meeting of a public body, including

1 the California Redistricting Commission, including just the
2 first eight of the California Redistricting Commission
3 needs to be conducted in an open and transparent way.

4 We tried to model that in the ARP. You are
5 modeling it now. You are part of a tradition of open and
6 transparent government. It is really more than just a set
7 of rules and, believe me, I will go through some pretty
8 specific rules, but it is a -- it's a principle, it is a
9 way of conducting the people's business that informs this
10 entire process.

11 So, with that let me begin. One thing I want to
12 make clear -- let me go to the next slide. Let's see,
13 there we go. I'm going to give you an overview.

14 What we're going to cover today is what the
15 Bagley-Keene Act -- what bodies it applies to, what
16 meetings it applies to. There are definitions of meetings.
17 There are requirements that have to occur with the notice
18 and agenda for every meeting. And there are requirements
19 that have to occur in the conduct of these meetings.

20 We'll also talk about what is not a meeting. And
21 we'll talk a little bit about what, to a lay person, might
22 not seem to be a meeting, but under the Act can be a
23 meeting. And if it is not conducted in an agendized, and
24 open and transparent meeting will be a violation of the
25 Act, a violation of the public trust and, actually, a

1 misdemeanor. So, we want to make sure that you all
2 understand that.

3 There are requirements for agendas and notices.
4 And there are a number of exceptions. Now, the Bagley-
5 Keene Act is part of a suite of acts that guarantee the
6 people's right to an open government. This right to access
7 of information concerning the public's business is
8 enshrined in the constitution. So, it's not merely a
9 statutory requirement.

10 And as I said, it's one of a number of acts.
11 There is the Ralph M. Brown Act, which applies to local
12 bodies.

13 I was going through your applications and I don't
14 recall that any of you have been involved in local
15 government. Oh, you have. Okay, so you may be familiar
16 with Brown.

17 We would consider Brown to be a parallel to
18 Bagley-Keene. There are some differences, so I'll try to
19 point those out.

20 Also, the Public Records Act and the Political
21 Reform Act of 1974. There are also a number of federal
22 statutes that were enacted in the post-Watergate era, in
23 the '70s, along with the California Public Records Act.
24 Notably, the Government and the Sunshine Act, and the
25 Freedom of Information Act, which is known as FOIA.

1 As a policy statement, when the Legislature
2 adopted Bagley-Keene it found and declared that the intent
3 of the law that actions of state agencies be conducted
4 openly, so that the public may remain informed.

5 So, if you take anything from this, keep in mind
6 that the entire purpose of Bagley-Keene is to ensure that
7 the public know what you're doing, sees what you're doing,
8 has the opportunity to comment on what you're doing, and
9 appreciate the work that you are doing for the public.

10 Okay. So, the California Redistricting
11 Commission, the first eight, that's you, you're legally
12 required to have this training. So, congratulations,
13 you've already complied with your first statutory
14 requirement.

15 The California Redistricting Commission by
16 definition would be subject to Bagley-Keene, as it's a
17 multi-member state body. It's created by a statute. It's
18 actually created by an act that was both a constitutional
19 provision and a statute. And it has more than one member.

20 But it is actually, specifically called out in
21 the Voters FIRST Act that the CRC and the first eight --
22 that the CRC as a whole and the first eight are subject to
23 Bagley-Keene.

24 So, one thing we should talk about a little bit
25 is when a state body is authorized or charged to conduct

1 state business, it is -- it only has the authority that the
2 creating statute gave it. So, in that case it's the Voters
3 FIRST Act. This is an unusual situation and I couldn't
4 find any other example in the state law where a specified
5 subset of a larger committee, or a larger state body is its
6 own state body, which then adopts -- or, rather, appoints
7 the remainder of the membership.

8 As we've had some discussion before lunch and
9 then also in public comment, it's a unique situation.
10 Having been on the side of assisting the ARP in getting us
11 to this point, sometimes I would think about this is really
12 a crazy situation where we are taking thousands and
13 thousands of applications. The ARP is considering them all
14 independently. And we'll go into the reason why they had
15 to consider them independently. A lot of it had to do with
16 Bagley-Keene.

17 They come into these meetings, they cull some of
18 the numbers, they cull some more, they come back,
19 eventually getting to the 120 that they were asked to
20 interview, and then 60. And then, keeping in mind, too,
21 that in each of those cases it wasn't merely 120, it was
22 three groups of 40. And it wasn't merely 60, it was three
23 groups of 20. Important to keep in mind, and I don't want
24 to get too far off topic, but important to keep in mind as
25 you go from this training, it won't be merely picking six,

1 it will be picking two Democrats, two Republicans, two
2 nonaffiliateds.

3 And those guardrails are really going to in some
4 ways limit, but they will also empower you. And so, I just
5 wanted to throw that out, having been on this side of the
6 dais sometimes.

7 Okay, so I put this -- that middle paragraph on
8 there. Remember the state body is not just merely the full
9 body, but it includes sub-bodies such as advisory boards.
10 It also can include committees.

11 I know that the 2010 Commission formed some
12 committees. And so, if a majority of those small
13 committees are meeting, they'll be subject to Bagley-Keene
14 as well.

15 Okay. Every meeting, every official meeting
16 needs to be noticed and agendized. I realize that some of
17 the English language purists will not appreciate me using
18 agendize as a verb, but that's pretty common parlance.
19 We'll go into a lot more detail on this later.

20 One thing I want you to think about right now is
21 that going back to the concept of making sure that the
22 public is informed of what you are doing, notice and agenda
23 is a key part of Brown. These are actually two
24 requirements. One is -- the notice is the posting of the
25 announcement that you will be having a meeting. And

1 Bagley-Keene specifies a certain number of days before the
2 meeting. Standard is ten days. Special meetings 48 hours.
3 And emergency meetings, which I don't think would ever be
4 the case for CRC to have, it would be as soon as
5 practicable.

6 There are special rules for the Commission that
7 will -- for the full Commission that will apply when you
8 are beginning to take the draft, the perspective maps that
9 will be need to be displayed to the public. There's a
10 special 14-day rule.

11 As you are getting down to the nitty-gritty a
12 year from now, or 13 months from now, in August of 2021,
13 there will actually be a three-day requirement because of
14 the compressed time.

15 Okay. I guess, are there any questions on notice
16 and agenda? I'll go it into a little bit more detail in a
17 bit on this.

18 Meetings need to be open and public. They need
19 to be accessible to the public. The public may comment on
20 any item. The ADA applies, so it can't be conducted in a
21 way that folks are not able to physically attend.

22 But I'm going to go into some detail here.
23 Obviously, we are in a room now where the public is only
24 attending remotely. The Governor, in March, when the
25 pandemic first hit, by Executive Order provided that

1 certain provisions of Bagley-Keene would be waived in order
2 to allow us to do this so that we could, on the one hand
3 comply with local and state health requirements, and then
4 also to continue to conduct the state business.

5 Some of you, like I'm trying to remember, I want
6 to say that Commissioner Kennedy and -- oh, Commissioner
7 Andersen, I remember you were remote. Commissioner
8 Kennedy, you were live.

9 COMMISSIONER KENNEDY: No, I was remote.

10 MR. DAWSON: Oh, you were remote, too.

11 COMMISSIONER KENNEDY: I was the first day that
12 we had remote interviews.

13 MR. DAWSON: Okay. Commissioner Fornaciari --

14 CHAIR ANDERSEN: I got bounced because we had to
15 --

16 MR. DAWSON: Yes.

17 CHAIR ANDERSEN: I got rescheduled because I
18 couldn't -- you know, there was a time between, you know,
19 now we're shutting down and we have to switch.

20 MR. DAWSON: Yes, we were very fortunate. We
21 only lost two days of interviews, but we were able to get
22 back on track. That's actually a testament to the folks
23 you see here in the room, our video folks, and also folks
24 on the other side of the wall that allowed us to be able to
25 pivot. But we were also, at one point, in sort of an in

1 between where we were conducting one long meeting. Where
2 we had actually noticed and agendized it.

3 So, I don't know if you recall. You probably
4 weren't thinking about, gee, I wonder how Bagley-Keene
5 affects these interviews.

6 But the interviews, all 120 of them, or 117 of
7 them, were actually noticed and agendized as one long
8 meeting that was agendized and then recessed from day to
9 day. That's why you'll notice that whoever the chair was
10 would always say we're going to recess until the next
11 morning. We didn't adjourn.

12 We did take public comment, but we didn't take
13 public comment during the interviews because they were
14 essentially one long item. We took it at the end of the
15 process.

16 So, we were able to pivot, thankfully, with the
17 Governor's Executive Order. I will share there was a
18 little bit of where we're like, well, we're not really sure
19 how we're going to be able to do this. Luckily, we were
20 able to do that.

21 And then, I'll stress that those waivers are
22 temporary, but they remain in effect. And, hopefully,
23 we'll get to a point where we will have full in-person
24 meetings for everybody. But we think that we have been
25 able to balance public participation. Folks certainly have

1 been able to call in. It's a bit clunky, but we're doing
2 the people's business and so we'll do what we need to do.

3 Okay. So, let's talk about what's a meeting?
4 The definition of a meeting is really at the heart of
5 Bagley-Keene. It's any congregation of a majority of a
6 state body to hear, discuss, or deliberate on any item
7 within the body's jurisdiction.

8 So, obviously, a majority of a state body, if
9 you're eight, so five of you, if you were all together and
10 you were discussing redistricting, or Commissioners to be
11 chosen to the next six, you're having a meeting.

12 Note that there is no limitation on time or
13 space. So, congregation has actually been defined, has
14 been construed by the courts very broadly, and we'll get
15 into this in a little bit. You can actually have a meeting
16 through email. You can have a meeting where one member
17 sends an email to another person, and then that gets sent
18 to another person, then that gets sent to another person.
19 It's called a serial meeting, where it's kind of the old
20 telephone game. So, it's not necessary that you're all
21 together.

22 And like I said we will go into a little bit more
23 detail about this. What I would -- let me go to the next
24 slide and we'll talk about what is not a meeting.

25 Individual contacts between members, which don't

1 constitute a serial meeting which we just talked about,
2 unless they communicate daisy chain style. Attendance at
3 conferences, seminars, et cetera, which are open to the
4 public, as long as you don't discuss what is within your
5 body's jurisdiction. Attendance at social or ceremonial
6 events.

7 But the main upshot, the thing to remind yourself
8 is when in doubt, when you're with a group of other folks
9 in your state body don't talk shop, unless you are in a
10 noticed meeting.

11 I don't know if you recall, if we had this
12 conversation during any of your interviews, but the thing
13 about the ARP was that there were only three members. So,
14 that meant that a majority is two, which meant that any
15 time one member talked to another it had the potential to
16 be a meeting.

17 As the guy who was responsible for keeping them
18 from inadvertently creating a Bagley-Keene meeting, and
19 bringing the shame of the state upon the State Auditor's
20 Office, I was always like "do not talk shop." Even if
21 you're just going down to get coffee talk about anything,
22 talk about the Kings, talk about the weather, do not talk
23 about redistricting.

24 Okay, so this is where we get into the trickiness
25 about serial meetings. Like I said, the definition of a

1 meeting doesn't take into account time and space. What is
2 really important, what the law cares about, what the courts
3 have construed Bagley-Keene to prohibit, is a meeting of
4 the minds of a majority of the members. And that can take
5 place -- and it doesn't have to be direct from one member
6 to another. It can take place from -- with intermediaries,
7 so secretaries, assistants, counsel.

8 Any time one member communicates his or her
9 thinking, and it doesn't have to be a completed -- a
10 complete thought. It doesn't have to be a true
11 deliberation, but any time there's this communication of
12 something that's within the jurisdiction of the group there
13 is a potential for a Bagley-Keene violation.

14 It's not always the case that there is one. But
15 if I were your counsel, and I'm not, but were I your
16 counsel I would always recommend be very careful when you
17 are communicating one way to the other.

18 So, like I said, it can be through intermediaries
19 such as assistants. It need not be the members themselves.
20 There's also the classic situation where you've got the hub
21 and spoke. Where in this situation Commissioner A sends a
22 redistricting question to counsel. Counsel thinks, hey,
23 this is going to come up again and I'm tired of answering
24 all these emails, so I'm just going to say, hey, I'm going
25 to send a cc to Commissioners B, C, D and E. Commissioner

1 A thinks this is a really good idea. What do you guys
2 think? I may have just committed a Bagley-Keene violation
3 on their behalf. I may have actually created a meeting.
4 Even though they're all in their own offices, even though I
5 may have held on to that email for four or five days. Like
6 I said, time and space don't really matter. What matters
7 is did I communicate that way of thinking.

8 If this reveals Commissioner A's thinking on any
9 redistricting issue, it might constitute a meeting.

10 So, this is how the law defines a serial meeting.
11 It's a series of communications among the majority of the
12 members of the body, on a subject of any item within its
13 jurisdiction. It can be phone, e-mail, text.

14 There is some guidance, though I'm not sure that
15 there is a case yet, that even social media posts, that
16 even if you're liking something on Instagram, or forwarding
17 a Facebook post, or re-Tweeting something.

18 If Commissioner Ahmad was to find an article on
19 Twitter and say this really informs my way of thinking. I
20 think this is a really great idea. And then, you all like
21 it and re-Tweet it, it's very possible that that could be a
22 meeting.

23 Like I said, I'm not aware of any case on this,
24 yet, and I'm certainly interested to find out when that
25 will happen. I hope it will not be here.

1 Like I said, this includes communications by
2 intermediaries, so be wary of sidebar discussions and
3 informal caucuses.

4 There are cases, and like I said, Bagley-Keene is
5 parallel to Brown, so a lot of these cases are on Brown.
6 There are cases out there where even in a noticed, official
7 meeting members of a city council, I believe, were texting
8 each other during the meeting. And that was found to be a
9 secret meeting within the meeting, because it wasn't on the
10 agenda, there was no public comment, there was no open
11 discussion. And so, that a violation was found.

12 So, if you're going to be discussing anything,
13 you've got to discuss it.

14 One part of this where I think it's going to be
15 -- the regulations that apply to the first eight, where
16 this may possible come into effect is you are charged by
17 regulation 60858 to independently review the application
18 materials in your consideration of the next six. And when
19 they mean independent, independent review, it means that
20 you will need to go home and read the application
21 materials, watch the videos. You can discuss those in open
22 meeting. You could even discuss it among one or two of
23 you. But any time that you are going to do it
24 collectively, by greater than four others, you're possibly
25 having a meeting. You would likely be having a meeting.

1 This was, and I think we had a public comment on
2 this, where this was -- it sort of drove our consideration
3 of your applications during the Applicant Review Panel.
4 What we had done was designed a system where each of the
5 Applicant Review Panel was reviewing the applications
6 independently. They were coming to their own conclusions,
7 and informally marked a yes or no on any particular
8 candidate. And then, when we came in the meetings we were
9 able to show to them this is where you agreed.

10 And so, that was, if you watched the final
11 meeting in March, I think we had a public comment on it, on
12 horse trading, and I can address that in a minute, there
13 was already an agreement on who the folks were likely to
14 be. That, you know, we started with, let's say 10
15 Democrats of the 20 that everybody agreed was a good fit,
16 was qualified to do it. And then, each of them went around
17 the room and added folks to it. And there was a yes, or
18 there was a no, and there was discussion.

19 You know, the Applicant Review Panel knew all of
20 the applications backwards and forwards. They'd seen them,
21 you know, dozens of times. They had considered them dozens
22 of times, and they'd sat through the interviews. So, they
23 knew them and they were, of course, mindful of having to
24 create that balance in each -- not just of the full 60, but
25 a balance in each of the subpools. Knowing that they

1 didn't have any control over the Legislature's strikes, and
2 they certainly didn't have any control over the dingle ball
3 cage. So, that's why it was so important that all of you
4 folks here were so thoroughly vetted, but also that those
5 considerations were made each of them independently.

6 It would have been so much more efficient for
7 them all to sit in a room and say, well, what do you think
8 about this person? But we couldn't do that until we came
9 and went into a noticed meeting.

10 Okay, any questions about serial meeting? Like I
11 said, it's traditionally been seen as a trap for the
12 unwary. I don't think that it's a difficult concept
13 generally, but that is generally where you will find
14 violations of Brown or Bagley-Keene.

15 Yes, Commissioner Ahmad?

16 COMMISSIONER AHMAD: So, back to the different
17 communication methods, so phone, text, email are pretty
18 straight forward in my mind. Text including any type of
19 private messages, whether that be through DMs, or direct
20 messages, or Facebook Chat, WhatsApp.

21 You mentioned that social media post likes or re-
22 Tweets could be misconstrued as a meeting. So, what would
23 your recommendation be? That we just stay off each other's
24 social medias altogether or --

25 MR. DAWSON: I am not your lawyer and I won't

1 give you legal advice.

2 COMMISSIONER AHMAD: Okay.

3 MR. DAWSON: However, I will say that although
4 there is no case on point that I'm aware of, the cases that
5 are out there, the guidance that has been given has been
6 clear that communications are construed very broadly. And
7 so, it's not a big stretch of the imagination to think that
8 even when you are liking something on Facebook, or re-
9 Tweeting something on Twitter, you are communicating
10 something.

11 And so, if that communication fell within the
12 jurisdiction of the committee, and was communicating your
13 thought process to a majority of the other members of the
14 Commission that could very well be a meeting.

15 Does that answer your question?

16 COMMISSIONER AHMAD: Yes, it helps that you
17 clarified that --

18 MR. DAWSON: Okay.

19 COMMISSIONER AHMAD: -- it's specifically within
20 the realm of our duties.

21 MR. DAWSON: Oh, yes, absolutely.

22 COMMISSIONER AHMAD: It's like a path for --

23 MR. DAWSON: Right. If you put a cat picture up
24 and say here's -- here's Toonces, my tabby, and the other
25 folks liked it, then --

1 COMMISSIONER AHMAD: Okay, okay. I just wanted
2 to make sure that was clear.

3 MR. DAWSON: Oh, yes, of course. Yes, it should
4 be clear that it's anything that is within the jurisdiction
5 of the committee. Anything having to do, in your case,
6 with redistricting, and with particular emphasis on the
7 remaining applicants. But yes, purely social is not a
8 violation of Bagley-Keene.

9 You have an additional requirement, and I believe
10 that Ms. Saxton referred to this earlier, Commission
11 members may not communicate with or receive communications
12 about redistricting matters from anyone outside of a the
13 public hearing.

14 Now, this doesn't include your counsel, of
15 course, or other staff members. But you'll need to be very
16 wary of folks who are trying to influence your votes.

17 Okay. As we said earlier and I'm going to
18 reemphasize this several times, the driving force of
19 Bagley-Keene is openness and public participation. The
20 public must be given the opportunity to directly address
21 members on agenda items.

22 That means that on every item that we have, we
23 will open for public comment.

24 Preconditions for participation are prohibited.
25 We can have a courtesy sign-in sheet, if people would like

1 to be put on, but not require people to sign in. We can't,
2 during public comment, although we do so for -- or we
3 allow, rather, our telecom partner, AT&T, for their
4 business purposes to take people's names. Legally, we
5 cannot require anybody to give their name. They could say
6 they were anonymous, they could give another name, they can
7 give their full name if they like. We cannot require it.

8 And it has to be in a place that's accessible to
9 the public. It can't be, for example, in a private
10 building that only allows like members of a club. We can't
11 charge entry fees.

12 If you're in a secure building, like we are here,
13 the security might take your name for their security
14 purposes, but we cannot ask for that. We don't need it.
15 We don't want it. It is the same situation with the folks
16 on the phone line.

17 So, let's see. So, as a good practice, you know,
18 what you want to do is agendize public comment on any
19 topic. You'll want to include a disclaimer that the body
20 can't take action on it. As we talk about the agenda, the
21 agenda is a roadmap for the public and for the body that
22 sets out what actions it will take. It is not meant to be
23 -- it is meant to be informative. It also limits what that
24 meeting will be about. So, there's a bit of a balance in
25 the way that you draft these to make them broad enough to

1 allow for free conversation and discussion, but also narrow
2 enough that the public has a good idea of what it is you're
3 actually talking about.

4 Okay. Public participation by teleconference is
5 allowed if certain, specified conditions are met. Some of
6 these conditions were actually waived by the Executive
7 Order. That's why we're able to do this right now.

8 One of the main rules was that if you were going
9 to have a teleconference meeting, the public had to be
10 physically able to access the space where any one of the
11 members was coming in. Under COVID-19, the Governor's
12 waived some of those rules. So, as long as the public is
13 able to participate through teleconference, Zoom, phone we
14 can make things safe and keep folks in a space that is not
15 accessible to the public.

16 The public is allowed to record the proceedings.
17 And again, ADA applies.

18 And like I said, in response to the COVID-19
19 pandemic, Governor Newsom issued Executive Orders that
20 temporarily waive some requirements of Bagley-Keene. It
21 allowed for teleconference meetings where the public need
22 not be physically present.

23 If you remember the ARP's interviews and final
24 meetings, there were not public -- no members of the public
25 in the room, but we certainly did have folks watching, we

1 had folks calling in and making public comment.

2 There are requirements, certain requirements of
3 the agenda and notice that are waived.

4 The real -- I think that the balance that the
5 Governor was trying to make was balancing health
6 precautions against the need for open government. You will
7 see that it has been, I don't want to say a struggle, it's
8 been a challenge for public bodies. And you will continue
9 to now experience the same challenges of making sure that
10 folks are able to be safe, that we're not making things
11 worse. But the people's business still has to keep going
12 on.

13 I know that I sat in your interviews. I know
14 that most if not all of the interviews there was some
15 discussion of what the effects of the COVID situation would
16 be on this process. We'll talk about this later, in
17 another session. But the idea of the Census data being
18 delayed, and we've just recently had a ruling on that, so
19 that's good news.

20 But, yes, it's a brave new world and we're doing
21 our best to keep things open.

22 Okay, so let's go into a little bit about the
23 specifics of the notice and agenda. I'm sorry, before I go
24 on, were there any questions with folks on the Zoom
25 meeting? I don't want to rush through if anybody has any

1 questions. Nope, looks like we do not.

2 Okay, good, let's go on. So, Bagley-Keene
3 requires that notice of a meeting be posted on the web ten
4 days prior to a meeting. It also requires that notice be
5 sent to anybody who has requested it in writing. That, in
6 turn, creates an obligation on the body's administrative
7 folks, the secretary, or the counsel usually to maintain a
8 list of interested persons.

9 So, I will just give you an example. From my
10 experience, when we noticed meetings for the ARP, we
11 maintained the lists that we sent out bcc's to, that made
12 sure that everybody understood that there would be a
13 meeting on such a such a date, at such a such a time, at
14 such and such a place. And we would be discussing the
15 further elimination of some candidates, for example, or
16 that we would be doing the interview meetings.

17 Keep in mind that the notice and agenda are two
18 separate requirements. The agenda, like I said, is the
19 roadmap, but it also -- the same document can satisfy both
20 requirements. If you send out the agenda, it is
21 essentially making sure that folks are getting the notice.

22 The notice shall include a specific agenda for
23 the meeting, a brief general description, 20 words or less
24 of each item, and ADA-compliant alternative formats upon
25 request.

1 As I said before, when we are crafting the
2 agenda, we need to make sure that it is broad enough to
3 ensure that there's ability for full discussion on any
4 matter that is likely to come under that. But it also has
5 to be descriptive enough that the public has an idea of
6 what you're talking about.

7 I think that when -- there was some discussion
8 about the agenda for the next meeting, and certainly we'll
9 make sure that the description of the process is broad
10 enough to consider about whether or not you're going to be
11 taking up the slates, or how you're going to be taking up
12 the slates as part of that discussion in the previous
13 session.

14 Once again, there's a special 14-day requirement
15 for the CRC when you're displaying the preliminary maps.
16 That requirement is shrunk to three days in August of 2021.

17 CHAIR ANDERSEN: Actually, I have a question.

18 MR. DAWSON: Yes?

19 CHAIR ANDERSEN: So, the 10-day notice, that -- I
20 was under the impression that that was just only applying
21 to the eight person Commission, but the entire CRC it was a
22 14-day at all times. That's not correct, it's a 14-day for
23 the mapping?

24 MR. DAWSON: I believe that it is specific to the
25 14-day for the map display period.

1 CHAIR ANDERSEN: Then ten days for --

2 MR. DAWSON: For other meetings.

3 CHAIR ANDERSEN: For other meetings.

4 MR. DAWSON: Yeah.

5 CHAIR ANDERSEN: Yeah, if you could give that
6 because it is the full -- the full 14-member, we need to
7 know if it's 10 or 14.

8 MR. DAWSON: Yes.

9 CHAIR ANDERSEN: Thank you.

10 MR. DAWSON: One thing that's important to
11 remember about the agenda is that if it's not on the
12 agenda, the body can't discuss it. So, it's really
13 important to make sure that everything that is possibly
14 going to be discussed needs to be on the agenda or it just
15 can't be taken up.

16 It's always possible for the chair or the body to
17 move passed an agenda item where it turns out that there is
18 no need for a discussion, or you just may not have the
19 information available for discussion at that time. And
20 there's no requirement that they do take action on an item
21 that's agendized, so it's better to be safe than sorry.
22 But if it's not on there, you can't do it.

23 Okay. No item can be added to the agenda, except
24 under very limited circumstances. You can always put out
25 the notice and agenda more than 10 days, but once you're

1 within the 10-day period, you will not be able to change
2 the agenda for that meeting, unless you meet certain
3 special circumstances that are the -- that meet the
4 criteria for an emergency meeting. And that's essentially
5 that there is a situation that's so catastrophic that it's
6 a threat to public safety or health, and that the body
7 would need to meet.

8 I'm not sure that I can foresee a circumstance
9 that that would really apply to the CRC. This is, I think,
10 mostly for other boards.

11 There are certain requirements for closed
12 sessions. They need to be described to the public. But
13 the actions that are -- the considerations that are taken
14 are done so in private. They have to be reported out
15 later, but there still has to be a specificity of what it
16 is that you're discussing. These are generally things like
17 litigation matters, employment matters, discipline matters,
18 those types of things.

19 Okay. We talked a little bit about this, special
20 meetings and emergency meetings. Special meetings are
21 where the 10-day notice would impose a substantial hardship
22 on the state body, or that immediate action is required to
23 protect the public interest. Specified bases, including
24 pending litigation, proposed legislation, or an audit
25 response.

1 Forty-eight hour notice. Emergency meetings are
2 where a prompt action is necessary due to the disruption of
3 public facilities. One-hour notice is fine. Post-hoc
4 posting of notes and votes -- excuse me, of minutes and
5 votes, and action taken must be put on the web for ten days
6 and in a public place.

7 Let's see. Let me go back, did I missed
8 something about -- oh, closed sessions. We did talk about
9 that a little bit. A body can hold closed sessions to
10 discuss certain specified items. Like I said, they're
11 generally personnel and disciplinary matters, security
12 issues, litigation. There's a bit of overlap with the
13 reasons to hold a special meeting. And this is mostly
14 because the Legislature is well aware that certain bodies
15 have needs to discuss things that are of a sensitive
16 nature, or a personal nature, where the actual final
17 decision that is made will be reported, the reasons
18 therefore will be reported, but the specific deliberations
19 and sensitive issues don't have to be discussed in open.
20 There does need to be a reporting out.

21 All right. Okay, before a closed session the
22 body must disclose a general description of the items to be
23 discussed. A minute book must be kept. It's not a public
24 record. It has to be kept, but it's kept confidential.
25 That means folks like the auditor can see it, but it's

1 generally not something that you could get under a Public
2 Records Act request. But you do have to report out whether
3 a decision was taken or not.

4 Closed sessions can be called during regular and
5 special meetings. Not emergency meetings.

6 Okay, violations of Bagley-Keene. If any of
7 these provisions are violated, the Attorney General, the
8 DA, or any interested person they sue for injunctive
9 relief, meaning they can get a writ, or injunction to stop
10 or prevent violations. Any interested person can sue to
11 nullify any action taken in violation of Bagley-Keene.

12 This one down here at the bottom, 11130.7, the
13 intentional violation of Bagley-Keene is a misdemeanor.
14 I'm not aware of any case where anybody has actually gone
15 to jail for violating Bagley-Keene. I'm certainly hoping
16 -- I said this to the ARP, I hope that you will not be the
17 first. I'm sure that you won't.

18 Of course, the real damage, the real penalty is
19 the loss of trust. I mean, that's what we're really
20 talking about. As I said before, and I know I sound like
21 I'm preaching about it, but this body is such a part of the
22 openness and transparency of government that, you know,
23 whenever this body, like the ARP, was undertaking any of
24 its business it was absolutely imperative for us, just
25 beyond the requirements of Bagley-Keene, to do so as openly

1 and transparently as possible.

2 Okay. There is some overlap with the California
3 Public Records Act. These work hand in hand to keep the
4 public informed. And a violation of one may implicate the
5 violation of the other.

6 One of the important crossovers between Bagley-
7 Keene and the Public Records Act is any material that is
8 provide to you as the body, in preparation for or during a
9 meeting, that that's immediately a public record and needs
10 to be made available.

11 So, that's why public comments that were sent,
12 those have all gone up on our website. As soon as they are
13 -- or not as soon as, but as soon as reasonably -- as soon
14 as practically possible, we'll put them up on the web. To
15 make sure that, again, that the public is fully informed of
16 seeing what you're seeing.

17 Now, of course, that doesn't apply to
18 confidential and privileged information that you might
19 receive from your counsel, you know, one-way memos that you
20 might get. But if it is discussed during a meeting and
21 privilege is waived, you may have inadvertently created a
22 public document. So, that's always something to be
23 mindful.

24 And like I said, I am not your lawyer, but I will
25 give you the advice to talk to your lawyer, as Ms. Saxton

1 is very able to address such things.

2 Okay, Bagley-Keene applies immediately as soon as
3 you've been appointed. So, you were subject to Bagley-
4 Keene even before you took the oath this morning. The
5 whole idea about that is so that in certain bodies that
6 appointees don't have meetings with holdover members, you
7 know, and create some mischief that way.

8 You should have each received your own copy of
9 Bagley-Keene, which I'm sure you've all read through and
10 made notes, put sticky notes on.

11 Okay. That was my high-level overview of Bagley-
12 Keene. If you have questions about this presentation, you
13 can send those to me through counsel, or just your counsel,
14 Amanda Saxton, she knows this as well as I do, so you can
15 just ask her directly.

16 MS. SAXTON: On the question about the 14 days,
17 Chris is correct there's 14 days with respect to maps. But
18 there are also the 14 days for public notice of a meeting
19 that applies to, as you pointed out, Commissioner, the full
20 Commission. Right now, ten days for the first eight.

21 The 14 I think Chris was referring to has to do
22 with how long maps, your preliminary maps will be displayed
23 for public comment, and so that's what I think he was
24 referring to.

25 MR. DAWSON: Okay, yes.

1 MS. SAXTON: Does that answer your question?

2 MR. DAWSON: I'm sorry, go ahead.

3 CHAIR ANDERSEN: I thought -- wait, wait, so the
4 eight Commissioners right now, for any of our meetings, our
5 notice time frame is ten days.

6 MS. SAXTON: Correct.

7 MR. DAWSON: Correct.

8 CHAIR ANDERSEN: For the full Commission, let's
9 say it's just general we're going to get together, you
10 know, not a specific we're drawing maps right now, is that
11 a 14-day notice?

12 MS. SAXTON: Correct.

13 CHAIR ANDERSEN: So it is. Any of the Commission
14 is a 14-day notice, and then the maps also must be out for
15 14 days.

16 MS. SAXTON: That has to do with displaying for
17 public comment.

18 CHAIR ANDERSEN: Right.

19 MS. SAXTON: And that's something you will get to
20 once you become the full Commission and you get your
21 training on map drawing, et cetera. But that's where the
22 14 came from.

23 But it's 10 days' notice for public agenda for
24 the first eight, and then it will become 14 once you are
25 the full Commission.

1 CHAIR ANDERSEN: The full Commission got it.

2 MR. DAWSON: All right, thank you for the
3 clarification, Ms. Saxton.

4 With the Chair's permission, would now be a time
5 to go to public comment?

6 CHAIR ANDERSEN: Yes, I was going to say if we
7 could make the announcement, please, of the details of the
8 call in. It's time for public comment, we're inviting you.

9 MS. SAXTON: If you'd like to make public comment
10 regarding the training on Bagley-Keene, you may now dial
11 844-291-5495. Again that's 844-291-5495. And the access
12 code is 8121803. That's 8121803. Or you can reach the
13 meeting through using the title, which is the training
14 meeting for the first eight Commissioners.

15 When the operator asks for your name, you may
16 either provide your own name or a name other than your own.
17 Please spell the name and give your affiliation.

18 And again, one more time that's 844-291-5495.

19 CHAIR ANDERSEN: Thank you. I'll go ahead and
20 ask if we happen to have any people waiting on line,
21 otherwise we'll give them a couple of minutes to call in.

22 PHONE OPERATOR: You might want to give them a
23 minute to call in because I don't currently have anybody
24 connected.

25 CHAIR ANDERSEN: Thank you.

1 Any comments or questions by the Commission?
2 Commissioners?

3 (Pause)

4 CHAIR ANDERSEN: That was a minute. Do we happen
5 to have anyone on line, any callers?

6 PHONE OPERATOR: Not at this time.

7 CHAIR ANDERSEN: I think I'd like to continue on.
8 We can always pause for a minute. Because I do have a
9 question.

10 The next item we're going into would be one of
11 the training videos. And I know we have a 90-minute
12 requirement before we must take a break. Would we be
13 breaking in the middle of one of those or --

14 MS. SAXTON: That may be the case. We will be
15 timing it and we'll let you know when we hit close, if that
16 works for you.

17 CHAIR ANDERSEN: Okay, thank you.

18 MR. DAWSON: Okay. Well, if there are no further
19 questions or public comments, then I would just like to
20 thank the first eight. Like I said, it was my great
21 pleasure to sit in on each of your interviews and I know
22 that this is a group that will make California proud, and
23 serve its citizens well. So, thank you.

24 CHAIR ANDERSEN: Thank you, Mr. Dawson. I think
25 we all here say thank you for all your hard work.

1 So, on that I believe we'll move on to Item 8,
2 which is the recorded training sessions. Starting with, I
3 believe, the training video, "California's Diverse
4 Demographics and Geography" with, I believe, Eric McGhee.

5 And so, I will turn this over to whom?

6 MS. SAXTON: I will go ahead and take it from
7 here.

8 CHAIR ANDERSEN: Thank you very much.

9 MS. SAXTON: I just wanted to state, before you
10 begin this prerecorded training, that the training you'll
11 have at this meeting, in general, is intended to acquaint
12 you with the concepts, as we've talked about, that apply to
13 the work you'll be doing to select the first eight [sic].
14 It's not intended to inform your later redistricting work.
15 It's not legal opinion -- I mean, excuse me, legal advice.
16 This particular prerecorded training you're about to watch
17 is more of a discussion about redistricting rules
18 generally, including mentioning some rules that don't apply
19 in California, but may apply elsewhere.

20 For instance, about halfway in, the presenter
21 talks about whether you count citizens or residents. Some
22 states do it differently, but here in California the 9th
23 Circuit has told us that we count residents, not just
24 citizens of California.

25 Later, about an hour in, the presenter talks

1 about aspirational goals, such as competitiveness of
2 districts. This, too, is not what California law requires.

3 So, as you go into the training video, focus on
4 the concepts and the different kinds of diversity that we
5 have here, and not the law, for instance in this case that
6 is discussed, because like it's an academic, higher level.

7 Once you are your fully formed Commission, you
8 will have training that explores far more in-depth of
9 California law. Okay.

10 CHAIR ANDERSEN: Oh, yes, reporter, thank you
11 very much. We are working on that. The tech is.

12 (Video titled: "California's Diverse
13 Demographics and Geography played.")

14 CHAIR ANDERSEN: Could I get a pause here?

15 (Video continues to play)

16 (Video paused)

17 CHAIR ANDERSEN: Than you. I'm concerned that
18 we're up against the 90-minute criteria for our
19 interpreters and I think I'd like to take a -- I'm not sure
20 how long, if they need a 10-minute break. Oh, okay.

21 MS. SAXTON: Fifteen.

22 CHAIR ANDERSEN: Fifteen minutes. So, we'll need
23 to -- I know it's not -- let's see, I have 13 after, so --
24 well, I don't know if we can actually say. Let's try to
25 cut it so we're starting right on at 3:30, because we still

1 have this and then we'll discuss how much more, how long
2 we'll be continuing. But we need to take a break right now
3 for our interpreters. So, I'd like to put this on a
4 recess, and meet back at 3:30.

5 (Off the record at 3:14 p.m.)

6 (On the record at 3:29 p.m.)

7 CHAIR ANDERSEN: Everybody, if we could please
8 continue on this training. Thank you. We'll resume.

9 (Video resumed)

10 CHAIR ANDERSEN: Okay, thank you very much.
11 Since this is all number 8, should we just continue?

12 MS. SAXTON: I did want to make one comment, if I
13 may. I just wanted to reiterate what was said before this
14 training began that the training for this meeting is
15 intended to acquaint the first eight with the concepts that
16 you're going to apply in your selection process. It's not
17 intended to inform your later redistricting work. It's not
18 intended to be a legal opinion. And to just be mindful
19 that the trainer mostly was discussing redistricting in
20 general. For instance, talking about whether you count
21 citizens or residents. In California, we count residents.
22 It's not just citizens.

23 And he also mentioned aspirational goals such as
24 competitiveness of districts and this, too, is not what
25 California requires. So, I just wanted to state that

1 again. Thank you.

2 CHAIR ANDERSEN: Also, I would like to say
3 remember these presentations occurred before COVID hit, so
4 a lot of the things that he was talking about that they're
5 doing this, and this, and this didn't actually happen as
6 far as the Census. So, we'll get to hear more about that
7 later.

8 So, I guess we'll --

9 VICE CHAIR TURNER: Madam Chair, I'd just like to
10 make a quick comment in regards to the training, in case
11 it's helpful for the next video. Or if not, maybe over the
12 break. Some of the slides are a little blurry and
13 difficult to read, and the speaker set at volume trails off
14 at the end. And so, it does make it more difficult on
15 Zoom. So if, indeed, there's a way that the volume can be
16 increased and just to maybe check the sharpness or the size
17 of the slides as well would be helpful for me.

18 CHAIR ANDERSEN: Thank you. It did trail off,
19 all of it did trail off, and I don't think there's anything
20 we can kind of do with that other than artificially turn it
21 up.

22 You should be able to print out those slides, if
23 that helps. If you can get the material, you can hopefully
24 print it out, and sometimes that's a little more clear.
25 Because, yes, I know when it gets small it becomes quite

1 blurry. So, I don't know if I have any other --

2 MS. SAXTON: Just a quick announcement, if it
3 pleases the Chair. The slides from the presentations are
4 now being posted on our website. So, those that are
5 zooming in can retrieve them that way, if it's easier to
6 see. And they're available to the public as well.

7 CHAIR ANDERSEN: Thank you very much.

8 On that, I believe we'll continue with the next
9 training video, Commissioner Experience from Angelo
10 Ancheta, who was I believe the Chair.

11 (Video titled: "Commissioner Experience"
12 played.)

13 (Video paused)

14 CHAIR ANDERSEN: All right, a minute, we're
15 trying to turn that up.

16 (Video resumed)

17 (Video paused)

18 CHAIR ANDERSEN: We've got 15 minutes left. I
19 think we're right at 90 for the transcribers, is that
20 correct? And I hate to -- you know, we're almost sort of
21 at the end, but then we would --

22 (Off-mic comment)

23 CHAIR ANDERSEN: Would that be acceptable for the
24 transcribers?

25 MS. SAXTON: That's the end of that presentation.

1 I believe what you're discussing is the length of the tape
2 that goes on to capture the rest of that particular
3 meeting.

4 CHAIR ANDERSEN: Oh, it is.

5 (Off-mic comment)

6 MS. SAXTON: We're done with that presentation.

7 CHAIR ANDERSEN: Okay. So, was there any benefit
8 in hearing their questions or --

9 MS. SAXTON: I'm sorry, I didn't hear you?

10 CHAIR ANDERSEN: I'm sorry. Was there any
11 benefit to hearing their questions, answers, or I don't
12 recall? You know, I know if we do take a break, and if
13 there's 15 minutes left, you also I believe have to allow
14 for public comment.

15 MS. SAXTON: There is a portion of the video that
16 has questions and answers. I think probably, though, that
17 it's available on line to watch those questions and
18 answers, if you'd like to. We could play it here. But
19 then, each person on their own could look and see if in the
20 interest of time you'd like to move on.

21 CHAIR ANDERSEN: And that is -- we will be
22 getting similar training when everyone gets together. So,
23 this is more of, you know, for our eight.

24 I'm inclined, if it's all right with the
25 transcribers to move ahead.

1 (Off-mic comment)

2 CHAIR ANDERSEN: Okay, then I think we should go
3 ahead and move since it's, you know, quarter to 5:00.
4 We're already 15 minutes over, I would like to continue.

5 MS. SAXTON: If it pleases the Chair, you can
6 recess until tomorrow and just pick up and continue with
7 the next trainings.

8 CHAIR ANDERSEN: Can we do that with public
9 comment? I don't know if that's proper protocol.

10 MS. SAXTON: I would recommend taking the public
11 comment for this now, so that it's close in time and if
12 there's anybody queued and waiting.

13 CHAIR ANDERSEN: Yes.

14 MS. SAXTON: If that makes sense.

15 CHAIR ANDERSEN: If you'd invite the public
16 comment at this time, if you could please read the
17 instructions.

18 MS. SAXTON: We are taking public comment at this
19 time on the trainings, that's Agenda Number 8, and that is
20 "California's Diverse Demographics and Geography" and also
21 "Commissioner Experience", Angelo Ancheta.

22 If you'd like to make a comment on these agenda
23 items, please call 844-291-5495. That's 844-291-5495. The
24 access code is 8121803. Again that's 8121803. Or, the
25 name of the meeting, which is the training meeting of the

1 first eight Commissioners.

2 You'll be asked to give your name. You may
3 either provide your own name or a name other than your own,
4 such as anonymous. And please be prepared to spell your
5 name and give any affiliation.

6 CHAIR ANDERSEN: Thank you. Do we happen to have
7 anyone in the queue at this time?

8 PHONE OPERATOR: No, we have no one in queue over
9 the phone lines.

10 CHAIR ANDERSEN: I believe we might wait a
11 minute.

12 MS. SAXTON: Yes, I suggest we wait three minutes
13 to see if anyone enters the queue.

14 If it pleases the Chair, I want to reiterate, you
15 know, again the trainings are to introduce concepts. They
16 aren't applicable on a one-to-one basis with your work.
17 They're not legal advice.

18 But Mr. Ancheta provided some very useful ideas
19 for your work. It's not identical. You can't just cut and
20 paste it. But it's similar in that the 2010 Commission was
21 looking to achieve balance and that's something that was a
22 theme today with the balance. So, hopefully, that was a
23 helpful training in that respect to get that overview from
24 him.

25 CHAIR ANDERSEN: Well, we could possibly, since

1 it is about 10 minutes, 15 minutes, we could -- if we have
2 no public comment, we could possibly either roll that back
3 or -- if we get no public comment, would people be game to
4 just go ahead and finish it tonight? It would be another
5 15 minutes.

6 MS. SAXTON: You mean to just listen to the
7 question and answer?

8 CHAIR ANDERSEN: The question and answer period.

9 MS. SAXTON: I think that's a fine idea.

10 COMMISSIONER LE MONS: Madam Commissioner?

11 CHAIR ANDERSEN: Yes?

12 COMMISSIONER LE MONS: I prefer to listen to the
13 Q&A on my own time, if I'm interested in that. I think I
14 got the overview of what was presented and the intent of
15 the training. That's just me, personally.

16 CHAIR ANDERSEN: Thank you, Commissioner Le Mons.
17 Anyone else on that? We're sort of killing a
18 little bit of time here in case we have anyone on the
19 public comment, so anyone who is calling in.

20 Does anyone on the same thought or --

21 VICE CHAIR TURNER: Yes, I have the same thought,
22 Madam Chair.

23 CHAIR ANDERSEN: I do have a question about
24 listening to that. Do we have to -- can we just, you know,
25 got back or (inaudible) --

1 MS. SAXTON: It's posted on the website and you
2 should be able to --

3 CHAIR ANDERSEN: Advance it?

4 MS. SAXTON: -- advance and rewind.

5 CHAIR ANDERSEN: Okay. Do we happen to have
6 anyone on the line at this time?

7 PHONE OPERATOR: We have no callers on the phone
8 lines.

9 CHAIR ANDERSEN: Well, I think at this point I'd
10 like to say, I will propose that we conclude the meeting.
11 Do we have a motion or I mean do we want to -- or should we
12 go ahead and --

13 MS. SAXTON: As the Chair, you can say --

14 CHAIR ANDERSEN: Yes, I'd like to take some
15 comments.

16 MS. SAXTON: I think you just recess.

17 CHAIR ANDERSEN: Pardon.

18 MS. SAXTON: We just recess.

19 CHAIR ANDERSEN: I'm sorry, yes, we would be
20 recessing, we would not adjourn the meeting.

21 MS. SAXTON: Correct. And you can just recess
22 the meeting.

23 CHAIR ANDERSEN: All right, without a vote, okay.

24 Given that we're 15 minutes late and we have two
25 Commissioners who would prefer to watch that online, I

1 think we might just -- unless would someone really like to
2 watch that now?

3 COMMISSIONER AHMAD: I think, from my
4 understanding, it's not a requirement to watch the Q&A
5 portion, and it was more for the professional training
6 presentations. So, I think if folks have time on their own
7 time to watch it, it would be okay.

8 CHAIR ANDERSEN: Okay.

9 COMMISSIONER AHMAD: But I don't see it be a cut
10 and paste kind of solution.

11 CHAIR ANDERSEN: Thank you, Commissioner Ahmad.
12 Is that also correct, that's my interpretation as
13 well?

14 MS. SAXTON: Yes, you've received your training
15 on that subject.

16 CHAIR ANDERSEN: Great. Well, at that point I
17 believe I would like to call the meeting into recess until
18 tomorrow morning at 9:30, the same place. Thank you very
19 much, everyone.

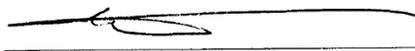
20 (Thereupon, the Applicant Review Panel meeting
21 recessed at 4:53 p.m.)
22
23
24
25

REPORTER' S CERTIFICATE

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 11th day of August, 2020.



PETER PETTY
CER**D-493
Notary Public

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.



MARTHA L. NELSON, CERT**367

August 11, 2020