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:
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APPEARANCES

COMMISSIONERS:
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Jane Andersen
Neal Fornaciari
J. Ray Kennedy
Antonio Le Mons (Remote attendance)
Sara Sadhwani, (Remote attendance)
Derrick 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
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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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MS. SAXTON: It’s now 9:35 and I believe we’re ready to begin. Welcome everyone to the first meeting of the first eight Commissioners of the Citizens Redistricting Commission.

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

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

Madam Secretary, please call the roll.

MS. PELLMAN: Okay. Commissioner Ahmed?

COMMISSIONER AHMAD: Here.

MS. PELLMAN: Commissioner Andersen?

COMMISSIONER ANDERSEN: Here.

MS. PELLMAN: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Here.

MS. PELLMAN: Commissioner Kennedy?

COMMISSIONER KENNEDY: Present.

MS. PELLMAN: Commissioner Le Mons?

COMMISSIONER LE MONS: Here.

MS. PELLMAN: Commissioner Sadhwani?
COMMISSIONER SADHWANI: Present.

MS. PELLMAN: Commissioner Taylor?

COMMISSIONER TAYLOR: Present.

MS. PELLMAN: Commissioner Turner?

COMMISSIONER TURNER: Here.

MS. PELLMAN: Thank you.

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

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

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

So, I want to welcome the Commissioners who are, present in the room, and certainly those that are videoconferencing in. In advance, I know you have a lot of work to do over the course of the next year or 14 months, but we thank you in advance for your service. You’ve been through a rigorous process already to be selected as a Commissioner to represent Californians in drawing the district lines for the legislative districts, congressional
districts, and certainly Board of Equalization districts. A tall task, but based on the qualifications and the work that you went through to get letters of recommendation, your interviews, that rigorous process, we believe we have highly qualified Commissioners ready to serve the State of California.

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

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

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

Some of the things that we have already done to help you in getting started with this important process,
certainly is the training that’s going to be provided over the next few days. But also, as I’m sure you’re aware, we issued an RFP. It’s a nonbinding RFP. It was intended to assist you in determining whether or not you want to interview the individuals who submit proposals, whether you want to start over from scratch, we wanted to make sure we got that started for you. But, certainly, it’s ultimately up to the 14-member Commission to decide what you want to do with those proposals when they come in.

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

In addition, we have already worked with the Governor’s Office, as is required by the initiative, to find space for the Commission. We’re in the final process of establishing that space and getting it ready for the 14-member Commission to be able to meet together. I know in this era of the pandemic, it may be difficult at this point in time to bring everyone together. You may have to continue to do videoconferencing, like we’re doing today.
But we certainly wanted to make sure that you had space available to you, here in Sacramento, to have the opportunity to commence some of the important work that you’re going to do.

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

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

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

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

So, thank you again Commissioners. Best of luck in your responsibilities. We absolutely have the utmost
confidence in all of you selecting the next six, and then
carrying out the important duties that you all are
responsible for. So, again, congratulations.

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

MS. SAXTON: Thank you Madam State Auditor.

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

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

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

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

Second, I’d like to thank the staff and team that
have been working tirelessly behind the scenes to ensure
that our meetings go smoothly and efficiently. I see you,
I appreciate you, and I thank you.
To my fellow Commissioners, congratulations on your selection. I’m confident that your passion and commitment to this work will help elevate our collective goal.

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

Thank you.

MS. SAXTON: Thank you.

Our next Commissioner, Commissioner Andersen.

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

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

It’s an honor and a privilege to be on this Commission and I deeply respect that. And I hope to live
up to the ideals with which we are all charged, and
represent our communities of interest in the best way we
possibly can, and draw the lines so that Californians
themselves realize I now can represent and vote for my
person who I believe will represent me. I will use all my
ability and power to do such. And I certainly appreciate
the opportunity that I’ve been given and will do everything
in my power to work in the best behalf of the Commission.
Thank you very much.

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

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

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

MS. SAXTON: Thank you.
Commissioner Kennedy.
COMMISSIONER KENNEDY: Good morning. I’m Ray Kennedy from Morongo Valley. Morongo Valley is a rural community in San Bernardino County. We’re one of the Joshua Tree gateway communities.

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

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

And I look forward to working with the Auditor’s Office and with our own staff to make that happen. Thank you to the Auditor, and her staff, and the Applicant Review Panel. It’s an amazing thing and, as I say, and important model for the rest of the country. Thank you.
MS. SAXTON: Thank you.

Commissioner Le Mons. Is Commissioner Le Mons with us?

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

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

MS. SAXTON: Thank you.

Commissioner Sadhwani, please.

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

I echo the sentiments of the previous Commissioners in thanking the State Auditor’s Office for all of their tireless work to get us this far in the process, and to provide excellent counsel.
I look forward to getting to know all of my fellow Commissioners, even under these difficult circumstances that have us participating remotely from across the state. And I do hope that we can all meet in person very soon.

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

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

Particularly, regarding diversity and our tremendous responsibility to ensure that the Commission reflects the diversity of the state. Notably, at present we have no Latinos sitting on the Commission, despite Latinos comprising a large proportion of the state’s
population. We also have no East or Southeast Asians, no
Native American or Pacific Islanders. We continue to lack
geographic representation from key regions. And we also
have no individuals with household incomes less than
$75,000.

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

MS. SAXTON: Thank you, Commissioner Sadhwani.

Commissioner Taylor.

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

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

MS. SAXTON: Thank you, Commissioner Taylor.

Commissioner Turner?

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

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

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

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

If anyone should need a break at any time, please
speak up. Normally, that would be addressed to the chair, which is one of the things we’re going to do is vote on that. Well, not me. You.

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

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

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

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

In 2010, the Commission also became responsible
to redraw district lines for California’s congressional

district when Prop. 20, the Voters FIRST Act for congress
passed.

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

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

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

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

So, we have our 20 Democrats, 20 Republicans, and
20 applicants with no party preference. Then, the
California Assembly Speaker, the California Senate President pro Tempore, and the Minority Party leaders in the Assembly and the Senate exercise their right to reduce each subpool of 20 by as many as eight applicants.

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

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

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

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

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

The actual work of redistricting will be performed only once the full 14-member Commission is
established. The only way to achieve a complete 14-member Commission is for the first eight to select the final six Commissioners by the August 15th, 2020 deadline, which is set forth in law. So, that means that the selection of the final six, you have until August 15.

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

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

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

In addition to ensuring the Commission reflects
California’s diversity, the final six must also be chosen based on relevant analytic skills and the ability to be impartial.

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

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

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

The applications have been available also to the public for some time on our website already and anyone in the public who’s interested in looking at those applications can find them at shapecaliforniasfuture.auditor.ca.gov.
I also want to mention that our office has provided, to the first eight Commissioners, comments made to the Commission by the public.

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

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

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

Today’s meeting is a training meeting. The law requires that our first eight Commissioners have specific training before they can begin the selection. Also,
Commissioners will likely want to set some meeting ground rules, including setting a reasonable time limit for each person making public comment, if they choose.

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

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

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

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

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

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

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

As I said, the next meeting is anticipated it’s going to be August 4th through the 15th, and the focus is going to be selection of the next six. And one thing to mention is that it’s difficult to predict the amount of time that the first eight Commissioners are going to need
to complete selection. As an aside, the 2010 Commission did it in two days.

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

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

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

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

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

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

Before we can have you elect a temporary chair
and temporary vice chair, I will give instructions to the public. They are going to make public comment before that vote takes place. And then, after that you can commence motions to -- for the chair and for the vice chair.

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

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

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

   To make a public comment please dial, and I’ll repeat this number again, 844-291-5495. Again, that’s 844-291-5495.
After dialing the number you will speak to an operator. You’ll be asked to provide either the access code for the meeting which is 8121803, again that’s 8121803, or name of the meeting, and the name of the meeting today is training meeting for the first eight Commissioners.

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

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

After providing a name and speaking with the moderator, you’ll be placed in a listening room, which is a
virtual waiting room where you will wait until it is your turn to speak. In this room you will be able to listen to the live audio of the meeting. Please mute your computer or your livestream audio because the online video and the audio will be approximately 60 seconds behind the live audio that you’ll be hearing on the telephone.

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

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

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

The moderator will open your line and introduce
you by the name you provided to the operator. Once again, make sure you’ve muted any background noise.

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

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

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

So, the next thing to do is to open up the public comment on the agenda item that is election of the
temporary chair and the temporary vice chair. Public comments need to be limited to this agenda item, specific to the election of the temporary chair and the temporary vice chair.

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

PHONE OPERATOR: As a reminder, ladies and gentlemen on the phone, if you wish to have public comment on this agenda item please press 1, then 0 at this time. There is no one queuing up at this time.

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

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

COMMISSIONER SADHWANI: And if I can just add to that, who has a desire and who -- this is also just a temporary chair, who might have background in Robert’s Rules of Order experience?
COMMISSIONER ANDERSEN: On that item, I would also like to say could we, each of us go through and say, yes, we do have experience or not have experience? That way it sort of takes the pressure off of everyone. Since I brought the idea up, I will say that I have served on two boards which followed Robert’s Rules of Order. I was just a member. I was not actually the president or vice president. That’s my experiences with the Robert’s Rules of Order.

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

COMMISSIONER ANDERSEN: Oh, I’m sorry. And I’m Commissioner Andersen.

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

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

COMMISSIONER FORNACIARI: Commissioner Fornaciari. I have essentially no experience in Robert’s Rules of Order.

COMMISSIONER TURNER: I’m Commissioner Turner. I served on two boards years ago, and so I have no current but of our little books we just got of Robert’s Rules of
COMMISSIONER LE MONS: I’m Commissioner Le Mons. I have minimal experience with Robert’s Rules of Order. Not in the strict form, more in the less formal. And I’ve sat on several boards and been vice chair of one.

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

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

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

COMMISSIONER AHMAD: Can I nominate someone?

MS. SAXTON: Absolutely.

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

MS. SAXTON: We have a motion to nominate Commissioner Andersen for the position of temporary chair. Is there a second?
COMMISSIONER FORNACIARI: Yeah, I’ll second that motion, Commissioner Fornaciari.

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

MS. PELLMAN: Yes. Commissioner Ahmad?

COMMISSIONER AHMAD: Aye.

MS. PELLMAN: Commissioner Andersen?

COMMISSIONER ANDERSEN: Aye.

MS. PELLMAN: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Aye.

MS. PELLMAN: Commissioner Kennedy?

COMMISSIONER KENNEDY: Aye.

MS. PELLMAN: Commissioner Le Mons?

COMMISSIONER LE MONS: Aye.

MS. PELLMAN: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Aye.

MS. PELLMAN: Commissioner Taylor?

COMMISSIONER TAYLOR: Aye.

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

Is there anyone in the queue?

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

MS. SAXTON: I knew that. No, I’m just teasing.
Okay.

MS. PELLMAN: Ms. Saxton?

MS. SAXTON: Yes.

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

MS. SAXTON: Okay.

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

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

PHONE OPERATOR: And who is that?

MS. PELLMAN: Cynthia Dai.

PHONE OPERATOR: They are not in the conference.

MS. PELLMAN: Okay.

MS. SAXTON: We’d like to take public comment if we’re able to.

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

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

Since there’s no public comment at this time that we can receive, I’d like to recall the roll, please. Secretary, please call the roll.
MS. PELLMAN: Commissioner Ahmad?

COMMISSIONER AHMAD: Aye.

MS. PELLMAN: Commissioner Andersen?

COMMISSIONER ANDERSEN: Aye.

MS. PELLMAN: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Aye.

MS. PELLMAN: Commissioner Kennedy?

COMMISSIONER KENNEDY: Aye.

MS. PELLMAN: Commissioner Le Mons?

COMMISSIONER LE MONS: Aye.

MS. PELLMAN: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Aye.

MS. PELLMAN: Commissioner Taylor?

COMMISSIONER TAYLOR: Aye.

MS. PELLMAN: Commissioner Turner?

COMMISSIONER TURNER: Aye.

MS. SAXTON: It’s unanimous we have a new temporary chair, Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you very much.

MS. SAXTON: You’re welcome.

COMMISSIONER TURNER: And Counsel, can we be reminded, Andersen is she -- what affiliation?

MS. SAXTON: I’m sorry?

COMMISSIONER TURNER: Can we be reminded what was the party affiliation for Andersen?
MS. SAXTON: Yes, I was just going to do that.

Commissioner Andersen is a Republican. That means the vice chair cannot be of the same party, so that should be considered as Commissioner Turner pointed out, as part of who you might want to nominate next.

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

COMMISSIONER TURNER: Oh.

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

COMMISSIONER KENNEDY: Second.

MS. SAXTON: Secretary, please call the roll.

MS. PELLMAN: And who seconded that.

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

COMMISSIONER KENNEDY: Commissioner Kennedy.

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

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

MR. MEHTA STEIN: Good morning and congratulations on the incredibly important role you began today. I’m Jonathan Mehta Stein, Executive Director at
California Common Cause. Common Cause is a nonpartisan, nonprofit organization working to build a better California democracy. Specifically, work towards state and local governments that are responsive to and reflective of the communities they’re meant to serve. We work to grow civic engagement and strength in public participation in the political process.

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

MS. SAXTON: Excuse me, sir.

MR. MEHTA STEIN: We believe deeply in --

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

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

MS. SAXTON: Okay.

MR. MEHTA STEIN: I’ll skip ahead. We have been part of -- we were part of engaging the 2010 Commission, and part of engaging the Applicant Review Panel, and the Auditor’s Office the last 9 months. And we supported, for example, the Legislature’s successful petition to the California Supreme Court to extend the time frame available
to you to complete redistricting, in light of the Census delay. We hope to serve as a resource to you in the important matters ahead.

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

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

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

MS. SAXTON: It might be. But additionally, we’re going to be having a general comment period later on
in the agenda that you’ll see for this meeting.

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

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

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

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

MS. DAI: Hello, can you hear me?

MS. SAXTON: Yes. Welcome.

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

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

MS. SAXTON: Excuse me. Excuse me, I’m going to
stop you right here.

MS. DAI: Yes.
MS. SAXTON: This public comment period is for
the current agenda item.

MS. DAI: I’m getting to that.

MS. SAXTON: Okay. Well, we’re ready.

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

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

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

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

Do you have a comment related to that or the
other administrative matters that we’ve taken up in this
agenda item?

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

MS. SAXTON: Okay.

MS. DAI: Thank you for your indulgence.

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

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

Yet, Angelo Ancheta, our last chair, almost didn’t make it on the Commission at all. Angelo, fondly dubbed “the chosen one” was a replacement for a
Commissioner who resigned. The minute that my lottery ball came up, Angelo knew that he would never be on the Commission because he is also an Asian Democrat from San Francisco.

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

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

MS. DAI: Okay.

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

MS. DAI: Sure.

CHAIR ANDERSEN: Thank you.

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

So, you will next elect a chair and a vice chair, and congratulations on being elected chair, which is an
extremely awesome task. But these are only temporary positions. And your newer members, who have yet to join you, may yield admirable leaders as well. So, I urge you to consider rotating shared leadership like we did. This practice helps spread the burden of leadership, as well as telegraphing our nonpartisan ethos to the public. And we also learned to appreciate each other’s unique leadership styles and trust in each other. Trust that you will need to get through the challenges ahead.

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

CHAIR ANDERSEN: Thank you very much for that comment.

Are there any other comments in the queue?

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

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

So, on that, I’d like to call the roll.
MS. PELLMAN: Commissioner Ahmad?

COMMISSIONER AHMAD: Aye.

MS. PELLMAN: Commissioner Andersen?

CHAIR ANDERSEN: Aye.

MS. PELLMAN: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Aye.

MS. PELLMAN: Commissioner Kennedy?

COMMISSIONER KENNEDY: Aye.

MS. PELLMAN: Commissioner Le Mons?

COMMISSIONER LE MONS: Aye.

MS. PELLMAN: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Aye.

MS. PELLMAN: Commissioner Taylor?

COMMISSIONER TAYLOR: Aye.

MS. PELLMAN: And Commissioner Turner?

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

COMMISSIONER TURNER: Aye.

MS. PELLMAN: Thank you.

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

MS. SAXTON: If it pleases the Chair, perhaps now is a good time to take a ten-minute break.
CHAIR ANDERSEN: That’s fine. I believe that would be in order. So, at this point we’ll recess or adjourn the meeting -- recess the meeting --

MS. SAXTON: Recess for ten minutes.
CHAIR ANDERSEN: -- for a ten-minute break. So, we’ll come back at, say, 10:40.

(Off the record at 10:35 a.m.)
(On the record at 10:48 a.m.)

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

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

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

COMMISSIONER LE MONS: I have a question.
CHAIR ANDERSEN: All right, Commissioner Le Mons.
COMMISSIONER LE MONS: Yes. We received some guidance as it relates to the informal Robert’s Rules of Order, with the exception of them that might impede. So, if it pleases the rest of the Commissioners if we could jump to that and just go through that in its entirety, the ones that we are going to embrace, or the recommendations of the ones. I can’t remember if it was 2 and a couple other numbers, I think, if everyone’s had an opportunity to review that.

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

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

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

If you’d like to make public comment regarding adoption of Robert’s Rules of Orders shortened parliamentary procedures, you may dial 844-291-5495. That’s 844-291-5495. You will need the access code which
is 8121803. That’s 8121803. Or, you can give the name of the meeting which is the training meeting for the first eight Commissioners.

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

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

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

   CHAIR ANDERSEN: Oh.

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

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

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

   CHAIR ANDERSEN: Actually, since I know your
intention, I apologize I believe I do need to make the motion and then we can second it.

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

   COMMISSIONER AHMAD: I’ll second.

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

   MS. SAXTON: Commissioner Ahmad.

   CHAIR ANDERSEN: I’m sorry excuse me, who was that?

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

   CHAIR ANDERSEN: Oh, I think Commissioner Taylor froze.

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

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

COMMISSIONER FORNACIARI: Fornaciari.

CHAIR ANDERSEN: Yeah, Fornaciari.

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

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

COMMISSIONER LE MONS: That’s what I was asking for.

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

COMMISSIONER LE MONS: So, I’ll just -- Commissioner Le Mons here. I’d like to just say that I support adopting the abridged version with the recommendation of the three, which unfortunately I don’t have it in front of me. I don’t know if you, Chair, have them. That it was suggested that we consider not adopting that are part of that abridged version for various reasons.
So, I’d like us to discuss where we’d like to go as a Commissioner with those recommendations.

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

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

   Number two that motions need not be seconded.
   Number three, a board member may speak any number of times on a question, instead of only twice, except that regular rules apply to appeals.
   Number four, a motion does not have to be pending in order to discuss a subject informally.
   Number five, votes may be taken initially by a show of hands.
   Number six, if a proposal is perfectly clear to everyone it may be voted on, even though no formal motion has been made.
   Number seven, in putting questions to a vote a Chair need not stand.
   Number eight, the Chair can participate in debate just as any other board member and, subject to the custom
in a particular board, can also make motions and vote.

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

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

I open this matter for a discussion.

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

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

CHAIR ANDERSEN: Yeah, I’d like to maybe make another clarification. The items, those are the items as they are listed in the Robert’s Rules of Order. We could make the proposal that I believe we were discussing is on Item Number 2, motions need not be seconded. I believe we
wanted to leave that in just because we’re used to a motion being made and seconded.

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

VICE CHAIR TURNER: Madam Chair?

CHAIR ANDERSEN: Yes, Commissioner Turner.

VICE CHAIR TURNER: This is Commissioner Turner.

I just wanted to assist on that one. That’s number five on the votes.

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

Then number six is the proposal is perfectly clear to everyone, it may be voted on even though no formal motion has been made. As we’ve already found out, that gets a little confusing. I think before we do a vote we
indeed, you know, restate the motion so then everyone
understands and, again, it’s much easier in the
transcription.

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

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

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

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

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

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

MS. SAXTON: At this time, if it pleases the
Chair, we should stand at east for two minutes while the
callers enter in the virtual waiting room.

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

Are there any callers in the queue?

PHONE OPERATOR: There’s no one in queue at this time. Please continue.

CHAIR ANDERSEN: I think hearing --

COMMISSIONER LE MONS: Madam Chair?

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

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

COMMISSIONER TAYLOR: This is Commissioner Taylor. I’ll second that motion.

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

MS. PELLMAN: Commissioner Ahmad?

COMMISSIONER AHMAD: Aye.

MS. PELLMAN: Commissioner Andersen?

CHAIR ANDERSEN: Aye.
MS. PELLMAN: Commissioner Fornaciari?
COMMISSIONER FORNACIARI: Aye.

MS. PELLMAN: Commissioner Kennedy?
COMMISSIONER KENNEDY: Aye.

MS. PELLMAN: Commissioner Le Mons?
COMMISSIONER LE MONS: Aye.

MS. PELLMAN: Commissioner Sadhwani?
Commissioner Sadhwani, I think you’re muted right now.
COMMISSIONER SADHWANI: Sorry.

MS. PELLMAN: Commissioner Sadhwani?
COMMISSIONER SADHWANI: Aye.

MS. PELLMAN: Thank you.
Commissioner Taylor?
COMMISSIONER TAYLOR: Aye.

MS. PELLMAN: And Commissioner Turner?
Commissioner Turner, I couldn’t hear you.
COMMISSIONER TAYLOR: I think, Commissioner Turner, your mic -- you’re muted.
VICE CHAIR TURNER: Aye.

MS. PELLMAN: Thank you, I heard that.
CHAIR ANDERSEN: Then as it’s unanimously, we will adopt. And just for to read into the record for clarification, the following rules of order will be what we’re using, informal procedures.

Number one, now Commissioners do not have to
stand to be recognized by the Chair in order to speak or make motions.

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

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

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

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

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

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

CHAIR ANDERSEN: Yes. I apologize, what’s open
for discussion is our meeting ground rules, the general ground rules. And any discussion on that or I can propose a motion that we adopt meeting ground rules containing some of the -- well, no, no, that’s not exactly what I want to do.

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

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

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

CHAIR ANDERSEN: Oh, yes, I apologize.

MS. SAXTON: No problem.

CHAIR ANDERSEN: So, for meeting ground rules, if anyone is interested in the public to make public comment, please call in at this time.
And now, the matter is on for discussion.

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

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

CHAIR ANDERSEN: Thank you.

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

CHAIR ANDERSEN: For discussion?

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

CHAIR ANDERSEN: Yes, that’s a -- thank you very much for that comment. That’s certainly -- I believe what
I should do here is be a little more specific and read some of these in, and then we can discuss each one, or discuss the group.

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

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

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

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

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

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

For purposes of creating the record of the meeting and to assist others in hearing your comments, if you want to speak -- this is usually referring to the
public who can come and stand at the podium in normal situations. So, for anyone who’s calling in and/or on otherwise microphone, please state your name or pseudonym for the record, and what organization they belong to or representing.

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

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

COMMISSIONER LE MONS: Madam Chair?

CHAIR ANDERSEN: Yes, Commissioner Le Mons.

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

So, say for example we had 20 people that wanted to speak on a particular item and so, in that case, for example in might be a two-minute window. And then, if we had a situation where there was only ten, and I’m using
these as arbitrary numbers for discussion, then the time
limit might be three minutes because we have a little bit
more time.

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

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

VICE CHAIR TURNER: Yeah, I’d like to address it,
Madam Chair, Commissioner Turner. I totally understand and
support what Commissioner Le Mons said. I want to lift up
for consideration one of the benefits I think in setting a
time period in advance is it really does inform the public
how to be disciplined about what they want to say. If we
don’t know in the moment for a particular item if there’s
going to be 20 people in queue, and if we shift the time in
that moment for those that do prepare comments it may throw
them off as far as what they timed and prepared to say.
So, if they know they’re only going to get two minutes,
then they will prepare comments to get their major points
in at two. But if we have an agenda item that comes up and we see the phones, or however we’re going to be notified, lining up 20 people in queue, which lets us know and we switch in the moment and say, okay, instead of three minutes it’s going to now be two, I’m just concerned that people won’t have enough advance notice to prepare their sentiments. And particularly when many people call in, it’s something that’s of great importance to them and then we’re limiting them in the moment. So, just some thoughts. And I could probably go either way, but I did want to name that.

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

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

So, I’m just making clear that that’s my
interpretation of number five that someone could, in fact, speak a second time as long as they wait until everyone else wanting to speak has had the chance to speak first.

CHAIR ANDERSEN: Thank you, Commissioner Kennedy, that’s also a valid point.

Any other discussion, any other Commissioners?

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

CHAIR ANDERSEN: Pardon? I’m sorry.

COMMISSIONER LE MONS: Madam Chair?

CHAIR ANDERSEN: Commissioner Le Mons.

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

CHAIR ANDERSEN: Yes, Commissioner Kennedy.

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

CHAIR ANDERSEN: This is a very important item. I know we want to limit it just in terms of moving things along. However, I believe we are all concerned. We want the public to speak. So, I know this is a very -- it’s an important issue and I think what we’re trying to come
across here is we don’t want -- we don’t actually have time
for people to go on. If they have things to talk about, we
don’t really want to shut them off. We want to hear from
the public.

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

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

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

COMMISSIONER FORNACIARI: I think I am.
Commissioner Fornaciari, I think I’m next.

CHAIR ANDERSEN: Oh, yes, Fornaciari.

COMMISSIONER FORNACIARI: Yeah, I agree. I think
that we should start with a two-minute time limit. I think that’s sufficient. I think the fact that folks will get an opportunity to get back in the queue and speak again, if they didn’t get their say. But I think we should also be open to, you know, revisiting this issue down the road. You know, if it becomes a problem, you know, we can revisit it and change the time.

CHAIR ANDERSEN: Great. Thank you, Commissioner.

Commissioner Kennedy.

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

CHAIR ANDERSEN: Thank you.

Commissioner Sadhwani.

COMMISSIONER SADHWANI: Yes, I concur with everything that’s been said. I think having the two-minute limit makes perfect sense. Folks can go to the end of the queue. And I think, also, we can also just remind ourselves, I think they can also submit longer written comments, as well, public comments to tell their full story
or to give greater background on, you know, their issues
and concerns.

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

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

COMMISSIONER LE MONS: Oh, that’s okay. No
additional comment.

CHAIR ANDERSEN: Thank you.

Now, Commissioner Taylor.

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

CHAIR ANDERSEN: Thank you, Commissioner Taylor.
And Commissioner Turner.

VICE CHAIR TURNER: No further comments, thank
you.

CHAIR ANDERSEN: Thank you very much.

At this time are there any public comments? Is
anyone waiting?

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

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

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

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

And you can limit it. What we’ve seen them do most successfully is make everyone who’s yielding their
time stand up or raise their hand, or otherwise verify that they’re still there, so people don’t turn in cards and leave.

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

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

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

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

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

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

VICE CHAIR TURNER: Madam Chair?

CHAIR ANDERSEN: Yes, Commissioner Turner.

VICE CHAIR TURNER: Before you go on, just a matter of clarification. With the last comment that suggested the -- I can’t even remember the terminology, the pooling the things. Do we need to shift something because
of that, because that’s not in our current -- or have 

further discussion about that? How would we weigh that in 

if we decided to allow that? Or, is that something that 

happens automatically?

CHAIR ANDERSEN: I would entertain a motion to 

discuss that public comment.

VICE CHAIR TURNER: Then I move that we discuss 

the opportunity to allow people to pool their comments.

CHAIR ANDERSEN: I’ll just second that and then 

let’s discuss what are Commissioners’ views on that? Oh, 

sorry, the item being, as proposed by the public comment, 

that people could yield their time to a collective group.

You know, I do have one thought myself, which is 

while that could be very useful and we do want a comment 

that could be giving a group much, much more say and sort 

of time to actually kind of -- I mean, if we have -- I 

think we would need -- if we want to do that, we would need 

to set a limit to that. Because you can envision, you 

know, 25 people saying I’m going to give my two minutes. 

And then, we’d be sort of stuck with -- which it could have 

great import, but we might be tied to -- you know, I think 

we should consider an overall limit for groups, as well as 

individuals.

MS. SAXTON: Madam Chair, if I may? One thing, 

as the California State Auditor’s Office, I would ask that
it be considered how as a practical matter, in COVID-19 pandemic times if, as the caller said you have the people who are yielding doing so in a way that can be confirmed, that how would that work exactly?

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

CHAIR ANDERSEN: Oh, correct.

MS. SAXTON: I’m certain you knew that, but I wanted to --

CHAIR ANDERSEN: Yes, yes.

Commissioner Fornaciari?

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

I agree with Ms. Saxton’s comment, too, that, you know, how would we manage that effectively? You know, in this time frame that we’re working on to, you know, pick the next six. So, I would lean towards, you know, not allowing folks to pool their time at this point and it’s something we can revisit, you know, when we get to the 14 and when, you know, we get out of the pandemic state here and have public meetings.
CHAIR ANDERSEN: Thank you, Commissioner.

Commissioner Ahmad?

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

CHAIR ANDERSEN: Yes.

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

CHAIR ANDERSEN: Thank you, Commissioner.

Any other discussion for the Commissioners? Not at this time.

Then, I would like to address that public comment by saying we will stick to our proposed two-minute rule, including groups, particularly for -- given that we’re in a COVID situation it’s very difficult who is yielding to whom. And groups, even more than individuals, sort of already have -- often already realize that they can submit public comments of any length that can be sent in to us. So, with that, I believe we’ve -- I’d like to restate the motion.
So, again, I know this is repeating, but this will be the motion. That Commissioners and the public will turn off cell phones, turn them off to silent or vibrate. Placing/answering calls must be done outside the meeting area.

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

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

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

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

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

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

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

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

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

Could I have a second?

COMMISSIONER SADHWANI: I second.

COMMISSIONER FORNACIARI: I’ll second the motion.

CHAIR ANDERSEN: Oh, I’m sorry.

MS. SAXTON: One comment, please, legal comment.

You’ll want to amend the portion about people needing to state their name because in a public meeting they don’t have to, if they don’t want to. So, it can’t be stated as an imperative. If that makes sense?

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

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

CHAIR ANDERSEN: That’s correct.

MS. SAXTON: Awesome.

MS. PELLMAN: Who seconded the motion?

CHAIR ANDERSEN: I’m sorry, did someone --

MS. PELLMAN: Yes, this is the Secretary. Who seconded the motion, I couldn’t tell who seconded.
CHAIR ANDERSEN: I believe we had a second this time.

MS. PELLMAN: Okay.

COMMISSIONER FORNACIARI: Commissioner Fornaciari seconded the motion.

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

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

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

There is no one in the queue at this time.

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

MS. PELLMAN: Commissioner Ahmad?

COMMISSIONER AHMAD: Aye.

MS. PELLMAN: Commissioner Andersen?

CHAIR ANDERSEN: Aye.

MS. PELLMAN: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Aye.

MS. PELLMAN: Commissioner Kennedy?
COMMISSIONER KENNEDY: Aye.

MS. PELLMAN: Commissioner Le Mons?

COMMISSIONER LE MONS: Aye.

MS. PELLMAN: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Aye.

MS. PELLMAN: Commissioner Taylor?

COMMISSIONER TAYLOR: Aye.


VICE CHAIR TURNER: Aye.

MS. PELLMAN: Thank you.

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

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

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

So, we’ll recess for five minutes. Meet back at 11:35.

(Off the record at 11:35 a.m.)
(On the record at 11:42 a.m.)

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

COMMISSIONER FORNACIARI: And there’s Commissioner Taylor.

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

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

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

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

(Off-record conversation)

CHAIR ANDERSEN: Then, yes, since the next item is training, I think it’s very important that all Commissioners are here. So, I think we might wait until Commissioner Turner has returned. So, I think everyone,
we’ve got about at least five more minutes.

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

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

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

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

So, at this point I’m recognizing Ms. Saxton.

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

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

MS. SAXTON: Good morning.

(Off-record conversation)

MS. SAXTON: Thank you. This presentation is to
provide you with an overview of the criteria that you must apply when selecting the final six members of the Commission. The goal of this presentation is when it’s over I’m hoping that you’ll say to yourself, you know, I have a pretty good idea of how to begin thinking about selecting the final six now.

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

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

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

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

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

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

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

The additional challenge to you is that you’re not choosing six Commissioners from a unified pool of 27. You’re not picking them individually. Instead, the Voters
FIRST Act requires you to choose two Democrats from a pool of eight, two Republicans from a pool of ten, and two who are not affiliated with either party.

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

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

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

So, we’re told what diversity means for the purpose of selecting the next six. It means racial, ethnic, geographic, economic, and gender characteristics of
the population of California. That’s the definition. So, when it says diversity, that is what diversity means.

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

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

So, when you’re looking at the applications for the remaining 27 potential Commissioners, the same information that’s available on the Shape California’s Future website, and you endeavor to select six to ensure the Commission reflects the state’s diversity, you may receive many different perspectives as to what you should and what you shouldn’t be considering in making those decisions. But keep in mind that what the law tells us is the Commission should be reflective of the state’s diversity, and that diversity, what that encompasses is here.
Okay, the second consideration is relevant analytic skills. All of the first eight, all of you already went through the screening process of the Applicant Review Panel. So, none of you would be here under that screening process if you didn’t have these relevant analytic skills.

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

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

In other words, if you think about the relevant analytic skills that the redistricting work calls for, and
you look at what you all already have, what the first eight already has, that may help you consider what additional relevant analytic skills would help you, help the 2020 Citizens Redistricting Commission succeed.

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

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

The California Constitution, the Voters FIRST Act portion, says that: Commission members are required to
apply the constitutional provisions in a manner that reinforces public -- the public’s confidence in the integrity of the redistricting process. So, it seems like that might be something you would say, oh, you know, of course we should do that. We should do this in a way that reinforces the public’s confidence. So, that’s actually a requirement because it’s that important.

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

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

So, you know, let’s see, let’s talk about -- are there any questions on this portion right now, sort of the
criteria of what you have to look at? As we, you know, get
further into this, obviously, if there’s some fine point of
law or something like that, you’re going to have lots of
help. The idea of this is to just let you enter into your,
again, meeting next week having a sense of, okay, this is
what I need to look at. This is how I apply it. This is
how it balances, et cetera.

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

CHAIR ANDERSEN: Commissioner Fornaciari?

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

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

MS. SAXTON: I believe so. And I think sometimes
what happens is certain professions become a shorthand for
the kinds of analytic skills that are traditionally
associated. I mean I used the accountants, right. But
then, you might have somebody who is a community outreach
person, and those people have skills. But they’re also --
in your Applicant Review Panel materials, you can see the
kinds of things that they’ve done. So, to me it is a
shorthand and it’s a good way to start to look for folks
like that, yeah.

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

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

Okay. Anybody else?

Okay, here’s the fun part. As I said before,
when you select the final six members of the Citizens
Redistricting Commission, they are selected as a group of six, a slate. And you’re going to -- let me see, let me think about this for a second. You’re going to want to create a slate. It has to include two Democrats, two Republicans, and two not affiliated with Democrats or Republicans.

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

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

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

Nobody can hijack anybody else’s slate. The
slate can only be modified by the Commissioner who proposed it.

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

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

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

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

So, what I would suggest is maybe what you’d want to come in at your next meeting and do is to just have a discussion about what kinds of qualities you Commissioners think the final six need to have to balance out the skills and talents that you already have.
And in order to do that, one of the things is that you’ve all started looking at each other’s applications, not just the ones of the folks in the pool. Because that’s, I think, probably the best starting point is to figure out what you’ve got already.

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

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

Now, that’s just something to consider. But it did occur that the -- in 2010, our staff actually got
together and they played let’s make a slate. I’m joking. But they practiced and they tried different ways of going about it to see what was a good way, what worked, what didn’t work. That’s where my comment about, you know, if everybody comes in with their own it’s potentially going to be difficult, everybody with their own.

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

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

Any questions about that? It’s a lot to think about, I know.

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

All right, I’m going to move on. One of the issues that you’ll have to grapple with, and it’s something that State Auditor staff is going to ask you to make some decisions about, is the issue of what additional information, if any, you want regarding the applicants when you’re making your decisions about who to select.
At this point, the first eight have all the information that was available to the members of the Applicant Review Panel, and the Legislature, and the public, including the interviews, all the public comments, all of it.

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

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

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

The other thing to maybe think about with additional interviews, I think, is that whether you want to place your future colleagues, the final six, under a higher
level of scrutiny than you faced. You know, to treat them like suspects who have more questions to answer than you needed to answer. That’s hyperbole, but I think you get the point that I’m making.

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

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

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

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

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

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

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

I think that you can show the public that eight
regular people from different backgrounds and political parties can go in a room together with a common goal, and come out successful. I think the world needs a little bit of these days and you’re just the people to do it.

Anybody have any questions?

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

Commissioner Le Mons?

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

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

MS. SAXTON: Thank you, Commissioner, I think that’s a good, good question.

From what I read in terms of the materials that were left behind historically, from 2010, was that there
was a sense that when folks in with their very own slate, they’re very focused on their very own slate. And they tend to begin to defend their own slate against others’ choices that they forwarded. It becomes somewhat more competitive.

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

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

And, you know, in our case if we did eight slates and then we said, okay, let’s compare, if we have all picked five of the eight that leads us very quickly along
the path of, well, boy, these certainly look like that’s a
group that was a possibility. And then, we could almost
like redefine from there. So, I’m wondering how -- you
know, I understand if you just take, okay, this is mine and
that’s what I think. But if the idea is bringing these all
together, it’s kind of like rather than start from scratch
completely, you’ve already sort of had time to consider
those. Was that method ever used at all because that’s --
I want to say that out.

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

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

If you bring it for your own use in order to
potentially compare with what other people think, et
cetera, in more of the discussion portion of the decision
making selection process, I would submit that that would be
less troublesome than when you’re actually putting them us
as fully formed, ready to be considered.

Does that make sense?

CHAIR ANDERSEN: Any other ideas about that?

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

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

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

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

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

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

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

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

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

And I think it sounds like what I’m hearing is
that we’ll also need to bring with us a generosity and a sense of collaboration on this topic.

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

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

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

Was there something in particularly that you were thinking about the agenda you’d like to do or --

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

MS. SAXTON: Typically, agendas are going to be, and I believe Mr. Dawson will speak about this in terms of Bagley-Keene, they are specific enough to let the public
know what will happen, but they’re not so narrow that you
have placed undue burdens and limitations on yourself to
get your work done.

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

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

Or, maybe people have a good picture.

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

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

And if we start like, well, now we’ll say this
and go back and look at it. I mean, we kind of need to have done that ahead of time or --

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

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

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

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

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

So, can we -- going reverse order of
alphabetical, I’m going to put you on the spot,
Commissioner Turner, please, if you have any ideas about or
any comments on as to how -- the slate process and things
like that for the next meeting and this meeting.

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

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

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

COMMISSIONER TAYLOR: Yes. So, I think there’s some prudence in taking all the training and then possibly determining a methodology at the end of all the training. I agree with Commissioner Turner, I think it’s sort of form and function that if you come with a slate and it’s not presented to be voted up or down, then it still can be
discussed. So, if we all determine that we want to bring a slate and discuss that slate, without the formality of it being voted up and down, we’re pretty (indiscernible) -- we don’t have to worry --

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

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

CHAIR ANDERSEN: Thank you, Commissioner Taylor.

Commissioner Sadhwani?

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

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

CHAIR ANDERSEN: Thank you, Commissioner
Sadhwani.

Commissioner Le Mons.

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

CHAIR ANDERSEN: Thank you, Commissioner.

Commissioner Kennedy.

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

Commissioner --

COMMISSIONER FORNACIARI: Fornaciari.

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

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

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

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

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

CHAIR ANDERSEN: Thank you to all the Commissioners for your comments because I think that’s --
as you say, I really like the idea of bringing the six, but essentially you have a whole -- it’s almost like you have your starters and your whole team. And it’s so, you can actually go, okay, right, now I did like those, but then I was also thinking of this other person.

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

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

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

Because, you know, while like we might think -- you know, I think, you know, you have such and such, or you have such and such, and you go, oh, but I really, I’m
thinking I do this a bit more, which I think might give us an idea of just -- so we really know what we have to facilitate our trying to come up with what else do we need and what are we looking for.

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

Commissioner Turner?

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

CHAIR ANDERSEN: Thank you.

And Commissioner Taylor?

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

CHAIR ANDERSEN: Thank you.

And Commissioner Sadhwani?

COMMISSIONER SADHWANI: I agree with that. I think in earlier comments Commissioner Fornaciari had mentioned attorneys, so I think that might be an area where we need some additional bolstering. So, yes, I’m definitely in favor of such a discussion.
CHAIR ANDERSEN: Thank you.

Now, Commissioner Le Mons?

COMMISSIONER LE MONS: Agree.

CHAIR ANDERSEN: Commissioner Kennedy?

COMMISSIONER KENNEDY: No further comment at this point.

CHAIR ANDERSEN: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: I agree.

CHAIR ANDERSEN: Commissioner Ahmad?

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

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

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

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

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

MS. DAI: Hi Commissioners. First of all, I think Chair Andersen’s comments are right on target and I
thought the training was excellent on this. I understand you got my written comments, so I’m not going to try to go through those again. But I thought I would let -- answer any questions you might have about what we did with the chair’s slate. And it sounds like there were a few questions from Commissioners on that.

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

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

And we tried to -- you know, different Commissioners would nominate so and so for the chair’s slate. We tried to start with the least controversial picks. And then, people would say, oh, that person was on my slate, too, for these reasons. And, you know, we went around and built it up that way. So, by the time you get to four people, you know, the choices change obviously, as the mix changes.
So, I think your idea of taking inventory of the first eight, of the lucky eight first is great. And then, as you add to each -- add, you know, the 9th, and the 10th, and the 11th, the inventory will change it will, you know, have an effect on your final selections.

CHAIR ANDERSEN: Thank you. Thanks for that comment.

Any questions from the Commission on that idea?

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

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

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

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

Because one of the most disconcerting elements of
the last days of the ARP, was many of you probably saw, was the horse trading that went on amongst people. And it was very hard to figure out what were the qualities that they were looking for.

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

And so, to have an open conversation about what you already think are some gaps, or what additions might fill out the team, I think is really important before you begin the process of nominating an building the team which can so often come into horse trading. Thank you very much. Anne, A-N-N-E Kohl, K-O-H-L.

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

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

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

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

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

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

CHAIR ANDERSEN: Thanks for the comment.
Any additional comments in our queue?

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

MR. MEHTA STEIN: Jonathan Mehta Stein, Executive
Director at California Common Cause. I’ll try this again.
I’d just like to take a moment here at the beginning of my
comment to introduce ourselves to you, because you’ll be
hearing a lot from us in the next 18 months. I’ll be
brief.

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

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

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

On July 13th we submitted a letter to you,
together with a range of partners. It explains that the
law empowers you and in fact requires you to use your selection of the final six Commissioners to ensure that the Commission reflects the state, racial, ethnic, gender, and geographic diversity.

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

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

Thanks.

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

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

CHAIR ANDERSEN: Thank you. Any other comments from the Commissioners at this time? Commissioner Le Mons?

Oh, sorry, you’re on mute.

COMMISSIONER LE MONS: Yeah, there we go. Yeah, I’d like to make a comment. And I don’t know if we need to have a discussion on this, but of course I’ve read a lot of the public comment, and of course we’ve heard the comment
today. And some of our Commissioners have already highlighted the absence of Latinos. And I think as a Commission we take that very seriously. And that is without question something that we will be looking at as we pursue this process.

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

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

CHAIR ANDERSEN: Thank you for that comment.

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

We understand that the group that you have, these eight were random. It could have been anybody else in our
whole group. We are lucky that we’re here. We know we
don’t represent the entire state. And we are well aware of
several public comments about issues that we are missing.

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

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

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

But remember, we are not representing you. We
are actually working for you to make the lines represent
you. So you, as a community, can come and realize this
group in my district, we have the power to elect the people
that we feel represent us. So, that’s what we’re looking for. We’re looking for qualities and diversity in every aspect is absolutely considered.

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

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

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

And for sure, looking through the interviews, looking through comments and what have you, I believe it is our collective intent to ensure that we have a full slate of individuals so that our full Commission is representative of as many people as possible. And that is my intent. I believe it’s also the rest of our intent as well.
And as, Madam Chair, you pointed out in that we cannot have -- based on the numbers, we cannot have someone representing from area. Even for those that we don’t represent, I believe we will carry and hold the intent, and we are leaned in to be able to ensure that we are representing as many people as possible.

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

CHAIR ANDERSEN: Thank you, Commissioner Turner.

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

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

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

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

COMMISSIONER FORNACIARI: Yes. I concur with everything that’s been said so far. It’s critical that the Commission is representative, as representative as it can be, and we do have a glaring omission in the Latino
representation that, you know, has been brought up in the public comments. You know, we’re all aware and I think we’re clearly all committed to address or, you know, put together a Commission as representative as it can be.

CHAIR ANDERSEN: Thank you.

Commissioner Kennedy?

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

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

CHAIR ANDERSEN: Thank you.

Now, let’s see, we haven’t -- well, should we just go ahead and if you want to add more, Commissioner Le
Mons, do you want to say anything else or --

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

CHAIR ANDERSEN: Yes. Yeah, that’s what I was saying.

COMMISSIONER LE MONS: Yes, that’s fine.

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

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

CHAIR ANDERSEN: Thank you very much.

Oh, Commissioner Le Mons?

COMMISSIONER LE MONS: Yeah, I just wanted to acknowledge our Commissioner Sadhwani, also. She was actually in our opening, the first to put the issue forward. So, I wasn’t ignoring her. You had skipped her as well. But I wanted her to be aware of that.
CHAIR ANDERSEN: Thank you very much. Before you got up I did the same, actually. I apologize Commissioner Sadhwani. If you want to say something in addition --

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

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

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

CHAIR ANDERSEN: Great. Well, thank you very much. I think, unless there is an additional public comment, I think we can conclude this item. And given the time, I believe we should probably break for lunch.
And if it’s okay, given that it’s already one o’clock, do we have ideas, is 1:30 all right, or 1:45, 1:40? We have a fair amount to go and I don’t want to keep us too late.

PHONE OPERATOR: Commissioner?

CHAIR ANDERSEN: Yes.

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

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

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

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

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

And again, I would like to thank the Commission for their commitment to diversity on this panel and bringing Latino voices to it. I would like to say that it should be lauded that this Commission is removing the political and partisan elements from this redistricting
process. And that American Jewish Committee of San Francisco request that every effort be made to assign as many of the remaining positions in the redistricting committee to Latinos. And we hope that in the future there are safeguards to establish that this Commission remains representative of the diversity of California.

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

CHAIR ANDERSEN: Thank you for that comment.

There are no additional public comments?

PHONE OPERATOR: Not at this time.

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

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

MS. SAXTON: It’s really what pleases the
Commission. Depending on whether people need to drive home, et cetera. We’re here as long as you need us.

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

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

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

CHAIR ANDERSEN: That’s kind of what I --

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

CHAIR ANDERSEN: Pardon?

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

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

Then the meeting’s recessed for now.

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

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

CHAIR ANDERSEN: I’d like to bring the meeting back to order. And Item Number 7 on our agenda for today
is the training on the Bagley-Keene Open Meeting Act requirements, which I will turn over to Mr. Dawson.

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

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

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

And what I hope that you’ll take away from this training is that every meeting of a public body, including
the California Redistricting Commission, including just the
first eight of the California Redistricting Commission
needs to be conducted in an open and transparent way.

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

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

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

We’ll also talk about what is not a meeting. And
we’ll talk a little bit about what, to a lay person, might
not seem to be a meeting, but under the Act can be a
meeting. And if it is not conducted in an agendized, and
open and transparent meeting will be a violation of the
Act, a violation of the public trust and, actually, a
misdemeanor. So, we want to make sure that you all understand that.

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

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

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

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

Also, the Public Records Act and the Political Reform Act of 1974. There are also a number of federal statutes that were enacted in the post-Watergate era, in the ‘70s, along with the California Public Records Act. Notably, the Government and the Sunshine Act, and the Freedom of Information Act, which is known as FOIA.
As a policy statement, when the Legislature adopted Bagley-Keene it found and declared that the intent of the law that actions of state agencies be conducted openly, so that the public may remain informed.

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

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

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

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

So, one thing we should talk about a little bit is when a state body is authorized or charged to conduct
state business, it is -- it only has the authority that the creating statute gave it. So, in that case it’s the Voters FIRST Act. This is an unusual situation and I couldn’t find any other example in the state law where a specified subset of a larger committee, or a larger state body is its own state body, which then adopts -- or, rather, appoints the remainder of the membership.

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

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

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

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

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

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

One thing I want you to think about right now is that going back to the concept of making sure that the public is informed of what you are doing, notice and agenda is a key part of Brown. These are actually two requirements. One is -- the notice is the posting of the announcement that you will be having a meeting. And
Bagley-Keene specifies a certain number of days before the meeting. Standard is ten days. Special meetings 48 hours. And emergency meetings, which I don’t think would ever be the case for CRC to have, it would be as soon as practicable.

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

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

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

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

But I’m going to go into some detail here. Obviously, we are in a room now where the public is only attending remotely. The Governor, in March, when the pandemic first hit, by Executive Order provided that
certain provisions of Bagley-Keene would be waived in order
to allow us to do this so that we could, on the one hand
comply with local and state health requirements, and then
also to continue to conduct the state business.

Some of you, like I’m trying to remember, I want
to say that Commissioner Kennedy and -- oh, Commissioner
Andersen, I remember you were remote. Commissioner
Kennedy, you were live.

COMMISSIONER KENNEDY: No, I was remote.

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

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

MR. DAWSON: Okay. Commissioner Fornaciari --

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

MR. DAWSON: Yes.

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

MR. DAWSON: Yes, we were very fortunate. We
only lost two days of interviews, but we were able to get
back on track. That’s actually a testament to the folks
you see here in the room, our video folks, and also folks
on the other side of the wall that allowed us to be able to
pivot. But we were also, at one point, in sort of an in
between where we were conducting one long meeting. Where we had actually noticed and agendized it.

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

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

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

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

And then, I’ll stress that those waivers are temporary, but they remain in effect. And, hopefully, we’ll get to a point where we will have full in-person meetings for everybody. But we think that we have been able to balance public participation. Folks certainly have
been able to call in. It’s a bit clunky, but we’re doing the people’s business and so we’ll do what we need to do.

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

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

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

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

Individual contacts between members, which don’t
constitute a serial meeting which we just talked about, unless they communicate daisy chain style. Attendance at conferences, seminars, et cetera, which are open to the public, as long as you don’t discuss what is within your body’s jurisdiction. Attendance at social or ceremonial events.

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

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

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

Okay, so this is where we get into the trickiness about serial meetings. Like I said, the definition of a
meeting doesn’t take into account time and space. What is
really important, what the law cares about, what the courts
have construed Bagley-Keene to prohibit, is a meeting of
the minds of a majority of the members. And that can take
place -- and it doesn’t have to be direct from one member
to another. It can take place from -- with intermediaries,
so secretaries, assistants, counsel.

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

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

So, like I said, it can be through intermediaries
such as assistants. It need not be the members themselves.
There’s also the classic situation where you’ve got the hub
and spoke. Where in this situation Commissioner A sends a
redistricting question to counsel. Counsel thinks, hey,
this is going to come up again and I’m tired of answering
all these emails, so I’m just going to say, hey, I’m going
to send a cc to Commissioners B, C, D and E. Commissioner
A thinks this is a really good idea. What do you guys think? I may have just committed a Bagley-Keene violation on their behalf. I may have actually created a meeting. Even though they’re all in their own offices, even though I may have held on to that email for four or five days. Like I said, time and space don’t really matter. What matters is did I communicate that way of thinking.

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

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

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

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

Like I said, I’m not aware of any case on this, yet, and I’m certainly interested to find out when that will happen. I hope it will not be here.
Like I said, this includes communications by intermediaries, so be wary of sidebar discussions and informal caucuses.

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

So, if you’re going to be discussing anything, you’ve got to discuss it.

One part of this where I think it’s going to be -- the regulations that apply to the first eight, where this may possible come into effect is you are charged by regulation 60858 to independently review the application materials in your consideration of the next six. And when they mean independent, independent review, it means that you will need to go home and read the application materials, watch the videos. You can discuss those in open meeting. You could even discuss it among one or two of you. But any time that you are going to do it collectively, by greater than four others, you’re possibly having a meeting. You would likely be having a meeting.
This was, and I think we had a public comment on this, where this was -- it sort of drove our consideration of your applications during the Applicant Review Panel. What we had done was designed a system where each of the Applicant Review Panel was reviewing the applications independently. They were coming to their own conclusions, and informally marked a yes or no on any particular candidate. And then, when we came in the meetings we were able to show to them this is where you agreed.

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

You know, the Applicant Review Panel knew all of the applications backwards and forwards. They’d seen them, you know, dozens of times. They had considered them dozens of times, and they’d sat through the interviews. So, they knew them and they were, of course, mindful of having to create that balance in each -- not just of the full 60, but a balance in each of the subpools. Knowing that they
didn’t have any control over the Legislature’s strikes, and
they certainly didn’t have any control over the dingle ball
cage. So, that’s why it was so important that all of you
folks here were so thoroughly vetted, but also that those
considerations were made each of them independently.

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

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

Yes, Commissioner Ahmad?

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

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

MR. DAWSON: I am not your lawyer and I won’t
give you legal advice.

    COMMISSIONER AHMAD: Okay.

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

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

    Does that answer your question?

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

    MR. DAWSON: Okay.

    COMMISSIONER AHMAD: -- it’s specifically within the realm of our duties.

    MR. DAWSON: Oh, yes, absolutely.

    COMMISSIONER AHMAD: It’s like a path for --

    MR. DAWSON: Right. If you put a cat picture up and say here’s -- here’s Toonces, my tabby, and the other folks liked it, then --
COMMISSIONER AHMAD: Okay, okay. I just wanted to make sure that was clear.

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

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

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

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

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

Preconditions for participation are prohibited.

We can have a courtesy sign-in sheet, if people would like
to be put on, but not require people to sign in. We can’t, during public comment, although we do so for -- or we allow, rather, our telecom partner, AT&T, for their business purposes to take people’s names. Legally, we cannot require anybody to give their name. They could say they were anonymous, they could give another name, they can give their full name if they like. We cannot require it.

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

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

So, let’s see. So, as a good practice, you know, what you want to do is agendize public comment on any topic. You’ll want to include a disclaimer that the body can’t take action on it. As we talk about the agenda, the agenda is a roadmap for the public and for the body that sets out what actions it will take. It is not meant to be -- it is meant to be informative. It also limits what that meeting will be about. So, there’s a bit of a balance in the way that you draft these to make them broad enough to
allow for free conversation and discussion, but also narrow
enough that the public has a good idea of what it is you’re
actually talking about.

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

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

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

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

If you remember the ARP’s interviews and final
meetings, there were not public -- no members of the public
in the room, but we certainly did have folks watching, we
had folks calling in and making public comment.

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

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

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

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

Okay, so let’s go into a little bit about the
specifics of the notice and agenda. I’m sorry, before I go
on, were there any questions with folks on the Zoom
meeting? I don’t want to rush through if anybody has any
questions. Nope, looks like we do not.

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

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

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

The notice shall include a specific agenda for the meeting, a brief general description, 20 words or less of each item, and ADA-compliant alternative formats upon request.
As I said before, when we are crafting the agenda, we need to make sure that it is broad enough to ensure that there’s ability for full discussion on any matter that is likely to come under that. But it also has to be descriptive enough that the public has an idea of what you’re talking about.

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

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

CHAIR ANDERSEN: Actually, I have a question.

MR. DAWSON: Yes?

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

MR. DAWSON: I believe that it is specific to the 14-day for the map display period.
CHAIR ANDERSEN: Then ten days for --
MR. DAWSON: For other meetings.
CHAIR ANDERSEN: For other meetings.
MR. DAWSON: Yeah.
CHAIR ANDERSEN: Yeah, if you could give that because it is the full -- the full 14-member, we need to know if it’s 10 or 14.
MR. DAWSON: Yes.
CHAIR ANDERSEN: Thank you.
MR. DAWSON: One thing that’s important to remember about the agenda is that if it’s not on the agenda, the body can’t discuss it. So, it’s really important to make sure that everything that is possibly going to be discussed needs to be on the agenda or it just can’t be taken up.

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

Okay. No item can be added to the agenda, except under very limited circumstances. You can always put out the notice and agenda more than 10 days, but once you’re
within the 10-day period, you will not be able to change
the agenda for that meeting, unless you meet certain
special circumstances that are the -- that meet the
criteria for an emergency meeting. And that’s essentially
that there is a situation that’s so catastrophic that it’s
a threat to public safety or health, and that the body
would need to meet.

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

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

Okay. We talked a little bit about this, special
meetings and emergency meetings. Special meetings are
where the 10-day notice would impose a substantial hardship
on the state body, or that immediate action is required to
protect the public interest. Specified bases, including
pending litigation, proposed legislation, or an audit
response.
Forty-eight hour notice. Emergency meetings are where a prompt action is necessary due to the disruption of public facilities. One-hour notice is fine. Post-hoc posting of notes and votes -- excuse me, of minutes and votes, and action taken must be put on the web for ten days and in a public place.

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

All right. Okay, before a closed session the body must disclose a general description of the items to be discussed. A minute book must be kept. It’s not a public record. It has to be kept, but it’s kept confidential. That means folks like the auditor can see it, but it’s
generally not something that you could get under a Public
Records Act request. But you do have to report out whether
a decision was taken or not.

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

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

This one down here at the bottom, 11130.7, the
intentional violation of Bagley-Keene is a misdemeanor.
I’m not aware of any case where anybody has actually gone
to jail for violating Bagley-Keene. I’m certainly hoping
-- I said this to the ARP, I hope that you will not be the
first. I’m sure that you won’t.

Of course, the real damage, the real penalty is
the loss of trust. I mean, that’s what we’re really
talking about. As I said before, and I know I sound like
I’m preaching about it, but this body is such a part of the
openness and transparency of government that, you know,
whenever this body, like the ARP, was undertaking any of
its business it was absolutely imperative for us, just
beyond the requirements of Bagley-Keene, to do so as openly
and transparently as possible.

Okay. There is some overlap with the California Public Records Act. These work hand in hand to keep the public informed. And a violation of one may implicate the violation of the other.

One of the important crossovers between Bagley-Keene and the Public Records Act is any material that is provide to you as the body, in preparation for or during a meeting, that that’s immediately a public record and needs to be made available.

So, that’s why public comments that were sent, those have all gone up on our website. As soon as they are -- or not as soon as, but as soon as reasonably -- as soon as practically possible, we’ll put them up on the web. To make sure that, again, that the public is fully informed of seeing what you’re seeing.

Now, of course, that doesn’t apply to confidential and privileged information that you might receive from your counsel, you know, one-way memos that you might get. But if it is discussed during a meeting and privilege is waived, you may have inadvertently created a public document. So, that’s always something to be mindful.

And like I said, I am not your lawyer, but I will give you the advice to talk to your lawyer, as Ms. Saxton
is very able to address such things.

Okay, Bagley-Keene applies immediately as soon as you’ve been appointed. So, you were subject to Bagley-Keene even before you took the oath this morning. The whole idea about that is so that in certain bodies that appointees don’t have meetings with holdover members, you know, and create some mischief that way.

You should have each received your own copy of Bagley-Keene, which I’m sure you’ve all read through and made notes, put sticky notes on.

Okay. That was my high-level overview of Bagley-Keene. If you have questions about this presentation, you can send those to me through counsel, or just your counsel, Amanda Saxton, she knows this as well as I do, so you can just ask her directly.

MS. SAXTON: On the question about the 14 days, Chris is correct there’s 14 days with respect to maps. But there are also the 14 days for public notice of a meeting that applies to, as you pointed out, Commissioner, the full Commission. Right now, ten days for the first eight.

The 14 I think Chris was referring to has to do with how long maps, your preliminary maps will be displayed for public comment, and so that’s what I think he was referring to.

MR. DAWSON: Okay, yes.
MS. SAXTON: Does that answer your question?

MR. DAWSON: I’m sorry, go ahead.

CHAIR ANDERSEN: I thought -- wait, wait, so the eight Commissioners right now, for any of our meetings, our notice time frame is ten days.

MS. SAXTON: Correct.

MR. DAWSON: Correct.

CHAIR ANDERSEN: For the full Commission, let’s say it’s just general we’re going to get together, you know, not a specific we’re drawing maps right now, is that a 14-day notice?

MS. SAXTON: Correct.

CHAIR ANDERSEN: So it is. Any of the Commission is a 14-day notice, and then the maps also must be out for 14 days.

MS. SAXTON: That has to do with displaying for public comment.

CHAIR ANDERSEN: Right.

MS. SAXTON: And that’s something you will get to once you become the full Commission and you get your training on map drawing, et cetera. But that’s where the 14 came from.

But it’s 10 days’ notice for public agenda for the first eight, and then it will become 14 once you are the full Commission.
CHAIR ANDERSEN: The full Commission got it.

MR. DAWSON: All right, thank you for the clarification, Ms. Saxton.

With the Chair’s permission, would now be a time to go to public comment?

CHAIR ANDERSEN: Yes, I was going to say if we could make the announcement, please, of the details of the call in. It’s time for public comment, we’re inviting you.

MS. SAXTON: If you’d like to make public comment regarding the training on Bagley-Keene, you may now dial 844-291-5495. Again that’s 844-291-5495. And the access code is 8121803. That’s 8121803. Or you can reach the meeting through using the title, which is the training meeting for the first eight Commissioners.

When the operator asks for your name, you may either provide your own name or a name other than your own. Please spell the name and give your affiliation.

And again, one more time that’s 844-291-5495.

CHAIR ANDERSEN: Thank you. I’ll go ahead and ask if we happen to have any people waiting on line, otherwise we’ll give them a couple of minutes to call in.

PHONE OPERATOR: You might want to give them a minute to call in because I don’t currently have anybody connected.

CHAIR ANDERSEN: Thank you.
Any comments or questions by the Commission?

Commissioners?

(Pause)

CHAIR ANDERSEN: That was a minute. Do we happen to have anyone on line, any callers?

PHONE OPERATOR: Not at this time.

CHAIR ANDERSEN: I think I’d like to continue on. We can always pause for a minute. Because I do have a question.

The next item we’re going into would be one of the training videos. And I know we have a 90-minute requirement before we must take a break. Would we be breaking in the middle of one of those or --

MS. SAXTON: That may be the case. We will be timing it and we’ll let you know when we hit close, if that works for you.

CHAIR ANDERSEN: Okay, thank you.

MR. DAWSON: Okay. Well, if there are no further questions or public comments, then I would just like to thank the first eight. Like I said, it was my great pleasure to sit in on each of your interviews and I know that this is a group that will make California proud, and serve its citizens well. So, thank you.

CHAIR ANDERSEN: Thank you, Mr. Dawson. I think we all here say thank you for all your hard work.
So, on that I believe we’ll move on to Item 8, which is the recorded training sessions. Starting with, I believe, the training video, “California’s Diverse Demographics and Geography” with, I believe, Eric McGhee.

And so, I will turn this over to whom?

MS. SAXTON: I will go ahead and take it from here.

CHAIR ANDERSEN: Thank you very much.

MS. SAXTON: I just wanted to state, before you begin this prerecorded training, that the training you’ll have at this meeting, in general, is intended to acquaint you with the concepts, as we’ve talked about, that apply to the work you’ll be doing to select the first eight [sic]. It’s not intended to inform your later redistricting work. It’s not legal opinion -- I mean, excuse me, legal advice. This particular prerecorded training you’re about to watch is more of a discussion about redistricting rules generally, including mentioning some rules that don’t apply in California, but may apply elsewhere.

For instance, about halfway in, the presenter talks about whether you count citizens or residents. Some states do it differently, but here in California the 9th Circuit has told us that we count residents, not just citizens of California.

Later, about an hour in, the presenter talks
about aspirational goals, such as competiveness of districts. This, too, is not what California law requires. So, as you go into the training video, focus on the concepts and the different kinds of diversity that we have here, and not the law, for instance in this case that is discussed, because like it’s an academic, higher level. Once you are your fully formed Commission, you will have training that explores far more in-depth of California law. Okay.

CHAIR ANDERSEN: Oh, yes, reporter, thank you very much. We are working on that. The tech is.

(Video titled: “California’s Diverse Demographics and Geography played.”

CHAIR ANDERSEN: Could I get a pause here?

(Video continues to play)

(Video paused)

CHAIR ANDERSEN: Than you. I’m concerned that we’re up against the 90-minute criteria for our interpreters and I think I’d like to take a -- I’m not sure how long, if they need a 10-minute break. Oh, okay.

MS. SAXTON: Fifteen.

CHAIR ANDERSEN: Fifteen minutes. So, we’ll need to -- I know it’s not -- let’s see, I have 13 after, so -- well, I don’t know if we can actually say. Let’s try to cut it so we’re starting right on at 3:30, because we still
have this and then we’ll discuss how much more, how long we’ll be continuing. But we need to take a break right now for our interpreters. So, I’d like to put this on a recess, and meet back at 3:30.

(Off the record at 3:14 p.m.)
(On the record at 3:29 p.m.)

CHAIR ANDERSEN: Everybody, if we could please continue on this training. Thank you. We’ll resume.

(Videoresumed)

CHAIR ANDERSEN: Okay, thank you very much. Since this is all number 8, should we just continue?

MS. SAXTON: I did want to make one comment, if I may. I just wanted to reiterate what was said before this training began that the training for this meeting is intended to acquaint the first eight with the concepts that you’re going to apply in your selection process. It’s not intended to inform your later redistricting work. It’s not intended to be a legal opinion. And to just be mindful that the trainer mostly was discussing redistricting in general. For instance, talking about whether you count citizens or residents. In California, we count residents. It’s not just citizens.

And he also mentioned aspirational goals such as competitiveness of districts and this, too, is not what California requires. So, I just wanted to state that
again. Thank you.

CHAIR ANDERSEN: Also, I would like to say remember these presentations occurred before COVID hit, so a lot of the things that he was talking about that they’re doing this, and this, and this didn’t actually happen as far as the Census. So, we’ll get to hear more about that later.

So, I guess we’ll --

VICE CHAIR TURNER: Madam Chair, I’d just like to make a quick comment in regards to the training, in case it’s helpful for the next video. Or if not, maybe over the break. Some of the slides are a little blurry and difficult to read, and the speaker set at volume trails off at the end. And so, it does make it more difficult on Zoom. So if, indeed, there’s a way that the volume can be increased and just to maybe check the sharpness or the size of the slides as well would be helpful for me.

CHAIR ANDERSEN: Thank you. It did trail off, all of it did trail off, and I don’t think there’s anything we can kind of do with that other than artificially turn it up.

You should be able to print out those slides, if that helps. If you can get the material, you can hopefully print it out, and sometimes that’s a little more clear. Because, yes, I know when it gets small it becomes quite
blurry. So, I don’t know if I have any other --

MS. SAXTON: Just a quick announcement, if it
pleases the Chair. The slides from the presentations are
now being posted on our website. So, those that are
zooming in can retrieve them that way, if it’s easier to
see. And they’re available to the public as well.

CHAIR ANDERSEN: Thank you very much.

On that, I believe we’ll continue with the next
training video, Commissioner Experience from Angelo

(Video titled: “Commissioner Experience”
played.)

(Video paused)

(Video resumed)

CHAIR ANDERSEN: All right, a minute, we’re
trying to turn that up.

(Video resumed)

(Video paused)

CHAIR ANDERSEN: We’ve got 15 minutes left. I
think we’re right at 90 for the transcribers, is that
correct? And I hate to -- you know, we’re almost sort of
at the end, but then we would --

(Off-mic comment)

CHAIR ANDERSEN: Would that be acceptable for the
transcribers?

MS. SAXTON: That’s the end of that presentation.
I believe what you’re discussing is the length of the tape that goes on to capture the rest of that particular meeting.

CHAIR ANDERSEN: Oh, it is.

(Off-mic comment)

MS. SAXTON: We’re done with that presentation.

CHAIR ANDERSEN: Okay. So, was there any benefit in hearing their questions or --

MS. SAXTON: I’m sorry, I didn’t hear you?

CHAIR ANDERSEN: I’m sorry. Was there any benefit to hearing their questions, answers, or I don’t recall? You know, I know if we do take a break, and if there’s 15 minutes left, you also I believe have to allow for public comment.

MS. SAXTON: There is a portion of the video that has questions and answers. I think probably, though, that it’s available on line to watch those questions and answers, if you’d like to. We could play it here. But then, each person on their own could look and see if in the interest of time you’d like to move on.

CHAIR ANDERSEN: And that is -- we will be getting similar training when everyone gets together. So, this is more of, you know, for our eight.

I’m inclined, if it’s all right with the transcribers to move ahead.
(Off-mic comment)

CHAIR ANDERSEN: Okay, then I think we should go ahead and move since it’s, you know, quarter to 5:00. We’re already 15 minutes over, I would like to continue.

MS. SAXTON: If it pleases the Chair, you can recess until tomorrow and just pick up and continue with the next trainings.

CHAIR ANDERSEN: Can we do that with public comment? I don’t know if that’s proper protocol.

MS. SAXTON: I would recommend taking the public comment for this now, so that it’s close in time and if there’s anybody queued and waiting.

CHAIR ANDERSEN: Yes.

MS. SAXTON: If that makes sense.

CHAIR ANDERSEN: If you’d invite the public comment at this time, if you could please read the instructions.

MS. SAXTON: We are taking public comment at this time on the trainings, that’s Agenda Number 8, and that is “California’s Diverse Demographics and Geography” and also “Commissioner Experience”, Angelo Ancheta.

If you’d like to make a comment on these agenda items, please call 844-291-5495. That’s 844-291-5495. The access code is 8121803. Again that’s 8121803. Or, the name of the meeting, which is the training meeting of the
first eight Commissioners.

You’ll be asked to give your name. You may either provide your own name or a name other than your own, such as anonymous. And please be prepared to spell your name and give any affiliation.

CHAIR ANDERSEN: Thank you. Do we happen to have anyone in the queue at this time?

PHONE OPERATOR: No, we have no one in queue over the phone lines.

CHAIR ANDERSEN: I believe we might wait a minute.

MS. SAXTON: Yes, I suggest we wait three minutes to see if anyone enters the queue.

If it pleases the Chair, I want to reiterate, you know, again the trainings are to introduce concepts. They aren’t applicable on a one-to-one basis with your work. They’re not legal advice.

But Mr. Ancheta provided some very useful ideas for your work. It’s not identical. You can’t just cut and paste it. But it’s similar in that the 2010 Commission was looking to achieve balance and that’s something that was a theme today with the balance. So, hopefully, that was a helpful training in that respect to get that overview from him.

CHAIR ANDERSEN: Well, we could possibly, since
it is about 10 minutes, 15 minutes, we could -- if we have no public comment, we could possibly either roll that back or -- if we get no public comment, would people be game to just go ahead and finish it tonight? It would be another 15 minutes.

MS. SAXTON: You mean to just listen to the question and answer?

CHAIR ANDERSEN: The question and answer period.

MS. SAXTON: I think that's a fine idea.

COMMISSIONER LE MONS: Madam Commissioner?

CHAIR ANDERSEN: Yes?

COMMISSIONER LE MONS: I prefer to listen to the Q&A on my own time, if I'm interested in that. I think I got the overview of what was presented and the intent of the training. That's just me, personally.

CHAIR ANDERSEN: Thank you, Commissioner Le Mons. Anyone else on that? We're sort of killing a little bit of time here in case we have anyone on the public comment, so anyone who is calling in.

Does anyone on the same thought or --

VICE CHAIR TURNER: Yes, I have the same thought, Madam Chair.

CHAIR ANDERSEN: I do have a question about listening to that. Do we have to -- can we just, you know, got back or (inaudible) --
MS. SAXTON: It’s posted on the website and you should be able to --

CHAIR ANDERSEN: Advance it?

MS. SAXTON: -- advance and rewind.

CHAIR ANDERSEN: Okay. Do we happen to have anyone on the line at this time?

PHONE OPERATOR: We have no callers on the phone lines.

CHAIR ANDERSEN: Well, I think at this point I’d like to say, I will propose that we conclude the meeting. Do we have a motion or I mean do we want to -- or should we go ahead and --

MS. SAXTON: As the Chair, you can say --

CHAIR ANDERSEN: Yes, I’d like to take some comments.

MS. SAXTON: I think you just recess.

CHAIR ANDERSEN: Pardon.

MS. SAXTON: We just recess.

CHAIR ANDERSEN: I’m sorry, yes, we would be recessing, we would not adjourn the meeting.

MS. SAXTON: Correct. And you can just recess the meeting.

CHAIR ANDERSEN: All right, without a vote, okay. Given that we’re 15 minutes late and we have two Commissioners who would prefer to watch that online, I
think we might just -- unless would someone really like to
watch that now?

COMMISSIONER AHMAD: I think, from my
understanding, it’s not a requirement to watch the Q&A
portion, and it was more for the professional training
presentations. So, I think if folks have time on their own
time to watch it, it would be okay.

CHAIR ANDERSEN: Okay.

COMMISSIONER AHMAD: But I don’t see it be a cut
and paste kind of solution.

CHAIR ANDERSEN: Thank you, Commissioner Ahmad.
Is that also correct, that’s my interpretation as
well?

MS. SAXTON: Yes, you’ve received your training
on that subject.

CHAIR ANDERSEN: Great. Well, at that point I
believe I would like to call the meeting into recess until
tomorrow morning at 9:30, the same place. Thank you very
much, everyone.

(Thereupon, the Applicant Review Panel meeting
recessed at 4:53 p.m.)
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.

[Signature]

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.

______________________________  August 11, 2020
MARTHA L. NELSON, CERT**367