

CANNABIS CONTROL COMMISSION

September 22, 2022

In-Person with Remote Participation via Microsoft Teams

EXECUTIVE SESSION MEETING MINUTES

Documents:

- 20220916 Draft Charter V9
- Draft CCC Secretary Responsibilities
- Draft CCC Treasurer Role
- CCC Executive Director Job Description
- ABCC Co-Chair Job Description
- ABCC Chairman Job Description
- Budget Calendar for CCC Charter

In Attendance:

- Chair Shannon O'Brien
- Commissioner Nurys Camargo
- Commissioner Ava Callender Concepcion
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins
- Executive Director Shawn Collins
- Paralegal Sabiel Rodriguez
- Mediator Susan Podziba

Minutes:

I. Call to Order

- The Chair called the executive session to order.
- Commissioner Roy moved to open the executive session.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes



- Chair O'Brien – Yes
- The Commission unanimously approved the motion to open the executive session.

II. Discussion – Mediation Regarding Commission Governance, G.L. c. 233, § 23C, and public records not subject to disclosure under G.L. c. 4, § 7 (26).

- Mediator Susan Podziba (Mediator Podziba) reviewed the agenda and work completed since the last executive session. She discussed the revised draft Charter language for all issues and asked whether any changes needed to be made to the “Background” section. The Chair cited when the Roberts Rules of Order (RROO) appeared in a Charter section. Executive Director Shawn Collins (ED) explained that certain COVID measures were extended to March. He and Mediator Podziba noted that three Commissioners constituted a quorum. The Chair considered adding language. The ED opined that quorum rules were expressly written into the statute. The ED offered a citation and Mediator Podziba summarized the changes discussed.
- Mediator Podziba asked whether changes were required under the “Roles and Responsibilities” section, noting that Roles and Responsibilities No. 2(a) was added, and she also asked if language should be added to No. 2(g). The Chair noted that No. 2(g) incorporated community outreach and proposed language. The need for articulation of boundaries was discussed, particularly when for example, a Commissioner engaged in outreach, then was called to rule on a licensing matter for someone they had engaged. Mediator Podziba noted that this topic was raised at the last meeting and explained the reasoning for the draft.
- Commissioner Stebbins discussed No. 4(d) and Commissioner’s responsibilities in that section. The Chair noted the tension in the section and Commissioner Roy, Commissioner Concepcion, and Mediator Podziba offered draft language. The Chair explained that she believed the Commission’s independence did not mean they could do whatever they wanted, and in response, Commissioner Camargo clarified her prior comment and discussed the necessity of understanding boundaries. The Chair asked about the role of quorum in the process and the conflicts that could arise if three Commissioners were at an event together. Mediator Podziba recalled that she had a discussion with the Chief of Investigations and Enforcement about this type of issue.
- As discussions proceeded, the importance of conducting the meetings with stakeholders properly was emphasized, and also that constituent requests were made via emails, or a speaker request form. Commissioner Roy provided examples of safeguards they could put into place to protect themselves and the process. She emphasized that if whoever she was meeting with had a business currently in front of the Commission, she would not talk about it. She added she also asks if they met with any other Commissioners and only talks about the industry as a whole and not about residency. Commissioner Concepcion added she had a similar way of operating when it came to talking about individual licenses and only talking about issues or policy concerns. She added when someone is requesting a meeting, and they are a licensee or potential licensee then she would flag it with the enforcement team. She mentioned that she will also bring in some of the staff to run interference. Commissioner Stebbins added the helpfulness to have another Commission staffer on the call to make sure they hear what he hears. He added that when



he goes on a site where he's been asked to go on a site visit, he wouldn't do anything until investigations gave him a clear. Mediator Podziba relayed the next mediation steps and discussed bringing staff into the conversation and the benefits of staff attending these meetings was observed.

- The Chair noted the importance of the regulatory work and her concern with perceived bias. Commissioner Concepcion requested guidance on when Commissioner should recuse themselves. The Chair noted her past experiences interacting with the Ethics Commission and her desire for further guidance for regulatory agencies. Commissioner Concepcion recommended creating a standard for recusals. Mediator Podziba agreed and proposed reviewing laws and procedures. The ED explained a financial or a perceived conflict was the standard for analyzing recusals. The Chair commented that they would want to file a disclosure if there was an appearance of a conflict of interest. The Chair requested that engagement should be included, and that the topic was a secondary priority compared to regulating the industry. Commissioner Roy explained that engagement helped to form policy. Commissioner Stebbins noted the difference between engagement and outreach. Commissioner Concepcion mentioned the public comment period and the work that went in the DIA report. Commissioner Stebbins described the role that enforcement staff should play in the process. Mediator Podziba tabled the issue and proposed that they needed to obtain advice from the staff.
- Mediator Podziba asked for feedback on the topic of the Chair as the Commission's spokesperson. Commissioner Stebbins considered moving the topic to another section. The Chair discussed adding a Vice Chair or appointing the Secretary as the interim chair to sit in the Chair's absence; she also cited the statute and how she viewed the Chair's role. The ensuing discussion involved considerations of when the ED or a staff member should speak, in lieu of the Chair, particularly in emergency situations and Mediator Podziba gave hypotheticals. Commissioner Camargo mentioned past instances where the Chair was not the appropriate person to speak on behalf of the Commission. The Chair mentioned the importance of adding clarity. Commissioner Roy suggested the Chair being the spokesperson but only with official language from the Commission. The ED added that any Commissioner should be bound by Commission policy. He also provided insight into the division of policy versus administration when Commissioners or the ED should speak on a matter. Commissioner Concepcion also mentioned the concern of the Chair offering an opinion that was not the consensus among the Commission. In terms of where this issue should be set forth in the Charter, Mediator Podziba suggested the "External Communications" section. Mediator Podziba asked if, for example, the ED appropriately would serve as the spokesperson if they expected to investigate a matter thoroughly. The Chair added the ED would not be in an adjudicatory role. Mediator Podziba asked if there were scenario where the Chair needed to be the official spokesperson. The Chair felt that the Commission should speak with one voice and noted the unusual nature of the Commission's structure. Commissioner Stebbins agreed with that approach and reiterated his point of what needs to be in the Charter versus what needs to be a communication strategy. Commissioner Roy suggested including language related to not communicating with a licensee under investigation. The Chair asked how the Commission handled policy disagreements and how to communicate policy



disagreements, particularly in the case of a split vote. Commissioner Concepcion stated that a policy is final once it is voted on and approved at a public meeting.

- Mediator Podziba stopped the conversation and requested they circle back to the agenda. She asked if it should be explicit in the Charter that the Chair have some role as a spokesperson on behalf of the Commissioners. Commissioner Stebbins noted that he believed it should be baked into the “Communications” section. Commissioner Roy explained how she handled speaking in the scrum when the majority voted against her position. Mediator Podziba asked if they wanted the statutory language listed as subsection No. 2(a) to be reflected in the Charter. The Commissioners agreed.
- Commissioner Stebbins mentioned No. 2(g) and noted the potential confrontation they are trying to avoid. The ED suggested that No. 2(a) should be kept the same as it was statutory language and noted possibly adding augmenting language. The Chair noted the need to work around the issues of statutory construction even. Mediator Podziba asked if No. 2(g) should be deleted. The ED spoke about his personal style of handling conflicts and added he would not always be in the ED role. He added the Chair had authority over how the Commission conducted business as a public body. In response, Mediator Podziba proposed new language. The ED stated what he wished to retain his list of responsibilities. Mediator Podziba explained that she wanted to differentiate between the five Commissioners and the Commission as a whole. Mediator Podziba noted that the Charter could help alleviate some of the rub and she mentioned adapting the statute to the needs of the Commission. The Chair expressed that she initially saw the Cannabis Control Commission functioning as a board and not being administrative in nature; more focused on policy and adjudication and less on the day-to-day operations of the executive administration.
- Commissioner Roy noted that they should be planning for worst-case scenarios. Mediator Podziba said that for conversation’s sake they should focus on a Chair functioning in a healthy way and then they could look into necessary protections. Commissioner Stebbins commented on the statute regarding division of work and added that the ED should have the responsibility for the administrative functions of the Commission. Commissioner Roy noted Open Meeting Law (OML) implications of having the ED function as a traffic cop. The Chair mentioned her previous experience and opined about the Commission’s unique structure and how it functioned. She asked how they could have a little bit more of a traffic cop approach, while allowing people to do what they want to do and where their passions are. Mediator Podziba added it would prevent a Chair from punishing people by not allowing them to work on what they want.
- The Chair proposed some added language. The ED noted the role of the Cannabis Advisory Board (CAB) and why he recommended that Commissioners be a liaison to subcommittees. He added that the Commission is unlike other boards because they were full-time paid employees. Mediator Podziba asked if the Commission would be comfortable with the Chair delegating roles on a subcommittee of the CAB. Mediator Podziba asked if the Charter should address the Chair’s soliciting interest in liaising to subcommittees of the CAB. Mediator Podziba asked what the determination was for Commissioners to be invited into a working group, and if the Chair or the ED had a role.



- The ED explained that he was working to develop a list of working groups. The group then considered whether the Chair should determine what working groups Commissioners are a part of, or not; and was it advisable/inadvisable that advisory boards should be dictated by the Chair. Commissioner Camargo mentioned she would like to know the list of what the working groups are first before determining. She also added she did not believe it was up to the Chair's role and they independently all decide what working groups they want to be a part of. She added she did not see the advisory board was the Chair's role either. Commissioner Concepcion related her previous experience with a Chair dictating working groups and noted the need to get to a better place. Commissioner Camargo expressed her thoughts about division of work as an independent Commissioner, while still trying to be part of one voice at the Commission. She also discussed the differences between working groups and subcommittees.
- Commissioner Stebbins asked if the Chair should be mandated to assign work to Commissioners in a public meeting. The Chair asked if there was a way to abide by the OML and still collaborate. Mediator Podziba felt that it was a question for the General Counsel (GC) and noted the OML was very unusual for mediation. The Chair noted they were somewhat boxed in but wanted to expand the box to gain trust and expand communication. Commissioner Camargo explained that this was only the fifth meeting and that it was a long process. She opined that the Chair could form a working group to figure out how to expand the box to gain trust and communication.
- Mediator Podziba stated that she heard two proposals: (1) that the Chair determined, after consultation with others, who would serve on which working group, and (2) that the Chair determined who was on which working group that related to operations, but the Commissioners determine or propose working groups based on their own interests (apart from the Chair). Commissioner Roy suggested that there should be a delineation between internal and external working groups. The Chair questioned if multiple Commissioners working on the same thing could potentially invoke a quorum issue. Commissioner Stebbins noted OML considerations in this process. Mediator Podziba raised the issue of how the Chair should act in the situations where multiple Commissioners want to work on the same issue. Commissioner Camargo asked how such an approach would be related to regulations.
- The ED noted his anxiety around the creation of working groups and how broad or general they were going to be because of expectations. He added that if there was going to be public discussions about working groups, there could be a possibility of mundane things that they need to get done with the ED's discretion and noted the need to find that Roy asked if the Commissioners could go into executive session at any time during public meetings for sensitive topics. The ED explained that they could within the appropriate circumstances and notice requirements.
- Commissioner Concepcion asked how the working group would function in a public meeting setting. Mediator Podziba provided a hypothetical on how the process would work with agenda items on subjects like billboards for example, and then perhaps going into executive session for further discussions if needed.
- Mediator Podziba provided further clarification on working group related issues, and that she wished to table the discussion. She explained that she would write up suggested



language on this topic because this appeared to be a core issue. The implications of having those types of discussions in public was discussed. Mediator Podziba noted Commissioner Stebbins' proposal to have working group discussions in a public meeting. Commissioner Stebbins noted their individual responsibility to understand what should not be public. He added that they should allow the Chair the discretion to set the agenda and the other Commissioners, and the ED could weigh in on the agenda.

The Commission took a short recess.

- Commissioner Stebbins gave an overview of the role of the Commission Secretary and noted the reasoning behind his draft of the job description. Commissioner Camargo said that she appreciated the level of detail in the Charter.
- In reference to tax rates, Commissioner Stebbins stated that in the statute there was a review of the tax rate and implications and if they have questions or concerns about it, they can submit a report with the legislature. The ED mentioned they were not obligated to submit one, but they have the ability to evaluate and explained the process. Mediator Podziba proposed language for tax rates and tax implications.
- The ED mentioned public records request (PRR) implications and the volume of PRRs received by the Commission. Commissioner Stebbins noted statutory requirements and timelines. Mediator Podziba and Commissioner Stebbins proposed language. Commissioner Roy proposed language for both the Treasurer and the Secretary around reporting to the Commission.
- Commissioner Roy asked a question related to the minutes of the CAB meetings. The ED stated that they are governed by the OML. He explained that while minutes are taken by CAB members, he cannot speak on the accuracy of minutes because the Commission did not have oversight of the meetings. The ED stated that it was the CAB Chair's responsibility for taking minutes at those meetings. The ED clarified that the Commissioners do not get to vote on the minutes if they were misquoted and they would not have the ability to change or rectify them.
- Commissioner Camargo gave an overview of the role of the Commission Treasurer and noted the reasoning behind her draft of the job description. Commissioner Stebbins asked a clarifying question related to the fourth bullet and how it related to the recent legislative changes. Commissioner Camargo noted that the role should serve as extra eyes on the regulatory process and the role of the Chief Financial Accounting Officer (CFAO). The ED noted that budget discussions were discussed in the department head meetings. Commissioner Stebbins noted the difference between budget development and the cost assessment of the Commission's operations. Mediator Podziba proposed language. Commissioner Camargo noted the regulatory process was going to have an impact internally and on the industry. Commissioner Concepcion noted that she saw it as two different analyses and processes. Commissioner Stebbins noted his preference would be to focus on the operational cost for the Commission for these regulatory changes. He also noted the small business impact statement was supposed to anticipate and added that was more of the formal part of the promulgation of regulations. The ED noted his previous



comments related to how the process had worked in the past and noted the benefit of considering fiscal implications of regulatory change. Commissioner Roy noted the massive undertaking of doing fiscal impact assessments of all regulatory changes. Commissioner Camargo stated she envisioned it as the Treasurer having the responsibility to figure it out with the CFAO and the ED.

- Commissioner Roy raised the issue of whether the Treasurer should be involved in the procurement management team (PMT); the ED did not think that the Treasurer should be involved. The Chair noted her worry of putting too much detail in the role, i.e., the Treasurer is not the CFAO of the Commission. The ED saw the Treasurer's role as a check on the finance staff. Commissioner Camargo explained the reasoning behind adding the level of detail on the process. The ED noted a change to the second bullet. Commissioner Concepcion asked a clarifying question related to the third bullet regarding a budget director. Commissioner Roy commented that the fifth bullet sounded redundant. The ED mentioned reallocating resources and working with the Treasurer to come back to the Commission. Commissioner Camargo and Mediator Podziba provided proposed language regarding the fifth bullet. Mediator Podziba suggested adding that if changes are proposed to the ED's goals, then provide the Commission with information on expected related costs. Commissioner Camargo noted that it was in the job function of the CFAO to provide that and the Treasurer could provide oversight. Mediator Podziba provided further proposed process regarding developing information, or just conveying information and the Treasurer operating in a "stop and think" role. Commissioner Camargo noted that she had full confidence in the current CFAO but that in the future someone else might be filling the role. Proposed language should emphasize working in conjunction with the CFAO. The ED noted that someone at the Commission level should be responsible for the financial aspect.
- The EVALI emergency was discussed in terms of its cost and how it came into being.
- Mediator Podziba went on to the next bullet and Commissioner Camargo noted the context behind the bullet. The ED stated that historically the Chair and the ED would testify before Ways and Means. The Chair suggested the Treasurer should prepare the Chair in advance of any testimony. Commissioner Camargo added that collaboration should occur with the CFAO and Government Affairs. Commissioner Concepcion stated that three of the bullets were mostly the same. Commissioner Camargo gave more explanation for the bullets and Mediator Podziba proposed language in this area. The option for producing a Treasurer's report at a public meeting was discussed. Commissioner Camargo suggested more transparency on their budget, and that the process could result in quarterly basis reviews, through the CFAO reports. Commissioner Stebbins discussed an end of year close-out, and midyear progress report. The ED recommended that the last and first bullet could be merged.
- Commissioner Roy asked about the (1) three-line items and the operational budget, (2) the medical side and (3) public awareness, and whether they needed to speak to this due to different strategies. Commissioner Concepcion stated she felt there might need to be more of a conversation at the Commission level for some of that when talking about their



outreach strategy. She thought that was not relegated to just the Treasurer and it was more a Commission conversation, and Commissioner Camargo agreed. Commissioner Camargo said that she took the language from the Charter and explained her reasoning behind the language provided. In reference to the last bullet, the relation between the sponsor and the sponsoring process was discussed.

- Commissioner Concepcion opined that the Treasurer should be involved the budgetary process, but the ED disagreed. Commissioner Camargo noted the Commissioners had not been involved in the budget process. Commissioner Concepcion noted that the budget did not just stop there and referenced other legislative procedures where funding may be dispersed to agencies. Commissioner Camargo proposed that the conversation needed to be tabled and discussed further. Mediator Podziba noted it could be revised based on the discussion, and know it is not final due to being linked to issues that will be brought up with the budget. She then raised what the Treasurer's role and the other Commissioner's roles were in that legislative outreach on the budget. Commissioner Camargo and Commissioner Concepcion stated it was broader than just legislative outreach. Commissioner Concepcion added she understood advocating for something that was not in the budget could be conflicting. The Chair explained her role as an alternative spokesperson. Commissioner Roy noted that "strategy" could have different meanings.
- Mediator Podziba mentioned her prior understanding, regarding the creation of a budget and (aligned with that and concurrent with that) the creation of a budget legislative strategy; both of those would be voted on together by the Commission, then acted on. Commissioner Concepcion noted that there was some cause of concern for using the legislative outreach policy for budgetary items and felt that the Treasurer should be more involved in the budgetary process. Commissioner Camargo cited the public awareness campaign and the necessity to figure out the budgetary process. Commissioner Concepcion noted that she believed that that could aligned with the regulated cycle and the way they operate. Commissioner Stebbins opined about the current budgetary process being aligned with the current budgeting outreach strategy. Mediator Podziba said that she will work on the budgetary process and proposed edits, then circle back.

The Commission took a short recess.

- Mediator Podziba gave an overview of the role of the ED and explained the reasoning behind her draft of the job description. The ED noted that Commissioners vote to adopt all job descriptions and that the ED's authority to hire staff was granted by statute. The ED introduced the possibility of creating new job positions. The ED mentioned that language was included to account for votes on responsible vendor training renewals.
- Commissioner Stebbins asked if they should include language related to the role of the Chair of the CAB. Commissioner Concepcion thought it should be referenced. Commissioner Stebbins noted that he would like to unpack (j). The Chair provided an example as to why she did not want to have to coordinate with the ED on all instances. The ED noted instances where questions are innocent and simple where someone would not need to coordinate with the ED and instances where its more complex and they do not



coordinate with the ED on Commissioner requests for information and staff support. The Chair noted that there needed to be a way for Commissioners to get a quick answer. She noted the need to create a process where the ED can be involved but where he may not slow down the process. The Chair asked if some of the work could be deputized to someone, who could alleviate some of the pressure of his job. Commissioner Concepcion noted a previous experience with the platform Slack. The ED noted the OML and PRR implications of such an approach.

- Mediator Podziba stated the question on the table was if the ED always coordinated staff responses to Commission requests for information and staff support, and if there are any other alternatives.
- Issues regarding obtaining quick answers to questions was addressed, particularly in being sensitive to not overburdening the ED as a funnel for such requests. The ED said he often had to become involved in the process when determining whom the request should be directed to, for instance.
- The ED explained that his goal was to give the Commissioners equal access to the same information. The Chair recommended that the ED come up with a structure that respected their need to get a faster than 48-hour response to a query. The ED spoke to why there was no set process, particularly given the relative complexity/lack of complexity in a query. Commissioner Camargo noted how hard the ED role was, and queried whether a Chief of Staff could alleviate this rub. Commissioner Concepcion asked if ego was playing a role. The ED agreed to some extent and provided an example of the risk of Commissioners getting upset with him for providing information to other Commissioners first. The ED noted that although there were instances where the current process worked, he admitted that it did not always work and elaborated that sharing information or being perceived as providing information too late was an issue. Commissioner Camargo observed that it was part of the culture that had been embedded at the Commission. Commissioner Concepcion noted that it was detrimental to the culture for the ED and Commissioners to be limited with information they are allowed to share. The Chair noted the OML and PRR implications of the process. She also reiterated that there needed to be a process for getting responses, and not necessarily answers, within a timely fashion. Commissioner Concepcion noted the implication that if she was having a conversation with a senior staff person, they would not be able to have a full conversation with her. The ED stated he would expect the senior staff member to give him a heads up when things come up. He added he needed the space to make decisions and recommendations to Commissioners. The Chair mentioned she wanted the ED to avoid “going around” each other. The ED stated he saw the value in staff having the ability to lean on Commissioners, in developing ideas, and being collaborative. Commissioner Concepcion asked a question related to the regulatory Commission identification process, and when Commissioners will receive information. The ED stated individual departments are identifying when it will be a discussion with Commissioners.
- Mediator Podziba stated that the discussion was very insightful and noted that the Chair had posed a question for the ED regarding what could make his and everyone’s life easier, while limiting the incentives to “go around” each other. She urged everyone to



take time and think about some nuances and ideas about certain scenarios. Commissioner Roy proposed an idea of presenting all the questions to the ED every Friday.

Commissioner Concepcion noted she was really concerned about this and that it spoke to the culture, as staff should feel free to speak with Commissioners freely. The ED added that staff have also sought protection from Commissioners. Commissioner Stebbins proposed determining what is a fact-finding communication, and what constitutes a policy communication. The ED stated he did not have a policy concerning check-ins for Commissioners with department heads.

- Commissioner Stebbins referenced No. 2(b), the OML, and added that he never went directly to the Chair to ask for an agenda item. The Chair stated that she does not have a preferred process or policy for adding an agenda item. Commissioner Roy proposed a policy for proposing topics and mentioned past policy regarding weekly check-ins with the Chair. The Chair wanted to set up individual meetings with Commissioners. Commissioner Camargo and Commissioner Stebbins mentioned why they developed the new process and described the policy. The ED mentioned they should all reach an agreement as a group before consulting with staff. Mediator Podziba stated they would figure that out in a later section. Commissioner Stebbins noted that he was comfortable with (b) but there needed to be review for OML implications. The ED noted he believed there was an allowance for agenda setting because the agenda is public information. Commissioner Stebbins stated the desire to protect against setting one's own rules. The Chair noted the statutory implications of the process and recommended they consult the GC. Commissioner Roy stated the last process did work overall. The ED noted there had been instances where the agenda was used as a weapon and a tug of war for authority.
- The Chair asked a question regarding whether No. 2(c) undermined the Chair's ability to set an agenda. Commissioner Camargo remarked about the built-in culture and how the CCC is unlike any Commission in the Commonwealth. The ED opined that (c) was a RROO reference. Mediator Podziba and Commissioner Stebbins proposed some language based on RROO. Commissioner Stebbins spoke about items being brought up, but not being able to vote on them. The Chair felt like this constituted getting around the public posting. The effect of 48-hour advance notice was raised, particularly in when votes may be taken or not taken. The ED added the Chair controlled discussion and debate and explained the process of suggesting if a Commissioner wanted to raise business, then they should wait a month. He added that they can ask that new business be put to a vote in a certain situation. Commissioner Stebbins suggested taking No.2(c) out, and maybe it was better referenced in "Agenda Setting". Commissioner Camargo touched on RROO and stated it was key to have it somewhere in the Charter. Mediator Podziba confirmed the new language with Commissioner Stebbins and where language should be moved. The Chair asked if items were automatically up for a vote during the next meeting. Commissioner Stebbins stated it was still the Chair who set the agenda for the next meeting. Commissioner Camargo asked Commissioner Stebbins if this was from RROO, and he stated this followed the Secretary of State's guidelines. The ED added it was governed by OML and RROO, and the Charter could not change those terms.



Commissioner Camargo asked if they should be taking language from the OML or the Secretary of the State. The ED stated he did not think the OML would be explicit about including an agenda item for new business. The ED stated that if an item was voted on to be included, then it would stay on the agenda.

- Mediator Podziba stated they had identified two items at this meeting that they need support on: (1) referencing OML and whether Commissioners can make proposals to the Chair for agenda items, and (2) regarding articulation of boundaries with respect to engagement with staff and the need to make sure there were bright lines with the potential of being an adjudicatory body. Commissioner Stebbins and the ED agreed to work on the first question and the ED agreed to work on the second question.
- Mediator Podziba went on to discuss outreach and consultation on the Charter by the staff. She asked if they had any opinions on which staff should look at the document to get input and feedback and if they wanted to show staff prior to finalizing to get feedback and to educate them. Commissioner Camargo emphasized the need to educate staff on the Charter. Mediator Podziba mentioned improving the culture by engaging staff on the critical document. The ED noted that he engaged staff by making them aware of the existence of a project. The ED commented that knew the mediation process has been going on for a while and their expectations. The Chair felt that the Charter was not fully baked and ready for staff review. She added she received good and concrete answers from the GC around the dichotomy between the Commissioners and employees. Mediator Podziba stated they would not implement anything now regarding staff interaction, but they would come up with a plan about who is involved and receive their feedback. She added the GC would need to go through the document for legal questions. The ED raised the possibility of bringing up the project during the upcoming all-staff meeting. Commissioner Concepcion noted the importance of circulating a preliminary Charter draft with staff. Commissioner Stebbins cautioned when talking with staff to not lose the confidential protection they had during executive session. The ED mentioned that culture had been a major topic with staff, and he wanted to reassure them that addressing Commission culture had not been abandoned. Commissioner Camargo emphasized how much work they had done to break barriers with staff.

III. Adjournment

- Commissioner Stebbins moved to adjourn the executive session.
- Commissioner Camargo seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
- The Commission unanimously approved the motion.

