

BEFORE THE  
CALIFORNIA SECRETARY OF STATE

Citizens Redistricting Commission

1500 11<sup>th</sup> Street  
Sacramento, CA

FRIDAY, JANUARY 21, 2011  
9:30 A.M.

Reported by:  
Peter Petty

APPEARANCES

MEMBERS PRESENT:

Peter Yao, Chair  
Cynthia Dai, Vice Chair  
Gabino T. Aguirre  
Vincent Barabba  
Maria Blanco  
Michelle Di Guilio  
Stanley Forbes  
Connie Galambos Malloy  
Lilbert "Gil" Ontai  
M. Andre Parvenu  
Jeanne Raya  
Michael Ward

MEMBERS ABSENT:

Elaine Kuo  
Jodie Filkins Webber

STAFF PRESENT:

Dan Claypool, Executive Director  
Raul Villanueva

SECRETARY OF STATE'S OFFICE STAFF:

Cy Rickards, Staff Counsel  
Anne Osborne, Staff Secretary  
Dora Mejia

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P R O C E E D I N G S

JANUARY 21, 2011 9:30 A.M.

CHAIRMAN YAO: All right, it's 9:30, Friday, January 21<sup>st</sup>. We are reconvening the Citizens Redistricting meeting. Could we have a roll call, please?

MS. OSBORNE: Commissioner Aguirre - Here; Commissioner Barraba - Here; Commissioner Blanco - Here; Commissioner Dai - Here; Commissioner Di Guilio - Here; Commissioner Filkins Webber - [Absent]; Commissioner Forbes - Here; Commissioner Galambos Malloy - Present; Commissioner Ontai - Here; Commissioner Parvenu - Here; Commissioner Raya - Here; Commissioner Ward - Here; Commissioner Yao - Present.

CHAIRMAN YAO: Let's take care of some of the loose ends from yesterday, then, before I share with you what I think what are the items that we have to take care of today. So, at this point, could I ask our attorney to clarify some of the questions that we have asked him from yesterday?

MR. RICKARDS: Well, there are just two that I wanted to address right now. One is the choosing of the new Commissioner. There is an outstanding question that was raised in public comment about whether we needed a super majority vote or a simple nine vote, and I haven't

1 had a chance to look at that, I will and get back to you  
2 on that. But there was another question yesterday about  
3 whether this regulation that talks about choosing a  
4 Commissioner had any effect on what pool we use. The  
5 regulation, which is 60863, outlines a detailed process  
6 to be used if we can't choose from the sub pool that  
7 we're looking at. So, we just can look at that sub pool  
8 and there is no problem in the regulation.

9           There was another question about whether the  
10 Dymally-Alatorre Act applies to the Commission. My  
11 answer is I'm not certain, but I don't think so, and let  
12 me explain. Initially, when it was brought up, I guess  
13 it was Commissioner Raya who looked it up, and the  
14 initial question was, are we a State agency. It says  
15 that it applies to State agencies, and State agencies is  
16 defined in Section 11000 of the Government Code, and we  
17 would be a State agency as defined in 11000 of the  
18 Government Code because it includes Commissions. The  
19 real key here is whether or not we are directly involved  
20 in furnishing information or providing services to the  
21 public and there is a provision that, for exemptions from  
22 this, if your primary mission does not involve  
23 responsibility for furnishing information or providing  
24 services, I would suggest that probably that would apply  
25 to us. That has nothing to do with whether you want to

1 provide these services for other reasons, but let me just  
2 say that what I'm telling you was based on my reading of  
3 the Act. I'm not sure how it applies and I can talk to  
4 Department Personnel Administration Lawyers and double-  
5 check with that, but I don't think we have any immediate  
6 requirement that we have to fulfill. Typically, this  
7 applies and is meant for those agencies who give  
8 information to the public, particularly when you have a  
9 right such as a license involved, or eligibility for  
10 services, or something of that nature, where the services  
11 intended for people can be denied them, or a license can  
12 be denied them simply because they can't understand what  
13 information they're supposed to provide, or what their  
14 categories are, how they are eligible or how they are  
15 not. So, I just wanted to pass that along to you and  
16 I'll take a look at the super majority requirement.  
17 Obviously, when you lose somebody from one party, then  
18 there is a greater chance if somebody was then so  
19 inclined to create a stalemate if you need a super  
20 majority, we may - you know, we may not even get to that.  
21 But I'll take a look at it and let you know.

22 VICE CHAIR DAI: And by "super majority," just  
23 for clarification, you need nine votes, then?

24 MR. RICKARDS: Well, not just nine votes, but  
25 nine votes, three, three, and three. And that's when I

1 say "super majority," that's what I'm referring to, and  
2 thank you very much because "super majority" tends to  
3 often mean something more than 50 percent; in this case,  
4 we always have to have more than 50 percent, but when I  
5 refer to "super," it's three, three and three.

6 COMMISSIONER BLANCO: So, just to close the loop  
7 on the Dymally-Alatorre, I didn't get a chance to do a  
8 lot of research, I just went and looked at the language  
9 more carefully and it's possible that we are not covered,  
10 our primary mission is not the type of agency that's  
11 mentioned in the Reg, but what concerned me was that it  
12 does talk about - when it talks about the furnishing of  
13 information or rendering of services, and then it gives  
14 examples, and it says, "providing public safety," it  
15 gives another series, and then it says "and in holding  
16 public hearings and engaging in any other State program  
17 or activity." That just gave me pause.

18 MR. RICKARDS: Right. I read that this morning.  
19 And then I moved to the end where you could get the  
20 exemption and that's what gave me a little more  
21 confidence that we weren't covered because, when I first  
22 read the passage that you just read, I thought, okay...  
23 But I think that, at least for now, the way I read the  
24 Act, even if we were a new agency providing service, we  
25 would not necessarily immediately have to do this. There

1 is a long process for evaluating what the needs are and  
2 actually how many people you do come in contact with, or  
3 deal with where there's a language issue. So, I think,  
4 for today, and for the immediate future, we're okay and  
5 we can look into that more. And then, as I said, you may  
6 choose to provide services, you may choose to provide  
7 interpreters, or some kind of language help depending on  
8 the particular meeting you may have. Clearly, there are  
9 some meetings when it wouldn't be applicable and there  
10 would be some meetings, hopefully, based on what you said  
11 yesterday, where you will be addressing an audience where  
12 there will be a language issue, and you will want to have  
13 that so that people can participate, and you can  
14 understand what their questions are.

15 COMMISSIONER BLANCO: Right.

16 CHAIRMAN YAO: Any questions? If not, the second  
17 item I would like to do is Commissioner Webber wasn't  
18 present yesterday with us, but she was on the phone,  
19 watching the video, and she basically spent a whole day  
20 with us, and she e-mailed me a comment that she would  
21 like to have read, so if I can ask Cynthia to read her e-  
22 mail to the Commission, that would be good.

23 VICE CHAIR DAI: Sure. This is regarding the  
24 possibility of having an Outreach Subcommittee. She  
25 says, "I would suggest the following: given the number of

1 Commissioners interested in participation and one way to  
2 possibly avoid Bagley-Keene, what if we consider breaking  
3 down the Outreach Subcommittee further to regional  
4 interests? For instance, I am the only Riverside County  
5 Commissioner and have lots of contacts in Southern  
6 California, for instance, Ontai and I could be the one  
7 sub-subcommittee for Inland Empire and San Diego  
8 Outreach. Maybe Raya and Aguirre could be Ventura, North  
9 L.A. County and the Valley, maybe Peter, Maria or Andre  
10 for Central L.A. Given that I work in Orange County, I  
11 would also be available for a subcom with Mike for Orange  
12 County and the Coast. Just one way we could break down  
13 the outreach subcommittee further to get more work done.  
14 Finally, one further thought, for a public hearing, I  
15 agree with Cynthia that no Outreach hearing should have a  
16 maximum limit for the number of Commissioners who wish to  
17 attend. I know finances are an issue, but one of the  
18 reasons we were selected is because we acknowledge the  
19 geographic diversity of the State. Andre can certainly  
20 add a lot to the outreach efforts in Northern California  
21 given his experience. Thank you for your consideration  
22 in my brief unexpected absence."

23 CHAIRMAN YAO: Thank you. I had earlier made the  
24 assumption that Jodie had written one e-mail, but the  
25 fact is, she wrote me an e-mail and it's on an additional

1 topic, so allow me at this point to read her second e-  
2 mails to the Commission. "If I heard correctly, you wish  
3 to be advised the members interested in subcommittees. I  
4 am interested in Legal and Outreach. Please convey to  
5 the Commission tomorrow in public hearing that I wish to  
6 express my strong suggestion that Riverside County be  
7 included as a meeting place for us in this pre-Census  
8 outreach. Riverside County is the third fastest growing  
9 county in the U.S. I have placed a phone call to the  
10 Director of Community Relations at the University of  
11 California at Riverside, and he is thrilled with the  
12 position to host a meeting in March. I will likely  
13 receive details tomorrow or Monday. Please note that I  
14 have asked that they host the event entirely and provide  
15 details regarding everything that Claremont is providing,  
16 including microphones, 150 plus security, dates in March.  
17 They would like to consider spring break time as there  
18 would be more flexibility for the rooms and parking, as  
19 the campus is overcrowded. So I think we should  
20 accommodate them, as well. Thank you."

21 All right, any additional announcements or  
22 comments at this point?

23 COMMISSIONER GALAMBOS MALLOY: Well, one thing we  
24 might want to note is that the Commission has not yet  
25 been provided the public comments. I think one of the

1 things we wanted to hear from the public regarding  
2 different outreach strategies and suggestions, so we hope  
3 to have those by, I believe, mid-day today.

4 CHAIRMAN YAO: And once we receive those, we  
5 probably should take a break maybe approximately five, 10  
6 minutes, to give us a chance to digest it, then, and take  
7 actions as appropriate. All right? All right, let me  
8 get to the right page and we can get going.

9 For today, I think we mainly have three items, or  
10 three agenda items to address. These are Items 3 on the  
11 Agenda, Commission Governance; Item 6 on the Agenda,  
12 which is Identify SOS support effort, update, and  
13 decision; and Item 7 [sic], Required Training.

14 First of all, on Item 6, SOS would like to  
15 address that first thing after lunch, so we'll start at  
16 1:00, 1:30, depending upon what time we break and take  
17 care of that particular item.

18 So let me just go to Item 7 [sic]. Item 7 [sic]  
19 is the required training that this Commission is to  
20 receive and I think the required training includes things  
21 like awareness of the sexual harassment issues, the  
22 Voting Rights Act information, as well as perhaps  
23 including inviting any of the advocacy groups to come  
24 before us to relay information that they have for us.  
25 So, all these go under the category, what I would call

1 "Required Training." Cynthia?

2 VICE CHAIR DAI: I would just clarify that is  
3 Item 10. Item 7 is for -

4 CHAIRMAN YAO: Oh, Item 10, my mistake. Thank  
5 you.

6 And then, Item 3, the first thing I think we need to do  
7 is to select the next Vice Chairperson because, in  
8 planning for the agenda for the February meeting,  
9 somebody needs to work with Cynthia, who is going to be  
10 the Chair for next week's meeting in preparing for the  
11 February agenda. That has to be posted by January 25<sup>th</sup>,  
12 if I'm not mistaken on the date. So, we need to appoint  
13 that person so we can satisfy that requirement. And  
14 then, a big part of Item 3 is we're going to hear from  
15 Executive Director Claypool on his plan, staffing plans.  
16 We probably need to have a little discussion on the  
17 mechanics, as well as the authorization limit, and so on.

18 Also, yesterday, we - maybe ahead of yesterday -  
19 received an offer of the use of facility by the  
20 California Legislators. We probably need to make a  
21 decision as to whether we should accept, or thank them  
22 and reject the offer. Also, I think we need to, for each  
23 of the subcommittees, to decide what's going to be on the  
24 agenda if we were to meet during our first meeting in  
25 February; again, the posting requirement for the agenda

1 necessitates us to have all that information next week.  
2 Probably, we will be cutting it away too tight in coming  
3 up with that agenda for the posting.

4           The last item I have on my list is the Outreach  
5 Subcommittee. Again, at this point in time, it appears  
6 that we have a lot of Commissioners that are interested  
7 in being on that Outreach Subcommittee. So, we need to  
8 discuss as to, a) options of breaking up into specific  
9 tasks and have multiple Outreach Committees, and/or doing  
10 away with the subcommittee concept and make it a total  
11 Commission effort. So, these are things that I have on  
12 my agenda for the balance of today. Anything I missed,  
13 Vice Chair Dai? Any comments? Any additions that any of  
14 the Commissioners want to add to the agenda?

15           COMMISSIONER WARD: I mentioned earlier this  
16 morning, just if we were going to have the opportunity  
17 with today's agenda to see where our office space and  
18 where staff facilities might be located, and what's  
19 available for them.

20           CHAIRMAN YAO: Dan?

21           MR. CLAYPOOL: Certainly. We can go at any time,  
22 it's a very short walk from here. If the Chairman will  
23 give us a time, we'll go take a look at it.

24           CHAIRMAN YAO: Do we all have an interest in  
25 taking a short walk over there?

1 MR. PARVENU: I certainly do.

2 CHAIRMAN YAO: All right, we'll make time today  
3 to get over there.

4 MR. PARVENU: Is it possible for us to adjourn  
5 around 4:00 and then take that time to walk over? I will  
6 not be present next week and I would like to see the  
7 office space if possible today at some point before we  
8 officially adjourn.

9 CHAIRMAN YAO: Thank you. You be the timekeeper  
10 and you remind me to break at 12:00. Thank you.

11 COMMISSIONER ONTAI: Peter, I do have a question.  
12 Since the office address, I believe, is temporary, I  
13 think, until we finalize a final address for ourselves,  
14 would business cards be appropriate at this time  
15 [inaudible]?

16 CHAIRMAN YAO: Is that information correct? The  
17 address is temporary?

18 MR. CLAYPOOL: No, we have that facility for, I  
19 believe, for at least a year. So we can make cards with  
20 those addresses, whatever we need to do.

21 VICE CHAIR DAI: And it is rent-free?

22 COMMISSIONER ONTAI: And it's rent-free. So I  
23 would highly recommend that each of the Commissioners  
24 have a business card stating our names, obviously, and  
25 the region that we're from.

1           VICE CHAIR DAI: I would just suggest that we're  
2 representing all of California, so I would avoid putting  
3 a region, but obviously our contact information.

4           COMMISSIONER BLANCO: I really agree with that.  
5 I mean, we go over the guidelines and the Regs, but at  
6 this point, we're doing this - we're not representing a  
7 region - I don't see myself as a regional representative.

8           CHAIRMAN YAO: All right, I think I sense a  
9 consensus that we all want business cards, and so that  
10 will be taken care of?

11          MR. CLAYPOOL: We're working on it. If I could  
12 just recap, so names, it is Commissioner - I would ask if  
13 you want to continue with the logo, the wedrawthelines  
14 logo? It's done, it's free, it's ours. Do we want that  
15 on the cards? Okay. And then telephone numbers?

16          VICE CHAIR DAI: We should have an office number  
17 as well as whatever number we want to have on our card.

18          MR. CLAYPOOL: Okay, so we'll have both the  
19 office number for over there and the card number. The  
20 only address I assume you would want would be *that*  
21 address on the cards, and then, as things come in, we  
22 will make sure that you get them. E-mail addresses? Do  
23 you want that? Do you want the CRC address? Okay. And  
24 the website. Is that it?

25          CHAIRMAN YAO: And, individually, we'll contact

1 you if we want our cell phone number on there.

2 MR. CLAYPOOL: Right. What I'm going to do is  
3 make sure that we can get all that on there. As soon as  
4 we have exactly the way it's going to lay out, then Anne  
5 and I will contact you or someone, and you can add that  
6 in, and then we'll get it off to the printers.

7 CHAIRMAN YAO: Thank you.

8 COMMISSIONER BLANCO: So, you mean the number  
9 that we did on our little contact list?

10 CHAIRMAN YAO: Negative.

11 COMMISSIONER BLANCO: Is that the phone number?

12 VICE CHAIR DAI: They'll check to see which phone  
13 number you want.

14 MR. CLAYPOOL: Yeah, we're not going to put any  
15 other number but the office number, except the number  
16 that you tell us once we submit the mock-up to you.

17 CHAIRMAN YAO: All right, any additional thought  
18 before we go directly into the Agenda topics?

19 **10. Discussion and action regarding future training.**

20 CHAIRMAN YAO: Item 10 is a pretty straightforward  
21 item. Let's see if we can knock that out quickly, the  
22 required training.

23 MR. CLAYPOOL: All right, so as I understood it  
24 from yesterday's meeting, you want the same training for the  
25 next six that the first eight received, and so I'm - is that

1 -

2 VICE CHAIR DAI: No.

3 CHAIRMAN YAO: No, sometime in December, I think we  
4 received a memo suggesting that each and every Commissioner  
5 shall receive the required training for State employees, or  
6 State Commissioners, and there was a list of at least two or  
7 three training courses that we - it was suggested that we are  
8 required to receive. And I wanted to make sure that we  
9 complete that requirement.

10 MR. CLAYPOOL: And that memo was authored, I  
11 assume, by the Bureau?

12 VICE CHAIR DAI: Yeah.

13 COMMISSIONER GALAMBOS MALLOY: My understanding was  
14 that the ethics training is available online, and I have not  
15 seen the link myself, so I don't know a lot about it, in that  
16 there was some suggestion regarding who should be the  
17 facilitator for the sexual harassment training. I think the  
18 BSA has someone that they've worked with before, so we were  
19 thinking that could be scheduled for one of our future  
20 Commission meetings.

21 MR. CLAYPOOL: That - okay, we can give that  
22 training either through the Bureau and contact them, or it  
23 can be done through the Secretary of State's Office. It will  
24 probably be more quicker to do it through the Secretary of  
25 State's Office because I know that, at least for the Sexual

1 Harassment individual that provides that training at the  
2 Bureau, that person is on contract with them, and we would  
3 have to try to arrange it. So, I would suggest that we  
4 arrange it through the Secretary of State's Office because -  
5 just out of expedience.

6 CHAIRMAN YAO: The recommend - at least, my thought  
7 is to try to get that out of the way as soon as possible, if  
8 we can make that happen next week, let's squeeze that in. If  
9 not, then during the February meeting. So, I can check off  
10 that box and not have to worry about it anymore.

11 MR. CLAYPOOL: We're just conferring as to  
12 agendizing it, the training.

13 CHAIRMAN YAO: I think training is on the agenda,  
14 it's just a matter of scheduling it.

15 MR. CLAYPOOL: All right, we'll look into it.

16 CHAIRMAN YAO: All right, and the other training  
17 topic that I thought maybe we need to spend a few minutes on  
18 is, as a Commission, we can invite any group to come in to  
19 either educate us, or inform us, on topics related to the  
20 redistricting. I think there exists a lot of information  
21 where we got to scholar studies, options, alternatives, as  
22 well as analysis, on the general topic of Redistricting. And  
23 I want to suggest that we identify all those advocacy groups  
24 or good government groups, and pick those that we want to  
25 receive that input and schedule that, again, as soon as

1 possible. So, any particular thoughts on that topic? Or any  
2 discussion as to how we should decide as to what we want to  
3 hear, what we do not want to hear?

4 VICE CHAIR DAI: I would just mention that we've  
5 already received an offer to help in any way they can from  
6 several nonpartisan 501(c)(3) organizations, including the  
7 NAACP, Asian Pacific American Legal Center, and MALDEF,  
8 Mexican-American Legal Defense Educational Fund, to do that  
9 kind of training about the Voting Rights Act, which I think  
10 is important that we get a lot of that thinking early on,  
11 since we all agree we need to deal with the pre-clearance  
12 issue first.

13 CHAIRMAN YAO: I also suspect that there are  
14 probably many professors out there teaching Redistricting as  
15 a topic that may be interested in educating this particular  
16 Commission. So, again, what process do you think we should  
17 follow in terms of deciding and scheduling these training  
18 sessions?

19 COMMISSIONER DI GIULIO: Is it possible to somehow  
20 set up a system where we could actually have a request for  
21 those individuals or organizations that would like to provide  
22 a training and not just a request, but for them to actually  
23 draw up - or to at least give us a summary of what kind of  
24 training they would like? It just seems to be that we might  
25 be able to identify some specific training, but at the same

1 time, there are probably groups and individuals that would  
2 like to speak, that would be nice, other than just a general  
3 invitation, but for them to tell us what they'd like to talk  
4 about, then we could make a better decision as to whether or  
5 not that fits within our agenda, as well.

6 COMMISSIONER BLANCO: Having missed some of the  
7 previous discussions, have we discussed what we think we need  
8 training on?

9 CHAIRMAN YAO: No.

10 COMMISSIONER BLANCO: No, not specifically, we just  
11 know that we think some training would be good, but we  
12 haven't sort of point-by-point decided what we - if not, I  
13 suggest we do that at some point. Since we're on that item,  
14 maybe we could talk about what we want because it may be  
15 different - it may not just be Voting Rights Act or Section -  
16 there may be other -

17 CHAIRMAN YAO: This is a good time to dive into  
18 that topic. Any thought on what training do we think we  
19 need?

20 COMMISSIONER PARVENU: I don't know if we,  
21 individually, will be using Maptitude, but I have some  
22 general familiarity with Maptitude, but I think there's a lot  
23 of technical skills and prowess that we're going to need to  
24 be at least familiar with, especially working with our  
25 consultants. So, I would be comfortable with each and every

1 one of us as Commissioners beginning to get a familiarity  
2 with that advanced software program.

3 VICE CHAIR DAI: Commissioner Parvenu, I just want  
4 to clarify that we have not made a decision on what software  
5 we're going to use, but appropriate training for whatever  
6 software we choose would be appropriate.

7 COMMISSIONER PARVENU: Yes, I stand corrected.  
8 Thank you.

9 COMMISSIONER FORBES: I know, I think I would like  
10 to personally have some training on the concept of what are  
11 communities of interest for the purposes of redistricting. I  
12 mean, we talk about we want to identify communities of  
13 interest, but you can come up with an endless number of  
14 communities of interest, depending on, you know, bridge  
15 players, or something, it could be anything. But I'm sure -  
16 well, I'm not sure, but I think - there is a probably things  
17 that have been used in other cases of defining what are  
18 communities of interest for purposes of drawing new lines.  
19 So, if we could have either stuff to read up on that, or have  
20 a presentation on that, it would be helpful for me as we go  
21 out and before we actually go out and do our outreach.

22 COMMISSIONER GALAMBOS MALLOY: In December, we also  
23 received a very basic overview of the Voting Rights Act, but  
24 I would really like to have a more in-depth review for all  
25 the Commission; granted, we will probably have some legal

1 counsel that will be kind of the front line on that, but I  
2 think we all need to have a basic framework for that.

3 COMMISSIONER BARRABA: Mr. Chairman, I would  
4 suggest we might want to review what is on the statewide  
5 database, there are several reports that are focused exactly  
6 on what we're talking about, and the State of California has  
7 already paid for a lot of that. So it might be that we could  
8 just review what has already been studied, and then get some  
9 participation from the statewide database to provide that to  
10 us since they not only have written about it, but they've  
11 actually applied it. And so we could get through that much  
12 faster in that manner.

13 COMMISSIONER BLANCO: When there was initial  
14 training on the Voting Rights Act in, I guess, December, did  
15 they go through sort of a mock example of how you balance all  
16 these different things, like a case study?

17 COMMISSIONER BARRABA: Not in great detail, but on  
18 their website, there is a lot of discussion -

19 CHAIRMAN YAO: I believe that presentation is still  
20 available on the wedrawthelines website. Is that correct?

21 COMMISSIONER BLANCO: Yeah, it is. I've looked at  
22 it, yeah. I mean, the reason I ask that is that I think that  
23 - where this will get complicated is, we can say we think we  
24 understand communities of interest, and I agree that that is  
25 a key thing for us to figure out very soon, and unfortunately

1 there's a lot of different ways that people interpret it.  
2 But, you know, we should - but one of the major things that  
3 comes up in these situations is how do you balance the  
4 different criteria that Prop. 11 sets out? You know, we're  
5 going to come to a point where we're going to say, if we  
6 follow, you know, if we prioritize the Voting Rights Act like  
7 the regulations require us to, we may be doing something that  
8 seems contrary to a community of interest. And I think those  
9 will be the very complicated and probably where we need - and  
10 so I think we can't - nobody can tell us what to do about  
11 that, that's going to be us figuring it out, but it would be  
12 good to sort of, I think, get an example of a situation where  
13 that - the different criteria that we're working with, that  
14 are laid out for us legally, sort of can come into play and  
15 how somebody would - maybe two different ways that somebody  
16 would do that. Just one thought because I think it's almost  
17 like a hands-on training exercise.

18 COMMISSIONER BARRABA: Along those lines, as an  
19 example, the issue of nesting, there's a detailed report  
20 about the complexity of the nesting and how it conflicts with  
21 other requirements that we really need to address. So, it  
22 just seems to me that there's been a lot of work done in  
23 thinking about this that we should probably take a advantage  
24 of, rather than starting all over from scratch.

25 COMMISSIONER GALAMBOS MALLOY: I was going to

1 mention, too, that this weekend, actually starting today,  
2 there is the National Redistricting Seminar, it's in  
3 Maryland, and I had mentioned it to our legal counsel over at  
4 the BSA, who advised on the side of caution to wait until we  
5 all got together and identified training mechanisms. I see  
6 that some of the people who have been resources to us, for  
7 example, Justin Levitt, are on the agenda, but there's a  
8 series of different workshops, some of which are, for  
9 example, Hands-On Redistricting Exercises, so I wonder if it  
10 would be possible to see if there are some resources  
11 available through the folks putting on this conference that  
12 we could access.

13           COMMISSIONER BLANCO: And I know that the Statewide  
14 Database did a training for the different community  
15 organizations that are going to be offering assistance, so  
16 that citizens can participate at these six sites that have  
17 been set up, and I know that they actually did - you know,  
18 they went through a legal presentation, and then they like  
19 put people in front of a computer with a map and walked them  
20 through it, so we have some local people that also trained  
21 us, initially, that could do that if we thought that was a  
22 helpful exercise.

23           COMMISSIONER AGUIRRE: Yeah, following along with  
24 this legality aspect to the process, there are, as I  
25 understand it, there are legal challenges to every

1 redistricting plan and, as some folks stated to us at a  
2 previous time, that some folks are already organizing to  
3 challenge it no matter what we do. So, perhaps some training  
4 or some information on what some of the potential issues  
5 might be, that we might be challenged in court, just so that  
6 we can anticipate some of those things and, as we carry on  
7 the work of the Commission, that we certainly have those red  
8 flags so we can try to accommodate for those potential  
9 challenges.

10 COMMISSIONER BLANCO: And I think if we do that, we  
11 have to be very careful who we select to do the training for  
12 us because I think that's a very - people view these cases  
13 very differently. And, we are operating in a new legal  
14 environment, which are the confines of Prop. 11, and so that  
15 is untested in some ways. So, I agree with you, I just think  
16 we need to make a very careful decision about who would walk  
17 us through some of the possible landmine.

18 COMMISSIONER DI GIULIO: Could - with some of these  
19 things that we have mentioned, I could foresee staff really  
20 helping us; once we get a legal counsel, that legal counsel  
21 could either give us the presentation, or do the research as  
22 to someone that would fall in those categories, like  
23 Commissioner Blanco was mentioning. We also may have legal  
24 counsel that has expertise in VRA, or we'll have another one  
25 that will have expertise in VRA, so I'm assuming that that

1 individual will also be able to give us the legal definition  
2 of communities of interest, in addition to the issues that  
3 we'll be facing with Section 5. So, it seems like some of  
4 these issues, it's very good for us to identify them, but we  
5 might be able to, as Vincent was saying, too, to have staff  
6 help us identify those places and those individuals and those  
7 organizations that can provide this training, or bring it to  
8 our attention, as opposed to spending the time to reinvent  
9 the wheel, or the resources.

10 COMMISSIONER FORBES: Just a point of clarification  
11 for the public. When we have heard of VRA, that's the Voting  
12 Rights Act, so that's how we refer to it. I just wanted to  
13 be sure people understood what we're talking about.

14 COMMISSIONER DI GIULIO: And I'd also mention just  
15 real fast that, if we do have staff instigate it, it might  
16 also save us from some of those issues that we would have of  
17 having to make a decision between different interest groups  
18 that would like to present what their take - not their take,  
19 but their perspective on some of these issues would be.

20 VICE CHAIR DAI: Yeah -

21 COMMISSIONER ONTAI: I think that, if we're going  
22 to have a consultant come in and give us some training on  
23 this issue, which I think is a great idea, I would like to  
24 see a lot more case studies because I think what we're  
25 looking at is the devil in the details, and this is where

1 it's going to make a difference on how we perceive what are  
2 right plans and perfect plans.

3 VICE CHAIR DAI: I agree. We did actually have  
4 some really basic case studies that Professor Levitt  
5 presented to us, you know, not in California, to show us, in  
6 fact, that compliance with the voting rights act would result  
7 in very strange looking districts that actually might look  
8 gerrymandered. And the nice thing about Prop. 11 is it's  
9 very clear about the precedents of the various legal  
10 principles that we have to apply. But where I think it stops  
11 short was actually - there was a preliminary attempt at  
12 defining communities of interest in Prop. 20, I believe, that  
13 probably would bear more discussion by the Commission to see  
14 what we decide with a community of interest - that probably  
15 doesn't include Bridge players - but, I mean, I think that  
16 definition in Prop. 20, we're going to have to discuss some  
17 more to see if we want to add more clarity around that. I'm  
18 not sure that we can just get a training on that, that is  
19 where people disagree. So I think that's something where  
20 we're going to have to apply judgment on that.

21 CHAIRMAN YAO: I want to acknowledge that this  
22 Commission does not have any bias against Bridge players.

23 VICE CHAIR DAI: Only if they teach me.

24 CHAIRMAN YAO: All right, I jotted down roughly  
25 nine or 10 different thoughts that you put together, may

1 I suggest as perhaps a direction to staff is post these  
2 topics, nine or 10 topics, on our website, solicit  
3 potential groups, individuals that may be interested in  
4 addressing this Commission and task the subcommittee that  
5 has the responsibility of public information, and I  
6 believe that subcommittee has also the charter of  
7 education. And I propose that we include the education  
8 charter to include educating all the Commissioners. So,  
9 this is my thought, and thinking out loud, should we try  
10 to hold, let's say, two training sessions each week in  
11 order to cover these roughly 10 topics over the next five  
12 weeks that we meet as a way to get this kind of  
13 information as soon as possible? Is that something that  
14 you would - as a general set of guidelines and  
15 understanding, should we make that the direction?

16 VICE CHAIR DAI: I actually would suggest we  
17 really need to front load the training, so that we can be  
18 effective and are informed as we're making other  
19 decisions. So I don't think spreading it out is actually  
20 a good idea. I think we should try to get a lot of this  
21 training upfront and, you know, it will obviously depend  
22 on who responds and some choices around consultants, as  
23 well. My other thought is that it's not just the Public  
24 Information Committee, you know, I would hope that the  
25 Legal Subcommittee would think about legal training. I

1 would hope that the Technical Committee would be thinking  
2 about training on the software and - I think, actually, a  
3 lot of these issues would fall under the Technical  
4 Committee. So, I would suggest that training be an  
5 agenda item for all the committees.

6 CHAIRMAN YAO: Again, the subcommittees are all  
7 advisory groups. The decisions will always come back to  
8 this overall committee for final approval. So, instead  
9 of, in general, trying to squeeze two a week, shall we  
10 try for three a week so we can get it done in about three  
11 weeks?

12 COMMISSIONER BLANCO: I think the only one, even  
13 though I think we're all kind of antsy to try the  
14 software, I know I am, that's actually one that could be  
15 delayed because we're not going to be doing that right  
16 away. So, if we wanted to not squeeze as much in, we  
17 could postpone the software training.

18 COMMISSIONER PARVENU: I concur.

19 CHAIRMAN YAO: So any additional thought in terms  
20 of how we - what general guidelines we want to give to  
21 this subcommittee and the process of deciding how we're  
22 going to receive the training?

23 COMMISSIONER AGUIRRE: Just one other thing -  
24 thinking ahead that we'll probably be overwhelmed with  
25 the [quote unquote] "oral presentations," so if we could

1 get the materials at least a week ahead of time of the  
2 training, so that we can start to digest the information,  
3 it'll be much more effective with what we're doing.

4 VICE CHAIR DAI: Yeah, actually, being an  
5 educator, I would suggest that we get homework so that  
6 we're prepared, and then we can see a presentation and  
7 ask questions.

8 CHAIRMAN YAO: All right, so in general, we're  
9 asking staff to pose this request, solicitation, on the  
10 wedrawthelines website, and ask any group or individual  
11 that has interest in helping us with this training  
12 activity on the nine or 10 topics that we have discussed,  
13 bring that information to the subcommittee, and they'll  
14 organize the presentation to this entire Commission for  
15 final approval. Is that the general approach we want to  
16 take?

17 COMMISSIONER FORBES: I do think we talked about  
18 frontloading; I think we should try and prioritize them  
19 in terms of which are those that would be most useful for  
20 our public meetings, outreach meetings, which I assume  
21 are -

22 CHAIRMAN YAO: That, again, will be a direction  
23 to the subcommittee.

24 COMMISSIONER FORBES: The front end.

25 CHAIRMAN YAO: Right.

1           COMMISSIONER GALAMBOS MALLOY: I would like to  
2 also request that the e-mail listserv of all the  
3 interested parties that we've been using to blast  
4 information, if we could do that in addition to posting  
5 it on the website?

6           CHAIRMAN YAO: Thank you.

7           COMMISSIONER PARVENU: And I just want to clarify  
8 that the training will be accessible to the general  
9 public with public comment as we proceeded before with  
10 the training of the first eight. Or is it something that  
11 we want to have done in closed session?

12          CHAIRMAN YAO: No, these are all in session  
13 trainings. Yes.

14          COMMISSIONER PARVENU: That's, no, I'm in  
15 agreement.

16          CHAIRMAN YAO: All right, any questions from  
17 staff. Mr. Claypool?

18          MR. CLAYPOOL: Yes, first of all, on the nine or  
19 10 items, we're going to need to coordinate that with  
20 your list.

21          VICE CHAIR DAI: Yeah, I only got five, so -

22          MR. CLAYPOOL: I have five or six, but as long  
23 as we -

24          CHAIRMAN YAO: All right, let's make sure that  
25 it's not a Peter Yao list. I have down: Communities of

1 Interest, Software, VRA, Statewide Database, Example of  
2 VRA Compromises, Nesting, Conferences - conferences are  
3 some specifically addressing the one that is going on in  
4 Washington, D.C. right now, perhaps - Legal Challenges,  
5 Case Studies. These are the notes that I took down.

6 VICE CHAIR DAI: So I think the Legal Challenges  
7 and -

8 CHAIRMAN YAO: Some of these can obviously be  
9 combined, but, in general, that's -

10 VICE CHAIR DAI: Okay.

11 CHAIRMAN YAO: So number nine is not at all  
12 important, it's just being able to cover the areas.

13 MR. RICKARDS: What we'd like to do is we'll  
14 reflect them back to you, just to double-check. And I  
15 suggest two categories, general categories. One is what  
16 I would call Subject Matter, Training, so we're talking  
17 Voting Rights Act, Software, Nuts and Bolts of  
18 Redistricting, some of which, you know, there has been  
19 some initial training for the first eight, but we need  
20 more in-depth training, certainly on those. And then,  
21 the training that I, just as State Government training,  
22 the stuff that you have to have - sexual harassment,  
23 perhaps Public Records Act, yadda yadda, yadda, and we'll  
24 try - Dan will - because I know you're going to pick a  
25 counsel soon - no, we'll try and reflect those back to

1 you and give you some feedback about availability of  
2 people to do the training, which then you can use to kind  
3 of decide how you want to schedule it. And if we keep  
4 training as a standard agenda item, then we're okay. We  
5 don't have to agendize each individual speaker because  
6 you're just not going to know it, I think.

7 CHAIRMAN YAO: Correct.

8 VICE CHAIR DAI: Yeah.

9 MR. RICKARDS: I mean, within that 14 days.

10 CHAIRMAN YAO: In general, shall we limit each of  
11 the presentations to half an hour, 45 minutes?

12 VICE CHAIR DAI: I don't think we should put a  
13 limitation on it. I mean, if we need an in-depth  
14 training, we can't ask them to do it in a half an hour.

15 COMMISSIONER BARRABA: Peter, how about just, you  
16 know, if we were back in December or November, I'd be  
17 setting out as broad a range of possibilities as  
18 possible, but it's February and I think we ought to just  
19 look at the closest resources that are available right  
20 now, and just narrow in on those and get them in here  
21 because we don't have a lot of time, and there are some  
22 resources that are available right now -

23 CHAIRMAN YAO: All right, let's task the Chair  
24 for the next meeting, and the Vice Chair for the next  
25 meeting, to pick the most appropriate one and the most

1 available one, and start the training next week, if at  
2 all possible.

3 VICE CHAIR DAI: Yeah, I mean, I think some of  
4 the required state training, it might make sense for us  
5 to take advantage of this while we're still meeting in  
6 Sacramento and get that out of the way.

7 CHAIRMAN YAO: Okay, I think we have enough  
8 guidance on this topic to proceed. All right, if there  
9 are no further questions, then we'll go on to the -  
10 another easy one that we can knock off the list. Yes?

11 MR. CLAYPOOL: Peter, before we move to the next  
12 item, could I suggest a 10-minute break? We have a set  
13 of lights that are on in the parking lots, they belong to  
14 one of the Commissioners, so if we could break just to  
15 take care of that and then we could come back?

16 CHAIRMAN YAO: We will reconvene at 10:30 plus or  
17 minus a couple minutes. All right, thank you very much.

18 (Recess at 10:21 a.m.)

19 (Reconvene at 10:32 a.m.)

20 CHAIRMAN YAO: All right, it's just a couple  
21 minutes past 10:30, so I'm going to reconvene the  
22 Citizens Redistricting Panel. Everybody that we have  
23 here this morning is still here, so we don't need to do  
24 another roll call. Let's try to finish the Rotating  
25 Chair discussion, a carryover from yesterday. Do we have

1 a list of all those who are interested in the Rotating  
2 Chair? Mr. Claypool, do we have a list of all the  
3 individuals who are interested in the Rotating Chair  
4 position? The Chair position?

5 MR. CLAYPOOL: Did Anne give you the list there?

6 CHAIRMAN YAO: Oh, I'm sorry, I do have it. I  
7 apologize.

8 MR. CLAYPOOL: Fortunately, we have an even  
9 number and, so, if you just follow the columns, right now  
10 we have the Chair, Commissioner Yao, the Vice Chair,  
11 Commissioner Dai, the next rotation we'll have  
12 Commissioner Dai as the Chair and Commissioner Ward as  
13 the Vice Chair, and then it just staggers forward as you  
14 see through the list. Then it just goes back up and  
15 repeats itself, unless anyone wishes to add themselves to  
16 the list and, at that time, we would have to deal with it  
17 then.

18 CHAIRMAN YAO: All right, any additions to the  
19 list?

20 VICE CHAIR DAI: I would just add that, you know,  
21 if we're looking at the schedule moving forward and  
22 someone is going to be absent for some reason, we can  
23 just make an adjustment at that point.

24 COMMISSIONER BLANCO: Can you send this as an  
25 attachment to an e-mail?

1 MR. CLAYPOOL: I'll ask Anne to do that.

2 VICE CHAIR DAI: Actually, may I suggest that we  
3 start posting these as docs so that we don't have so many  
4 attachments in our e-mail?

5 MR. CLAYPOOL: Okay, we'll just post it and then  
6 you can refer to it.

7 CHAIRMAN YAO: I think on each of the posted  
8 agendas, we probably need to properly identify who is the  
9 Chair and who is the Vice Chair, as well, as we post a  
10 new agenda.

11 MR. CLAYPOOL: Okay.

12 CHAIRMAN YAO: All right, so the way I read it  
13 is, for the next meeting, Cynthia is the Chair and  
14 Commissioner Ward is the Vice Chair, and then the first  
15 meeting in February, Commissioner Ward will be the Chair  
16 and Connie will be the Vice Chair and on down the line.

17 MR. CLAYPOOL: That is correct.

18 CHAIRMAN YAO: Okay, any other considerations or  
19 questions? All right, I don't think this constitutes a  
20 decision, so I don't think we need to receive public  
21 comment on this, it is strictly an operational detail.  
22 All right, thank you. Let me - go ahead. We have one  
23 dead microphone, I wonder if we can get some assistance  
24 with the microphone. In the mean time, maybe we can just  
25 pass the closest microphone around so we can continue the

1 meeting.

2           At this point, I'd like to have our Executive  
3 Director give us a report on his plan, including  
4 staffing, subcontracting, anything that he wishes to  
5 address this Commission. Mr. Claypool.

6 **7. Recruiting and hiring, including training, criteria,**  
7 **interviewing, and choosing staff and consultants.**

8           MR. CLAYPOOL: Thank you. I apologize for not  
9 having a handout because, first of all, this was done  
10 very late last night and early today, along with thoughts  
11 that I've had. I have considered the staff we need vs.  
12 the different tasks that were provided yesterday and the  
13 discussion that we've had, and also the travel schedule  
14 that is being considered by the Commission. We have  
15 already hired the - clearly - myself, we will have the  
16 discussion for the Chief Counsel next week. I believe  
17 that next week we can schedule the Communication Officer  
18 interviews if the Commission is ready to review them and  
19 hear those interviews. And then we have a fourth  
20 position of Admin Assistant. Beyond that, I think that  
21 our Chief Counsel is going to need assistance, at least  
22 staff assistance, and that assistance would be what the  
23 State would refer to as a Staff Service Manager One  
24 level, that is the least level that I consider would be  
25 appropriate there. We're going to need an Administrative

1 Director, someone who can be here and run the staff while  
2 we're out in the field, and when I'm with you. That  
3 person, I consider, has to be at an SSM-2 level. And  
4 next week, you will be considering a salary schedule and  
5 then you'll be able to attach some numbers to this. But,  
6 when we think of the Staff Services level in State  
7 Government, we think of a level of individuals who have  
8 risen to a point where they are highly competent in the  
9 jobs that they do, and have handled great responsibility,  
10 or responsibility, and they have also generally  
11 supervised staff at some time or point. So, this is a  
12 mid-, if you will, a mid-Manager position, but it is a  
13 position that we need to ensure that we get the things  
14 done that you are going to ask them to do. We're going  
15 to need an Executive Secretary, just a Reception person,  
16 kind of the doorkeeper for us over there to keep track of  
17 all the people that are going to want to get a hold of  
18 you. Our Communications Officer will need a Web  
19 Technician, someone who can manage our Website and more  
20 quickly post the things that we're lagging behind on  
21 right now, that would be at an Associate Government  
22 Program Analyst level that is the step below our  
23 Managerial level within the State. They will also need  
24 the Communications Officer is going to need an additional  
25 assistant to just keep track of the many different things

1 that they're going to try to do and all the people that  
2 they're going to reach out to. The second, if you will,  
3 category or box, moving down from the Administrative  
4 Director, will be the Contract and Accounting individual  
5 to keep track of our budget, our travel expense claims,  
6 our procurements, our payroll, our Human Resources, that  
7 again is an SSM-1 level, the Staff Serve Manager level.  
8 A third person will be our Hearing and Meeting  
9 Coordinator. This person will also be a Staff Service  
10 Manager position, but Supervisory. That individual is  
11 going to need to have at least two technical persons  
12 working for them at the AGPA level. And then, an  
13 additional AGPA to assist in the coordination of your  
14 travels, of all of our travels, of all the different  
15 places we're going, setting up the venues, ensuring that  
16 everything runs correctly when you're in the field, and  
17 that things are rotated back to staff in Sacramento for  
18 posting onto the website. And, finally, you're going to  
19 need just a Contract Manager to handle the RFI and RFP,  
20 so the Request for Information and Request for Proposal  
21 that we're going to put out, and then be a liaison for us  
22 with the different people that are providing us contract  
23 services. All total, we're looking at - if you approve  
24 this, we're looking at 14 people in addition to the  
25 individuals you've already hired for staff for a total

1 staff including the counsel, myself, and the  
2 Administrative Assistant, and the Public Officer, of 18  
3 people on your staff. Comments?

4 VICE CHAIR DAI: Well, Dan, I'm a little alarmed  
5 because I don't think our budget can support 18 people.  
6 I also think a lot of these are very, you know, defined  
7 roles, and I think we're going to need to hire people who  
8 can do a lot of different things, and wear a lot of  
9 different hats. Have you considered looking at temps and  
10 contractor services? I mean, I can't imagine having a  
11 full-time person just doing expense reports.

12 MR. CLAYPOOL: Well, the key when we hired staff  
13 for the initial part of this project, the key to their  
14 job description was the other duties as defined, no one  
15 ended up doing what they were placed in. The contract  
16 person, or the person you're referring to, more the  
17 administrative person, just keeping track of the  
18 finances, the budgets, and so forth that will be a full  
19 time job. I mean, more than - I realize we can kind of  
20 single that one out, but more than any other position,  
21 the flood of your travel expenses, the flood of bills  
22 that come in, the projecting the budget and where the  
23 budget is at, and also that is the person that ultimately  
24 is going to put together the justification for any  
25 augmentation or any additional funds that we request.

1 So, a fairly key person. We have the ability in this to  
2 pick people up and lay people off. I mean, it's not - no  
3 one, I believe including myself, serving at your pleasure  
4 - no one will be married to their job. Having said that,  
5 I just looked at the number of people that we had  
6 stationary in Sacramento, working on just handling the  
7 application process, something - a fairly straightforward  
8 process, and at times we would be up to 24-28 people,  
9 just handling just the communications, the things that  
10 you were talking about wanting to have done. When you go  
11 into the - when you start having the public hearings,  
12 many of the staff will be traveling with you. Certainly,  
13 you're going to have to have someone similar to Anne to  
14 be there just to coordinate the information that will be  
15 flowing back and forth.

16 As far as budget goes, most of these people are  
17 at the AGPA level, six, seven - I shouldn't say most -  
18 six, some of them are at the AGPA level, and one of them,  
19 the Executive Secretary, have an expense, but it's not a  
20 great expense when you start looking at the salary  
21 levels, that, yes, it's going to move you very quickly up  
22 into a fairly high range for the year, but I don't know  
23 how else to do without them. Now, you're suggesting  
24 temporary positions, but with temporary positions, we  
25 will be basically at the mercy of whoever is available at

1 the time, and we could be switching people, a lot of  
2 people, in and out, and I'm not opposed to working with  
3 temp agencies, and trying to work it that way, but I  
4 believe that what it will do is it will always put us a  
5 little bit behind in our work, and so some of these  
6 positions, for instance, are web technical person, we  
7 have to have that person. It's hard for me to imagine  
8 how the Communications Officer will also be able to  
9 handle all the things we're going to ask that person to  
10 do if they don't also have an assistant because typically  
11 the web tech is devoting most of their time to that. And  
12 then I just go across and I say, you know, we have to  
13 have somebody who is coordinating this field travel  
14 because I can set it up, but if I'm out there with you  
15 and you start to divide up into teams, it's going to be  
16 very difficult for me to then handle anything that is  
17 going wrong on the other side.

18 COMMISSIONER BLANCO: Can I just bother you to --  
19 I missed some of those.

20 MR. CLAYPOOL: Sure.

21 COMMISSIONER BLANCO: And the level.

22 MR. CLAYPOOL: Okay, so - and again, what I would  
23 like to do is, if we have a discussion here, I can try to  
24 put this together in some format so you can actually see  
25 it, and I think it's a little more understandable. But

1 if you just think of a flowchart, and at the top is the  
2 Commission, and then you drop down to myself, and at that  
3 level, that first level, you're hiring a Chief Counsel,  
4 and that Chief Counsel would be assisted, would have some  
5 sort of an assistant to help them with the things that  
6 they're going to do. I would have an Administrative  
7 Assistant, and then you drop down to just an Admin  
8 Director, a person that would keep track of the things  
9 that are going on here in Sacramento, a Receptionist, and  
10 then, below that, are just four boxes, one is our  
11 Communications Officer with their Web Tech and their AGPA  
12 Assistant, one of them is the Contract and Accounting  
13 Budget person, one of them is a Hearing Meeting  
14 Coordinator and that person would have two technicians,  
15 and an AGPA. And then, below that, is a Contract  
16 Manager. I actually would say that is a total of 13.

17 COMMISSIONER BLANCO: You mentioned an overall  
18 manager?

19 MR. CLAYPOOL: I gave it this title, basically a  
20 person in a Staff Manager Two position that would be  
21 someone - I called them an Admin Director - but that is a  
22 person that is just going to be here, just coordinating  
23 everything that is coming in, and making sure that  
24 everyone is staying on page.

25 VICE CHAIR DAI: Like an Office Manager?

1 MR. CLAYPOOL: "Office Manager" is good.

2 COMMISSIONER BARRABA: I would like to add, is  
3 there an overall number you have of what that - what  
4 we're looking at in the way of expenditures for that  
5 staff?

6 MR. CLAYPOOL: You know, I can work that up. I  
7 hesitated to do that until you approved your salary  
8 schedule because I don't want to work with numbers that  
9 you haven't approved. If you're willing to take it, a  
10 ballpark figure on what that would cost, knowing that  
11 it's going to - you may, yourselves, change the salary  
12 structure, then I could do that. But I didn't do that  
13 for this -

14 COMMISSIONER BARRABA: Just like a ballpark, and  
15 then we would know whether it was trouble budget-wise or  
16 not.

17 MR. CLAYPOOL: Okay.

18 CHAIRMAN YAO: Is it all right if we bring back  
19 that information the next time we meet? Or would you  
20 like to take time out to do that now? Commissioner  
21 Barraba?

22 COMMISSIONER BARRABA: I, you know, I could wait.

23 COMMISSIONER BLANCO: My only concern is some of  
24 these positions seem like positions we need in place  
25 soon.

1 MR. CLAYPOOL: Yes.

2 COMMISSIONER BLANCO: And start hiring. So,  
3 maybe today, regardless of what the total ballpark is, we  
4 could agree to some key positions that we could start the  
5 hiring process on, that we may all agree are essential.

6 MR. CLAYPOOL: Certainly.

7 COMMISSIONER BLANCO: And then still get the  
8 ballpark figure and, if there is some discussion about  
9 it, we don't move on those so quickly.

10 MR. CLAYPOOL: Okay. So, I should say that I  
11 have a selection for the Admin Assistant, or a group of  
12 people that I intend, with your permission, to interview  
13 early in the week. I have tentatively made an offer to a  
14 person that would be that Office Manager, and introduced  
15 him earlier to the Chair and the Vice Chair, and he is  
16 clearing right now, his name is Raul Villanueva and he is  
17 coming out of retirement in order to work with us. He  
18 worked with the Applicant Review Panel. And then, I  
19 certainly have one of the AGPA's selected. So, I would  
20 say right now, the first thing that Raul will do will be  
21 to get out the job flyers so that we can get a response.  
22 We're not restricted by the typical State requirement  
23 that even we sent out just a job description and so  
24 forth, or have testing, we're only - so we don't have  
25 that restriction. So, I think that these positions can

1 be filled very quickly if we can find the qualified  
2 people to do them, and I think they're available.

3 COMMISSIONER WARD: Mr. Claypool, there -

4 MR. CLAYPOOL: Okay, then the only issue then  
5 will be that you have to vote on every hire, so once  
6 these people are available, we would have to just get a  
7 vote for it.

8 COMMISSIONER WARD: You had kind of a staff level  
9 or a grade level assignment for each of these positions?

10 MR. CLAYPOOL: Right.

11 COMMISSIONER WARD: There's obviously, then, an  
12 associated range, a salary range that is assigned for  
13 that grade - time and grade, correct?

14 MR. CLAYPOOL: Exactly.

15 COMMISSIONER WARD: So is there any reason we  
16 wouldn't be able to get just a projected idea of what  
17 each of these positions will cost by the end of the day,  
18 being that those numbers are readily available? So we  
19 could get kind of an idea total of what we're looking at?

20 MR. CLAYPOOL: Sure. I can give you an estimate  
21 by mouth, then I can give you a one-year estimate for  
22 these within that timeframe. But the salary schedule  
23 that I'm going to use is going to be one that you haven't  
24 approved, so as long as the Commission is okay with that  
25 structure -

1           COMMISSIONER WARD: We're talking about using a  
2 structure that is generally accepted for all government  
3 employees, of what is expected, time and grade, correct?

4           MR. CLAYPOOL: Exactly.

5           COMMISSIONER WARD: Okay, I'm okay with that.

6           COMMISSIONER RAYA: Excuse me, I have another  
7 question. If we're hiring retired Annuitants, is that at  
8 less cost to us than hiring someone for who we have to  
9 provide benefits and so on?

10          MR. CLAYPOOL: It is less of a cost, but then it  
11 also becomes problematic in two regards; first of all,  
12 retired Annuitants have a 960 hour limit that switches  
13 over at the fiscal year. So, in one regard, if we were  
14 to find someone that was qualified, then it wouldn't be a  
15 problem, and they still had many of their hours left  
16 because a lot of the most qualified individuals would  
17 have been running their 960 hours out, including Raul,  
18 who has no hours left. We're fortunate that he was  
19 willing to - he's basically circumventing being a retired  
20 Annuitant by coming out of retirement to do this, and so  
21 he runs some risk himself because of some of the PERS  
22 policies that go with that decision. But he is excited  
23 about doing this and he doesn't mind that prospect.  
24 Having said that, the second thing with the RA's is that  
25 they're a much smaller pool when you start looking at

1 them, and so we would have to take more time and  
2 interview them to know what we're getting. So we can do  
3 that, but I don't know, quite honestly, whether in the  
4 great scheme of things that additional incurred cost with  
5 PERS should be the thing that drives us. We need staff.

6 COMMISSIONER WARD: Well, I would just like to  
7 add that I agree that I think there are some necessary  
8 positions that we need to fast track, but, personally, I  
9 would like to see everything we've just laid out - flow  
10 chart, job positions, but also a description of what you  
11 envision being the job duties of each position, and then  
12 again with that scale of salary on it. I just can't  
13 deliberate on it the way that -

14 MR. CLAYPOOL: That is perfectly reasonable and,  
15 just for clarification, the ballpark figure today, but  
16 the rest of that, it would have to be at our next meeting  
17 because I can't get all of that done during lunch.

18 COMMISSIONER WARD: Could we get it sent out  
19 during the week, and that way we would be ready to take  
20 action on that on Wednesday?

21 MR. CLAYPOOL: Certainly. I just wanted to make  
22 sure there wasn't a Bagley-Keene restriction.

23 MR. RICKARD: It's just the normal Bagley-Keene  
24 restriction. If we send it out and you don't get on the  
25 phone and talk to each other and say, "Well, we're going

1 to cut this one," you know, we just don't do this as you  
2 normally would. But as long as we post it, we could send  
3 it out to you as soon as it's done, then be ready to take  
4 it up when you are at the next meeting, we would keep the  
5 agenda item that we have that allows us to hire staff.  
6 You know, in the best of all worlds, Dan could hire the  
7 staff and he's - you can empower him to whatever degree  
8 you want in terms of selection, but you have to vote and  
9 you have to have a super majority for staff and  
10 consultants, it's just - that's the way it is.

11 COMMISSIONER WARD: Thanks, Dan.

12 COMMISSIONER BARRABA: Dan, are there two or  
13 three jobs that you would like to get going on right now  
14 so that we could maybe just approve two or three, and  
15 then we could come back with the rest of them at a later  
16 date?

17 MR. CLAYPOOL: Yes, certainly this Office Manager  
18 position is very key to me because, whether or not we  
19 restructure this and downsize the number of people that  
20 we use to assist us, that person just has to be in place.  
21 If we only had one person over there besides Anne, if we  
22 only had one person over there, it would have to be a  
23 person that had that function. And so, I would also say  
24 that it's possible to streamline this by some people, but  
25 this was - and originally I had a number in my mind that

1 was less than this. This number is really flowing out of  
2 the number of meetings you wish to have, and just the  
3 complexity that occurs with each meeting. And so, if we  
4 go to 80 from the 50, then I would say, "Well, I need a  
5 couple more people" because it's just that much that has  
6 to be done, and that's what we'd have to do.

7 VICE CHAIR DAI: Yeah, I would just want to - I  
8 agree with going forward with a couple critical positions  
9 that we can all agree on, but I would really want to look  
10 at using local temporary labor, particularly for setting  
11 up venues and things like that. I think there is a lot  
12 of experience from other organizations that have done a  
13 lot of outreach, just using temps to do that kind of  
14 work, rather than flying somebody all over the place.  
15 So, I would like to look at that maybe at the next  
16 meeting, but I think we should move forward with a couple  
17 of critical positions. So, who else would you identify  
18 as critical?

19 COMMISSIONER FORBES: I think what I would like  
20 to see on the list is just how long the duration of these  
21 jobs is, for each job, because some of these jobs are  
22 going to be fairly short-term, it seems to me, other will  
23 be longer. So it would help me to determine how much  
24 money we are actually going to end up spending if we knew  
25 the duration.

1           MR. CLAYPOOL: Okay, and I can try to attach some  
2 time limits to these, although for most of these  
3 individuals, I would think that they are on for the  
4 duration through you actually having the maps. But if I  
5 were going to identify individuals that we needed  
6 immediately, we need a Web Technician, very much so. We  
7 need the Office Manager that I spoke about. And we need  
8 to bring on someone that has a budget background to start  
9 working up the plan for making the requests for the  
10 augmentation, so those would be the three people that I  
11 would say are most critical in this plan, to me.

12           COMMISSIONER BLANCO: And so there is the Office  
13 Manager, the Budget and -

14           VICE CHAIR DAI: Web. Can we make that just a  
15 general IT person? Because I would think this person  
16 would not only need to be familiar with the Web, but also  
17 with mobile technologies, as well?

18           MR. CLAYPOOL: What I would just hope for is,  
19 whoever that person is may have to be the person that  
20 ends up doing the other two positions that I was talking  
21 about, the two other technicians. The Secretary of State  
22 identified in a hierarchy three positions that needed to  
23 be filled, and that's how I came out to that number.  
24 They said that we absolutely had to set up somebody who  
25 maintained the Web, we needed somebody that could take

1 care of your day-to-day problems, and go out and make  
2 sure - and we're talking about staff, by the way, out in  
3 the field, I never envisioned much more than two people  
4 out of these at any given venue, but you have to have  
5 somebody that can just take care of the general problems  
6 that you're going to have. And often times, you know, I  
7 know that we're placing a high degree of reliance on  
8 different organizations out at these venues doing work  
9 for us, but quite honestly, sometimes those people don't  
10 show up, of, if they do, they don't have the technical  
11 skills to really get you where you need to go, and it's,  
12 as the Chairman had said earlier when we were talking  
13 about Claremont, and talking about what we were asking  
14 people to do, when something doesn't work and we can't  
15 have the hearing, you know, who is responsible for that?  
16 And so, as much as possible, this plan that I've got  
17 tries to take out as many of those responsibilities as  
18 possible, just - I'm much more comfortable if I know that  
19 we're going to have somebody that can take care of it out  
20 in the field. But, certainly, the Web person, if we  
21 decide the other two technical people aren't necessary,  
22 then that Web person just has to be the most qualified  
23 person we can get our hands on. But, when that happens,  
24 then for those individuals, usually the cost goes up.

25 VICE CHAIR DAI: Sure, but that's still going to

1 be three people.

2 COMMISSIONER PARVENU: I truly appreciate the  
3 importance of having a highly skilled Web technician,  
4 preferably that person would be very comfortable with -  
5 Commissioner Dai had mentioned earlier having expertise  
6 in other areas, and Powerpoint and graphics, demographic  
7 charts, be able to understand information that we may at  
8 some point need for our presentations, and be able to  
9 turn that around quickly. I just want to throw that out  
10 there as a particularly skill I would like to have our  
11 technical person be able to, in addition to maintaining  
12 the website and doing all the other basic skills that one  
13 would require on that level. Perhaps we can consolidate  
14 some of those responsibilities to someone who is capable  
15 of responding to our requests on that level.

16 MR. CLAYPOOL: Okay.

17 COMMISSIONER DIGUILIO: I was just going to - I  
18 know we still need to finish up the conversation about  
19 these three positions - I think when the number first  
20 came out, I think we all had a little bit of a gasp at  
21 the large number, but, in reflecting on this, and maybe  
22 as we go on, and this weekend, and into early next week,  
23 as we as Commissioners think about this, I do think that  
24 we all want this to be a successful endeavor, and I think  
25 we've hired Mr. Claypool, knowing that he has some

1 expertise as to what it will take for this to happen on  
2 the home front, so to speak, and we have a limited amount  
3 of time, so we have to really make sure that we have the  
4 resources and the individuals that can support us. There  
5 may be some opportunities, there may be some redundancy,  
6 there may be some things that we can consolidate, but I  
7 am also concerned that we want to make sure that we give  
8 ourselves the opportunity that we need to be able to  
9 accomplish our tasks in the support. I just see us in  
10 this last two days, we keep asking staff to do things,  
11 and Dan, as staff, he doesn't have time, he's here with  
12 us all the time, and will be, as well as many other  
13 staff, so we need to make sure we have all the aspects  
14 covered. So, I guess I'm just suggesting that, as in the  
15 next week we reflect on that and try and find a way to  
16 keep costs under control, but also not at the sacrifice  
17 of us doing what we need to do in our limited time.

18 COMMISSIONER ONTAI: And I agree with that and I  
19 think when we look ahead of us in the next eight to 10  
20 months, that isn't a lot of time, and there is an immense  
21 amount of work. I think what I'm hearing Dan say is  
22 that, along the way, we want to try to limit all the  
23 uncertainties that come along in the process, and I  
24 agree, you know, Murphy's Law is going to kick in if  
25 we're not prepared, and that may cost us even more money,

1 so I think there is a lot of validity to what Dan is  
2 saying.

3 COMMISSIONER WARD: Yeah, I agree. I think Dan's  
4 plan might be perfectly reasonable, I just don't think we  
5 have enough data to really continue to talk about it at  
6 this point, so I'd like to - prefer if we could table  
7 that and talk about the critical positions and getting  
8 those -

9 COMMISSIONER DI GIULIO: I was just suggesting it  
10 for something for us to keep in mind as we - in the next  
11 week.

12 COMMISSIONER WARD: Definitely.

13 COMMISSIONER DI GIULIO: Beyond these first  
14 three.

15 CHAIRMAN YAO: One comment on the critical  
16 positions, I would like to add the Admin decision to that  
17 critical list, in other words -

18 VICE CHAIR DAI: He already has that.

19 CHAIRMAN YAO: I don't believe so. I think we  
20 talked about the Web Tech, the Budget person, Admin  
21 Director, or the Office Manager. Is that my  
22 understanding?

23 MR. CLAYPOOL: Actually, no, I just automatically  
24 included the four, myself, the Admin Assistant, the  
25 Counsel, and -

1           CHAIRMAN YAO: Okay. I understand now. All  
2 right, I don't think we need to vote on this, I think we  
3 have a consensus to give you direction and move forward  
4 with these critical positions, and then I think, by the  
5 time we get back early next week, we'll be able to finish  
6 the staffing positions.

7           MR. CLAYPOOL: One point of clarification. On  
8 the numbers that I said I would give you this afternoon,  
9 do you want that inclusive of the cost of the people that  
10 you've already - my salary - do you want -

11           CHAIRMAN YAO: May I suggest just use the  
12 midpoint of the range so that we minimize the  
13 calculation, and number two is, again, this is a rough  
14 order magnitude type of estimate and a ballpark estimate,  
15 that is all we're looking for at this point in time.

16           MR. CLAYPOOL: Sure. But of everyone, all  
17 positions, okay?

18           COMMISSIONER WARD: Dan, I was just also going to  
19 clarify with the panel, if we're going to send out a  
20 follow-up e-mail that has each of these positions listed  
21 with a job description and that number, I'm okay with  
22 waiting beyond today for that if you need more time to  
23 prepare that. I know you mentioned by the end of the  
24 day, but now with the added requirements, if you need  
25 more time with that, I'm okay with that.

1           MR. CLAYPOOL: Okay, and when we're talking about  
2 job descriptions, this is going to be the job as I  
3 envision it, not necessarily the job description that we  
4 are going to use to tell people because I don't have time  
5 to prepare that entire thing. That is what I was hoping  
6 to have Raul start on Monday.

7           VICE CHAIR DAI: Yeah, basic responsibilities are  
8 fine.

9           MR. CLAYPOOL: Okay.

10          CHAIRMAN YAO: Since we won't be discussing this  
11 matter any further, can we just receive that information  
12 by e-mail or by mail before next Wednesday?

13          MR. CLAYPOOL: Certainly.

14          CHAIRMAN YAO: And not try to push for getting  
15 data today because I don't see the value of getting data  
16 today if we're not going to discuss this topic any  
17 further.

18          MR. CLAYPOOL: As I understand it, if I send it  
19 to all of you by e-mail, then it also needs to post -

20          CHAIRMAN YAO: Whatever - do whatever is  
21 appropriate in terms of meeting the Bagley-Keene  
22 requirement.

23          MR. CLAYPOOL: Certainly.

24          CHAIRMAN YAO: In other words, post it on the  
25 site as necessary. It is not intended to be a private

1 communication.

2 MR. CLAYPOOL: Okay.

3 VICE CHAIR DAI: So, I don't have any issue with  
4 the Office Manager role, I think we're going to need  
5 someone to keep the home fires going when we're out on  
6 the road, and someone who is senior enough that can deal  
7 with emergencies, and I don't have a problem with the Web  
8 Technician role, I think it's an absolutely critical  
9 role, I think it's one we want that to be a very highly  
10 qualified person with multiple skills, that they can  
11 really be a tech person for whatever technology issues  
12 there are. On the Budget person, I know that when the  
13 Secretary of State, they looked at actually contracting  
14 these services, and did you do a comparison on whether  
15 that was going to be - that we get fuller coverage  
16 without having a full time person on?

17 MR. CLAYPOOL: Well, the Secretary of State is  
18 hiring - is going to make a presentation. Our staff at  
19 the Secretary of State will make a presentation on  
20 contract services for Human Relations and also for  
21 payroll and budget, but that's a different function; we  
22 have to present all of that to them, and then they will  
23 go through the machination of cutting the checks and so  
24 forth, but this person is essentially going to be the one  
25 that takes all of the TECs that are flowing in, and then

1 sends them across so that you get paid, and so forth.

2 VICE CHAIR DAI: A bookkeeping type of role.

3 MR. CLAYPOOL: Exactly, and also keeping track of  
4 what's left and so forth, so this is not - the contracts  
5 that Ms. Mejia will be speaking to this afternoon pretty  
6 much are a threshold, they're a threshold for getting the  
7 second half of it done, but we have the responsibility  
8 for getting it to them in the format that will allow that  
9 to happen, and that is what this individual - a part of  
10 what their responsibility would be.

11 COMMISSIONER ONTAI: And, Dan, I'm assuming that  
12 all of this will be set up at our new office, this is  
13 going to be a permanent venue?

14 MR. CLAYPOOL: Yes, the new office is going to  
15 accommodate both you, or the Commissioners when they're  
16 in town, as well as this staff, whoever is in town.

17 COMMISSIONER ONTAI: Are we going to have  
18 stationary along with business cards?

19 MR. CLAYPOOL: We can certainly put stationary  
20 with this, with that, so business cards and stationary,  
21 so that is no problem.

22 CHAIRMAN YAO: Okay, I'm looking at a  
23 correspondence from Professor Lawson that was submitted  
24 to us on January 17<sup>th</sup>, discussing the relationship with  
25 the statewide California officials, like the Governor's

1 Office, the Legislature, and so on. The next time we  
2 discuss the staffing issue, perhaps you can shed some  
3 light as to who is likely going to be that official  
4 contact between your office and each of these  
5 organizations. I do not want to jump into that  
6 discussion today, but I would like to understand as to  
7 how we're going to handle all those relationship issues.

8 MR. CLAYPOOL: Certainly.

9 CHAIRMAN YAO: All right, please go on to the  
10 next item on your list -

11 VICE CHAIR DAI: Are we going to go through these  
12 positions, the three positions, we have to approve them.  
13 Correct?

14 CHAIRMAN YAO: All right, let's do a roll call.  
15 Let me receive a motion and then do a roll call on the  
16 vote. I kind of interpret that as a direction, not  
17 necessarily needing to approve it formally, but if we  
18 feel we want to do that, then -

19 COMMISSIONER DI GUILIO: For staffing, we do have  
20 to have a vote, though, do we not, a super majority to  
21 approve any staffing?

22 CHAIRMAN YAO: I interpret - I guess, let me get  
23 the counsel's opinion on this, first.

24 MR. RICKARDS: As I - well, what I was thinking  
25 of is, what I understood you to be doing, is to say go

1 ahead and look for people for these four positions. Dan  
2 will bring recommendations of people to you, Mr. Jones,  
3 Ms. Smith, so on, you will vote on those, it can be done  
4 in groups. I mean, I'm interpreting on the fly what it  
5 says, but it's pretty clear, it says that you have to  
6 approve staff through super majority voting. I had  
7 interpreted that and what you were doing today to mean  
8 these - 16 is overwhelming right now, and we don't have  
9 numbers, but we know you need to go and find people for  
10 this and, when we get the people, he will bring them to  
11 you and then you will approve them or disapprove them.

12 COMMISSIONER DI GIULIO: With the exception of  
13 Raul, correct?

14 MR. RICKARDS: Raul has got to be voted on.

15 VICE CHAIR DAI: Yeah, he has already been  
16 offered a position, but you know, I think also implicit  
17 in this is that we're approving the REC for these  
18 positions. I mean, we don't want to speak to the person  
19 after the fact when we're not even certain that we  
20 approved the position.

21 CHAIRMAN YAO: We can certainly take the approach  
22 of approving the three that has been specifically  
23 requested today, and then address the remaining the next  
24 time we meet if that is the pleasure of the Commission.  
25 I think that may satisfy what is before us. Would that

1 be the proper approach to do it?

2 MR. RICKARDS: You want to vote on them next  
3 time?

4 VICE CHAIR DAI: No, I think we want to be on the  
5 record that we approved these additional positions, which  
6 will bring the total staff to seven.

7 MR. RICKARDS: Well, you certainly can do that.  
8 I mean -

9 CHAIRMAN YAO: This way, we won't be holding up  
10 the work, so to speak, decisions can be made  
11 appropriately - timely, I should say - and then we'll  
12 make the decision beyond the second total staff next  
13 week.

14 COMMISSIONER WARD: Dan, does it make a  
15 difference for how you act on filling these job  
16 positions, whether or not we take a vote and codify that  
17 we want these three positions? From now until Wednesday,  
18 is there a difference in the way you can go about  
19 soliciting talent for those positions if we vote for it,  
20 or if we just acknowledge "go for it?"

21 MR. CLAYPOOL: The only difference is that would  
22 be with Mr. Villanueva, himself. I have tentatively made  
23 him an offer and he has to - because of the things he has  
24 to do with PERS, we have to make a decision, and I should  
25 say that he is here right now, and I could introduce him

1 to you if you wish, but -

2 VICE CHAIR DAI: Sure.

3 MR. CLAYPOOL: Okay. Raul, I hate to put you on  
4 the spot -

5 UNIDENTIFIED MALE SPEAKER: But I will.

6 MR. CLAYPOOL: But I will. And I should give you  
7 an introduction. Raul has extensive experience on State  
8 Government. He was very instrumental with the Applicant  
9 Review Panel, and as an assistant to one of our Panel  
10 members, and he just has an exceptional work ethic. So,  
11 this would be my choice.

12 MR. VILLANUEVA: Good morning. It's a pleasure  
13 to see all of you and a pleasure to prospectively be able  
14 to offer my services and perform work for you.

15 MR. CLAYPOOL: Thank you.

16 CHAIRMAN YAO: Thank you.

17 COMMISSIONER BARRABA: Mr. Chairman, I move that  
18 we accept the Executive Director's request to hire Mr.  
19 Villanueva for this task.

20 COMMISSIONER ONTAI: Second.

21 COMMISSIONER WARD: Do we have a salary or  
22 figure?

23 MR. CLAYPOOL: We - it would be at - I can give  
24 you an approximately range because we haven't made a  
25 determination as to it, but the range would be -

1           CHAIRMAN YAO: Why don't you give us a not to  
2 exceed number. I think we -

3           MR. CLAYPOOL: Okay, not to exceed \$6811 per  
4 month.

5           CHAIRMAN YAO: All right, it's been moved. Has  
6 it been second?

7           COMMISSIONER ONTAI: Second that.

8           CHAIRMAN YAO: All right, any further discussion?  
9 I do not see anybody else outside of Raul in the  
10 audience, so I assume you approve. So let's take a -  
11 let's try a voice vote because I don't sense there is a  
12 lot of objection to it. All those that approve the  
13 motion as stated, please raise your hand and say "Aye."

14           (Ayes.)

15           CHAIRMAN YAO: Those who object, again, raise  
16 your hand and say "Aye." Abstain? All right, it's been  
17 approved unanimously. Thank you. Congratulations.

18           VICE CHAIR DAI: Great. Congratulations.

19           MR. CLAYPOOL: For the remainder of the  
20 positions, the other two critical positions, no, it  
21 doesn't influence anything, we can get those job flyers  
22 out. And as far as the technician positions, we can  
23 assume that, if we're going after a specific person, a  
24 very qualified person for this Web one, if we want the  
25 other two, or one, then we can modify that, or use the

1 list because there will be qualified people that won't be  
2 the most qualified that we might think to employ. And  
3 then, as far as the AGPA's, the Associated Government  
4 Program Analyst, we can get that out because it's just a  
5 list that we're going to hire the most qualified person  
6 for. We will at least have - it is unbelievable to me  
7 that we wouldn't have at least two or three of those  
8 individuals helping us in that category.

9 CHAIRMAN YAO: So, I would suggest that we take  
10 on this matter for the first order of business when we  
11 convene next week.

12 MR. CLAYPOOL: Okay.

13 CHAIRMAN YAO: All right.

14 COMMISSIONER BLANCO: I think there's some kind  
15 of - it's not a motion, but there was a pending  
16 discussion about an agreement that these are the critical  
17 - that we list what the next three critical positions are  
18 and agree that they are that, and that it will move  
19 forward.

20 CHAIRMAN YAO: Right. I believe staff has that  
21 direction already, we are to provide - we are to receive  
22 that information ahead of the next time we meet and we  
23 will continue the discussion and make decisions  
24 accordingly. Is that acceptable to all the  
25 Commissioners?

1 COMMISSIONER BARRABA: Yes.

2 CHAIRMAN YAO: All right. Mr. Claypool, you may  
3 continue to discuss your report.

4 MR. CLAYPOOL: All right, the second thing that I  
5 was asked by the Chairman to do is to discuss the level  
6 of my procurement authority, my signature authority to  
7 purchase things that we need. I was - I spoke with both  
8 individuals here at the Secretary of State and  
9 individuals familiar with commissions, and it was --  
10 basically the consensus was that I need about \$50,000  
11 worth of procurement authority. That would cover  
12 hopefully the expense of the very expensive items that  
13 will be associated with the actual redistricting, and so  
14 I would request that I receive that level of purchasing  
15 authority.

16 COMMISSIONER FORBES: I will move that.

17 COMMISSIONER GALAMBOS MALLOY: Second.

18 COMMISSIONER AGUIRRE: So, clarification. What  
19 we're talking about, then, is that anything up to  
20 \$50,000, Mr. Claypool would have authority to approve,  
21 and then would report to us on that expenditure; but  
22 anything more than \$50,000, it would have to come to us  
23 first?

24 COMMISSIONER FORBES: It was my understanding, it  
25 is up to \$50,000 total. Or is it by contract or by

1 individual item?

2 MR. CLAYPOOL: By contract.

3 CHAIRMAN YAO: I believe it is against the  
4 principle, against the law, to try to break up  
5 procurement into various components, to try to compete  
6 below the authorization limit. So I think, in general,  
7 it's for the total expense, and not by components.

8 COMMISSIONER GALAMBOS MALLOY: May I ask, for  
9 sake of context based on the conversations that you've  
10 had, what were some of the types of things that were on  
11 the higher end of the price tag?

12 MR. CLAYPOOL: I only went out - after I spoke  
13 with the Chairman, I just went out and got a general  
14 consensus among people that I know here, who have worked  
15 with commissions and just said, for procurement, what's  
16 kind of the standard. So, I didn't consider it in terms  
17 of the things that I would be purchasing, however, the  
18 one thing that comes to mind as I spoke with the tech  
19 person here, that works for the Secretary's Office, that  
20 individual said that there are going to be some very  
21 expensive items that are going to be associated with the  
22 mapping and big screens so that you can see how it works,  
23 and so on and so forth. I am not entirely convinced that  
24 those types of items wouldn't be provided by our  
25 consultant, that we would want to place that under

1 contract because there's not going to be a need for us to  
2 own them. So, in that regard, hopefully that will fold  
3 into some type of contract and not be an issue. If that  
4 doesn't come to mind, or if that doesn't come to be  
5 something that I need to purchase, then it's very hard  
6 for me to imagine anything reaching this threshold. So,  
7 that's my -

8 CHAIRMAN YAO: We have the option of lowering the  
9 limit if we choose to do so. I don't believe the number  
10 is absolute in any sense.

11 COMMISSIONER BLANCO: Are we really talking about  
12 the total and not for a contract? I mean, that's -

13 MR. RICKARDS: Well, maybe we should clarify  
14 that.

15 CHAIRMAN YAO: The total per task, or per  
16 activity, and not -

17 MR. RICKARDS: I think what the Chairman was  
18 talking about was - an example - personal service  
19 contracts, Department of General Services exempts most  
20 agencies when they're below \$50,000. What's against the  
21 law is contracting with somebody for something that, say,  
22 costs \$100,000 in reality, and then breaking that up into  
23 four \$25,000 contracts, to get out from under the  
24 approval authority. So, I think the number may have come  
25 from that, but it's a good practical number. How you

1 want to deal with total expenses is one thing, but if by  
2 your limit you meant that Dan can only spend \$50,000,  
3 then that ought to be articulated specifically; or, if  
4 you meant that he can spend up to \$50,000 per on an  
5 individual contract, if that's what you want to do. Just  
6 as long as that is clear, we're okay. So, I understand  
7 your authority - and, again, I'm asking for Dan, really,  
8 that he can contract for up to \$50,000. How you want to  
9 approve that is up to you.

10 COMMISSIONER FORBES: No, I mean, I think my  
11 intention - I mean, it was his intention - was that  
12 contracts up to \$50,000, he can approve without prior  
13 approval from us. And I think, and, I mean, just as a  
14 general philosophical thing, is that I think you have to  
15 hire your Executive Director and let them do their job,  
16 rather than micromanaging. So, that was the intent of my  
17 motion.

18 COMMISSIONER BLANCO: Right. Thank you, I just  
19 got confused.

20 COMMISSIONER BARRABA: Moved and second.

21 CHAIRMAN YAO: It's been moved and second.  
22 Anyone in the audience who would like to comment on the  
23 expenditure or authorization limit for the Executive  
24 Director? All right, seeing no one approaching the  
25 microphone, I will bring it back to the Commission. Any

1 further discussion? Yes.

2 MR. CLAYPOOL: One point of clarification, that  
3 does not mean consultants. So, that's a different deal.

4 CHAIRMAN YAO: So noted. All right, let's have  
5 again a voice vote with a show of hands. All those in  
6 favor, or who can support the motion, raise your hand and  
7 say "Aye."

8 (Ayes.) Against? Abstain? Seeing none against  
9 and abstain, it has been approved unanimously. Thank  
10 you.

11 Next item on your list, Mr. Claypool?

12 MR. CLAYPOOL: That is my list, sir, for this  
13 particular topic.

14 CHAIRMAN YAO: All right, anything else this  
15 Commission would like to discuss in terms of how we would  
16 want to either communicate or deal with the Executive  
17 Director as a group? Or individually?

18 VICE CHAIR DAI: I was just going to make a  
19 suggestion that maybe we could get Anne to help with  
20 this, our schedule of availability or unavailability, if  
21 we could get that uploaded into Google Calendar, or a  
22 group calendar, so that we could all individually update  
23 it and therefore relieve you of having to track that in  
24 the future.

25 MR. CLAYPOOL: We will check with the Secretary

1 of State's Office because, until we get our Web person,  
2 you are at the mercy of Anne and myself, or the Secretary  
3 of State. But I think we can get that completed.

4 VICE CHAIR DAI: Yeah, that doesn't require Web  
5 knowledge, it's just a -

6 MR. CLAYPOOL: Sure.

7 VICE CHAIR DAI: -- a group calendar.

8 CHAIRMAN YAO: All right, anything else? All  
9 right -

10 MR. CLAYPOOL: Mr. Chairman?

11 CHAIRMAN YAO: Yes.

12 MR. CLAYPOOL: I believe that it might be an  
13 appropriate time for lunch.

14 CHAIRMAN YAO: Sounds like you're hungrier than I  
15 am, so... All right, we shall break for lunch and I  
16 believe we have a reservation made for us at a  
17 restaurant, so we will be back at 1:15? Would that give  
18 us enough time? If we have a few minutes, we would also  
19 like to stop by the office that has been made available  
20 to us. I believe a number of people have not seen that.  
21 I also think that, if not, then we'll try to do it at  
22 4:00 this afternoon.

23 MR. CLAYPOOL: It will be -- if the intention is  
24 to make your reservation and go, then we would need more  
25 time.

1           CHAIRMAN YAO: More time? All right, then we'll  
2 just go to lunch and deal with going to the new office  
3 later on this afternoon, then.

4           VICE CHAIR DAI: Would 1:00 be - that is actually  
5 a fairly long time. Would 1:00 be enough time?

6           CHAIRMAN YAO: It's been suggested that an hour  
7 and a half would be closer to what we need, as compared  
8 to 1:00 - I mean, to an hour.

9           VICE CHAIR DAI: It's 11:30 right now.

10          CHAIRMAN YAO: Oh, 11:30 to 1:30, two hours.

11          VICE CHAIR DAI: One and a half -

12          COMMISSIONER WARD: Mr. Claypool, if we wanted to  
13 see the offices, since we're already out and about, how  
14 much additional time -

15          CHAIRMAN YAO: Let's resume the meeting at 1:30,  
16 and that will give us adequate time. Is that the  
17 request?

18          MR. CLAYPOOL: We can do that, it's a short walk.  
19 That's going to happen when we get to the space, it's not  
20 going to take you long to see it because it's not a big  
21 space, however, what will happen is they are going to  
22 want to get all your names so that we can - and give you  
23 keys. What I would suggest, to avoid that, we'll simply  
24 give them all your names and then we'll tell them we'll  
25 supply that.

1           CHAIRMAN YAO: Okay, help me, what time do we  
2 want to reconvene this meeting? I think that's the  
3 important thing.

4           COMMISSIONER GALAMBOS MALLOY: How long do you  
5 anticipate lunch will take with where we are going?

6           MR. CLAYPOOL: It's going to take you about an  
7 hour and 15 minutes.

8           COMMISSIONER BARRABA: We'll meet back at 1:00  
9 and then we break at 4:00 so we can go to the office.

10          CHAIRMAN YAO: One o'clock it is, so this  
11 Commission will reconvene this meeting at 1:00 p.m.  
12 Thank you.

13                                 (Recess at 11:32 a.m.)

14                                 (Reconvene at 1:01 p.m.)

15          CHAIRMAN YAO: All right, time is a couple  
16 minutes past one. We're going to reconvene the Citizens  
17 Redistricting Commission. All the individuals are here  
18 from this morning, so I don't think we need to do another  
19 roll call. The first item on the agenda is the item  
20 number - six or seven? Who has the page open?

21          VICE CHAIR DAI: Six.

22          CHAIRMAN YAO: Item six, the title is Secretary  
23 of State Support Effort, update, and decision. Dora?  
24 **Item 6. Secretary of State support efforts - update and**  
25 **decision.**

1 MS. MEJIA: Thank you. Can you hear me? I think  
2 it's not on. That means, Peter, you can't ask me a question.  
3 Let me go first, I have a gift for you. I know you've been  
4 waiting for this. This is for Dan, and let me give you this  
5 letter. This is a copy of the 2010 Census Redistricting  
6 Shapefiles for the State of California. We received this  
7 back in December, but we were holding on to it until you had  
8 an Executive Director to share that, so it has been locked  
9 up, but here it is, it's official.

10 So let me start with the travel. You've all  
11 received a travel claim and we haven't been able to process  
12 any travel claims for January. Now, remember, December  
13 travel claims are being paid by the BSA, but January travel  
14 claims are being paid by SOS on your behalf, and we still  
15 have to set up - finish setting up the structure, and we're  
16 very close to doing that, so I'm hoping that that goes  
17 through within the next day or two, we're very very close to  
18 that. That also applies to your per diem, we have to set up  
19 the structure. Again, we have to get approval on all the  
20 positions, the position titles, and that has to be submitted,  
21 and that would be, again, hopefully in the next two days.

22 I understand you are going to hire more staff, so  
23 I've sent the job bulletin template to Dan and Anne so that  
24 they can go ahead and make modifications to that for the new  
25 hires, and we can go ahead and post that when it's ready.

1 Next week, you'll be approving the salary schedule, and I'm  
2 hoping that maybe we can send that to you soon so that you  
3 can get a look at it. It's simply a listing of all of the  
4 classifications - not classifications, but different  
5 positions that you might use, and the corresponding salaries,  
6 so it will give you a lot of latitude. If you approve that,  
7 it's required by Controllers, they will accept that, and  
8 then, when we establish positions, we'll use that. So, once  
9 that salary schedule is approved, then we can go ahead and  
10 key in the positions, so we'll go ahead and key in  
11 "Commissioners," we'll go ahead and key in Dan, and then, I  
12 think you hired somebody new today, and I'm sorry, I can't  
13 remember his name, but I think you have a new hire, because  
14 they have to be entered into the Controller's system before  
15 pay can be issued because they actually track all the  
16 payments, issue the W2s, do the withholdings.

17           On your budget, Dan and I had a brief chat about  
18 this, I think it was yesterday, or maybe it was the day  
19 before, the days are flying by, regarding when you need to  
20 submit justification for the additional million dollars, I  
21 think you have to do that probably by the end of next month  
22 at the latest because you have to allow enough time for the  
23 Department of Finance to do the review, they're going to ask  
24 you questions, especially it has to be well justified why you  
25 need that additional million dollars, and they in turn, then,

1 have to get the approvals internally. So, I suggest you  
2 probably start working out a plan, and I heard you were doing  
3 that yesterday, so that Dan can just make that justification.

4           As far as expenditures we've made on your behalf, I  
5 think the biggest expenditures so far has been for the Court  
6 Reporter because that's pretty expensive to have them here  
7 every day to take the Minutes. Other than that, we haven't  
8 really purchased much. Your space is basically free. We've  
9 had to do some movement of furniture, we were able to get  
10 free furniture for you, and it doesn't look bad, I mean, just  
11 because it's free, it looks pretty good. The Governor's  
12 Office also provided some laptops for you. We had some  
13 laptops and we provided those to you, so you have that for  
14 free. There is a copier over there that the GoED actually is  
15 giving you also. So you have some basics.

16           What we're working on now is, I think it is  
17 probably better for you all to have Blackberries, and I think  
18 you're in agreement with that, rather than having desk phones  
19 since you're going to be traveling everywhere. That way, you  
20 can keep your business separate from your personal business.  
21 And so we're working on that. We're doing also templates for  
22 all of the contracts we think you'll have to enter into for  
23 video services, translation, court reporters, IT services,  
24 you're going to need some desktop support, so we're doing  
25 some templates so that Dan can review them and he can sign on

1 your behalf when you actually have your plans for that,  
2 because on a contract you have to be pretty specific about  
3 where, when, how. And I heard this morning that I think you  
4 want to get started on training, and so we're going to go  
5 ahead and I already have HR staff looking into training for  
6 you for your - let's see, which one was it - Sexual  
7 Harassment and Prevention.

8           And IT, or IT staff, has said they'd be more than  
9 happy to meet with Dan when he has some time to discuss also  
10 video streaming services, and like a Web Administrator, so as  
11 soon as he's freed up, we'll meet with him and get that  
12 rolling, as well.

13           Now, once you have staff hired, it'll take - I  
14 think it's going to take about five business days to transfer  
15 the line, the 866 line over to the new site, so it just takes  
16 a little bit of time to get it through the phone company, but  
17 we'll start working on that as soon as we know that Dan has  
18 hired that staff. Those have been filed. And I think that's  
19 pretty much it on that part.

20           Now, I have three contracts that I'd like for you  
21 to approve. The first one is for Accounting Services, it's  
22 with the Department of General Services. They actually have  
23 a section that is called Contracted Fiscal Services, they are  
24 there to provide accounting services for small agencies,  
25 small commissions. It makes more sense for you to contract

1 with them than to hire someone to do that for you because, if  
2 you hire someone and they leave, or they're on vacation, then  
3 you're stuck, you're stuck. So it's better that you contract  
4 with them, they know what they're doing, they're using what  
5 is called CalSTARS, so setting you up in CalSTARS, it's a  
6 system that is supported by the Department of Finance, and so  
7 they know how to use it, it'll be directly into that, and  
8 they can do your financial statements, as well, load your  
9 appropriations in, track your expenditures as the bills come  
10 in. The cost of that service is \$75,000, it's going to cover  
11 the period of January 1<sup>st</sup>, 2011 through July 31<sup>st</sup>, 2014. I  
12 think that's pretty reasonable because the way the State  
13 works is, you get an appropriation and it's good for two  
14 years, so you can actually liquidate it - doesn't mean you  
15 can spend it, but if you set up side services and they  
16 haven't been paid, say the invoices are late in coming,  
17 they'll go ahead and take care of that, as well. So, I would  
18 suggest you approve it. I think that's a reasonable amount  
19 for that service.

20           The next one is for your HR Services. Believe it  
21 or not, even though you're a small commission, there's a lot  
22 of paperwork to do. You know, just tracking the positions,  
23 tracking benefits, tracking pay, they are charging you - this  
24 contract is from January 1<sup>st</sup> through June 30<sup>th</sup>, 2011, they do  
25 six months at a time, this one is for \$3,212.00, I think

1 that's very reasonable. Again, I suggest you approve that.

2           The third one doesn't contain any dollars, it's the  
3 Business Travel Account, and this simply is allowing Dan to  
4 sign, so to set up some accounts with the Department of  
5 General Services, it is so you can do online booking of your  
6 travel. It will cover airline, hotel, and car rental; that  
7 way, you don't have to pay out of pocket for this, there will  
8 be an account, it will be charged to it, you'll just have to  
9 pay, you know, for your meals and other incidentals. Then,  
10 all of this will be covered, so I suggest you give him the  
11 authority to sign this on your behalf, too. And as of today,  
12 that's all the contracts I have for you.

13           VICE CHAIR DAI: Dora, I have a question about the  
14 Blackberries. Some of us have existing phones and given that  
15 the e-mail is in the cloud, there is a way for us to keep  
16 that separate? I wonder if you want to ask how many  
17 Commissioners will actually need the Blackberries.

18           MS. MEJIA: Sure. If Dan will give me a list,  
19 we'll go ahead. We haven't executed that contract, we're  
20 simply doing the draft of it until you tell me what you need.

21           COMMISSIONER RAYA: Excuse me, I have a question  
22 about the accounting services that you described.

23           MS. MEJIA: The accounting, uh huh.

24           COMMISSIONER RAYA: Yes. Some of what you said  
25 sounded like some of what was described this morning for a

1 position that we might consider as an employee of the  
2 Commission, so I am just wanting to understand if there is an  
3 overlap. Would you mind reading the description again of the  
4 services?

5 MS. MEJIA: Sure. Let me get that contract for  
6 you. And I'm referring to this document, it's posted on the  
7 Web. It says DGS and this is a Memorandum of Understanding,  
8 and attached to it, you'll see two columns, one of them says  
9 "CRC," one says "CFS." "Contract of Fiscal Services" is the  
10 service that will be provided to you. CRC is what you will  
11 do, the Commission will do. And if you want to see it, it's  
12 also posted on the website. So, for instance - okay, you do  
13 have that.

14 COMMISSIONER RAYA: But I still have the question  
15 as to whether any of this is in duplication of services, and  
16 I don't know if that's something for Dan to address, or -  
17 it's just the description sounded to me the same.

18 MS. MEJIA: Maybe I'll let Dan - well, maybe we can  
19 both cover that. This - well, I hate to answer on his behalf  
20 because I don't know exactly what he has in mind, but I can  
21 tell you on this contract, when a bill is received, someone  
22 has to enter it into the system, so let's say you purchase  
23 your Blackberries, the bill comes in, it's approved for  
24 payment, and then it's entered into the system so that you  
25 can generate reports and track your expenditures. At the end

1 of the year, then, from that information, you are going to  
2 get your travel balance and so forth, and then your financial  
3 statements. So, they'll be doing that, you know, they'll be  
4 keying in the invoice once it's approved, and giving you  
5 monthly expenditure reports, and then at the end of the year,  
6 they'll be doing the financial statements. So, maybe what  
7 Dan has in mind is the front end of it, which is getting the  
8 invoice and approving it for payment. But I should let Dan  
9 answer that. I don't want to guess.

10 MR. CLAYPOOL: Actually, what I had described to  
11 the Commissioners was the process of having an individual  
12 that would be gathering - one of the duties would be to  
13 gather the TECs, pulling them together so that they could be  
14 presented on this contract, that was the understanding that I  
15 had, that we would do all the upfront work, and then transfer  
16 it to DGS, and then they would key it into the system. Is it  
17 your understanding that they're going to do more than that?

18 COMMISSIONER RAYA: Well, maybe I'm confusing  
19 positions, but it seemed to me that you described a position  
20 this morning that, you know, I could look at my notes, but  
21 somebody who would be tracking all of our expenditures,  
22 travel, the budget, and then preparing the justification for  
23 more money. So, is there any overlap there? It's just  
24 something, you know, I want us to be able to consider when  
25 we're actually looking at what the expenditure is going to be

1 for these services, overall.

2 MS. MEJIA: Do you want me to help with that?

3 MR. CLAYPOOL: Please.

4 MS. MEJIA: Okay. I think maybe what Dan has in  
5 mind is that, and I'll just use an example, you know, that  
6 makes more sense to me, is internally we have the Secretary  
7 of State's budget, but before all those invoices go to the  
8 Accounting shop, we're also tracking them to make sure that  
9 I'm not going to over-expend ahead of time. So, as people  
10 are - as the Divisions are saying, "I need money for this, I  
11 need money for that," we're putting it - we're setting it  
12 aside and doing projections to make sure that these  
13 expenditures at the end, once they're paid, don't blow the  
14 budget. So, I think maybe that is what he's thinking is, you  
15 know, doing the upfront work so you don't go there because  
16 you're going to be - it sounds like you're maybe going to be  
17 traveling a lot, you're going to be moving fairly quickly,  
18 and you need someone that's going to be tracking those  
19 expenditures. You don't want to have any surprises at the  
20 end. You would be in a whole world of trouble if you blew  
21 that budget.

22 COMMISSIONER RAYA: Thank you.

23 MR. CLAYPOOL: And, in addition, the position that  
24 I had described was also an individual who would help us  
25 prepare the budget proposal for when we go for - when we

1 request the augmentation and the individual who understood  
2 the basic rules of travel expense, so that if there is an  
3 error, we don't send it forward and have an error with that,  
4 basically just a person does the frontend work, and then this  
5 system is going to pick up the accounting report.

6 COMMISSIONER ONTAI: So, Dan, can I assume, then,  
7 that every time the Commission meets, we'll have a financial  
8 report from you?

9 MR. CLAYPOOL: Yeah, I think that would be  
10 appropriate. I hadn't even thought it through to that level  
11 yet, I was just thinking of staffing and things that needed  
12 to be taken care of, but certainly I think it would be  
13 appropriate if you knew where you were at.

14 COMMISSIONER ONTAI: Yes, I would think so.

15 CHAIRMAN YAO: Would you like us to consider the  
16 three contracts immediately?

17 MS. MEJIA: Please.

18 CHAIRMAN YAO: First of all, any additional  
19 questions on the three outsourcing contracts? That might not  
20 be the proper term for all three of them, but the three  
21 contracts that are before us at this point in time, the HR  
22 contract, the Accounting contract, and setting up the account  
23 for the business travel? I would like to entertain a motion,  
24 if that's the case.

25 COMMISSIONER AGUIRRE: I will move that we approve

1 all three contracts at this time.

2 VICE CHAIR DAI: Second.

3 CHAIRMAN YAO: All right, seeing no one in the  
4 audience, I will bring it back to the Commission for further  
5 discussion. If not, let's have a show of hands in the voting  
6 process. Those in favor of accepting all three contracts,  
7 the motion, raise your right hand and say "Aye."

8 (Ayes.) Opposed? Abstain? All right, the three  
9 contracts are considered approved. Thank you.

10 MS. MEJIA: Thank you.

11 CHAIRMAN YAO: Any other decisions that you think  
12 we need to make above and beyond the three contracts at this  
13 point?

14 MS. MEJIA: If we have more, I'll go ahead and  
15 funnel them through Dan so he can present them to you.

16 COMMISSIONER AGUIRRE: I'd like to ask Dora one  
17 question that I'm not clear on. Do we have ID cards? Or are  
18 we getting ID cards through the Secretary of State?

19 MS. MEJIA: Identification cards, in fact, they're  
20 being made now, now that we - we posted the photos with the  
21 Flag, and now we're using those same photos to do ID cards  
22 for you, and also we're doing a mock of the business cards  
23 for you so that you will have a chance to approve them. I  
24 was hoping you would have the ID cards today, but we had a  
25 little bit of an issue Wednesday afternoon with the building,

1 and so that kind of threw us all off, but I'm hoping that  
2 you'll have those soon - if not today, then you will have  
3 them when you return.

4 COMMISSIONER AGUIRRE: Thank you very much.

5 CHAIRMAN YAO: Thank you.

6 MS. MEJIA: Thank you.

7 CHAIRMAN YAO: Thank you very much. I think it  
8 would be good today if we can put some closure to the  
9 outreach subcommittee, outreach activities, so that we can  
10 start either the formation of the subcommittee or start  
11 coming up with a framework as to how we want to proceed in  
12 terms of doing the outreach activity. So, if somebody has a  
13 strong - has an opinion, or has a concept of how you would  
14 like us to move forward with the outreach, please share it  
15 with the rest of the Commission.

16 **Item 3. Commissioner Governance, such as limited time for**  
17 **comments, establishing advisory committees, per diem**  
18 **guidelines and other governance matters.**

19 VICE CHAIR DAI: Maybe it's useful if we talk about  
20 format for the meetings and maybe the forum in which we would  
21 like to receive input.

22 CHAIRMAN YAO: In terms of the length of the  
23 outreach, let's deal with that because I think that's pretty  
24 self-contained. Are we looking at one two-hour meeting? Are  
25 we looking at an all-day meeting? Are we looking at multiple

1 days? I know we can't be absolute about these type of  
2 decisions, but I think it would probably be good if we kind  
3 of bracket in as to what we think it is, and then take  
4 exceptions as compared to just going into it without any  
5 guidelines. So -

6 COMMISSIONER FORBES: Well, I think I would  
7 schedule them for at least two hours and, if they are any  
8 longer, then it would be a function of how many people show  
9 up to some degree. We probably should put an upper limit on  
10 it.

11 CHAIRMAN YAO: So, schedule-wise, you are proposing  
12 a couple hours for that activity?

13 COMMISSIONER FORBES: Exactly, and if it's a big  
14 turn-out, just keep running. But you know, maybe a max of  
15 four. I would not have two-day meetings, I think that's  
16 excessive for a lot of people.

17 COMMISSIONER PARVENU: I've been giving this some  
18 thought from a geographic and, I guess, a planning  
19 perspective. I like the idea, personally, of having actually  
20 two meetings on a Saturday so that we can get the most out of  
21 that day's time that we spend, from perhaps 9:00 to 12 noon  
22 at one location, looking at two counties, making certain that  
23 every resident, every citizen in those two counties -- two  
24 adjacent counties -- are present and perhaps a second meeting  
25 from 2:00 until 5:00 at another pair of counties in that

1 vicinity. That way, between the 14 of us, between the 14 of  
2 us, four counties a piece brings us to whatever that number  
3 is, 56, which is close to the 58 counties. So, I'm just  
4 throwing that out there as a possible suggestion, looking at  
5 it geographically. I know that's doable for me, to have one  
6 of two Saturdays, having two meetings from 9:00 until 12:00,  
7 and from 2:00 to 5:00, that's not taxing to me; and then, a  
8 second Saturday, two more counties, adjacent counties,  
9 invited from 9:00 to 12:00, and also again from 2:00 to 5:00.  
10 That is doable with my work schedule, having a 9:00 to 5:00  
11 job, as well, to maximize my use of Saturdays. That's the  
12 suggestion I'll throw out there.

13 CHAIRMAN YAO: So back to back meeting on the  
14 weekend, on Saturdays, specifically.

15 COMMISSIONER PARVENU: That is doable for me  
16 because, leaving one meeting at 12:00 will give me one hour  
17 for lunch and another hour to drive, and another pair of  
18 counties where everyone in those two counties are invited. I  
19 think that one objective is to make certain that every  
20 resident in every county of the State has an opportunity to  
21 attend a public forum, and that, I think, is a realistic  
22 approach. There are counties that are a very central part of  
23 the State that are very close, they are adjacent. I think a  
24 one hour, or hour and a half drive is doable. I know for  
25 myself it is doable.

1                   COMMISSIONER WARD: This might be a better question  
2 for when we have the Communications Director on staff, but  
3 I'm curious because I don't know, my general thinking was  
4 that we were going to have some, I guess, a consultant's  
5 support in identifying - entertaining some different  
6 proposals on how we - with data that would give us some ideas  
7 on how to best blanket the State with our vision, and that,  
8 then understanding all of the requirements that go along with  
9 taking the show on the road, if you will, taking it into  
10 account, we might be able to define that better. But how  
11 much consultant support are we going to anticipate in  
12 figuring this out? Does anybody know?

13                   VICE CHAIR DAI: I mean, I certainly think that we  
14 should try to take advantage of experts rather than trying to  
15 reinvent the wheel ourselves. So, right now, a lot of  
16 approaches sound reasonable to me.

17                   COMMISSIONER WARD: Exactly.

18                   VICE CHAIR DAI: So, I just don't know if we're  
19 equipped to actually make a decision. I mean, I think we can  
20 think about how long the meetings should be, and the format  
21 of the meetings, and things like that, I just don't know if  
22 we can make a decision on the -

23                   CHAIRMAN YAO: Mr. Claypool.

24                   MR. CLAYPOOL: We had discussed yesterday, the  
25 Commission had discussed yesterday, waiting for some expert

1 advice from your consultant. And you also today discussed  
2 having people coming in and giving you some training. I  
3 think that part of that training certainly should be someone  
4 who can give you an idea of the types of meetings that you're  
5 liable to run into. For instance, we just discussed a two-  
6 hour minimum, but going as long as people need to go, which  
7 then might run counter to having two meetings in one day if  
8 you run into a meeting that you can't control, that won't  
9 stop. And then the discussion early on in this process with  
10 Karin MacDonald and the Center for Government, she described  
11 many situations where meetings just went on and on and on,  
12 for great lengths of time by concerned citizens who wish to  
13 voice their opinion. And so I would think that we might  
14 benefit from maybe having an interim consultant come in and  
15 give you some insight in this.

16 COMMISSIONER BLANCO: I think that's a good idea.  
17 I also think we should remember that we have more than one  
18 bite at the apple. In one sense, the first set of meetings  
19 are outreach meetings where we're gathering information, and  
20 we obviously want to have enough time to gather that  
21 information, but we could do things so that, when people come  
22 and speak, that it's somewhat structured. And I think, on  
23 the information gathering side of things, I'm inclined to  
24 have a set time and a format, and figure out what our prep  
25 work is for that in terms of making sure people, you know,

1 are able to participate and give us what we're there to do,  
2 and have it be a meeting that is an effective meeting. I  
3 think, then, there is the next - there is another  
4 opportunity, which is when you take your maps back out, and  
5 that's where I think you run into the lengthy, contentious,  
6 possibly - whatever. And I think that's a different meeting.  
7 So I think, conceptually, we should maybe separate those two  
8 meetings. They're both outreach, but they're really  
9 different. And even in terms of the timing we've been  
10 talking about, I don't know that we've figured that into our  
11 overall timing, that there's got to be a point - or in our  
12 budget - that there's a point of outreach which is when you -  
13 how much we decide to go back to people with the maps.  
14 Because we could decide not to do it in person again, we  
15 could decide to do that after comments that get submitted to  
16 us, or that people have to come to Sacramento. But there are  
17 really kind of two distinct phases to this.

18           COMMISSIONER BARRABA: Mr. Chairman? Might I  
19 suggest that maybe, since this is under training, which is  
20 already listed as an agenda for next week, that the Executive  
21 Director contacts Karin MacDonald, who actually had outreach  
22 in San Diego County and the County of San Francisco, and has  
23 written on the subject, and maybe have her come in and talk  
24 about alternative outreach programs?

25           CHAIRMAN YAO: I certainly agree with that. Staff,

1 accept that as a direction at this point in time? Thank you.

2 VICE CHAIR DAI: There was also pretty substantial  
3 outreach effort that was done for the Census, itself. And  
4 apparently done at 10 percent of the cost of 10 years ago,  
5 and I think we would probably really benefit from hearing  
6 from someone there.

7 COMMISSIONER BARRABA: One of our -

8 CHAIRMAN YAO: Would the ex director be interested  
9 in commenting on this?

10 COMMISSIONER BARRABA: One of our Commissioners was  
11 part of that outreach program, Andre. But I would be happy  
12 to contact somebody in the Western Region Office and see if  
13 they would be willing to come and talk about it.

14 CHAIRMAN YAO: Could you make an attempt to see if  
15 they could join us next week? I know it's very short notice.

16 COMMISSIONER BARRABA: Yeah.

17 VICE CHAIR DAI: Yeah, and I actually know the  
18 Director of that outreach. Well, why don't you go directly,  
19 then? Why don't you do it?

20 VICE CHAIR DAI: I will.

21 COMMISSIONER BARRABA: Okay.

22 CHAIRMAN YAO: Mr. Claypool.

23 MR. CLAYPOOL: And so, for clarification, we are  
24 going to invite both individuals? Or - okay.

25 COMMISSIONER GALAMBOS MALLOY: The other thing I'd

1 say is that I was a little bit disappointed when we had staff  
2 check - I had assumed that, given how central public outreach  
3 is to the entire process, that we might have more feedback  
4 from the public around ideas on this topic, and when we  
5 checked earlier today, there had been no public comments in  
6 the last 24 hours, and there were only about 20 people  
7 watching on the live feed. So, I mean, I think perhaps we  
8 could go on record saying we'd like to invite - we can send  
9 an e-mail blast off to, and maybe if you're sending multiple  
10 things out, you condense them around inviting interested  
11 members of the public to submit written comments around  
12 methodologies for outreach that, then, we can take into  
13 consideration as we move forward.

14 CHAIRMAN YAO: Since we're still tossing around  
15 ideas, would you embrace the concept of trying to come up  
16 with a concept, not necessarily the optimal concept, and try  
17 it out when we're off-site in the month of February, even  
18 though we may or may not have all the information we need to  
19 make such decisions?

20 COMMISSIONER GALAMBOS MALLOY: Let me clarify what  
21 I think I heard you say. Do you mean that we would hold our  
22 first informational hearing at a time adjacent to our  
23 Commission meeting in February?

24 CHAIRMAN YAO: My thinking is, because we are going  
25 to be off-site, and we are going to be at a location, even

1 though we can publish our agenda precisely, there may be  
2 perception out there that we're there trying to reach the  
3 community and trying to get input, and so on, so it probably  
4 would behoove us to certainly do the reasonable part of any  
5 outreach program that we would want to do, and perhaps we can  
6 use that meeting to try out some of the things that we want  
7 to try including, solicitation of questions that we want to  
8 ask of everybody. So, again, it's just a thought. I  
9 understand that we want to construct a program and then  
10 perform to our plan or to our agreed upon program, but -

11 COMMISSIONER BARRABA: One of the things we could  
12 say under the training agenda is we could do a pilot where we  
13 could, as part of the regular meeting, set a pilot aside for  
14 an hour or two of outreach, and actually engage the public in  
15 part of our pilot, as part of the training program.

16 CHAIRMAN YAO: You feel February is way too early  
17 for such activity?

18 COMMISSIONER DI GIULIO: I think early February is.  
19 My concern, a little bit, and this may not even come to  
20 fruition, but if we do start mixing the outreach with regular  
21 commission business, we're on a limited time frame and I  
22 would imagine that would be setting a precedent that we would  
23 have to continue that with future Commission business  
24 meetings. So, if Claremont has the opportunity to provide  
25 feedback, then I'm sure Oakland would want to have an

1 opportunity for feedback, and San Diego would want an  
2 opportunity. I guess I'm just thinking a worst case scenario  
3 if we did set that precedent and we had to spend a couple -  
4 not had to - if we ended up spending a couple hours getting  
5 feedback, would we have enough time to do business, too?

6 COMMISSIONER BARRABA: That's why I suggested we  
7 list it as a pilot, not as a - it's all for the purpose of  
8 training.

9 CHAIRMAN YAO: The February meeting, even though we  
10 agendized it, or even though, by tentative plan, we meet  
11 Wednesday, Thursday and Friday, we have it on the agenda to  
12 go to Saturday and Sunday, as well, so it's an opportunity.  
13 I just wanted to collect your thoughts on taking advantage of  
14 the situation. Okay, anything else that - any other area  
15 that you want us to touch on? We got to the outreach format  
16 or structure?

17 VICE CHAIR DAI: Yeah, I think that's worth having  
18 a little more discussion. I think Commissioner Blanco's  
19 points are well taken. We're going to have a phase that,  
20 let's describe that as input, and then there's going to be  
21 another phase that will be feedback. So, I think she's  
22 right, I think they're going to be different in nature, in  
23 tone, and interest.

24 COMMISSIONER RAYA: Are we - have we just kind of -  
25 there was sort of a silence after this last little suggestion

1 about using a pilot early on, and there were only a couple of  
2 comments, so I just want to see, you know, being who I am, I  
3 would prefer that we jump in and try something, and calling  
4 it a "pilot," I think, is a great idea because it doesn't  
5 bind us to anything, it just gives us an opportunity to test  
6 it. So, I would be interested to know, is that just dead?  
7 Or does anybody else have a comment?

8 VICE CHAIR DAI: I think let's talk about the  
9 format, and then we can test it.

10 COMMISSIONER DI GIULIO: So if you're looking at  
11 how we would actually do it, it would be an educational  
12 element, an opportunity for us to talk generally about what  
13 we're doing as a Commission, and then the opportunity - we  
14 have to have some kind of format to be able - we have to give  
15 the public some format for how they can give us back that  
16 information, and then a way for us to capture it so that we  
17 can bring it back. Is that what you're talking about,  
18 content with the meetings?

19 VICE CHAIR DAI: Yes.

20 COMMISSIONER AGUIRRE: And I would be in agreement  
21 of piloting something like that. I think, as far as the  
22 pilot itself, it doesn't have to be in the middle of our  
23 business meeting, it could be either before, or afterwards.  
24 I think that there, out in the Claremont area, and the Inland  
25 Empire area, there are groups that are interested in this,

1 and as was suggested, if we could focus an e-mail blast in  
2 that area in anticipation of the so-called pilot hearing,  
3 that we would certainly have some folks that would step  
4 forward and want to provide us some information, especially  
5 if we told them that this is a pilot and this is not the only  
6 time that we're going to be there, that we're going to be  
7 coming back. As far as the format for the event itself, the  
8 suggestion was for like a two-hour, so that means that if  
9 we're looking, as an example, it's Saturday, 9:00 to 11:00,  
10 let's say, we have to set up at about 8:00, make sure that  
11 the hall is open, that there are signs out indicating to the  
12 public where the event is going to be, whatever handouts need  
13 to be provided, information to the public needs to be set up.  
14 If there are displays that will be developed, then those have  
15 to be set up, the technical aspect of microphones and video  
16 and audio, and all of that has to be set up, as well, so that  
17 that would give us, and staff, and the ourselves and the  
18 public to arrive sometime between 8:00 and 9:00. At 9:00,  
19 the meeting is called to order, the purpose of the meeting is  
20 communicated, there are individual comments on the various  
21 aspects of the work of the commission is provided to the  
22 public, the rules for public comment are read, that should be  
23 standardized, and then we swing into the actual testimonial  
24 aspect of it about 30 minutes later, so this gets us to about  
25 9:30. We take the testimonial for whatever time that takes,

1 in this case, about an hour and 45 minutes, let's say, and 15  
2 minutes before we are supposed to close, we close comments,  
3 remind the audience that we're going to be coming back, and  
4 if we have a potential date on when that might be, also  
5 letting them know that there are two phases, this is the  
6 input phase, the feedback phase is coming along further. So,  
7 as a format for a sequential kind of agenda, to me, that kind  
8 of fits what we're trying to do.

9           CHAIRMAN YAO: The reason - may I? The reason I  
10 suggested Claremont is because, if we decide to do it, for  
11 example, on a Saturday morning, it's all been set up, we can  
12 notice at the same time we notice the business meeting, and  
13 it doesn't involve all of us having to stay over on Saturday,  
14 just maybe involves a couple local people at the minimum, and  
15 certainly there is an option for any one of you to stay over,  
16 to participate in that - what was the term that was used -  
17 the prototype, the pilot - pilot. So, I think it's a very  
18 convenient time to try something, and if we want to leverage  
19 that, then it might be a very easy effort to collect a lot of  
20 valuable information.

21           COMMISSIONER AGUIRRE: And as far as participation  
22 is concerned, you know, the Rose Institute is there. And -

23           CHAIRMAN YAO: No, we're not going to target any  
24 particular group or make it easy for anybody, it's just -

25           COMMISSIONER AGUIRRE: Yeah, but in terms of an e-

1 mail blast, they have classes on this, they have - so the  
2 idea is that there is an interest around that area already  
3 that would be tapped.

4           COMMISSIONER GALAMBOS MALLOY: One thing I would  
5 like to put into consideration, too, is I think that, yes,  
6 there are networks there that we should tap into, but I think  
7 a big part of what I would want to try and test with this  
8 pilot is how effective are we at getting out the word about  
9 redistricting, and so I think some of this will depend on  
10 what type of communications capacity we can secure in a very  
11 short period of time. But I would be interested in us  
12 working on doing, for example, public service announcements  
13 that are going on mainstream, independent, and ethnic media,  
14 you know, this will help us figure out who is reached by what  
15 type of message and what type of source because, by the time  
16 we get to the next round of hearings, we really need to make  
17 sure we have everyone in the room, as broad a cross section  
18 of the population as we can have in any given area. So I  
19 think that is something that would definitely need to precede  
20 the meeting, itself.

21           COMMISSIONER WARD: I had a question for Cy. Any  
22 pilot projects that I've ever been a part of have always been  
23 done with mock data, and I'm just wondering from the legal  
24 perspective is if, no matter what heading we throw on it, if  
25 we go out to the public and receive testimony, is that - are

1 there things we need to be thinking about in regards to  
2 opening that up to the public, especially receiving testimony  
3 and then calling it a "pilot," not online meeting, not for  
4 real meeting?

5 MR. RICKARDS: Well, I don't think you have a  
6 choice of doing a not for real meeting. I don't mean to be  
7 what I sound like, or maybe I do, but, no. This is a real  
8 meeting. And assuming there are going to be three or more  
9 Commissioners, I am making my little notes here, which tend  
10 to say how are we going to - some time before we are done  
11 today, I want to know what's got to go into this agenda  
12 because we've got a meeting, we've got committee meetings,  
13 and now we have a public outreach. This is not to say that  
14 this is not a great idea to do all that, but I don't think -  
15 because it's a pilot for us, meaning - I think what we mean  
16 is we're going to try this out, we're going to figure out a  
17 way that we think might work, and then we're going to go see  
18 if it works. You don't even have to call it a pilot. You  
19 know, when we notice it, you can call it public outreach,  
20 Saturday morning, blah, blah, blah, so we have some notion of  
21 how you want to do it. As long as you notice it and call it  
22 public outreach, you're not in any way constrained to conduct  
23 the next meeting in the same way. You do need to allow - you  
24 do need to conform to Bagley-Keene, but how you do that is  
25 totally up to you. I don't know if that answers the

1 question, I'm sorry.

2 COMMISSIONER WARD: Thank you.

3 COMMISSIONER DI GIULIO: I had a question, too, and  
4 maybe this is just something, I don't know if Cy can answer  
5 it, or the Commissioners. But when we are actually holding  
6 one of these meetings, I'm assuming that the public can  
7 comment, but we can't engage with them? So if we would like  
8 to have more of a two-way conversation, personally, I would  
9 think if I were the public and just coming up and just  
10 talking, talking, talking, how do they feel like they're  
11 being heard, or there's any interaction? Can we have a  
12 consultant or someone else be the mediator, or facilitator  
13 for us? Is that something we want to do? I mean, I don't  
14 want to make this too complicated, but I'm just thinking, if  
15 we - I don't know, is there some way to address the fact that  
16 we can't address the public?

17 COMMISSIONER WARD: I guess that's kind of where I  
18 felt in my initial statement, that although I completely  
19 agree that it's important to talk about structure and get out  
20 and take advantage of every opportunity to address the public  
21 and take testimony, I mean, that's the core of what we're  
22 about, so I can't wait to do it. My understanding of how  
23 these kind of set of processes go, though, is that we hire a  
24 Communications Director, and just like we have with the  
25 Executive Director, and the first thing they do, we make this

1 a priority for them, and they do out, they get consultant  
2 presentations, those are made to us, we then take that data  
3 and we say, "Hey, we want PSAs, we want to amend or add  
4 this," and then they make it happen, people that have done  
5 this. I mean, certainly there are other agencies that go out  
6 and take testimony from the public, there's got to be  
7 protocol sheets and things that we don't have to invent right  
8 now. And I want to get that going, but it just seems like at  
9 this very time is a little bit early - maybe next week, but  
10 out of all of the things to talk about, I just don't know if  
11 we have enough information to give this substantial  
12 definition that is going to help us at this point.

13 CHAIRMAN YAO: Just a comment on the schedule for  
14 this pilot activity. All we need to do today is perhaps  
15 reach a decision that we're going to do a pilot in February,  
16 and have enough information to place on the agenda to meet  
17 the requirement. We have all next week to decide as to what  
18 the pilot looks like, and on and on. So, we're not trying to  
19 design the pilot today. If there is no interest in doing  
20 that, then next week's agenda may be different, okay?

21 COMMISSIONER RAYA: I would like to at least get it  
22 on the agenda and we still have time to think about the  
23 actual process.

24 MR. RICKARDS: And maybe we could get a location,  
25 that would be helpful.

1           CHAIRMAN YAO: The location is at the same site as  
2 the general meeting --

3           MR. RICKARDS: We'll have it at the same site,  
4 okay.

5           CHAIRMAN YAO: -- in the City of Claremont, at the  
6 Claremont Colleges.

7           MR. RICKARDS: And will we have a more specific  
8 location in the next few days so we can -

9           CHAIRMAN YAO: Yes, yes.

10          MR. RICKARDS: Thank you.

11          COMMISSIONER BLANCO: I'm just concerned, when we  
12 talked - in terms of timing - I like - I don't know if we  
13 have to call it a "pilot" or we internally know that this is  
14 a model that we're testing as we go along. I would like - I  
15 think we should not really continue to call it a "pilot."  
16 There is just something about that that, I don't know,  
17 although I like the idea that we're not wed to whatever we do  
18 the first time, that we can continue to learn. In terms of  
19 the timing, one of the things we discussed yesterday is that,  
20 when we go out and do the first set of these input meetings,  
21 that we should know something about the communities where  
22 we're going to be holding these meetings, like some  
23 preliminary - and I don't even know if all this exists, you  
24 will know, Vince, but preliminary data about - well, 1) what  
25 exists, what are the lines there, and you know, whatever -

1 and even who represents whom, and all that, but also to the  
2 extent that there's any preliminary data at that level, which  
3 I think there may not be, it's all still at the higher level,  
4 the Census data. But if there is already some sense of where  
5 populations are growing and shifting in the region that we're  
6 going to do as our first meeting, I mean, in other words,  
7 what I'm trying to say is we really need to be prepared  
8 because, if we're going to be - even if we're not engaging in  
9 a question and answer with the audience, if we get there and  
10 we just hear things, and we don't know certain - and we're  
11 not prepared, what we hear is not going to be as useful as it  
12 could be. So, I want us to talk a little bit more about what  
13 we need to do for us to be ready, not logistically, not time-  
14 wise, not public notice, but what we need to do to be ready  
15 to receive that information in a way that is useful for us.  
16 I mean, is it the community of interest crash course? Is it  
17 some basic data about how many districts are in here, how  
18 many senates, what is the Congressional, when was the last  
19 time it got redrawn, you know, that kind of background,  
20 before we went.

21 CHAIRMAN YAO: Again, the earliest time or date  
22 that we're likely to be able to pull off this initial program  
23 [quote unquote] "pilot" program, is February 12<sup>th</sup> - if my date  
24 is correct, and so that gives us pretty close to three to  
25 four weeks. So if we make the decision that we're going to

1 proceed with it, I think given three or four weeks, we can -  
2 we're likely to be able to pull together all the data that we  
3 need, again, assuming that we decide to make this one of the  
4 priority tasks, okay? So, whatever outreach meeting that  
5 we're going to hold between now and April, we are in essence  
6 running with whatever data we can get our hands on, and it's  
7 unlikely that we're going to get any better data until the  
8 Census data is available. Maybe Commissioner Barraba can  
9 share with us the [quote unquote] "current" available data  
10 that we could possibly use in terms of sharing with the  
11 public.

12           COMMISSIONER BARRABA: I would say there is an  
13 approximation of what the data is going to look like, that  
14 would be available to us early. The purpose of bringing up  
15 the idea of doing a pilot was for us to decide what we need  
16 to know, we have to have some experience, and rather than  
17 finding the reasons why we can't do it under the rules of the  
18 operation, we ought to find out what we can do and it seemed  
19 to me that, if this thing is agendized as we're training  
20 ourselves on how to do the job better, then we're consistent  
21 with the intent of the Act and things of that nature. And  
22 we're going to learn some things by doing it that we can't  
23 anticipate right now. So, I'm - we're here to represent the  
24 interests of the citizens of the State, and that means we  
25 might want to take a little risk now and then because I think

1 they got us here to get the job done, and not to find our way  
2 through the maze of regulations.

3 COMMISSIONER DI GIULIO: Can I move that we put it  
4 on the agenda, that we can put it there on the agenda, and as  
5 the date approaches, if we feel like we don't have everything  
6 that we need to be comfortable to do the presentation, we  
7 don't have to do it, but at least for now, we could put it on  
8 the agenda with the intention that that's what we're moving  
9 towards.

10 CHAIRMAN YAO: If I take action on the latest  
11 comment, let me give Mr. Claypool an opportunity to chime in.

12 MR. CLAYPOOL: Just a point that might give you  
13 some - some solace. One of the functions that the  
14 consultants, that most of the consultants offer, is an  
15 indexing of your comments when you hear public testimony, so  
16 they are going to index what was said and put it in some type  
17 of context for you so that, at a later period, when you're  
18 discussing that particular area, you will know what comments  
19 pertain to the lines that you're talking about drawing. So,  
20 I just heard the comment about being worried about not  
21 knowing a lot about the area, and I understand wanting to be  
22 prepared, absolutely, but at the same time, in these initial  
23 endeavors, if once we get a consultant on board who is going  
24 with you and doing these things, it's my understanding that  
25 they would be asking as that intermediary for you, but also

1 indexing those comments so that you will have them at a later  
2 date, at your disposal.

3 COMMISSIONER WARD: Just to address Mr. Barraba's  
4 comment, as well, I know I've been the voice kind of causing  
5 a problem with this, and I was wondering, and I agree with  
6 you, my comments are strictly not designed to find reasons  
7 not to do it, actually I'm right in line with you on the  
8 goal, is let's make it as efficient as possible, so the  
9 thought being that I was just trying to avoid a conversation  
10 about what equipment do we need, what should the structured  
11 format look like when we know we're going to have consultants  
12 coming in that have already done this and then learning  
13 lessons, having been professionals at this, hopefully there  
14 will be a lot less to learn when we have their opinion on  
15 board. So I was just simply trying to avoid inventing a  
16 wheel that we don't need to, so we can move on to other  
17 matters. Sorry if it came up otherwise.

18 COMMISSIONER BARRABA: Don't ever be sorry.

19 VICE CHAIR DAI: I wonder if we want to consider  
20 having an evening meeting instead, too. It would make for a  
21 long day, but - and that may allow more Commissioners to be  
22 present, especially if we're, you know, testing the few  
23 initial ones.

24 CHAIRMAN YAO: We can certainly have the evening  
25 plus the second one on the weekend, being a trial activity.

1 I do not think we necessarily need to make that final  
2 decision, but I think that, by Wednesday next week, we  
3 probably should do that in order to meet the agenda posting  
4 requirement.

5 VICE CHAIR DAI: Yeah, and if we consider an  
6 evening meeting, we would have to adjust the hours on the  
7 meeting.

8 CHAIRMAN YAO: Right. There is a motion on the  
9 table at this point in time. Michelle, would you care to  
10 restate your motion?

11 COMMISSIONER DI GIULIO: Just that we go ahead and  
12 put this on the agenda and that we can make a determination  
13 before the actual meeting if we have enough of the  
14 information that we need before undertaking the actual first  
15 outreach, we can make a determination whether we go through  
16 with it or not. But for now, to just put it on the agenda  
17 for Claremont.

18 COMMISSIONER BLANCO: Second.

19 CHAIRMAN YAO: Is there a second?

20 COMMISSIONER BLANCO: There were two.

21 CHAIRMAN YAO: Thank you. Any further discussion?  
22 All right, no one present before us in the audience, so if  
23 there are no further discussions, let me again do a voice  
24 vote. Cy, do you have a comment before we take a vote?

25 MR. RICKARDS: Not a comment, just a quick

1 question. Maybe we can deal with this after the vote, too.

2 I just want to know what you all would like to call this.

3 I've written down "Public Outreach Meeting." I just want to  
4 throw it out there now, go ahead and vote, tell me just so I  
5 know.

6 CHAIRMAN YAO: How about "Initial Outreach  
7 Meeting?"

8 VICE CHAIR DAI: "...to Receive Public Input?" Do we  
9 want to start distinguishing between our input meetings vs.  
10 our feedback meetings?

11 COMMISSIONER RAYA: Well, I think there has to be a  
12 little more definition so the public understands what it is,  
13 that this is their time because, at every meeting, we ask for  
14 public comment on everything. And this is something entirely  
15 different. I'm not sure what to call it, but I think it  
16 should be something -

17 CHAIRMAN YAO: I do think we have time next week  
18 when we get back together to pin this down more precisely.  
19 For the time being, the motion is to go ahead and proceed as  
20 if we are going to follow through with this and plan for the  
21 activity accordingly. I think it has been motioned and  
22 second. Any additional discussion or comments? If not, all  
23 in favor of proceeding with the initial outreach program,  
24 raise your hand and say "Aye."

25 (Ayes.) Opposed?

1           COMMISSIONER BLANCO: Point of clarification? Just  
2 yesterday, we said that we would hold the first ones in the  
3 Section 5 counties, so I just want to make sure that we are  
4 clear that this is not, because we did actually make a  
5 decision yesterday, so I want to just make sure the record is  
6 clear on that.

7           CHAIRMAN YAO: All right, let me void the previous  
8 vote and continue the discussion. Andre?

9           COMMISSIONER PARVENU: Just one other additional  
10 point of clarification that we keep in mind what Commissioner  
11 Galambos Malloy said about doing initial outreach with Mr.  
12 Claypool's limited staff at this point, that we take in  
13 consideration the extent of outreach that this will entail,  
14 based on he, alone, and perhaps Raul Villanueva assisting  
15 him, and what that entails in terms of PSAs or outreach so  
16 that we see that well attended, so that is a possibility, if  
17 we can at this point.

18           CHAIRMAN YAO: Let me comment that, again, the  
19 actual event is going to be four weeks from now and I think  
20 we may be able to handle that workload, and the default plan  
21 is, if we're not ready, we'll just void the meeting. And I  
22 believe our vote is simply allowing us to put the event on  
23 the agenda, just in case.

24           COMMISSIONER PARVENU: Very good.

25           VICE CHAIR DAI: And if we're not ready, you know,

1 the first week we might be ready for the second time, the  
2 second half of the month.

3           COMMISSIONER AGUIRRE: One other thing that I'd  
4 like for us to think about is a relationship with the  
5 audience and, I mean, I can see us sitting behind these  
6 desks, which is already problematic in terms of  
7 communication, and having individuals come up before us and  
8 for us to kind of, in some cases, look glum, and take that  
9 information - so, that might be listening, but there's such a  
10 thing as active listening. Active listening is where you  
11 have some connection with the reality of the individual that  
12 is before you and certainly some interest, and this is where  
13 Ms. Blanco's suggestion about having some background  
14 information, I think, is something we need to have. Other  
15 things, we may have somebody, a consultant, that will kind of  
16 voice some of our questions, perhaps, but I can envision a  
17 situation where somebody comes and says that, you know, for  
18 example, that they belong to a deaf and hard of hearing  
19 organization, and that they represent a community of  
20 interest, and you know, the logical question is, you know,  
21 what is the extent of your community, and what is the  
22 location of that community. You know, those are just basic  
23 questions that, you know, you're not walking into any kind of  
24 minefield as far as you're not leading them, you're just  
25 asking clarifying questions of the audience. So, I would

1 argue that there should be an active kind of process between  
2 the Commission members and the public so that, in fact, they  
3 feel respected and they feel listened to. So, I would ask  
4 that we kind of think about that and whether we get a  
5 consultant to respond to that question, or whether it's  
6 something that we discuss later, which I would recommend. I  
7 think that's an important aspect of outreach.

8           COMMISSIONER RAYA: Along those lines, we had a  
9 discussion a little bit at lunch about the fact that we're  
10 all pretty wedded to our laptops in these sessions, but in  
11 the public sessions, it would be the greatest courtesy to  
12 close them.

13           VICE CHAIR DAI: Back to what Commissioner Aguirre  
14 mentioned about rules for public comment, I mean, I think  
15 that, you know, if people feel ready to discuss this now,  
16 that would be great; if not, we should discuss it next week.  
17 But, to the degree that we can provide very clear guidelines  
18 for how we want to receive the information, like which  
19 community of interest are you - I mean, literally give them a  
20 set of questions that we expect them to, you know, provide  
21 their public comment in that format so that we can - it will  
22 kind of relieve us of having to ask the same questions of  
23 every person if they know there is a specific format that  
24 they should be providing their comment. And that's what I  
25 was hoping we would get to when I mentioned format.

1                   COMMISSIONER BLANCO:  Should we discuss format a  
2 little bit?  Or do we think we need the consultant before we  
3 discuss format?

4                   CHAIRMAN YAO:  How would you like to deal with the  
5 motion that is before us at this point?  Do we want to -

6                   COMMISSIONER BLANCO:  Oh, that's right.

7                   CHAIRMAN YAO:  -- make that decision?  Then, we can  
8 jump on to the next topic?  Or do we want to withdraw it and  
9 then come back later with regard to agendizing the meeting  
10 for February?

11                  COMMISSIONER BARRABA:  Let's vote on it now.

12                  CHAIRMAN YAO:  Call for the question?  All right,  
13 those who are in favor of preparing to agendize the meeting  
14 for the initial outreach meeting for the second week in  
15 February, the date and place and time TBD, please raise your  
16 right hand and say "Aye."

17                  (Ayes.)  Those opposed?  Abstain?  All right, the  
18 motion carries.

19                  Let's continue discussing the format if you so  
20 wish.  For the balance of the day, I think we have a couple  
21 more hours, approximately, I would like to get us deep into  
22 this topic of outreach, and certainly the format is part of  
23 that.  How we organize to address this topic of outreach  
24 should be included in that discussion, whether we do it as a  
25 sub team, as an entire group, and we can even dive into

1 discussing the topic of outreach. I think it's up to you  
2 leaders whether you want us to - I'm basically addressing the  
3 entire Commission.

4 COMMISSIONER AGUIRRE: Let me ask a question about  
5 your comment, Mr. Chair. Are you saying that - which I hear  
6 you mention earlier - asking if you are raising the question  
7 again of whether the Outreach Committee should be the whole  
8 Commission as a whole, or whether we actually need a  
9 committee, a subcommittee?

10 CHAIRMAN YAO: When the Vice Chair and I looked at  
11 the agenda for today, this was last night, we kind of  
12 questioned ourselves as to whether we should continue in a  
13 direction that we took the Commission, which is saying that  
14 we should have an Outreach Subcommittee. The indication is  
15 that there are many of us that are interested in working on  
16 this topic of outreach. Perhaps if there are enough of us  
17 that want to get our hands directly dirty when we got to  
18 working on the outreach, then maybe it should be a Commission  
19 activity, as compared to addressing it as a subcommittee. In  
20 other words, the subcommittee may not make sense at all. So,  
21 that is on the table right now for us to decide if we want to  
22 make that decision.

23 COMMISSIONER AGUIRRE: Well, I would say there are  
24 two points to the subcommittee idea. One is that there are  
25 lots of aspects to outreach, some of those concern - some of

1 the work is going to be done by some of our staff, but  
2 certainly we're going to have as a Commission, let's say  
3 subcommittee, some input into the handling of all the  
4 regional approaches, and scheduling, and all of that. So, I  
5 think that, 1) there's lots of work that goes into outreach  
6 that could be better handled in a committee, that would then  
7 advise the Commission, and then we would make the decisions.  
8 The alternative to that is that all of that discussion that  
9 happens off line is going to have to be discussed within the  
10 time frame of our regular meetings, which might be  
11 overwhelming in my sense. So, I'm not arguing that we should  
12 not as a commission be involved in the outreach process, all  
13 I am saying is that there is a lot of work that could happen  
14 off line that would still give us, of course, the control and  
15 the decision-making on how the whole outreach process is  
16 going to be. So, I would argue for having a subcommittee.  
17 The fact that there are so many interested individuals in the  
18 outreach process is probably the basic reason that we all  
19 applied for this commission, is that we all want - we're all  
20 interested in outreaching. I think we're all interested in  
21 making sure that Californians have the ability to vote and  
22 the ability to select their representatives. I mean, that's  
23 the basic thing. So, I would argue that, in terms of  
24 efficiency, that the subcommittee would be better served.

25 COMMISSIONER DI GIULIO: Can I see if anyone else

1 is interested in - it seems like, again, as Commissioner  
2 Aguirre was saying, this is very much of interest to all of  
3 us, but in an effort to save time, but to hopefully give  
4 everybody a voice, is it possible that we - as Commissioner  
5 Dai said earlier, I think we're going to start having a lot  
6 more homework here, but could we as Commissioners take it  
7 upon ourselves to spend some time this weekend and write  
8 down, give a list to staff, some elements that we see of this  
9 subcommittee - we could do a couple things, one is just the  
10 elements of the subcommittee, we've discussed things about  
11 the actual physical outreach with nonprofit groups vs. public  
12 agencies, so some elements of the subcommittee, and we could  
13 also put down some of how we see the actual format of the  
14 meetings, things that have been mentioned already - getting  
15 data prior to the meetings, the educational element, the  
16 feedback vs. input mechanisms, maybe we could write down some  
17 of our thoughts and do some brainstorming ourselves, we could  
18 give it to staff, and staff could maybe compile them and put  
19 them in categories for which we can discuss. I'm inclined to  
20 think it might be easier with this very large beast to have  
21 something that we can discuss, rather than all of us throwing  
22 ideas out off the top of our head, which leads to other  
23 discussion, which leads to maybe not as much progress in the  
24 limited amount of time we have, not to shut down conversation  
25 now, but I think if we start thinking in terms of ways that

1 we could move the process along in a more efficient manner,  
2 while everyone gets a chance to have their voice heard, just  
3 to see if there's something that could be done like that.

4 CHAIRMAN YAO: Additional thoughts?

5 COMMISSIONER BARRABA: It sounds like a good idea.

6 COMMISSIONER BLANCO: Just going back to the point  
7 about there might still be a need for a subcommittee, you  
8 know, that we all are engaged in the principles of the  
9 outreach, you know, even some of the stuff over the last two  
10 days, I think, we're setting a commission-wide sort of  
11 philosophy around the outreach, but there might be things  
12 that a subcommittee could really, you know, once - if we  
13 think we've arrived at our philosophy, you know, that the  
14 things like going to the source of the data and identifying  
15 the data that we think we need to have available to us,  
16 preparing a - proposing a structure to us about how do we do  
17 this active listening, you know, and proposing to us - do  
18 they think we really should structure the agenda in a way  
19 that people speak to these particular topics vs. keeping it  
20 really open? You know, those kinds of things, maybe a  
21 subcommittee, things once we agree on some broad strokes, I'm  
22 not sure, but it might be that's part -

23 COMMISSIONER DI GIULIO: Maybe once we get a lot of  
24 information back and have something to work with, we can more  
25 easily task the subcommittees to specific things because I

1 think we'll find some of these commonalities and say, "This  
2 is what we can do as a full Commission, this is much better  
3 in a subcommittee, this is something for the consultants."  
4 We could start tasking that out.

5 COMMISSIONER BLANCO: Yeah.

6 VICE CHAIR DAI: So just a comment that we will  
7 need agendas for each of the committees by next Wednesday,  
8 too.

9 CHAIRMAN YAO: Mr. Claypool.

10 MR. CLAYPOOL: So, as I understand it, you're going  
11 to wish the compilation of the comments on outreach. Is that  
12 correct?

13 COMMISSIOENR DI GUILIO: Can we - my thought was  
14 that the Commissioners would take it upon themselves to send  
15 you their priorities for this outreach and different  
16 elements; I don't want to restrict it because people may have  
17 different focuses, but they could talk about the actual  
18 meetings, themselves, as well as maybe some of the  
19 philosophical background, or things that staff can compile,  
20 and then let us know a top five, a top 10 issues, and it  
21 would be a starting point. It's easier to edit a document  
22 than it is to create it while we're here.

23 MR. CLAYPOOL: Thank you. I misunderstood and  
24 thought that we would circulate what we had, but I think  
25 that's a sounder approach.

1           CHAIRMAN YAO: It appears that the Commission is  
2 leaning towards having some subcommittee with a limited  
3 charter. I don't know whether that's a good way to summarize  
4 it or not, but not having the broad charter to oversee all  
5 the decisions associated with the outreach activities.

6           COMMISSIONER BARRABA: I'm not sure it's a limited  
7 charter, it's just that they don't have decision-making  
8 authority.

9           CHAIRMAN YAO: They never do, it's strictly  
10 advisory on the subcommittees, to begin with. But if that's  
11 the wrong way of characterizing it, somebody help me with  
12 that.

13          VICE CHAIR DAI: Well, I think the point of  
14 subcommittee is, as Commissioner Aguirre pointed out, it's  
15 the same for all the subcommittees, which is to do a lot of  
16 the leg work and thinking, and be able to present an  
17 Executive Summary and options to the full Commission so that,  
18 you know, 14 people individually don't have to do this. The  
19 challenge that I think Commissioner Yao and I found is that,  
20 if we look at the original list, you know, a lot of people  
21 are going to voluntarily step off the Outreach Subcommittee,  
22 and if people are willing to do that, I think it's a great  
23 idea. If people are not willing to do that, then we might as  
24 well discuss it as a full body, you know, it's noticed for  
25 the rest of this month, let's bang out some things.

1           CHAIRMAN YAO: Per our latest list of preference of  
2 membership on the subcommittee, how many people do we have on  
3 the Outreach Subcommittee at this point?

4           VICE CHAIR DAI: Just to clarify, we asked people  
5 to provide their top three choices, not including the  
6 Outreach Subcommittee, and I think -

7           CHAIRMAN YAO: Okay, so we don't have that data.

8           VICE CHAIR DAI: Right. Some people did it and  
9 some people didn't, so it's probably not accurate. But if  
10 you look at the original list, it was 80 percent of the  
11 Commission.

12          CHAIRMAN YAO: Well, this is not a commitment, but  
13 just to have a show of hands showing who has continued  
14 interest in being on the Subcommittee on Outreach? Let's see  
15 if we have the same number of hands. One, two, three, four,  
16 five. So, Commissioner Dai, does that fit your -

17          VICE CHAIR DAI: It's fewer than six!

18          CHAIRMAN YAO: Fewer than six, all right. Instead  
19 of taking time to do so, can you make sure Mr. Claypool has  
20 your names on the subcommittee for outreach? All right, so  
21 we are going to have a subcommittee and I think, based on the  
22 comment, each of the members of the Outreach Subcommittee  
23 should have a pretty good idea as to what the rest of the  
24 Commission has chartered you to do. Any further discussion  
25 on this subcommittee of the outreach activities?

1           VICE CHAIR DAI: I wonder, Chairman Yao, if it  
2 would be useful at this point to use our time together to  
3 come up with agendas for each of the committees. I'm just  
4 worried that, if we just ask someone on the committee to do  
5 it, whether that's going to be done by Wednesday.

6           CHAIRMAN YAO: Let me see if there's an interest in  
7 closing off the discussion on the outreach subcommittee at  
8 this point. Mr. Barraba.

9           COMMISSIONER BARRABA: Yeah, one quick question.  
10 At a meeting, if we are asked a question by a member of the  
11 public, are we not allowed to respond?

12          CHAIRMAN YAO: You cannot take action or commit the  
13 entire Commission -

14          COMMISSIONER BARRABA: I mean, if we have a  
15 meeting, and let's say it's an outreach meeting, we can - if  
16 somebody asks us a question, are we allowed to respond?

17          CHAIRMAN YAO: We can structure it any way that we  
18 want to, but the direction is that we can't answer on behalf  
19 of the entire Commission.

20          COMMISSIONER BARRABA: But to extract clarity on a  
21 question that is being raised, we can't have that discussion?

22          MR. RICKARDS: Yes, you can.

23          CHAIRMAN YAO: Yeah, in any kind of meeting, even  
24 the formal meeting that's before us, we can ask  
25 clarifications and/or seek in-depth - ask an in-depth

1 question on any topic, but that's not a restriction by any  
2 meeting - by Robert's Rules of Order or anything else that  
3 I'm aware of.

4 VICE CHAIR DAI: Yeah, we're not allowed to promise  
5 a future action, but I think a point of clarification, or  
6 reiterating information, or a decision that the Commission  
7 has already made.

8 CHAIRMAN YAO: But, in general, holding any kind of  
9 a formal meeting, you'd like to control that process and a  
10 reasonably effective way of doing it is entertaining all the  
11 questions that are asked, and then take time out and, if you  
12 choose to, address the priority questions, as compared to  
13 just answering questions as they pop up, as a matter of  
14 meeting convenience.

15 COMMISSIONER BARRABA: Yeah, I wasn't thinking of  
16 answering questions, I was just asking, if somebody requested  
17 something and it wasn't clear -

18 CHAIRMAN YAO: Oh, we can always ask questions,  
19 yeah. There's no restriction on us asking in that structure.

20 COMMISSIONER AGUIRRE: Mr. Chair, I wonder if we  
21 need a motion who will establish the Outreach Committee. I  
22 think we did something similar for the other four committees  
23 yesterday.

24 VICE CHAIR DAI: No, we actually already passed a  
25 motion last time, last week, to establish five committees, we

1 were just wondering whether we should take it back.

2 CHAIRMAN YAO: All right, since we're on the  
3 subject of Outreach Subcommittee, maybe we should go ahead  
4 and try to agendize - identify the tasks or the topics that  
5 we're to address in the next Subcommittee Meeting, which  
6 likely will be on the first Wednesday, which is the 9<sup>th</sup> of  
7 February. Yes, counsel.

8 MR. RICKARDS: I've been passed a note and I will  
9 not reveal the note passer, but there is some interest in a  
10 short break at this time.

11 CHAIRMAN YAO: All right, a 10-minute break worked  
12 this last time around, so let me call a recess and we'll  
13 reconvene at exactly 2:30. Thank you.

14 (Recess at 2:20 p.m.)

15 (Back on the record at 2:34 p.m.)

16 CHAIRMAN YAO: We'll resume the meeting from the  
17 recess. Would someone like to restate where we were?

18 COMMISSIONER DI GIULIO: We were going to talk  
19 about the agendas for the subcommittees.

20 VICE CHAIR DAI: Right.

21 CHAIRMAN YAO: So, since we're on the subject of  
22 the Outreach Subcommittee, let's do that one first while  
23 everything is still roughly fresh in our minds.

24 VICE CHAIR DAI: So, I would suggest that we find  
25 some broad categories with, you know, some specific examples

1 similar to the way that our agenda was, to give the  
2 subcommittee flexibility to discuss a lot of relevant topics.

3 COMMISSIONER BARRABA: I thought the comments that  
4 Commissioner Aguirre identified were a nice way to start the  
5 conversation. He keeps good notes, so I'm sure he could  
6 probably repeat some of them.

7 CHAIRMAN YAO: Let's see, we anticipate a  
8 subcommittee meeting to be how long? A couple hours, three  
9 hours? Half a day?

10 VICE CHAIR DAI: I would suggest that we schedule  
11 them for three hours, half a day, and schedule two at a time,  
12 so two concurrently.

13 CHAIRMAN YAO: Right, so three hours, half a day, I  
14 would imagine, at most, three or four agenda items would be -

15 VICE CHAIR DAI: Well, we may want to have some  
16 standing items, you know, for example, I'm thinking of the  
17 Finance Administration Committee, that we would probably want  
18 a review of contracts as the standing item.

19 CHAIRMAN YAO: Sure.

20 VICE CHAIR DAI: We might not have any to review,  
21 but -

22 CHAIRMAN YAO: Sure, but let's stay with the  
23 Outreach Subcommittee. So we basically want three broad  
24 categories, is what we're looking for in terms of an agenda.

25 COMMISSIONER AGUIRRE: Well, the simplest, you

1 know, old business, new business!

2 VICE CHAIR DAI: I'm sorry, that doesn't work!

3 COMMISSIONER AGUIRRE: But, anticipating that, you  
4 know, that there's like an opening process, as I mentioned  
5 earlier, there's a set-up that happens ahead of the meeting,  
6 there is a call to order, and there is information - no, let  
7 me -

8 CHAIRMAN YAO: How about the first item being  
9 introduction?

10 COMMISSIONER AGUIRRE: Yeah. The introduction  
11 itself, then as far as old business, it's always good to  
12 review what the committee has done before and/or, you know,  
13 what direction we receive - I'm looking at a permanent kind  
14 of standing agenda - what direction we received as a  
15 committee from the Commission itself.

16 CHAIRMAN YAO: All right.

17 COMMISSIONER AGUIRRE: So, that would kind of -

18 CHAIRMAN YAO: That's part of the introduction.

19 COMMISSIONER AGUIRRE: Yeah. And then any task, I  
20 think we've talked right now about what is the format for  
21 having the hearings -

22 VICE CHAIR DAI: So, format.

23 CHAIRMAN YAO: One structured format.

24 COMMISSIONER AGUIRRE: Yeah, the items, perhaps.  
25 One of the things that we also talked about was, you know,

1 what background information we need -

2 CHAIRMAN YAO: The data needs.

3 COMMISSIONER AGUIRRE: -- what data there is. The  
4 other item was, you know, what kind of pre-hearing outreach  
5 there has been out in that particular region. So, those  
6 would be a couple of things that we would be discussing each  
7 time, anticipating that on an ongoing basis we're going to  
8 have these hearings, we're going to be talking about what we  
9 did before, what things we might need to tweak or change, and  
10 what anticipated challenges we might have in the future for  
11 the upcoming.

12 VICE CHAIR DAI: So, I would put specific venues as  
13 something you should discuss. I have a question about the  
14 pre-hearing outreach, which actually I see is part of the  
15 media plan, which is part of the public information  
16 committee.

17 COMMISSIONER AGUIRRE: Yes.

18 VICE CHAIR DAI: We should probably distinguish  
19 kind of - there is probably input from one committee to the  
20 other committee, so -

21 COMMISSIONER AGUIRRE: Sure, sure.

22 COMMISSIONER BLANCO: Translation.

23 COMMISSIONER RAYA: Would that be a general  
24 category of special requirements, special needs, something -  
25 services, whatever?

1 COMMISSIONER BLANCO: Yeah, you're right.

2 CHAIRMAN YAO: Maybe one of the broad categories  
3 just could be Outreach planning. I think that will cover,  
4 you know, allow us to cover a lot of ground with that one.

5 COMMISSIOENR GALAMBOS MALLOY: Did we say  
6 scheduling, kind of a proposed how we move through the  
7 scheduling of all the meetings?

8 CHAIRMAN YAO: I think scheduling should be  
9 included as one of the topics of discussion -

10 COMMISSIONER GALAMBOS MALLOY: Maybe in structure  
11 or format.

12 CHAIRMAN YAO: Right.

13 VICE CHAIR DAI: So, we could use a category, very  
14 broad Outreach planning to include venues, you know,  
15 schedule, structure and format. And special requirements for  
16 access? So, i.e., translation. Two big categories.

17 COMMISSIONER AGUIRRE: One other thing that we  
18 discussed was, you know, what I termed listening vs. active  
19 listening. So we should discuss what kind of recommendation  
20 we might want to make as far as how to conduct (inaudible).

21 COMMISSIONER BLANCO: And how is that different from  
22 format?

23 COMMISSIONER AGUIRRE: It could be incorporated  
24 within that. My only point is that it is something we should  
25 talk about.

1           CHAIRMAN YAO: Now, the broad category, the  
2 planning is one, the data need is - I've got to consider that  
3 as another broad category. What would be the third one?

4           COMMISSIONER RAYA: Was the third one actually kind  
5 of the first one, that would be a review of what has gone  
6 before and adjustments -

7           CHAIRMAN YAO: I would say that could be included as  
8 part of the introduction --

9           COMMISSIONER RAYA: Oh, okay.

10          CHAIRMAN YAO: -- at the very beginning of any  
11 meeting.

12          COMMISSIONER FORBES: Peter, I don't know if this  
13 is something that the subcommittee would talk about, but how  
14 are we going to publicize this meeting? I mean, publicity  
15 for the meeting is something I would consider for the  
16 Outreach Subcommittee task. I mean, we can hold the meeting,  
17 but if nobody knows -

18          CHAIRMAN YAO: I think that's a topic that applies  
19 to all the subcommittees, so maybe I can bring back some  
20 ideas as to what we would do in the month of February, and  
21 then we can take on that topic at that point in time. Is  
22 that all right?

23          COMMISSIONER FORBES: Oh, absolutely, I just wanted  
24 to be sure we brought it up.

25          CHAIRMAN YAO: Okay.

1                   COMMISSIONER FORBES: Because marketing is  
2 important, right, Vince?

3                   COMMISSIONER BARRABA: You have to have a Chief  
4 Marketing Officer.

5                   CHAIRMAN YAO: Maybe marketing should be how to  
6 publicize the Outreach meetings. I'm sorry, I misunderstood  
7 your question.

8                   VICE CHAIR DAI: Yeah, I kind of saw that as the  
9 Public Information Committee's job, I really see that as a PR  
10 Marketing Committee. In other words, and tell me if you guys  
11 agree, that the Public Information Committee is more about  
12 what comes out from the Commission and what we want people to  
13 know, so that is why the education piece would be part of the  
14 charter for the Public Information Committee, whereas the  
15 Outreach is all about how do we take in information, how do  
16 we receive input, how do we understand feedback.

17                   COMMISSIONER BLANCO: Yeah, they need to - my only  
18 point is they really need to interact because, even though  
19 there is public information, I think there are going to be  
20 very key things that you want to convey in the public  
21 information about the outreach meetings, about like what  
22 they're about, and you know, they're a little bit more  
23 precise than just letting people know something is happening.

24                   COMMISSIONER FORBES: Right, why do we want you to  
25 come, what will you get out of it by coming.

1                   COMMISSIONER DI GIULIO:   And the Outreach  
2 Subcommittee does need to give the Public Communication  
3 Committee an idea of who to communicate to.

4                   COMMISSIONER BARRABA:   Peter, I would say this  
5 whole issue of the interaction of the committees would be up  
6 to the Executive Director to make sure that someone who is  
7 attending these meetings, any one of the meetings, that you  
8 consider what is happening in other committees is brought  
9 forward when necessary, so that we don't get surprised by  
10 what one committee has done while we're working on another  
11 one.

12                  VICE CHAIR DAI:   Yeah, well, as we know, since all  
13 the committees are advisory only, it will all be brought  
14 forward to the full Commission, and we'll put as a standing  
15 agenda item -

16                  COMMISSIONER BARRABA:   Sometimes it's easier to  
17 resolve some of those actions if we can do it while they're  
18 being discussed, rather than finding out about it  
19 (inaudible).

20                  COMMISSIONER RAYA:   Is it possible that, when we  
21 schedule these briefer sessions for the subcommittees that,  
22 at the end, we might take a few minutes to merge, for  
23 example, outreach and communications, just to kind of touch  
24 base on a few things, exchange some information, so when the  
25 presentation comes to the Commission, both sides are already

1 prepared with the across-the-board issues?

2 CHAIRMAN YAO: All right, is that adequate  
3 information for the agenda, proposing of the agenda purpose?

4 MR. RICKARDS: Yeah, introduction, format of future  
5 meetings, data, future venues. Just a caution, remember,  
6 there can't be consulting outside of a meeting within a  
7 committee or between committees.

8 VICE CHAIR DAI: Well, I think we can just bring  
9 the full Commission together, I mean -

10 MR. RICKARDS: Well, obviously if you bring the  
11 full Commission together, you can do that.

12 COMMISSIONER RAYA: But I was referring -

13 COMMISSIONER BARRABA: (Inaudible) about something  
14 outside of the - if I know something is going on in another  
15 committee and I happen to be sitting there, am I prohibited  
16 from discussing that?

17 VICE CHAIR DAI: Not as long as it is agendized.

18 MR. RICKARDS: As long as it is covered by the  
19 agenda. And the fact of the matter is, and again, just let  
20 me bring this up for you guys' consideration since we're  
21 going to be doing a new agenda, and let me just read these  
22 words to you, because this is the way the ad reads about how  
23 a subcommittee can piggyback: "Notice of a Meeting of a  
24 State body that complies with this section," talking about  
25 the Notice section in Bagley-Keene, "...constitute a Notice of

1 the meeting with an advisory body of the State body." So, in  
2 other words, an agenda of the full Commission which would  
3 cover the items a committee is going to talk about.  
4 "...provide the specific time and place, provided the business  
5 to be discussed by the advisory body is covered by the Notice  
6 of the Meeting of the State body, provided the specific time  
7 and place of the advisory body's meeting is announced during  
8 the open and public body's meeting, and provided that the  
9 advisory body's meeting is conducted within a reasonable time  
10 of and nearby the meeting of the State body." So, in other  
11 words, just to show my grasp of the obvious, if you have an  
12 agenda of the full Commission, as we do now, that's pretty  
13 broad and encompassing, that can constitute the agenda of the  
14 Committee. It doesn't mean you don't have to have a  
15 committee agenda, or you're precluded from it, but you can -  
16 and then what can happen is that the meeting, the Chair, for  
17 example, could advise, "Now our subcommittee on Outreach is  
18 going to be meeting in this room or in Room 1415 at 10:30,"  
19 or whatever, like that. And as long as that is reasonably  
20 close, and I sort of think a good rule of thumb would be can  
21 you walk to it without blisters, and in other words, people  
22 there can get there. Then, you're covered. So, just to keep  
23 that in mind when we're doing agenda items, you need to tell  
24 people what you're about, but, again, you don't want to be so  
25 specific that you limit yourself. And we did that - I think

1 you did a great job with the agenda that we've got now  
2 because it's broad enough and nobody is misinformed. But it  
3 gives you that.

4 VICE CHAIR DAI: Yeah, and I would think we would  
5 need these bigger items on the main Commission agenda anyway,  
6 since the subcommittees will have to come back and report on  
7 these items.

8 CHAIRMAN YAO: Okay, are we ready to go to the next  
9 Subcommittee?

10 VICE CHAIR DAI: I actually would like to be a  
11 little more specific and see if we can include things like  
12 milestones, schedule - I mean, milestones and budget for each  
13 committee, you know, what are you actually accountable for as  
14 a subcommittee.

15 CHAIRMAN YAO: So on the planning, maybe we can add  
16 a couple more words to it, tasks, schedule, milestones.

17 VICE CHAIR DAI: And Budget.

18 CHAIRMAN YAO: Are we ready to go to the next  
19 subcommittee? Or does the Commission want to stay on this  
20 topic a little bit longer? All right, who wants to be the  
21 next subcommittee? Or, which subcommittee do we want to  
22 discuss next?

23 COMMISSIONER WARD: We can do Com - Communications.  
24 As far as agenda items, again, I guess my list does not  
25 qualify, these would be more items of discussion, but

1 obviously we need to discuss tasking for the Communications  
2 Director, that would entail some milestones, and budget,  
3 staffing for the Com Director, ideas on background and Fact  
4 Sheet production for the CRC, press release items, identify  
5 some of those, and give the Communications Director some  
6 direction on that, creating a media liaison list, equipment  
7 needs for the Communication Department, as well as discussing  
8 information vehicles that are available for us, and that  
9 includes awareness and promotion of upcoming events and  
10 Outreach events, and then format for, and future meeting  
11 schedule. Are there any other thoughts?

12 CHAIRMAN YAO: I believe we included the education  
13 aspect of it as part of the Communications. Maybe you should  
14 add something associated with the Education. We briefly  
15 discussed bringing in advocacy groups and also subject  
16 experts for the entire Commission, so you may want to include  
17 that as part of your agenda item.

18 COMMISSIONER WARD: Okay, I'm sorry, I missed that.  
19 So, that's not part of communication going out and  
20 communication coming in, is -

21 VICE CHAIR DAI: What happens in a public meeting -

22 COMMISSIONER WARD: Bringing in speakers for  
23 educational purposes and stuff, we'll put under  
24 communications going out? Okay.

25 VICE CHAIR DAI: And I would just say probably a

1 lot of these fall under the general category of media  
2 planning, and I would add, you know, ethnic media outlets to  
3 that list. And this is actually something we'll expect our  
4 new Communications Director to actually come up with, and  
5 we're just providing oversight and input, and philosophy  
6 around.

7 COMMISSIONER GALAMBOS MALLOY: I think we discussed  
8 and maybe I missed someone saying this, a system regarding  
9 when we get requests for speakers, some sort of training, I  
10 don't know, maybe we have a rotating schedule, we'll let the  
11 Communications Director help us out.

12 COMMISSIONER BLANCO: At lunch, some of us were  
13 discussing, I don't know at what point this would come up,  
14 but the whole issue of how we frame what the mandate in a  
15 sense is around the Voting Rights Act, what language. We  
16 were thinking that, you know, for a lot of people, when they  
17 - if there is a situation where a line is weird looking, or  
18 something is not nested, or whatever, something looks  
19 gerrymandered, and it is really the result of us complying  
20 with the affirmative duty to try to maximize  
21 minority/majority districts, that that concept of maximizing  
22 majority/minority districts is not only kind of a little  
23 esoteric, but I think there's going to be resistance - I  
24 don't know, there may be resistance to that notion of why do  
25 people - why should the law worry about electing people of

1 your choice, you know? I thought we were beyond that in this  
2 country, we're post-racial - I'm serious, I just think this  
3 is, you know - and we were saying, walking back from lunch,  
4 that it would be interesting to try and think about how we  
5 talk about that in ways that resonate with people about it,  
6 sort of very American values that are fundamental, not only  
7 so that we don't - we're always going to get pushback about  
8 what we do, but it's also kind of a process of educating  
9 people about their law, about Democracy, what are its tenets  
10 and why there is a Voting Rights Act. So, I don't know if  
11 this is too big, but I do think somewhere in our work, a  
12 subcommittee, or somewhere, we should have this as something  
13 we're really trying to figure out as part of our  
14 Communications strategy.

15 COMMISSIONER FORBES: Yeah, I think that the - not  
16 only that, I think that if we could find the two-minute  
17 presentation, or two-minute written form, as to what are the  
18 considerations that the Commission has to take into account  
19 when they draw these lines, and so - I mean, I've had people  
20 say, "Why don't you slice the state across, a straight line,  
21 straight across, and each one, just stack them up?" I mean,  
22 I really had that suggestion made to me. And so I think that  
23 a mechanism for which we can explain to the public, because  
24 that is a lot of what we're here to do is to explain to the  
25 public as to what are the constraints and why. I mean, maybe

1 we shouldn't do them as "constraints," maybe that's a  
2 negative word. But rather, why we're doing what we're doing.  
3 And in a format or several formats that the public can have,  
4 anyway, because I think it will add to the merit of the  
5 comments that they make because they will hopefully, having  
6 read this, or looked at this, will make comments that will be  
7 directed towards some of these things that we have to take  
8 into account.

9           COMMISSIONER WARD: I think both your ideas are  
10 fantastic points for a Fact Sheet, that it would be available  
11 just like the literature is currently, for all the attendees,  
12 that has a multitude of fantastic educational points like  
13 that - what is the Commission, what is Prop. 11, like you  
14 said, what considerations or criteria are used by the  
15 Commission. There will be a number of things, but as part of  
16 what the subcommittee will talk about, such great input.  
17 Thank you.

18           VICE CHAIR DAI: Yeah, I was going to add elevator  
19 pitches for the Commission because all of us are going to  
20 have to explain extremely complex, you know, redistricting  
21 law and concepts to people who, you know, may not know  
22 anything about it. So, we want to empower the Commission  
23 with that. I'm going to add Web and Social Media strategy  
24 because that would be something - we're not going to be  
25 necessarily just printing Fact Sheets, but this, having a

1 useful website from a content perspective that will allow  
2 people to learn on their own time would, I think, be  
3 important.

4 CHAIRMAN YAO: So, I kind of interpret the broad  
5 category, again, introduction would be one of them, this way  
6 you can share whatever background information, priority tasks  
7 for Communications Director, I guess maybe that would be a  
8 category, an education plan, again, a few more bullets  
9 following that, media training, media plan, would perhaps be  
10 another category, communications strategy, and Web Media,  
11 those are subcategories. That's a lot of categories.  
12 Anything else?

13 VICE CHAIR DAI: There are probably two categories,  
14 I mean, there is really Media Planning and Education. I  
15 mean, all the others can be sub points of those.

16 CHAIRMAN YAO: All right, Introduction, Media Plan,  
17 and Education Plan. Anything else? All right, let's go to  
18 the next subcommittee.

19 COMMISSIONER BARRABA: I do, uh, Technical. I  
20 would suggest that we need a report, in this case, probably  
21 from consultants on the preparation for access to initial  
22 approximations of the 2000 data, so we have an idea of what  
23 we will be getting in April? And what are the preparations  
24 for receipt of the Census information and its eventual  
25 placement in the redistricting system. Training for

1 Commissioners, both in the strategies of the redistricting,  
2 as well as in the software that would be available, the  
3 timing and availability of information and training for  
4 citizens to use the Census information and available  
5 software.

6 VICE CHAIR DAI: So, I would say selection of  
7 software and consultants is the major task for this.

8 COMMISSIONER BARRABA: Yeah.

9 COMMISSIONER DI GIULIO: What is it - a selection  
10 of --

11 VICE CHAIR DAI: Software and Consultants.

12 COMMISSIONER DI GIULIO: As the main aspect or --

13 VICE CHAIR DAI: As the major items.

14 COMMISSIONER DI GIULIO: But is that in addition to  
15 what Commissioner Barraba said before?

16 COMMISSIONER BARRABA: That would be in addition to  
17 it.

18 CHAIRMAN YAO: I'm sorry, I'm not sure I heard the  
19 comment. Would you repeat?

20 COMMISSIONER BARRABA: Cynthia suggested that, in  
21 addition to the four that identified, there would be the  
22 selection and the choice of the consultants.

23 CHAIRMAN YAO: Software consultants, yes.

24 COMMISSIONER BARRABA: I would not call them  
25 Software Consultants, I would say Redistricting Consultants.

1                   COMMISSIONER DI GUILIO: Do we need to talk about  
2 the technical requirements that are needed for any outreach  
3 meetings or meetings outside of Sacramento?

4                   COMMISSIONER BARRABA: I think that is on the  
5 border of the Technical Committee's tent which is to really  
6 focus on getting the redistricting done.

7                   COMMISSIONER DI GUILIO: That was my question.

8                   COMMISSIONER BARRABA: Yeah, I would think that  
9 technical would be more associated with the outreach or the  
10 public information.

11                  VICE CHAIR DAI: You don't want it, basically  
12 [laughing]!

13                  COMMISSIONER BARRABA: This will be enough!

14                  COMMISSIONER BLANCO: What were your first two?  
15 I'm sorry.

16                  COMMISSIONER BARRABA: Preparation for access to  
17 initial approximations of the 2000 data. And then the second  
18 was preparation for the receipt of the Census information.

19                  COMMISSIONER PARVENU: I'm not sure exactly where  
20 this fits in here, it may be under Communications, it might  
21 be under Public Information, it might be under Outreach, but  
22 I find it useful to have like a Powerpoint presentation or  
23 graphics to accompany our presentations, perhaps something  
24 that is readymade in a nutshell, so that we can get a visual,  
25 I don't care if DVD, whatever form that might take, but we

1 need something to at least have in our suitcase in case we  
2 need to pull that out while we're at a meeting, or a hearing,  
3 or talking to a variety of people who may not be up to speed.  
4 That takes the burden of us having something like that,  
5 introductory, gives us time to set up, it gives us time to  
6 get our notes together, gives us time to do a little bit of  
7 homework on the demographics and some of the statistics of  
8 the area where we're speaking at, it gives us a little time.

9 VICE CHAIR DAI: Are you suggesting a template or a  
10 standard kind of About Us kind of presentation?

11 COMMISSIONER PARVENU: I think a template would  
12 suffice from the beginning, a template.

13 VICE CHAIR DAI: I think this is an excellent first  
14 job for the Communications Director.

15 COMMISSIONER BARRABA: Yeah, I would say this would  
16 be an interaction between the two committees, and we would  
17 want to -

18 VICE CHAIR DAI: It is actually a staff role. I  
19 mean -

20 COMMISSIONER PARVENU: To prepare something on that  
21 level of - so it would be audio-visual.

22 COMMISSIONER BARRABA: In fact, that whole issue,  
23 you know, you might want to start thinking from the  
24 Communications aspect, using some viral technologies, you  
25 know, getting a nice simple approach up on YouTube or

1 something like that could go a long way to prepare people for  
2 what we're talking about.

3 COMMISSIONER BLANCO: And on that, I don't know how  
4 this factors into that, but there are going to be a lot of  
5 competing things up on the Web and on the websites, there's  
6 all kinds of programs that have already been developed,  
7 including some people who have presented to the Commission,  
8 and others, and as we know, part of it is an industry, you  
9 know. Well, maybe not so much now that the Legislature is  
10 not doing what the industry may have -

11 COMMISSIONER BARRABA: The monetary reward is no  
12 longer there.

13 COMMISSIONER BLANCO: Yeah, is no longer there.  
14 But, still, I think there are a lot of competing - there are  
15 going to be competing interactive sites and I don't know what  
16 that means, but I think that we should be aware - we should  
17 track them, I guess, is what I'm saying, because some of  
18 them, I've already seen some methodologies and there are  
19 concerns about some of the methodologies that are being  
20 promoted.

21 COMMISSIONER BARRABA: Maybe a fifth activity - a  
22 sixth activity - would be, then, to monitor alternative  
23 methods and presentations.

24 MR. CLAYPOOL: Just a point of clarification. So,  
25 on that particular item, you're proposing to monitor as many

1 of these different methodologies that individuals are  
2 promoting to do redistricting. Is that correct?

3 COMMISSIONER BARRABA: I wouldn't say every one  
4 that is out there, but ones that seem relevant to what we'd  
5 be doing.

6 MR. CLAYPOOL: Okay.

7 COMMISSIONER BARRABA: There is no way we could  
8 track everything that is going on out there, but ones that  
9 come to our attention that we should be aware of.

10 MR. CLAYPOOL: Okay.

11 COMMISSIONER BLANCO: And one of the reasons it  
12 becomes important is not because we want to be the final word  
13 and everybody else's method is, you know, but there will be a  
14 lot of other people doing outreach hearings, and then doing  
15 exactly what we're talking about, then going back and  
16 presenting maps that they've drawn. I mean, this is what  
17 this coalition, the APALG, MALDEF, LDF, Coalition will do.  
18 So our audience is going to be potentially bom - not  
19 bombarded, but potentially faced with competing scenarios and  
20 that may affect how they testify even to us, and I don't  
21 know, really, how we feel about that, maybe we just don't  
22 care, it is what it is and we do the best job we can, and you  
23 know, maybe we shouldn't care. But I do think we will be  
24 getting questions from audience members, particularly at the  
25 point where people are commenting on our maps, that will be

1 influenced by the fact that there are others around.

2 COMMISSIONER BARRABA: Yeah, one of the things  
3 around - I think what we're monitoring is how compatible that  
4 approach might be so that we could run it through our system  
5 if we saw something that we liked. And then, that way, we  
6 would be reassured that the numbers are consistent. So that  
7 might be part of our rationale for monitoring alternatives.

8 VICE CHAIR DAI: Right, and part of it is just  
9 awareness, that we are aware that there are like, you know,  
10 three kind of major approaches for redistricting this area  
11 and if we're going to be defending our maps at some point, we  
12 need to understand why we made the decisions we did.

13 COMMISSIONER BARRABA: Yeah.

14 CHAIRMAN YAO: All right, just as a process check,  
15 do we have enough broad categories to cover everything that  
16 the technical subcommittee wants to discuss?

17 COMMISSIONER BARRABA: That would keep the  
18 committee busy, yes.

19 CHAIRMAN YAO: All right, next subcommittee.

20 COMMISSIONER BLANCO: I guess I'll go with Legal,  
21 but I'll preface by saying I don't know anything about this  
22 committee, and I really wish Jodie were here. So, very -

23 MR. RICKARDS: Before, I'm sorry for interrupting  
24 and I apologize, can Dan read back to you the items so that  
25 we know what you know, or what we both think we're on the

1 same page?

2 MR. CLAYPOOL: So what I have now are strategies in  
3 software for redistricting, ability of citizens to use the  
4 software, that a major part of this task will be to get the  
5 consultants on board, that you wish to have some type of  
6 Powerpoint presentation or template to begin with, and that  
7 you want to make sure that we're tracking other relevant  
8 methodologies that are being used. What did I miss?

9 COMMISSIONER BARRABA: Another one would be  
10 preparation for the approximations of what the data will look  
11 like, so we could start it before the numbers show.

12 MR. CLAYPOOL: I've got that. I didn't read that  
13 one, it was above, but absolutely.

14 CHAIRMAN YAO: By comparison to the other  
15 subcommittees, I think this agenda, if we were to agendize it  
16 in the manner that was read, I think they tend to be a lot  
17 more detailed, a lot more restrictive, so between now and  
18 next week, maybe we probably will need to broaden it so that  
19 you can cover unanticipated topics that are in the same  
20 category.

21 COMMISSIONER BLANCO: Who else here, excuse me, is  
22 on the legal?

23 COMMISSIONER RAYA: I am and -

24 COMMISSIONER BLANCO: Who else?

25 COMMISSIONER RAYA: I am and Michael.

1 COMMISSIONER BLANCO: Okay, all right.

2 COMMISSIONER RAYA: Just so you know, I didn't put  
3 it down on my final list.

4 VICE CHAIR DAI: Yeah, I was going to say that  
5 might change after we kind of look at what people's final  
6 thoughts are.

7 COMMISSIONER BLANCO: All right, I say that  
8 because, help me here, because I really wasn't here for the  
9 thinking process of setting up the committee at all. So, I  
10 guess this is - all these committees are anticipated to be  
11 ongoing, is that correct, and so the Legal is ongoing. But I  
12 want to make sure that, for next - okay, so we have to  
13 prepare the questions for the hiring of counsel, and I'm not  
14 sure if that's - how that should take place. I mean, I don't  
15 know if that's a subcommittee notice, I don't think it is.

16 VICE CHAIR DAI: No, it's going to be too late by  
17 then.

18 COMMISSIONER BLANCO: It's going to be too late to  
19 notice it, so I don't know, though, if we want to make an  
20 announcement, or if that's just on the website, and that's  
21 that.

22 COMMISSIONER BARRABA: It's a closed session.

23 COMMISSIONER BLANCO: It's a closed session, so  
24 that's that, okay. So many of these relate a little bit to  
25 the technical, but one thing that is obvious is that we'll be

1 working really closely with counsel, and so I think every  
2 meeting should - my sense is that every meeting should  
3 include both an update from him about - him or her - about  
4 what their outstanding either questions that have come up, or  
5 decisions that he or she feels needs to be made, so a GC  
6 report would be one standing item. Is that right? I think,  
7 to the extent that, in our full Commission meetings things  
8 come up that are not so much of a nature of something that  
9 the General Counsel will be deciding, but things that come up  
10 about - let's say we are now deep into the map drawing, and  
11 we have a discussion, the Commission feels it needs guidance,  
12 I think we need to figure out which items are for our General  
13 Counsel and which ones - that's why I'm sort of saying I'm  
14 kind of adlibbing because I don't think we've really had -  
15 it's a little different than the others because we have this  
16 position which is a very high level position to assist us, so  
17 what do we do that is not really the role of the General  
18 Counsel is kind of -

19 COMMISSIONER FORBES: I think, I mean, two things  
20 come to my mind that we actually talked to earlier today, is  
21 a discussion of what are the legal issues about which we need  
22 training, in which the Commission needs training.

23 COMMISSIONER BLANCO: Okay, identifying legal  
24 training.

25 COMMISSIONER FORBES: Exactly.

1           VICE CHAIR DAI: I also want to remind the  
2 Commission that Commissioner Filkins Webber provided a list  
3 of agenda items at the last meeting, so we could review that.  
4 I know that Policies are one of her concerns, for example,  
5 public records retention policies, and things like that, that  
6 we may need to be concerned with, other items that may -

7           CHAIRMAN YAO: If somebody has a copy of or has  
8 that list, maybe it would be appropriate to share it with all  
9 the Commissioners at this point. Do you have a copy of that,  
10 Cynthia?

11           COMMISSIONER BLANCO: Does somebody have that  
12 handy? From which transcript would it -

13           VICE CHAIR DAI: It would have been Friday's.

14           COMMISSIONER BLANCO: It would have been Friday's?

15           VICE CHAIR DAI: Yeah. So I don't think we need to  
16 go through that again, Chair.

17           COMMISSIONER BLANCO: I'll just - the thing is  
18 there are some things that I'm not so sure, frankly, that the  
19 subcommittee needs to be directing the records retention -

20           VICE CHAIR DAI: No, just providing oversight.

21           COMMISSIONER BLANCO: Policies, right.

22           VICE CHAIR DAI: I think - I just want to be clear  
23 that all these subcommittees are going to be working with  
24 staff, so, I mean, we're going to be providing oversight and  
25 brainstorming and policy direction, but the staff will be

1 doing their jobs, so -

2 COMMISSIONER BLANCO: Oversight of the Commission's  
3 legal responsibilities?

4 CHAIRMAN YAO: You know, that is probably a broad  
5 category that we should include in each and every  
6 subcommittee. Can someone draft a couple words so that it  
7 can go into all of the agendas as a standard item?

8 MR. RICKARDS: You might want to include something  
9 about oversight and recommendations so that there is no  
10 ambiguity about whether or not you're making decisions.

11 COMMISSIONER BLANCO: Uh huh, oversight and  
12 recommendation - or - review. Does that apply to decision-  
13 making or -

14 MR. RICKARDS: No, I think that's fine. I mean, I  
15 have not come up with the language, it just occurred to me  
16 that we want to make clear that it's a committee that makes  
17 recommendations to the Commission.

18 COMMISSIONER BLANCO: Okay. It strikes me that  
19 there might be some things that happen during the course of  
20 our work, court decisions, whatever, that the subcommittee  
21 should look at and prepare presentation for the full  
22 Commission?

23 COMMISSIONER RAYA: I think that is a start, too,  
24 to the other issue we talked about, which was anticipating  
25 possible challenges that we would face at the end of the

1 process. So, keeping up and making sure that we're kept  
2 informed and anticipating -

3 COMMISSIONER BLANCO: Okay, so the subcommittee's  
4 role is to keep the Commission apprised of relevant legal  
5 issues related to redistricting? Okay.

6 COMMISSIONER RAYA: Well, I'm not so sure we want  
7 to put the responsibility to keep the Commission apprised  
8 because that's what we're paying Counsel to do, I think, so  
9 if we could phrase it a little differently so that, you know,  
10 we're making sure counsel is on top of these things, that  
11 we're also looking at it not just as an abstract legal issue,  
12 but in the context of what we're doing day to day.

13 VICE CHAIR DAI: May I suggest "legal strategies?"

14 MR. RICKARDS: Or "legal matters," not  
15 "redistricting," you don't want to leave it to  
16 "redistricting" because it may be -

17 VICE CHAIR DAI: I mean, I think there are all  
18 kinds of legal matters, like we're going to have a staff,  
19 there might be employment law issues, I mean, they have a  
20 whole host of legal issues that our Chief Counsel may want  
21 some input from a small number of Commissioners on.

22 COMMISSIONER BLANCO: Keep the Commission apprised  
23 of legal matters related to the workings of the Commission.  
24 Okay.

25 THE COURT REPORTER: Commissioner Blanco, could you

1 speak a little more closely to your microphone, please?

2 COMMISSIONER BLANCO: Yes. So that the first one  
3 is standing item that we would be able to pull from the  
4 General Counsel, 2) identifying legal trainings for the  
5 Commission, 3) review of Commission's legal obligations as a  
6 standing item, 4) keeping the Commission apprised of legal  
7 matters related to the workings of the Commission. That was  
8 the last one. And I think those are fairly broad. I just  
9 want to make sure that, in the spirit of broadness, there  
10 aren't some very specific things that we're overlooking, that  
11 are coming up or, you know, that aren't just the role of the  
12 GC.

13 CHAIRMAN YAO: Okay, let's go on to the last -

14 VICE CHAIR DAI: I'm not done yet.

15 CHAIRMAN YAO: You're not done yet.

16 VICE CHAIR DAI: Would you see policies as part of  
17 oversight and review about the Commission's legal  
18 obligations? Because I think we might want to have -

19 COMMISSIONER BLANCO: Standing policies about -

20 VICE CHAIR DAI: Yeah, because, I mean, our Chief  
21 Counsel is going to provide advice on the law, but there may  
22 be choices in some cases, and that's where I would see the  
23 role of the committee is really providing policy direction.

24 COMMISSIONER BLANCO: Yep, okay. Policy Review.

25 COMMISSIONER ONTAI: To report such matters as ex

1 parte communications.

2 COMMISSIONER BLANCO: Right. DG ex parte  
3 communications, structure of hearings - I mean, there may be  
4 some legal matters or, I don't know.

5 VICE CHAIR DAI: I don't think we -

6 COMMISSIONER BLANCO: But if we're going to do an  
7 EG\* [45:41], I'd rather not do one EG\*.

8 VICE CHAIR DAI: What about legal policies?

9 COMMISSIONER BLANCO: Review of legal policies,  
10 okay.

11 COMMISSIONER PARVENU: Legal policies in reference  
12 to the Voters Rights Act, just in general -

13 MR. RICKARDS: Yeah, you want to keep it as general  
14 as you can because you can't anticipate - I mean, you could,  
15 but then you've got a laundry list of things which is fairly  
16 useless. I mean, legal challenges can come up -

17 COMMISSIONER BLANCO: The only one here that is  
18 really specific, and I think it needs to be, is the legal  
19 trainings, and the others are -

20 COMMISSIONER RAYA: Could that last one come under  
21 the category of something like compliance?

22 COMMISSIONER BLANCO: Oh yeah, compliance review.  
23 Legal Compliance Review, I like that. Okay. Anything else?

24 MR. RICKARDS: Can we ask that you read them back  
25 now for Dan?

1                   COMMISSIONER BLANCO: Yeah, the General Counsel  
2 Report, identifying legal trainings - legal trainings for the  
3 Commission, just to be clear, review of Commission's legal  
4 obligations, keep the Commission apprised of legal matters  
5 related to the workings of the Commission, that could  
6 probably be shorter. Well, I don't know what the difference  
7 is between review of legal matters and legal obligations, but  
8 we could just say "review of legal obligations and matters,"  
9 if we want. Okay, we'll shorten that one. And then, final,  
10 Legal Compliance Review. How is that?

11                   MR. CLAYPOOL: Okay, so GC policies are in the  
12 realm of the legal obligation and matters. Am I correct?

13                   COMMISSIONER BLANCO: Yes.

14                   MR. CLAYPOOL: Okay.

15                   COMMISSIONER BLANCO: And I will share this also -  
16 I've got to call Jodie about the questions for the  
17 interviews, so I'll get her input on this, as well, but I  
18 don't want to keep broadening it too much.

19                   CHAIRMAN YAO: All right, I believe the remaining  
20 one is Finance Administration.

21                   VICE CHAIR DAI: Finance and Administration, to be  
22 clear. So, obviously, reviewing budget, so budget  
23 projections, anything relating to budget, looking at  
24 additional appropriations from the Legislature and other  
25 sources, if necessary -

1           COMMISSIONER RAYA: I'm sorry, what was that again,  
2 the second one?

3           VICE CHAIR DAI: Looking at the augmentation of the  
4 budget.

5           COMMISSIONER RAYA: Thank you.

6           COMMISSIONER GALAMBOS MALLOY: I would add staffing  
7 and personnel, similar to the budget, kind of a catchall  
8 staffing and personnel category. I was also thinking if we  
9 needed a category related to IT and maybe we could collapse  
10 that under some other category, and then a question around  
11 facilities management, given we will have a facility here and  
12 yet we will be many facilities over the coming months.

13          VICE CHAIR DAI: I would add contracts for all of  
14 the above.

15          COMMISSIONER BARRABA: Evaluation of meeting  
16 facilities.

17          COMMISSIONER ONTAI: Let me expand on facilities,  
18 so we can expand it to Facilities and Equipment.

19          CHAIRMAN YAO: I need a clarification. We're  
20 talking about the costs associated with facilities and  
21 equipment? Or are we talking about facilities and equipment?

22          COMMISSIONER ONTAI: Yes, Blackberries, whatever  
23 the staff has defined.

24          CHAIRMAN YAO: The costs associated with it, and  
25 not necessarily the management of it.

1           COMMISSIONER ONTAI: No, no, no, just the costs. I  
2 mean, we have to budget for that.

3           CHAIRMAN YAO: Right.

4           COMMISSIONER GALAMBOS MALLOY: I had actually  
5 anticipated as somewhat of a separate item, but if we have a  
6 catchall category around budget, we could look at fiscal  
7 issues there, but we also need to be thinking just  
8 logistically speaking, what kind of facilities are we going  
9 to be needing at any given time, you know, making  
10 arrangements to borrow offices or auditoriums, or etc.

11          VICE CHAIR DAI: I would see this as mostly a staff  
12 function. I mean, we can certainly review it.

13          MR. CLAYPOOL: And you have facilities management  
14 as one, don't you?

15          VICE CHAIR DAI: Well, facilities and equipment. I  
16 mean, I think that we need to remember that we're a governing  
17 Board here, so we're going to have staff. I see the, you  
18 know, Public Information Committee as a resource for the  
19 Communications Officer, I see the Finance and Administration  
20 Committee as a resource primarily for the Executive Director.  
21 The Legal Committee would be a resource for the Chief  
22 Counsel, you know, to bounce ideas off and make policy  
23 decisions and policy recommendations to the full Commission.

24          CHAIRMAN YAO: I think this Commission [sic] will come  
25 into being when we are identifying an issue and then start

1 thinking about some of the potential options, and then bring  
2 it before the entire Commission for consideration. I don't  
3 believe the normal monitoring and reporting of expenditures  
4 to be part of the activity, other than just reviewing it  
5 before they are brought forth to the entire Commission.

6 All right, let's see, let me ask Counsel for  
7 clarification. If we do have a subcommittee meeting on  
8 Wednesday, February 9<sup>th</sup>, do we need to post the agenda at  
9 either close of business day or 11:59 p.m. on the Wednesday,  
10 two weeks before the 9<sup>th</sup>? Or does it have to be the Tuesday  
11 before the Wednesday, February 9<sup>th</sup>?

12 MR. RICKARDS: Always an interesting question. I  
13 would advise you to do it Tuesday.

14 CHAIRMAN YAO: So, can we post it at close of  
15 business? Or before midnight on Wednesday, two weeks before  
16 the February 9<sup>th</sup>?

17 VICE CHAIR YAO: I just want to clarify this  
18 because we posted information -

19 MR. RICKARDS: Did we do two weeks?

20 VICE CHAIR DAI: We did two weeks.

21 MR. RICKARDS: Then I think you're fine with that.

22 VICE CHAIR DAI: Yeah, because we did last Friday,  
23 and we're going to discuss three new items this Friday -

24 MR. RICKARDS: So if they posted two weeks before,  
25 you could.

1                   CHAIRMAN YAO:  So as long as we post that two  
2 Wednesdays before February the 9<sup>th</sup>, we are in compliance with  
3 the -

4                   MR. RICKARDS:  Yes.

5                   CHAIRMAN YAO:  All right, so that being the case,  
6 why don't we have a draft copy of the agenda for each of the  
7 subcommittees to be reviewed before the entire Commission on  
8 Wednesday, February 9<sup>th</sup> - I'm sorry - next Wednesday, which is  
9 January 26<sup>th</sup>.

10                  MR. RICKARDS:  Now, let me just ask kind of a  
11 clarifying question - two things.  At the end of - I keep  
12 trying to answer this agenda question - let me ask if we can  
13 go back and re-read Finance so that we all have the same  
14 words.

15                  CHAIRMAN YAO:  All right.

16                  MR. RICKARDS:  My thinking was to do one agenda,  
17 which included both the Commission -

18                  CHAIRMAN YAO:  That's fine.

19                  MR. RICKARDS:  And some subcommittees, and perhaps  
20 to have in italics that the subcommittees' agendas include  
21 the specific items listed under each subcommittee, and any  
22 matter listed for the entire Commission.  That's in accord  
23 with the law and it gives you that flexibility.  And then,  
24 the subcommittees will meet in a location close to where the  
25 committee as a whole is meeting, and that will be announced

1 on Wednesday morning or before, something like that.

2 CHAIRMAN YAO: So we are looking at three  
3 subcommittee meeting locations, or two plus the main -

4 MR. RICKARDS: Well, that will be up to you. I  
5 mean, you can't conduct a Commission meeting and a  
6 subcommittee meeting at the same time - I mean, you can, but  
7 it's not worth anything, and you probably won't have a  
8 meeting, you would have a -

9 CHAIRMAN YAO: So, staff would try to come up with  
10 the -

11 MR. RICKARDS: Yeah, we need one location for each  
12 subcommittee. You can use the committee as a whole for one  
13 subcommittee if you want -

14 CHAIRMAN YAO: All right, maybe this is a decision  
15 for the entire Commission to make. Do we want two, at most,  
16 two parallel subcommittee meetings? Or, do we want five - up  
17 to five parallel subcommittee meetings?

18 COMMISSIONER GALAMBOS MALLOY: I feel like this is  
19 largely going to be based on who is on each committee.

20 CHAIRMAN YAO: I understand, I understand. So do  
21 we want to, for example, if we want to limit it to no more  
22 than two subcommittees to meet, then we can schedule that  
23 accordingly, or try to come up with a schedule that would  
24 satisfy as many Commissioners as possible.

25 COMMISSIONER GALAMBOS MALLOY: I guess my point - I

1 am sorry, let me just finish my thought there - was that, in  
2 the interest of efficiency, if it was logistically possible  
3 that all the meetings were happening concurrently, I would be  
4 fine with that; however, there may be a Commissioner who  
5 wants to be on two subcommittees, so I feel like - is that a  
6 possibility, maybe staff can actually do some work to figure  
7 out a proposal, based on the list of who is interested in  
8 what committee, what our options would be?

9 CHAIRMAN YAO: I think Mr. Claypool has that  
10 preliminary list already. We perhaps can make a decision on  
11 that when we get back together again, but we can do that  
12 right now if it's our desire.

13 VICE CHAIR DAI: I was going to pose that I'll work  
14 with Dan before the next meeting to kind of sort of the list  
15 a little bit. I guess what we'd like to do is - we asked  
16 everyone to put three choices and we want to make sure  
17 everyone gets at least their first or second choice, and then  
18 balance the numbers a little bit, understanding that, of  
19 course, everyone is welcome to participate as needed, but we  
20 kind of want to get some core groups going.

21 CHAIRMAN YAO: Is it all right if we come back next  
22 Wednesday to work that out? Or would you like to time out  
23 now to discuss that?

24 COMMISSIONER DI GIULIO: I say we come back next  
25 week after Commissioner Dai has had an opportunity to work

1 with Mr. Claypool and try to see what type of meeting  
2 schedule would minimize the amount of overlap.

3 CHAIRMAN YAO: Mr. Claypool?

4 MR. CLAYPOOL: I was going to point out that it is  
5 going to take some time to juggle this. Clearly, five  
6 consecutive are impossible, so it's going to have to be some  
7 staggered amount, and then a lot of cooperation.

8 CHAIRMAN YAO: So, let's try to shoot for two, at  
9 most two, parallel meetings. Is that the - because we're  
10 basically talking a couple hours - two to three hours per  
11 subcommittee meeting, so in a given day we can probably  
12 squeeze in three sessions, two easily, three would be a  
13 challenge, a small challenge.

14 COMMISSIONER RAYA: So on the chance that somebody  
15 is not - well, the likelihood, really - that some people will  
16 not be on the two things that are scheduled, then any two  
17 Commissioners who are not occupied in subcommittee meetings  
18 could talk without any problems, right?

19 CHAIRMAN YAO: In fact, you can jump back and forth  
20 between two committees if either one wants to do that. I  
21 don't think there is any restriction in terms of -

22 COMMISSIONER RAYA: But I was thinking of people  
23 who aren't on the committees that are meeting.

24 CHAIRMAN YAO: Oh -

25 VICE CHAIR DAI: Also, one point of clarification,

1 there are probably some people who only want to serve on one  
2 subcommittee, which I think is more than fine, so if you only  
3 want to serve on one, maybe you can send a note to Dan to  
4 clarify so that we don't put you on two.

5 CHAIRMAN YAO: I think Commissioner Raya's question  
6 is a good one, maybe we can take a minute to address it. We  
7 sort of set an upper limit of six Commissioners for each of  
8 the subcommittees. Can we just have an understanding saying  
9 the first six can participate in the active discussion and,  
10 beyond that, the Commissioners will be in a listening mode?  
11 To avoid accidentally getting into a situation where it's so  
12 cumbersome that it's impossible to hold a subcommittee  
13 meeting?

14 VICE CHAIR DAI: Yeah, I mean, I think the reason I  
15 proposed a maximum limit is just the whole idea with a  
16 subcommittee is to give people a chance to get more air time,  
17 so yeah, I mean, obviously Commissioners who are not  
18 otherwise obligated to attend another subcommittee meeting,  
19 if they want to sit in and spend their time doing that,  
20 that's great.

21 CHAIRMAN YAO: You know, the scenario I'm used to  
22 is that, basically the seven Commissioners can behave like  
23 the public and can address the Commission, but you can't  
24 participate in the continuous discussion on the topic. I  
25 don't think we necessarily have to totally adhere to that.

1 The first six Commissioners can certainly ask questions and  
2 we can participate in that manner, so there are ways to  
3 capture both the public and your thought in that process, so  
4 we have enough flexibility in doing that. Mr. Claypool, do  
5 you have a comment?

6 MR. CLAYPOOL: My comment was only that we are  
7 approaching four when we were going to do -

8 CHAIRMAN YAO: I understand.

9 MR. CLAYPOOL: And we still have the -

10 CHAIRMAN YAO: I understand. All right, I think  
11 Mr. Claypool has an item that he would like us to consider  
12 before the end of our meeting today.

13 MR. RICKARDS: Can I read back now Finance and  
14 Administration? I have budget, staffing and personnel, IT,  
15 facilities and management contracts and equipment. That may  
16 not be right, that's what I've got. That's why I wanted to  
17 check.

18 VICE CHAIR DAI: Yeah, Budget and Budget  
19 augmentation, I would put as one staffing and personnel, I  
20 don't know if contracts needs to be a separate line item or  
21 whether it's understood, I just wanted, for example, we had  
22 to approve three contracts today, and it would be good if,  
23 you know, we had a group of Commissioners who had read it  
24 thoroughly and thought about them. And then IT and  
25 facilities and equipment, we didn't want "facilities

1 management" in there, that would be staff's job.

2 COMMISSIOENR GALAMBOS MALLOY: Could we lump them  
3 maybe into logistics, and that could be a catchall for - I  
4 don't know, what are your thoughts on that?

5 VICE CHAIR DAI: Well, I mean, we could lump the  
6 whole thing under "Operations," and that would catch  
7 everything.

8 COMMISSIONER GALAMBOS MALLOY: Which is really the  
9 purpose, to have it catch all category that allows  
10 flexibility.

11 VICE CHAIR DAI: Sure. Should we put Operations?  
12 I just want to point out, this is getting very broad.

13 CHAIRMAN YAO: Well, I think you have enough  
14 information to put together a draft agenda, so we can take up  
15 the details this coming Wednesday. All right, Mr. Claypool,  
16 let's go on to the item you wanted to put before the  
17 Commission.

18 MR. CLAYPOOL: Well, we have the two final  
19 positions, Public Information Officer, and the Administrative  
20 Assistant. I was hoping that, with the Commission's  
21 permission that I would select the Administrative Assistant.  
22 It is down to three. I've qualified people and I've arranged  
23 to have those interviews on Monday so that we can get that  
24 going. The second one is Public Information Officer.  
25 Amongst the many candidates, and mostly qualified candidates,

1 the predominant number of them was Governmental in  
2 Sacramento, Sacramento-based, they didn't have a broad range  
3 across the State. Only four of the individuals actually had  
4 the broad reach that I believe you wish to see, and the depth  
5 of experience that I believe you want. I want to know, first  
6 of all, would there be an objection to a candidate being a  
7 person that had been considered by the Legislature as one of  
8 the possible 60 Commissioners?

9 COMMISSIONER BARRABA: [Inaudible] final pool?

10 MR. CLAYPOOL: They were in the final pool - this  
11 individual was in the final pool that went to the  
12 Legislature.

13 COMMISSIONER BARRABA: That would be the pool that  
14 we were all in.

15 MR. CLAYPOOL: Right.

16 COMMISSIONER GALAMBOS MALLOY: So they were  
17 stricken from the pool at that point?

18 MR. CLAYPOOL: I don't know. I looked at it and I  
19 didn't do that, I just -

20 VICE CHAIR DAI: I think the question is were they  
21 part of the final 36, or were they part of the final 60.

22 MR. CLAYPOOL: I know the individual said part of  
23 the final 60, but I didn't check to see if they were  
24 stricken.

25 COMMISSIONER DI GIULIO: Well, if they weren't

1 stricken, then that means they're still in whatever  
2 subcategory because they're not here, so that makes a  
3 difference whether - it's not 36, whatever is left of 36 at  
4 this point - or if they were just struck by Legislators.

5 COMMISSIONER BARRABA: My sense would be, if they  
6 made the final 60, they got through a pretty good review  
7 process with the panel, so therefore, there shouldn't be any  
8 problem [inaudible] [1:05].

9 COMMISSIONER DI GIULIO: It would be whether they  
10 would want to give up the potential for a future sitting on  
11 the Commission.

12 COMMISSIONER BARRABA: And they would have to make  
13 that judgment, yeah.

14 VICE CHAIR DAI: Well, right now - right, somebody  
15 else could resign and if the person has been identified in  
16 the pool, they would be giving up a spot, a chance at being a  
17 Commissioner. Are there any concerns about being struck by  
18 the Legislature?

19 COMMISSIONER FORBES [presumed]: No, not for me.

20 VICE CHAIR DAI: That was pretty clear.

21 CHAIRMAN YAO: Mr. Claypool, if we request that the  
22 resumes of your selection of the final four be made available  
23 to the Commissioners so we can - we can decide for ourselves  
24 as to whether there are any issues that we see, and assuming  
25 that we give you a go ahead, then you can make the choice

1 among the remaining candidates that pass our screening  
2 process, would that be a process that would be acceptable to  
3 you?

4 MR. CLAYPOOL: Certainly. I'm amenable to whatever  
5 process you wish. That would expedite it, but if you decide  
6 after screening them, you wish to interview them, however you  
7 want to do it.

8 CHAIRMAN YAO: I don't think we're talking about  
9 interviewing - participating in the interviewing - but I  
10 think perhaps that will allow us to satisfy ourselves that  
11 the four that you're going to "pick from" indeed [quote  
12 unquote] met our expectations. Is that a - would that  
13 process be acceptable to the Commissioners?

14 COMMISSIONER WARD: Just to clarify, this is for the  
15 Communications Director position?

16 MR. CLAYPOOL: Yes.

17 COMMISSIONER WARD: Thank you.

18 COMMISSIONER BLANCO: I just have a question. Do  
19 you have any thoughts about why the pool was not qualified in  
20 the way that we wanted it to be, it had the kind of statewide  
21 or a more sophisticated experience? Is it our salary range,  
22 or how we got out the notice? I'm just curious.

23 MR. CLAYPOOL: As with many things, you would have  
24 expected a preponderance of the candidates to be from  
25 Sacramento because they would have assumed that is where the

1 position is, and so it's a great job, and so that's why you  
2 received so many individuals who were Public Affairs Officers  
3 for Commissions, and for the Senate and for the Assembly, so  
4 it was - so, with that type of experience. But you did  
5 receive a fair number that came from a distance, so your  
6 Outreach did at least go out that far. Beyond that, I  
7 couldn't tell you.

8 VICE CHAIR DAI: So, just out of curiosity, do you  
9 feel like the pool is large enough and you have enough  
10 qualified candidates to choose from?

11 MR. CLAYPOOL: I believe that there are candidates  
12 in the group that, I will tell you, are well qualified.

13 CHAIRMAN YAO: So, specifically, you are to send  
14 the resumes to all of us and I don't know what kind of  
15 schedule we can commit to; hopefully, we can get back to Mr.  
16 Claypool in a day or two - Monday? Yeah, Monday, and voice  
17 any opinion you may have directly to him, as you see fit, and  
18 then let Mr. Claypool make the decision from there. If any  
19 one of you has a strong objection against one candidate's, it  
20 may be help Mr. Claypool discuss with the Chair and the Vice  
21 Chair and then make the appropriate decision from there. I,  
22 for one, would not be interested in participating in the  
23 interview process. I would like to task the Executive  
24 Director to make the proper decision, make the proper  
25 selection. Any difference in approaches that you want to

1 suggest?

2 VICE CHAIR DAI: Any Commissioners who would like  
3 to participate in the interviewing process?

4 COMMISSIONER BLANCO: When will it be?

5 COMMISSIONER BARRABA: Next week.

6 COMMISSIONER WARD: I'm interested, and obviously  
7 seeing the list and input, just like everybody else's, right,  
8 I think the avenue is there for input, so I think it's pretty  
9 well settled.

10 CHAIRMAN YAO: All right, do you have enough  
11 direction from us on that?

12 MR. CLAYPOOL: I do. I'll take the direction and I  
13 will get them out to you today. I expect comments back by  
14 Monday, and then, as long as there are no substantial  
15 objections, I will try to get them scheduled Tuesday and  
16 Wednesday and Thursday -

17 CHAIRMAN YAO: All right, close of business Monday,  
18 let's go ahead and set that deadline.

19 MR. CLAYPOOL: And then we can make the decision.

20 CHAIRMAN YAO: Okay.

21 VICE CHAIR DAI: I have a question. I'm just going  
22 to channel Jodie here about the conflict of interest thing.  
23 Did you run into any issues with the finalists there?

24 COMMISSIONER BARRABA: What do you mean by conflict  
25 of interest?

1           VICE CHAIR DAI: Based on of applying our conflict  
2 of interest rules

3           MR. CLAYPOOL: No, there was one individual in  
4 1990, so that was it.

5           VICE CHAIR DAI: So that was 10 years back, yeah.

6           CHAIRMAN YAO: Could I ask Counsel to chime in on  
7 this conflict of interest and advise the Executive Director  
8 accordingly, specifically associated with this position of  
9 Communications Director?

10          MR. RICKARDS: I would be happy to do that. We can  
11 discuss the apps, but -

12          CHAIRMAN YAO: Right. I think that approach will  
13 likely address any conflict of interest issue that we may  
14 have.

15          VICE CHAIR DAI: And the only reason, this is one  
16 of the positions that I would be concerned about because of  
17 appearances, so...

18          CHAIRMAN YAO: All right, any other items on the  
19 agenda that you wish to address before - go ahead, Mr. Ward.

20          COMMISSIONER WARD: There is a letter that was  
21 given to the Commission from the California Legislature  
22 regarding an offer to meet and I wanted to thank the  
23 Secretary of the Senate, Gregory Schmidt, for finding ways to  
24 support our mission, of ensuring equal representation for all  
25 Californians. Although I understand there might be some

1 perception concerns for the panel, I think the Commission  
2 ought to seriously take a look at this letter and discuss it,  
3 and consider the practicality of its offer. The Capitol  
4 building is open seven days a week and is, itself, a visible  
5 symbol of Democracy. Mr. Schmidt has offered us multiple  
6 plug and play ready rooms to meet our technological needs, as  
7 well as a non-over time capped staff to assist in  
8 technological operations. This offers more flexibility and  
9 public access than we have currently. The cost savings to  
10 the people and the Commission could be used to further  
11 outreach efforts. So, for all those reasons, I believe we  
12 should graciously consider this opportunity as a panel.

13 CHAIRMAN YAO: Would you like to make a motion to  
14 that effect?

15 COMMISSIONER WARD: I would like to make a motion  
16 that we consider accepting this request.

17 CHAIRMAN YAO: Mr. Claypool?

18 MR. CLAYPOOL: I apologize, I thought Cy was trying  
19 to signal before the motion.

20 MR. RICKARDS: I just wanted to say, just to  
21 recognize that this came from Greg Schmidt, the Secretary of  
22 the Senate, and Jonathan Waldie, Chief Administrative Officer  
23 of the Assembly. It was jointly signed by both of them and I  
24 just wanted to be sure we recognized that it was a joint  
25 effort.

1           COMMISSIONER ONTAI [presumed] [1:14:44]: You need  
2 a second, so I will second it.

3           CHAIRMAN YAO: All right, it's moved and second.  
4 Any further discussion?

5           VICE CHAIR YAO: It would be great if we do  
6 outreach in the Sacramento area.

7           CHAIRMAN YAO: I, too, agree that this is a very  
8 generous offer and I can think of no reason other than thank  
9 them and accept their offer, so let's have a show of hands of  
10 those who would support the motion of accepting the  
11 California Legislature's offer of us using their meeting  
12 facility.

13           COMMISSIONER DI GUILIO: Are we just saying  
14 generally in terms of the motion, or there is not something  
15 specific related to outreach vs. business?

16           CHAIRMAN YAO: No.

17           COMMISSIONER DI GUILIO: Okay.

18           CHAIRMAN YAO: Additional comments?

19           COMMISSIONER GALAMBOS MALLOY: Did we make a formal  
20 motion regarding the offer that we got from the City of San  
21 Jose? No. Okay - I wonder, so I'm happy to vote on this  
22 motion; I think these types of offers will be coming in  
23 fairly regularly, so if we are going to make a decision on  
24 this piece, I would like to make a motion next regarding the  
25 San Jose letter.

1           COMMISSIONER RAYA:  If I'm not mistaken, I think  
2 the San Jose letter was a kind of broad invitation, I don't  
3 think it had the specificity that this offer does.

4           COMMISSIONER BLANCO:  So just again - so we would  
5 no longer be meeting here if we accepted -

6           CHAIRMAN YAO:  No, those are separate decisions as  
7 to where we hold each meeting, but we would seriously  
8 consider this site on any Sacramento meetings that we plan to  
9 have in the future at Sacramento.

10          COMMISSIONER PARVENU:  And this is just a point of  
11 clarification, this is above and beyond the facility that we  
12 are going to take a look at today, this is for use when we  
13 choose to use those facilities?

14          CHAIRMAN YAO:  Correct.

15          MR. RICKARDS:  They have in mind meeting rooms in  
16 the Legislature as they are open, which have all the  
17 facilities you need in terms of telecommunications and so on.

18          COMMISSIONER BARRABA:  You'll recall this was in  
19 reaction to a question that we raised about just really not  
20 being available on the weekends, so that's what they offered.

21          COMMISSIONER BLANCO:  So I'm just going to - is  
22 there a motion and a second?  Yes, okay.  You know, my only  
23 concern is, this Commission was set up so much in reaction to  
24 the Legislature's what were perceived as the Legislature's,  
25 you know, undemocratic process of drawing districts the last

1 time around. I'm worried about a perception issue. So, you  
2 know, you're watching the news and you're a layperson, and it  
3 says, "The newly minted 14-member Redistricting Commission  
4 met today at the State Legislature to hold its hearings...."

5 COMMISSIONER BARRABA: We met in the State Capitol  
6 which is owned by the citizens of the State of California.

7 COMMISSIONER BLANCO: I'm just - I want discussion  
8 - but that's my only concern, is that's -

9 COMMISSIONER DI GIULIO: But the media could frame  
10 it the way Commissioner Blanco said, you know.

11 VICE CHAIR DAI: It's possible. I mean, I'm not  
12 sure that we would want to necessarily have our Commission  
13 meetings here, but I think as an outreach site, this is  
14 fantastic, especially since we're likely to use it on the  
15 weekend, and I think it's a great opportunity to bring  
16 citizens of California in to see their State Capitol.

17 COMMISSIONER WARD: I would just like to make the  
18 point that I think it would be a mistake to make decisions  
19 and muddy the waters with what media or other perception  
20 might be. I think, clearly, you know, our goal is to be as  
21 accessible and efficient and cost-effective as possible, and  
22 simply evaluating this motion, we're saying that this  
23 opportunity provides all three of those things. And that's  
24 simply all we're - the motion on the floor is saying that we  
25 see the practicality of this and want to consider it, and

1 would consider it, for future meetings.

2 COMMISSIONER FORBES: I think the critical thing  
3 there is the word "consider." If this was a motion to say  
4 we're going to do it, I might have a different vote. But I'm  
5 happy to consider this. Why not?

6 COMMISSIONER GALAMBOS MALLOY: Well, the thing that  
7 I have some reluctance to make a formal vote on this issue  
8 because it does appear that we are giving - even though there  
9 is a higher level of specificity in their offer, it could  
10 appear that we're giving preferential treatment to the offer  
11 from the Legislature, and so if we do make a formal vote on  
12 this, and accept the consideration, we have to keep that in  
13 mind as we get offers from other places. You know, I stated,  
14 this is an open process, we will get offers, I don't fully  
15 understand if we don't have an immediate need or date in  
16 mind, why we do need to take a formal vote on this.

17 COMMISSIONER WARD: I think there are two reasons  
18 why it might be appropriate, 1) to be able to respond to the  
19 letter. Obviously, I'm sure there are the needs for that  
20 facility and for its equipment are probably extensive, and  
21 the fact that that offer has been extended to us to be  
22 reserved for our needs, I think, is rather gracious, and it  
23 deserves an answer; and 2) I think that although other offers  
24 come in, this is a standing offer that is at our ready option  
25 and again, as we know, this room has a lot of restrictions to

1 it and eventually we need to become independent on our own,  
2 so this provides us a solid back-up plan or option, so it  
3 shows voting on it gives us a definitive option for where we  
4 can go; and then, thirdly, obviously because of some of those  
5 concerns that have been placed, this particular offer has  
6 some perceptual issues that could be attached to it, and  
7 since clearly as a body we don't view it as a "them and us"  
8 situation, we're working hand in hand with the people and  
9 with the government to do what is best for all of California,  
10 I think this is a wonderful step in cementing that  
11 relationship.

12 COMMISSIONER FORBES: Let me ask and see if you  
13 would consider a friendly amendment to the motion, and rather  
14 than respond to this specific letter, rather direct staff to  
15 consider all of these invitations that we receive in the  
16 context of our needs, rather than a specific one. I think  
17 that would eliminate the issue of are we going to be tainted,  
18 you know, by doing something at the invitation of the  
19 Legislature.

20 COMMISSIONER WARD: If we're talking about standing  
21 issues for continual use, I would agree with that, that would  
22 be fine. If we're talking about just use for a visit, you  
23 know, that might be outside the scope of what we're  
24 considering here. We're talking about a Plan B operating  
25 facility, not just a one-time meeting or visit.

1                   COMMISSIONER RAYA: I think we all share concerns  
2 about perception and I think those points are well taken. At  
3 the same time, I think we have an opportunity to focus on  
4 something a little higher, which is - and I think Vince  
5 framed it very well, we're not operating in a vacuum, that is  
6 impossible, so I think just keeping that in mind, we have the  
7 opportunity to take the high road, and I think this might  
8 even have a positive effect of showing that, you know, this  
9 is the work of the people, and where better for it to take  
10 place, should the need and opportunity arise, than in the  
11 Capitol?

12                   COMMISSIONER ONTAI: Let me add on to that  
13 statement. I think we have to remind ourselves that the  
14 State Capitol is owned by the taxpayers of California. The  
15 Legislature does not own that building. So, this is the  
16 house of the people's assembly, and in principle, I see  
17 nothing wrong with it.

18                   VICE CHAIR DAI: Right, plus it will help us avoid  
19 a lot of cost, so...

20                   CHAIRMAN YAO: All right, procedurally, I think  
21 there is a suggested alternate motion. I have not heard a  
22 second on that motion -

23                   COMMISSIONER GALAMBOS MALLOY: Second.

24                   CHAIRMAN YAO: All right. Let me ask whether Mike  
25 - Commissioner Ward - would like to modify his motion. If

1 not, then we will have to vote on the alternate motion before  
2 we can get back to the original motion.

3 COMMISSIONER BLANCO: So time for discussion?

4 COMMISSIONER RAYA: Could we have the alternate  
5 restated, I'm sorry?

6 COMMISSIONER FORBES: Just that we consider all  
7 invitations that we get to meet in the context of our  
8 specific needs because we're going to get a lot of  
9 invitation, are we supposed to accept every one? Let's just  
10 have a standing policy that we direct staff to consider all  
11 of them.

12 COMMISSIONER RAYA: Direct staff to - sorry.

13 COMMISSIONER FORBES: Yeah, direct staff to  
14 consider all invitations that we receive to have our meetings  
15 in the context of what our needs are, and again, the virtue  
16 of this is that a response to the Legislature or, rather, to  
17 the Capitol, but also, we don't have to keep - because we  
18 should respond to everyone who, I think, invites us. So, I  
19 just have a general statement that we would do that.

20 COMMISSIONER WARD: I just feel that, again, I  
21 agree with you that I think that would be tedious and  
22 unnecessary, I just think that this particular offer has a  
23 special significance because it shows that, in fact, the  
24 Legislature is trying to support this effort and is willing  
25 to support the will of the people by generously offering up

1 facilities that we desperately, you know, need. So, I just  
2 think it's worth it as a Commission, taking a vote on it and  
3 acknowledging that we, in fact, did receive that offer and  
4 that we're happy to consider it, and graciously.

5 COMMISSIONER BLANCO: And I just want to say that  
6 I've been - my concerns have been allayed by the discussion  
7 of the other Commission members. I'm really grateful for  
8 that. I think it is a very gracious offer and we can take  
9 the high road, and, in this budget climate, to be able to  
10 save the State of California money, and for us to take some  
11 kind of step along with everybody else who is suffering, you  
12 know, towards a reduction in the Budget, I think, is a really  
13 great thing for us to do. The only thing I would be  
14 concerned about in the offer, and it's picky, is just that  
15 they have technical staff available - I'm a little concerned  
16 about that because I think of the independence issue, that we  
17 should not have Legislative staff. That would be the only -

18 COMMISSIONER BARRABA: I think they're referring to  
19 the video and things of that nature, not necessarily advice  
20 of counsel.

21 VICE CHAIR DAI: Yeah, and this was actually in  
22 response, as Commissioner Barraba pointed out, to our  
23 discussion early on as we were being supported by the  
24 Secretary of State that we were not able to do this on  
25 weekends.

1                   COMMISSIONER GALAMBOS MALLOY: In the interest of  
2 time, would it be possible to call the vote?

3                   CHAIRMAN YAO: Yes. Let me officiate on this  
4 motion, let me just clarify so that you know what you're  
5 voting on. You have the option of voting in support of the  
6 alternate motion; in other words, you can vote yes and, then,  
7 when it comes to the original motion, you can also vote  
8 "yes," you certainly can vote "no" on the alternative motion,  
9 and vote "yes" on the original motion, or you can vote "no"  
10 on both of the motions. If you, for example, vote "yes" on  
11 the alternate motion, even though it covers the original  
12 motion to some extent, Mike Ward can certainly introduce a  
13 second motion saying that we want to respond directly to this  
14 letter, and communicate directly with them in that manner,  
15 So, there are many options that you can go under, it's not  
16 just one or the other. All right, so let's vote on the  
17 alternate motion, saying that we accept all the offers that  
18 are offered to the Redistricting Commission.

19                   COMMISSIONER RAYA: I don't think it was - can you  
20 clarify?

21                   CHAIRMAN YAO: No? I'm sorry, I misinterpreted it.  
22 Please restate it again.

23                   COMMISSIONER FORBES: That we direct staff to  
24 consider all invitations that we receive from whatever source  
25 in the context of our needs, and express our appreciation for

1 those offers.

2 COMMISSIONER RAYA: Is there a decision-making  
3 element added to that?

4 COMMISSIONER WARD: I can happily amend, then, my  
5 motion if you'd like, I have no - I don't see that in  
6 conflict with my motion, so I would then amend to move that  
7 we take a vote that acknowledges that we graciously consider  
8 and appreciate the offer of use of the Capitol facilities,  
9 and are willing to consider that, as well as directing staff  
10 to consider all options that come to us and respond in kind.

11 COMMISSIONER RAYA: So, then you're withdrawing  
12 your motion to actually accept this offer?

13 CHAIRMAN YAO: The alternate motion.

14 COMMISSIONER RAYA: I'm getting very confused.

15 COMMISSIONER WARD: My motion did entail that we  
16 accept the offer to consider that, and we would like to  
17 reserve the right to use this facility, to exercise that  
18 option.

19 CHAIRMAN YAO: All right, I think since the  
20 original motion has been withdrawn, we now have a single  
21 motion on the floor, which is to accept offers that met our  
22 need and -

23 COMMISSIONER FORBES: No, forget the word "accept,"  
24 it's to "consider" any offers that we receive from whatever  
25 source in the context of what our needs are.

1 COMMISSIONER RAYA: But it's staff considering.

2 COMMISSIONER FORBES: Ask staff to consider, right.

3 COMMISSIONER RAYA: Okay.

4 COMMISSIONER DI GIULIO: It's staff, is it not -  
5 that you want staff to keep a list so that, in the future, we  
6 can consider those, so staff can keep an ongoing list of  
7 anyone who offers to use their facilities.

8 COMMISSIONER FORBES: Right. It's broader than  
9 just the one - it includes the one, but it's broader than  
10 that.

11 CHAIRMAN YAO: All right, it's been stated very  
12 carefully and I will not try to restate it.

13 COMMISSIONER WARD: Actually, I think it is a  
14 little more - really quickly - again, the whole point of the  
15 motion, real quick, just so we understand, is that we need to  
16 let them know this particular offer - no, right now, this is  
17 the only offer that I'm aware of that is offering a facility  
18 that is technologically equipped to handle the meetings of  
19 this Commission, this is the only offer we have, should this  
20 room become unavailable to us, to operate. And this facility  
21 has a lot of demands on it, so I believe that it is worthy of  
22 a response, that if we have perception issues and are not  
23 going to consider using this for whatever reasons, that we  
24 let them know that. I think that is the appropriate thing to  
25 do as a Commission, and so the vote - my motion is intended

1 to say, "Yes, we graciously see this as a viable option and  
2 are putting it on our option list to use," or, "No, we're not  
3 going to do that." And that's it.

4 COMMISSIONER FORBES: And all my additional  
5 asterisk was that we're going to get a number of these  
6 letters, and that should be our standing policy, for this  
7 one, in particular, but others as well as we shall receive  
8 over the course of the next months.

9 COMMISSIONER WARD: That staff should consider  
10 those, or that we should as a panel?

11 COMMISSIONER FORBES: Oh, no, this is a staff  
12 issue.

13 COMMISSIONER WARD: Okay, great.

14 COMMISSIONER FORBES: Yeah.

15 COMMISSIONER BLANCO: Okay, I may look like I  
16 totally changed course here, but I have, and I don't think  
17 they are equivalent, the different offers. I think this is  
18 the State Capitol and, you know, other people - other  
19 counties, cities, nonprofits, you name it, will make offers,  
20 and I think we should consider them. But I don't think  
21 they're on the same - they're equivalent in terms of the  
22 symbolism and perhaps they're the same technically, but in  
23 terms of that we are a body that reflects the entire State  
24 and that it's the State Capitol that is offering us these  
25 facilities, I don't think - I don't think that saying we'll

1 consider everything acknowledges what we've been discussing,  
2 which is that this is not only gracious, it's healing.

3 CHAIRMAN YAO: Right, let me take the approach of  
4 treating these two motions as separate motions and see if we  
5 can get through this that way. All right, the alternate  
6 motion as proposed by Commissioner Forbes, as I said, I won't  
7 attempt to restate it, if you feel you understand it, and I  
8 think most of you are nodding your head, by showing your  
9 hand, and also saying "Aye" in support of the alternate  
10 motion? Ready?

11 (Ayes.) Any opposed? I see no hands. Any  
12 abstain? I see no hands. So that motion passed unanimously.

13 Now, let's consider the original motion that is  
14 proposed by Commissioner Ward. All those who can support  
15 that motion, again, raise your hand and say "Aye."

16 COMMISSIONER RAYA: This is accepting, right - it's  
17 accepting the invitation? I'm sorry, I just -

18 COMMISSIONER BLANCO: I'm with you, I'm not clear.

19 CHAIRMAN YAO: All right, Commissioner Ward, would  
20 you restate your motion?

21 COMMISSIONER WARD: My motion is that we accept to  
22 consider the Capitol facility as a viable option for our  
23 operating - business operating.

24 VICE CHAIR DAI: Commissioner Ward, will you accept  
25 an amendment to just say "consider" because we may or may not

1 ever meet in Sacramento again. If we do, and we need a  
2 facility on the weekend, it sounds like a great offer. I  
3 just don't want to commit us to meet again in Sacramento when  
4 we've talked about moving around the state.

5 COMMISSIONER BLANCO: But there are different ways  
6 you could phrase it, you could say, "When we meet in  
7 Sacramento, we graciously accept the offer of your  
8 facilities," and that is really saying that, when we're here,  
9 and we do business in Sacramento, we'll be at the State  
10 Capitol.

11 COMMISSIONER WARD: You know, that's even taking it  
12 further than I was going. Yeah, I just simply think that we  
13 owe an answer that we do, in fact, see this as a opportunity  
14 that we would absolutely consider, should we need it, or  
15 should we want it, or whatever, but we're not ruling it off  
16 and we're certainly not -

17 CHAIRMAN YAO: It's a simple, "Yes, thank you,"  
18 right? All right -

19 COMMISSIONER GALAMBOS MALLOY: Can you clarify for  
20 me how that differs from the vote that we just took?

21 COMMISSIONER WARD: Certainly. Because the vote we  
22 just took meant staff accumulate all those offers and make us  
23 aware of them and flesh them out, see what's viable, what's  
24 not. This particular offer, we're responding to, again, one  
25 because of the demands on it, so that if we decide that this

1 is not something we will consider under any circumstance,  
2 that they can go ahead and release that room and not reserve  
3 it for us, and move on with business, and then also just to  
4 acknowledge for the public to see that, in fact, all branches  
5 of their Government are reaching out to support this effort  
6 and are graciously offering us support, where we need it, and  
7 that we graciously appreciate that support and are willing to  
8 consider it as we plan our course of business.

9 COMMISSIONER GALAMBOS MALLOY: Very helpful, thank  
10 you.

11 CHAIRMAN YAO: Ready to call for the question?  
12 All right, those who support the motion that is before us,  
13 again, raise your hand and say "Aye."

14 (Ayes.) Those opposed? Abstain? All right, it's  
15 a unanimous vote.

16 Let me at this point thank the Commission for  
17 having me be your Chair for the last few meetings, and the  
18 Chair for the next meeting that is coming up Wednesday of  
19 next week will be Vice Chair Cynthia Dai, and the new Vice  
20 Chair will be Michael Ward.

21 COMMISSIONER BLANCO: With your permission, I know  
22 that at one point, we asked ourselves the question where  
23 these centers were going to be, that the statewide - so I  
24 just thought we should put it in the record. So, these  
25 centers are going to be in San Diego, Los Angeles, San

1 Bernardino, Fresno, Sacramento, and Berkeley. So, nothing up  
2 in the northwest, nothing in the northeast, or even north.  
3 It goes as far north as Sacramento, but that's the - those  
4 are the sites that they are going to be using.

5 CHAIRMAN YAO: Thank you. I'm sure we're going to  
6 put that back on the agenda for further discussion next week.  
7 All right, once again, have a - Commissioner?

8 COMMISSIONER DI GIULIO: Can I just - I'm sorry,  
9 everyone is ready to head out - just real fast, I wanted to -  
10 I mentioned to some people at lunch, and I wanted to get  
11 maybe counsel's feedback, I wondered, I would like to see if  
12 we as Commissioners, at least I'd like to establish a spot  
13 that is local to myself, that could be put on the agenda a  
14 continual basis that says if something were to come up, this  
15 is the public meeting spot for remote access. And if we all  
16 did something like that, in a situation like Commissioner  
17 Filkins Webber, if that had been in place, she could have  
18 participated in these meetings, so I think it would behoove  
19 all of us to find a location that could be agendized for  
20 every meeting at a remote location.

21 MR. RICKARDS: For each of you?

22 COMMISSIONER DI GIULIO: Yeah, that would be just a  
23 standing location that, if something happened where we could  
24 not physically be at the meeting, that we could go to that  
25 spot and participate in the meeting, because it has been

1 noticed as just a standing agenda item.

2 MR. RICKARDS: Yeah, we could do that.

3 COMMISSIONER DI GIULIO: Okay, I know it might not  
4 be fun -

5 MR. RICKARDS: No, no, no, no, it's not the work,  
6 it's - this is going to be an interesting agenda.

7 COMMISSIONER DI GIULIO: Okay, and then just one  
8 other thing is that I would wonder how we feel about - I know  
9 there was a public comment that was submitted earlier this  
10 week about someone asking - our website doesn't do a good job  
11 of saying when we're actually in session and when we're not,  
12 and so the public doesn't know what we're doing when, if  
13 there was a way, and this may be something for when we get a  
14 Web person, but we need to have a better update of when we're  
15 in session and when we're not because it just has an open  
16 agenda for a month, so it would be nice to have that. And,  
17 as well, it would be nice if - so that can be updated for the  
18 public - but I also think there is maybe a way for staff to  
19 update us, to summarize our meetings, so I know we've talked  
20 about some things that Commissioners - for lack of a better  
21 word - our homework - but just a review of what we need to be  
22 doing for the next meeting in terms of our discussion for the  
23 next Commissioner, as well as some things maybe about our  
24 outreach, but make sure that we are aware. We talked about a  
25 lot of things over a number of days, it would be helpful if

1 it was summarized for us, as well, too - a summary for the  
2 public and a summary for us.

3 MR. RICKARDS: Let me actually just say, I think we  
4 can do that. I need to check because, in terms of notice,  
5 the public needs to know where you are.

6 COMMISSIONER DI GIULIO: And then maybe the summary  
7 for the Commissioners would be just from staff to us, it  
8 would not have to be something we discuss. Is that correct?

9 VICE CHAIR DAI: I was just going to say, for  
10 example, this last time we put in the notice that  
11 Commissioner Galambos Malloy would be calling in, and then  
12 she's physically here, as well. So, I mean, I think it's  
13 obvious, if you're here, you're here, but if you know you're  
14 going to be gone and you can set up a remote, we have a  
15 remote site, then we don't have to worry if somebody gets  
16 suddenly called to a meeting that is only an hour and, you  
17 know, can't make it to Sacramento, but can really be  
18 available most of the meeting.

19 MR. RICKARDS: Well, yeah, I mean, I think we can  
20 try to work that out. When you know - when you plan to be at  
21 a certain place at a certain time, then people have notice.  
22 We don't want people going to a place where there is nobody  
23 there.

24 CHAIRMAN YAO: Correct. Once we set up a site and  
25 include that as part of the agenda, then that site has to be

1 open and -

2 VICE CHAIR DAI: The whole time?

3 CHAIRMAN YAO: The whole time, yes. You cannot  
4 just set it up as a "just in case," and then when the public  
5 show up at that site, they can't use it.

6 COMMISSIONER DI GIULIO: Is that -- so there has to  
7 be way for the public to make a comment from that site?

8 CHAIRMAN YAO: If it is set up accordingly, they  
9 should be able to address this Commission from that publicly  
10 announced site, yes.

11 COMMISSIONER DI GIULIO: But technically, in that  
12 case, then, the Columbia site should have been left open for  
13 this whole month. So are we in violation, since - I mean, is  
14 it typically open?

15 COMMISSIONER GALAMBOS MALLOY: The location is  
16 open, the connection - the Webinar connection here is not up  
17 and running at this moment.

18 COMMISSIONER DI GIULIO: But that would be the same  
19 situation. If we had it on the agenda that they are assuming  
20 that is where you will be, there was no distinction to say  
21 you would only be -

22 COMMISSIONER GALAMBOS MALLOY: Which days.

23 COMMISSIONER DI GIULIO: Which days you were there,  
24 so technically that spot should be - what you're saying is,  
25 if we keep an ongoing - a standing agenda location, then it

1 has to be open to the public, but that didn't happen with  
2 what we've done so far.

3 CHAIRMAN YAO: To the best of our ability, at least  
4 by intent, once we put it on the agenda, we should make our  
5 best effort to make sure that that site and that -

6 COMMISSIONER DI GIULIO: Could counsel look at it  
7 for us in terms of having that as a standing agenda item for  
8 locations in case of emergency, vs. it being one for  
9 continual feedback? Can counsel see if there is a  
10 distinction made between those two?

11 MR. RICKARDS: Yeah. I can do that.

12 MR. CLAYPOOL: Just two items, first of all, where  
13 you are at has been corrected to the best - to the extent  
14 that we can correct it, that we have corrected the website to  
15 show when you are in and when you're out. The second thing  
16 is, as far as doing the updates of the things that we agreed  
17 to, and so forth, our priorities right now are the RFPs, the  
18 RFIs, the job descriptions, and there are only two of us. So  
19 we will not have that up until we have staff. And right now,  
20 we only have a agreement on three staff, so it may be slow in  
21 running getting us to that level.

22 VICE CHAIR DAI: We have agreement on seven staff.

23 MR. CLAYPOOL: Seven, that's true. I wasn't going  
24 to employ the Legal Counsel, but possibly I would be a good  
25 job for Legal Counsel.

1 MR. RICKARDS: You're not looking at me, are you?!

2 MR. CLAYPOOL: I am! So, that's the state of where  
3 we're at.

4 CHAIRMAN YAO: All right, if there are no  
5 additional items, have a good trip home and we'll see you  
6 next Wednesday. So, this meeting is recessed until next  
7 Wednesday, which is the January 26<sup>th</sup> at 9:30 a.m. Thank you  
8 very much.

9 [Recess at 4:17 p.m.]

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