

BEFORE THE  
CALIFORNIA CITIZENS REDISTRICTING COMMISSION

In the matter of  
Full Commission Business Meeting

State Capitol Building  
Room 437  
Sacramento, California

Friday, February 25, 2011  
9:04 A.M.

Reported by:  
Kent Odell

APPEARANCES

Members Present

Connie Galambos Malloy, Chairperson

Gabino Aguirre

Angelo Ancheta

Vincent Barabba

Maria Blanco

Cynthia Dai

Michelle R. DiGuilio

Jodie Filkins Webber

Stanley Forbes

Lilbert R. "Gil" Ontai

M. Andre Parvenu

Jeanne Raya

Michael Ward

Peter Yao

Staff Present

Dan Claypool, Executive Director

Rob Wilcox, Communications Director

Kirk Miller, Legal Counsel

Janeece Sargis, Administrative Assistant

APPEARANCES

Also Present

Douglas Johnson

Sarah Rubin

Charlotte Chorneau

Marian Johnston

Public Comment

Jim Wright

Ted Toppin

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P R O C E E D I N G S

CHAIRPERSON GALAMBOS MALLOY: Good morning, it's 9:05 a.m., here in Sacramento.

My name is Connie Galambos Malloy, I'll be chairing this session of the California Citizens Redistricting Commission.

Our first order of business is to run through the agenda. There have been a couple of minor changes since we adjourned yesterday evening.

We'll be opening up the meeting with opportunity for public comment on items not on the agenda.

We'll move into wrap-up items from our advisory committee report-backs yesterday. We had some significant outstanding items from both the Finance and Administration Committee, focusing on the budget, and from the Outreach Committee.

We'll have a Public Information presentation, a report back from that committee and an update from our Communications Director, Mr. Rob Wilcox.

In the afternoon we'll have a training on Bagley-Keene, presented by our Chief Counsel, Mr. Kirk Miller.

And towards the end of the day we'll tie up some loose ends with our scheduling of future meetings and some updates on other trainings that will come in the future.

We do plan to offer two opportunities today for

1 public comment. The first will come immediately, in the  
2 next five minutes, and the second we will do right after  
3 the lunch hour.

4 With that, I would like to invite any members of  
5 the public, who would like --

6 Oh, we need to do roll. Let's do roll call.  
7 Let's do a voice call, please.

8 MS. SARGIS: Commissioner Aguirre?

9 COMMISSIONER AGUIRRE: Here.

10 MS. SARGIS: Commissioner Ancheta?

11 COMMISSIONER ANCHETA: Here.

12 MS. SARGIS: Commissioner Barabba?

13 COMMISSIONER BARABBA: Here.

14 MS. SARGIS: Commissioner Blanco?

15 Commissioner Dai?

16 COMMISSIONER DAI: Here.

17 MS. SARGIS: Commissioner DiGuilio?

18 Commissioner Filkins Webber?

19 COMMISSIONER FILKINS WEBBER: Here.

20 MS. SARGIS: Commissioner Forbes?

21 Commissioner Galambos Malloy?

22 CHAIRPERSON GALAMBOS MALLOY: Here.

23 MS. SARGIS: Commissioner Ontai?

24 COMMISSIONER ONTAI: Aye.

25 MS. SARGIS: Commissioner Parvenu?

1 COMMISSIONER PARVENU: Here.

2 MS. SARGIS: Commissioner Raya?

3 COMMISSIONER RAYA: Here.

4 MS. SARGIS: Commissioner Ward?

5 COMMISSIONER WARD: Here.

6 MS. SARGIS: Commissioner Yao?

7 COMMISSIONER YAO: Here.

8 MS. SARGIS: There's a quorum present.

9 CHAIRPERSON GALAMBOS MALLOY: Thank you very much.

10 At this time I'd like to invite any members of the  
11 public, who'd like to comment for items not on the agenda,  
12 to please come forward.

13 MR. WRIGHT: Good morning, Commissioners.

14 Yesterday afternoon I gave you some ideas for a straw man  
15 that you could use in doing your maps. I didn't give you,  
16 however, an assessment of, or my assessment of what I felt  
17 each of the four options might be of value to you.

18 If you were to use the 2001 maps as your starting  
19 point, I think that would probably be the worst possible  
20 case that you could pick because of the gerrymandering  
21 that happened, that would have to be undone.

22 If you were to start with a blank map of the  
23 State, that would require significant work on the part of  
24 the Commission in order to create the 113 districts that  
25 you need to create for 2011.

1           The amount of work involved might be weeks or  
2 months of your effort.

3           If you were to use the 1991 maps as your basis,  
4 there still would be a fair amount of work, and the key  
5 point there would be that the number of districts required  
6 for the congressional area has changed. It was 52 and no  
7 it's 53, therefore, every district would have to be  
8 adjusted.

9           The easiest for you, in my opinion, would be to  
10 hire somebody to start and go through the State, and  
11 create a new set by applying all of the rules that are in  
12 the Voters First Act, and also Title 5 and Title 2. That  
13 would give you a clean base to start with and something  
14 that you could then shoot your arrows at and apply all of  
15 the testimony that you're about to receive.

16           Any questions? Thank you for your time.

17           CHAIRPERSON GALAMBOS MALLOY: Thank you.

18           Our next member of the public.

19           MR. TOPPIN: Madam Chair, Members, my name is Ted  
20 Toppin. I am a citizen and, in all honesty, a Sacramento  
21 lobbyist, but I am not here for any clients, who have,  
22 really, no interest in redistricting. I'm here to comment  
23 for myself.

24           And it's -- before you start your agenda today I  
25 want to urge you to revisit an action of yesterday, which

1 I watched online, and that was the decision to remove the  
2 scoring table from the invitation for bid for the  
3 redistricting services.

4 I mean, this Commission has done well in its  
5 starting, in its infancy here to pick the best people and  
6 the most impartial people. That was the filter used in  
7 selecting yourselves, that was the filter used in  
8 selecting your staff, and I think you missed an  
9 opportunity to keep that standard in selecting your line  
10 drawer.

11 It's not enough just to be able to draw the lines  
12 and abide by the requirements to recognize diversity and  
13 communities of interest, what you want to do is be able to  
14 have a process that finds the very best person, or  
15 persons, or company to do this.

16 And I think by moving to a pass and fail standard  
17 you've sort of set yourself up for perhaps being painted  
18 into a corner for selecting not the best-qualified person,  
19 but a person who meets the minimal standards.

20 And with a low bid, or a bid that is lower than  
21 the best-qualified person, you will be left with not the  
22 best choice, not the most impartial choice, but a choice  
23 that perhaps would handcuff you in the future.

24 So, I would really like it if you would reconsider  
25 that and think about what your options are going forward.

1 If you don't want to restore the scoring table, you  
2 certainly need to bolster the impartiality provisions that  
3 are part of the invitation for bid. So, that is something  
4 that I really think you should reconsider.

5 Thank you.

6 CHAIRPERSON GALAMBOS MALLOY: Thank you, Mr.  
7 Toppin.

8 Are there any other members of the public who  
9 would like to comment on items not on the agenda?

10 Seeing none, we'll transition into continuing our  
11 advisory committee report-backs.

12 We are going to start, today, with the Finance and  
13 Administration Committee, picking up where we left off  
14 with the -- pardon?

15 As I mentioned, when I ran through the agenda, we  
16 will be continuing -- what I'd like to do today is pick up  
17 with the committees where we had outstanding business to  
18 finish up. So, we will be moving into outreach a little  
19 bit later in the morning, but we are going to do  
20 budgeting, first.

21 We have some things we're trying to resolve  
22 regarding our technical capacity in this room. We would  
23 like to have a Power Point in place for one of our guests  
24 to do a presentation, so bear with us while we juggle the  
25 agenda in order to make that happen.

1 With that, we'll do Finance and Administration.

2 COMMISSIONER DAI: Thank you, Madam Chair.

3 You should all have in front of you a spanking new  
4 copy of the -- our pro forma budget that was revised with  
5 input from the Finance and Administration Committee, by  
6 Mr. Claypool.

7 And he has, at our request, pulled out some  
8 assumptions on the right-hand side, so that you can  
9 understand what was driving these numbers.

10 I think we'll just take a second to let everyone  
11 look through this, quickly.

12 MR. CLAYPOOL: Commissioner Dai?

13 COMMISSIONER DAI: Yes?

14 MR. CLAYPOOL: I'd also like to tell the public,  
15 that might be watching, that this has been posted or is  
16 being posted at [redistricting.ca.org](http://redistricting.ca.org), on our behalf.

17 COMMISSIONER DAI: Yes.

18 MR. CLAYPOOL: Oh, [redistrictingca.org](http://redistrictingca.org), on our  
19 behalf. Thank you.

20 COMMISSIONER DAI: Thank you. We're trying to get  
21 better at that.

22 COMMISSIONER BARABBA: Commissioner Malloy?

23 CHAIRPERSON GALAMBOS MALLOY: Yes, Commissioner  
24 Barabba?

25 COMMISSIONER BARABBA: I'd like -- what's -- they

1 have the columns here and I don't know what they -- what  
2 the columns stand for.

3 COMMISSIONER DAI: Okay, let me explain each of  
4 the columns.

5 The first column, they don't quite match up, so  
6 you might want to draw this over. The first column is the  
7 \$500,000 that BSA requested for the selection of the  
8 Commission. Of course, we know that they spent a lot more  
9 than that, but that was what came out of the Commission's  
10 budget.

11 And then there's a little typo here, but the  
12 second column is -- which is actually the first main  
13 column that you see, is the budget that runs through June  
14 30<sup>th</sup>, of 2010, just fiscal year 2010-2011.

15 COMMISSIONER BARABBA: Ah, okay.

16 COMMISSIONER DAI: And then there's a projection  
17 for beyond June 30<sup>th</sup>, that goes through the next fiscal  
18 year, through June 30<sup>th</sup>, 2012.

19 And this is where I said we're actually going to  
20 have to make some decisions, as a Commission, on what we  
21 want to use for our forward budgeting in terms of what  
22 kind of skeleton staff we need moving forward.

23 There are some initial assumptions here. There  
24 are probably some adjustments that need to be made based  
25 on some of the input from the Outreach Committee,

1 yesterday.

2           And what I'd like to focus the discussion on are  
3 the assumptions, because this is a pro forma budget, we,  
4 you know, don't know what some of these things will be.  
5 We've tried to make good, educated guesses and come up  
6 with a reasonable budget.

7           Okay. So, if everyone's had a chance to look  
8 through it, I'm just going to let Mr. Claypool kind of  
9 talk about each of these categories, with a discussion of  
10 the base assumptions.

11           MR. CLAYPOOL: Certainly. First of all, just a  
12 slight point of clarification in that the -- this was  
13 created by me, initially, to go forth to the Department of  
14 Finance. And the Department of Finance requires that we  
15 go all the way across, through the fiscal year '11-'12,  
16 assuming that this Commission would still be running. So  
17 that's why we spread it across.

18           As Commissioner Dai said, the first column in '09-  
19 '10 only has one number, and it's the 500,000 from the  
20 Bureau of State Audits, and that has actually been  
21 allocated to them out of the original 2 point -- or \$3  
22 million budget that we had.

23           And then the other, as we go over to fiscal year  
24 '10-'11, and we see just a transfer cost, and then an  
25 \$81,212 amount. That's the amount that's encumbered right

1 now by our contracts with Department of General Services.

2 So, those are pretty self-explanatory.

3 Let me just move down into the operating expense  
4 and equipment.

5 Yesterday, I told you that our rent is paid by the  
6 Governor, and that is true, but you're going to look into  
7 '10-'12 -- or I mean '11-'12 and you're going to see  
8 \$80,000. And the reason I put that there is because we  
9 might get to August 15<sup>th</sup> and then have a discussion as to  
10 whether or not that constitutes the end of the need to  
11 support you or whether or not that support was intended  
12 for the entire life of the Commission, while you  
13 maintained offices.

14 I don't know the answer to that, so I put \$80,000  
15 to cover a \$10,000 a month expense from August through the  
16 end of the fiscal year '11-'12.

17 If we drop down to phone lines and data, the  
18 estimates were 1,500 a month through August, dropping down  
19 to 500 through September through June. Again, spreading  
20 it across, assuming that this Commission would keep some  
21 presence.

22 The same with office supplies and these are -- you  
23 know, these are just absolute estimates based on what I  
24 would think would be rational consumption. We haven't  
25 actually had the opportunity to have that kind of

1 consumption so these are soft numbers, but it was the best  
2 I could come up with.

3 Salaries. As you see going down there, this  
4 assumes that you would maintain an executive director, a  
5 chief counsel, and at least one program analyst through  
6 the entire fiscal year. After that you also see the  
7 estimate at the times that I would think that you could  
8 think about starting to drop staff off.

9 All of this assumes a 1.4 multiplier for the  
10 benefits package that would normally go with your staff.

11 And the only thing that is -- might be a little  
12 unusual there are the leave balances that were carried  
13 forward from the executive director and the chief counsel.

14 And those are -- we came over with leave balances.  
15 So, when your staff comes over, typically, in the State,  
16 you just pick up those leave balances and you pick up the  
17 expense for them. But it was something that needed to be  
18 expensed into your budget.

19 Any questions about the -- about the staff salary  
20 costs?

21 COMMISSIONER YAO: What's the head count from --  
22 average head count as of August 15?

23 MR. CLAYPOOL: Oh, your total number of staff?

24 COMMISSIONER YAO: Yes.

25 MR. CLAYPOOL: It would be seven because, as you

1 see, I've included the budget officer in that and the  
2 budget officer figure for this fiscal year is reduced to  
3 start at the beginning of this month, of this month coming  
4 up. So, it's seven through August 15, and after that it  
5 assumes that you would maintain -- the first person that  
6 would drop off would be at the end of October.

7 This has been the ongoing discussion. There are  
8 many things that your staff are going to have to wrap up  
9 and do, particularly archiving of all the different  
10 documents that we have here, putting together another  
11 budget for you.

12 We'll maintain some -- we'll maintain some  
13 communications and so your communications director will  
14 have to do some work for you towards the end.

15 And this also assumes a transition in the unlikely  
16 event that someone would litigate, because I believe this  
17 Commission's going to do such a good job that we're not  
18 going to have to worry about that.

19 CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao,  
20 did you have further comments? I have a question.

21 COMMISSIONER YAO: So, as a big picture, we're  
22 going to maintain full staff until the end of 2011 and  
23 then we'll start seeing drop offs starting in January  
24 2012, is that approximately what it is?

25 MR. CLAYPOOL: January 12, if we follow this

1 budget, January '12 you'll go to -- January 1<sup>st</sup> you'll go  
2 to three staff.

3 COMMISSIONER YAO: Okay.

4 COMMISSIONER DAI: Yeah, and actually that drop  
5 off starts in October.

6 CHAIRPERSON GALAMBOS MALLOY: Uh-hum. With the  
7 Commission assistant.

8 COMMISSIONER YAO: Right. Right. But the  
9 significant drop off is going to be at the beginning of  
10 next year.

11 COMMISSIONER DAI: Yeah. And this -- I mean,  
12 obviously, this is something that if we determine we don't  
13 need people past, you know, August 15<sup>th</sup>, we can revisit  
14 that. I think this is right now we're trying to put a  
15 budget that, you know, allows us some flexibility here.

16 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
17 Ancheta.

18 COMMISSIONER ANCHETA: So, again, there are  
19 probably going to be, outside of this budget, litigation-  
20 related expenses, which I assume will be handled,  
21 probably, by the Attorney General's office, or if there's  
22 an outside counsel.

23 I think Mr. Miller has alluded a couple of times  
24 previously to Public Records Act requests that might come  
25 in. And again, given the nature of that law, I think they

1 can come in any time, right?

2 I'm wondering how, given that that's a  
3 possibility, it may be much higher, certainly, in 2011 and  
4 maybe early 2012, but if there is an ongoing need to  
5 comply with that law how -- what's the best way to sort of  
6 build that in? Again, given that we don't really -- it's  
7 very hard to predict, obviously, but it could be fairly  
8 intensive in trying to get all those documents together.  
9 I'm not sure if that can be -- if that gets put some place  
10 else in terms of other State agencies, or it still needs  
11 to be with the Commission, but I suspect something needs  
12 to be allocated some place for that kind of capacity.

13 LEGAL COUNSEL MILLER: Thank you for raising that  
14 issue which, indeed, is an important one for the  
15 Commission to consider.

16 My sense of it is that we don't necessarily need a  
17 special allocation for that, but it is a challenge -- this  
18 is an example of where working with a very small staff  
19 creates a challenge because those can be very time  
20 consuming to respond to.

21 I think the short answer to your question would be  
22 this is an example of why the Commission should retain  
23 some flexibility in the staff numbers beyond August 15<sup>th</sup>,  
24 because that is an example of an unknown, but probably  
25 piece of work that would continue after that date.

1           Is that responsive to your question?

2           COMMISSIONER ANCHETA: Yes, in general. But I  
3 guess I'm wondering to the extent we can try to anticipate  
4 that, it might be good to put a line item in if it's  
5 not -- if it's not already sort of absorbed into the  
6 positions. But I'm just curious about whether that needs  
7 to be or not.

8           COMMISSIONER DAI: Yeah, any litigation-related  
9 expense would be a separate item that --

10          COMMISSIONER ANCHETA: Right. But, again, I'm  
11 concerned about the Public Records Act, specifically.

12          CHAIRPERSON GALAMBOS MALLOY: If I may interrupt  
13 you to note for the record that Commissioners DiGuilio,  
14 Blanco, and Forbes have now joined us.

15          Continue, Mr. Claypool.

16          MR. CLAYPOOL: So, this does actually address  
17 this, and this is one of the -- and so I'm talking in  
18 State language. And so I'm going to move back when I say  
19 that this assumes that you maintain a staff that archives  
20 these records after August 15<sup>th</sup> in a form that a three-  
21 person staff can access and move forward.

22          That's why we're keeping people through the end of  
23 the year because there's a lot of work with the State  
24 archives, and there will be a lot of work with our own  
25 internal archives to ensure that when someone makes a

1 request, we can produce those documents within the  
2 required amount of time.

3 So, it's built in, but it's built in by just  
4 maintaining the staff and that's the work that they would  
5 be doing.

6 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool, I  
7 actually have a question. To what extent were your  
8 estimates around staffing costs informed by research as to  
9 how other redistricting commissions have functioned in  
10 other states?

11 And the reason that I ask that is I'm interested  
12 in what different scenarios might look like, depending on  
13 the level of activity our Commission anticipated taking.  
14 We haven't really discussed it in a lot of detail as a  
15 Commission, but following our creation of the maps, given  
16 on what a tight timeline we're working, there may be other  
17 pieces of work that are needed. There may be, you know,  
18 pieces of legislation that need to be passed. There may  
19 be constitutional changes that need to happen in order to  
20 make sure that the next commission is able to operate more  
21 effectively.

22 So, whether we would plan to do that all  
23 ourselves, or have some different staffing, I'd really be  
24 interested in hearing more about other models, of how that  
25 looks in other states?

1 MR. CLAYPOOL: Well, first, no other state has  
2 ever done this, so there is no model for our state.

3 If you look at Arizona and, again, in my  
4 conversation with their executive director, they pretty  
5 much just -- when it was over they put everything into  
6 archive, but they were supported by a specific group  
7 within state government that handles small commissions.

8 So, they had this -- you know, and then they  
9 brought on outside counsel to do the litigation or kept  
10 that.

11 So, insofar as a model for keeping the staff that  
12 is -- I don't think that we have a good one anywhere.

13 CHAIRPERSON GALAMBOS MALLOY: Yeah.

14 MR. CLAYPOOL: If you look at some of the other  
15 states, I believe Iowa actually keeps a small commission  
16 staff around because they do -- in my recollection, and my  
17 recollection can often be faulty, but my recollection is  
18 that they kept a small staff because they had different  
19 types of data that they collected for their legislature.

20 And so this was part and parcel to my conversation  
21 yesterday and what Commissioner Dai alluded to. You, as a  
22 Commission, are going to have to decide what type of  
23 staff, what type of things you plan on putting into place.  
24 If they're going to be legislative changes, you're going  
25 to probably have to maintain a staff far beyond 2012. If

1 there is litigation, then you will need to maintain a  
2 staff until that litigation is over.

3 Because in my mind, the very worst thing you can  
4 do is let your staff disappear, because once they  
5 disappear they're very hard to get back.

6 CHAIRPERSON GALAMBOS MALLOY: Thank you.

7 Commissioner Ontai and then Commissioner Yao.

8 COMMISSIONER ONTAI: Well, one issue that may come  
9 up, that we might have to convene as a Commission in 2012,  
10 is the under-count analysis and how that would impact our  
11 previous decision on map making. I think that might be  
12 something that we might have to look at seriously.

13 CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao?

14 COMMISSIONER YAO: We have other State  
15 organizations supporting us prior to being fully  
16 independent. For the purpose of the budgeting, maybe we  
17 can put on record saying that beyond -- beyond fiscal year  
18 2011-2012 this be folded back into the Secretary of State,  
19 who is responsible for the election issues.

20 And, again, this is strictly for the budgeting  
21 purpose so that -- and run with it on that basis. Unless  
22 we want to take time out at this point in time to address  
23 those type of issues, you know, it's difficult at this  
24 point.

25 COMMISSIONER DAI: I don't believe that's an

1 option. I mean, the Secretary of State's support was  
2 purely for transition for us as an independent State  
3 agency, so I don't actually think that's an option for us.

4 I believe that we, as a Commission, will have to  
5 make some decisions, and I don't think we can make them  
6 now, I think we need to see how this goes.

7 What we're trying to do is put a budget that  
8 reflects some reasonable assumptions, which we may change  
9 our minds, you know.

10 For example, you know, Commissioner Ontai brings  
11 up a good point. But as we heard in our presentation,  
12 yesterday, from Mr. Johnson, the Census may decide not to  
13 release anything on an under-count. We may decide to make  
14 a request, other -- you know, California has done that in  
15 the past.

16 You know, we'll have to decide moving forward,  
17 beyond litigation, you know, do we want to meet once a  
18 year? And we have a ten-year appointment. And do we  
19 require much beyond a very skeleton staff, you know,  
20 beyond the first couple of years.

21 I don't personally think we can make those  
22 decisions now. What we're trying to do is comply with the  
23 Department of Finance's request to project forward  
24 through, you know, the next fiscal year, with a set of  
25 reasonable operating assumptions.

1           CHAIRPERSON GALAMBOS MALLOY: So, a process  
2 suggestion here, as we're moving forward and definitely  
3 want to entertain this conversation, but this does seem  
4 like something that the Finance and Administration  
5 Committee could do some lead thinking on, with input from  
6 other Commissioners, to come back to the full Commission  
7 next time we meet with some different ideas of roles. You  
8 know, post-August 15<sup>th</sup> what type of a Commission do we want  
9 to be and what would it take to actually carry that off.

10           I have in the stack Aguirre. It was DiGuilio, as  
11 well? Okay, Commissioner Aguirre.

12           COMMISSIONER AGUIRRE: Just an observation that  
13 even though the Department of Finance is looking for us to  
14 project our activity budget through 2012, fiscal year  
15 2011-12, afterwards I think that our understanding of  
16 redistricting is going to evolve, and there is challenges  
17 that we're going to be presented with.

18           And, certainly, there's going to be some questions  
19 that come up regarding whether this model, really, how  
20 well it has worked.

21           CHAIRPERSON GALAMBOS MALLOY: Uh-hum.

22           COMMISSIONER AGUIRRE: So that as we go through  
23 that process we're going to, I think, evolve a concept of  
24 what we might be able to do as a Commission, or what we  
25 should do as a Commission to pave the way for the next

1 Commission that comes along.

2           And, briefly, you know, an evaluation of the  
3 process, a continuing role, perhaps, for this Commission  
4 into the next few years.

5           And if that happens -- it might not. But if it  
6 happens, we can go to the Legislature to look for an  
7 allocation that would carry us into the future, beyond  
8 '11-'12. Is that correct?

9           MR. CLAYPOOL: That is correct. And, also, I want  
10 to confirm what Commissioner Dai had said. The Bureau of  
11 State Audits' function and the Secretary of State's  
12 function were strictly start up.

13           On the next round through, the only reason that  
14 the Secretary of State would become involved would be if  
15 this Commission decided to fully dissolve their staff  
16 offices, and so forth, and have no representation. In  
17 which case, in 2019, whoever your executive director would  
18 be at that time, would start this process all over again,  
19 of reconstituting an office.

20           And which is some argument for maintaining a small  
21 presence, just so you have some continuity and you don't  
22 have to go through the pains that we went through on this  
23 one.

24           CHAIRPERSON GALAMBOS MALLOY: Do any other  
25 Commissioners have questions on this?

1           Yeah, Commissioner Filkins Webber?

2           COMMISSIONER FILKINS WEBBER: Chair, you had  
3 mentioned that you were looking for further input from  
4 other committees.

5           CHAIRPERSON GALAMBOS MALLOY: Uh-hum.

6           COMMISSIONER FILKINS WEBBER: As I understand it,  
7 does the Department of Finance require this right for  
8 consideration of our budget officer or --

9           MR. CLAYPOOL: No, when I said the Department of  
10 Finance requires it, just in the format that I budget  
11 across three -- that I show them three fiscal years. And  
12 so, this is just the format that allows me to write the  
13 letters for the release of our funds. It's a formatting  
14 issue, strictly.

15          COMMISSIONER FILKINS WEBBER: Thank you.

16          CHAIRPERSON GALAMBOS MALLOY: So, clearly, I'm  
17 observing that we have some longer-term issues to grapple  
18 with, beyond this budget.

19                 What I would like to have us focus on now, do we  
20 have any immediate questions or concerns regarding this  
21 specific proposal for the fiscal years 2010-11 and '11-  
22 '12?

23          COMMISSIONER DAI: I'd actually like to let Mr.  
24 Claypool kind of go into the next section, now, unless  
25 there are further questions about staffing, actual

1 permanent staffing.

2 CHAIRPERSON GALAMBOS MALLOY: Excellent.

3 Continue.

4 Oh, I'm sorry, Commissioner Ancheta?

5 COMMISSIONER ANCHETA: So, I was just asking  
6 Commissioner Aguirre about the potential for an evaluation  
7 consultant. Which, again, may in the scheme of things  
8 rank lower than other things we need to put in here. But  
9 it may be useful to put that kind of line item in because  
10 in the '11-'12 fiscal year we might -- and I'm not tossing  
11 any figure out at this point, but it may be useful to have  
12 a formal consultant that can run through it in terms of  
13 various levels of analysis, including organizational  
14 analysis, staffing, various things that in the immediate  
15 aftermath, so to speak, of the work of the Commission, and  
16 its staff, and the consultants that it would be good to  
17 get all of this together and then sort of present to the  
18 Commission, at some point, a report.

19 COMMISSIONER DAI: We have a line item for a  
20 consultant.

21 So, let's let Mr. Claypool go into the next  
22 section, which is temporary retired annuitants.

23 MR. CLAYPOOL: Right. And per Commissioner Yao's  
24 suggestion yesterday, I have put the contracts with the  
25 persons, so that you can see kind of how the logic of this

1 evolved for these individuals.

2           Because we had an immediate need for them we --  
3 you'll see that the Specialist I is Carol Umfleet, and her  
4 Staff Service Manager II position.

5           And what we did was we used the temporary contract  
6 to immediately secure her services. I'm hoping that today  
7 this Commission will allow us to consider her for two  
8 months, with the rest of these -- actually will allow  
9 these four positions for the time period shown, so that we  
10 can bring them aboard to do the specific tasks that we  
11 need them to do.

12           But the first one is the two months at full time,  
13 and then below it is the 5,000 for the temporary contract  
14 that secured those services.

15           If you see the description it says two months  
16 minus the 5,000 contract. Essentially, the 5,000 contract  
17 is picking up a portion of that salary. And so once we  
18 get them on board and the salary picks up, we'll have some  
19 portion of the 5,000 that we didn't use. But this is a  
20 cost that's just unavoidable if we use this mechanism.

21           It's the same iteration down the two other  
22 individuals, Mr. Washington and Mr. Rich will both be at  
23 the Associate Government Program Analyst full time for two  
24 months.

25           And then you see the legal retired annuitant's

1 position, showing staff counsel at four, an RA at half-  
2 time for six months. And then, again, the minus 5,000 on  
3 the first fiscal year, on the fiscal year of '10-'11.

4 COMMISSIONER DAI: And, again, this is a decision  
5 the Commission will have to vote on. Mr. Claypool used  
6 his authority to hire them on a temporary basis and if  
7 we're willing to approve them on, again, a two-month full  
8 time salary basis, then they'll switch over.

9 MR. CLAYPOOL: I would like to say that, again,  
10 one of the things that this Commission will have to  
11 consider doing for their next Commission is to try to get  
12 delegated authority, which would eliminate this type of  
13 process in the future.

14 Any other questions?

15 COMMISSIONER DAI: Okay, let's move on.

16 MR. CLAYPOOL: We're moving down to Commission per  
17 diem. I was -- what I did here was I increased the number  
18 of days that the Commissioners, on our conversation with  
19 Commissioner Yao about the difference, how some of the  
20 Commissioners had traveled, and so forth, prior to me  
21 constructing this. Prior to me even being me here.

22 And so this assumes those days. It actually  
23 assumes about 14 days times four, so it gives us an extra  
24 56 days worth of traveling that may or may not have  
25 occurred, or may occur in the future. But it was just to

1 recognize on the business meetings that there have --  
2 there have been meetings that you've attended, that I've  
3 been unaware of, for media and so forth, and so that picks  
4 up that part of it, that part of the budget.

5 The next one down is communications media travel,  
6 that we discussed yesterday. Our Communications Director  
7 has indicated that there be 13 events and it assumes one  
8 Commissioner per event, and these are for going out and  
9 doing the things that Rob's going to do to promote.

10 COMMUNICATIONS DIRECTOR WILCOX: Yeah, I just want  
11 to say there's actually 30 events, I think it's 13  
12 different regions. I had it down there as 13 different  
13 regions.

14 MR. CLAYPOOL: Oh, okay. This will have to  
15 increase. Yeah, I will have to basically increase. I  
16 read it as 13 events and that was my error. But it should  
17 be -- I can do that.

18 But, essentially, if you triple that number,  
19 that's going to be approximately what the number is, and I  
20 can do that during the break.

21 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool, we  
22 have Commissioner Ward.

23 COMMISSIONER WARD: Oh, thank you, Chair.

24 MR. CLAYPOOL: Yes, sir?

25 COMMISSIONER WARD: I was just curious, being on

1 the Communications Subcommittee, as well, I thought we'd  
2 determined that there would be two Commissioners, at a  
3 minimum, at all of these media events, per past  
4 discussion.

5 COMMUNICATIONS DIRECTOR WILCOX: Yes. Yeah,  
6 there's two Commissioners at some. There are some, like  
7 the Northern California and some of the smaller  
8 newspapers, where there will be one Commissioner.

9 But for most of the events, there will be two  
10 Commissioners.

11 COMMISSIONER WARD: I just want to make sure the  
12 budget reflects that.

13 MR. CLAYPOOL: Okay.

14 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool,  
15 additional question. We had spoken in the Finance and  
16 Administration Committee regarding the business meetings  
17 not just be the business meeting, but the prep for the  
18 meeting. Did you factor in a multiplier to account for  
19 that?

20 MR. CLAYPOOL: Right. And that's why -- that's  
21 why I moved it out to 40. It assumes 56 extra days, you  
22 know, for the prep on that.

23 CHAIRPERSON GALAMBOS MALLOY: Okay, thank you.

24 MR. CLAYPOOL: So, clearly, the 30 events is going  
25 to -- that number is going to run up slightly, and I can

1 give you a revised figure on that. It will take me just a  
2 few minutes after we finish.

3 CHAIRPERSON GALAMBOS MALLOY: Uh-hum.

4 MR. CLAYPOOL: The next line item is the  
5 educational outreach. Again, I know that there is concern  
6 as to how many individuals will actually attend. I  
7 just -- I'm budgeting for three of you at each of the nine  
8 events, knowing that that may or may not occur. But that  
9 was the most number that I had actually heard spoken, as  
10 an official number, and so it just makes -- in my mind, it  
11 makes sense to just know that the money's there if that's  
12 how you choose to go.

13 And then the same argument with the public input  
14 meetings. Will we have 14 Commissioners at 30 events?  
15 Possibly not, but we have to assume that you will all  
16 attend all 30 events.

17 COMMISSIONER DI GUILIO: I'm sorry, could I ask a  
18 question before you move on? Would that be all right?

19 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
20 DiGuilio.

21 COMMISSIONER DI GUILIO: I'm just going back to  
22 what Commissioner Galambos Malloy had raised about  
23 factoring in the extra hours of prep, and whatnot, that we  
24 talked about.

25 And according to what Mr. Claypool said, it sounds

1 like you had about 56 extra days, is that correct?

2 MR. CLAYPOOL: Yes.

3 COMMISSIONER DI GIULIO: With 14 people, that's  
4 only four extra days each. And I don't know about the  
5 rest of the Commissioners, but I know even early on, when  
6 we were reading resumes and whatnot, there was a day or so  
7 per section of the meeting.

8 CHAIRPERSON GALAMBOS MALLOY: To add on to what  
9 Commissioner DiGuilio is saying, also from the experience  
10 of those of us who have served in the chair capacity --

11 MR. CLAYPOOL: Sure.

12 CHAIRPERSON GALAMBOS MALLOY: -- the level of prep  
13 time is significantly more than that.

14 COMMISSIONER DI GIULIO: Because if we're only  
15 allocated four extra days each, I think that's way under-  
16 estimating, just based on my experience.

17 MR. CLAYPOOL: Okay.

18 CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao?

19 COMMISSIONER YAO: The other factor that did not  
20 take place is assuming a full Commission at all the  
21 meetings. So, I think it's -- again, it's difficult to be  
22 real precise about it.

23 COMMISSIONER DI GIULIO: I think there's some  
24 cushion with the other budget that we could probably,  
25 maybe explore.

1           But I do think, as a Technical Advisory Liaison,  
2 I've been putting in an extra at least a day per meeting.  
3 And I would imagine with anyone who takes on  
4 responsibility that going through our burn rate, four  
5 would really put us at a disadvantage.

6           COMMISSIONER DAI: Yeah, I had asked -- I had  
7 guessed that the multiplier would be a 50 percent extra  
8 days, just in the prep time, so I'm not sure how we come  
9 up with that.

10          MR. CLAYPOOL: Okay.

11          COMMISSIONER DAI: Because if you include the fact  
12 that, you know, half the Commission has to travel each  
13 time, that's a day of travel on either side.

14          MR. CLAYPOOL: So that I'm very clear on this, so  
15 we're talking about the prep time without travel. But the  
16 time that you're consuming when you're working with these  
17 documents at home, and so forth, and getting ready for  
18 this.

19                 I can work this back and come back to you with a  
20 50 percent multiplier, which I think would probably makes  
21 some sense.

22                 Again, it makes more sense to have the cushion and  
23 know that it's there if you're absorbing the costs.

24                 So, I will work with that and I will change that  
25 number, as well.

1           But it won't affect, as I understand it, the  
2 travel budget.

3           COMMISSIONER DAI: No.

4           MR. CLAYPOOL: Okay. So, we move on to the next  
5 page and we have the actual travel budget. And again, I'm  
6 going to have to rework the media -- the media budget  
7 because that moves from 13 to 30.

8           COMMUNICATIONS DIRECTOR WILCOX: Mr. Claypool, I  
9 think if you and I just spend two minutes together on  
10 that, later, I think there might just be some confusion on  
11 what I gave you.

12          MR. CLAYPOOL: And then it assumes, possibly, two  
13 Commissioners per event. So, I'll work on those numbers.

14          So, the second number is -- needs to change, it  
15 will move up.

16          The first number, again, assumes that extra  
17 cushion that I put in for travel, knowing that some of you  
18 actually traveled on events that were business related,  
19 but not necessarily to a business meeting.

20          The educational outreach, again, assumes three per  
21 meeting, nine meetings. And the public input will always  
22 assume 14 Commissioners at all meetings.

23          Now, with the travel and also with the -- and I  
24 think Commissioner DiGuilio alluded to this, with the  
25 actual per diems, this figure is going to give you some

1 cushion on that other numbers, but it won't give us .5  
2 cushion. So, I'll rework that.

3 Staff travel, basically assumes four per 12 days.  
4 On the business meetings, the reason I put 13 days, we'd  
5 already assumed four of them in Claremont. I don't know  
6 whether or not we're going to go to other venues. It  
7 certainly was initially the intention of this Commission  
8 to go to more than Sacramento.

9 At this point, however, as we're moving into the  
10 input meetings, the outreach meetings, and so forth, it  
11 may be more practical to be able to avail ourselves of the  
12 Capitol and these types of settings.

13 And so, these 13 -- the additional nine may never  
14 be used, but I put it in there in case one of you does  
15 come up with a great venue, like Claremont, where they're  
16 willing to pay for everything, and in which case we would  
17 be able to travel there. And that's why that's there.

18 COMMISSIONER DAI: Well, and I think the other  
19 thing that the Commission should consider is, you know, as  
20 we find venues for these public input meetings, and just  
21 given the schedule, it might actually make sense for us  
22 to -- if it's an appropriate venue for public input, it  
23 may also be an appropriate venue for us to have a couple  
24 days of business meetings before then.

25 MR. CLAYPOOL: The communications director, this

1 is media travel, and this assumes that our communications  
2 director will be traveling down on these 30 events, you  
3 know, periodically. And he had given me a two-day travel,  
4 with days of lodging, which I increased to a seven-day  
5 travel with lodging, just thinking that we need to have  
6 the flexibility for him to be able to fly back and forth  
7 to places, if that's necessary.

8           Okay. The education outreach, two Commissioners  
9 per nine meetings and that's -- I didn't need to make a  
10 note on that, that's self-explanatory.

11           And the public input meetings are three staff per  
12 the 20 and the 30 meetings.

13           Will you need three staff at your public input  
14 meetings? I don't know. But I can't tell you that you  
15 won't. If all 14 of you go to all of them, it takes three  
16 staff to maintain you.

17           But if there's less than that, then there would be  
18 less and that number would be an outside number.

19           The business meeting expenses, I took these -- I  
20 took CCP's venue estimates to generate these numbers. The  
21 stenography assumes a seven-day turnaround, as we had  
22 agreed to, but that could increase because if we -- we had  
23 agreed that if there's a necessity, we would go back to a  
24 24-hour turnaround.

25           The security staff and photocopies that's -- I

1 just assumed that their number was a good number to work  
2 with. So that's -- you know, I don't know what security  
3 will be. I don't know what staffing will need to be at  
4 different places. I just needed to have a number and they  
5 had the estimate.

6 So at this point I should pause and ask, before we  
7 get into the communications budget, whether anyone has any  
8 questions about things I've asked so far?

9 COMMISSIONER YAO: Yes. All the business meeting  
10 expense are triggered by the number of events.

11 MR. CLAYPOOL: Right.

12 COMMISSIONER YAO: And I think as we adjust the  
13 number of events, hopefully by the end of today, you  
14 probably need to modify that accordingly so --

15 MR. CLAYPOOL: Okay, we're --

16 COMMISSIONER YAO: Because the stenographers,  
17 the -- I guess the education and public outreach, we're  
18 going to decide on that pretty soon, and then -- and I  
19 think we already made a decision on the stenography and  
20 the videographic. I think we previously have made  
21 decision on that.

22 So, all those are driven by the number of events  
23 and so I think as soon as we pin that down, it's pretty  
24 much a straight forward calculation.

25 CHAIRPERSON GALAMBOS MALLOY: Just a point of

1 clarification on that. I think we did set into place, at  
2 our last meeting in Claremont, the framework that we're  
3 approaching the meetings from. So while the exact dates  
4 might change, we agreed on the --

5 COMMISSIONER YAO: Right.

6 CHAIRPERSON GALAMBOS MALLOY: -- nine-region  
7 methodology --

8 COMMISSIONER YAO: Right.

9 CHAIRPERSON GALAMBOS MALLOY: -- three phases.  
10 So, the actual number of meetings is unlikely to change  
11 or, if it does, it will be very minimal because we have  
12 agreed, again, on this framework.

13 COMMISSIONER YAO: Before we get off the  
14 Commission expenses and so on, you know, a reality check  
15 is to ask yourself how many days a month that you can  
16 spend on the redistricting business, okay.

17 If I listen to the conversation, we're adding more  
18 and more per diem days to it, but pretty soon you're going  
19 to be working at two full time jobs. And, you know,  
20 you've got to really take into consideration as to the  
21 question as to whether that's going to happen. Because I  
22 suspect that we'll probably be addressing the high-  
23 priority items and start letting go some of the lower  
24 priority items, simply because we can't devote enough  
25 hours to the -- to the redistricting event.

1           So, case in point is in the month of January we  
2 spent, on average, about 11 days per Commissioners. And  
3 even though we will have all the outreach activity, are  
4 you still going to -- at all those outreach activity, on  
5 top of the, let's say, average of eight, or ten, or 11  
6 days that we devote to the normal amount of business, if  
7 you do, you know, now you're getting upward of 75, 80  
8 percent of a full time job.

9           And it -- we may plan it that way, but it's --  
10 from my perspective, it's unlikely that all of us can have  
11 the option of doing that.

12           CHAIRPERSON GALAMBOS MALLOY: I think it's always  
13 been anticipated that there will be a range of our  
14 capacity to engage. And so, even throughout the months  
15 there may be some months that some of us are working full  
16 time, and others that are less so.

17           But I would like to remind us that as we all  
18 applied to be on this Commission, we knew January was  
19 going to be the lightest month of the year. We were  
20 advised that we might want to consider taking a leave of  
21 absence from our jobs. That was information publicly  
22 available on our website.

23           So, I think we're all having that conversation on  
24 our heads as the reality is coming onto our calendars now.  
25 But that's a point well taken.

1           COMMISSIONER YAO: Yeah, what I'm addressing is  
2 not how much time we're going to put in, but in terms of  
3 putting together a budgeting number, because the  
4 assumption that we're making is the full Commission will  
5 be there at all the input meetings. I suspect reality  
6 will show that we're not going to do it, even though  
7 that's what we'd like to accomplish.

8           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
9 DiGuilio, were you in the stack?

10          COMMISSIONER DI GUILIO: Oh, I'm sorry, I was just  
11 making a comment that I assume -- does that assume we're  
12 actually sleeping? Because some of us actually aren't  
13 sleeping.

14           [Laughter]

15          COMMISSIONER DAI: Yeah, and by the way my -- I'm  
16 sorry.

17          CHAIRPERSON GALAMBOS MALLOY: No, go ahead.

18          COMMISSIONER DAI: My 50 percent comment was  
19 actually based on 11, 12 days per month. If you consider  
20 January, we met eight days, so if you had 50 percent that  
21 comes out to 12. So that was my -- where I got that from.

22          CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

23          COMMISSIONER WARD: Thank you, Chair. And just  
24 for the remainder of the Commission that didn't have the  
25 opportunity to be in the subcommittee meeting, where this

1 was discussed, it definitely was apparent that there are  
2 different ways to, you know, look at the, I guess,  
3 philosophy of this budget.

4           And as we kind of hashed that out I think the  
5 consensus that we came out with, generally, was that we  
6 need to plan for what we think we need, reasonably need.  
7 We need to go through this and make sure that -- let's  
8 see, there's not a personal jet for CRC, or for all your  
9 transportation. But things that we reasonably know that  
10 we might need to get the job done, and then we ask for it.

11           And what we get might be very, very different than  
12 what we believe we need, and we'll make adjustments at  
13 that time.

14           But going into this budget, already restricting  
15 what we reasonably expect we're going to need might be a  
16 mistake.

17           So, looking at this document as this is our best  
18 guess at what we need to get the job done, for what we see  
19 being the business of the Commission, and that's our  
20 starting point and what we want to do with this.

21           COMMISSIONER DAI: I think Commissioner Ward's  
22 exactly right. We are trying to put together a  
23 reasonable, defensible budget that will allow us to get  
24 the budget augmentation we think we need.

25           MR. CLAYPOOL: And so now we're going to move into

1 the communications budget. And I want to note that I'm  
2 going to -- if anyone has any questions, other than the  
3 final one, the other media services, as identified, which  
4 is the largest number there, Rob will handle, will take  
5 those questions.

6 And then I will explain the number on the last  
7 one. So, if anyone has any questions about just the first  
8 eight items, I believe it's eight -- seven items.

9 COMMISSIONER DAI: Most of the communications  
10 budget is Rob's effort so --

11 COMMITTEE MEMBER BLANCO: Is the website hosting  
12 the cost of the website or is it the upkeep and all, is  
13 that an all-inclusive?

14 COMMISSIONER DAI: It's actually the hosting.

15 COMMITTEE MEMBER BLANCO: It's the payment to the  
16 provider? It's the payment to the ISP provider, it's not  
17 the upkeep.

18 COMMISSIONER DAI: Correct, that would be handled  
19 under IT services there.

20 COMMITTEE MEMBER BLANCO: Okay.

21 COMMISSIONER YAO: The question I have is the  
22 language and translation services, is that well understood  
23 at this point?

24 COMMUNICATIONS DIRECTOR WILCOX: I'm sorry, could  
25 you say that again, Commissioner?

1           COMMISSIONER YAO: The communication budget on  
2 language and translation services --

3           COMMUNICATIONS DIRECTOR WILCOX: Yes.

4           COMMISSIONER YAO: -- is the assumptions and  
5 everything is understood or --

6           COMMUNICATIONS DIRECTOR WILCOX: Well, that number  
7 is in there.

8           COMMISSIONER YAO: In other words, have we made a  
9 decision to do a certain level of translation on meetings,  
10 and medias, and all these things?

11           COMMUNICATIONS DIRECTOR WILCOX: As far as  
12 meetings, that wouldn't come under this budget. If you're  
13 talking about outreach meetings and translation for this.  
14 We're talking about translation of materials or  
15 translation of --

16           COMMISSIONER YAO: Where would the budget be, if  
17 one is necessary, for translations of meetings?

18           MR. CLAYPOOL: That's below, in contracts and we  
19 have a contingency for it.

20           So, I'd like to explain the last item, other media  
21 services identified. Rob -- we need a contingency for  
22 unexpected opportunities and there are a lot of unexpected  
23 opportunities out there.

24           Rob had originally had a much lower number for the  
25 fiscal year '10-'11 and we had talked about this.

1 Yesterday we had a very good conversation with a former  
2 CORO Fellow, who came to us and is watching all of our  
3 events, a very, very bright individual, Rani Woods, she  
4 spoke to you, she gave us some good suggestions.

5 She mentioned the possibility of working with some  
6 groups in Los Angeles, in their native language, and  
7 possibly producing some YouTube, and YouTube spots, and  
8 producing them so that people could spread them around.

9 I believe the term, I must be getting old, my  
10 daughter said -- said, Dad, that's going viral. I said, I  
11 thought that was when I got a cold.

12 [Laughter]

13 MR. CLAYPOOL: And so, but I don't think we can  
14 ignore the possibility of some very good communication,  
15 something that could really promote this -- this  
16 Commission.

17 She called down and made some estimates, and got  
18 an estimate for about \$35,000 for ten ten-minute spots, in  
19 six different languages, and then two trailers.

20 Do I think that we're going to absolutely go down  
21 there and spend this money for that? I don't know. But  
22 what I do know is that I've asked Rob to look into it, see  
23 how professionally run it is, see what they can offer, and  
24 just to put this money into this budget.

25 I don't know that we won't have -- if we don't use

1 it for this, I don't know that there won't be another  
2 opportunity somewhere else for something like this.

3 But what I do know is that we're starting to  
4 identify more and more individuals who want to produce --  
5 either give us some things for free, and Rob has some  
6 excellent videos, I believe you had mentioned Greenlining  
7 as just an excellent one.

8 And, certainly, our preference is for free. But  
9 on the other hand, if we can work with some of our -- some  
10 of the alliance groups that are down in Los Angeles to  
11 produce something in the language, by the people who are  
12 living there, I think that it's an idea that has merit and  
13 that's why I put this in here.

14 If you want to -- you know, if you want to strip  
15 it out, we can, back to the original amount. But I would  
16 like to leave it here for that reason.

17 COMMISSIONER DAI: Yeah. I was actually going to  
18 say it might be low. You know, some of the -- I mean,  
19 I've been involved in a lot of organizations that do very  
20 effective, short, you know, media trailers and then put  
21 them on YouTube or, you know, have them go through  
22 Facebook or whatever.

23 The production, even if you can get the labor for  
24 free, we've talked about using film students, for example,  
25 the production costs can be high, especially if you want

1 to do a couple of them.

2 So, I personally think, you know, we've talked  
3 about the importance, in the Public Information Committee,  
4 about youth engagement, that this is a very important  
5 segment of voters and potential voters that we really want  
6 to engage in this process. And I think it would be worth  
7 that kind of investment and just put it as, you know, web  
8 campaigns, production services.

9 CHAIRPERSON GALAMBOS MALLOY: I'm also supportive  
10 of this budget item. I think that the way tomorrow's  
11 event is structured, it will help us identify what  
12 communities are already being well served by some of the  
13 groups, and maybe where some of the gaps are that we'd  
14 want to focus our resources so that we ensure we're using  
15 it in a way that it's not simply redundant with what  
16 others are doing, but where we're really kind of going  
17 beyond and pulling other communities in who might not  
18 already be served in this process.

19 COMMISSIONER ONTAI: Can I chime in on that? I  
20 totally agree with that, also. So, as a budgetary item,  
21 Commissioner Dai, would you like to recommend increasing  
22 it?

23 COMMISSIONER DAI: I'd like to double it.

24 COMMISSIONER ONTAI: Double it. Good, I'll  
25 support that.

1 CHAIRPERSON GALAMBOS MALLOY: Commissioner

2 DiGuilio?

3 COMMISSIONER DI GIULIO: Not to be too redundant,  
4 but I do agree with this as well. And I think something  
5 that the Commission can consider is the amount of  
6 utilization we would get with this relatively small  
7 investment. I think once these are established the  
8 ability to reach into far places within the State would  
9 really justify the cost for this in terms of, ultimately,  
10 the up-front input would pay off in the long term for us.

11 CHAIRPERSON GALAMBOS MALLOY: Thank you.  
12 Commissioner Aguirre.

13 COMMISSIONER AGUIRRE: Yeah. And also, if we're  
14 talking about developing a national model for citizens  
15 commissions, we can't afford to use yesterday's  
16 technology. We should be looking at future technology  
17 and, certainly, this is the -- what's available in the  
18 present is going to open the door for us.

19 So, not all of us are savvy in this technology, so  
20 it would behoove us to, you know, jump in, ourselves.

21 But, ultimately, it's about developing a model, I  
22 think, that can be used across the United States.

23 CHAIRPERSON GALAMBOS MALLOY: Commissioner Blanco?

24 COMMITTEE MEMBER BLANCO: I have a question and a  
25 comment. Excuse me, I'm getting a cold.

1           So, this is for public education about what  
2   redistricting is or does it also include, in regions where  
3   we are -- you know, we know we have some very remote  
4   regions and we've been told, and we've all agreed that we  
5   need to figure out innovative ways to reach them. Not  
6   just to let them know about redistricting and how it  
7   works, but potentially input meetings that could be  
8   handled somehow remotely.

9           So, is this -- in other words, is this just here's  
10   what the work of the Commission is, this is what  
11   redistricting is, this is how you can participate, this is  
12   how we are -- our criteria.

13           Or are we also including here communication, how  
14   people might be able to communicate with us through these  
15   other formats, even as we get to the input process?

16           MR. CLAYPOOL: So, when Rob and I started talking  
17   about this, it was -- the thought was that we were looking  
18   for a way to get over the translation barrier, that we  
19   wanted to make sure that our message was getting out in as  
20   many languages as possible.

21           And that if we could have this link to this site  
22   that it could be that vehicle that says this is what we're  
23   all about, this is what we're doing, this is how you can  
24   be involved.

25           But what I would say is, certainly with an

1 expansion of the idea, it's yes to everything you said.

2 As I'm learning about this world, it can be  
3 anything we wish it to be.

4 Now, we have a line item for CCP to develop,  
5 actually, the webcast that we would direct people to, that  
6 says this is what our meetings look like, this is what  
7 we're handing out, basically, our meeting in a webcast.  
8 And that was -- that remains very important to us as a  
9 separate line item because if we don't get our funding, it  
10 becomes the main vehicle for doing our outreach, rather  
11 than doing the actual meetings.

12 So, this, though, is all of the things you said or  
13 can be.

14 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
15 Parvenu?

16 COMMISSIONER PARVENU: This looks outstanding.  
17 We're covering a lot of ground here with the  
18 communications budget, specifically.

19 And I guess my question is to what extent does  
20 this budget address the traditional forms of print  
21 outreach for those who are not -- not computer savvy, or  
22 not even on the internet? Where would traditional, like  
23 local newspaper, advertising fall in here?

24 MR. CLAYPOOL: Right.

25 COMMISSIONER PARVENU: Like other media services

1 or media community outreach? I'm assuming that includes  
2 those areas, but I know that -- excuse me -- I know that  
3 it's very costly to place ads. So, please fill me in on  
4 this.

5           COMMUNICATIONS DIRECTOR WILCOX: Yes. You know,  
6 very early on, when the Public Information Committee met  
7 and when I put forth a plan, it was to avail ourselves  
8 with as much free media as possible, because we knew we  
9 would never make a dent. When you look at what a  
10 statewide campaign, a media campaign, a paid media  
11 campaign would cost millions of dollars.

12           So what we're doing, and when I present my report  
13 a little bit later today, in that we're making use of  
14 radio, television, newspaper, web-based included, but all  
15 together in availing ourselves of a very robust program  
16 that Commissioners will be involved in, in reaching out  
17 across the State, but using it in a free basis and not a  
18 paid basis.

19           MR. CLAYPOOL: So my question is this amount,  
20 more, what do we want?

21           COMMISSIONER DAI: Double.

22           MR. CLAYPOOL: That answered my question.

23           COMMISSIONER ONTAI: For both lines. For both  
24 lines.

25           MR. CLAYPOOL: Yes, sir.

1 COMMISSIONER DAI: Yeah.

2 MR. CLAYPOOL: Okay. The next -- I should assume  
3 that we're finished with the communications budget. Any  
4 other questions?

5 The next line is contractual or staff services.  
6 We don't know how we're going to actually acquire these  
7 technical analysts. And in speaking with Commissioners  
8 Blanco and Ancheta, we thought that perhaps some of these  
9 people could actually be hired on to staff, if it were a  
10 less expensive way to go. We might be able to get them  
11 through the RA, which is even a far less expensive way to  
12 go.

13 Or we may just have to go out to them and just pay  
14 whatever their rate is for the level of expertise that  
15 they might have.

16 So, again, we're looking at all of these contracts  
17 or these expenses occurring, and I put them in '11-'12.  
18 I'm wondering if probably we should have some of that  
19 expense in.

20 COMMISSIONER DAI: Yeah, I think we should spread  
21 it.

22 MR. CLAYPOOL: Split it -- split it in half, okay.

23 So, the total amount is two hundred, and I'd like  
24 everybody to just think about that. These are, as we had  
25 originally started talking about using procurement

1 contracts for them, 499 or less, and realized from  
2 Commissioner Blanco that many of these people aren't going  
3 to work for 499,000 or less in the things that we might  
4 ask them to do.

5           If we look at where we're going forward, you had  
6 just discussed possibly having someone come in and give us  
7 kind of a wrap-up of how we did, you know, kind of a --  
8 now, I will tell you, now, that there will be no shortage  
9 of people who are going to be able to tell you that when  
10 this is over.

11           And I know that the University of Berkeley right  
12 now has been doing an ongoing study, because I actually  
13 participated with it or part of it at the Bureau of State  
14 Audits when we did kind of a post-mortem with them and  
15 talked about the -- those types of issues.

16           So, there will be many papers and many things  
17 written about this.

18           But if you intend to have someone come in and do  
19 it for yourselves, we may wish to add some cost here, and  
20 add that line here so that -- so that you know that you  
21 have that funding available to do that function.

22           COMMISSIONER DAI: And again, just for the  
23 Commission's clarification, this is -- these are  
24 additional anticipate expenses for social scientists,  
25 political scientists, you know, statisticians. A lot of

1 this is expertise we anticipate we'll need to properly  
2 address the Section 2 and Section 5 counties to ensure  
3 compliance with the Voting Rights Act, because a lot of  
4 that information is just not available through the Census.

5 COMMISSIONER ONTAI: I do have a question. And  
6 it's just for my edification, maybe, but what is a  
7 demographer and is it a statistician? What is a  
8 demographer?

9 COMMISSIONER ANCHETA: Well, you'd probably want  
10 to ask a demographer that, to define it. But I think,  
11 generally, social sciences probably would include a  
12 demographer.

13 We wanted to come up with some general terms.  
14 Even statistician might cover various disciplines. But I  
15 think we're trying to capture a certain level of expertise  
16 regarding -- and particularly around the Voting Rights  
17 Act. But there are related areas where -- and this is  
18 something that, you know, might be for consideration in  
19 terms of that in-process review. There might be -- I  
20 guess we have somebody in-house that's -- it may have to  
21 be broken out separately, as well.

22 But it's really having in-house expertise,  
23 particularly for the Voting Rights Act in-house, because  
24 there's a lot of statistical analysis that will need to be  
25 either reviewed, because it's being submitted to us, or we

1 may have to -- depending on what we want to do, have some  
2 of that analysis performed, ourselves.

3 COMMISSIONER ONTAI: Well, the speaker we had  
4 yesterday, Hans Johnson, he called himself a demographer.

5 COMMISSIONER ANCHETA: Right, right.

6 COMMISSIONER ONTAI: So, I mean, just for  
7 clarification should we just insert that word in there?

8 COMMISSIONER ANCHETA: You can. I mean, I think,  
9 typically, a demographer is someone with a sociology PhD,  
10 who focuses on demography as a sub-field of sociology,  
11 typically.

12 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
13 Barabba?

14 COMMISSIONER ANCHETA: But it's a very general  
15 term, I think.

16 COMMISSIONER BARABBA: I think we're safe for  
17 staying with the general term because if you get into a  
18 discussion of -- you're going to get into what kind of  
19 demographer, and what kind of statistician, and it's going  
20 to go on forever.

21 COMMISSIONER DAI: Yeah, we're just trying to set  
22 aside a fund -- yeah, for experts. That are not our other  
23 experts that we are specific on.

24 COMMISSIONER ONTAI: Well, I learned something.

25 COMMISSIONER DAI: Okay. Let's move on.

1 MR. CLAYPOOL: Okay. So, now we get into the  
2 contract section and so much of the work, because of the  
3 way we've staffed this Commission, so much of our work is  
4 through contracts.

5 The first few are fairly self-explanatory, they're  
6 all with the State. Again, you've got your accounting  
7 services, the DGS, our human resources services through  
8 DGS, and our CalSTARS. CalSTARS, for all of you, is how  
9 you get paid -- or how we get paid. So, this was a  
10 particularly important line item for staff.

11 And so, probably the first one that really bears  
12 some scrutiny is the third line, or fourth line,  
13 translation.

14 And this assumes, again, the estimate of a  
15 translation services from CCC because -- and we're  
16 assuming, by the way, in our budget, the note there, we're  
17 assuming the translation services. Because for CCP it  
18 would have been a subcontract and it would have exceeded  
19 25 percent and been over 50,000, so they couldn't carry it  
20 under their budget.

21 This assumes two translators at all events. Will  
22 we have two translators at all events? No. I'm going  
23 back to Commissioner Yao's comment that, you know, we have  
24 to look forward to what we're going to do and be realistic  
25 about it. At the same time going to Commissioner Ward's

1 comment, we have to act as though we might use those  
2 services, two at every event.

3 And, in fact, there may be some events where we  
4 need three or four.

5 I think that this is a high number, but I don't  
6 know any other way to make sure that we have the funds to  
7 pay for it, so that's why it's at the level it's at.

8 Any questions on translation services?

9 Okay. The next item is our line-drawing  
10 consultant. This was -- I feel -- I feel very good about  
11 this number because both Commissioner Yao and I came out  
12 with it together. So, I think that's a good sign for the  
13 Commission. And, in fact, I think that will be what it  
14 is.

15 Legal services, exclusive of litigation -- was it  
16 really -- did we have --

17 LEGAL COUNSEL MILLER: This is the number that we  
18 came up with in concert with the Legal Advisory Committee.

19 MR. CLAYPOOL: Okay.

20 COMMISSIONER ANCHETA: Yeah, and I think it was  
21 specified as Voting Rights -- I think it's a drop in terms  
22 of the language on the line item, but that's the Voting  
23 Rights attorney.

24 CHAIRPERSON GALAMBOS MALLOY: And, Mr. Claypool, a  
25 question regarding why these line items, the line-drawer

1 consultant -- we have some big ticket items that are all  
2 in the second fiscal year.

3 MR. CLAYPOOL: Well, all of these will be payment  
4 upon completion.

5 CHAIRPERSON GALAMBOS MALLOY: Thank you.

6 MR. CLAYPOOL: The third one is our in-line  
7 process review. Again, it's a payment upon completion  
8 item.

9 Go ahead.

10 COMMITTEE MEMBER BLANCO: It just struck me that  
11 one of the things we discussed yesterday, about the Voting  
12 Rights attorney, law firm, entity, attorney, is that  
13 there -- we wanted to keep up the possibility of it being  
14 an in-house staff attorney, in which case it wouldn't be  
15 upon completion.

16 It would be a staff salary.

17 MR. CLAYPOOL: Right.

18 COMMISSIONER ANCHETA: So it may be useful just,  
19 again, for budgeting purposes to split it, so that we can  
20 -- I'm assuming we can just -- I'm assuming we can  
21 roll over from one fiscal to another if it ends up being a  
22 payment upon completion. Is that a safe assumption or is  
23 that not a safe assumption?

24 MR. CLAYPOOL: And again, for our purposes I think  
25 that we could -- we can put it into this fiscal year and

1 for someone, and I think it would be safe to say that,  
2 remember, we're only talking about paying for somebody for  
3 about four months. So, we could roll \$50,000 of this in  
4 and keep 250 on the other side, and that would be the  
5 amount that we would hold back for someone that we  
6 salaried, if we did.

7 CHAIRPERSON GALAMBOS MALLOY: Commissioner Forbes?

8 COMMITTEE MEMBER FORBES: Yes, my question is  
9 along the same lines is that -- and I don't know what the  
10 practice is, but would a professional firm be willing to  
11 be paid at the end? That's not the way I would imagine it  
12 would be done.

13 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
14 DiGuilio?

15 COMMISSIONER DI GUILIO: Along those same lines,  
16 if we're trying to kind of cover ourselves, if for some  
17 reason we have to go to an interagency agreement for a  
18 technical consultant, would that be payment in this fiscal  
19 year or that's -- I'm saying CCP has payment for both this  
20 fiscal year and the next because they're an interagency  
21 agreement.

22 If we end up doing an interagency agreement with a  
23 technical consultant, should we put some into this fiscal  
24 year, too, instead of upon completion? In anticipation  
25 that they may be an interagency agreement as opposed to a

1 contract.

2 MR. CLAYPOOL: And where -- on the line item above  
3 contractual or staff services, is that the --

4 COMMISSIONER DI GIULIO: Let me back -- I guess  
5 I'm looking at the way we have the setup on the next page,  
6 for CCP, is that they're actually being -- because they're  
7 an interagency agreement, is that correct?

8 MR. CLAYPOOL: Right.

9 COMMISSIONER DI GIULIO: They're being paid here.  
10 And I'm just concerned that if we, as we discussed  
11 yesterday some of our options, if we have to drop out of  
12 the bid process or if we go to the interagency agreement  
13 with a technical consultant, would that payment be  
14 different? Then it would not be at the completion of  
15 services, it would be during this fiscal year, similar to  
16 the way it's been set up with CCP?

17 MR. CLAYPOOL: I'm not certain that it's going to  
18 make a difference. I would have to talk with our -- with  
19 somebody that has more experience, than me, with budgets.

20 This is setting it up just to let them know where  
21 we think we're going to spend these dollars, so they can  
22 see how it's going to affect the money we have available.

23 I would have to -- actually, I can't tell you the  
24 answer to that, I just have to ask and come back to you.  
25 I don't -- but my initial reaction is probably doesn't

1 make a difference.

2 COMMISSIONER DI GIULIO: For this fiscal year or  
3 the next fiscal year.

4 MR. CLAYPOOL: Right. That we would have the  
5 funds available to us for the activities and that they  
6 wouldn't necessarily be released in that manner, but I  
7 will ask. But that's a good question.

8 CHAIRPERSON GALAMBOS MALLOY: Commissioner Blanco?

9 COMMITTEE MEMBER BLANCO: And then I'll cede some  
10 of my time to Mr. Miller.

11 Yeah, I'm concerned that there's a little bit of a  
12 mismatch between what we said we would include in our  
13 IFP --

14 MR. CLAYPOOL: Our solicitation.

15 COMMITTEE MEMBER BLANCO: Our solicitation, thank  
16 you. Where we would -- where we were saying that people  
17 should present us with their proposal for what a fee  
18 arrangement could be, and that that's going to be part of  
19 the package we review, when we review the possible  
20 candidates or entities for the Voting Rights work.

21 And they might -- the best person might say I'm  
22 going to work on this kind of basis and it may include --  
23 that may mean payments in -- you know, in '10-'11 and not  
24 just at the end of the completion of work.

25 And I suspect that a lot of -- people -- we will

1 get more people wanting to be paid along the way than  
2 people willing to be paid only upon completion of the  
3 work. So, I think we need to rethink this for the legal  
4 part of this.

5 MR. CLAYPOOL: And certainly need to find out  
6 where these pools of money can reside as far as tapping  
7 them.

8 The one thing I will say is that this process  
9 isn't going to be very long and so most people aren't  
10 going to be -- aren't going to be waiting long to be paid,  
11 other than how long it's going to take DGS to pay them  
12 out.

13 But it does require some thought as to whether or  
14 not we need to have pools of money in both sides and where  
15 they should reside.

16 COMMITTEE MEMBER FORBES: I mean, I would divide  
17 it in a way that you would divide it in how many months,  
18 and put equal amounts in each of the months of each fiscal  
19 year.

20 CHAIRPERSON GALAMBOS MALLOY: Mr. Miller, were you  
21 in the queue?

22 LEGAL COUNSEL MILLER: Pardon me?

23 CHAIRPERSON GALAMBOS MALLOY: Were you in the  
24 queue?

25 LEGAL COUNSEL MILLER: I was. But Commissioner

1 Blanco and Forbes have expressed my thought. It is the  
2 custom, certainly, in the legal industry to invoice on a  
3 monthly basis, and particularly in the sense that we may  
4 find a solo practitioner devoting full time to this, it  
5 would be difficult for that person to practice without  
6 being able to invoice along the way.

7 So, I would encourage flexibility on this issue.

8 COMMISSIONER DAI: Yes.

9 CHAIRPERSON GALAMBOS MALLOY: Thank you and noted.

10 COMMISSIONER YAO: One additional comment is you  
11 can invoice it, but just think how long it takes for the  
12 State to pay. So, we're talking about March, April, May  
13 this year or this fiscal year, by the time you bill the  
14 State, you're not going to -- likely to get paid out of  
15 this year's budget.

16 So that, again, is the -- is what we have  
17 experienced, anyway.

18 COMMISSIONER DAI: Mr. Claypool, use your judgment  
19 and put some into this year.

20 MR. CLAYPOOL: I'll check, first, and then we'll  
21 make the adjustments.

22 In-line process review I think was where we were  
23 at, and this is the discussion -- in-line process review,  
24 and this is a discussion we've been having.

25 And so I'm wondering whether you -- I had put it

1 at 15 percent. We had heard early on from Mr. Johnson,  
2 from the Rose Institute, saying that this isn't really a  
3 \$5,000 -- this isn't a procurement item for \$5,000 or  
4 less. That most of the individuals who would produce the  
5 types of work that you're going to require them to do are  
6 going to be equally qualified as our line drawer, and  
7 probably set up some parallel system to look at the data,  
8 themselves, that you direct them to look at.

9 So that's -- I've got that number there.

10 COMMISSIONER DAI: It's a reasonable --

11 MR. CLAYPOOL: Sounds reasonable to me.

12 COMMISSIONER DAI: Mr. Claypool, we're going to  
13 have to wrap up soon, so I think we're close to the end.  
14 Why don't you just run through the rest.

15 MR. CLAYPOOL: Actually, we can -- the remaining  
16 contracts there are all contracts that are just in place  
17 for you. I mean, they're -- we've either paid them  
18 already or we're working with them.

19 Probably the best thing to do is go over to page  
20 3, and the interagency agreement. We have pre-litigation  
21 support for our chief counsel. We discussed that  
22 yesterday, just estimated per our chief counsel.

23 Below that is the -- are the amounts for CCP. We  
24 have identified a line-drawing expertise for our outreach  
25 meetings and that is been taken care of.

1 I'm going to need this Commission -- or this  
2 Commission to consider that it will be a very highly  
3 qualified individual in the Rose Institute has agreed to  
4 provide the services that our Commission, in their  
5 deliberation with CCP, discussed as far as the approach to  
6 going to a broad appeal to the people that are out there  
7 for learning about how they can participate in the  
8 process.

9 As opposed to the other approach that we had  
10 been -- we had been discussing or actually it had been  
11 presented to us about being more of it directed towards  
12 trainers, to train them to go out and then to train  
13 others.

14 This was our best solution for getting that  
15 training going and getting it completed.

16 And then the final thing in this menu is the  
17 external outreach. And I would like Janeece to hand out a  
18 handout. Is that the correct one?

19 COMMISSIONER DI GIULIO: Could I ask a question?

20 MR. CLAYPOOL: Oh, go ahead, I'm sorry.

21 COMMISSIONER DI GIULIO: I'm just curious from the  
22 Outreach Committee if -- I don't think we've really, as a  
23 full Commission, have had a chance, yet, to go over the  
24 numbers from CCP. And does the Outreach Committee feel  
25 comfortable? That's an \$800,000 contract and that's a lot

1 of money considering we haven't really vetted that budget,  
2 yet.

3 Has the Outreach Committee done that, or staff, or  
4 do we feel okay? Because that's a significant amount of  
5 money and I don't feel like I know what that's necessarily  
6 for. I have confidence in CCP, but I'm just curious as to  
7 the details.

8 MR. CLAYPOOL: Yeah.

9 COMMISSIONER ANCHETA: In anticipation of the  
10 agenda that we'll be moving towards later today, we will  
11 be spending a significant chunk of time picking up where  
12 we left off with outreach, so we will have opportunity to  
13 review that budget in more detail. And we can always  
14 direct Mr. Claypool to make any adjustments as necessary.

15 COMMISSIONER DI GIULIO: Thank you.

16 COMMISSIONER YAO: Chair Malloy?

17 COMMISSIONER ANCHETA: Commissioner Yao.

18 COMMISSIONER YAO: When we talk about the budget  
19 for the outreach in the later session, that's only roughly  
20 160 K for the educational workshop. We will not have any  
21 opportunity to talk about the cost for the input session,  
22 as far as my understanding is.

23 So, I think that will remain a estimate until such  
24 time we get around talking to it.

25 MR. CLAYPOOL: The one thing I would like to say

1 about the issue with an interagency agreement, and I know  
2 there's a lot of concern about how large that contract is,  
3 and what they're providing.

4           It is an agreement between one State agency  
5 handing money to another State agency. It's an agreement  
6 from General Fund money traveling to a university,  
7 which -- which doesn't mean that we should overpay for  
8 things, or anything else. But it is the reason why  
9 interagency agreements are achieved so much more quickly  
10 is because the State has less of a problem knowing that  
11 the State will still retain the expenditure for those  
12 funds in some way.

13           So, if the -- I just would hope that that would  
14 give you some comfort that it's -- that the State looks at  
15 these types of agreements differently.

16           Do you want to just pick up on the last, the  
17 external outreach?

18           Okay. Yesterday -- I've grouped this amount all  
19 in one item. I had asked, if Janece will hand this out,  
20 and I had asked for -- everyone had asked about what this  
21 money would fund if we went to the Regional Outreach  
22 Centers.

23           And so this is -- this is the detailed analysis of  
24 what is being asked for. There are also some options if  
25 we wish to expand the different types of outreach center.

1           But this is one of the things that was visioned  
2 for -- envisioned for the -- by Q-2, originally, when they  
3 had -- when I had had the discussion with Karin MacDonald.

4           And then the other part of this budget was the  
5 expense for looking at the online mapping services, such  
6 as Maptitude District Building, ESRI Provider, Google  
7 Maps.

8           Now, we -- Commissioner Ancheta had asked us to  
9 look into the cost of the site licenses for the Maptitude  
10 and we are still looking at that.

11           The first -- quite honestly, the first numbers  
12 that we got back from Maptitude were so high, as I said  
13 I've got to believe -- I almost said that must be  
14 unbelievable that they would charge that much, but I don't  
15 know. So, we're still looking at that.

16           But the whole concept of this line item was the  
17 one that we discussed yesterday about whether or not we  
18 wish to provide this type of outreach and have the  
19 Legislature, which truly is their responsibility in this  
20 arena, reimburse us for it or whether we would recommend  
21 that they carry it under a line item, themselves. That's  
22 the idea behind it in this budget.

23           Without going over that just yet, I just would  
24 like to quickly go down, before we have that discussion,  
25 and show that there are going to be some changes, and some

1 of these dollars are going to shift back and forth as to  
2 where it's at, and we're going to have an increased  
3 expenditure.

4 But I would imagine that we're going to end up  
5 with a total project expenses of approximately \$6,300,000,  
6 and that we will -- this will allow us to go forward,  
7 certainly, to the Department of Finance, this budget, once  
8 we've made the corrections to it, and ask for an  
9 unencumbrance of the million dollars that's in the '10-'11  
10 budget. And I believe that that's not going to be a  
11 substantial issue. I believe that they will release that  
12 money to us because I believe this is a credible, you  
13 know, picture of what we intend to spend or what we  
14 believe we should spend to do what was intended by the  
15 Act.

16 And then the remainder -- this document will then  
17 turn around and be the basis for our second letter to the  
18 Department of Finance, requesting a budget augmentation.

19 CHAIRPERSON GALAMBOS MALLOY: Are there any  
20 additional questions on the budget?

21 I have a process suggestion which is that given  
22 that there were a number of changes to the budget, that  
23 based on our conversation, that you can go back and make  
24 those changes and we can come back, and as one of our  
25 later items of business in the day revisit and, hopefully,

1 approve the budget.

2 We do need to take action on the four retired  
3 annuitants, as I understand.

4 Comment from Commissioner Aguirre?

5 COMMISSIONER AGUIRRE: Yes. We talked previously  
6 about perhaps having, also, an evaluator, you know,  
7 informing us on the quality of our process and also making  
8 sure that we have the documentation on what we're doing.

9 I think that not only will it inform the quality  
10 of the process, but it will also -- having an evaluator  
11 will also inform the final reporting, because it will  
12 assist with compiling all the documentation. So, I think  
13 it will help us meet our objective of having a final  
14 report that passes muster.

15 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
16 Aguirre, would you have a sense of an estimated cost on  
17 that line item? I think we'd want to try and estimate  
18 whether that can be packaged into our consulting line item  
19 or whether it's significant enough that we would need to  
20 build in additional resources.

21 COMMISSIONER AGUIRRE: Yes, I think that this  
22 would require like a PhD level individual. And in  
23 conversation with Commissioner Ancheta, we think that a  
24 hundred thousand would do it.

25 CHAIRPERSON GALAMBOS MALLOY: Do any other

1 Commissioners have feedback on this potential addition of  
2 a hundred thousand dollars?

3 Commissioner Yao?

4 COMMISSIONER YAO: Is this in addition to, above  
5 and beyond the line item called in-process review, which  
6 is 15 percent of the line-drawing contract as an estimate,  
7 or is this something totally different?

8 COMMISSIONER AGUIRRE: Yeah, it would -- I think  
9 that it would be different in that the in-line process  
10 review revolves around the technical aspect.

11 CHAIRPERSON GALAMBOS MALLOY: So, in the interest  
12 of time and knowing that we will have opportunity to  
13 revisit the finalized budget later this afternoon, are  
14 there any additional questions or directions for Mr.  
15 Claypool in terms of changes?

16 Are you pointing at --

17 COMMISSIONER YAO: If I may, before we put this  
18 issue to bed, could we add a hundred thousand dollars to  
19 this item called technical analysis, or contractual or  
20 staff services. Because when we talk about the  
21 demographer and so on and so forth.

22 COMMISSIONER AGUIRRE: Sure, that would be  
23 certainly appropriate if we detail it out on the comment  
24 section, so we don't lose that.

25 COMMISSIONER YAO: Right, just add another hundred

1 thousand dollars for that to --

2 CHAIRPERSON GALAMBOS MALLOY: In the next fiscal  
3 year.

4 MR. CLAYPOOL: Okay.

5 CHAIRPERSON GALAMBOS MALLOY: Noted.

6 Commissioner Blanco?

7 COMMITTEE MEMBER BLANCO: So, if we leave this  
8 item now are we going to come back and discuss the  
9 additional outreach line item budget that's in here?

10 CHAIRPERSON GALAMBOS MALLOY: So my understanding,  
11 and I'm open to correction, is that when we have our  
12 outreach -- when we continue where we left off with the  
13 outreach report back we will be talking about the budget  
14 for, again, this first phase of work.

15 But given that we don't have anything from  
16 potential contractors for that -- those second and third  
17 phases, that really what we're trying to build in is a  
18 straw man number so that we have the flexibility in the  
19 budget to accommodate that later.

20 COMMISSIONER DI GIULIO: But I think just a  
21 clarification, I think that's not the technical -- I don't  
22 think that's really -- the software aspect hasn't been  
23 considered by the outreach, that was the technical.

24 So, if we want to table that for later discussion,  
25 I don't think that will be wrapped up, necessarily, in

1 outreach. We could talk about it but it's been --  
2 previously, it's been in the Technical Advisory Committee.

3 CHAIRPERSON GALAMBOS MALLOY: So, I just want to  
4 remind everyone that there is a deadline for this to get  
5 this augmentation letter in, that we're well past already.  
6 So, we just need to have something that is reasonable,  
7 that gives us flexibility to make these decisions. You  
8 know, that we estimate high enough to cover what our  
9 expenses might be. If we spend less, I'm sure everyone's  
10 going to be happy.

11 But it needs to be reasonable and defensible so we  
12 can get that letter to the Department of Finance.

13 So, I don't want to start micro-managing this to  
14 such a degree that -- I mean, we're not going to get a  
15 perfect budget. It's, you know, just an estimate.

16 COMMITTEE MEMBER BLANCO: Right. It's just I had  
17 a question about this document and I didn't know if we  
18 were going to come back to it or this was it.

19 MR. CLAYPOOL: Commissioner?

20 CHAIRPERSON GALAMBOS MALLOY: Commissioner -- I'm  
21 sorry, Mr. Claypool.

22 MR. CLAYPOOL: I think that it might be helpful,  
23 this -- the item that you're talking about, Commissioner  
24 Blanco, will not be broached by the Outreach Committee.

25 However, it might be helpful if I readjusted these

1 numbers we heard from the Outreach Committee.

2 And then on our second visit, when you see all the  
3 numbers together, then we could discuss that one and it  
4 might be a better venue for it.

5 COMMITTEE MEMBER BLANCO: Okay.

6 CHAIRPERSON GALAMBOS MALLOY: Any additional  
7 direction for Mr. Claypool as he goes back to make changes  
8 to this draft budget?

9 Thank you very much for your feedback.

10 And then the second point, we do need to take  
11 action on the four retired annuitants. So, I am opening  
12 to entertaining a motion in that regard.

13 COMMISSIONER DAI: I'd like to move that we  
14 approve the hiring of the four retired annuitants. That  
15 includes three that will be full time for two months and  
16 one that will be at the legal, that will be half-time for  
17 approximately six months.

18 COMMISSIONER BARABBA: Second.

19 CHAIRPERSON GALAMBOS MALLOY: From Commissioner  
20 Barabba is the second.

21 And when you are able, if you could repeat back  
22 the motion?

23 MS. SARGIS: That the Commission approve the  
24 hiring of the four retired annuitants, three full time for  
25 two months and one half-time for six months.

1           CHAIRPERSON GALAMBOS MALLOY: Excellent. As  
2 specified in our draft budget.

3           The floor's open for discussion.

4           Seeing no discussion on the part of the  
5 Commissioners, I'd like to open this item up to the public  
6 for comment.

7           Seeing none, I'd like to call the vote. Let's do  
8 a show of hands.

9           All those in favor, say aye.

10          [Ayes]

11          CHAIRPERSON GALAMBOS MALLOY: All those opposed?

12          Seeing none, the motion passes.

13          At this time I would like to call a recess. We  
14 are going to recess -- I'm going to call a 15-minute  
15 recess because of the fact we have some technical set-up  
16 issues we need to deal with. So, it is now about 10:40.

17          Let me consult with my tech. Would ten minutes be  
18 enough or do you need 15?

19          Okay, so let's reconvene here, then, at 10:50. We  
20 are on recess.

21                           (Off the record at 10:37 a.m.)

22          CHAIRPERSON GALAMBOS MALLOY: This meeting of the  
23 California Citizens Redistricting Commission back into  
24 session.

25          We are reconvening after a brief recess. And at

1 this time we will be having a presentation from Mr. Doug  
2 Johnson, of the Rose Institute.

3 Mr. Johnson.

4 MR. JOHNSON: Thank you very much. Let me just  
5 check in, I don't know if -- I just e-mailed this over to  
6 the staff late last night, so I don't know if it got  
7 posted or not.

8 MS. SARGIS: I haven't confirmed that it's been  
9 posted, but it was requested to be posted by the time you  
10 presented so --

11 COMMISSIONER ANCHETA: I can confirm it's been  
12 posted on the redistrictingca.org site, so it's there now.

13 MR. JOHNSON: Okay. And then we have a couple  
14 more copies, if anyone in the public did not get a copy.  
15 Thank you.

16 CHAIRPERSON GALAMBOS MALLOY: If the members of  
17 the public would like to join us back here that way we can  
18 all -- we have one screen, that can only be viewed from  
19 this direction. We do have some extra chairs up here,  
20 you're more than welcome to join us.

21 MR. JOHNSON: We have a shy public today. That  
22 won't last, I can assure you.

23 So, thank you once again for the opportunity to  
24 address you and, hopefully, share some information that  
25 will help mainly prepare you for the different stages that

1 are coming along.

2           That's really my goal here is to give some general  
3 information about California redistricting, the background  
4 of the last couple decades, kind of set the stage so that  
5 both you and the public have a sense of what led to this,  
6 very briefly.

7           And as you go through the bumps and bruises of  
8 this process, because there certainly will be bumps and  
9 bruises, so that everyone keeps in mind however the bumpy  
10 it is, it's much better than it was before.

11           Then my primary goal today is kind of to talk  
12 through the different phases of redistricting that every  
13 kind of public commission does, does go through. So that  
14 you have a sense, as you're looking to your outreach plan,  
15 of a little more substance and a little more details of  
16 what will be going on as you set each of these dates and  
17 events.

18           And then there was some commentary in past  
19 meetings about looking for definitions of different  
20 criteria, maybe ways of elaborating on what's in the  
21 language of the Constitution.

22           And it just so happens that for the Arizona  
23 Redistricting Commission they had a similar request and we  
24 compiled a whole range of academic and judicial statements  
25 on definitions of things, like community of interest, and

1 stuff like that. So, I've put those all in here. I'm not  
2 going to spend a lot of time reading them or anything like  
3 that, I just wanted to get them, really, in your hands.

4 CHAIRPERSON GALAMBOS MALLOY: Mr. Johnson, I just  
5 have one comment before you move in. I'm not sure how  
6 you've weighted your presentation. We did give you some  
7 feedback to focus on the meat and less on the background  
8 about Rose Institute or yourself. We know you're very  
9 well qualified, otherwise you wouldn't be sitting in front  
10 of us right now. So, thank you.

11 MR. JOHNSON: Yes, definitely understand.

12 The first page, just because this is breaking news  
13 from yesterday, wanted to throw out the Institute did just  
14 launch a new site, [redistrictinginamerica.org](http://redistrictinginamerica.org). It's not  
15 focused on California, it's the whole country. But if you  
16 want to see what's going on in other states, here's a  
17 great place to do it. And, again, the details are on the  
18 web in front of you.

19 Okay. So, one thing, you know, I've talked about  
20 it, I've had a lot of experience at this, I'm certainly  
21 not the only one. One thing I would encourage this  
22 Commission to do is really to ask a lot of people to come  
23 in and share similar insights about their experiences in  
24 redistricting, how that might apply to your experience.

25 Obviously, all of us come from different

1 backgrounds. Redistricting is always controversial and  
2 there will always be controversy around everyone that has  
3 ever been involved in this process.

4 So, you should take each of our advice with a  
5 grain of salt, but you're a lot better off getting ten  
6 people's advice.

7 So, this is a quick list of Californians, really,  
8 plus the Arizona Commission, who have been through this  
9 process. I think in all the cases multiple times.

10 And some of them may not be willing to speak to  
11 you, they may still work for the parties or things like  
12 that, or they may work for the parties and still be happy  
13 to talk with you.

14 But if you're looking for other input, rebuttal,  
15 whatever you're looking for, here's a whole list of people  
16 you can go to.

17 Like I said, I won't spend a lot of time on the  
18 Rose Institute. But we've been around since '73 working  
19 on this stuff.

20 We are focused, our main mission is providing  
21 experiences in real world research, and demographics, and  
22 redistricting for our students. And we do have 23  
23 undergrads, one graduate student. There's two fellows,  
24 one of them's me, and then an administrative assistant,  
25 associate director and director. So, it's a pretty big

1 team. We're actually -- I think we're the biggest or  
2 second biggest of the 11 institutes at Claremont McKenna  
3 College, each on totally different topics.

4 And we put out a lot of documents. We have the  
5 Claremont College's digital archive, where we have all of  
6 our publications since 1973 online.

7 This is just a quick snapshot of things, from case  
8 studies in 1990s -- actually, Tony Quinn, who you've heard  
9 from a number of times, wrote for us "Carving Up  
10 California" which is a history of California redistricting  
11 from the fifties through the eighties. There's all kinds  
12 of stuff on there.

13 And, of course, we've done appearances on  
14 gerrymandering, and on television, and all that kind of  
15 stuff.

16 And one of our most recent studies that a lot of  
17 people have been talking about and you've probably seen  
18 the press, we did a study of population projections and  
19 looking at the population shifts. And this map is the  
20 county-by-county shift in how many Assembly districts, and  
21 Senate districts, and Congressional districts each region  
22 is expected to get.

23 Now, the key thing here is that numbers don't  
24 necessarily translate directly into seats. But this  
25 report is online and it has formed a lot of the newspaper

1 commentary you've been seeing.

2           And then you've heard some of my background, I  
3 just threw some of the details in there for you.

4           But let me get into the meat of this. So, first,  
5 very briefly, looking a little bit back, modern  
6 redistricting, we refer to, really started with the one-  
7 person one-vote rulings in the sixties. So, really,  
8 everything we're talking about in redistricting started in  
9 the seventies.

10           And California has been on a rollercoaster. In  
11 the seventies, the Legislature deadlocked with then  
12 Governor Reagan, they couldn't get a plan, and the court  
13 stepped in and drew a plan.

14           And it was very interesting because the  
15 Republicans were pushing hard for deadlock, knowing they  
16 weren't going to get much out of a legislative plan. They  
17 got what they thought was a great, fair plan in '73.  
18 Watergate hit in '74 and that fair plan led to their  
19 wipeout in '74.

20           But, you know, the hallmark of a fair plan, as  
21 Prop 13 and Reagan came around in '78 and '80, the  
22 districts swung back.

23           And that really is the goal of this is that as the  
24 voter opinions swing, so does representation.

25           Then in '81 we had a Democratic Legislature and

1 Democratic Governor, they drew a plan, they actually  
2 picked up five Congressional seats in the plan. It was  
3 very controversial and the voters actually qualified a  
4 referendum.

5           And you may have heard snippets of this, but  
6 usually referendum kills the bill, and everyone thought  
7 the court would follow the 1970s precedent and put their  
8 own plan in place.

9           Instead, the then Supreme Court Chief Justice Bird  
10 Court took the referended plan and put it in place  
11 anyways.

12           Extremely controversial, it helped kill the  
13 initial bill, the voters did vote down the Assembly,  
14 Senate and Congressional plans.

15           But all of us in the reform community -- not so  
16 much me at the time, I wasn't doing a lot in '73, or in  
17 '81, even. But the reform community really learned it  
18 doesn't do much good to throw the plan out if you leave  
19 the same people in charge of redrawing it.

20           And the plan was then immediately redrawn and in a  
21 small world coincidence, it was the last act of then  
22 Governor Brown as he left office, and Deukmejian came in,  
23 to sign the replace plan into law and essentially lock in  
24 that '81 plan.

25           That led to a whole bunch of reform initiatives,

1 all of which failed that decade.

2           And in '91 we again had a one party in the  
3 Legislature and a different party in the Governor's  
4 office. They deadlocked and we had the 1990s plan. Very  
5 widely praised plan, the court drew it, obviously.

6           And in '94 we had the Republican national wave and  
7 the Republicans actually picked up, very briefly, the  
8 majority of the Assembly thanks to that national wave of  
9 voter sentiment.

10           And then as -- especially California, even more  
11 than the rest of the country, went back to the left as the  
12 decade went on, the Democrats picked virtually all those  
13 seats back up. And, again, that plan was swinging back  
14 and forth, kind of the goal that I think everyone's hoping  
15 for here.

16           And then in 2001, you know that story all too  
17 well. Bipartisan gerrymandering, both parties got  
18 together, and when 2006, and 2008, and 2010 came around  
19 there's no change.

20           And this gets colorful. You've gotten a little  
21 taste of the passions that surround this issue in the  
22 inside world.

23           I'll give you a brief, even more colorful example,  
24 which is in 1980, some of you may remember, Leo McCarthy  
25 and Howard Berman were battling for the speakership of the

1 Assembly. They've spent millions in backing their  
2 candidates in the Democratic primaries.

3 And then, in something that's hard to believe now,  
4 looking back, Willie Brown and the Latino caucus in the  
5 Assembly joined with the Republican caucus to elect Willie  
6 Brown speaker.

7 Now, it's hard looking back to remember that the  
8 Republicans actually put Brown in the speakership. And  
9 they -- they got outmaneuvered. Willie Brown knew all  
10 along that redistricting coming. And here he had his  
11 rivals, Berman and McCarthy in the Assembly, obviously a  
12 big power threat, and said, Mr. Berman, how would you like  
13 a Congressional seat? You know, Mr. McCarthy, I will be  
14 your biggest fundraiser in your Lieutenant Governor's  
15 race.

16 And, boom, used redistricting to send of Berman  
17 and his lieutenant, send of McCarthy, and we had what  
18 began Willie Brown's reign. And if you have him come in,  
19 he can tell you in much more colorful detail how  
20 redistricting played into that.

21 The famous quote that is always great is, you  
22 know, he was talking about Berman and McCarthy and said  
23 "They spent their millions on campaigns, I spent mine on  
24 clothes and look who's speaker."

25 He also -- this relates to the Rose Institute's

1 background, there were two computers in '81, in the State,  
2 that could do redistricting. One was in the Legislature  
3 and one was in the Rose Institute. And we had a grant  
4 from the Business Roundtable to do public education,  
5 public outreach, really media training and to draw kind of  
6 a comparison plan.

7           When Phil Burton revealed his plans, he actually  
8 didn't give any details, he simply showed the outlines of  
9 each district proposed, with no demographics, or politics,  
10 or anything.

11           And the Rose Institute turned that around 24 hours  
12 later and said here's the demographics. Brown was a  
13 little upset that it happened, and the Israelis had just  
14 taken out the Iraqi nuclear power plant, and that led to  
15 his line that all our students love, which is, "I  
16 contacted the Israeli Air Force to talk to them about  
17 Claremont." So, this gets very colorful, very, very  
18 quickly.

19           Phil Burton called those lines his contribution to  
20 modern art, and you still hear that phrase very often.

21           So, let's jump ahead, now. I talked about the  
22 competition in these plans how, really, the goal is for  
23 districts to swing.

24           And this is fairly easy to look at  
25 retrospectively. It's very hard to predict

1 competitiveness going forward, but it's fairly to look  
2 back, you just see which ones changed.

3 In the nineties we had 16 Assembly districts  
4 change hands. Eight of them actually changed hands twice.

5 In the State Senate, seven of the 40 district  
6 changes hands.

7 And in Congress ten changed hands. And the  
8 eleventh, actually my old boss, Steve Horn, he won it  
9 every year but never by more than two and a half percent.  
10 So, there was really eleven competitive Congressional  
11 seats.

12 Compare that now to we just had, in the last two  
13 cycles, five Assembly districts finally change hands at  
14 all, and we had one Congressional seat change hands. It  
15 really shows in the numbers of how this plan locked in the  
16 incumbents on both sides. It was a very bipartisan plan.

17 And then on the next, you've heard about some of  
18 this already, but minority representation. You can really  
19 see how the 1990 plan, all the minority numbers really  
20 jumped under the court-drawn plan.

21 And then in the current decade, the numbers have  
22 not increased.

23 There was some negotiations, for example, and for  
24 Latinos, in the redistricting they actually drew two new  
25 Latino seats and those were won by Latinos.

1           But then nothing changed. As the Latino  
2 population in California has become more and more of a  
3 percentage over the decade, they have literally not picked  
4 up in a single Assembly, State Senate, or Congressional  
5 district, they have the same number they had in 2002.

6           And you can see the numbers of African Americans  
7 and Asian Americans in there.

8           That, really, as much as the competitiveness is  
9 what the public responds to and the media responds to,  
10 this is really amazing numbers, in my view, of how this  
11 current plan locked in the incumbents. So, that's just  
12 some quick background.

13           This is good, making good time through this. And  
14 feel free to ask questions, too, especially in this next  
15 stage as we get into the real meat of what I'm hoping will  
16 be useful for you.

17           Again, I've worked with the Arizona Commission. I  
18 worked with the Modesto Independent Redistricting  
19 Commission, as well.

20           And it's a very interesting dynamic as you go  
21 through this. First, they both did public input rounds.  
22 Neither one of them did what you're talking about, about  
23 education outreach meetings. But there's a definite  
24 dynamic in these.

25           The general public struggles to know what to say.

1 They struggle to say how they define their community.  
2 Some enthusiasts and interested parties will try and what  
3 they give you is incredibly valuable.

4           And the other piece is the organized groups, the  
5 MALDEFs, the Asian/Pacific Legal Center, or the Coalition  
6 name that they have now, the NALAOs, the Greenlinings.  
7 They will show up and they will give you very, very useful  
8 information because they've been preparing for this for  
9 six months.

10           So, it's a useful phase but, keep in mind, the  
11 turnout will be low in these meetings. And it is hard for  
12 the public to come in and describe to you their  
13 neighborhoods, when the goal of the Commission is to keep  
14 entire counties together.

15           So, why are we looking at neighborhoods in, you  
16 know, Stockton, if the goal is to keep a whole county  
17 together? Well, in a theoretical level, which is all  
18 you're at in the public input stage, that's hard to do.

19           There's another twist, though, is that other  
20 groups -- you can't draw maps until you've done some  
21 public input hearings. Other groups will. And those  
22 public input hearings discussion will very quickly move to  
23 those maps. Because of, as I talked about, it's a lot  
24 easier for the public to react to a map and say what they  
25 like and don't like.

1           So, even though these are supposed to be community  
2 definition, public input, no map sessions, keep in mind  
3 the testimony will very quickly go to any map that's  
4 submitted to you or any maps. Hopefully, you'll get a  
5 bunch.

6           So, these are useful, but don't over-expect what  
7 you're going to get out of them and how much turnout  
8 there's going to be.

9           And, really, my advice would be you need to do  
10 them, but get your draft plan as fast as you possibly can,  
11 because that is when the public will show up.

12           And when you start doing public review sessions  
13 then people see lines, then people see the lines coming  
14 through their neighborhoods, coming through their cities.  
15 You know, at some point you're going to have to balance  
16 populations among the districts and something's going to  
17 get split. And people will turn out.

18           A rule of thumb that I put on the bottom here, if  
19 you get ten people at an education outreach hearing,  
20 you'll probably get 50 at that same location for a public  
21 input hearing. And you'll get I would say at least 250 at  
22 the plan reaction map.

23           This is part of the reason why I say get to the  
24 plan reaction maps as fast as you can because that's when  
25 the public will show up, and you'll need as much time as

1 you possibly can for that, as I'll talk about.

2           And the nice thing is that even in 2001 the  
3 organized groups, that I talked about, will show up with  
4 specific plan edits. They will have run your maps, they  
5 will have run everyone else's maps. And they'll come in  
6 and say please adopt these changes to your map, which is  
7 very easy for you to deal with, and accommodate, and  
8 consider.

9           The public will struggle. Some of them will be  
10 tech savvy and now you'll have much better tools than we  
11 had ten years ago, and some of them will jump into those  
12 tools and love it. Some will still struggle. This is a  
13 key part of your technical team, being able to work with  
14 the public, being able to work with someone who says, you  
15 know, please keep my neighborhood together. Well, where  
16 is it?

17           The "L.A. Times" did a fascinating study, an  
18 online mapping project where they asked people to define  
19 their neighborhoods and they got thousands of comments  
20 from -- I think it was just City of L.A., even.

21           And they did a great map, which is short of  
22 shading for each neighborhood. Like, for example, West  
23 Adams, 90 percent of the people said this part is in West  
24 Adams. A little bit lighter shading, half of them also  
25 included this. Ten percent of them also included this.

1 I mean, that is the kind of dispute and testimony  
2 you're going to be getting is where are the lines and how  
3 have you respected them? It's going to be interesting.

4 And they won't really talk about it until there's  
5 a line through it. People will lay back. They've got  
6 other priorities, you know, you have family, work, jobs,  
7 all that kind of stuff.

8 So, it's not until that line shows up and their  
9 friends start calling them that they'll come in.

10 The other key challenge for you, and for your  
11 technical team, and for your web team, people will show up  
12 at meetings and think that you've heard them, and been  
13 responsive, and seem engaged.

14 But everything in redistricting is ripples. Every  
15 change you make in Fresno will ripple down and probably  
16 affect L.A.

17 So, when you do your L.A. hearing and someone  
18 thinks they've been heard, well, how do they keep track as  
19 you go to Fresno, and San Francisco, to see if something  
20 has changed that back there. That's a key challenge for  
21 you to get that messaging out and give people the tools to  
22 be able to follow the requests that they made and see is  
23 it still in the plan. And, if not, how do they get their  
24 word in.

25 This is a suggestion for when you get to your plan

1 review meetings. Some people have never been to a  
2 meeting. You know, most of them, actually, will have  
3 never been to any of your meetings. So, you'll want to  
4 continue with the Commission introduction. Give people a  
5 little bit of background on the Commission and education  
6 on what's going on, and what are the rules they're  
7 drafting under.

8           You'll want to have it, CCP has talked about a  
9 standard presentation for this is how the public can  
10 engage, this is how you can share your thoughts.

11           Then as I'll talk about, your public input  
12 meetings in this phase and your business meetings will  
13 almost certainly start combining into one, at least your  
14 action on the maps business components of this.

15           You'll be giving direction to staff to say, you  
16 know, okay, we just heard ten people give commentary.  
17 These nine seem like things we want to incorporate in the  
18 plan, can you go test it?

19           Virtually, no one is going to come in and say  
20 please unite my neighborhood by changing this over here.  
21 Everyone -- 80, 90 percent of your input is going to be  
22 please unite my neighborhood and fix this split.

23           Your direction to staff is going to be, okay, show  
24 us the options here. Can you fix this split and what is  
25 the offset? Because it's very rare for the group to come

1 in and have a specific trade for you.

2 So, every meeting you're probably going to want to  
3 hear back from your staff about what they've been testing  
4 since the last one, at your direction, how did it work  
5 out?

6 And then you can either kind of hold off on  
7 everything or direct staff to kind of incorporate that  
8 into your working map.

9 Now, you have this 14-day delay, your counsel will  
10 have to work on exactly how this handled, the 14-day  
11 publication of maps.

12 I think a test of small changes isn't a new map,  
13 but you'll have to work with defining that.

14 So, the third piece of this would be staff  
15 reporting back on the last meeting, because a lot of the  
16 public will know what was asked and directed the last  
17 meeting, and they'll want to know how it worked out, and  
18 then they'll react to it.

19 And this is similar to what I said the other day  
20 about public input, public input, you know, you have to  
21 keep coming back to the public and letting them back up to  
22 the mikes because they'll react to the staff presentation.  
23 And you'll want to hear that before you start reacting to  
24 what staff presented.

25 You know, obviously, you'll want to hear what the

1 public, who asked for a change, thinks of the change when  
2 it's drawn.

3 Then -- oh, yes?

4 COMMISSIONER BARABBA: You're suggesting that the  
5 staff would present the current plans before the  
6 Commission saw it, right at the same time?

7 MR. JOHNSON: Probably at the same time. And I'll  
8 get into the timing on this but, yeah. Now, it's just  
9 staff report, it's not meaning the map has changed.

10 COMMISSIONER BARABBA: Okay.

11 MR. JOHNSON: So, yeah, so then you'd discuss it  
12 and, theoretically, I would suspect you will then direct  
13 staff, yes, we like how that came out. No, that had a  
14 really bad side effect over there, never mind, you know,  
15 or keep trying may be the other direction to staff.

16 And then after you give your direction, you'll  
17 want to hear from the public, again.

18 What's likely to happen is first you'll hear  
19 public comment on those tests and results, and then you'll  
20 hear public -- ideally, then you would hear public comment  
21 on new tests that the public wants you to test on your  
22 map.

23 So, there's going to be a lot going on and a lot  
24 of people talking on different issues, and managing that  
25 is going to be very tough. And keeping straight what's

1 going on at a given time is going to be tough.

2           And one strong suggestion is all your other kind  
3 of administrative business, I would always put that at the  
4 end of these meetings. Because the public, you know, may  
5 love you, but they don't really want to sit through your  
6 discussion of the budget until they can tell you why  
7 you've split through their home neighborhood and why it  
8 should be put back together.

9           It also -- just as a practical matter, it will  
10 help you get through your business administrative items  
11 fast because you'll all be exhausted. It just works out  
12 better. So, I would suggest putting that at the end  
13 because these meetings really will merge.

14           And then, Commissioner Barabba, getting kind of to  
15 where you were coming from on this, one thing to keep in  
16 mind, you will have different teams working on these  
17 different maps.

18           This process is going to be wild, and crazy, and  
19 fast. And, you know, you may have one contractor who has  
20 separate teams, you may go with multiple contractors who  
21 are teaming up and sharing teams in some way, but you will  
22 have different teams.

23           Probably one drawing Congressional, and if you  
24 decide to nest, one drawing the Assembly, Senate and Board  
25 of Equalization map.

1           If you decide not to nest, you may be able to  
2 balance that a little bit.

3           And the staff, if you're going to get this done on  
4 time, they really have to be, you know, in the background  
5 working every day, testing things out. They really want  
6 to get ahead of you and the public to know, so that when  
7 someone comes up and says, hey, you've got this city, you  
8 know, that should be in this district and it's in there,  
9 can you fix that?

10           And it's much better if your staff have kind of  
11 looked at all these different scenarios and can respond  
12 back, saying, well, that probably would require doing one  
13 of these three things. And you can actually have that  
14 dialogue live in the meeting. They can't give you the  
15 exact numbers, but they can give you the idea of where  
16 you're going and the public can say right then, oh, if  
17 those are my three ball parks, I'd prefer you do this one.

18           So, the more your staff can know what's coming and  
19 know where the bottlenecks are, and know where the tough  
20 questions are, the better prepared they are.

21           So, they'll be working constantly to just test  
22 things out and play with things in the background so that  
23 they're ready to anticipate the questions.

24           The key thing is that your staff teams will  
25 probably rotate out. These meetings can take a day or

1 more per map. So, Congressional map, Assembly map, you  
2 know, if you're not nesting. The State Senate maps, even  
3 if you are, there will be a separate discussion about how  
4 to nest. And Board of Equalization maps.

5 So, in all likelihood you'll end up doing kind of  
6 what Arizona did, which is, okay, the Congressional staff  
7 team is here, today is about Congress, let's talk about  
8 the tests that you ran, and evaluate them, and decide  
9 whether or not.

10 Meanwhile, the Legislative map team is in the  
11 other room, working on the instructions that you gave them  
12 yesterday, kind of thing.

13 And in all likelihood you'll probably have a third  
14 team because California's big and you'll need a lot of  
15 work going on at the same time.

16 And so, you'll be in almost constant public  
17 hearings. Your staff will be rotating through as you deal  
18 with different maps through the process.

19 And that's -- Commissioner Barabba, that's why I  
20 want to talk about you're not really going to have much  
21 time to sit down with staff, outside of these meetings, to  
22 look at what they're working on. Because while they're  
23 working on one plan, you're in here taking public comment  
24 and reacting to the other map, in all likelihood.

25 Now, you may be able to space out your time, but

1 when it comes down to the deadlines, you're going to be  
2 constant.

3           Yeah, so I talked about the rotating plans.

4           Oh, the last point here. So, when you look at  
5 your schedule, and this is why I kind of requested to go  
6 before your Outreach meeting, when you look at your  
7 schedule and say, like May 24<sup>th</sup> we want to have our draft  
8 maps out, that probably means staff needs to be presenting  
9 at least the first of those maps to you like a week in  
10 advance.

11           And then you'll need public hearings, and you'll  
12 need -- you'll get requests for changes to the draft map.

13           And this is a key question for you, is do you want  
14 to just -- essentially, give your staff general direction,  
15 let them come back to you with one, or two, or three  
16 variations of doing that direction, and just get your  
17 draft map out there, and throw it out there without doing  
18 a lot of public input on that phase, just to get the  
19 baseline set for the public?

20           Or do you want to have a full staff show you their  
21 scenarios, the public reacts, you react, you request  
22 changes before you adopt that May 24<sup>th</sup> map, if that's the  
23 date you stick with.

24           But keep in mind you've got this multi-day  
25 process, either way, of presenting and getting public

1 reaction before you have adopted your draft map, and how  
2 does that relate to your public input meeting schedule?  
3 And how does that relate to your reaction schedule?

4           And as Commissioner Ontai has talked about, with  
5 the 14-day delay, you really only have a chance for, I  
6 think it's two or three rounds of full maps. So, you've  
7 got to be careful of scheduling your public input with the  
8 knowledge that not only that, but it's going to take you  
9 three or four, five or six days to adopt each round of  
10 those maps.

11           CHAIRPERSON GALAMBOS MALLOY: Mr. Johnson, I just  
12 wanted to let you know we're about halfway through your  
13 time, not quite halfway through the Power Point. And I  
14 know we wanted to prioritize questions and discussion.

15           MR. JOHNSON: Oh, yeah. Yeah, one thing, about  
16 half of the Power Point is the definitions at the end and  
17 I'm not really going to go through those. Those are just  
18 to get them in your hands.

19           CHAIRPERSON GALAMBOS MALLOY: Great, thanks.

20           MR. JOHNSON: So, yeah, for those looking ahead  
21 and scared I was going to read all those. Not going to.

22           So, this is the heart and meat of this  
23 presentation right here. So, when you're -- so that's the  
24 main thing and that's why I really -- and I talked to the  
25 CCP people, and they agreed that it made sense to do this

1 before you get into your schedule so that you can take  
2 these thoughts into mind of how you schedule your business  
3 mapping meetings.

4           And they really will, once your draft map is out  
5 there, they'll just merge with your input meetings and you  
6 won't really have different kinds of meetings. As much as  
7 you might want to, it just won't work. If you schedule a  
8 business meeting, people will show up to talk about your  
9 map and so just plan for that.

10           Line drawing for the public, this is just a quick  
11 intro to what's out there. We actually demoed this at the  
12 Redistricting California Forum that they held a few weeks  
13 ago down in L.A.

14           There are some very good free tools out there now.  
15 Google Maps, Google Mapmaker, which is in beta right now  
16 and not yet live, but you can see it and if they launch it  
17 before your draft maps come out, it's a great tool. It  
18 actually lets the public, instead of printing a Google map  
19 and drawing a line on it, it actually lets them click,  
20 click, click and add a layer onto a Google map and hit  
21 share, and send it right over to you.

22           Now, they're not tied into blocks, and tracts, and  
23 all that, it's not giving you numbers, but it lets them  
24 draw their neighborhood or community and show you right  
25 there on Google, on your browser. And you can play with

1 it now, it just doesn't save what you're doing.

2           Then Google Earth, which is a free program, and I  
3 was going to demo it but the internet connection here is  
4 really slow. Bug Google Earth is a free download that  
5 gives you amazing detail and amazing overlays of data that  
6 allow people to really show you what they're talking  
7 about.

8           I did a demo of Google Earth at a conference,  
9 where people who had actually drawn the 2001 plan were  
10 there and talked about how the river of shame district,  
11 that runs along Santa Barbara, they had made the claim in  
12 court, it was kind of silly even then, that this was a  
13 coastal community of interest.

14           But at this conference I took the district and  
15 Google Earth flew into the valley, inland to Santa Maria,  
16 that's supposedly in the coastal district. And, you know,  
17 now with Google Street View you can actually show cows.  
18 And I was like, really? And then flew around to Ventura,  
19 where the district is only 400 feet wide and homes that  
20 are 500 feet from the beach are not in the coastal  
21 district.

22           And he later, at a separate conference, said if  
23 Google Earth had been around, we never would have gotten  
24 away with that district. You know, these tools are  
25 amazing.

1           The key thing, though, is your consultant team  
2 needs to be familiar with them because your consulting  
3 team needs to put out the demographic data and the plan  
4 layers in formats that people can then click and put them  
5 on their Google Map viewer, and download them into their  
6 Google Earth. So, these are things you need to be  
7 familiar with.

8           And then Bing, and Arc Explorer for me, SRI, are  
9 very, very similar tools to Google Earths and Google Maps,  
10 the same functionality.

11           But, again, your consultant team needs to be  
12 familiar with how to get these maps out there and how to  
13 share them. Because in Google Maps you can pull it up,  
14 just like all of you have done to get directions, and if  
15 you log into Google with any free account, this Commission  
16 can share all of its plans and people can look at the  
17 districts.

18           There's a limit to how big they can be in Google  
19 Maps, so people may have to go to Google Earth to look at  
20 the whole State, but they can pull up individual districts  
21 without any trouble.

22           So the basics -- that's all free. That doesn't  
23 cost anyone, any of the public anything, and now they can  
24 come in and show you this is where I want the line drawn.

25           Then there's more complicated tools that people

1 have used in the past or that are brand-new. Public  
2 participation kits are extremely useful at the local  
3 level, they're much harder to use at the State level  
4 because it's just so darn big.

5 But you can put out, you know, paper in Excel kits  
6 of tract level data or even, you know, block group or  
7 block level data and let people draw their own plans.  
8 It's tough to do for the State, but it is something that  
9 could be a handy tool for the public if they want to draw  
10 a district in their area. You know, give them a kit for  
11 their area and that gives them a manageable-sized dataset.

12 And then more likely, given California's  
13 complexity, there's obviously the Regional Assistance  
14 Centers that you've heard a lot about, that are great.  
15 You know, that's a very good resource for people that can  
16 get into those and actually get technical help.

17 And then there's, now, these online redistricting  
18 tools, that Mr. Claypool was talking about in the budget  
19 discussion. There's really two kind of top line ones, one  
20 from ESRI and Maptitude that are fully functional. You  
21 can really draw a whole plan, you know, using -- in the  
22 Maptitude's case using all of the tools that are in the  
23 desktop software.

24 That's on line, it's going back and forth to the  
25 server, it's not as fast as the desktop, but it gives the

1 public the ability to do it.

2           And then there's another group called the Public  
3 Mapping Project that is trying to -- they've developed a  
4 tool that -- I mean, they're offering it for free to  
5 jurisdictions and you can tell, it's a very limited  
6 functionality, but the idea's there.

7           And then the people that did, that helped with the  
8 census outreach, that built the website for the California  
9 Census outreach are in the process of seeing if they can  
10 develop an online redistricting tool, too. So, these  
11 options are out there and I definitely would encourage  
12 using them.

13           When we all saw the 35,000 applicants for this  
14 Commission, we all thought, wow, 35,000 people trying to  
15 hit an online redistricting server, that's going to be  
16 difficult. So, there may have to be some arrangements  
17 about that.

18           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
19 Ancheta? Yes, please?

20           COMMISSIONER ANCHETA: There's this website  
21 called, I think it's Dave's Redistricting, but it's  
22 actually a pretty good program for drawing -- at least for  
23 drawing Congressional districts. I don't think he's doing  
24 Legislative districts. But it's actually pretty good, I  
25 think. I've played with it a little bit, it looks pretty

1 good.

2 Do you have any opinion on that particular one?

3 MR. JOHNSON: Yeah, it's a handy kind of big-  
4 picture scenario drawer. It's using -- it was using tract  
5 data, I think now they're using block group data. But  
6 it's not robust enough to handle blocks.

7 But, yeah, it's a very handy tool to kind of draw  
8 scenarios and come up with a -- for people to play around  
9 with numbers. And it's really one guy. I mean, that's  
10 the amazing thing -- now, he's a Microsoft programmer, so  
11 he's got some experience but --

12 COMMISSIONER ANCHETA: And it is open, it's open,  
13 it's free, right, so there's no cost to using that  
14 particular --

15 MR. JOHNSON: Yes.

16 COMMISSIONER ANCHETA: And it's not an  
17 endorsement, obviously, but it is one of those that are  
18 free, that are available.

19 MR. JOHNSON: Yes, and it's been mentioned in some  
20 of the articles, already, of people playing around with  
21 what could happen in California. And if you see those  
22 articles, most of them are coming from that tool.

23 And it is a rough numbers kind of thing, they  
24 don't have the statewide database data, they have some  
25 approximate data.

1           But, yeah, and I expect there will be, you know, a  
2 couple more of these coming out there. But there is  
3 definitely a leap in capability when you go from these  
4 kind of free options versus the ESRI and Maptitude options  
5 in terms of what people can do and how quick they can do  
6 them.

7           The Maptitude actually has the advantage of it  
8 links directly into your tech consultant's computer. So  
9 when a plan is drawn, boom, it's on your tech team's  
10 computer, which is a big plus, too. And your tech team  
11 can hit a button and send your next plan right out on the  
12 web, instantly. So, it is --

13           Orange County, actually, has done an interesting  
14 thing. They looked at Maptitude for redistricting, the  
15 online redistricting, and they looked at the potential  
16 server load of all these people, so what they're doing is  
17 actually getting Maptitude online redistricting, but  
18 limiting access to the server to just certain locations.  
19 I think they're doing a whole bunch of city halls and  
20 libraries.

21           So, it's available, it is integrated with the  
22 consultants' laptops and, really, the software is fairly  
23 easy and the librarians can almost support this kind of  
24 thing, even if they're not that tech savvy.

25           And so that's a way of dealing with the server

1 load issue, too.

2           You'll need to look into how do we keep the server  
3 from crashing when 35,000 people try to draw a plan at  
4 once?

5           Another piece of that is while all these systems  
6 can be used for the public to view your maps, if they just  
7 want to zoom in on their neighborhood and see exactly  
8 where the line is, you know, now that's standard. Just,  
9 you know, you throw a web server up there with a GIS  
10 system and people can zoom in and see roads, and streets,  
11 and schools, and cities and all that stuff.

12           That should be on a separate server so that people  
13 that are looking to view the maps aren't taking the server  
14 load from the people who are trying to draw the maps,  
15 because they're going to need every ounce of CPU power  
16 they can get.

17           So, that's the kind of heart and soul of this.  
18 One piece that I thought might be useful, because I've  
19 heard you discussing it and wrestling with this quite a  
20 bit, in terms of what you're looking for from the public,  
21 there's really four questions, and that's really what you  
22 want the public to tell you in terms of communities of  
23 interest.

24           One, what is your geographic community. And be  
25 sure and tell them that you want geographic. People will

1 come in -- you know, we all identify will all kinds of  
2 communities, but if it's not geographic, it can't be drawn  
3 on the map so don't -- you know, there's not enough time  
4 on your schedule already.

5           Second, do they want it kept together or divided  
6 among multiple districts? Ninety-five percent will say  
7 kept together.

8           The only groups that really come in and want  
9 multiple districts are really big retirement communities,  
10 who know that they will essentially dominate both seats if  
11 they're divided.

12           But there are some communities that like having  
13 two people that they can go to. And if one shuts the door  
14 on them, they can go to another one, but they're okay with  
15 getting diluted. But ask. I mean, you never know until  
16 they tell you.

17           And many of your communities won't have even  
18 thought about it until you ask them. Okay, that's your  
19 community, do you want to be kept together or do you want  
20 to be separate?

21           We actually had groups in Arizona testify one way  
22 and then come back three weeks later and say we thought  
23 about it, and we changed our mind, and we'd actually like  
24 two districts, please.

25           Then two questions, the third one on the list is

1 obvious. Once you draw your community, okay, which one  
2 should you be with?

3 For example, Imperial County, obviously a  
4 community of interest, you know, they'll come in and it  
5 makes every sense in the world to keep them together.

6 But does it make more sense for them to go with  
7 Riverside County or with San Diego County? You know,  
8 nowadays there's a lot of arguments both ways. Hopefully,  
9 they'll share which way is their preference.

10 And then there's one that is always touchy but,  
11 actually, when you think about it, it makes a lot of  
12 sense, which neighboring communities should your community  
13 not be with?

14 It sounds so negative but, really, it makes a lot  
15 of sense. For example, if you have a group coming in and  
16 saying you are -- where I used to live, the Pico Union  
17 neighborhood, you know, it's recent immigrants, low  
18 turnout, you know, educating the public and engaging the  
19 public in the process is difficult.

20 Should they be put with Beverly Hills? No. You  
21 know, they should be put with other areas. You don't want  
22 to put an area with another population that's going to  
23 swamp them, unless there's no way to do it.

24 But that's the last question is where do you just  
25 not have the same issues? When you're going to a

1 Legislator, you know, you're talking A and they're talking  
2 B, and you really don't have any connection between your  
3 communities and it would make more sense for you to have  
4 separate voices.

5 But, example, you've all heard about, so much, is  
6 the Hopi and the Navaho in Arizona, you know, but there  
7 are many, many examples of this.

8 So, it's a tough question to put on the list and  
9 everyone says, oh, that's so negative, but it really does  
10 give you useful information.

11 Now, the format of the input, obviously, if you  
12 have a standard format that the public follows, fantastic,  
13 it does make everything easier, especially if they're  
14 drawing maps, and using the tech tools and sending it in,  
15 in a given way.

16 But, remember, the public just doesn't -- they're  
17 hard to engage in redistricting. I mean, we've seen that  
18 already in your meetings that the turnout isn't  
19 overwhelming.

20 And, obviously, I would suggest that any format or  
21 guidelines be suggestions, requests, but take it any way,  
22 in any form that they want to give it to you. Your tech  
23 team will have been around the block enough times to deal  
24 with anything, you know, whoever you end up choosing.

25 So, the other piece, too, is that they can follow

1 up, especially with input that comes in writing. And I  
2 bet at least half of your input will actually come in  
3 writing.

4 So, you know, your tech team can always write back  
5 and say, hey, you drew three sides of your neighborhood,  
6 what's the fourth, or your staff can write back it's all  
7 public records and all that.

8 So, if they're in the live meeting, obviously,  
9 hopefully, you know, there's staff or you guys will notice  
10 that they didn't finish the square and ask the public.  
11 But if they're writing in, you need to be able to follow  
12 up.

13 So, this one point I kind of went over earlier,  
14 this is the whole issue of the public likes something to  
15 react against. It's a lot easier for them to say I like  
16 that, no, that's wrong, that it is when they come in and  
17 describe this vague community of interest idea.

18 This gets back to the idea of get to your draft  
19 plans as fast as you can, so that they have that to react  
20 to. And you might even think about putting out draft  
21 community of interest maps.

22 There are things out there that can be used as  
23 community of interest definitions, like the "L.A. Times  
24 Project," to throw out there and say to the public, hey,  
25 this group put together this map of communities of

1 interest. What do you think, you know, should we use  
2 these as building blocks or not?

3           You know, obviously in L.A. they have the  
4 neighborhood election areas. San Diego has defined  
5 neighborhoods and community planning areas. Different  
6 parts of the State have different definitions of community  
7 interest that can be compiled. And when you go there for  
8 a public hearing throw it up on the map and say, hey, this  
9 could sort of be a community of interest. Public, does it  
10 work, does it not, and what should be changed?

11           And that gives the public something to react  
12 against and you'll get much more substantive feedback than  
13 if you simply say tell us what you're community is.

14           And, obviously, it's better if you put those out  
15 in advance so that the people can plan for what you're  
16 going to say.

17           So, when the public comes in to share their  
18 thoughts, there's two real points here, I won't go through  
19 the whole thing. But, you know, the public would really  
20 love it if after they make a whole bunch of input comments  
21 to you, especially when the draft map is out, that you  
22 give direction to your staff.

23           So, these need to be kind of action agendas so the  
24 public can hear your reaction to their input, did you  
25 agree, and direct your staff to try incorporating their

1 changes? Or did you say, no, we don't really go with  
2 that, that would do bad things over there, we're not going  
3 to go with that.

4           The public definitely will be much more engaged  
5 and much more willing to come if they're hearing this  
6 feedback.

7           And the other piece is, just for your own  
8 workload, at your open meetings I would strongly encourage  
9 you to go through the input you've gotten by fax, and e-  
10 mail and in writing with requests just as you go through  
11 and react to the people coming in to speak.

12           For two reasons; one, you want to be sure to take  
13 that into account and, two, it will encourage people to  
14 share with you in writing, thus letting you get through  
15 your meetings faster.

16           You know, if they know that you're reading  
17 everything that comes in and you're talking about it in  
18 your meetings, and you're giving direction to your staff  
19 based on these comments coming in, then they'll be fine  
20 when you say can you just submit your letter and summarize  
21 in ten seconds.

22           If they've never heard you refer to any letter  
23 that ever came in, they're not going to give you that  
24 letter until they read it, so that makes a lot of sense.

25           And you will certainly get some fantastic ideas

1 from people who can't make it to your meetings.

2           Okay. So, that's the meat. Let me pause there  
3 and see if there's questions or reactions to that at this  
4 point. And then I'll go through the last piece fairly  
5 quickly.

6           CHAIRPERSON GALAMBOS MALLOY: Commissioner Filkins  
7 Webber.

8           COMMISSIONER FILKINS WEBBER: And just in the last  
9 few comments that you had made, in your experience is it a  
10 recommendation that the Commission, as we're in an input  
11 hearing and we're receiving public recommendations  
12 regarding drawing the map, that you're anticipating that  
13 the Commission should be responding to the public's  
14 suggestion during a meeting? I mean, is that what  
15 you're -- in your experience what would make -- what  
16 recommendation would you make to the Commission as far  
17 as -- because, for instance, if you have 50 people and how  
18 can you actually say, oh, that's a good idea, oh, that's a  
19 good idea 50 times.

20           So, in practicality, how does it really work?

21           MR. JOHNSON: Well, that's a good question and let  
22 me clarify a little bit. You'll probably -- it's unlikely  
23 that you'll want to direct staff after every speaker.  
24 You'll want your staff keeping a list of things and you'll  
25 probably all be keeping a list of things as the public's

1 commenting, and then maybe at the end, you know, go back  
2 through that list. Staff, you know, please work to this.

3 You may very well want to interact and clarify and  
4 you'll get conflicting speakers, and you may want to ask  
5 them both or call them both up, you know.

6 This is one thing to be sure to do on these public  
7 input sessions is always agendize them as business  
8 meetings and let yourself have action, because your  
9 business meetings and these meetings will come together.

10 So, yeah, you may not engage with each one, but  
11 you'll want to go back through, once the public is  
12 finished, and give direction to your staff, and you may  
13 very well want to give direction to your staff right then.

14 One thing that almost certainly will be done is  
15 you'll be asking staff, okay, they've asked us to put this  
16 together, can you give us a sense of what the ripple is on  
17 that? What would be the impact of uniting this  
18 neighborhood?

19 And your staff, hopefully, can give you an off-  
20 the-head kind of ballpark. Obviously, they won't give you  
21 specifics until they go away and test it.

22 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
23 Ancheta?

24 COMMISSIONER ANCHETA: You raise the point that  
25 the public often may -- or it may be easier for them to

1 react to maps. How useful, if at all, do you think it  
2 would be if the Commission were to, in its various  
3 materials or on its website, just sort of publish both the  
4 current districts for all the appropriate bodies and also  
5 prior maps.

6 Obviously, that stuff is available --

7 MR. JOHNSON: Right.

8 COMMISSIONER ANCHETA: -- but should the  
9 Commission just sort of put it out there so at least they  
10 can get a sense from the public, that not be able to sort  
11 of go to all the other places where they show up, that  
12 kind of information?

13 MR. JOHNSON: Well, I think it would -- assuming  
14 that you build this kind of online atlas where people can  
15 go and look up data, and look up their neighborhoods, and  
16 print maps and draw on them, obviously, it would be easy  
17 to just throw those layers on there and people want to use  
18 it.

19 I think early on you might be better off focusing  
20 on a map of communities of interest and kind of how they  
21 react to that from your perspective.

22 Now, the other groups will throw in maps. You  
23 know, I don't know who will do it, but MALDEF, the  
24 Asian/Pacific Legal Center, or Greenlining, those guys  
25 drew maps before and will draw them this time.

1           So, as soon as those maps come out they'll be  
2 submitted, they'll be records, you can post those and that  
3 will give -- it may be a little safer than having  
4 something that the Commission is throwing out there and  
5 giving the impression you're starting from something.

6           But you can certainly put up these ideas for  
7 communities of interest. Because 90 percent of the State  
8 you will not get any input from the public on their  
9 communities of interest, because the State's just too darn  
10 big. So, you'll need to fill in the blanks as you draw  
11 your lines and that may be something you want to use.

12           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
13 Barabba?

14           COMMISSIONER BARABBA: Yes, this has been really  
15 helpful. I guess the question is, is that you've had a  
16 lot of experience, but it hasn't been anything as large as  
17 what we're going to be facing, would be my guess. Is that  
18 a fair assessment?

19           MR. JOHNSON: Well, you know, it's just scale,  
20 now. You know, I've been through the multiple maps. And  
21 when I saw consultant, I'm not saying me, because you're a  
22 long ways for that to --

23           COMMISSIONER BARABBA: I mean, my point is that  
24 the scale can have an effect on what worked at a lower  
25 scale than at a larger scale, and I guess the question I'm

1 asking is, is can we expect that the scale at which we'll  
2 be working may raise some questions about this approach?

3 MR. JOHNSON: Well, it's possible, and it's one of  
4 the reasons I gave you that list at the beginning of  
5 definitely, you know, don't take my word, there are lots  
6 of people who can give you comments on it. And many of  
7 them have drawn California plans. Obviously, anyone who  
8 has drawn a California plan was working for the  
9 Legislature, but that doesn't mean they don't have some  
10 great insights to give you.

11 So, it's definitely worth bouncing that question  
12 off some of them.

13 I think the dynamics are the same. And one thing  
14 that I learned in Arizona, that I never realized, is that  
15 the complexity of drawing a plan is driven by how many  
16 lines there are.

17 I always thought, you know, looking at this  
18 theoretically that, well, Congress is higher profile,  
19 that's going to be more controversial and more difficult.  
20 And in California there's 53 lines, so that's a lot of  
21 lines, it will be more difficult than your State Senate  
22 map if you're -- unless you're nesting your Assembly  
23 seats.

24 So, it really does come down to how many lines.  
25 And, yes, scale matters, but the dynamics, I think, are

1 similar.

2           Where your communities are going to focus on  
3 neighborhoods is where the lines go through the  
4 neighborhood.

5           So, for example, way north, Redding, you know,  
6 Eureka, you're going to draw with the full counties,  
7 there's just no reason not to. So, they don't need to  
8 know how to use Maptitude online redistricting to draw  
9 their neighborhood in.

10           CHAIRPERSON GALAMBOS MALLOY: Commissioner Filkins  
11 Webber, and then Commissioner DiGuilio, and then  
12 Commissioner Aguirre and Blanco.

13           COMMISSIONER FILKINS WEBBER: At what point in the  
14 process did Arizona actually define community of interest,  
15 and I see you have quite a number of definitions in here?  
16 Do you have a recommendation, as an expert, as to when  
17 this Commission should do it, and that's it?

18           MR. JOHNSON: I would actually leave that  
19 discussion to your litigation council. Because Arizona  
20 very consciously chose not to expand on the definitions,  
21 and then they adopted definitions when the judge ordered  
22 them to in the court process.

23           So, this presentation was actually done during the  
24 court process, when the judge says you must adopt  
25 definitions.

1           It is a big issue in terms of when you get the  
2 court to defend your plan whether you -- if you adopt  
3 definitions, then you apply them uniformly, and if you  
4 define something that can box you in, and you may very  
5 well come into a community of interest that doesn't fit  
6 your definition. But when the people come in and talk  
7 about it, it matters.

8           So, there's no easy answer on whether or not to  
9 define, beyond what's already in the initiative,  
10 obviously. You do have the advantage of your definitions  
11 in the initiative are definitely much more detailed than  
12 Arizona's were, so you may not want to.

13           But that's an issue to discuss with your counsel,  
14 definitely.

15           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
16 DiGuilio?

17           COMMISSIONER DI GUILIO: I think this great, I  
18 think oftentimes we, as a Commission, we're kind of  
19 focused on this little box of what we need to do right  
20 now, and it's helpful to have our eyes open into things  
21 that we really need to consider as we go forward.

22           I'm curious to get a little bit of your feedback  
23 in terms of even as the presentation had said, as an  
24 alternative training options.

25           Where we are -- where you see us now, you've been

1 watching this process, where you see us now where we have  
2 made some decisions with the nine regions, the three  
3 phases, the initial outreach are -- are there any other  
4 alternatives that you could suggest to us, that we haven't  
5 considered?

6 A lot of this I see as happening kind of down the  
7 road a little bit. But where we are right now, are there  
8 any suggestions or ideas that we should be taking into  
9 consideration in terms of alternative training ideas?

10 MR. JOHNSON: You mean in terms of training for  
11 the Commission or training for the public or --

12 COMMISSIONER DI GIULIO: Well, when I saw this as  
13 alternative training ideas, I wasn't sure if this was  
14 training for us in terms of what will happen later or --  
15 but I guess I would like to hear you bounce off any of  
16 your ideas of where we are at this point, if we're on  
17 track in terms of what you thought, or if there's any  
18 other alternative ideas in terms of how we've initially  
19 approached our outreach and public input efforts at this  
20 point.

21 MR. JOHNSON: Sure, I see what you mean. Yeah, I  
22 was thinking of this as more -- I don't even know if it's  
23 training, as much as just informational for all of you,  
24 but it wasn't named as being a public training. This is  
25 more just for your information and, hopefully, useful for

1 the people watching, too.

2 In terms of where you are now, I think the main  
3 lesson -- or the main -- not lesson. The main message I'd  
4 pass along is that you need to do your input hearings, but  
5 the second round of hearings will be much more useful and  
6 constructive for you. So the faster you can get through  
7 that first round and get a draft plan out, the better.

8 COMMISSIONER DI GIULIO: So maybe condense our  
9 first round?

10 MR. JOHNSON: Yeah. And, you know, I must admit  
11 to some agree lean towards Kathy Fong's comment to you of  
12 maybe the education outreach sessions are, you know, done  
13 by video. Or, you know, depending on how much you want to  
14 get into them, you could actually make them input sessions  
15 where you do, you know, half an hour or an hour of  
16 education at the beginning, that people can come to or  
17 not, if they don't care. And then an hour in actually  
18 start your input hearing, rather than educational  
19 outreach.

20 So that, now, the discussion today was more about  
21 having Commissioners at those education outreach sessions,  
22 so they may turn into public input sessions, anyways.

23 But that's really the key thing is getting that  
24 input and getting that draft map because you are going to  
25 run out of time. I cannot emphasize how swamped you're

1 going to be from that point where you put out your draft  
2 map to getting the final, because there's going to be  
3 people wanting revisions.

4 And, you know, I use Commissioner's Yao's line all  
5 the time about you have a hundred -- what is it, 131 days  
6 to draw 177 districts, and that's from April 1.

7 COMMISSIONER DI GIULIO: Thank you.

8 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
9 Aguirre, then Blanco and Yao.

10 COMMISSIONER AGUIRRE: Yes, just a few related  
11 points. One is, it's been suggested with some of our  
12 speakers and as far as starting to draw the maps, whether  
13 you start from scratch, with no lines at all, looking at  
14 population density and things like that, or whether you  
15 should start with previous maps, understanding that the  
16 ones from 2000 are really, you know, kind of radical.

17 So, and then, and then also whether you -- it  
18 makes sense to start out in the densest population areas  
19 and then work out from there.

20 And then, perhaps, you can give us some comments  
21 on special challenges that are presented by Section 2 and  
22 Section 5 areas.

23 MR. JOHNSON: Certainly. I definitely agree with  
24 the idea that's been shared and my suggestion would  
25 actually be two pieces, and people, very reasonable people

1 will certainly disagree with me on this so, certainly,  
2 there are other approaches.

3           The court, in '73 and '91, both times put out very  
4 detailed reports of how they broke the State up into big  
5 regions, the five or six regions, and then figured out how  
6 many districts fit in each region, and drew those region  
7 by region.

8           And I think that is a pretty good way to start the  
9 approach of something to get in front of the public. With  
10 one caveat of the Voting Rights Act has changed a lot  
11 since '73 and '91, and I think a big focus needs to be  
12 especially focusing on your Section 5 districts. You  
13 cannot retrogress and you need to draw your Section 2  
14 seats.

15           And especially given the numbers that I showed you  
16 about the brick wall that the emerging populations ran  
17 into in 2001, you probably want to look at those very  
18 early and really start with your -- obviously, your  
19 Section 5 districts. And your DOJ will essentially tell  
20 you to start with those.

21           But also look at where you have Section 2 issues,  
22 and Section 2 concerns, and draw those first.

23           Now, you don't have to draw a Section 2 district  
24 that goes across the Sierras, so you're probably safe  
25 starting with the '73 and '91 approach to defining regions

1 and then going straight to your Voting Rights issues.

2 Oh, this actually triggers a thought that I meant  
3 to say earlier, too. In your outreach plan you need to be  
4 thinking about Section 5. One of your early lists of  
5 cities had no Section 5 county cities in it.

6 And I grew up right outside Watsonville, I grew up  
7 in Santa Cruz County, and my mom taught at Watsonville  
8 High for many years. Don't go to Watsonville because  
9 you're literally across the river from a Section 5 county.  
10 You know, get input from Watsonville, but do it in North  
11 Monterey County, if you want, because get into those  
12 Section 5 counties and be able to show DOJ that you went  
13 to the Section 5 counties and got their input.

14 If you go to Watsonville, you know, it's almost  
15 daring the Department of Justice. You know, if you go to  
16 Watsonville without going to Monterey or Salinas, I should  
17 say, you're almost daring the Department of Justice to say  
18 what are you thinking?

19 So, you definitely need to be aware of your four  
20 counties and take your hearings there.

21 CHAIRPERSON GALAMBOS MALLOY: We're getting close  
22 on time, so Commissioner Blanco and Commissioner Yao are  
23 in the stack. Are there any other Commissioners who have  
24 questions or comments for Mr. Johnson?

25 Commissioner Ancheta, okay.

1 Commissioner Blanco.

2 COMMITTEE MEMBER BLANCO: So, this is following up  
3 a little bit on Commissioner Barabba's question, on  
4 Commissioner Barabba's point or question about scale.

5 So, I was listening closely to suggestion or your  
6 recounting of how this was done in Arizona, that in the  
7 input meetings, themselves, at that meeting our technical  
8 folks would be almost simultaneously taking some of the  
9 comments and doing projections, and feeding them, in a  
10 sense, back to us on the spot.

11 And I'm not sure that's what you were saying, but  
12 that there was an element of this almost very real-time  
13 back and forth that was going to happen at the input  
14 meetings, as you described them.

15 And so I'm wondering, so how many input meetings  
16 did Arizona have?

17 MR. JOHNSON: Well, they held a total of 57  
18 between the two rounds.

19 COMMITTEE MEMBER BLANCO: Between the two rounds?

20 MR. JOHNSON: So, yeah, the initial -- they didn't  
21 start, like you did, from a blank slate, they started with  
22 this grid that was more or less a blank slate.

23 COMMITTEE MEMBER BLANCO: And what was the time  
24 frame for that, I just want to know?

25 MR. JOHNSON: Oh, the time frame was -- so, I

1 think they started in April and then they ran through  
2 November. Actually, a longer stretch.

3           And let me clarify what I was saying earlier,  
4 because I understand what you're saying. I didn't mean  
5 people would be drawing live. The interaction would be  
6 your tech team, hopefully, will be aware enough of the  
7 issues that when someone says something they can say, off  
8 the top of their head, well, we've looked at that in the  
9 past and we know that the three options to incorporate  
10 that are probably along these lines.

11           You're right, they can't be drawing live in the  
12 meeting. In part because the software has built-in checks  
13 to make sure you didn't miss something and there's no  
14 floating census block.

15           But for California, those take 10 to 20 minutes to  
16 run and you don't want the Commission sitting here for --  
17 and the public sitting here for 20 minutes.

18           So, you're definitely right, you're not going to  
19 be drawing maps live.

20           COMMITTEE MEMBER BLANCO: And you had 50 some --

21           MR. JOHNSON: Fifty-seven --

22           COMMITTEE MEMBER BLANCO: Fifty-seven.

23           MR. JOHNSON: -- input hearings and business. It  
24 was all rolled up, you know, business meetings, and input  
25 hearings, and all that.

1 COMMITTEE MEMBER BLANCO: And how many -- were  
2 there any Section 5?

3 MR. JOHNSON: The whole State.

4 COMMITTEE MEMBER BLANCO: The whole State is  
5 Section 5, right, so you're just assuming the whole map  
6 has to be checked against -- you have to get pre-clearance  
7 for the whole map?

8 MR. JOHNSON: Yes.

9 COMMITTEE MEMBER BLANCO: And did -- were there --  
10 how many Section 2, if you can -- you know, did you go  
11 from what to what in terms of Section 2 districts?

12 MR. JOHNSON: We had a very, very complicated  
13 Voting Rights situation. On Section 5 we had a district  
14 that was 76 percent Native American, but under-populated  
15 by almost 20 percent, and there were no more Native  
16 Americans around to put in. So, how do you -- that's the  
17 toughest part of Section 5, which is what do you do when  
18 retrogression is inevitable.

19 We had a number of Section 2 situations, both  
20 Legislative and Congressionally. I could do a whole  
21 discussion about it.

22 The Latino community actually came in and wanted  
23 the districts kind of cut slimmer than the Voting Rights  
24 experts say they should be cut, because they wanted a shot  
25 at more seats.

1           That decision, then, led to the big disputes, and  
2 I won't go into the details because that would get 20  
3 people coming in here to rebut me.

4           But that decision and what came out of that is  
5 what led to the eventual Department of Justice objection.

6           So, they wrestled with all these issues in great  
7 detail. And, actually, the lead Voting Rights litigator  
8 in there is a California who -- oh, was on that list of  
9 people you might talk to, and then the Voting Rights  
10 experts are national.

11           But when you're -- I did like that you put the  
12 social scientist into your budget because if I were you, I  
13 would do a racially polarized voting study day one.

14           COMMITTEE MEMBER BLANCO: Yeah.

15           MR. JOHNSON: And that's going to run you close to  
16 \$200,000.

17           CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao and  
18 then Commissioner Ancheta.

19           COMMISSIONER YAO: Two questions. From what I  
20 heard you, in terms of structuring the input session, the  
21 public input session is to have multiple maps. So, in our  
22 particular case, if we simply do either a Senate or  
23 Assembly district map, and a Congressional map, that  
24 probably should be sufficient.

25           Do we typically run those in parallel, or run it

1 separately, serially, what's your recommendation on that?

2           And then the second question I have is a lot of  
3 literature suggests that depending on where you start  
4 drawing the map, the districts look very, very  
5 differently. What's your thoughts on that?

6           MR. JOHNSON: Well, certainly, on the second point  
7 it's true. To some degree, the process that the courts  
8 described in '73 and '91 help with that by really giving  
9 you five starting points.

10           But it also is a key thing to think about, when  
11 you get to your draft map stage is you could spend months  
12 fine-tuning your draft map. Maybe you just want to put  
13 out two or three draft maps so that the Commission doesn't  
14 debate and come down as saying this is our decision, this  
15 is where we're going forward from.

16           Maybe here's just here's three -- and I mean three  
17 Assembly maps, three Congressional maps or, you know,  
18 whatever number you seem to be coming to consensus in  
19 different groups around. That may be a way of getting  
20 your maps out and moving on.

21           Because the key thing with the draft map is to get  
22 it out and then get the public coming in about it.

23           So, serially, yes, I mean one person can't draw  
24 all these plans.

25           There's a famous line in the transcript of Arizona

1 which, as you're saying, is a much smaller jurisdiction to  
2 deal with, where the transcript says "a thud heard in  
3 back," "Commission, I think we just lost a consultant."  
4 You know, because it is crazy and you're going to have  
5 these teams rotating through, so they will be dealing --  
6 the public will be talking about both maps at the same  
7 time, in all likelihood, but you will have different maps  
8 on the screen in front of you.

9 CHAIRPERSON GALAMBOS MALLOY: So, our final  
10 questions will be from Commissioner Ancheta, Parvenu, and  
11 Filkins Webber, and then we'll be wrapping this  
12 presentation.

13 MR. JOHNSON: Uh-hum.

14 COMMISSIONER ANCHETA: Thank you. And this has  
15 been enormously helpful and so I'm really glad to see it,  
16 and we'll see more of you, obviously, in terms of your  
17 comments.

18 And I would encourage it because we didn't go  
19 through the criteria section of your presentation to  
20 definitely get engaged for either, you know, presenting  
21 public comment or written comment as well.

22 So, two questions, and this actually goes to one  
23 of the criteria, but I wanted to see if this is an issue  
24 we need to flag for the future.

25 There's a particularly definition of compactness

1 in the Act, you know, referring to "such that nearby areas  
2 of population are not bypassed for more distant  
3 population."

4 Is there anything unusual or special about that  
5 language that we need to pay attention to? Because I  
6 know, obviously, there are various tests out there, but  
7 just in terms of flagging it as a question, do you think  
8 there's something we should be looking at, specifically,  
9 because of that language?

10 MR. JOHNSON: It is fairly specific. If I might,  
11 that theory of compactness actually comes from Tony Quinn,  
12 and so it might be better to bounce that question off of  
13 Tony.

14 COMMISSIONER ANCHETA: Right, that's what I was  
15 wondering.

16 MR. JOHNSON: Yeah.

17 COMMISSIONER ANCHETA: Okay, so we can flag it for  
18 future discussion.

19 MR. JOHNSON: Yeah, and it does -- it is simpler  
20 than a lot of the computer-based compactness tests.

21 COMMISSIONER ANCHETA: Right. And then the second  
22 question, and I hope you don't mind doing this, because I  
23 think just in the spirit of disclosure, and transparency  
24 and things, obviously, you're representing the Rose  
25 Institute today, and the Institute's done fabulous work,

1 in my opinion.

2 I think you do have like a private sector hat that  
3 you wear, in terms of consultant, could you just mention  
4 that and just distinguish between the two. And if they're  
5 entirely separate, that's fine, but just so we know that  
6 one?

7 MR. JOHNSON: Oh, of course. Yeah, and actually I  
8 mentioned this back in Claremont at one point.

9 COMMISSIONER ANCHETA: Sure, sure.

10 MR. JOHNSON: So, we do research as the Rose  
11 Institute. We used to do contract work and do it all as  
12 Rose Institute, but as you've learned, this gets political  
13 and the college at one point kind of said can you do the  
14 contracting outside?

15 And so we formed -- our company's called National  
16 Demographics.

17 COMMISSIONER ANCHETA: Right.

18 MR. JOHNSON: And in the RFP process you'll get  
19 all the details about those, that's why I left it out.

20 COMMISSIONER ANCHETA: Okay, that's fine. Thank  
21 you.

22 CHAIRPERSON GALAMBOS MALLOY: Great. Commissioner  
23 Parvenu has conceded his time.

24 Commissioner Filkins Webber, the last word.

25 COMMISSIONER FILKINS WEBBER: What is racially

1 polarized voting study?

2 MR. JOHNSON: Well, you'll do a whole session on  
3 this, but the ten-second answer is that the Voting Rights  
4 law -- Section 2 of the Voting Rights law focuses on,  
5 really, affective districts, that where the minority  
6 population has the ability to elect.

7 And what percentage number gets you to an  
8 affective district? And racially polarized voting studies  
9 are the core of figuring that out.

10 So, you'll -- I could spend four hours on it.

11 COMMISSIONER FILKINS WEBBER: Okay.

12 MR. JOHNSON: And you'll spend a lot of time on  
13 that in your Voting Rights training.

14 COMMISSIONER FILKINS WEBBER: Thank you.

15 CHAIRPERSON GALAMBOS MALLOY: All right. So, any  
16 closing remarks?

17 MR. JOHNSON: No, you have the packet. The last  
18 slide is kind of my closing remarks. Just remember, as  
19 bumpy and rough as this is going to be, this is historic  
20 and you guys really are the first time doing this in  
21 California. And so, as bumpy as it gets, it's still  
22 better than the old way.

23 CHAIRPERSON GALAMBOS MALLOY: Thank you, Mr.  
24 Johnson.

25 At this time our Commission will be going onto a

1 recess for a lunch break. We will reconvene at 1:00 p.m.,  
2 in this same location.

3 (Off the record at 12:01 p.m.)

4 (Back on the record at 1:05 p.m.)

5 CHAIRPERSON GALAMBOS MALLOY: Good afternoon.

6 The time is 1:05 p.m. I'm reconvening this meeting of the  
7 California Citizens Redistricting Commission.

8 I am Chair Connie Galambos Malloy, and to my  
9 left is Commissioner Jodie Filkins Webber, who will be  
10 serving as Vice-Chair.

11 We will be picking up this afternoon, continuing  
12 on, on the report-backs from our advisory committee  
13 meeting.

14 Actually, could I have it noted for the record  
15 that all Commissioners are present, minus Commissioners  
16 Ward and Parvenu. Thank you.

17 So, we will be moving into the Outreach Advisory  
18 Committee report-back, which we started on yesterday  
19 afternoon. I think where we left off in the conversation  
20 there were a couple of action items that we are hoping to  
21 resolve within the next hour or hour and a half, regarding  
22 the calendar and regarding Commissioner participation in  
23 the various stages of the work that we'll be doing.  
24 Again, these three outreach phases.

25 Some questions had come up around content and

1 overall strategy regarding the educational workshops which  
2 would be, again, our phase one.

3 So, with that, I will pass it back to  
4 Commissioner Ontai to lead this part of the discussion.

5 COMMISSIONER ONTAI: Mahalo. (Speaking in  
6 Hawaiian.) That's how are you.

7 CHAIRPERSON GALAMBOS MALLOY: How are you?

8 MR. CLAYPOOL: And the same to you.

9 COMMISSIONER ONTAI: And the same to you. I  
10 want you guys to all start doing that, too, in your own  
11 languages.

12 Okay. So, I think what we wanted to cover today  
13 was clearly going over some of the scope, again, because  
14 there were some questions.

15 Another issue was that the calendar dates and  
16 how we can fix it, so to speak, so that it's more  
17 responsive to Commissioners' personal agendas, or just  
18 efficiency, itself.

19 And I want to -- suffice it to say that CCP's,  
20 Sarah and Charlotte both are here, there they are, are  
21 perfectly willing to adjust the schedule that you saw in  
22 those months to what the Commission feels would be a  
23 better schedule.

24 So, I just want to point that out right off the  
25 bat, that we can have a discussion on that because I know

1 a number of Commissioners have some great ideas.

2 We wanted to start off some place, so that's why  
3 you have a map. But without a map we can't -- we can't  
4 really finalize it until we get the full Commission's  
5 response to that. So, that's number two, I think we need  
6 to discuss that.

7 And then the third important issue is that we  
8 need to go over the contract. I know there were a number  
9 of questions on what the scope is and so I'm hoping to  
10 clarify that with our consultants here. And if there's  
11 anything else, we can talk about it.

12 Does that make sense?

13 Okay. So, let's pull out our calendars. Now,  
14 as you know, we had grouped these community outreach  
15 hearings into two categories.

16 CHAIRPERSON GALAMBOS MALLOY: Please note for  
17 the record Commissioner Parvenu has joined us.

18 COMMISSIONER ONTAI: Educational workshops and  
19 community input hearings. The distinction being the input  
20 hearings are basically the mapping process. And the  
21 educational workshops are essentially educating people  
22 who, for the first time, are not used to or haven't heard  
23 what redistricting is all about.

24 So, it's more of a grass roots attempt to reach  
25 down to ordinary citizens.

1 I think one of the questions that we had  
2 discussed, even as a subcommittee, was the educational  
3 process can actually continue throughout this whole  
4 process, so where do we stop that line?

5 Because as Doug mentioned in his presentation,  
6 once we release the trial maps there's probably going to  
7 be a lot of people responding that has -- have never heard  
8 of redistricting before, but they're be coming forward and  
9 they're going to say you can't split my neighborhood like  
10 that, you know, we need to know more of what's going on.

11 So, that's going to happen and I think Doug gave  
12 some good examples of that happening in Arizona.

13 So, I think that's a piece that we need to  
14 discuss, too, whether the educational workshops should  
15 continue as part of the input hearing process, or what  
16 formula that should take, should occur right now.

17 Now, in the schedule that we gave you, July and  
18 August show no meeting dates, and we left that purposely  
19 open because this discussion will help us shape that.

20 Does that make sense?

21 So, shall I just open it up to the Commission  
22 and have your input on calendar dates and how we can fix  
23 this.

24 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
25 DiGuilio and then Commissioner Dai.

1                   COMMISSIONER DI GIULIO: Can I just throw  
2 something out, maybe as an option for a starting point of  
3 discussion?

4                   I think based on part of the -- what we heard  
5 from Mr. Johnson this morning, in terms of us needing to  
6 maybe look at a tighter schedule and, also, I know we have  
7 discussed the educational component I'm wondering -- two  
8 points.

9                   One is I'm wondering if the educational  
10 component, if we spend some money in doing a video, if  
11 that's something that we can send out prior to our arrival  
12 for input, and still try and get a lot of encouragement,  
13 but to do -- even though it's not optimal, I'm suggesting  
14 that we might remove the educational workshop components  
15 and to instead go focus on the input meetings.

16                   And along with that I would also like to suggest  
17 another consideration for the way we've mapped these out  
18 is that instead of -- I know we've focused -- there's  
19 probably some rationale, methodology for doing them all on  
20 the weekends, but I think it might be better if we look at  
21 a regional -- a larger geographic area and shoot for a  
22 Thursday to Monday, or a Friday to Monday schedule where  
23 all Commissioners could come.

24                   Maybe we start in Redding, we go down on one  
25 day, Sacramento the next, maybe the Bay Area, something

1 that's regionally possible and it would mean that the  
2 Commissioners would be on the road for like four days in a  
3 row to do inputs, but then you could do a big grouping of  
4 input together.

5           Maybe take a week off to digest, and maybe not,  
6 maybe we do the same thing in another area. But I'm  
7 wondering if there's some options to do some groupings and  
8 then move to another section. And keep within the  
9 regional model and hit those areas.

10           But I think we, as Commissioners, it's going to  
11 be hard if we're going up to the north on a Saturday, then  
12 we fly down and then we have the week off, and then the  
13 next weekend we're doing this.

14           I think it would be a better use of our time is  
15 to condense them into a group and then move onto another  
16 grouping. Those are the two suggestions I have in terms  
17 of the workshops and the actual input hearings.

18           CHAIRPERSON GALAMBOS MALLOY: Thank you. Please  
19 note for the record Commissioner Ward has joined us.

20           And Commissioner Dai?

21           COMMISSIONER DAI: Thank you. First of all, I  
22 just want to second those suggestions. I think -- I  
23 mentioned this in Claremont, that I questioned the need  
24 for us to invest the amount of energy into educational  
25 workshops, given that we have modern technology.

1           You know, I could say the rationale for maybe  
2 doing one of them, videotaping it, putting it on YouTube,  
3 stamping out some DVDs, sending it out to all of our  
4 partner organizations and letting them, you know, and our  
5 office distribute them as needed.

6           I completely agree with Commissioner Ontai that  
7 the need for education will continue through the process  
8 and, in fact, may snowball toward the end as people are  
9 looking at actual maps and then, all of a sudden, they  
10 want to get involved.

11           I know there's been a lot of pressure to try to  
12 do something in March but, you know, given what's  
13 happening with the contracting I just -- I just don't see  
14 how that's going to happen.

15           And then if you look at the numbers in the  
16 budget, as I'm sure you've all looked at now, I mean, we  
17 have over a hundred thousand dollars right now for  
18 educational workshops and we could save a lot of money by  
19 using technology for that.

20           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
21 Forbes.

22           COMMITTEE MEMBER FORBES: Thank you. Yes, I was  
23 going to make the same comment. It seems to me,  
24 particularly what we heard this morning, it seems to me  
25 that the -- a couple of things. One, the educational

1 workshops -- well, I asked him, Arizona did not have  
2 educational workshops, they just didn't have them.

3           It seems to me that we, as it's been suggested,  
4 that we can make a DVD, put it on a variety of sources,  
5 make it available to the public at large.

6           We could it on, perhaps, local television  
7 stations. I mean there's a variety of outlets that we  
8 could use that, you know, first rate DVD that we would  
9 make, that people could use.

10           The other thing is that -- and then we could  
11 have an educational component in every input meeting. We  
12 could start out the first 10 or 15 minutes saying, you  
13 know, we're really glad you're here, we look for your  
14 input, here are some ways you can -- you know, that would  
15 be best for us to give us that input.

16           So, I mean, it would be part of the ongoing  
17 process.

18           But also I think another thing, and this is  
19 what -- following up a little bit on what Commissioner Dai  
20 was saying, based upon the attendance figures that we were  
21 proposed, I mean you get ten people to show up at the  
22 educational thing, and the amount of money it costs, it  
23 seems to not be a very cost-effective use of the money.  
24 That we could get a much more cost-effective use out of it  
25 by using these other outlet sources.

1           So I'm inclined, personally, to -- I don't know  
2 how it affects the schedule, I don't have any opinion on  
3 that at this point, but I think that it -- I think that we  
4 should consider -- considering the educational meetings  
5 becoming input meetings, whenever they in fact occur.

6           CHAIRPERSON GALAMBOS MALLOY: I'll put myself in  
7 the stack. Another consideration, thinking now as a  
8 member of the Finance and Administration Committee, is  
9 around timing and the fact that, you know, essentially  
10 this expenditure will need to be made before we have any  
11 hard data on what it's looking like in terms of our budget  
12 augmentation.

13           And given that the education is important, but  
14 it's actually not the bottom line deliverable that we were  
15 charged with in terms of the maps, it could put us in a  
16 difficult position later as having restricted some of our  
17 cash early on, that then we wouldn't have available for  
18 the actual input hearings.

19           Other Commissioners? Commissioner Barabba?

20           COMMISSIONER BARABBA: Yeah, I was -- I thought  
21 this morning's conversation was valuable in the sense that  
22 he brought forward the notion of when people would be most  
23 interested in what we're doing.

24           And, obviously, they'd be more interested when  
25 there's alternatives that they could actually see, wherein

1 we're currently in no position to do that at these earlier  
2 meetings.

3           So, that was an insight that I hadn't quite  
4 thought about as far as creating the kind of dialogue that  
5 you wanted which was, instead of this all coming from us  
6 out to them, we wanted to have more reason for engagement.

7           And I think if we had something that's -- not  
8 one thing to show them, but some things to show them, I  
9 think that might improve the dialogue that takes place.

10           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
11 Blanco.

12           COMMITTEE MEMBER BLANCO: I agree, it was  
13 instructive and then looking at -- for me, the -- I'm  
14 looking at the finances and I think it's actually more  
15 than what Commissioner Dai -- when looking at the budget,  
16 I think when you add up all the items it's more than --  
17 so, maybe somebody -- I want to hold the floor, but can  
18 somebody clarify exactly what the cost of the educational  
19 outreach meeting is -- meetings will be, when we put it  
20 all together? What's the bottom line?

21           COMMISSIONER ONTAI: Sarah?

22           MS. RUBIN: Okay. Do you want to turn to page  
23 7?

24           COMMITTEE MEMBER BLANCO: Yeah, I'm there.

25           MS. RUBIN: Oh, okay. So, for nine workshops,

1 \$103,955.76, it's at the -- toward the bottom.

2 COMMISSIONER ONTAI: I think the question is  
3 more than that. There's staff time, there's Commission  
4 travel time, and so on that --

5 COMMITTEE MEMBER BLANCO: Right, yeah, the  
6 total.

7 MS. RUBIN: I'm sorry, I misunderstood.

8 COMMITTEE MEMBER BLANCO: Yeah.

9 COMMITTEE MEMBER BLANCO: Do we know what it --

10 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ontai  
11 or Mr. Claypool?

12 COMMISSIONER ONTAI: Mr. Claypool, maybe you can  
13 answer that?

14 MR. CLAYPOOL: I'd have to take some time. We  
15 simply didn't divide the -- we didn't divide it that way.  
16 Would you like me to go ahead and start working on that  
17 right now?

18 COMMISSIONER DAI: I think it's clear it's more  
19 than this.

20 COMMITTEE MEMBER BLANCO: It's just --

21 COMMISSIONER DAI: That's just the CCP cost.

22 COMMITTEE MEMBER BLANCO: -- illustrative of my  
23 point, which is that you've got the actual contract and  
24 then we have all our time, equipment, et cetera. And that  
25 was in one of the -- so, we're actually talking about more

1 than a hundred thousand dollars with this effort.

2           And so I -- you know, the -- I think the closer  
3 we're getting to understanding the task ahead of us, in  
4 terms of the expertise we're going to have to buy for some  
5 of the statisticians, et cetera, which I think we're  
6 beginning to really now get, that this is both -- we knew  
7 that and then the presentation today, that this expert  
8 piece of the map drawing and perhaps the -- as was  
9 described earlier, that you will have two people  
10 drawing -- you know, you might have people working on  
11 Congressional maps.

12           And I'm thinking that part of our costs are  
13 probably under-estimated in our budget, all the expert  
14 technical costs.

15           And I'm concerned about not having that money  
16 because we -- like as you mentioned, Commissioner, we  
17 expend this up front and then we have to deal with the  
18 fact that maybe we don't have an augmentation in the  
19 amount that we need and then we're hamstrung on the  
20 technical expertise side.

21           So that and the calendar, and I -- I believe --  
22 I think that we are really in a sort of a different era in  
23 terms of education and what people -- how you reach out to  
24 people.

25           And I would like to see us think about the

1 notion of videos, DVDs, things that actually will get to  
2 more than ten people and perhaps put money into just  
3 thinking creatively about the dissemination of those.  
4 That might cost money.

5 But the production of that, and then you  
6 potentially reach many, many people, might be a more  
7 effective way to do that in combination with the  
8 communications strategy.

9 Which is if we're -- if there's a newspaper  
10 article, if you get us on TV, et cetera, that also is  
11 educational outreach, this is what we're doing, this is  
12 what we do, this is who we are, this is who you voted in  
13 to do this job, et cetera.

14 So, I'm feeling the same about this.

15 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
16 Parvenu?

17 COMMISSIONER PARVENU: No, I definitely concur  
18 with what my previous colleagues, previous Commissioners  
19 and colleagues have stated.

20 It looks like we have \$16,000, \$128,000 for  
21 preparation, \$103,955 for the conduct -- conducting the  
22 workshops.

23 And the conference call and webinar workshops,  
24 whether we want to keep that in or not, is \$1,712.

25 But overall I want to say I appreciate the good

1 work that CCP has put into this overall plan, but we're in  
2 an age, and I agree with what was stated before, we're in  
3 an age where national regime has been overthrown, you  
4 know, in Egypt and in another, in Tunisia, over Facebook.  
5 And, you know, we have to -- you know, we have to get  
6 into -- and Egypt has what, 80 million, we have about 38  
7 million here in California. We can certainly get more  
8 bang for the buck if we utilize those multi-media sources.

9           Although I appreciate the strategic plan that  
10 was put in place, I concur with Commissioner Yao, and  
11 Blanco, and DiGuilio, and everyone else who says that --  
12 who stated that the logistics in moving us around, and  
13 just all of the other unseen costs here, I'm reluctant to  
14 have us move forward with physically, having a physical  
15 presence at the workshops. I think the video approach is  
16 far better.

17           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
18 Barabba?

19           COMMISSIONER BARABBA: Yes, and having -- in the  
20 seat where our two guests are today, I hope -- I want you  
21 to know we appreciate that we gave you a different  
22 direction than what we're currently giving you right now,  
23 and that I think you complied quite well to what we  
24 originally discussed with you, but that we did come up  
25 with some new information that I think has changed our

1 mind.

2                   And I just want you to know that we -- it has no  
3 reflection on you.

4                   CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai?

5                   COMMISSIONER DAI: Yes, in fact, I was hoping  
6 Mr. Wilcox would talk a little bit about some of the  
7 thoughts that we had for -- for broadcast media, in  
8 particular, because I know there's been some concern  
9 that -- you know, certainly, we want to use Facebook,  
10 YouTube on our own website, but in addition to non-  
11 internet vehicles that we already have some stuff kind of  
12 in place for if we -- if we have this well-produced video,  
13 that we could get distribution.

14                  COMMISSIONER DI GIULIO: And before Mr. Wilcox  
15 makes a presentation I would love to hear, as you're  
16 making the presentation, where there's -- where you see  
17 staff's role in dissemination that and where we might  
18 still need to utilize CCP. Because I think we all agree  
19 that we like the idea of technology, but it's going to do  
20 no good if it sits there, whether it be staff that does it  
21 or if we still ask CCP to help us with that dissemination.

22                  COMMISSIONER ONTAI: And also, let me add onto  
23 that. We're still going to need somebody, whether it's  
24 CCP or not, to organize the logistics, and that's a huge  
25 task.

1 CHAIRPERSON GALAMBOS MALLOY: Commissioners --

2 COMMISSIONER DI GIULIO: I'm sorry, I didn't  
3 hear. To organize what, I didn't hear what you said?

4 COMMISSIONER ONTAI: To organize the meetings,  
5 itself, to make announcements that at this venue, we're  
6 going to have this event.

7 COMMISSIONER DAI: Right. But if we're talking  
8 about replacing in-person meetings with a video, then it's  
9 not clear that that's going to be a --

10 COMMISSIONER ONTAI: No, I was referring to  
11 whenever we have input meetings.

12 COMMISSIONER DAI: Yes.

13 CHAIRPERSON GALAMBOS MALLOY: Commissioners  
14 Aguirre, Yao and then Parvenu.

15 COMMISSIONER AGUIRRE: Yes. Yeah, it was -- it  
16 was very revealing kind of information this morning. As  
17 far as educational workshop is concerned, I know that  
18 we've talked with CCP about developing a piece, a toolkit  
19 that would include a video.

20 I would say that in order to do that well and,  
21 you know, anticipating that perhaps we will not be able to  
22 deliver educational workshops in the presented format,  
23 that we really invest in doing a very good outreach in  
24 that area.

25 So perhaps some of the funds that were previous

1 allocated to the actual on-site presentations, workshops,  
2 that we look at maybe investing a little bit more into  
3 that outreach phase.

4           The other thing is that some of the folks that  
5 we were anticipating were going to bring people to the  
6 table at each one of these sites were these groups that  
7 are out there, throughout California, on the ground.

8           Some of those we're going to be hearing from  
9 tomorrow.

10           And I'm not sure whether they have the full  
11 picture of what the Commission is willing -- or where the  
12 Commission is in terms of expectation. So, I'm not sure  
13 whether they have that, yet, or not.

14           If they don't, then CCP could probably help us  
15 with that. And if not really delivering educational  
16 workshops to the general community, work with this more,  
17 quote/unquote, professional group of organizations so that  
18 they know exactly what information to impart to their  
19 constituents so that they're better prepared for these  
20 input sessions.

21           As far as the input sessions are concerned, the  
22 model that was presented by CCP includes pre-hearing  
23 sessions. In other words, the hearing starts at 6:00, CCP  
24 starts at 4:00 working with individuals as they arrive,  
25 talking to them about -- educating them about, you know,

1 what's going to occur at the input session.

2           And then the other piece is really handling the  
3 input session, itself.

4           Whereas, let's say, we have 150 people that are  
5 lined up, number 150 might be six hours into the input  
6 hearing so there needs to be a process for organizing the  
7 order of speakers, making sure that they understand what  
8 we're looking for, making sure that the information that  
9 they're going to be presenting is in a format that's kind  
10 of acceptable to us or understandable by us.

11           So, they have kind of like a role within the  
12 model that was presented, where a role in not only the  
13 pre-hearings, but also during the sessions, themselves,  
14 organizing the mass, so to speak, so that it's organized,  
15 and it's efficient, and that some of the questions that  
16 might be coming up before us could be handled by them even  
17 before they, you know, get to the presentation.

18           CHAIRPERSON GALAMBOS MALLOY: Thank you,  
19 Commissioner. I hear and I appreciate that feedback. As  
20 what I'm hearing from the Commissioners is not questions  
21 regarding the value of CCP's role as we move into the  
22 input hearings, but really around the whole approach of  
23 how we deal with the educational component of our three  
24 phases.

25           So, Commissioner Yao and then Parvenu are in the

1 stack. But before that, Mr. Wilcox was going to chime in,  
2 as per Commissioner Dai's request, around some of our  
3 broadcast strategies.

4           COMMUNICATIONS DIRECTOR WILCOX: Yes, and I can  
5 even go into more detail during my report. But part of  
6 the free media, as far as utilizing the kinds of interview  
7 shows, the news programs, radio, and the ability to be  
8 able to -- they're interested in this subject.

9           Already, just as an example, this week  
10 Commissioner Dai and Commissioner Forbes each did a  
11 separate interview for Comcast, and it's Headline News.  
12 And it's four and a half minutes, it's not public access,  
13 it's on the Headline News. And then at the end there's a  
14 five-minute break, four and a half minutes long -- a four-  
15 and-a-half-minute long interview.

16           And as you know for television and when you're  
17 looking at -- sometimes you're interviewed for a news  
18 program and in the piece you get 18 seconds.

19           Well, here the Commissioners had four and a half  
20 minutes and did a great job about laying out who is the  
21 Commission, what is the Commission supposed to be doing,  
22 what is going to be the outreach, what is going to be the  
23 input process. It was all laid out.

24           If you're sitting at home and you watch that  
25 four and a half minutes, you're pretty well educated on

1 the redistricting process and what the Commission is  
2 doing.

3           So, we're going to be doing a lot of those  
4 efforts and, also, not just in broadcast, in talking about  
5 the print media. Because, as it's been mentioned several  
6 times, it's not just all about the internet. And you can  
7 reach millions and millions of people through these other  
8 avenues, through free, unpaid media.

9           And, of course, as was discussed earlier about  
10 now having videos produced and taking those virally, but  
11 those can also be used in conjunction with television and  
12 broadcast. Sometimes if you have an interview and they  
13 just want to take a snippet of that, or there's other  
14 opportunities to actually view those, have those videos  
15 used.

16           CHAIRPERSON GALAMBOS MALLOY: Thank you.  
17 Commissioner Yao.

18           COMMISSIONER YAO: You know, so far we've been  
19 talking about a very small segment of this CCP proposal,  
20 which is the delivery of the education workshop.

21           What I would encourage the Commissioners to do,  
22 before we get away from this topic, is perhaps approve the  
23 design of the education process and then work together  
24 with Rob, and others, to come up with an alternate  
25 delivery solution, but not try to walk away from it and

1 start all over again.

2           Because I think this package really is a very --  
3 a very good package in terms of designing of the package  
4 and the delivery of it is the only portion of it that  
5 we're questioning.

6           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
7 Parvenu?

8           COMMISSIONER PARVENU: I echo what Commission  
9 Yao has just said. It's an excellent package and I  
10 appreciate the work that you all put into this.

11           In light of what was shared with us this  
12 morning, in terms of the input meetings, I absolutely see  
13 CCP playing a critical role in that aspect of this  
14 schedule.

15           And, perhaps, and I'll echo what Commissioner  
16 Forbes and Barabba said, also, if we can restructure the  
17 agendas or the daily schedule for the input meetings to  
18 include that educational aspect and followed by an input,  
19 public hearing type format for an input, and then a period  
20 of questions and answers, or however we want to arrange  
21 it, we could turn these input hearings into a multi-  
22 faceted event and still stay within three hours or four  
23 hours. And receive the input on top of the education for  
24 those who are new to the process throughout the  
25 remainder -- we're looking at June and July, prior to the

1 release of a final map in August, for late July.

2           So, that's my recommendation. I don't know if  
3 you were able to hear that this morning because you were  
4 probably enroute, but that's -- I think we all concur that  
5 we want to include both education and input with these so-  
6 called input meetings that we have here.

7           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
8 Filkins Webber, then Commissioner DiGuilio, and  
9 Commissioner Aguirre.

10           COMMISSIONER FILKINS WEBBER: Just for the  
11 record, I have taken due consideration of some of the  
12 additional expertise that we heard this morning from Mr.  
13 Johnson and in looking at the cost and really balancing  
14 those that are going to show up versus the expense for the  
15 educational workshops.

16           I do feel, again, and just would like to  
17 reiterate that the Commission should have some part in  
18 education. I think doing so before an input hearing would  
19 be helpful.

20           But my question also goes to Mr. Wilcox. In the  
21 manner in which you have outlined your potential strategy  
22 and broadcast strategy, do you have a calendar or a  
23 timeline that you've thought about when -- if we, for  
24 instance, consider taking out the March workshops, as it  
25 sounds as if some of the Commission members might be

1 suggesting, do you have a timeline for broadcast launch  
2 and maybe could we use March to do that?

3 Have you thought about putting together a  
4 calendar for your broadcast strategy?

5 COMMUNICATIONS DIRECTOR WILCOX: Well, in  
6 viewing -- I'll talk about maybe the media strategy in  
7 general, which includes newspapers, and radio, and TV, and  
8 building around 30 identified newspaper editorial boards,  
9 which will begin in March. I'm starting to book them  
10 right now.

11 In fact, you will all be hearing from me because  
12 you're all going to be making visits. We'll probably have  
13 two Commissioners per editorial board. And, in fact, the  
14 first one was just booked, that it's going to be this  
15 Wednesday, and it's the Sacramento -- the "Sacramento  
16 Bee."

17 And that we're also identifying not just the  
18 mainstream, general interest media, but also the ethnic  
19 media.

20 And then along with those visits is that you  
21 can -- we can also do radio and TV in those areas. Just  
22 for instance, when Commissioner Forbes goes to -- in  
23 Northern California, and reaches in Redding, when he's  
24 there to talk to the "Redding Search Light Newspaper"  
25 there's television and there's radio there. So, we have

1 that opportunity.

2 I see this as also, when we're talking about  
3 rolling out this strategy, it's important to also have  
4 events built around it as well.

5 The editorial board is a good example. But  
6 also, when you're having your outreach -- I mean, excuse  
7 me, your input meetings, that is when you're going to have  
8 the height of interest by journalism.

9 And as I see that, when we're having our input  
10 meetings, that is an excellent opportunity to go in before  
11 and launch in this area, because that's when you want them  
12 engaged.

13 And you don't want them engaged too far out, and  
14 you don't want to publicize something too far out that  
15 they forget, and that you want to have that rolling, you  
16 know, during the week of.

17 So, you want to have that built in to get people  
18 to that input hearing and then you also want to have the  
19 coverage of that input hearing, so that those that were  
20 not there can also see the process.

21 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
22 DiGuilio and then Commissioner Aguirre.

23 COMMISSIONER DI GUILIO: I think to follow up  
24 along those same lines, could I make a possible suggestion  
25 that because there are elements in this proposal that I

1 think we will probably go forward with, toolkits, and  
2 others, but there are also elements in terms of I think we  
3 all agree we want an educational component. And how  
4 that's delivered, and where it's delivered and what form  
5 will be part -- part of our staff's responsibility, but I  
6 would see we could also utilize CCP.

7           So, I'm wondering if, similar to what we've done  
8 in the past, can there be a liaison between the Public  
9 Information Technical Committee and Outreach?

10           I don't know if that's -- my thinking behind  
11 that is that I'm sure staff will be collaborating, but I  
12 think it will be helpful for Commissioners to be involved  
13 with this because I think there will be some elements,  
14 especially around scheduling, where the Public Information  
15 Advisory Committee needs to be in touch with the Outreach.  
16 So, I'd like to suggest that at least two of those  
17 Commissioners collaborate.

18           CHAIRPERSON GALAMBOS MALLOY: Regarding that  
19 process suggestion, I think that's a good one. At the  
20 same time I am hearing kind of two different directions we  
21 could take with the proposal, as we have it.

22           And one school of thought is suggesting that we  
23 adopt it as a package and there's another school of  
24 thought saying that on the educational workshop piece that  
25 we might want to rethink our strategy, or scale that part

1 back, or wrap that educational component completely into  
2 the input sessions.

3 So, I just wanted to clarify those are the two  
4 things I'm hearing from the Commissioners at this point.

5 Commissioner Parvenu.

6 I'm sorry, Commissioner Aguirre.

7 COMMISSIONER AGUIRRE: I said before you're very  
8 gracious in passing us over.

9 [Laughter]

10 COMMISSIONER AGUIRRE: But anyway, perhaps given  
11 the information that we've been discussing, perhaps we  
12 could ask CCP to talk about what's -- what they might  
13 consider, in the absence of actual educational workshops,  
14 what elements within their plan they might consider to  
15 still be valuable and deliverable.

16 The toolkit being one, for example.

17 CHAIRPERSON GALAMBOS MALLOY: I have two  
18 Commissioners over here on my right, Commissioner Barabba  
19 and then Commissioner Ward.

20 COMMISSIONER BARABBA: Yes, are we on some kind  
21 of a time deadline on getting something approved, so that  
22 we can get a contract signed on this one or do we have --  
23 so we don't -- there's no timeline that we need to approve  
24 something at this meeting?

25 CHAIRPERSON GALAMBOS MALLOY: So, my sense on

1 that is not in the same way for some of the other issues  
2 that we're considering, but in order to actually allow the  
3 committee to do its work and CCP to do its work, we do  
4 need to make some decisions on just basic framework and  
5 methodology.

6 COMMISSIONER BARABBA: Okay. Because I -- we  
7 don't want to get into another box, as we sometimes do,  
8 then find ourselves not with the ability to implement it.

9 CHAIRPERSON GALAMBOS MALLOY: Yeah.  
10 Commissioner Ward.

11 COMMISSIONER WARD: Thank you, Chair. I was  
12 just agreeing with Commissioner Aguirre. I was just  
13 interested in hearing CCP's thought, given that we all  
14 have had some new input, and seeing the direction that the  
15 Commission sees conducting the educational process. Not  
16 just what in your plan do you still plan to offer, but  
17 what do you see being useful? Do you have a new vision  
18 that you could offer on how to integrate this kind of  
19 thing?

20 MS. RUBIN: A vision in the last five minutes.  
21 Given that this is all new information, as of the last  
22 five minutes, where should we start?

23 I think what might be helpful, you're going to  
24 make the choice that you think is right for you, and  
25 you're trying to gather as much information as you can to

1 make the smartest choice.

2           So, if we realized that Mr. Johnson was  
3 presenting this morning, we would have been here, it would  
4 have been really helpful for us to also hear that  
5 presentation.

6           I'm just almost wondering if we -- this is just  
7 still coming out and I wonder if we could have a five-  
8 minute, or even a three-minute break to confer, to be  
9 articulate in our response? Would that be possible?

10           CHAIRPERSON GALAMBOS MALLOY: How do we say no  
11 to that, please take that -- please take that break. I  
12 think there are potentially other things that we can  
13 continue talking about, and maybe the issue of  
14 Commissioner participation in the input hearings, or some  
15 of the other items.

16           COMMISSIONER WARD: Yeah.

17           MS. RUBIN: We're going to go --

18           CHAIRPERSON GALAMBOS MALLOY: Okay, thank you,  
19 we'll see you shortly.

20           Commissioner Raya?

21           COMMISSIONER RAYA: May I suggest that we  
22 provide them, if they don't already have one, with a copy  
23 of this morning's presentation?

24           CHAIRPERSON GALAMBOS MALLOY: And just -- I mean  
25 that's a large presentation, I know you guys can talk.

1 But there were a couple of points in there that  
2 particularly popped out to the Commission, one regarding  
3 the likelihood that the numbers of participants we get in  
4 those early -- in that first phase of educational meetings  
5 is going to be a fraction of what it will be later on in  
6 the process, that --

7 MS. RUBIN: I would strongly disagree with that.  
8 But I just want a second to be able to tell you why.

9 CHAIRPERSON GALAMBOS MALLOY: That would be  
10 great. So, we'll talk to you more in about five minutes.

11 Commissioner Ontai?

12 COMMISSIONER ONTAI: Oh, well, while they're  
13 gone, this is a very organic process.

14 We still need -- while they're thinking about  
15 this, the question of how we, as individual Commissioners,  
16 are going to interface with whatever strategy or rhythm we  
17 establish between now and July or August, there still  
18 remains the question of how much time we're going to  
19 commit ourselves.

20 And there's a question of from Monday to Sunday  
21 what would be the appropriate days to set aside for  
22 community input meetings, and what would be appropriate  
23 days to set aside for business meetings?

24 Business meetings at that point would probably  
25 mean the business of understanding input data, and perhaps

1 getting our consultants back to look at it, and asking  
2 them questions. I would think those would be business  
3 meetings.

4 So, I think we need to structure a typical  
5 Monday to Sunday and how that would work, beginning in  
6 April as a starter.

7 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
8 Filkins Webber?

9 COMMISSIONER FILKINS WEBBER: I agreed with  
10 Commissioner Dai's suggestion that we have a business  
11 meeting in that same area where we're going to consider  
12 the input, because we'll all be traveling to that area,  
13 rather than making, as we have lately for convenience,  
14 Sacramento, you know, the prime place for a business  
15 meeting.

16 I think it's an effective use of everyone's time  
17 to consider that the business meetings would correlate in  
18 the same location as the input hearings, since we'll all  
19 be there for the same general purpose.

20 But as far as days go, again, I think we've  
21 reiterated the necessary consideration for the public,  
22 evenings and weekends. And if we did our business  
23 meetings during the day, held the input at night, or on  
24 the weekends, that might be a good, effective use of time.

25 CHAIRPERSON GALAMBOS MALLOY: Commissioner

1 Ontai, let me ask a question before we transition to  
2 Commissioner Ward and Yao.

3 Do you have, does your committee have a  
4 recommendation regarding how you would visualize that week  
5 playing out, that calendar week?

6 COMMISSIONER ONTAI: We had some thinking along  
7 this line based on our last month and a half.

8 It appears that everyone's schedule,  
9 collectively, we have independent, retired people, and we  
10 have business people, and family people. The rhythm seems  
11 to be that Mondays, Tuesdays are off limits, but I don't  
12 know for sure if that could be changed.

13 Wednesday, beginning Wednesday, Thursday and  
14 Friday there -- we're solidly making that commitment, that  
15 appears to be the pattern that's emerging, Wednesdays,  
16 Thursdays and Fridays.

17 So, that's how we arrived at Saturdays and  
18 Sundays as the outreach meetings.

19 Now, we haven't talked about evening meetings  
20 during the weekdays, and that's possible. So, that's the  
21 extent of it.

22 CHAIRPERSON GALAMBOS MALLOY: Okay, thank you.

23 Commissioner Yao.

24 COMMISSIONER YAO: If we divide California into  
25 two, whether you're in Northern California or Southern

1 California, it's all within driving distance from any spot  
2 to any other spot in that north/south region. It may be a  
3 couple hours drive, but you can make it.

4 So, my concept is simply combine the -- instead  
5 of just calling it general business meeting, let me just  
6 call it map-drawing business meeting, as compared to the  
7 input meeting, in the same block of time.

8 If we say, okay, we want to work from Wednesday  
9 through Sunday then let's go ahead and block off that  
10 week, so that that whole week would either be in Northern  
11 California or in Southern California, or if we want to  
12 drive it up into three regions, then maybe a mid-  
13 California.

14 And try to take care of the transportation, the  
15 logistics, and issues in that manner.

16 Driving in the evening from point A to point B,  
17 as long as it's within reasonable driving distance, I  
18 don't think it's going to be an issue. And staying at  
19 different hotels every night, well, that's -- so be it.  
20 But I think doing it that way, we can satisfy both the  
21 necessity of meeting as a whole group and also the desire  
22 of meeting as a whole group in the outreach -- I'm sorry,  
23 the public input sessions that we're proposing.

24 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
25 DiGuilio.

1                   COMMISSIONER DI GIULIO: I think that one of the  
2 important things we have to keep in mind here is the issue  
3 of time and the best utilization of our time. I think  
4 that's why we are saying -- there may be some element, I  
5 think CCP may have some other ideas about the educational  
6 workshops, about the attendance, but I think the reality  
7 is we're saying out because of time.

8                   And we also realize that the first phase isn't  
9 where we're going to get as much input, though I think  
10 that's where we touch base.

11                   But it's time and time is going to dictate that  
12 we will compress our business meetings with our input  
13 meetings. Time will dictate that we have to -- we have to  
14 just put a block together.

15                   You know, I know we've been trying to work with  
16 our schedules, but we all just need to say put it on --  
17 I'm sorry -- put it on the calendar -- throw your pens  
18 down, make a stand.

19                   [Laughter]

20                   COMMISSIONER DI GIULIO: But, you know, take  
21 Wednesday, Thursday, Friday, Saturday, Sunday, whatever it  
22 is, put it on the calendar. It is up to us to arrange our  
23 schedule, I think, at this point.

24                   And I don't think we do a little here and a  
25 little there, I say you have to cram it. I mean, really,

1 that's where time is our issue. That's my impassioned  
2 plea.

3 CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai.

4 COMMISSIONER DAI: Yeah, I also think that -- I  
5 actually think evening meetings probably work better for  
6 most people. I think a lot of people are very reluctant  
7 to give up their weekends.

8 So, if we start having all of them on Saturdays  
9 I think that, you know, that might suppress the kind of  
10 response that we would like.

11 So, I also think that picking a regional  
12 approach which, you know, I think we've all agreed to, is  
13 also better from a communication stand point in terms of  
14 getting the media coverage.

15 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
16 Forbes?

17 COMMITTEE MEMBER FORBES: Yes, just as a follow  
18 up on the scheduling. And this is a retailer's task, as  
19 well, is when can you schedule things when people will  
20 come? And Sunday afternoon is the time to schedule things  
21 because Saturday is soccer, you can't compete with it.

22 And so, I think -- I mean, it behooves us to at  
23 least have one of our meetings, input meetings, on Sunday  
24 afternoon, perhaps Sunday evening, but evening's not as  
25 good.

1           And I do think the idea is -- I mean, I think we  
2 ought to show up -- I mean, it ought to be a Friday,  
3 Saturday, Sunday, or a Sunday, Monday, Tuesday, you know,  
4 way of splitting it, because I think you're going to get  
5 better attendance on Sunday, Monday, Tuesday than you  
6 would on Friday, Saturday, Sunday.

7           And I do agree that I think we just have to  
8 schedule them and, you know, whoever will be there will be  
9 there.

10           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
11 Blanco?

12           COMMITTEE MEMBER BLANCO: I agree, I don't think  
13 this should be around our schedules. I think this has to  
14 be around the schedule, especially the input meetings have  
15 to be around the schedule of the people from whom we are  
16 seeking input. And that should be our -- you know, our  
17 major consideration.

18           And it seems to me that we've made some analysis  
19 of that. Some analysis of that was included, I think, in  
20 what you sent us. It wasn't just based on our schedules  
21 it was -- if I remember, when we asked questions about the  
22 methodology it was in this region people said they  
23 preferred these nights.

24           So, I think that should be our guiding principle  
25 is where we're going to -- you know, what's convenient

1 from the people from whom we're seeking input.

2           So, that, and that might mean weekends. And  
3 then I really agree that we just have to -- I would  
4 advocate that we do everything as -- you know, if that  
5 means three days in a row, that means three days in a row  
6 for us.

7           And the last thing is that I think that if we,  
8 going back to sort of that this is not just either a cost  
9 or attendance issue with the educational workshops, but  
10 going back to our overall calendar, these dates that were  
11 proposed for the educational could quickly become -- some  
12 of them could become input dates.

13           CHAIRPERSON GALAMBOS MALLOY: Without our tech.

14           COMMITTEE MEMBER BLANCO: You know -- well, I  
15 mean, we do have to talk about that, absolutely. But we  
16 might be able to move some stuff up and that way we get to  
17 this point that we talked about earlier, where it's good  
18 to have something to then throw out.

19           So, we go out and have something earlier, rather  
20 than later, that people react to.

21           COMMISSIONER ONTAI: Can I add onto that? And  
22 that was raised as an interesting point. If we did some  
23 type of artistic mapping, what did that piece say, modern  
24 art or whatever --

25           [Laughter]

1           COMMISSIONER ONTAI: Not as a final map, but  
2 just to throw something on the wall and see what kind of a  
3 response we get would probably -- may generate more  
4 interest, along with the educational piece, as early as  
5 March.

6           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
7 Barabba?

8           COMMISSIONER BARABBA: Yeah, I thought about  
9 that this morning. And I would suggest that we have more  
10 than one map. Because if we come in with one map,  
11 somebody's going to say that's the map and then we're  
12 going to be criticized for putting out the wrong map.

13           If we had a couple, at least two maps, then we  
14 could have -- these are not the map, these are ideas, and  
15 we would like your reaction to these ideas.

16           CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool.

17           MR. CLAYPOOL: I just took the time to go back  
18 and talk to Mr. Johnson. And I was just curious, and it  
19 was a question to ask in front of the -- when he was here,  
20 but there were so many questions.

21           But I asked him, how much time can this  
22 Commission expect to have to put in when we really start  
23 seeing maps, when you're approving maps?

24           And he said because of the way the 14-day time  
25 period works that you can expect to have one to two weeks

1 of needing to be together five days a week. And then  
2 you'll have time off, but time off in between where you'll  
3 still have to meet, possibly, to have input and so forth.  
4 But you are going to have large blocks of time or you're  
5 going to have weeks, particularly as we get into the  
6 middle of this process, and as quickly as we can start  
7 seeing maps, where you're going to have to be putting  
8 together ten full days, with only a couple of days off in  
9 between if you're going to stay with this process.

10 And that was his opinion and I just wanted to  
11 interject that.

12 COMMISSIONER ONTAI: So it gets worse.

13 COMMISSIONER BARABBA: But you're talking  
14 towards finalizing the maps?

15 MR. CLAYPOOL: He actually said that once you  
16 start seeing maps and you're making your -- directing your  
17 line drawers and your staff, we'll start having to notice  
18 that period because we have that 14 days.

19 But then when you get them back and you're  
20 reviewing them, he says that it would be one to two weeks,  
21 at least a solid block of five days as you go through all  
22 the maps, and all the changes.

23 And then possibly a second week of that,  
24 depending on how quickly you go through the maps, and,  
25 certainly, there's going to be a learning curve and you're

1 going to accelerate your ability to review these maps.

2           Having said that, however, I think as we get --  
3 when you have your first maps, you're going to start  
4 seeing large blocks of your time where you're going to  
5 really have to consider your personal schedules versus the  
6 schedule of the Commission in order to meet your deadline.

7           COMMISSIONER DI GIULIO: Could I ask a question?  
8 If Mr. Johnson is here, would it be helpful for our group  
9 if we had an idea, as a recommendation, as one thought,  
10 are we looking at a one-third -- if we remove educational  
11 workshops and we went to the first phase of the input, and  
12 then we're looking at the review of those, what are you  
13 thinking in terms of a one-third, two-thirds split in  
14 terms of scheduling our time? Something less, more?  
15 Would that be helpful for the Commission to have some  
16 sense?

17           CHAIRPERSON GALAMBOS MALLOY: Sure. Mr.  
18 Johnson?

19           MR. JOHNSON: it's hard to say, I haven't -- I  
20 mean, I'm guessing, and probably the CCP people might have  
21 a better sense of this, but I'm guessing you probably want  
22 to do the same number of input meetings that you have now,  
23 you would just start them a couple of weeks earlier and  
24 then --

25           COMMISSIONER DI GIULIO: Yeah, I guess in terms

1 of like not a number of meetings, but in the time frame in  
2 which we do it, condensed into -- if we had -- if we had  
3 12 weeks, would you just recommend the first part only be  
4 four weeks, and then eight weeks for the real nitty-  
5 gritty, when they have something to look at?

6 MR. JOHNSON: As a general rule of thumb, that  
7 might make sense. But I think you probably want to look  
8 at it in terms of where do you really have to have your  
9 input hearings, because you do have to kind of cover the  
10 State for that.

11 COMMISSIONER DI GIULIO: So, driven by the  
12 location not --

13 MR. JOHNSON: Yeah. And they would be better to  
14 tell you what's the logistics of actually getting more  
15 organized.

16 CHAIRPERSON GALAMBOS MALLOY: Commissioners  
17 Parvenu, then Filkins Webber.

18 Thank you, Mr. Johnson.

19 COMMISSIONER PARVENU: Turning our attention to  
20 page 13 of the draft schedule that CCP has presented to  
21 us, we're nearly in the month of March, it begins next  
22 Tuesday. I assume that we will be meeting -- well, I know  
23 that we'll be meeting on the 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> as a full  
24 Commission.

25 COMMISSIONER FILKINS WEBBER: No. No.

1                   COMMISSIONER PARVENU: We're not. Okay. Well,  
2 that eliminates that theory.

3                   [Laughter]

4                   COMMISSIONER PARVENU: Because I was thinking  
5 that in lieu of having an educational workshop on the 12<sup>th</sup>,  
6 and that was not determined in concrete, well assuming if  
7 we are to meet as a full Commission on the 23<sup>rd</sup>, 24<sup>th</sup> and  
8 25<sup>th</sup>, this schedule, which says that the 26<sup>th</sup> there is to be  
9 an educational workshop, as proposed in the L.A. region,  
10 perhaps a prototypical input/business/public hearing, that  
11 one meeting wrapped in one. A trial run perhaps could be  
12 tested on a day of our choosing, following a full  
13 business -- two- or three-day business meeting in the  
14 month of March, which would, indeed, move that date up,  
15 would give us enough time to -- to publish it.

16                   And then as we meet on other days -- I guess the  
17 point I'm making here is that if our recommendation is to  
18 combine meetings, input meetings, to have a few trial runs  
19 prior to see how they work. If we are to recommend that  
20 we, in lieu of having a full educational workshop, go  
21 towards an input meeting, or whatever we want to call it,  
22 business, input, public hearing, whatever it's called,  
23 that we move it up and try having at least an initial run  
24 at some point very soon.

25                   Because I agree, time is of the essence and we

1 need to have some type of prototypical or some type of  
2 demonstration to see how the mechanics of this activity  
3 flows. So, that's my comment or suggestion for feedback  
4 from the Commission.

5 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
6 Filkins Webber, and then Commissioner Aguirre, and then  
7 I'd like to transit back to our guests from CCP.

8 COMMISSIONER FILKINS WEBBER: I certainly do not  
9 want this to be a circumstance where we reiterate  
10 everything we've already discussed, but we're back to  
11 where we started before.

12 I understand that time is of the essence and  
13 what is now being suggested, at least from three  
14 Commissioners, and even Mr. Johnson, is to up the input  
15 schedule. But what you're talking about is a circumstance  
16 where we're going to be holding input hearings without our  
17 technical expert.

18 So, it has been suggested, we can do that  
19 because then the technical expert can go back through the  
20 transcripts and get all of the data.

21 But, again, we already discussed this and we  
22 said that's not going to be practical.

23 So what we're looking at is alternative  
24 solutions at this point for what we're going to do in  
25 March. But I don't see that it's going to be practical

1 for us to consider moving up any input hearings when we're  
2 not likely to have a technical expert until April 1<sup>st</sup>.

3 So, just keep in mind we've had this discussion  
4 before.

5 But we've got this underlying contract issue and  
6 we're going to have to make some decisions on that, and we  
7 already went through that yesterday, as well.

8 So, keep in mind that the earliest at this  
9 point, if everything worked out smoothly, you know, we  
10 may, minus a protest, be able to get a technical expert on  
11 board April 1<sup>st</sup>.

12 So, keep that in mind during the time in which  
13 you're discussing moving things around.

14 COMMISSIONER AGUIRRE: And that was going to be  
15 my point, too.

16 CHAIRPERSON GALAMBOS MALLOY: Thank you. So, at  
17 this point I would like to transition back to CCP, now  
18 that you've had a chance to confer.

19 MS. CHORNEAU: Well, first of all, thank you for  
20 letting us take the five-minute break to get our heads  
21 around it. We just needed a minute to get our thoughts  
22 together and I think we do, now, so thank you.

23 I just wanted to reiterate a couple of things,  
24 and just so that we're all on the same page. And that's  
25 to go back to the objectives of the workshop and the

1 educational phase.

2           And I don't want to say that we're in  
3 disagreement over that you have to hold the workshops, or  
4 the format of them, but I want you to be clear about what  
5 you could possibly be giving up, and we should be thinking  
6 intentionally and thoughtfully about ways that we can  
7 innovatively, possibly, still reach folks. And so I just  
8 want to be clear and be thinking about it.

9           So the -- and I do -- I saw Mr. Johnson's  
10 numbers and I guess I'd like to propose a reframe of that.  
11 So, for his numbers it was basically that people are going  
12 to get interested, more interested as the process moves  
13 along and as maps come along, and I completely agree with  
14 him.

15           And so the objective of the workshop was to  
16 bring people out in the beginning, get them involved in  
17 the process, add some transparency, it was also to build  
18 some advocacy.

19           So, if a group comes out and gets to meet with a  
20 Commissioner and gets educational information they -- you  
21 know, they start to build trust in the process and what  
22 you're doing. They feel like you're going out to the  
23 communities, you're listening to them, you're starting to  
24 build those relationships and that network.

25           And that's going to be really important and

1 that's something that you will want to do, whether you're  
2 doing workshops in this format or in some other format,  
3 but you'll want to be building those networks.

4           The other thing is so, if we use the ten-person-  
5 comes-to-a-workshop model, in our experience and the real  
6 goal was that, yes, those ten people came to the workshop,  
7 but the way that we were trying to set it up was that they  
8 were going to go back to their communities and talk to ten  
9 more people, for example.

10           We were trying to reach those grass tops so that  
11 they could reach into their communities and do some self-  
12 organizing, right. So, just remember that kind of model  
13 that we were talking about.

14           And did you want to --

15           MS. RUBIN: Yeah. So, the idea with the  
16 toolkit, that we've been talking about from the beginning,  
17 is that's the piece that someone could take away, and go  
18 back, and self-organize.

19           And the reason we had talked about three weeks  
20 between an educational workshop and an input hearing is  
21 the idea is you want to get people revved up and excited  
22 that they can make a difference, so they have time to go  
23 back, organize more people, and come to the input hearing  
24 and provide you input that is articulate, concise,  
25 effective. It's set up in the way that your technical

1 person can take it in and then you can use it at the time  
2 that you need it.

3           So I think, yeah, let's -- let's talk together  
4 about what your goals are so that we can think about how  
5 to innovatively still be reaching people and still educate  
6 people.

7           I think the toolkit is still the way to go. I  
8 think trying to get people -- you know, getting it out in  
9 lots of different ways is something we should be doing no  
10 matter what.

11           But I think the thing we need to think about is  
12 that lost trust piece, or how do you now create the  
13 mechanism for the exponential -- for people to go back and  
14 build those networks exponentially when you give up the  
15 workshop?

16           MS. CHORNEAU: And in our framework we did, as  
17 Commissioner Aguirre pointed out, a couple of different  
18 mechanisms for getting this out. There was the video idea  
19 and the conference call webinar idea, and the pre-hearing  
20 session.

21           So, I think we do have some -- we've already  
22 thought of some components to try and touch people in  
23 different -- using different avenues and mechanisms, so I  
24 think some more thought to that.

25           And I do agree and I understand the position you

1 are all in. If you were to scale something back, I  
2 understand why you're -- you know, we were always trying  
3 to think of how else could we, you know, have the least  
4 amount of workshops and how could we fill in some gaps.  
5 So I understand, I am not too surprised, but I guess I  
6 just want to be clear about the tradeoffs and thinking  
7 about how we can still reach people.

8           And the other thing is the workshops, it's the  
9 hard-to-reach people. You want to get past the usual  
10 suspects, or the people that are already engaged. They're  
11 engaged and they're going to continue to be engaged, and  
12 you want to make sure to reach past those people.

13           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
14 Barabba?

15           COMMISSIONER BARABBA: Yes. I think earlier it  
16 was mentioned the possibility of doing one of these  
17 outreach meetings and to do a good job of videoing it, and  
18 making sure that it's run, and getting all the points we  
19 wanted to get across, and a dialogue between participants.  
20 And then that may be one way of keeping the spirit for  
21 what you had in mind, but then we would use technology to  
22 spread it, rather than a series of meetings.

23           CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai.

24           COMMISSIONER DAI: Yeah. I mean, I think no one  
25 is against the idea of doing education or putting a

1 toolkit together, I think it's absolutely necessary.  
2 We're just thinking of the most cost-effective way to  
3 reach the most people. And I would posit that the hard-  
4 to-reach folks are the least likely to actually, perhaps,  
5 come to a workshop. I mean, they're much more likely to  
6 see it on Chinese TV, or something like that. I mean,  
7 that is something that we're going to get out to a lot of  
8 people for a very low cost.

9 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
10 Forbes?

11 COMMITTEE MEMBER FORBES: I don't think it would  
12 work to take -- to videotape one of our meetings. I mean,  
13 you're talking about four or five hours. I mean, I don't  
14 think someone's going to watch that. I think we have to  
15 make a targeted DVD of some length, and I'll let the  
16 people who do these things determine what that length  
17 ought to be.

18 My question is, is that a service that you could  
19 provide, to generate a DVD?

20 MS. RUBIN: We have it in our proposal.

21 COMMITTEE MEMBER FORBES: Oh, no, I didn't know  
22 if you actually are the action people, though.

23 MS. RUBIN: Well, we have a vendor that we've  
24 talked to, and that model that we've talked about is four  
25 modules. So, if you pull them up, if you're on the web,

1 you could just click on one, if you wanted. They would  
2 have different titles. They'd be seven to ten minutes  
3 each, so that you don't have a lot of uploading, buffering  
4 issues when you're watching them.

5 And then the thing we've talked about is having  
6 the first one, that's kind of the introduction, be part of  
7 what could be viewed as people walk into the pre-workshop  
8 education piece. But that was before this morning, that  
9 was the idea before --

10 MS. CHORNEAU: Yeah, and we could maybe step  
11 that up. And the other things I know that -- what I did  
12 on Census when -- we didn't have a lot of resources,  
13 either, is we made -- in this proposal we were talking --  
14 this is just something off the top of my head, but in this  
15 proposal it's one toolkit.

16 And I know that something we did with Census was  
17 we had really targeted resource guides, something for  
18 elected officials that was specifically for them and how  
19 they could reach out.

20 So, you might be able to do some things at a  
21 lower cost, to develop more targeted materials and do some  
22 more outreach to get those to the right folks.

23 COMMITTEE MEMBER FORBES: Because I was just  
24 thinking if you could generate a single DVD of some  
25 length, the appropriate length, that could be distributed

1 through -- you know, to local TV stations, to a whole  
2 variety of outlets, as well as the internet, and so forth,  
3 and so on, and they have it done in several languages, so  
4 it would be available in Spanish, and Chinese, and so  
5 forth and so on, so we could play it in a variety of  
6 venues. It could be an inexpensive way of getting the  
7 information out.

8           That I think Commissioner Dai's comment that the  
9 hard-to-reach clientele are the least likely to come to a  
10 meeting.

11           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
12 Aguirre?

13           COMMISSIONER AGUIRRE: Yes, and I would concur  
14 with Commissioner Forbes' comments. I mentioned earlier  
15 that if -- absent the actual site-based educational  
16 workshops that we should invest more in the outreach part  
17 through, you know, what we're talking about right now.

18           So, I know we struggled with the issue of  
19 translation and, certainly, there's two aspects to that.  
20 One is, you know, input hearings. In this case what's  
21 going to be input hearing translations.

22           But then on the outreach piece, I think that we  
23 really should invest in videos that target ethnic and  
24 racial groups throughout, in their own particular  
25 languages, including Native American, and that they

1 should -- and that we should also invest in a toolkit and  
2 some very good materials.

3           Because, ultimately, part of what the grass tops  
4 mean is that we're going beyond the MALDEFs and the  
5 NLAYOs, the Asian, you know, Political Caucus. We're  
6 going beyond that to, really, the leaders in local  
7 communities.

8           And with the Census effort, they went to elected  
9 officials as being those leaders, and others in community-  
10 based organizations and they, as an elected official -- I  
11 got a toolkit, that I went to this group that I work with  
12 (speaking in Spanish) -- and really talked about, you  
13 know, what we were trying to do with the Census. And, in  
14 fact, that group went and mobilized others.

15           So, I think there's real value to the  
16 educational concept, but I think it's incumbent on us to  
17 really invest in doing the best that we can, if we go  
18 without the educational workshops, certainly.

19           CHAIRPERSON GALAMBOS MALLOY: This discussion is  
20 very rich and I have two Commissioners here in the stack,  
21 Dai and then Raya. What I'd like to do is to draw the  
22 Commissioners' attention back to a couple of the action  
23 items that we were hoping to land on for this agenda  
24 report back.

25           And one was to adopt the calendar, or some

1 version of it, in principle and to adjust the scope.

2           So, I think if at this point of the conversation  
3 we can begin to focus on what adjustments we would like to  
4 see in the calendar and in the scope of work, that would  
5 really allow our consultants, and our committee, and Mr.  
6 Wilcox to take the next steps they need to take.

7           Commissioner Dai and then Raya.

8           COMMISSIONER DAI: So, with that in mind, so I  
9 would like to propose that we not do these educational  
10 workshops and that we spend the time in March and have --  
11 I would suggest that Mr. Wilcox work very closely with  
12 CCP, because that's where the content's going to come  
13 from, on what should be in this toolkit, to investigate  
14 what the options are in terms of a short video, you know,  
15 that can be distributed on YouTube, Facebook, and made  
16 into a DVD, and distributed on cable television, et  
17 cetera, including language options.

18           And use this time to come up with a high quality  
19 product that can be widely and broadly distributed. That  
20 would be my suggestion on the educational workshop piece.

21           I think I'll turn it over to Commissioner Raya.

22           COMMISSIONER RAYA: And can I ask a clarifying  
23 question, are you putting it on the floor as a motion or  
24 just an idea for consideration at this point?

25           COMMISSIONER DAI: Shall I put it on the floor

1 as a motion?

2 COMMISSIONER ONTAI: No, let's have further  
3 discussion, first.

4 COMMISSIONER RAYA: Wait, just wait --

5 CHAIRPERSON GALAMBOS MALLOY: Okay, Commissioner  
6 Raya.

7 COMMISSIONER RAYA: -- because I'm not really  
8 speaking exactly to it.

9 But in our Public Information Committee we  
10 talked about the use that we can make of all of us, all  
11 the Commissioners, in getting our message out.

12 And I, myself, always viewed this educational  
13 component as generating interest, getting -- just more  
14 like letting people know, I didn't so much the take away  
15 part of it. But maybe that's just, you know, kind of  
16 cynical me thinking, wow, that's a pretty -- you know, a  
17 pretty tall order to really get a huge take away on it.

18 But if we're talking about videos and we're  
19 talking about multi-lingual versions of it or something,  
20 it seems to me that we could blend, you know, the  
21 opportunity to bring particular Commissioners into that  
22 message that's going to go out.

23 We have, what, four or five languages, I think  
24 at least, on the Commission, and they're major languages.  
25 So, you know, I just think that's an opportunity to put

1 the personal face on it, to really make it -- this is  
2 who's doing the job, not an actor doing a video or  
3 something. So, that's just my thought.

4 CHAIRPERSON GALAMBOS MALLOY: Thank you. Other  
5 Commissioners? Again, I'd like to entertain concrete  
6 suggestions on the calendar and the scope.

7 COMMISSIONER ONTAI: Yeah, let me suggest  
8 another scoping issue.

9 I would suggest that we go forward with the  
10 March 12<sup>th</sup> educational workshop and have that filmed,  
11 videotaped as our first piece, that we can actually base  
12 it on an actual community event, and see how that -- we  
13 can package that, working with Rob, so that we have at  
14 least one video or CD that has a community event workshop.  
15 And we can't do that by ourselves, that actually has to  
16 happen.

17 MS. CHORNEAU: Can I -- I would agree. I think  
18 we should probably do it later in March, though, and have  
19 one big event, and then use that -- if we were to take  
20 this approach, us that as a model so you'd have your good  
21 toolkit ready.

22 COMMISSIONER ONTAI: Yeah, I would agree.

23 MS. CHORNEAU: Yeah, have one and then make  
24 sure -- actually use footage from an event would be --

25 COMMISSIONER ONTAI: And get testimonies at the

1 same time. Ask people, get them involved, ordinary, grass  
2 roots, top leaders, you know, what do you think about this  
3 event? And I think that's very important.

4 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool, then  
5 Commissioner Dai, then Commissioner Ancheta.

6 MR. CLAYPOOL: I just had a question and I see  
7 that the conversation from this morning has clearly driven  
8 us to this idea that we need to start more quickly. And  
9 as we're doing that, we're starting to separate ourselves  
10 away from the idea of doing these outreach processes. I'm  
11 thinking part of it is because of expense.

12 But I'm wondering if we're not possibly losing  
13 sight of the fact that we're taking away the meetings that  
14 we would have been having during that period of time when  
15 we won't have a technical advisor. And so it gives us --  
16 it kind of eliminates this ability of ours if, for nothing  
17 else, to show that we're moving forward to perfect a  
18 product.

19 And one of the products that I think we might be  
20 able to perfect with moving forward with some of the  
21 outreach meetings, while we're waiting, is our ability to  
22 have our consultants work with the individuals and get  
23 whatever take away we're going to get, get the public's  
24 belief that we are moving forward, and start into the  
25 process of meeting with groups so that we can take input.

1           And then immediately transition into input  
2 meetings as soon as we get that technical advisor aboard.

3           I'm just wondering if that might not be a useful  
4 component to this argument, as well as moving forward with  
5 the things that you're talking about with our Executive  
6 Director. Just an idea.

7           CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai?

8           COMMISSIONER DAI: Yeah, so I had a couple  
9 comments. I'm not opposed to doing one meeting. I do  
10 agree if we do it, it should be later. You know, I think  
11 that Rob has big plans for us, which you'll hear in the  
12 Public Information Committee report, so I don't think  
13 anyone should be worried that nothing's going to be  
14 happening in March.

15           I mean, we're all going to be really busy in  
16 March, and we're going to be out and talking to  
17 newspapers, and being interviewed.

18           There is going to be a lot of activity, so I  
19 don't think that we need to be worried that we're not  
20 moving forward and that people will think that we're  
21 sitting around on our asses for a month. That's not going  
22 to be happening.

23           So, you know, I just think that, you know, we  
24 want to take the time to do this well.

25           My concern about using, you know, one of these

1 meetings, I mean I just want to go back to Commissioner  
2 Forbes' comment, you know, videotaping a three-hour  
3 meeting is not going to serve our needs for this video.  
4 We know something that's five minutes or less that perhaps  
5 you -- that gets the key points across and probably  
6 directs people to the toolkit, on our website, where they  
7 can download information that's really concrete.

8           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
9 Ancheta?

10           COMMISSIONER ANCHETA: Thank you. Before I  
11 raise this point, just a point of clarification. I asked,  
12 yesterday, if we were -- and I think we had included sort  
13 of the statewide hearings and workshops. Is that sort of  
14 going to be a separate discussion or can I just fold that  
15 in now as part of the --

16           COMMISSIONER ONTAI: Oh, you can bring it in  
17 now.

18           COMMISSIONER ANCHETA: Okay. So, I generally go  
19 to the tenor of the discussion that multiple workshops are  
20 not really essentially, particularly given other efforts  
21 that have been happening for several months throughout the  
22 State.

23           And I agree that some other media, including  
24 various video options, are probably the better way to go  
25 given timing and expenses.

1           One point I would raise and this goes to the  
2 question of the sort of statewide drawers, those who are  
3 compiling larger maps, be they statewide or regional, and  
4 many of whom are drawing on similar types of input,  
5 workshops that they've already been doing, actually, over  
6 the last few months. That we have something that allows  
7 us to, one, have some technical workshop, or some sort of  
8 very clear -- because those are advanced drawers. I mean,  
9 let's be honest, we have a different audience here, and I  
10 fully understand the need to educate the general public.

11           But we also have -- given what's evolved over  
12 the last several months, we have a number of groups --  
13 and, again, they're not, certainly, going to represent  
14 everybody's perspectives, but there are groups that are  
15 compiling things in a certain way to produce regional and  
16 State maps.

17           And I think we have to understand that we're  
18 going to get those maps in some form down the line, and we  
19 should be working closely with them to let them know what  
20 we want in those maps.

21           And that to the extent they're already doing  
22 some work with other, various communities that are  
23 already -- which are sort of encompassing a number of the  
24 groups we're trying to cover, that those leadership groups  
25 or advocacy groups, however you want to label them, that

1 they have a very clear understanding, and this is maybe a  
2 much more technical kind of workshop, and it's a much more  
3 technical sort of input hearing, that that's built into  
4 this schedule, too.

5           Because, again, there's a lot of overlap here, a  
6 lot of materials that are -- that have been developed are  
7 quite good. Again, they're not the only thing you can --  
8 certainly want to point to. But I don't want to reinvent  
9 the wheel and particularly when it comes to workshop  
10 presentations in that sense.

11           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
12 Forbes.

13           COMMITTEE MEMBER FORBES: Yes. Well, I would  
14 actually not agree with that. I don't want to give a leg  
15 up to a few groups that are viewed as groups that have a  
16 particular point of view. I'd like them to come in the  
17 queue with everybody else, ordinary citizens. I think we  
18 want to be very cautious about, you know, being perceived  
19 as giving an advantage to those groups, as opposed to the  
20 citizens.

21           Regarding the schedule, I think that we should  
22 consider, beginning in April, blocking out Saturday,  
23 Sunday, Monday of every week for our -- and that would  
24 include the outreach meetings -- not the outreach  
25 meetings, wrong term. The input meetings and our business

1 meetings, and we should just schedule that beginning in  
2 April and go for it.

3 March, I'm leaving open because I think that's  
4 still sort of soft.

5 But, I mean, just as a concrete proposal.

6 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
7 Ancheta.

8 COMMISSIONER ANCHETA: And I'm not trying to  
9 favor anybody but the -- and this is not exclusively these  
10 groups. We know there are certain groups. And you're  
11 right, I don't want to give any advantage to anybody in  
12 particular, you're absolutely right.

13 But the reality is, if someone's going to give  
14 us a statewide map, we need to look at that. We have to  
15 spend more time looking at that, we can't spend five  
16 minutes in a public comment period in the same we might as  
17 a general member of the public who's giving us a  
18 neighborhood or community of interest.

19 And I think we do have to track that separately  
20 because it's -- just in terms of gathering information, we  
21 have different audiences and different types of  
22 presentations that are going to come forward and I  
23 can't -- I don't think it's feasible to treat them all  
24 equally in that sense.

25 So, I'm very sensitive to what you're saying in

1 terms of not giving anybody an advantage or giving them a  
2 leg up over others but, again, the reality is we're going  
3 to get different kinds of information and we have to be  
4 able to, I think, be flexible and accommodating all the  
5 different sources, and make sure that we're able to  
6 actually get and use that information.

7 CHAIRPERSON GALAMBOS MALLOY: So, I've heard  
8 some really great ideas about how we might -- and I'm  
9 going to take them one at time, regarding the calendar,  
10 which we are attempting to adopt some version of in  
11 principle.

12 None of these ideas have been stated in the form  
13 of a motion so I want to encourage, if we're getting  
14 close, for someone to --

15 COMMITTEE MEMBER FORBES: Okay. I'm going to  
16 make a motion that beginning in April that we schedule our  
17 business meetings and our input meetings for consecutive  
18 weekends of Saturday, Sunday, Monday.

19 COMMISSIONER ONTAI: (Off mike)

20 COMMITTEE MEMBER FORBES: Okay, and add Tuesday,  
21 as well.

22 COMMISSIONER ONTAI: Saturday, Sunday, Monday  
23 and Tuesday.

24 COMMISSIONER YAO: I will second that motion.

25 CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao

1 seconded the motion.

2 But could I have you read back the motion for  
3 us, please?

4 MS. SARGIS: That the Commission, beginning in  
5 April, schedule business meetings and input meetings for  
6 Sunday -- Saturday, Sunday, Monday and Tuesday.

7 CHAIRPERSON GALAMBOS MALLOY: The floor's open  
8 for discussion. Commissioner Ward?

9 COMMISSIONER WARD: Thank you. I'm just  
10 wondering if there would be friction with making that  
11 Thursday, Friday, Saturday, Sunday, only because per prior  
12 agreement, those of us with businesses had previously set  
13 Monday and Tuesday as the only two days, you know, aside  
14 and everything else open, and now we're switching that.

15 I'm wondering if there's a big difference if we  
16 move it to Thursday, Friday, Saturday, Sunday, as opposed  
17 to Saturday, Sunday, Monday, Tuesday.

18 COMMITTEE MEMBER FORBES: Personally, I think --  
19 can I respond? I'm sorry?

20 CHAIRPERSON GALAMBOS MALLOY: Yes, please  
21 respond.

22 COMMITTEE MEMBER FORBES: I'm sorry. I think  
23 there is a difference. I think Friday night is an  
24 ineffective time to have a meeting, I mean, just  
25 practically speaking. And then much of Saturday is also

1 not available.

2           And so I think you really are knocking out a  
3 good block of your time, where I think you have a more  
4 effective time if we have a business meeting like on  
5 Saturday and then have an input meeting Saturday  
6 afternoon, or Sunday.

7           But, you know --

8           CHAIRPERSON GALAMBOS MALLOY: I have  
9 Commissioners in the stack. I do want to ask a quick  
10 question to CCP, given that you've facilitated these  
11 different types of processes before, this question around  
12 which days of the week and which times of those days.  
13 Could you please weigh in on that?

14           MS. RUBIN: As we have talked about before, I'm  
15 sorry, I can't remember if it was yesterday or the day  
16 before, ideally, what I would recommend is that if you  
17 could leave us some flexibility to connect with the  
18 region, or the community, or the place that you're  
19 interested in having your workshop in and go -- you know,  
20 you're going to be looking for lower, no-cost locations,  
21 ideally. So, you don't know the availability of those  
22 lower, no-cost spots.

23           We've been talking about places that they need  
24 to be ADA accessible, they need to be able to accommodate  
25 200 people.

1           We, ideally, with the format we're talking  
2 about, we're going to want a separate space for the pre-  
3 hearing, educational piece that's different from your  
4 place where you're taking your official testimony.

5           We've heard community groups talk about how  
6 important it is that you've got to have parking and you've  
7 got to be accessible to public transit.

8           So, given those parameters, to limit yourself  
9 right off the bat to certain number of days -- days of the  
10 week, before you've gotten to connect, I would say you're  
11 just hamstringing yourself.

12           And if you have a lot of time, it would be one  
13 thing, but you have a very compressed time schedule.

14           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
15 Filkins Webber.

16           COMMISSIONER FILKINS WEBBER: That's what my  
17 question was. I believe you had mentioned it yesterday,  
18 isn't there a possibility that different regions will  
19 respond differently to different days? Is that correct,  
20 that you had mentioned some survey?

21           MS. RUBIN: Yes.

22           COMMISSIONER FILKINS WEBBER: Okay. And  
23 that's -- I think we are hamstringing ourselves because  
24 we're not really discussing, necessarily, a region or what  
25 the region's response would be, if these were appropriate

1 days. When, in actuality, a given location may very well  
2 find Wednesday, Thursdays to be more beneficial to them.  
3 So, it may not be conducive for us to lock ourselves  
4 into -- as much as we want to schedule and I thoroughly  
5 understand that and appreciate it, but we've really got to  
6 be appreciative of the regions that we're going to.

7 CHAIRPERSON GALAMBOS MALLOY: To follow up on  
8 Commissioner Filkins Webber's comment about the regions,  
9 while you were out of the room I think we did have some  
10 synergy around the fact we need to group our input  
11 hearings around regions.

12 So, I think the way the calendar is currently  
13 structured we have, you know, a meeting here, a meeting  
14 there. But, for example, there might be a four-day  
15 stretch where we're going from the Inland Empire, down to  
16 San Diego, then over to Los Angeles.

17 So, I wanted to make sure that you knew that  
18 ASAP.

19 Commissioner Parvenu?

20 COMMISSIONER PARVENU: Okay. With all due  
21 respect, I have to disagree with Commissioner Forbes'  
22 proposal or motion, rather, for personal reasons. That's  
23 shifting from our previously established Wednesday,  
24 Thursday, Friday and Saturday schedule to a Saturday,  
25 Sunday and Monday schedule.

1 I'm involved within my church activities on  
2 Sunday and I'm also, as an urban planner, we have standing  
3 public hearings in the City of Los Angeles, that I've  
4 worked very closely with my employer, giving them a  
5 schedule in advance, knowing that I could produce my staff  
6 reports for these standing hearings on Mondays and  
7 Tuesdays.

8 So this -- if this motion is passed, I will have  
9 to shift my work schedule tremendously on Sunday, Mondays,  
10 and Tuesdays, possibly.

11 CHAIRPERSON GALAMBOS MALLOY: Commissioners Dai  
12 and they Raya.

13 COMMISSIONER DAI: I just want to reiterate what  
14 Commissioner Blanco mentioned before. I think we need to  
15 stop scheduling this around Commissioner availability. I  
16 think we're all going to miss meetings and we're just  
17 going to have to get over that.

18 As long as we have -- you know, we talked before  
19 about actually dividing and conquering and just having at  
20 least one of each party.

21 And I think, you know, although it would not be  
22 ideal, I mean we are working with an incredible set of  
23 constraints here. And I think if we start getting into  
24 everyone's personal work schedule -- I mean, some people  
25 are just going to have to miss certain meetings. And I

1 think that, you know, I'm sensitive to what CCP says.

2 I mean, if we want to be where the people are,  
3 we need to accommodate their schedules, not ours.

4 CHAIRPERSON GALAMBOS MALLOY: Commissioner Raya?

5 COMMISSIONER RAYA: There was another point we  
6 brought up in our committee meeting and that was that we  
7 all need to update the schedule, the Google schedule of  
8 availability. Because that will then whoever is  
9 ultimately scheduling us to be here, there, or wherever.  
10 You know, to update it even with I'm not available 9:00 to  
11 11:00 a.m. on a given day.

12 CHAIRPERSON GALAMBOS MALLOY: The addition I  
13 would add to that is we realized in the last week that it  
14 would -- it will become increasingly important that we  
15 have a calendar where we're able to track not just names  
16 of Commissioners, but be able to tell at a glance what  
17 party each Commissioner is affiliated with, so we can tell  
18 if we have the right composition for any given meeting or  
19 event.

20 So, as you will see, an example, Christina  
21 actually went back into the Google calendar and, for those  
22 of us who had already inputted our availability, added in  
23 a little abbreviation regarding which party we are.

24 So, in the future, as you add in your  
25 availability, just follow that model because it will

1 become increasingly important.

2 I had a Commissioner, Commissioner Forbes and  
3 then Commissioner Ward, please.

4 COMMITTEE MEMBER FORBES: Right. I mean, I  
5 don't have any major objection to shifting it to the  
6 Thursday, Friday, Saturday, Sunday four days.

7 I am, personally, think it's -- I'm reluctant to  
8 say -- because we're trying to come up with a schedule and  
9 I'm reluctant to say, well, we're just going to leave it  
10 completely open so we can accommodate anything everywhere.  
11 I just find that to be very difficult.

12 And I think we need to have -- I mean, to me, if  
13 we have four days a week, out of a week, I think that  
14 ought to be enough. I mean it may not be best for  
15 everything, but I just think it's just -- it's very  
16 difficult to get -- you know, to plan a schedule for the  
17 next three months for us.

18 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

19 COMMISSIONER WARD: Oh, thank you, Chair. Yeah,  
20 I just want to say I completely agree with what  
21 Commissioner Dai's saying. I mean that's just a fact, we  
22 have to be flexible and we have to meet -- meet the  
23 people, and that requires some nimbleness.

24 But what I understood the motion to be was a  
25 shift in how we do business from what the Commissioners

1 previously decided and what the public has probably become  
2 used to and understood to be the way we were going to do  
3 business.

4 That's the way I understood the motion and  
5 that's what my comments were to. But I do agree that  
6 nimbleness is required in the two months ahead.

7 CHAIRPERSON GALAMBOS MALLOY: So, Commissioner  
8 Blanco is next up. I do have other Commissioners in the  
9 stack.

10 I would say, as much as I would have liked to  
11 wrap this agenda item up by around this time, I don't  
12 think it's going to happen. And I am getting requests  
13 that we need a bio break.

14 So, after Commissioner Blanco, we will take a  
15 break for five minutes to run to the rest room, and then  
16 we'll be right back and pick up where we left off.

17 Commissioner Blanco?

18 COMMITTEE MEMBER BLANCO: Whoever it is, is  
19 going to hate me now.

20 [Laughter]

21 COMMITTEE MEMBER BLANCO: We have a schedule,  
22 that even though we are leaning towards getting away from  
23 the educational workshops, the schedule that was presented  
24 for April does take into account the surveys that -- it  
25 reflects the preferences by region, because that was

1 already the work done in preparation for this.

2           So, if we forget what says education and what  
3 says input, these meetings, already, for the different  
4 regions reflect regional preferences for meeting dates.

5           So, it seems to me we could add, in keeping with  
6 the concept of piggy backing business with input,  
7 education, whatever these meetings are that are the  
8 general, you know, outreach meetings, to use the more  
9 general term, we could still respect the local  
10 preferences.

11           And what we're saying is whether it's  
12 Tuesday/Thursday -- I mean, Monday, Tuesday, Thursday,  
13 Friday, we could go with this, but augment it on either  
14 side of the weekends.

15           And then where it has the weekdays that were  
16 proposed to us, we could work around those, adding a  
17 business meeting.

18           So, does that make sense? In other words, so I  
19 would support the motion of adding the business, you know,  
20 concentrating that, but I'm not prepared to say which  
21 particular date that it's always going to be this day or  
22 that day. Because we've already got, in this calendar,  
23 some work that's been done to tell us that there's other  
24 dates, for other regions that are better, if that makes  
25 any sense.

1           CHAIRPERSON GALAMBOS MALLOY: So, again, what I  
2 would like to do is to take a bio break. We'll pick up  
3 right where we left off in five minutes. Thank you.

4                           (Off the record at 2:30 p.m.)

5                           (Back on the record at 2:44 p.m.)

6           CHAIRPERSON GALAMBOS MALLOY: At this time we'd  
7 like to reconvene this meeting of the California Citizens  
8 Redistricting Commission.

9                       When -- let me note for the record that all  
10 Commissioners are present.

11                       When we left off for the recess, we had a motion  
12 on the table that had been placed there by Commissioner  
13 Forbes.

14                       Commissioner Forbes has requested to take some  
15 action regarding his motion, before we move much further.

16                       COMMITTEE MEMBER FORBES: Let me -- thinking,  
17 having heard my fellow Commissioners, let me offer a  
18 slight variation on the motion. That rather than set the  
19 Thursday/Friday, or Monday/Tuesday, that kind of thing,  
20 that we agree that we will schedule four consecutive days,  
21 including the weekend. And that will -- that leaves it  
22 open and we can go either way as the situation warrants.

23                       The other thing that I would like to include in  
24 it is, again, looking at this calendar, I think that the  
25 weekend meetings should also -- both should be in the same

1 part of the State. I think being in one part of the State  
2 one day and the next part is not good planning.

3 So, I would like to revise my motion to that.

4 And Commissioner Yao seconded, if he --

5 COMMISSIONER YAO: I'll second Commissioner  
6 Forbes' motion.

7 CHAIRPERSON GALAMBOS MALLOY: And, Janeece,  
8 could I have you read the motion -- the amended motion  
9 back.

10 MS. SARGIS: That beginning in April the  
11 Commission schedule business meetings and input meetings  
12 for four consecutive days in the week, including the  
13 weekend, and that those weekend meetings should be in the  
14 same part of the State.

15 COMMITTEE MEMBER FORBES: Well done.

16 CHAIRPERSON GALAMBOS MALLOY: The floor's open  
17 for discussion.

18 COMMISSIONER DAI: I had another question for  
19 CCP, because I know that you had asked for maximum  
20 flexibility, and it sounded like the mid-week days you  
21 were choosing between were Tuesday and Wednesday. And I  
22 just wanted to confirm what I heard from Commissioner  
23 Blanco, that this is already based on input? Because it  
24 sounded like you wanted to go back to certain regions and  
25 get more detailed input, perhaps?

1 MS. RUBIN: Right. Well, yeah, it's both of  
2 those things. It's based on input, but we did want to do  
3 more, I guess, outreach once we started to announce the  
4 weeks and see what would be the best day. But we've  
5 already gotten some, some of them are based -- it's kind  
6 of fluctuating.

7 The other thing I'd add is the concept for  
8 April, for March and April was this alternating north and  
9 south. And the assumption there was only one to three  
10 Commissioners would be there.

11 So, we assumed the north Commissioners would be  
12 going north and the south Commissioners would be going  
13 south, and we specifically did that because we thought it  
14 would give you a break.

15 So that rather than having to do two things in  
16 the row, you -- the north people would have the other day  
17 off, and the same thing for the south.

18 And also, our concept or plan is that we would  
19 be having multiple teams out in the field. We'd have  
20 teams who are focusing on the north half of the State and  
21 the south.

22 So, for us it would also be different staff. So  
23 that was the concept there.

24 For June, if you look at the June calendar,  
25 that's when you see the notes at the top, it's just a

1 north to south concept.

2           And the only thing I'd want to clarify, just so  
3 we're all thinking the same thing, is when you talk about  
4 four consecutive days in the same area are you then  
5 thinking that if you're in the San Diego region, you want  
6 to do two workshops in the San Diego region, on different  
7 days, or are you thinking it's three days business meeting  
8 and one day input? That's what I'm trying to figure out.

9           CHAIRPERSON GALAMBOS MALLOY: I would like  
10 Commissioner Forbes to make that clarification.

11           COMMITTEE MEMBER FORBES: Yes, at least in my  
12 mind it would be we would have at least two input  
13 meetings, and they wouldn't necessarily have to be in San  
14 Diego, they simply would be in Southern California.

15           MS. RUBIN: I see. So, one could be in Orange  
16 County and one could be in San Bernardino?

17           COMMITTEE MEMBER FORBES: Absolutely.

18           COMMISSIONER DI GIULIO: And for clarification,  
19 too, I'm assuming these input meetings are not going to be  
20 a full day thing --

21           COMMITTEE MEMBER FORBES: Right.

22           COMMISSIONER DI GIULIO: -- so we could double  
23 up in terms of it's not a one day here, two days there, it  
24 could be a combination.

25           COMMITTEE MEMBER FORBES: Correct.

1           COMMISSIONER DI GIULIO: I think the idea is to  
2 leave the flexibility to allow CCP to adjust as we need.  
3 As we go on, we may have more or less need for business  
4 meetings and more need for input.

5           COMMITTEE MEMBER FORBES: Uh-hum. We don't have  
6 to use all four days, I mean per se, it's just they're  
7 available.

8           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
9 Parvenu and then myself.

10          COMMISSIONER PARVENU: Okay. The amended  
11 version, I'm a bit more comfortable with. And I still  
12 have an issue in terms of the structure of our meetings.  
13 I don't know if it's been concluded or determined whether  
14 our meetings will be some hybrid of a business  
15 meeting/educational meeting/input meeting.

16           If that is the case, now if those meetings  
17 happen to fall on a Sunday or a Monday, then I still am  
18 restricted as to my attendance on Sundays and Mondays, if  
19 we're including the business component with those.

20           I would like to be to as many business meetings  
21 as possible and not be knocked out of the box on Sundays  
22 and Mondays.

23           I'm for more comfortable with Wednesdays, if  
24 need be, if we need to have one on Wednesday, Thursday,  
25 and Friday, and Saturday. Because it takes me -- oh,

1 excuse me, it takes me time as a planner to -- 30 days  
2 notice and then 14 days notice -- 30 days I'm assigned a  
3 project, 14 days I have to give notice. And I'm stuck by  
4 our Municipal Code to hold onto those dates, so I can't  
5 just flip back and forth, arbitrarily.

6 CHAIRPERSON GALAMBOS MALLOY: I had put myself  
7 in the stack after Mr. Parvenu.

8 An additional observation and a consideration  
9 for CCP to take into mind is that given -- I'm just  
10 imagining in Southern California, even though  
11 theoretically you could hold two input hearings in  
12 different parts of Southern California on the same day,  
13 the logistics involved in that, and the traffic variables,  
14 it might be more reasonable to assume that we could  
15 squeeze in some hours of a business meeting that occurs in  
16 the same location as where we're doing the input meeting,  
17 than to assume that we could actually do two hearings in  
18 the same day.

19 That's just an observation and suggestion for  
20 consideration.

21 Commissioner Ancheta, Commissioner Ward, and  
22 then Commissioner Forbes.

23 COMMISSIONER ANCHETA: Well, I definitely agree  
24 that this amended motion's an improvement to the previous  
25 one. But just for clarification, is this a minimum in the

1 sense that we are committed to four days, but we are  
2 flexible enough to schedule in any of the other three that  
3 might be available, if we feel it's essential to do so?  
4 For various reasons, including availability of the public  
5 on certain days, when we're maybe not able to straddle  
6 certain weekends.

7           It's a question, actually, for Commissioner  
8 Forbes in terms of --

9           COMMITTEE MEMBER FORBES: Well, I mean, this is  
10 just what it says, it's those four days and the other  
11 three days are whatever happens.

12           And this was an effort to respond to a need or a  
13 stated need for a specific schedule.

14           COMMISSIONER ANCHETA: Sure.

15           COMMITTEE MEMBER FORBES: And based upon what we  
16 had been handed.

17           COMMISSIONER ANCHETA: Okay.

18           COMMITTEE MEMBER FORBES: So, this is only those  
19 four days, other things would be as needed.

20           COMMISSIONER ANCHETA: Okay.

21           CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

22           COMMISSIONER WARD: Thanks. Yeah, just to  
23 direct it back at the motion. I think I understood -- I  
24 thought we were -- I think we're on the same page. The  
25 way I just understood the motion it locked us in to every

1 time we want to schedule anything it has to be for four  
2 days. I just wanted to make sure that the verbiage of the  
3 motions reflects the -- it gives us the flexibility to  
4 book, if we decide three days is all we --

5 COMMITTEE MEMBER FORBES: Three days, two days,  
6 Monday. I mean, just if we have to put down this  
7 calendar, you know, we need to direct staff -- and we need  
8 to direct staff, you know, when to plan things, it's to  
9 create that structure. Yeah, that's what it's for.

10 CHAIRPERSON GALAMBOS MALLOY: So, an  
11 observation, as Chair, is that the motion that's currently  
12 on the floor, what it in effect does is reduces the number  
13 of available days to us from seven to six. Correct?  
14 Because we're saying Saturday and Sunday and then add two  
15 days onto the previous, or to the end, which means  
16 Wednesday's the only day we're ruling out with the motion,  
17 if I'm understanding it correctly.

18 COMMITTEE MEMBER FORBES: In absolutely terms,  
19 yes.

20 CHAIRPERSON GALAMBOS MALLOY: Okay. Other  
21 Commissioners who'd like to comment on the motion that's  
22 currently on the floor?

23 COMMISSIONER RAYA: I would.

24 CHAIRPERSON GALAMBOS MALLOY: Commissioner Raya.

25 COMMISSIONER RAYA: I'm going to vote no on this

1 motion because I think it's just unnecessary. If what  
2 we're looking for is flexibility, we don't know where  
3 we're going or when. Seriously, why do we want to tie  
4 ourselves to a formula at this point.

5 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
6 Parvenu?

7 COMMISSIONER PARVENU: I agree. I'm available  
8 Sunday evenings, I'm available Mondays, I'm available  
9 whenever I'm available, but I cannot lock myself to a  
10 standing set, row of days. I just don't want to hinder  
11 and tie myself to that degree.

12 CHAIRPERSON GALAMBOS MALLOY: So, Commissioner  
13 Blanco.

14 COMMITTEE MEMBER BLANCO: But we were willing to  
15 tie ourselves to these input and educational dates that  
16 were on this calendar, correct, the everything that was  
17 presented to us, right? And it was just when we started  
18 saying that we were going to add the business meetings,  
19 front or back, that people got uncomfortable. Correct?

20 So, can we agree on these dates that are on this  
21 calendar, for whatever purpose they are?

22 CHAIRPERSON GALAMBOS MALLOY: So, just to  
23 clarify, are you posing -- are you amending the existing  
24 motion that's on the floor, because we do have a motion  
25 that's open?

1 COMMITTEE MEMBER BLANCO: I'm just --

2 CHAIRPERSON GALAMBOS MALLOY: Or just discussing  
3 it?

4 COMMITTEE MEMBER BLANCO: I'm just presenting,  
5 trying to elucidate what we're voting on and by -- that  
6 was just to prompt the discussion a little bit.

7 CHAIRPERSON GALAMBOS MALLOY: Thank you.

8 Commissioner DiGuilio and then Commissioner Yao.

9 COMMISSIONER DI GUILIO: I think we're just  
10 bogged down in a detail that maybe is unnecessary.  
11 Although the intention was very good to set something  
12 down, I think what we need to do is give a direction to  
13 CCP and not a -- I think what they're looking for is in  
14 you'll tell us which actual dates is give us something so  
15 they can come back to us, is my understanding.

16 If we say we want to remain flexible, we want to  
17 meet the community's needs, we want to be in a region  
18 together, we want to keep our meetings together with our  
19 business meetings or input, then have them come back with  
20 something.

21 I think they need a little more -- maybe I'll --  
22 without putting words in their mouth, but it seems to me  
23 we're talking about details that are just -- it's not  
24 helpful.

25 CHAIRPERSON GALAMBOS MALLOY: So, in order to

1 deal with the motion that we have on the floor,  
2 Commissioner Forbes, does the motion still stand?

3 Okay. Is there any further discussion on this  
4 motion that's on the floor?

5 Commissioner Ward?

6 COMMISSIONER WARD: Yeah, I'm just curious, in  
7 the past we didn't have the Google calendar option, so it  
8 was necessary to coordinate amongst ourselves what our  
9 individual schedules were. We now have that in place and  
10 I'm wondering, considering Commissioner DiGuilio's input,  
11 why we can't just task staff, be responsible enough to put  
12 our calendars up there and have them schedule the  
13 appropriate dates and times, and leave that as a staff  
14 function, so that we don't have to keep being put in this  
15 position.

16 Now, with that tool in place, this seems to be a  
17 staff function to me, at this point.

18 CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao?

19 COMMISSIONER YAO: If we simply discuss the  
20 schedule for the workshop or lack of it, or input meeting,  
21 without taking into consideration the -- what we used to  
22 call the business meeting, and maybe looking into the  
23 future it's the mapping business meeting, I think we're  
24 putting the cart before the horse.

25 I mean, the public outreach is a important

1 function, but we need to do a lot of work associated with  
2 drawing maps and giving direction to staff. And we need,  
3 I think, fairly close to the entire Commission in order to  
4 do that. And I think, if I'm not mistaken, I think we  
5 kind of convinced ourselves that we, instead of having a  
6 minimum number of people there, we need to be there in as  
7 many people as we can.

8           And that being the case, if we have to travel on  
9 the day of the outreach meeting and stay overnight,  
10 because the meeting doesn't end until nine o'clock, and  
11 then waste another day to come home and have to do that 30  
12 times, we're not going to have time to do the other  
13 important thing, I think is more important than the  
14 outreach.

15           Not that outreach is unimportant, it's just the  
16 fact it's just part of what we're responsible for. When  
17 you start looking over these requirements in -- together,  
18 you have to make some decisions.

19           And I thought the proposal was pretty  
20 reasonable, tried to group it together in any four days,  
21 to the best that we can, and run with it. And if there's  
22 anybody that doesn't like the idea of grouping it together  
23 in four days, I guess this is the time to speak up.

24           But if you want to have separate meetings  
25 throughout the whole calendar, then voice it in that

1 manner.

2 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward.

3 COMMISSIONER WARD: Thank you, Chair. I'd like  
4 to make an alternate motion, then, at this time. That the  
5 Commission consider making scheduling of meetings a staff  
6 function, with consideration given that each individual  
7 Commissioner is responsible to update their availability  
8 on the Google calendar.

9 CHAIRPERSON GALAMBOS MALLOY: Thank you. Do we  
10 have a second? Commissioner Parvenu.

11 Janeece, when you have a moment, could you read  
12 the motion back to us?

13 MS. SARGIS: The amended motion is that the  
14 Commission make scheduling of meetings a staff function  
15 and that each Commissioner will be responsible for their  
16 individual scheduling on the Google calendar.

17 CHAIRPERSON GALAMBOS MALLOY: The floor's open  
18 for discussion on the alternate motion.

19 COMMISSIONER FILKINS WEBBER: Just one point of  
20 clarification. Janeece, you had said amended motion, this  
21 is actually an alternative motion.

22 MS. SARGIS: Okay, it's a new motion.

23 CHAIRPERSON GALAMBOS MALLOY: A new motion,  
24 alternate motion.

25 COMMISSIONER FILKINS WEBBER: Thank you.

1           CHAIRPERSON GALAMBOS MALLOY: I'm sorry, Mr.  
2 Miller, please step up to the mike.

3           LEGAL COUNSEL MILLER: I'm sorry to interrupt  
4 the discussion. I'd just suggest when we're finished with  
5 this discussion vote on the first motion, first, and then  
6 on this motion to keep things clear.

7           CHAIRPERSON GALAMBOS MALLOY: Excellent, thank  
8 you.

9           So, discussion is open on the alternate motion  
10 regarding staff scheduling meetings.

11           Commissioner Barabba.

12           COMMISSIONER BARABBA: Yeah, I'd like to support  
13 this if -- and I assume staff would then work with CPP on  
14 what's also appropriate for the people that we want to  
15 talk to and then balance our availability against whether  
16 we could actually have a successful meeting.

17           CHAIRPERSON GALAMBOS MALLOY: Is there any  
18 further Commission discussion on the alternate motion?  
19 Commissioner Parvenu and then DiGuilio.

20           COMMISSIONER PARVENU: Okay. Although this  
21 alternate motion doesn't specify the word "meeting," in  
22 the prior motion it's still ambiguous as to what this  
23 meeting is. Again, is it that hybrid business,  
24 educational workshop/input meeting or is it just the  
25 educational public input meeting minus the business

1 component? I still need to be clear what we mean by this  
2 word "meeting" or what -- have we, as a Commission,  
3 determined that we will collapse these three functions  
4 during one session, or are we having our business meetings  
5 separate from the educational workshop/input meetings?

6 CHAIRPERSON GALAMBOS MALLOY: So, I'd like to  
7 remind the Commissioners that the discussion is open on  
8 the alternate motion. However, I will take pause so  
9 Commissioner Forbes can clarify his intent on the initial  
10 motion.

11 COMMITTEE MEMBER FORBES: The intent was to --  
12 those four days are available for meetings. I'm not  
13 identifying what kind of a meeting it would be.

14 Also, one point of clarification, there seems to  
15 be a misunderstanding that I was implying that we could  
16 have two input meetings on one day and that was not my  
17 intent. I thought they'd have to be separate days. I  
18 mean, you couldn't do two of those.

19 But the idea was to create a block of time that  
20 we could plan for, because we'd also made the comment that  
21 we can't have our schedule driven by Commissioners'  
22 schedules, it has to be driven by a schedule, and we have  
23 to accommodate the schedule, rather the schedule  
24 accommodate us.

25 And so it would be whatever meetings were

1 determined to be appropriate for that day, it wasn't  
2 specific.

3 CHAIRPERSON GALAMBOS MALLOY: Thank you,  
4 Commissioner Forbes.

5 Again, we are -- discussion is open on the  
6 alternate motion. Commissioner DiGuilio?

7 COMMISSIONER DI GUILIO: I would just like to  
8 see if Commissioner Ward would consider -- I like the  
9 short, simple nature of this. I would wonder if you could  
10 consider that in addition to that you might have  
11 parameters for consideration for staff when they're doing  
12 our scheduling. Like maybe the idea of the four-day  
13 block, that it has -- some of the parameters that we have  
14 discussed, that could be taken in consideration when the  
15 scheduling occurs.

16 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

17 COMMISSIONER WARD: I'd invite you to make an  
18 amendment to my motion. The way I see it is just most  
19 everyone at this table has worked, you know, in  
20 professional environments and just -- this is just not a  
21 typical function for us.

22 What I mean is with the tools that -- we had to  
23 do this, initially, but we're using an old mindset, we're  
24 progressing past those. And I think it's an important  
25 step to be able to say let's post it on the calendar,

1 we're contracting with professionals that need to be in  
2 contact with staff, they understand the 14-day  
3 requirements, all those things in balance, and it absolves  
4 us of having to continually evaluate all of these things  
5 in an open, public meeting. That's what staff's there to  
6 do is support this Commission in that way and I just don't  
7 think we're properly utilizing them.

8           So, I'd prefer to leave the -- my motion like it  
9 is. But I appreciate the comment and please invite you to  
10 make any amendments you see necessary.

11           COMMISSIONER DI GIULIO: I was just trying to  
12 develop what some of the considerations in terms of  
13 combining business meetings and input, consideration when  
14 scheduling. I was just trying to encompass some of the  
15 other concerns, but I think it's fine just the way it is,  
16 too.

17           COMMISSIONER WARD: Yes.

18           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
19 Blanco?

20           COMMITTEE MEMBER BLANCO: I call for the  
21 question.

22           CHAIRPERSON GALAMBOS MALLOY: So, at this time  
23 we would need to take a vote on calling for the question.  
24 It would need to pass with two-thirds. So, I'd like to do  
25 a hand motion.

1 Do we have a second?

2 COMMISSIONER FILKINS WEBBER: Second.

3 MS. SARGIS: I'm sorry, what is the motion right  
4 now?

5 COMMISSIONER FILKINS WEBBER: To call the  
6 question.

7 MS. SARGIS: To call the question.

8 COMMISSIONER FILKINS WEBBER: On Commissioner  
9 Forbes' motion.

10 I'll second.

11 CHAIRPERSON GALAMBOS MALLOY: Second.

12 MS. SARGIS: Who made the motion?

13 CHAIRPERSON GALAMBOS MALLOY: So, at this time  
14 I'd like to invite any members of the public, who would  
15 like to comment on the motion, the first motion, which was  
16 made by Commissioner Forbes -- oh, on the --

17 COMMISSIONER ANCHETA: I'm sorry, I hate to do  
18 this, but point of order.

19 But the motion on the table -- currently on the  
20 table is Commissioner Blanco's motion to call the  
21 question, which was to effectively end debate on the  
22 alternative -- the alternate motion. It is the -- the  
23 comment can be to that motion, that gets voted on. If  
24 it's an affirmative vote, we can vote on Commissioner  
25 Ward's motion, whatever that outcome is. Then we can get

1 to Commissioner Forbes' motion.

2 CHAIRPERSON GALAMBOS MALLOY: Excellent. So,  
3 what we'll need to do now is to move to a vote on  
4 Commissioner Blanco's motion to call the question. It  
5 would need to pass with a two-thirds majority.

6 MS. SARGIS: And this is calling the question on  
7 the alternate amendment.

8 COMMISSIONER ANCHETA: Closing debate.

9 CHAIRPERSON GALAMBOS MALLOY: Closing debate.  
10 So, could I actually have a show of hands on the motion  
11 that is calling the question.

12 All those in favor, say aye?

13 (Ayes.)

14 COMMISSIONER ANCHETA: Point of order. I don't  
15 think you -- you didn't call for public comment and then  
16 you can shut it down.

17 CHAIRPERSON GALAMBOS MALLOY: Okay. So, I  
18 should call for public comment on the motion to call the  
19 question.

20 COMMISSIONER ANCHETA: And then just close it.

21 CHAIRPERSON GALAMBOS MALLOY: Okay.

22 COMMISSIONER ANCHETA: Close it, yeah.

23 CHAIRPERSON GALAMBOS MALLOY: I would --

24 COMMISSIONER ANCHETA: All motions you have  
25 to -- you should be calling for public comment.

1           CHAIRPERSON GALAMBOS MALLOY: Okay. Would any  
2 of our members of the public like to come forward and  
3 comment on our existing motion?

4           Seeing none, we will call the question. All  
5 those that are in favor of calling the question please  
6 raise your hand and say aye?

7           (Ayes.)

8           CHAIRPERSON GALAMBOS MALLOY: All those opposed  
9 say no?

10          Motion passes.

11          At this time, Commissioner Ancheta, who is  
12 serving as our interim parliamentarian, I am assuming I am  
13 reverting back to the previous motion that was on the  
14 floor, which is actually Commissioner Ward's motion.

15          COMMISSIONER ANCHETA: Right. So, if there's  
16 any public comment on Commissioner -- because we've now  
17 closed the debate, but we do have to afford public  
18 comment, I believe, on the motion.

19          COMMISSIONER WARD: I believe, if I may, our  
20 General Counsel gave different advice.

21          LEGAL COUNSEL MILLER: I believe the procedure  
22 we're using at this meeting, which is a correct one, is to  
23 give the opportunity for public comment before voting on  
24 each action of the Commission, so this is the appropriate  
25 time for public comment prior to your vote on this motion.

1 COMMISSIONER WARD: Which motion?

2 LEGAL COUNSEL MILLER: Well, I'd suggested that  
3 you vote on the motion that was first made by Commissioner  
4 Forbes, first, and then on the subsequent motion.

5 COMMISSIONER ANCHETA: And I would agree with  
6 that because the alternate -- alternate motion, so they're  
7 both actually equal at this point.

8 LEGAL COUNSEL MILLER: We wandered a little bit  
9 from, perhaps, perfect procedure when we did that.

10 COMMISSIONER ANCHETA: Right.

11 LEGAL COUNSEL MILLER: But I think if we keep  
12 them straight, we'll get the results we're seeking.

13 CHAIRPERSON GALAMBOS MALLOY: In the order they  
14 were presented?

15 LEGAL COUNSEL MILLER: That's correct.

16 CHAIRPERSON GALAMBOS MALLOY: Excellent.

17 COMMISSIONER ANCHETA: Yeah, that's right.

18 CHAIRPERSON GALAMBOS MALLOY: So, public comment  
19 is now open on Commissioner Forbes' motion. And,  
20 actually, given all the conversation, could we just have a  
21 repeating of what Commissioner Forbes' motion was?

22 MS. SARGIS: The motion was to, beginning in  
23 April to agree to schedule four consecutive days,  
24 including the weekend, for meetings, and that weekend  
25 meetings should be in the same part of the State.

1 CHAIRPERSON GALAMBOS MALLOY: Thank you. Please  
2 come forward.

3 MR. WRIGHT: My head's spinning and I'm sure  
4 yours is, too. I'm Jim Wright.

5 The nut of Commissioner Forbes' motion is that  
6 you should compress meetings into consecutive days and  
7 into geographically close locations. Fully support that,  
8 think that's a great idea.

9 Add that to the flexibility of Commissioner  
10 Ward's motion and I think you've got something that works.  
11 Thank you.

12 CHAIRPERSON GALAMBOS MALLOY: Thank you, Mr.  
13 Wright.

14 Any other members of the public who would care  
15 to comment on Commissioner Forbes' motion?

16 Seeing none, we will go to a vote.

17 I would like to do a roll call on this vote,  
18 please.

19 MS. SARGIS: Commissioner Yao?

20 COMMISSIONER YAO: Yes.

21 MS. SARGIS: Commissioner Ward?

22 COMMISSIONER WARD: No.

23 MS. SARGIS: Commissioner Raya?

24 COMMISSIONER RAYA: No.

25 MS. SARGIS: Commissioner Parvenu?

1 COMMISSIONER PARVENU: No.

2 MS. SARGIS: Commissioner Ontai?

3 COMMISSIONER ONTAI: No.

4 MS. SARGIS: Commissioner Galambos Malloy?

5 CHAIRPERSON GALAMBOS MALLOY: Yes.

6 MS. SARGIS: Commissioner Forbes?

7 COMMITTEE MEMBER FORBES: Yes.

8 MS. SARGIS: Commissioner Filkins Webber?

9 COMMISSIONER FILKINS WEBBER: No.

10 MS. SARGIS: Commissioner DiGuilio?

11 COMMISSIONER DI GUILIO: No.

12 MS. SARGIS: Commissioner Dai?

13 COMMISSIONER DAI: No.

14 MS. SARGIS: Commissioner Blanco?

15 COMMITTEE MEMBER BLANCO: Yes.

16 MS. SARGIS: Commissioner Barabba?

17 COMMISSIONER BARABBA: No.

18 MS. SARGIS: Commissioner Ancheta?

19 COMMISSIONER ANCHETA: No.

20 MS. SARGIS: Commissioner Aguirre?

21 COMMISSIONER AGUIRRE: What's the number?

22 [Laughter]

23 COMMISSIONER AGUIRRE: No.

24 MS. SARGIS: The vote is four yeses, ten nos.

25 The motion fails.

1 CHAIRPERSON GALAMBOS MALLOY: So, at this time  
2 we will go to our next motion, which was introduced by  
3 Commissioner Ward.

4 Could I ask for Janeece to read back  
5 Commissioner Ward's motion, please?

6 MS. SARGIS: Yes. To make scheduling of  
7 meetings a staff function and that each Commissioner be  
8 responsible for scheduling their own schedule on Google  
9 calendar.

10 CHAIRPERSON GALAMBOS MALLOY: Would any members  
11 of the public like to comment on this motion?

12 Seeing none, I'd like to also do roll call on  
13 this vote.

14 MS. SARGIS: Commissioner Yao?

15 COMMISSIONER YAO: No.

16 MS. SARGIS: Commissioner Ward?

17 COMMISSIONER WARD: Yes.

18 MS. SARGIS: Commissioner Raya?

19 COMMISSIONER RAYA: Yes.

20 MS. SARGIS: Commissioner Parvenu?

21 COMMISSIONER PARVENU: Yes.

22 MS. SARGIS: Commissioner Ontai?

23 COMMISSIONER ONTAI: Yes.

24 MS. SARGIS: Commissioner Galambos Malloy?

25 CHAIRPERSON GALAMBOS MALLOY: Yes.

1 MS. SARGIS: Commissioner Forbes?  
2 COMMITTEE MEMBER FORBES: No.  
3 MS. SARGIS: Commissioner Filkins Webber?  
4 COMMISSIONER FILKINS WEBBER: No.  
5 MS. SARGIS: Commissioner DiGuilio?  
6 COMMISSIONER DI GUILIO: Yes.  
7 MS. SARGIS: Commissioner Dai?  
8 COMMISSIONER DAI: Yes.  
9 MS. SARGIS: Commissioner Blanco?  
10 COMMITTEE MEMBER BLANCO: No.  
11 MS. SARGIS: Commissioner Barabba?  
12 COMMISSIONER BARABBA: Yes.  
13 MS. SARGIS: Commissioner Ancheta?  
14 COMMISSIONER ANCHETA: Yes.  
15 MS. SARGIS: Commissioner Aguirre?  
16 COMMISSIONER AGUIRRE: Yes.  
17 MS. SARGIS: That's ten yeses and four nos, and  
18 the motion passes.

19 CHAIRPERSON GALAMBOS MALLOY: Excellent, thank  
20 you.

21 So, then how I'm interpreting what just happened  
22 here is that this provides the ability for staff to work  
23 with the consultants to come up with proposals on when  
24 things will be scheduled based on each Commissioner  
25 providing their availability online, so that we can aim to

1 meet whatever agreements we put forth around Commissioner  
2 availability for those events.

3 Commissioner Ontai, I want to try and get a  
4 sense of what other action items that you need from us.

5 COMMISSIONER ONTAI: Yes.

6 CHAIRPERSON GALAMBOS MALLOY: One that is on my  
7 mind is in order for us to continue working with CCP  
8 beyond the Saturday meeting tomorrow, that we need to --  
9 even if we do not approve this full scope, we need to  
10 identify pieces of the scope that we're comfortable with  
11 them moving forward on, so we can go ahead and approve  
12 that work and those budget amounts.

13 Do you concur with that assessment and do you  
14 have other action items?

15 COMMISSIONER ONTAI: I concur with that  
16 assessment and let me elaborate on that.

17 I would recommend that we make a motion to  
18 approve at least a minimum number of tasks so that we can  
19 give the consultants an opportunity to go back and  
20 finalize their contract amount, so that we can come back  
21 and hire them.

22 Some of these items that I think needs to be  
23 approved by the board is the format that was shared with  
24 us. If we can all agree that that's okay, because it  
25 lists the number of tasks and assignments that the

1 consultants would have to do.

2           The tools, for example, that's part of that  
3 format. I think even with the mix of the educational and  
4 input meetings that we're now going to undertake, they're  
5 still going to have to use this same format and these same  
6 tools.

7           So, if we can give them direction to finalize  
8 their dollar amount, then we'll narrow down that scope.

9           CHAIRPERSON GALAMBOS MALLOY: Let me ask you an  
10 additional question, Commissioner Ontai, based on the  
11 nature of the conversation that you've heard today and the  
12 feedback that we've been giving, are you recommending, is  
13 your committee recommending for the Commission to adopt  
14 this as it exists or would you recommend any specific  
15 changes, given that you know the scope better than us --  
16 specific changes that would address some of the concerns  
17 that have been aired thus far today?

18           COMMISSIONER ONTAI: Well, I'm going to need  
19 some help with Sarah and Charlotte. So, could you kind of  
20 elaborate how this would mix?

21           MS. CHORNEAU: I think we could -- you could  
22 look at the summary page and it could be a starting place  
23 for you to talk about it.

24           MS. RUBIN: Yeah, and I think that the --

25           COMMISSIONER ONTAI: What page is that on?

1 MS. CHORNEAU: Eighteen, the last page.

2 MS. RUBIN: -- that the additional task or  
3 action item that we're considering now would be to kind of  
4 come up with a revised or alternate outreach plan. We  
5 definitely aren't going to start from scratch, we've done  
6 a lot of work but -- and the principles are here. I think  
7 we need to do some more thinking about ways to fill in  
8 gaps, if you're not going to hold the workshops, and where  
9 you should be putting resources and do some more thinking  
10 around that.

11 And that is a task that we do not currently have  
12 in this budget and we would, you know, like to do that  
13 soon, hopefully.

14 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
15 Filkins Webber and then Commissioner Dai.

16 COMMISSIONER FILKINS WEBBER: Along those lines,  
17 it's been brought to my attention that there may be an  
18 alternative that could be a solution for everybody and it  
19 will impact your -- and as I understand it, proposal and  
20 contract.

21 Given the Commission's urgency to move forward  
22 with input hearings and given the lack of information that  
23 we have regarding when the RFP process is going to be  
24 completed, and our ability to hire a technical expert, we  
25 have been constrained in our discussions, previously, that

1 we would not be able to or we're hesitant to proceed with  
2 input hearings without a technical expert.

3           There is a possibility, as I understand it, that  
4 we can consider expanding the scope of CCP's work to  
5 include the technical expertise of Corrine MacDonald for  
6 the Northern California, as if it was a separate contract,  
7 and possibility of the Rose Institute for Southern  
8 California. At least for a carved out calendar, possibly  
9 for the month of April, or if we were to move the input  
10 hearings up into March, we can move forward now, during  
11 the time in which we are awaiting the RFP process to play  
12 out.

13           It's a nonpartisan, balanced approach that will  
14 achieve our intention to move forward with the input  
15 hearings.

16           As I understand it, both of those technical  
17 experts can turn over any input information that they  
18 receive, throughout the hearings, to any technical experts  
19 who we end up hiring after the RFP plays out and an award  
20 is provided.

21           And as I understand it, that would have to then  
22 be built into your CCP's proposed budget.

23           MS. CHORNEAU: So, the alternative that you're  
24 suggesting now is it would be a subcontract to these  
25 entities, correct?

1                   COMMISSIONER FILKINS WEBBER: Yes. And, Mr.  
2 Claypool, if you could add anything to my understanding or  
3 misunderstanding?

4                   MR. CLAYPOOL: No, and you're absolutely right.  
5 Right now we have Doug Johnson and the Rose Institute  
6 providing a technical expertise for training under the  
7 outreach, as a subcontractor.

8                   If we wish to, if you will, kind of morph this  
9 into the input meetings that I think that you believe you  
10 need to start gathering data, it's been suggested that  
11 these two contractors are more than capable of gathering  
12 the data in a form that could be transferred to whoever  
13 won the competitive bid, and that would allow you to begin  
14 your process that much sooner.

15                   And essentially take this outreach process and  
16 turn it into outreach/input.

17                   CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai  
18 and then Commissioner Ancheta.

19                   COMMISSIONER DAI: I do want to respond to that,  
20 but I was actually going to make a different suggestion,  
21 which was I think that in terms of paring -- getting to  
22 Commissioner Ontai's objective here of paring down the  
23 scope and the budget for CCP.

24                   I really think it's appropriate for our Director  
25 of Communications to really be overseeing the

1 communications and outreach portion of this, to work with  
2 CCP in coming up with a plan in terms of what he would  
3 have them do and what materials he thinks it's appropriate  
4 for them to do.

5           You know, and I would like to defer to Mr.  
6 Wilcox to come up with that piece of it, to see what was  
7 originally envisioned as the educational workshop piece,  
8 to kind of execute the plan of coming up with a video and  
9 all that.

10           I do think that will take more thought and it's  
11 not something that I think makes sense for us to debate  
12 here, but if we could give that direction, so that that  
13 could be refined through our Director of Communications on  
14 that piece.

15           In terms of responding to Commissioner Filkins  
16 Webber, I know that there was public comment about these  
17 particular contractors, that this would not be a balanced  
18 approach, so I just wanted to acknowledge that here.

19           I do know there's a desire to move quickly. I  
20 think that Mr. Claypool presented a couple of alternate  
21 options that we were going to proceed in parallel with the  
22 competitive bid process. So, I guess I would just like to  
23 see where we are with that.

24           CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao.  
25 Oh, Mr. Claypool, please respond and then Commissioner

1 Yao.

2 COMMISSIONER ANCHETA: Oh, I'm sorry, but was I  
3 ahead of Commissioner Yao or -- I'm sorry, I thought I was  
4 following Commissioner Dai.

5 CHAIRPERSON GALAMBOS MALLOY: You are correct, I  
6 apologize. It's Mr. Claypool, Commissioner Ancheta, and  
7 then Commissioner Yao.

8 MR. CLAYPOOL: A brief, just a brief response.  
9 We are still waiting for DGS, as we've wanted to do, to give  
10 us a response as to what those dates are. But those dates  
11 would certainly not compress to before April 1<sup>st</sup> and this  
12 would allow this Commission to start in March to collect  
13 information, and that was the thought.

14 CHAIRPERSON GALAMBOS MALLOY: Thank you.  
15 Commissioner Ancheta?

16 COMMISSIONER ANCHETA: Yeah, just a point of  
17 clarification. And I'm -- I'm not sure how I -- in terms  
18 of the original suggestion of Mr. Filkins Webber, I'm not  
19 sure how I fall on that. But I think it's something to  
20 consider because I think it's a very interesting proposal.

21 But I'm not sure how that affects the  
22 solicitation, the invitation for bids because -- and I  
23 don't think this was emphasized in the full Commission  
24 meeting, but in the Technical Committee, advisory  
25 committee, we amended some language, for clarity's sake,

1 in the invitation revisit to basically say that the  
2 technical consultant takes the phase two element, which is  
3 the public input hearing process and that is covered by  
4 the technical consultant.

5 So, I think what Commissioner Filkins Webber is  
6 suggesting would, in effect, take out what is a big part  
7 of the original invitation for bid.

8 I have no problem if we want to do that, but  
9 it's breaking up the original contract. Because, again,  
10 if we look at phase one, phase two, and phase three, we're  
11 modifying phase one significantly. Phase two and three I  
12 think are in the major contract that we're trying to get.  
13 And what I'm understanding is that this proposal  
14 effectively breaks it up between phase two and phase  
15 three, if I'm catching that.

16 CHAIRPERSON GALAMBOS MALLOY: And may I ask, if  
17 Commissioner Filkins Webber would like to respond to this  
18 question and then Commissioner Yao.

19 COMMISSIONER FILKINS WEBBER: Sure, just for  
20 clarification, all I'm suggesting is simply a technical  
21 expert to gather the data, capturing data at an input  
22 hearing for the month of April because we don't know -- or  
23 even considering moving up the input hearings into mid-  
24 March, while we're considering launching the educational  
25 component.

1           So, it's not a circumstance where we're  
2 separating the contract so that the input -- the technical  
3 expert for input would only be these two providers. All  
4 I'm suggesting is that it could be a limited contractual  
5 agreement, through CCP, so you can move forward with the  
6 independent. But unless I'm -- I must be  
7 misunderstanding.

8           COMMISSIONER ANCHETA: So --

9           COMMISSIONER FILKINS WEBBER: In other words,  
10 that's at least my understanding for at least a carve out  
11 of that process that they could easily -- the way, the  
12 reason this came up is because I had suggested, and we've  
13 had this conversation before, whether we can move forward  
14 with input hearings without our technical expert.

15          COMMISSIONER ANCHETA: Okay.

16          COMMISSIONER FILKINS WEBBER: These two  
17 individuals, Mr. Johnson and Ms. MacDonald have, as I  
18 understand it, we have access to, to just simply gather  
19 the data. So, again, we're not talking about a partisan  
20 issue, or we're not talking about them for map-drawing  
21 purposes.

22                 At least for possibly two weeks in March, if you  
23 wanted to move forward quickly on the input hearings, or  
24 at a minimum starting April 1 for the -- for at least the  
25 month -- for the month of April, that's all I'm talking

1 about. Not through the rest of the potential input  
2 hearings for May, or even the map drawing, that's not what  
3 I'm suggesting.

4           It's just it was an alternative that we could  
5 move forward with a technical expert who could help us,  
6 and then immediately turn that information over to the  
7 individual who is awarded the contract.

8           But again, we don't know when we're going to be  
9 able to run these dates to give an award. And I mean what  
10 if, by chance, this is pushed two weeks and we don't have  
11 a technical expert in the middle of April? That's a  
12 strong possibility.

13           And so all I'm saying is that this is an  
14 alternative where we might be able to get a technical  
15 expert for gathering data, only, for the month of April or  
16 moving it forward two weeks in March.

17           COMMISSIONER ANCHETA: Okay. So, largely, it is  
18 a stop gap measure. All that data that would get  
19 collected -- and, again, it may be limited some of the  
20 what's actually in the contract, but it will ultimately be  
21 turned over to the consultant and, therefore -- okay,  
22 that's fine, thank you.

23           CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao.

24           COMMISSIONER YAO: Attempting to integrate the  
25 thoughts of Commissioner Dai and also Commissioner Ontai,

1 in his proposal, if I can refer everybody to the page 18,  
2 the summary proposal. What I would recommend that we pass  
3 today is to pass item number one, item number two, item,  
4 the first part of four, not approve the second part of  
5 item four, which is labeled conduct, 103 -- \$104,000.  
6 Approve the conference call, approve the educational video  
7 for a total cost of about \$70,000.

8 I think there's enough flexibility to have Mr.  
9 Rob Wilcox to work with CCP and allow us the flexibility  
10 of getting going, so that we don't lose any part of the  
11 schedule.

12 And I think the \$60,000 would be an attempt to  
13 compensate CCP for the efforts that they have done, and  
14 also start proceeding on these tasks without us losing the  
15 schedule. Anything else can be -- can be considered as a  
16 separate option. But at the minimum, I would like to see  
17 us approve these items.

18 CHAIRPERSON GALAMBOS MALLOY: Clarification,  
19 Commissioner Yao, were you suggesting that in the form of  
20 a motion?

21 COMMISSIONER YAO: I will move -- yes, I will  
22 make that motion to -- actually, I would much prefer to  
23 have Commissioner Ontai to make that motion, this is  
24 coming from his Outreach Committee, if he agrees with it.  
25 If he doesn't, then I will not make this motion.

1                   COMMISSIONER ONTAI: I like the thought. Before  
2 I answer that, can I get some response from CCP?

3                   MS. CHORNEAU: Yeah, I wanted to address a  
4 couple things. One, I'm pretty -- I'm sure you've heard  
5 it before, but as a State agency, we have DGS rules over  
6 our contracts. And so, any subcontract can only be 25  
7 percent of the total and that would mean that we couldn't  
8 pass through any other money to any other vendor, if we  
9 used all of that.

10                   So, that's one thing to keep in mind, we  
11 can't -- there's no wiggle room with that.

12                   It's actually \$50,000 or 25 percent, whichever  
13 is less -- more, right?

14                   MS. RUBIN: Less.

15                   MS. CHORNEAU: Less, okay. The second thing is  
16 I agree with -- well, in response to Commissioner Yao's  
17 suggestion, I think -- I think it's a good step forward  
18 and it is direction that we would need. I just want to  
19 retain some flexibility around rethinking -- I can't  
20 commit today that these numbers are exactly -- it's like  
21 now that these new things are coming, I'd want to rethink  
22 the structure of the educational video, the structure of  
23 the toolkit.

24                   But in principle I agree, if that makes sense.

25                   COMMISSIONER DAI: So, can I add another thing?

1           CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai.  
2 Feel free, we asked CCP to respond. I'd like Commissioner  
3 Ontai to be able to respond to the question he posed, and  
4 then Commissioner Dai.

5           COMMISSIONER ONTAI: Yes, and before I do that,  
6 can I get some comments from Dan?

7           MR. CLAYPOOL: Yes, and the only comment, first  
8 of all, on our structuring of the contract for the  
9 competitive bid that Commissioner Ancheta referred to,  
10 that's still at DGS and they're still considering the  
11 language. We can change those components to allow this  
12 process, if we were to use the -- the Rose Institute and  
13 Q2 to provide this data for us as we go forward into  
14 March.

15           The only other thing I would say is if we're  
16 going -- we're not going to meet again, earliest, until  
17 17<sup>th</sup>, 18<sup>th</sup>, and 19<sup>th</sup> of March. And if this is going to be  
18 considered as a possibility, then this Commission has to  
19 consider leaving some money in to schedule workshops with  
20 to accommodate the input, the input meetings, in this  
21 budget. That's my only thought.

22           CHAIRPERSON GALAMBOS MALLOY: So, I think  
23 Commissioner Ontai has the floor.

24           COMMISSIONER ONTAI: Yeah. So, Sarah and  
25 Charlotte, you're not prepared to give us at least a

1 ballpark figure?

2 MS. RUBIN: I just would -- I mean, we -- every  
3 single thing that you see in this document, we have  
4 been -- three people have been working more than full time  
5 for the past three weeks on, really thinking through and  
6 questioning our assumptions at every step of the way, is  
7 this the best quality product we can possibly suggest,  
8 given our professional judgment, at the least possible  
9 cost, for the least possible, you know, hours, for  
10 example.

11 So, given how much your approach has shifted, I  
12 just don't think we'd be doing anyone a service to not go  
13 back and really think it through again.

14 Now, the one other thing I just wanted to point  
15 out is in Commissioner Yao's suggestion, it did not  
16 suggest including any money to conduct one workshop. So,  
17 you need to think about whether or not you do want to  
18 conduct one that would help, so you'd have, you know, like  
19 real people in the background of your video. That's one  
20 thing to think through.

21 And the other thing I just want to comment on is  
22 in the unit cost for the workshops, within our assumptions  
23 we -- there are certain things that you use over the  
24 course of all of your workshops, and so we divided those  
25 costs by nine. So, if we only did one workshop, I need to

1 go back and revisit the numbers because those could also  
2 shift. Do you follow me?

3 And another thing I'd say is in the 16,128 of  
4 the preparation, we would no longer be preparing for nine  
5 workshops and, therefore, we need to revisit all those  
6 assumptions, too, because we don't -- we're not going to  
7 do work that isn't appropriate.

8 COMMISSIONER ONTAI: Okay. And on the one  
9 particular workshop that we do, and it might be the end of  
10 March, working with Rob so that we get a quality piece  
11 that we can use, not six hours, but maybe two or three,  
12 you're going to have to work that out with Rob, you're  
13 going to put that in there, as well. All right?

14 MS. RUBIN: Sure, we can.

15 COMMISSIONER ONTAI: So, can you get something  
16 to us tomorrow?

17 MS. CHORNEAU: You know we're running your  
18 session tomorrow.

19 MS. RUBIN: We have a nine-hour day tomorrow  
20 that we're facilitating.

21 MS. CHORNEAU: We need to go back and check in  
22 with our --

23 COMMISSIONER ONTAI: But you guys are  
24 superwomen.

25 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ontai

1 I have a couple -- several Commissioners in the stack.  
2 Commissioner DiGuilio?

3 COMMISSIONER DI GUILIO: Originally, I had  
4 wanted to make a comment on Commissioner Filkins Webber's  
5 motion, but I'd like to see if I can reserve that to later  
6 so that we can finish this conversation. Is that  
7 parliamentarily acceptable, something along those lines.  
8 The discussion, just okay. But in terms of what we're  
9 discussing right now is -- do we still have that March  
10 3<sup>rd</sup>/4<sup>th</sup> meeting? It's been completely eliminated.

11 CHAIRPERSON GALAMBOS MALLOY: No, it's been  
12 eliminated.

13 COMMISSIONER DI GUILIO: Okay, because that was  
14 the other option, I thought maybe if they -- I just don't  
15 see how CCP can come back to us with numbers at any time  
16 soon, so that was the only other thing related to that.

17 CHAIRPERSON GALAMBOS MALLOY: Thank you.  
18 Commissioner Dai?

19 COMMISSIONER DAI: Yeah, I was going to suggest,  
20 rather than trying to line item this out, is to come up  
21 with a not-to-exceed number that we all feel comfortable  
22 with, and maybe that's 70,000, maybe it's a hundred.  
23 Because I would really like to give Rob an opportunity to  
24 sit down with them to talk about this and then, you know,  
25 give them enough latitude to be able to work this out and

1 decide, you know, does doing one workshop make sense  
2 because, as you pointed out, the costs may make this --  
3 may not make sense, and we may just want to spend all of  
4 our resources in doing a five-minute video, and move on to  
5 getting -- to letting them start with the public input  
6 piece of it.

7           Now, this -- I see that you don't actually have  
8 the budget number, yet, for the -- for the public input  
9 hearings and so, you know, that was going to come later,  
10 anyway. You know, my suggestion is that we just -- if we  
11 feel comfortable, approve a not-to-exceed number, instead,  
12 with giving, you know, our Director of Communications the  
13 discretion to work out the details and determine whether  
14 it's going to be a lot lower than that or whether he needs  
15 to go up -- needs their assistance to get up to that.

16           CHAIRPERSON GALAMBOS MALLOY: So, I would like  
17 to just note the time at this point, we're a little bit  
18 after 3:30. We still have an advisory committee report  
19 back from our Public Information Committee. We have a  
20 training on Bagley-Keene and a couple of smaller business  
21 matters to attend to.

22           So, getting to a motion on this item would be  
23 very desirable.

24           Commissioner Blanco.

25           COMMITTEE MEMBER BLANCO: I want to address

1 Commissioner Filkins Webber, but if -- I think we should  
2 put to rest the issue of the contract for the outreach  
3 workshops, first, unless they're related. If not -- okay.  
4 Yeah, then I'll reserve my spot, like Commissioner  
5 DiGuilio.

6 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
7 Filkins Webber and then Commissioner Aguirre.

8 COMMISSIONER FILKINS WEBBER: You know, ladies,  
9 if you don't feel comfortable even doing a ballpark, as  
10 Commissioner Ontai had suggested, how could we even come  
11 up with a not-to-exceed number, really, when there's a big  
12 difference.

13 I mean you add these up, it was 70, but we now  
14 that the 16 grand's going to come down significantly,  
15 since you're telling us it includes nine, but that was  
16 just my thought process.

17 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
18 Aguirre?

19 COMMISSIONER AGUIRRE: Yeah, I think that we  
20 need to -- we don't want to belabor this any further. So,  
21 I would move that we -- I like your idea that we -- we  
22 award the contract with not to exceed a hundred thousand  
23 dollars.

24 COMMISSIONER DAI: I second that.

25 CHAIRPERSON GALAMBOS MALLOY: Could I ask to

1 have the motion restated?

2 MS. SARGIS: The motion is to award the contract  
3 for CCP not to exceed \$100,000. And do you want the  
4 individual items listed in the motion that we're hiring  
5 them for?

6 COMMISSIONER AGUIRRE: No.

7 MS. SARGIS: No. Then to award the contract for  
8 CCP not to exceed \$100,000.

9 COMMISSIONER ONTAI: And may I make a friendly  
10 amendment to that motion? And that friendly motion will  
11 be -- friendly amendment to the motion.

12 CHAIRPERSON GALAMBOS MALLOY: I heard a second,  
13 can I confirm who made the second?

14 COMMISSIONER DAI: I did.

15 CHAIRPERSON GALAMBOS MALLOY: Okay, thank you.

16 COMMISSIONER ONTAI: And that the consultants  
17 come back and request additional funds upon demonstrating  
18 a need for it.

19 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
20 Aguirre, would you entertain that -- would you be willing  
21 to amend your own motion?

22 COMMISSIONER AGUIRRE: Sure, yeah, it's  
23 demonstrate a need, yes.

24 CHAIRPERSON GALAMBOS MALLOY: Would you still be  
25 willing to second that motion?

1 COMMISSIONER DAI: Absolutely.

2 CHAIRPERSON GALAMBOS MALLOY: Excellent. So,  
3 could we open the floor for discussion on this motion?

4 Commissioner Ward.

5 COMMISSIONER WARD: Thank you. This number  
6 would include the potential to do input with two  
7 subcontracts? What contracts, specifically, are we  
8 awarding the hundred thousand for, that's what I'm unclear  
9 on.

10 CHAIRPERSON GALAMBOS MALLOY: So, I'd like to  
11 defer that back to the Commissioner that made the motion,  
12 Commissioner Aguirre.

13 COMMISSIONER AGUIRRE: Yes, we're working with  
14 this -- with this budget, which does not include that.

15 COMMISSIONER WARD: What does it include? I  
16 thought we eliminated that.

17 CHAIRPERSON GALAMBOS MALLOY: Please see page 18  
18 of CCP's document.

19 COMMISSIONER WARD: I'm looking at it, I thought  
20 that was for educational workshops that we --

21 CHAIRPERSON GALAMBOS MALLOY: This was to cover  
22 what's going to replace educational workshops, it's the  
23 alternative to that activity.

24 CHAIRPERSON GALAMBOS MALLOY: And there are many  
25 of these items that are not the educational workshops.

1 The educational workshops is essentially one of five  
2 different components on this budget that we have.

3 COMMISSIONER DAI: I see this as the adjunct to  
4 our public awareness campaign, basically, which is why I  
5 suggested that our Director of Communications work with  
6 them on this.

7 CHAIRPERSON GALAMBOS MALLOY: Additional  
8 discussion on this motion?

9 Seeing none, I invite any members of the public  
10 to come and comment on this motion.

11 MR. JOHNSON: If I may, Doug Johnson, from the  
12 Rose Institute. Just a question, clarifying, there was  
13 discussion earlier about possibly holding a public input  
14 session in March. If you're not meeting until March 17<sup>th</sup>,  
15 there won't be time at that point and hold it in March.

16 So, is part of this motion the direction for  
17 them to set that meeting up if Rob signs off on that,  
18 according to him, or how does this motion relate to the  
19 possibility of moving the meetings up into March?

20 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
21 Aguirre?

22 COMMISSIONER AGUIRRE: I think that if we could  
23 include, I think that would be a good idea. I'm not sure  
24 whether Rob's thinking it's possible, but we could  
25 always -- we could always schedule one in terms of being

1 able to assess the possibility of holding one, and then if  
2 it doesn't work, it's easier to cancel.

3           COMMUNICATIONS DIRECTOR WILCOX: And I heard  
4 that this is an input meeting to be held. So, I guess my  
5 question is, since I've heard some certain conversation  
6 with Commissioners questioning whether you have the  
7 ability to be able to do that, and have the expertise, and  
8 if you wanted to do an input here?

9           COMMISSIONER AGUIRRE: Yeah.

10           CHAIRPERSON GALAMBOS MALLOY: Just procedurally,  
11 I wanted to clarify. We had opened it up for a public  
12 comment, we had a clarification that came out of that  
13 public comment. But discussion did close on this item, so  
14 at this point -- pardon?

15           COMMISSIONER AGUIRRE: We can reopen it.

16           CHAIRPERSON GALAMBOS MALLOY: I would actually  
17 like to move to a vote at this point. We have been for  
18 well over two and a half hours discussing this agenda  
19 item, and I think we do have a fairly clear motion on the  
20 floor.

21           So, I'd like to do a roll call on this vote,  
22 please.

23           MS. SARGIS: Clarification, please. Was there  
24 an amendment to your motion that included the authority to  
25 plan a meeting?

1 COMMISSIONER AGUIRRE: Yes.

2 MS. SARGIS: Okay.

3 COMMISSIONER AGUIRRE: Yeah, the amendment was  
4 by Commissioner Ontai, right.

5 CHAIRPERSON GALAMBOS MALLOY: I'm sorry, I  
6 had -- procedurally, you had agreed to amend your own  
7 motion.

8 COMMISSIONER AGUIRRE: Yes.

9 CHAIRPERSON GALAMBOS MALLOY: Yes.

10 COMMISSIONER DAI: Not for an input meeting.

11 CHAIRPERSON GALAMBOS MALLOY: You adopted  
12 Commissioner Ontai's amendment to your motion.

13 COMMISSIONER AGUIRRE: Yeah, and that was -- my  
14 amendment was up to \$100,000, and the amendment was that  
15 CCP could come back to demonstrate need for additional.

16 MS. SARGIS: Would you like it re-read?

17 CHAIRPERSON GALAMBOS MALLOY: I think I'm clear.  
18 Does anyone else need it re-read? Well, is there a  
19 clarification?

20 COMMISSIONER WARD: Yeah. I believe,  
21 Commissioner Aguirre, you did say it was included --  
22 public comment was given and you'd said that it did  
23 include -- the hundred thousand did include potential  
24 input meeting plan by CCP. Is that not true, or I just  
25 don't know.

1 COMMISSIONER AGUIRRE: Yeah. No, I'm reversing  
2 that, yeah.

3 COMMISSIONER WARD: You're reversing it, okay,  
4 so it does --

5 COMMISSIONER AGUIRRE: I'm holding to the  
6 original.

7 CHAIRPERSON GALAMBOS MALLOY: Okay, thank you.  
8 So, at this time -- do you mind repeating the motion just  
9 for clarity?

10 MS. SARGIS: The motion is that the contract be  
11 awarded for CCP, not to exceed \$100,000 and that the  
12 consultants may request additional funds with demonstrated  
13 need.

14 CHAIRPERSON GALAMBOS MALLOY: Thank you.  
15 So, at this time we'll do a roll call.

16 MS. SARGIS: Okay. Commissioner Filkins Webber?

17 COMMISSIONER FILKINS WEBBER: No.

18 MS. SARGIS: Commissioner Forbes?

19 COMMITTEE MEMBER FORBES: No.

20 MS. SARGIS: Commissioner Galambos Malloy?

21 CHAIRPERSON GALAMBOS MALLOY: Yes.

22 MS. SARGIS: Commissioner Ontai?

23 COMMISSIONER ONTAI: Yes.

24 MS. SARGIS: Commissioner Parvenu?

25 COMMISSIONER PARVENU: Yes.

1 MS. SARGIS: Commissioner Raya?  
2 COMMISSIONER RAYA: No.  
3 MS. SARGIS: Commissioner Ward?  
4 COMMISSIONER WARD: No.  
5 MS. SARGIS: Commissioner Yao?  
6 COMMISSIONER YAO: No.  
7 MS. SARGIS: Commissioner Aguirre?  
8 COMMISSIONER AGUIRRE: Yes.  
9 MS. SARGIS: Commissioner Ancheta?  
10 COMMISSIONER ANCHETA: Yes.  
11 MS. SARGIS: Commissioner Barabba?  
12 COMMISSIONER BARABBA: Yes.  
13 MS. SARGIS: Commissioner Blanco?  
14 COMMITTEE MEMBER BLANCO: Yes.  
15 MS. SARGIS: Commissioner Dai?  
16 COMMISSIONER DAI: Yes.  
17 MS. SARGIS: Commissioner DiGuilio?  
18 COMMISSIONER DI GUILIO: Yes.  
19 MS. SARGIS: Nine yeses, five nos, the  
20 measure -- or the agreement -- the motion passes.  
21 COMMITTEE MEMBER FORBES: Is this motion subject  
22 to the special requirements and, if so, how do --  
23 CHAIRPERSON GALAMBOS MALLOY: Mr. Miller,  
24 please?  
25 LEGAL COUNSEL MILLER: Well, I'm contemplating.

1 It seems to me that the Commission had previously voted to  
2 retain the same consultants that are the subject of this  
3 motion, is that correct, and that this would just be an  
4 amendment to the form of the agreement pursuant to which  
5 they were retained.

6 CHAIRPERSON GALAMBOS MALLOY: Let me -- let me  
7 clarify. At our last meeting we directed staff to  
8 establish a short-term interagency contract with CCP for  
9 provision of civic engagement activities to support the  
10 CRC's first statewide input hearing on February 26<sup>th</sup>, 2011,  
11 which is tomorrow, which is different than the scope of  
12 the proposal that we had currently been considering.

13 However, as I understand this need for the  
14 super-majority would apply to staff and consultants, the  
15 question is how does that relate to interagency  
16 partnership agreements?

17 LEGAL COUNSEL MILLER: Well, I don't think it is  
18 different whether it's an interagency agreement or other  
19 parties, because the statute doesn't make that  
20 distinction. And I don't have -- I don't have a basis to  
21 advise that it would be different for interagency than for  
22 other third parties.

23 CHAIRPERSON GALAMBOS MALLOY: Uh-hum. Thank  
24 you.

25 So, in that case, it appears that our --

1 Janeece, are you doing the calculations?

2 MS. SARGIS: Yes, there's four Democrats -- this  
3 is the yes votes, four Democrats, two Republicans, and  
4 three decline to state. Short one Republican.

5 COMMITTEE MEMBER FORBES: Short a Republican.

6 CHAIRPERSON GALAMBOS MALLOY: Yeah. Okay. All  
7 right, Commissioner Ward.

8 COMMISSIONER WARD: Thanks. I'd just like to  
9 see if we can just spend five more minutes on it. My  
10 biggest problem is I still was -- I'm unclear as to what  
11 it was -- you know, what it was that was included in that  
12 money, and I feel like it just got cut without a clear  
13 understanding of what it is we're contracting them to do.

14 And I feel like if we could flesh that out, we  
15 might have a result that bears action.

16 CHAIRPERSON GALAMBOS MALLOY: So, what I would  
17 like to suggest is that Commissioners who voted no on  
18 this, if you have particular areas of concern or areas  
19 that need clarification to voice those. And, in  
20 particular, if you have a motion to suggest, that would be  
21 gladly entertained.

22 Commissioner Yao.

23 COMMISSIONER YAO: A simple statement of work.  
24 It appears that the proposal that were submitted to us  
25 were itemized and the only portion that we removed, based

1 on my original proposal, was just the conduct of it. And  
2 that would allow the consultant money to continue going  
3 until we reach a decision on the input meeting or any  
4 other meeting that's follow on.

5 But when we increase the funding above and  
6 beyond what was itemized by the proposal, by \$30,000,  
7 without a given statement of work, it's a gift of public  
8 funds and I simply can't afford to vote on that.

9 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
10 Filkins Webber.

11 LEGAL COUNSEL MILLER: I certainly concur,  
12 especially when the individuals that are sitting before us  
13 cannot provide us even a ballpark. So we have -- and now  
14 we're providing, you know, a not-to-exceed when, as far as  
15 I understood, and you upped it \$30,000. So, that's my  
16 stake of my vote and based on the present motion it will  
17 remain.

18 CHAIRPERSON GALAMBOS MALLOY: So it sounds like  
19 there -- we might be able to come to better agreement on a  
20 number that reflect this total amount on page 18, the  
21 174,891.76 minus the 103,955.76 that was for the conduct  
22 of the actual educational workshops.

23 CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao?

24 COMMISSIONER YAO: The conduct of the first  
25 meeting, whether it's a input meeting or an outreach

1 meeting, will not need to happen until the next time we  
2 meet. So, if we want to take time out to address that one  
3 meeting separately, then I think we have something that we  
4 can move forward on. Unless you want to take time out to  
5 address that right now, today, without any cost input.  
6 So, I continue to push to approve the original statement  
7 of work, assuming that staff will adjust the work scope  
8 accordingly within that funding.

9 But if that's impossible, then I don't know  
10 where to go from there.

11 CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai?

12 COMMISSIONER DAI: Yeah, the reason that I'm  
13 assuming Commissioner Aguirre raised the amount and the  
14 reason I seconded his motion is to give a little  
15 flexibility. Because, you know, if Mr. Wilcox and CCP  
16 were to determine that it does make sense to move forward  
17 with one prototype workshop they had indicated that their  
18 costs would actually increased, since they had originally  
19 divided them among nine.

20 So, the reason it was higher was simply to give  
21 them some flexibility to come up with a scope of work that  
22 made sense. I, actually, would fully expect that, and  
23 trust, that Mr. Wilcox, you know, would be able to figure  
24 out where CCP can best add value and augment his  
25 communications plan.

1           So, they might come in well under it, I just  
2 wanted to leave enough, you know, flexibility in there in  
3 case they decided to go that route. I personally don't  
4 know if there's a need to do one of these in-person  
5 workshops at all. I personally think that we should  
6 devote the money to doing a really good video, but that's  
7 my personal opinion.

8           If they were to, after discussion, come up with  
9 a different determination, I wanted to leave them the  
10 flexibility to do it.

11           CHAIRPERSON GALAMBOS MALLOY: Thank you.  
12 Commissioner Aguirre?

13           COMMISSIONER AGUIRRE: Yes. And the spirit of  
14 the motion was to provide flexibility but, specifically,  
15 to really put this in the lap of our Communications  
16 Director, who really should be driving, you know, this  
17 car.

18           But anyway, the idea of the educational workshop  
19 was something based on demonstrated need, which would be  
20 developed in collaboration between, you know, Mr. Wilcox  
21 and CCP that, you know, we're not awarding a hundred  
22 thousand dollars.

23           If they determine, in consultation, that it's  
24 going to be \$19,000, it's going to be \$19,000.

25           But if it's true that the cost, based on the

1 assessment by our Communications Director, indicates that  
2 the figure is going to be, you know, higher than or up to  
3 a hundred thousand dollars, then I think it's they move  
4 forward with it.

5           You know, what I -- my other point is this, is  
6 that after two and a half hours of debate we got other  
7 issues to get into, so I just thought let's put this baby  
8 to rest because, you know, we have the flexibility and we  
9 have an abstract limit on how much limit could come. But  
10 that abstraction is going to be based on a real assessment  
11 by our Communications Director.

12           CHAIRPERSON GALAMBOS MALLOY: Mr. Miller.

13           LEGAL COUNSEL MILLER: I'm not sure if I'm  
14 adding clarity or not to this, but I'm not certain that  
15 our previous conversation was understood in the same way,  
16 so I just want to make sure this is the case.

17           CHAIRPERSON GALAMBOS MALLOY: Uh-hum.

18           LEGAL COUNSEL MILLER: The question I thought I  
19 was answering is do the special majority provisions apply  
20 to CCP as they would to any other contractor? And the  
21 answer to that is yes.

22           CHAIRPERSON GALAMBOS MALLOY: Thank you. So,  
23 that was our understanding and that's why we moved on,  
24 assuming that that last motion had not passed.

25           So, are there other Commissioners who have a

1 proposal to put on the table or a comment that might lead  
2 us to that?

3 Ms. Filkins Webber.

4 COMMISSIONER FILKINS WEBBER: In looking at this  
5 further, we do need to make a decision because, otherwise,  
6 we don't have any contractors to help us. So, I'm just a  
7 little hesitant on a hundred thousand dollars. Because as  
8 even as our guests and experts had pointed out, if you  
9 just do the math and we're down to 70, and their  
10 suggestion is that it could even be lower.

11 So although I'm not making a formal motion, I  
12 would like to entertain the other vote -- other  
13 Commissioners have voted against it, whether they would be  
14 more inclined for fiscal responsibility to take -- just do  
15 the math and consider the possibility of a not-to-exceed  
16 70,000.

17 Even though I certainly understand your  
18 consideration in providing them some room with working  
19 with Mr. Wilcox, but I don't see us moving up, I see us  
20 moving down, and based on what they had said, that some of  
21 these numbers will diminish.

22 I think it's going to be a lot easier for them  
23 to come back to us and say we're completely out of the  
24 ballpark because Mr. Wilcox has sent us up a different  
25 road and now we're at a hundred thousand, or we're at 75

1 or 80. So, if we could be a little more fiscally  
2 responsible, I might be more inclined to consider an  
3 alternative motion in that regard.

4 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool and  
5 then Commissioner Ward.

6 MR. CLAYPOOL: And I just have to ask for  
7 clarification. Are we not -- we're no longer, then,  
8 considering using the other plan to have input meetings in  
9 March, that this is taking that off the table. Because  
10 this is the vehicle -- some vehicle's going to have to  
11 drive that and it's going to have to involve planning and  
12 some type of budget, so I'm just confused.

13 COMMITTEE MEMBER BLANCO: My understanding is  
14 that that's not off the table. But what is, what we're  
15 deciding on is the contract for how to do educational  
16 outreach for the Commission and we're going to separate  
17 that from the discussion on input.

18 CHAIRPERSON GALAMBOS MALLOY: Thank you.  
19 Commissioner Ward.

20 COMMISSIONER WARD: Thank you. I think in  
21 hearing all the debate I agree with Commissioner Filkins  
22 Webber that we need to do something. I think I would be  
23 more comfortable with whatever number if we have some  
24 control in it from the stand point of the Outreach  
25 Committee and the chair, independently, you know, would

1 have to approve whatever the Communication Director and --  
2 just something where there's two different checks on that  
3 plan before the money's obligated, then I'd be comfortable  
4 and ready.

5 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
6 Forbes.

7 COMMITTEE MEMBER FORBES: Yes, I also was a no  
8 vote and my concern was the fact I wasn't quite sure what  
9 I was buying for the hundred thousand. I have a much more  
10 comfortable feeling with what I'm buying for the 70,000.  
11 And just item 4 does contemplate continued preparation for  
12 the potential of having an input meeting in March. So,  
13 I'm much more content with the \$70,000 number because I  
14 know what I'm getting.

15 And I'll move that --

16 COMMISSIONER AGUIRRE: I'll second that.

17 COMMITTEE MEMBER FORBES: -- that we approve a  
18 \$70,000 amount.

19 CHAIRPERSON GALAMBOS MALLOY: Thank you. Can we  
20 have Janeece restate the motion and then I would like  
21 clarification. I see a hand from CCP and a hand from Mr.  
22 Claypool.

23 MS. SARGIS: The motion is to award the contract  
24 for CCP not to exceed \$70,000 and the consultants may  
25 request additional funds with demonstrated need.

1           CHAIRPERSON GALAMBOS MALLOY: Thank you.

2           MS. RUBIN: I just want to make sure everyone's  
3 clear what Charlotte said earlier about the DGS rule of  
4 the 25 percent or \$50,000, whatever is less.

5           So, in the case of \$70,000, Dan kindly did the  
6 math, and that would be \$17,500 that could hypothetically  
7 be available for subcontracting. And we haven't circled  
8 back around to it and I don't know if you want to today,  
9 but if you want us to subcontract for the video to get  
10 going and start all that, then --

11          MS. CHORNEAU: Which is what we proposed.

12          MS. RUBIN: Which is what we proposed.

13          MS. CHORNEAU: Or it wouldn't be any additional  
14 work other than -- or the quote is for what we proposed  
15 before today for the video.

16          MS. RUBIN: Exactly.

17          MS. CHORNEAU: So it wouldn't be any additional  
18 videos, it was only four ten-minute videos.

19          MS. RUBIN: Right, which you could have be on  
20 one DVD. I just wanted to point out that that right now  
21 would be \$17,000.

22          And I don't know what you want to do about  
23 technical experts, as far as Karin MacDonald, or Doug  
24 Johnson.

25          But if you want us to make the toolkit, we also

1 need technical assistance to create the pieces that a  
2 number of you have been very articulate that it's  
3 important you have that input.

4 So I just want you to -- those are all the  
5 things I'm thinking about, how will I deliver for you?

6 MS. CHORNEAU: Yeah, that's our concern is that  
7 it's -- we aren't looking at the whole picture, I guess,  
8 is giving us some concern.

9 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool,  
10 Commissioner DiGuilio, and then Commissioner Yao.

11 MR. CLAYPOOL: Actually, I was just getting up  
12 to get water and so you've mistaken -- it's the first time  
13 I haven't had anything to say.

14 CHAIRPERSON GALAMBOS MALLOY: Well, I'm sure we  
15 all have things to say. So, Commissioner DiGuilio.

16 COMMISSIONER DI GUILIO: I'd like to suggest  
17 that we do this proposal and separate out the potential  
18 input, whether or not we'll need -- what form that will  
19 take and maybe we could do another motion, at another  
20 time, in relationship to adding additional funds for CCP  
21 if -- the route we go. Is that a possibility, if we just  
22 look at this with -- by removing the input discussion?

23 COMMITTEE MEMBER FORBES: So you would get rid  
24 of item four, which is where I see the input discussion  
25 coming from?

1           COMMISSIONER DI GIULIO: I think that we would  
2 still -- there would need to be a lot of preparation  
3 regardless of the technical aspects for the input. I  
4 think -- it says, number four says educational workshops,  
5 so that's the video, that's all the other things. And we  
6 do need to have some technical consultant with that,  
7 there's no doubt, but that's not an input right there,  
8 that's educational workshops.

9           COMMITTEE MEMBER FORBES: I thought we converted  
10 it.

11           COMMISSIONER DI GIULIO: No.

12           CHAIRPERSON GALAMBOS MALLOY: Commissioner Yao.

13           COMMISSIONER YAO: Question for Mr. Claypool.  
14 Can we fund the video contractor directly? It seems like  
15 we're hung up on a technicality instead of -- instead of  
16 the dollar amount, and to adjust the dollar amount is all  
17 the technicality problem, is not the right solution.

18           MR. CLAYPOOL: We can fund up to \$4,999 on our  
19 authority. This is a \$17,000 bill.

20           So the other route would be to have it be part  
21 of a subcontract to CCP, but then we fall into the 25  
22 percent, under 50,000 rule.

23           COMMISSIONER YAO: So, an additional \$30,000,  
24 which was the original proposal, 25 percent of doesn't  
25 sounds like it was adequate to cover the original

1 outsource cost, anyway, so why is one preferred over the  
2 other?

3 MR. CLAYPOOL: Is that a question for me because  
4 I didn't -- I didn't make the proposal.

5 CHAIRPERSON GALAMBOS MALLOY: It sounds like you  
6 might be directing that at Commissioner Dai, who had made  
7 that motion.

8 COMMISSIONER YAO: Commissioner Dai, why?

9 COMMISSIONER DAI: My understanding is we can  
10 only contract for \$4,999, so we needed to put the  
11 flexibility for CCP to subcontract, which is why we  
12 increased it by \$30,000. Maybe we didn't explain that  
13 clearly.

14 COMMISSIONER YAO: No, the other, the extra  
15 \$30,000, they can only spend 25 percent of that toward  
16 any -- on the outside --

17 COMMISSIONER DAI: No, 25 percent of a hundred,  
18 which would be 25.

19 COMMISSIONER YAO: Right, but 25 percent of a  
20 hundred doesn't cover both the video cost and the  
21 consultant cost is what I heard. Is that not the case?

22 CHAIRPERSON GALAMBOS MALLOY: May I ask -- or a  
23 point of clarification. What I think would be helpful is  
24 if you would be able to provide us with, again, a ballpark  
25 figure of what you anticipate the subcontracting needs

1 based on what we have directed we want.

2 MS. RUBIN: Sure. Okay. So, if you look on  
3 page 18, in the middle of videographer? Okay, we have a  
4 figure for your -- you know, the main meat of it, which --  
5 page 18. On the back.

6 Okay, this --

7 CHAIRPERSON GALAMBOS MALLOY: Maybe I'm looking  
8 at the wrong thing, this is what my page 18 looks like.

9 MS. RUBIN: Oh, I'm sorry, we made a whole  
10 new -- we made a new document for you today. I'm sorry,  
11 we never handed it out because we never really got to that  
12 point. Okay, it's all on here, anyways.

13 CHAIRPERSON GALAMBOS MALLOY: Okay. At this  
14 point we need to take a bio break. That will give you an  
15 opportunity to hand out your documents and for us to  
16 regroup.

17 We are now going onto recess for ten minutes.  
18 We will reconvene at 4:10.

19 (Off the record at 3:58 p.m.)

20 (Back on the record at 4:08 p.m.)

21 CHAIRPERSON GALAMBOS MALLOY: Good afternoon, it  
22 is now 4:10 p.m. We are reconvening this meeting of the  
23 California Citizens Redistricting Commission.

24 Before we went to the break we were continuing  
25 our -- let me note for the record, before going further,

1 that Commissioner Yao is no longer present.

2 Before we went to the break we were continuing our  
3 Outreach Advisory Committee report-back and discussion  
4 regarding next steps on the scope of work and contract for  
5 CCP, the Center For Collaborative Policy.

6 I do have one Commissioner, Commissioner Ward, in  
7 the queue. Commissioner Ward.

8 COMMISSIONER WARD: Thank you, Chair.

9 I'd like to -- listening to all of this and  
10 understanding where the concerns are coming from, meaning  
11 that hard numbers are unavailable, looking at all of the  
12 things that we're looking at, but also a realization that  
13 we need to move forward, I'd like to offer a motion at  
14 this time to go ahead and approve a one hundred -- a not-  
15 to-exceed a \$100,000 limit award to CCP, with the  
16 stipulation that the Communications Director, the Outreach  
17 Liaison, and the Chair must all three approve the work --  
18 the plan before the money is spent.

19 CHAIRPERSON GALAMBOS MALLOY: Thank you,  
20 Commissioner Ward.

21 Do I have a second?

22 CHAIRPERSON GALAMBOS MALLOY: Janeece, could you  
23 please repeat that back. And we will pause until you're  
24 ready.

25 MS. SARGIS: I'm sorry, who was the third person

1 that needed to approve? Could you just repeat the last  
2 part of that?

3 COMMISSIONER WARD: Sure. The Communications  
4 Director, the Outreach Liaison, and the Chair must approve  
5 any plans before they're awarded.

6 MS. SARGIS: Thank you.

7 CHAIRPERSON GALAMBOS MALLOY: So there are a lot  
8 of people in the stack, and let me get my pen so I can  
9 make sure to follow in the correct order.

10 COMMISSIONER DAI: I second it.

11 CHAIRPERSON GALAMBOS MALLOY: Okay, so we have a  
12 second.

13 There is a question. Commissioner Ancheta.

14 COMMISSIONER ANCHETA: Yeah, I'm sorry, was there  
15 still a motion on the table?

16 MS. SARGIS: Yes.

17 COMMISSIONER ANCHETA: The \$70,000 was still on  
18 the table, was it not?

19 CHAIRPERSON GALAMBOS MALLOY: I was not under the  
20 impression that had taken the form of a formal motion and  
21 I might be wrong on that.

22 COMMISSIONER ANCHETA: Yeah.

23 CHAIRPERSON GALAMBOS MALLOY: Okay, and that was  
24 by Commissioner Forbes and Commissioner Yao. Okay, thank  
25 you. So, we now have two motions on the floor.

1 COMMISSIONER ANCHETA: And someone can withdraw.

2 COMMITTEE MEMBER FORBES: I will withdraw my  
3 motion.

4 CHAIRPERSON GALAMBOS MALLOY: Thank you,  
5 Commissioner Forbes.

6 So, again, we have one motion on the floor, it is  
7 Commissioner Ward's motion and we'd like to restate it,  
8 please.

9 We withdrew the motion from Commissioner Forbes  
10 regarding the \$70,000 amount, so Commissioner Ward's  
11 motion is what is -- has been made, and has been seconded,  
12 and if you could please repeat it back to us?

13 MS. SARGIS: Yes. That the Commission award a  
14 contract to CCP not to exceed \$100,000, and that the  
15 Communications Director, the Outreach Liaison, and the  
16 Chair must approve any plans before they are executed.

17 CHAIRPERSON GALAMBOS MALLOY: Thank you. At this  
18 time discussion, please.

19 Commissioner Filkins Webber.

20 COMMISSIONER ANCHETA: Who's the chair at that --  
21 who's the chair of the --

22 CHAIRPERSON GALAMBOS MALLOY: Oh, who's the  
23 liaison?

24 COMMISSIONER ANCHETA: No, who's the chair?

25 CHAIRPERSON GALAMBOS MALLOY: Of the advisory

1 committee.

2 COMMISSIONER ONTAI: No, is it this chair or the  
3 Outreach. I'm the chair of the Outreach and this is the  
4 chair of the Commission.

5 COMMISSIONER ANCHETA: Right, because I wasn't  
6 clear on, I just wanted clarification on --

7 COMMISSIONER WARD: It's a great clarification, my  
8 mistake. Committee chair. My understanding was we don't  
9 have subcommittee chairmen, we have liaisons. So,  
10 advisory committee liaisons, so it would be --

11 COMMISSIONER ANCHETA: And the chair of the  
12 Commission.

13 COMMISSIONER WARD: The acting chair.

14 COMMISSIONER ANCHETA: Whoever that will be at the  
15 given time, right.

16 COMMISSIONER WARD: At the time it comes up.

17 COMMISSIONER ANCHETA: Okay.

18 CHAIRPERSON GALAMBOS MALLOY: Thank you for that  
19 clarification.

20 Commissioner Filkins Webber.

21 COMMISSIONER FILKINS WEBBER: Commissioner Ward, I  
22 would like further clarification regarding the comments  
23 that you made earlier, which is what is the scope of what  
24 you're anticipating to be involved in their -- in other  
25 words, their scope of work.

1           Because I'd like to know whether there is some  
2 consideration for the possibility of a permissible, if  
3 it's within reason, a DGS accepted parameter, the contract  
4 for the technical expertise that you will need for the  
5 content of the toolkit?

6           So, unless your intent is to just leave this  
7 overly broad and leave it up to those you've designated to  
8 understand what the Commission's idea is, we've gone over  
9 it, I think we have a pretty good understand. But I just  
10 want to know what your intent was?

11           Is it to keep it broad and allow the designated  
12 individuals to understand what the Commission's accepted  
13 or do you intend on having at least a minimum designation,  
14 such as what we already understand on page 18 of CCP's  
15 revised draft.

16           CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward.

17           COMMISSIONER WARD: Thank you. Great question.  
18 My intent is that we all understand at this point that  
19 we've given new requirements and that these new  
20 requirements have to be considered in the proposal that's  
21 in front of us, so we need to have some flexibility in  
22 that.

23           We also need to move forward and commit -- our  
24 goal is to have some subcontractors working for us so we  
25 can move forward over the next couple weeks.

1 I had concern originally, with the original  
2 number, because being on the Communications Subcommittee I  
3 know, and we haven't gotten there yet for the rest of the  
4 Commission, but that we had already discussed setting  
5 money aside for things like a video, public outreach,  
6 things like that, that we hadn't gotten a chance to  
7 reconcile with what's currently in this plan.

8 So, my concerns are alleviated by giving a pot of  
9 money that we make available for the people in the know,  
10 the Outreach Liaison, the Communications Director, and the  
11 acting Chair, Committee Chair, to be able to go ahead and  
12 see whatever work product comes up between staff, as a  
13 function of staff. And I'm confident that they can make  
14 an intelligent decision on spending that money.

15 CHAIRPERSON GALAMBOS MALLOY: Commissioner Filkins  
16 Webber, additional clarification?

17 COMMISSIONER FILKINS WEBBER: Just one other  
18 question. Are you leaving it open to them, as part of  
19 this, to allow for the possibility of at least one input  
20 hearing in March? Are you leaving it to their discretion?

21 Because it's -- whether the potential cost and  
22 what would be allowable per DGS and the potential cost of  
23 having the technical experts of two data gathering experts  
24 could impact this. And so, I think we need to at least  
25 provide them just a little bit further direction because

1 they need to tell us whether we're going to be limited by  
2 a DGS issue.

3 COMMISSIONER WARD: I'm sorry, I just want to  
4 answer -- I didn't answer your question. And your  
5 question was -- the answer to your question was, as  
6 Commissioner DiGuilio mentioned earlier, I'd like to limit  
7 my motion to strictly the outreach and then take up your  
8 idea and consideration of that at a later time.

9 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
10 DiGuilio?

11 COMMISSIONER DI GUILIO: It was my understanding  
12 that right now there is a -- there is a technology  
13 consultant, as we discussed with Mr. Douglas Johnson, for  
14 the educational component, which would include -- since  
15 we're not doing workshops, it would be for the video and  
16 things. So, they have access to Douglas Johnson for  
17 consultants for the educational component, whatever form  
18 that takes.

19 The issue of the potential for the -- the  
20 suggestion for the split in input I think is a separate  
21 issue that needs to be -- in terms of this motion, I need  
22 to have it separated.

23 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool.

24 MR. CLAYPOOL: That was all I was going to say. I  
25 believe that there was a separation between the two and

1 that the technical consultant for this component is  
2 already taken care of.

3 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ontai.

4 COMMISSIONER ONTAI: May I ask the two consultants  
5 to please go through this list for all of the  
6 Commissioners?

7 MS. RUBIN: I could do a real, 30-second, quick  
8 summary of what I'm thinking.

9 CHAIRPERSON GALAMBOS MALLOY: So, let me clarify  
10 what you just asked for, Commissioner Ontai. You're  
11 asking for them to go through this?

12 COMMISSIONER ONTAI: No, you have a different  
13 list. This is one they just handed out.

14 CHAIRPERSON GALAMBOS MALLOY: And you're thinking  
15 on suggesting that?

16 COMMISSIONER ONTAI: Yes. They should have handed  
17 this outline in the very beginning, before this discussion  
18 started. So many of the assumptions that were made were  
19 based on wrong information.

20 So, I'm giving them a chance to go through this so  
21 that we're all on the same page.

22 CHAIRPERSON GALAMBOS MALLOY: Thank you for that.  
23 I will say that we are very lucky that Marian Johnston has  
24 graciously rearranged her travel plans to be able to be a  
25 little bit more flexible this evening, so we do have a

1 little more time to deal with this. However, this has  
2 already been a long day.

3 So, Commissioner Ward, you have one comment and  
4 then we'll go to CCP.

5 COMMISSIONER WARD: I would just ask that -- my  
6 motion doesn't require that we spell that out. I'm just  
7 suggesting we set that to go through this in the hands of  
8 the three people I've designated in my motion, and I don't  
9 think the whole Commission needs to go through that at  
10 this point.

11 LEGAL COUNSEL MILLER: I'm sorry, before you vote  
12 I'd just like to discuss the form of the motion for a  
13 moment.

14 CHAIRPERSON GALAMBOS MALLOY: I'm sorry, the form  
15 or the forum?

16 LEGAL COUNSEL MILLER: The form.

17 CHAIRPERSON GALAMBOS MALLOY: The form of the  
18 motion. Please, go ahead.

19 LEGAL COUNSEL MILLER: As I understand it, and  
20 we'll get into these technicalities a little bit later,  
21 but we've delegated the full responsibility to a three-  
22 person body in the motion.

23 If we could delegate the responsibility to, say,  
24 the Chair, after consulting with others, it would be a  
25 motion that's in compliance with Bagley-Keene. Rather

1 than creating a three-person commission, my suggestion is  
2 give one person the decision making authority, but ask  
3 them, first, to consult with the others.

4 COMMISSIONER WARD: Can I amend my motion, Chair?

5 CHAIRPERSON GALAMBOS MALLOY: Please do.

6 COMMISSIONER WARD: I'd like to amend my motion  
7 that the \$100,000 be awarded to CCP at the approval of the  
8 chair, Chairman of the Committee, after consultation --  
9 no, leave it there.

10 CHAIRPERSON GALAMBOS MALLOY: I'm sorry, I do  
11 think that that next phrase -- if you could elaborate on  
12 the rest of -- I think you'll get enough questions, if you  
13 don't.

14 COMMISSIONER WARD: After consultation with the  
15 Outreach Committee Liaison and the Communications  
16 Director.

17 CHAIRPERSON GALAMBOS MALLOY: Okay. Thank you.  
18 Commissioner Yao is no longer here, so we do need a second  
19 on that motion.

20 And if I could ask Janeece to just read it back to  
21 us in its entirety?

22 COMMISSIONER AGUIRRE: Yeah, I'll second it.

23 CHAIRPERSON GALAMBOS MALLOY: You'll second, okay.  
24 We have a second from Commissioner Aguirre.

25 Janeece, if you could please repeat it back?

1 MS. SARGIS: Okay. That the \$100,000 contract be  
2 awarded to CCP and that any activities would be approved  
3 by the Chair of the Outreach Advisory Committee, after  
4 consultation with the Communications Director and the  
5 Chair of the Commission.

6 CHAIRPERSON GALAMBOS MALLOY: I do think there  
7 might be some changes to that motion.

8 Commissioner Ward?

9 COMMISSIONER WARD: I'm sorry, it was the --  
10 approvals were made by the Chairman of the Citizens  
11 Redistricting Commission, after consultation with the  
12 Outreach Committee Liaison and the Outreach Director.

13 MS. SARGIS: Okay. You want me to restate that?

14 CHAIRPERSON GALAMBOS MALLOY: Not to exceed a  
15 hundred.

16 MS. SARGIS: Okay. So, the \$100,000 contract be  
17 awarded --

18 CHAIRPERSON GALAMBOS MALLOY: Not to exceed.

19 MS. SARGIS: Not to exceed. That the contract be  
20 awarded to CCP not to exceed \$100,000, and that any  
21 activities would be approved by the Chair of the  
22 Commission in consultation with -- or after consulting  
23 with the Outreach Advisory Committee Liaison and the  
24 Communications Director.

25 CHAIRPERSON GALAMBOS MALLOY: Mr. Miller, can I

1 just confirm that that is in conformance with Bagley-  
2 Keene?

3 LEGAL COUNSEL MILLER: Yes.

4 CHAIRPERSON GALAMBOS MALLOY: Thank you. So, I  
5 will invite CCP to say a few words and then it's open for  
6 a discussion.

7 MS. RUBIN: I just want to clarify, with the way  
8 the motion is worded, my assumption and what you have in  
9 front of you, for example, the assessment? We are hoping  
10 that that is posted to the web on Monday and that we're  
11 soliciting response from the public.

12 And then, if you are interested in contracting  
13 with us, we would immediately start reviewing and  
14 analyzing the results. And the same with the  
15 communication, I have people calling me this week, you  
16 know, the chair people of policy committees, of statewide  
17 organizations who say can we have a call? We want to be  
18 involved, we want to help you. And I'm saying, well, let  
19 me see about scheduling something with you possibly next  
20 week, we're having this meeting, they're making a  
21 decision.

22 And I just want to understand, is this precluding  
23 us from doing any of this work until there are additional  
24 approvals or should we assume we should go forward with  
25 items one and two, for example, and start thinking about

1 the toolkit or, no, don't do anything until future  
2 approval?

3 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward,  
4 this is your motion.

5 COMMISSIONER WARD: Yeah. I totally sympathize  
6 with your position, but the problem is, as Commissioner  
7 Aguirre said, we've spend two hours and we can't seem  
8 to -- and taken a vote that failed, and we can't seem to  
9 work around the fact that there's too much ambiguity with  
10 where we're at.

11 So, this is an effort to try to put you in a  
12 position to be able to get somewhere. And it seems like  
13 we can only get that through, at this point, with some  
14 controls.

15 CHAIRPERSON GALAMBOS MALLOY: If it helps you feel  
16 any better, we do have a 24-hour turnaround policy for any  
17 communications between Commissioners and staff. So, there  
18 is still the possibility that this can get off the ground  
19 on Monday, pending the availability of incoming Chair  
20 Filkins Webber and staff to make that happen over the  
21 weekend.

22 Commissioner Forbes.

23 COMMITTEE MEMBER FORBES: That was going to be my  
24 comment. I mean, it takes the Chair, in consultation with  
25 the -- so, there's no reason this can't happen, at least

1 for those items, immediately.

2 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
3 DiGuilio.

4 COMMISSIONER DI GUILIO: Can I maybe suggest one  
5 slight amendment to that, that you suggest the Chair --  
6 can it be -- you said in consultation with the  
7 Communication -- since we can add two, can it be the Chair  
8 and the Communications Director? Because the Chair's  
9 going to rotate and it's going to be hard to keep giving  
10 the information to the next chair. If we had one staff  
11 person who was consistently involved in that, is that a  
12 violation of Bagley-Keene in terms of working as a  
13 liaison?

14 You have right now just the Chair would approve  
15 it.

16 CHAIRPERSON GALAMBOS MALLOY: Could I ask our  
17 legal counsel to please weigh in?

18 COMMISSIONER DI GUILIO: I don't know if there's a  
19 value to that.

20 CHAIRPERSON GALAMBOS MALLOY: Mr. Miller? One  
21 thing that we do need to keep in mind is that the timeline  
22 for this is that this -- these decisions would need to be  
23 made in the next couple of weeks, in which case there  
24 would be consistency of who is serving as Chair. It would  
25 be Commissioner Filkins Webber for the foreseeable future.

1 So, just to keep that in mind.

2 COMMISSIONER DI GIULIO: That's fine.

3 CHAIRPERSON GALAMBOS MALLOY: Ms. Johnston?

4 MS. JOHNSTON: I really hate to be putting  
5 shackles on you after you finally get a decision of such  
6 an agonizing process, but the problem under the Bagley-  
7 Keene, if you form any group to make a decision, that  
8 becomes a public body. It has to comply with the Bagley-  
9 Keene Act.

10 If it's one person to make a decision, it's okay.  
11 You can have a two-person advisory committee to consult  
12 with, but you cannot have more than one decision maker.  
13 Is that clear?

14 CHAIRPERSON GALAMBOS MALLOY: That's clear.

15 LEGAL COUNSEL MILLER: If I can just make a  
16 follow-on suggestion. On this subject, rather than being  
17 concerned about the rotating chair, why not just delegate  
18 one person who will have that responsibility for this  
19 contract, leave the motion as it was originally stated,  
20 and then notwithstanding the chair changing, for this sole  
21 person, for this contract, leave that person the decision  
22 maker.

23 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward,  
24 again, it's your motion.

25 COMMISSIONER WARD: My thought process in

1 selecting the chair of the committee was that it's already  
2 a part of their function to communicate with staff and to  
3 communicate with the subcommittee liaisons.

4           So, I didn't see, unless I'm -- again, I'm not a  
5 lawyer. But my thought process was, is that this is part  
6 of the chair function. I know when I functioned as chair,  
7 I had the ability to communicate with staff and  
8 Communications Advisory Committee point of contact.

9           LEGAL COUNSEL MILLER: I may have misheard, but I  
10 think the confusion arose, I believe the suggestion was  
11 the Commission Chair.

12           Well, it's the same, of course, whether it's a  
13 committee or the Commission chair, you have that rotation.

14           The suggestion, though, is regardless of whether  
15 it's the committee chair or the Commission Chair, for this  
16 purpose don't rotate it. Leave the responsibility with  
17 that person to finish this agreement, only.

18           COMMISSIONER DAI: Stick to your guns, Mike.

19           COMMISSIONER WARD: Unless there's a legal, a  
20 Bagley-Keene violation with leaving it with the rotating  
21 chair --

22           LEGAL COUNSEL MILLER: I'm just trying to reduce  
23 the number of people who have decision making  
24 responsibility. If it ends up being two chairs, the  
25 present and the next, plus a consultant, then you've got

1 three people as the --

2 CHAIRPERSON GALAMBOS MALLOY: Let me translate  
3 this, Commissioner Ward. What I'm interpreting Mr. Miller  
4 as saying is that rather than saying that the acting chair  
5 would be in that role, you would say, just anticipating  
6 that Commissioner Filkins Webber is the incoming chair,  
7 that you state that Commissioner Filkins Webber is the  
8 lead on this.

9 COMMISSIONER WARD: I understand. I just wanted  
10 to make sure that I was clear on the legal guidance that  
11 it would in fact be a Bagley-Keene violation to delegate  
12 that function to the chair, even though it's rotating,  
13 because that is a part of their function as chair.

14 I'm just making -- I just want to make sure that I  
15 understand that that is, in fact, a Bagley-Keene  
16 violation. Because if it is, then we continually do that  
17 as we rotate chair. Do you understand what I'm saying,  
18 there's processes that are -- there's a handoff of process  
19 that's handed off from incoming chair to incoming chair.

20 So, if the direction is now that that would be a  
21 Bagley-Keene violation, I'm concerned, I just want to  
22 get --

23 MS. JOHNSTON: There's one decision, if there's  
24 one particular decision which would normally be made by  
25 the Commission as a whole, instead you're delegating it to

1 one person with the advice of two others.

2 COMMISSIONER WARD: Thank you so much. And it  
3 would be a Bagley-Keene violation to do that contrary to  
4 that. Is that correct?

5 MS. JOHNSTON: Yes.

6 COMMISSIONER WARD: Good enough. Then I amend my  
7 motion to Commissioner Filkins Webber being the acting  
8 authority for this contract.

9 CHAIRPERSON GALAMBOS MALLOY: Could I request that  
10 we repeat the amended motion back?

11 MS. SARGIS: So clarification, in lieu of Chair of  
12 the Commission, it would say Commissioner -- okay.

13 Okay. So, the motion -- the amended motion is  
14 that CCP be awarded the contract, not to exceed \$100,000,  
15 and that any activities be approved by the Chair of the  
16 Commission, Commissioner Filkins Webber -- I'm sorry, was  
17 it --

18 CHAIRPERSON GALAMBOS MALLOY: So, my understanding  
19 is you should strip out the chair and just say  
20 Commissioner Filkins Webber.

21 MS. SARGIS: Okay. And, I'm sorry, are we  
22 striking the "in consultation with" part?

23 CHAIRPERSON GALAMBOS MALLOY: No, no. In  
24 consultation with --

25 MS. SARGIS: Okay. In consultation with the

1 Outreach Committee Liaison and the Communications  
2 Director.

3 CHAIRPERSON GALAMBOS MALLOY: Yes. Commissioner  
4 Aguirre, do you still second that?

5 COMMISSIONER AGUIRRE: Absolutely.

6 CHAIRPERSON GALAMBOS MALLOY: The floor is open  
7 for discussion, I'm hoping there will be minimal to no  
8 discussion at this point.

9 COMMISSIONER FILKINS WEBBER: Minimal. My name  
10 was mentioned, I'd to know my responsibilities. Who is  
11 the advisory committee liaison? Okay, so Mr. Ontai. And  
12 that would be in consultation with Mr. Ontai -- or  
13 Commissioner Ontai and whom?

14 CHAIRPERSON GALAMBOS MALLOY: And Mr. Wilcox.

15 COMMISSIONER FILKINS WEBBER: And Mr. Wilcox.

16 Thank you.

17 CHAIRPERSON GALAMBOS MALLOY: Seeing no further  
18 discussion, I'd like to open this motion up to any members  
19 of the public who would like to comment.

20 Seeing no members of the public who would like to  
21 comment, I would like to take this to a vote and we should  
22 do a roll call on this, please.

23 MS. SARGIS: Clarification, is this a super  
24 majority vote?

25 CHAIRPERSON GALAMBOS MALLOY: Yes.

1 MS. SARGIS: All right.  
2 Commissioner DiGuilio?  
3 COMMISSIONER DI GUILIO: Yes.  
4 MS. SARGIS: Commissioner Forbes?  
5 COMMITTEE MEMBER FORBES: Yes.  
6 MS. SARGIS: Commissioner Galambos Malloy?  
7 CHAIRPERSON GALAMBOS MALLOY: Yes.  
8 MS. SARGIS: Commissioner Parvenu?  
9 COMMISSIONER PARVENU: Yes.  
10 MS. SARGIS: Commissioner Aguirre?  
11 COMMISSIONER AGUIRRE: Aye.  
12 MS. SARGIS: Commissioner Ancheta?  
13 COMMISSIONER ANCHETA: Yes.  
14 MS. SARGIS: Commissioner Blanco?  
15 COMMITTEE MEMBER BLANCO: Yes.  
16 MS. SARGIS: Commissioner Dai?  
17 COMMISSIONER DAI: Yes.  
18 MS. SARGIS: Commissioner Raya?  
19 COMMISSIONER RAYA: Yes.  
20 MS. SARGIS: Commissioner Barabba?  
21 COMMISSIONER BARABBA: Yes.  
22 MS. SARGIS: Commissioner Filkins Webber?  
23 COMMISSIONER FILKINS WEBBER: Yes.  
24 MS. SARGIS: Commissioner Ontai?  
25 COMMISSIONER ONTAI: Aye.

1 MS. SARGIS: Commissioner Ward?

2 COMMISSIONER WARD: Yes.

3 MS. SARGIS: Commissioner Yao?

4 The motion passes.

5 CHAIRPERSON GALAMBOS MALLOY: Thank you.

6 Commissioner Ontai, I believe your time is up.

7 [Laughter]

8 CHAIRPERSON GALAMBOS MALLOY: Thank you.

9 COMMISSIONER ONTAI: Thank you, you've all been  
10 very good today.

11 CHAIRPERSON GALAMBOS MALLOY: And thank you to CCP  
12 for hanging in there through our agonizing process.

13 MS. CHORNEAU: You're very welcome, thank you.

14 MS. RUBIN: Thank you.

15 CHAIRPERSON GALAMBOS MALLOY: Thank you.

16 So, at this point our Public Information Committee  
17 has been so kind to be patient as we've gotten through our  
18 other committee report-backs.

19 What I would actually like to do is a bit of a  
20 departure from your report-back immediately. I know Ms.  
21 Johnston has her presentation, with Mr. Miller, and has  
22 been delayed for hours. And so, I would suggest that  
23 given we anticipate their presentation will take a little  
24 bit of time that we go ahead and do that and then save the  
25 Public Information for afterwards. So, thank you for

1 obliging us in that regard.

2 COMMISSIONER DI GIULIO: Excuse me, Chair?

3 CHAIRPERSON GALAMBOS MALLOY: Uh-hum.

4 COMMISSIONER DI GIULIO: Can I ask a point of  
5 going back to we had tabled an issue that would have been  
6 raised earlier by Commissioner Filkins Webber.

7 COMMISSIONER FILKINS WEBBER: Yeah.

8 COMMISSIONER DI GIULIO: Just to put it there,  
9 maybe it's not the time to readdress it, but I think  
10 there's some elements in terms of what's been suggested  
11 maybe by staff and Commissioner in the split of input  
12 hearings, that may not need to be decided today, but it  
13 was an issue on the table that I think should be addressed  
14 before we leave.

15 CHAIRPERSON GALAMBOS MALLOY: Excellent. We can  
16 come back to that under scheduling.

17 Mr. Miller and Ms. Johnston, please join us.

18 LEGAL COUNSEL MILLER: We don't want to waste a  
19 minute.

20 First, let me introduce to the Commission Marian  
21 Johnston, who you approved earlier today as a retired  
22 annuitant, who will be helping us, and has already added a  
23 lot of value to our work. Indeed, we've been passing  
24 notes secretly back and forth to try and get a handle on  
25 the peculiar issues before the Commission.

1 I'd like to tee this up with a couple of thoughts.  
2 Legal training is sometimes a euphemism for lawyers taking  
3 a group into the basement and threatening them with prison  
4 if they don't follow their advice. Or, a shorthand, an  
5 alternative way of saying just say no.

6 We've tried to bring a much different approach to  
7 this. We're not going to try to cover the whole lay of  
8 the land of Bagley-Keene, I know that's been done before.

9 But the hypotheticals that you have in front of  
10 you have been developed to address actual problems that  
11 have come before the Commission or that we anticipate are  
12 likely to come to the Commission.

13 And given the fact that we're essentially the only  
14 thing between you and freedom today, I want to start with  
15 what I think are the most important of the examples that  
16 have been created here.

17 MS. JOHNSTON: A word of introduction to this  
18 whole concept of complying with the open meeting laws, a  
19 lot of times State bodies think that they're really  
20 horrible, and unwieldy, and stop you from doing things you  
21 want to, but that's not the intent, although it may be the  
22 result.

23 The intent is that when a body is acting as a  
24 public body, instead of an individual, that there is  
25 always another place at the table for the public. And

1 that the purpose of these laws is to make sure that that  
2 voice of the public is considered.

3 So, if you think of it in terms of a positive  
4 value that adds to your decision making, maybe the agony  
5 of having to comply with these laws will seem a little bit  
6 less.

7 LEGAL COUNSEL MILLER: That's why we're styling  
8 this "getting the Commission's work done while complying  
9 with Bagley-Keene," as opposed to "just say no."

10 So, we just had a discussion of number five, or  
11 facts that implicate number five, which is this three-  
12 person rule and serial meeting rule, so let's start with  
13 that.

14 MS. JOHNSTON: Okay. The rule under Bagley-Keene  
15 is if it is a -- if it is a body, that is a decision  
16 making body, then it has to comply with the Open Meetings  
17 laws. Except if it's an advisory committee, if it's an  
18 advisory committee of no more than two people, then it's  
19 exempt from the requirements.

20 So, if it is a body, like a subcommittee, whatever  
21 entity it is, that's the entity that you consider. And  
22 the two or more rule is different than -- some of you are  
23 familiar with the Brown Act. The Brown Act, anything less  
24 than a quorum can meet and it's not a problem.

25 But it is different for Bagley-Keene, and that's

1 just the way the law is written and you have to accept it,  
2 because it's nothing you can do about it.

3           That's why we were suggesting that for reaching  
4 your arrangement to approve the contract in the last one  
5 you give the authority to one person, who then could have  
6 a two-person advisory committee to work with but  
7 doesn't -- the decision making is left with the one  
8 individual.

9           LEGAL COUNSEL MILLER: And the challenge, as you  
10 see, it's so easy to fall into the situation of creating a  
11 formal, three-person body that gets you into the  
12 violation. So, that's what we're trying to be cautious  
13 against is creating a formal advisory committee that gets  
14 you right back into that 14-day notice rule that we have.

15           MS. JOHNSTON: And let me just speak a little bit  
16 to the 14 days' notice because that's a bit draconian, as  
17 well, and that is only applying to the Commission. Normal  
18 State agencies don't have that requirement, they only have  
19 ten days which, in certain circumstances can be shortened  
20 to three days or even one day, if it's an emergency.

21           For local governments it's an even shorter time,  
22 it's three days, one day, and one hour. Their thought is  
23 to give people enough notice so that they can attend the  
24 meeting.

25           So, if it's a local entity there's no travel

1 involved, so they don't require as much time in advance.

2 For you all, because you're a statewide agency,  
3 and because you're considered so important, that's why  
4 they gave you the 14 days. And you have no leeway on  
5 that, there's no emergencies, no special meetings, no  
6 nothing. It's 14 days or you cannot meet.

7 COMMISSIONER ANCHETA: There's a provision and it  
8 was not caught by the Prop 20 drafters, which is sort of  
9 the three-day notice exception that's allowed -- would  
10 have been allowed around the deadline, but now the  
11 deadline -- so, the deadline was changed to August.

12 MS. JOHNSTON: Right.

13 COMMISSIONER ANCHETA: And that part of it wasn't  
14 updated. And I'm not sure what we should do about it  
15 because I think we -- that's probably a very good thing to  
16 have and I think effectively we've lost it. I don't think  
17 we can interpret it to somehow change it to August, it's  
18 got to be --

19 MS. JOHNSTON: Well, the good news is that's  
20 statutory, not in the constitution.

21 COMMISSIONER ANCHETA: Right, so that is  
22 possibility to be changed.

23 MS. JOHNSTON: So, one possibility would be to get  
24 a statutory change.

25 COMMISSIONER ANCHETA: And we can go to the

1 Legislature to do that with a super majority. Okay, thank  
2 you.

3 LEGAL COUNSEL MILLER: Are there other questions,  
4 yes, about this?

5 COMMISSIONER FILKINS WEBBER: Just on your comment  
6 about the no emergency meetings, were there any exceptions  
7 under Bagley-Keene for emergency meetings that this  
8 Commission would be privy to using?

9 MS. JOHNSTON: No. No, because yours just has a  
10 flat 14 days. It takes you out of Bagley-Keene for  
11 purposes of giving notice.

12 COMMISSIONER WARD: Thank you. So, in regards to  
13 the serial meetings that you were talking about, I guess I  
14 actually am a little bit unclear now, given our earlier  
15 conversation. The only thing I'm hung up on is,  
16 obviously, we've adopted a rotating chair schedule.

17 So, take for example the budget, I think that's  
18 been an issue that's been on the plate now, that we've  
19 been trying to get approved through at least three chairs.  
20 So, the incoming chair gets a handoff from the old chair,  
21 communicates with staff, and then often the advisory -- or  
22 the liaison for the involved advisory committee.

23 Through successive chairs, my understanding of  
24 what we talked about earlier would make that a serial  
25 meeting. Is that incorrect?

1 MS. JOHNSTON: Only if decisions are being made.  
2 The problem is if a multi-member body is making decisions.  
3 As long as the decision making rests with a single  
4 person --

5 LEGAL COUNSEL MILLER: Or it comes back to the  
6 Commission.

7 MS. JOHNSTON: -- or it comes back to the full  
8 Commission.

9 LEGAL COUNSEL MILLER: Which takes us into number  
10 two here, which I think will be helpful to --

11 COMMISSIONER BARABBA: Before we leave five, I  
12 wish Commissioner Yao was here because --

13 LEGAL COUNSEL MILLER: I know.

14 COMMISSIONER BARABBA: You know his question?

15 LEGAL COUNSEL MILLER: Yes.

16 COMMISSIONER BARABBA: And you'll address that?  
17 Okay, thank you.

18 LEGAL COUNSEL MILLER: We'll do a special tutorial  
19 with him.

20 COMMISSIONER BARABBA: Okay. All right.

21 LEGAL COUNSEL MILLER: I said number two, that was  
22 a little -- I mean number two under problem number five,  
23 right where we were.

24 MS. JOHNSTON: Okay.

25 LEGAL COUNSEL MILLER: This --

1 MS. JOHNSTON: This happens if you get together  
2 for dinner, for lunch, like you probably do all the time.  
3 the concern is you would go on and discuss things that  
4 should be discussed in an open session. And, obviously,  
5 if you're sitting around a lunch table, the public doesn't  
6 have access to that and there's no record kept of it.

7 So, these rules are in place to make sure you  
8 don't have a serial meeting where, without the public  
9 view, one person talks to another person, talks to another  
10 person, and agrees that a certain -- and all of a sudden  
11 you've come to an agreement, which then may be formalized  
12 in a public meeting, but was actually formulated in this  
13 private session.

14 So, the real key is to avoid -- avoid a formal  
15 committee meeting without notice, and avoid any group of  
16 people meeting to take a position that then they present  
17 at a public meeting.

18 LEGAL COUNSEL MILLER: So, let's slice hairs for  
19 just a minute here and go down the slippery slope. The  
20 risk, the thing we want to avoid is decision making. So,  
21 we want to open the door a little bit here to let  
22 Commissioners speak with one another.

23 But you've got to be careful about a couple of  
24 things. You've got to be looking at who am I speaking  
25 with? Do I have a quorum of a committee among those that

1 I'm speaking with? Then you're back -- you're in an  
2 advisory committee situation that requires notice, so you  
3 have to stay away from that.

4 And part two is, as Marian just described, if out  
5 of that informal conversation comes a decision, something  
6 that's pre-backed when it comes to the Commission, that's  
7 improper.

8 But if you avoid those two things with great care  
9 and you just want to get an opinion with somebody, and  
10 stop with that, then I think that does permit some measure  
11 of communication that can be useful to you, at least  
12 individually, in a manner that we haven't expressly  
13 discussed before.

14 CHAIRPERSON GALAMBOS MALLOY: Commissioner Blanco,  
15 and then Ancheta, and then DiGuilio.

16 COMMITTEE MEMBER BLANCO: So, there's two parts --  
17 two parts, no decisions made out of the full body -- you  
18 know, outside of the full body. And then there's the  
19 question of whether the group of people, that even if it's  
20 just a discussion and not a decision being made, but it's  
21 just a discussion, that group may actually constitute a  
22 State body.

23 MS. JOHNSTON: Exactly.

24 COMMITTEE MEMBER BLANCO: And, therefore, it has  
25 to be publicly noticed. So there are two separate things.

1           LEGAL COUNSEL MILLER: That's right.

2           COMMITTEE MEMBER BLANCO: And so, remind me of  
3 what sort of the tests are, the triggers for whether that  
4 has become a public body?

5           MS. JOHNSTON: It's in Government Code 11121. If  
6 it is a multi-member body that exercises any authority  
7 that may be delegated to it by another body, then that is  
8 a State body subject to the Act.

9           The only exception is an advisory committee that  
10 doesn't consist of more than two members does not violate  
11 the Act.

12           COMMITTEE MEMBER BLANCO: Okay, I am confused  
13 because that has the word "decision" in there.

14           MS. JOHNSTON: Well, first, any decision-making  
15 entity.

16           COMMITTEE MEMBER BLANCO: Right. So, but I'm  
17 talking about these informal -- I'm confused because there  
18 seems to be the decision-making branch of this.

19           MS. JOHNSTON: Right.

20           COMMITTEE MEMBER BLANCO: And then that the -- one  
21 concept is decision making should be done publicly, but  
22 also meetings should be public.

23           LEGAL COUNSEL MILLER: Correct.

24           MS. JOHNSTON: Right.

25           COMMITTEE MEMBER BLANCO: It's two different

1 values, in a sense.

2 MS. JOHNSTON: Right.

3 COMMITTEE MEMBER BLANCO: That a meeting be public  
4 we have to define when a meeting occurs. And that's not  
5 just if it's a decision-making meeting, correct?

6 MS. JOHNSTON: Well, it's if it's either a  
7 decision-making meeting or if it's an advisory committee  
8 meeting of more than two people.

9 LEGAL COUNSEL MILLER: So, a clear example would  
10 be, let's take the Legal Advisory Committee, a quorum of  
11 that committee is three people. If they were to speak --  
12 any three people speak with one another on that committee,  
13 you've got a forum of the committee -- a forum. You have  
14 a forum, too. But you have a quorum of the committee and,  
15 as such, that becomes the necessity for a public meeting.

16 COMMITTEE MEMBER BLANCO: Okay. So if --

17 COMMISSIONER FILKINS WEBBER: Just the discussion,  
18 alone.

19 LEGAL COUNSEL MILLER: That's right, because you  
20 have a quorum.

21 COMMISSIONER FILKINS WEBBER: Regardless of the  
22 decision, yeah.

23 LEGAL COUNSEL MILLER: Regardless of the decision.

24 COMMISSIONER FILKINS WEBBER: And that's for  
25 advisory committee, okay.

1 COMMITTEE MEMBER BLANCO: Right. But no --

2 MS. JOHNSTON: This is for a formal committee,  
3 that has power delegated to it, may not meet.

4 COMMITTEE MEMBER BLANCO: Okay. But this is my --  
5 so then we have these lunchtime, dinnertime, hallway,  
6 water cooler situations, right?

7 MS. JOHNSTON: Right. If it happens to be that a  
8 whole committee, say the Legal Advisory Committee, were to  
9 sit at the same table, they could not discuss Legal  
10 Committee matters.

11 COMMITTEE MEMBER BLANCO: Right. And it wouldn't  
12 just be decisions, they could not discuss it because it's  
13 not public.

14 MS. JOHNSTON: Right.

15 COMMITTEE MEMBER BLANCO: If you don't have three,  
16 then you can have a discussion?

17 MS. JOHNSTON: You could have two, and two, and  
18 two have a discussion, so long as it doesn't become a  
19 serial meeting where you all agree that this is how you're  
20 going to vote when you get together.

21 CHAIRPERSON GALAMBOS MALLOY: Commissioner, do you  
22 have a follow up?

23 COMMITTEE MEMBER BLANCO: I'm still not  
24 completely --

25 LEGAL COUNSEL MILLER: Let's finish that thought,

1 because that's an important one.

2 COMMITTEE MEMBER BLANCO: That's important and I'm  
3 not --

4 LEGAL COUNSEL MILLER: So let's -- if I can just  
5 kind of redistinguish.

6 CHAIRPERSON GALAMBOS MALLOY: Please do.

7 LEGAL COUNSEL MILLER: You have a committee --  
8 first, I think the simplest example is a committee of four  
9 people.

10 COMMITTEE MEMBER BLANCO: Uh-hum.

11 LEGAL COUNSEL MILLER: If three of them are  
12 meeting about committee business, or board business,  
13 that's a violation because that should be a public  
14 meeting, it's a quorum of the committee gathered.

15 Independent of that you have two members of three  
16 different committees, so no committee has a forum --

17 CHAIRPERSON GALAMBOS MALLOY: A quorum.

18 LEGAL COUNSEL MILLER: -- a quorum present.

19 MS. JOHNSTON: Assuming there's no three-member  
20 committees.

21 LEGAL COUNSEL MILLER: Assuming there's no three-  
22 member committees, right, no quorum present.

23 And assuming that those six people are not making  
24 a decision.

25 COMMITTEE MEMBER BLANCO: Correct.

1           LEGAL COUNSEL MILLER:  If they were to -- they can  
2 discuss business, but not make a decision, and not use  
3 that as a stepping stone to --

4           COMMITTEE MEMBER BLANCO:  To go talking to  
5 somebody.

6           LEGAL COUNSEL MILLER:  -- talking to others.  You  
7 know, I think the safest way to say it is no decision and  
8 it stops right there.

9           But people have done some work to share points of  
10 view, inform one another, and may bring some clarity to  
11 the task, without bringing a decision to a task.

12           COMMITTEE MEMBER BLANCO:  I think I understand.

13           LEGAL COUNSEL MILLER:  Yeah.

14           CHAIRPERSON GALAMBOS MALLOY:  Commissioner  
15 Ancheta, and then Commissioner DiGuilio, and Commissioner  
16 Raya.

17           LEGAL COUNSEL MILLER:  It's a lot like future  
18 interest in a state's --

19           COMMISSIONER ANCHETA:  That's a law school -- and  
20 as a law professor, I have to say don't even mention that  
21 kind of stuff here because I don't -- I don't even  
22 remember that stuff and I teach in a lot of --

23           CHAIRPERSON GALAMBOS MALLOY:  Only the Legal  
24 Committee was really laughing at that one.

25           COMMISSIONER ANCHETA:  Anyway, that's a lawyer

1 joke for some reason. I don't know why it's a lawyer  
2 joke, what's funny.

3 [Laughter]

4 COMMISSIONER ANCHETA: Well, I think you answered  
5 the question and we don't have any three-person  
6 committees, do we?

7 COMMISSIONER DAI: Finance and Administration.

8 COMMISSIONER ANCHETA: That's what I thought  
9 because --

10 COMMISSIONER DAI: We did. Actually --

11 COMMISSIONER ANCHETA: Well, that's the question  
12 then.

13 LEGAL COUNSEL MILLER: I think Commissioner Forbes  
14 was also --

15 COMMISSIONER ANCHETA: Right. And let's say I am  
16 formally on Legal, but Budget and Administration --  
17 Finance and Administration is --

18 COMMISSIONER DAI: Finance and Administration had  
19 a three-person committee. In fact, you know, we actually  
20 had this exact situation where Commissioner Yao wanted to  
21 send me some of his budget assumptions and then after I  
22 flew home I sent him a note and I said, Peter, you better  
23 not send this to me because two of us are a quorum, so  
24 keep it until our next meeting.

25 However, since then, Commissioner Ward has now

1 joined our Finance and Administration Committee, so now we  
2 have four.

3 MS. JOHNSTON: And that was why we stepped up when  
4 Commissioner Ward suggested a three-person committee to  
5 decide on the contract, because that is creating an ad hoc  
6 committee for that particular purpose.

7 COMMISSIONER ANCHETA: Okay. That's fine, that  
8 clarifies my question.

9 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
10 DiGuilio?

11 COMMISSIONER DI GUILIO: I think you've clarified  
12 one of the questions, but maybe I've replaced it with  
13 another one.

14 So, initially, when you were talking about the  
15 decisions, I was a little concerned until you clarified  
16 the Technical Advisory Committee.

17 So, if Commissioner Barabba and I are meeting to  
18 discuss the Technical Advisory Committee, which we have  
19 five people, I think, on ours, and we made a decision  
20 about what we're going to present to the rest of the  
21 Technical Committee, that's okay to make that type of  
22 decision in terms of what we're going to be -- in terms of  
23 what needs to be put on the agenda?

24 MS. JOHNSTON: Right. But you can't decide how  
25 you're going to vote on it.

1           COMMISSIONER DI GIULIO: Correct. Okay. Now, the  
2 other question is before it was understanding that we  
3 could only liaison with one other person in another  
4 advisory committee, so we were -- it was Commissioner  
5 Ontai and I, between the Outreach and Technical.

6           But you're saying we could actually have two from  
7 each just for the discussion purpose of like clarity  
8 between the Technical Advisory Committee.

9           So, it could actually be four people, two and two.

10          MS. JOHNSTON: That is our best advice. Again,  
11 with the no decision making.

12          COMMISSIONER DI GIULIO: Okay. So, it can be more  
13 than two.

14          LEGAL COUNSEL MILLER: And that is a bit of a  
15 change to give you better flexibility than we've been  
16 operating under.

17          COMMISSIONER DI GIULIO: And that's just simply  
18 for discussion, no decisions.

19          CHAIRPERSON GALAMBOS MALLOY: Commissioner Raya?

20          COMMISSIONER RAYA: That was my question, thank  
21 you.

22          CHAIRPERSON GALAMBOS MALLOY: Commissioner  
23 Barabba?

24          COMMISSIONER BARABBA: Okay, so we go to dinner  
25 tonight and we're sitting around the table, do we make

1 sure that we don't have everybody from the same  
2 advisory --

3 MS. JOHNSTON: Well, either that or you just go to  
4 dinner and have a good time and don't discuss business.

5 COMMISSIONER BARABBA: Well, that's the question,  
6 though, is that things come up at dinner sometimes, but  
7 that's okay.

8 MS. JOHNSTON: Well, they do, and this is an Act  
9 to prevent that.

10 [Laughter]

11 COMMISSIONER BARABBA: I'll try to rate the level  
12 of my question.

13 [Laughter]

14 MS. JOHNSTON: Well, it comes back to having the  
15 member of the public at the table. They're not there when  
16 you're having that discussion.

17 COMMISSIONER BARABBA: Wait, okay. So, we're  
18 sitting around the table, but we've set it up so that  
19 there's never more than a quorum sitting next to each  
20 other --

21 LEGAL COUNSEL MILLER: Well, there's never a  
22 quorum.

23 COMMISSIONER BARABBA: A quorum of a subcommittee  
24 sitting next to each other.

25 MS. JOHNSTON: Not sitting next to each other, but

1 in the same discussion. Yeah, in the same discussion.

2 COMMISSIONER BARABBA: So could -- if I was only  
3 talking to Commissioner DiGuilio at dinner, is that okay?

4 MS. JOHNSTON: Who's around you?

5 COMMISSIONER BARABBA: Nobody else from our  
6 committee.

7 MS. JOHNSTON: Yes, you could talk with them, as  
8 long as you don't make decisions.

9 COMMISSIONER BARABBA: Yeah, okay.

10 LEGAL COUNSEL MILLER: We're hypothesizing, for  
11 this discussion, all committees have at least four people.  
12 A quorum is three, so two are fine to speak with each  
13 other.

14 COMMISSIONER PARVENU: And, of course, this  
15 applies telephonically, as well, e-mail, texting,  
16 everything.

17 MS. JOHNSTON: Every form of communication. And  
18 let me be specific that it includes e-mails. There was an  
19 amendment not that long ago, any kind of electronic  
20 communication, whether you Tweet, or Facebook, or however  
21 you communicate.

22 CHAIRPERSON GALAMBOS MALLOY: So, if there are  
23 further clarifications on this point, specifically, please  
24 jump in.

25 My questions are really regarding the chair

1 communication, so I don't want to preempt.

2           Okay, seeing no other questions, so scenario; as  
3 chair we are tasked with crafting the agenda for any given  
4 meeting, which involves, you know, a two-way flow of  
5 communication, both Commissioners that are sending or  
6 calling with suggestions for what should go on the agenda  
7 and at times, also, then that means that the chair is  
8 identifying items that come up, that need to go and be  
9 vetted at various committees.

10           So, as that communication is happening, I have two  
11 questions. One is, for example, say Commissioner Dai  
12 sends me something for the agenda, then I would typically  
13 work with my vice-chair, in this case Commissioner Filkins  
14 Webber, to craft the agenda. How do I navigate that,  
15 because to me it would appear on its face there could be a  
16 violation there?

17           And then the second is, if I task Commissioner  
18 DiGuilio with something that comes to my attention, that  
19 seems best suited for the Technical Committee, and she  
20 wants to share that with her other committee members, and  
21 actually put it on the agenda and share it in some  
22 substance, how -- how do we do that, again, with avoiding  
23 these violations.

24           MS. JOHNSTON: The way most -- in my experience,  
25 most agencies deal with it, is giving one person the

1 authority to set the agenda, be it the chair, or the  
2 executive director, or whoever.

3 Now, other people may suggest items to be included  
4 on that agenda.

5 CHAIRPERSON GALAMBOS MALLOY: Okay. But since I'm  
6 the -- so, let me give another scenario.

7 So say, for example, I send Commissioner Blanco a  
8 detailed e-mail saying this is a legal item that needs to  
9 be addressed in your committee. Can she take the content  
10 of that e-mail and share it with anybody else on her  
11 committee or how does that information get translated into  
12 their agenda?

13 MS. JOHNSTON: If she decides to put it on her  
14 agenda, then she can distribute it, along with other  
15 materials distributed in advance of a meeting to everybody  
16 who's going to be attending the meeting, which then makes  
17 it a public document available to anybody who wants it.

18 CHAIRPERSON GALAMBOS MALLOY: Excellent.  
19 Commissioner DiGuilio.

20 COMMISSIONER DI GUILIO: But to back -- add one  
21 more element to that, because this was an issue.  
22 Chairwoman Galambos Malloy sent me some information to put  
23 on the agenda, but I did not share it with anyone else  
24 because I didn't know if I could.

25 So you're saying that it can't -- there were some

1 ideas for suggestions for the agenda, and I didn't have  
2 the opportunity to vet it with anybody else, like with  
3 Commissioner Barabba who is the other, second person  
4 designated. So, could I just talk to him about it or is  
5 that a three-way communication?

6 CHAIRPERSON GALAMBOS MALLOY: Does she just need  
7 to make the decision and put it on the agenda, end of  
8 discussion.

9 MS. JOHNSTON: Right. And because you don't have  
10 any closed sessions, anything you put on the agenda and  
11 discuss becomes a public document. Which makes you  
12 different than other agencies that could -- I assume maybe  
13 you still would have the attorney/client privilege, if you  
14 could argue that that would not become a public document.

15 But normally, any document used for a public  
16 discussion becomes a public document.

17 CHAIRPERSON GALAMBOS MALLOY: Any other questions  
18 on this point, specifically?

19 Commissioner Parvenu?

20 COMMISSIONER PARVENU: So, even if it's ambiguous  
21 whether or not that item should actually be placed on the  
22 agenda, and example that -- that Commissioner DiGuilio  
23 just mentioned, without discussion, she can't discuss that  
24 or -- to even make the determination I'm not certain if  
25 this should be on the agenda or not or --

1 MS. JOHNSTON: She can discuss it with people, but  
2 it has to be her decision.

3 CHAIRPERSON GALAMBOS MALLOY: Oh, got you. Got  
4 you.

5 COMMISSIONER DI GIULIO: So, the discussion could  
6 happen with another Commissioner, the decision would have  
7 to just rely solely with myself.

8 MS. JOHNSTON: As long as it's not with a quorum.

9 COMMISSIONER DI GIULIO: Okay, that's fine. Thank  
10 you for that clarification.

11 CHAIRPERSON GALAMBOS MALLOY: Okay. One  
12 additional scenario to this, just to make sure I'm  
13 understanding, Commissioner Blanco e-mails me with an  
14 issue that needs to go on another subcommittee's agenda,  
15 I'm acting chair, I give that to Commissioner DiGuilio  
16 because that's where I feel it should reside in terms of  
17 the agenda. Because you are the decision maker -- I'm  
18 just trying to see, is that a violation, is that --  
19 because these are the types I think that particularly the  
20 chairs will be dealing with.

21 MS. JOHNSTON: Just passing along information is  
22 not a violation of the Act.

23 CHAIRPERSON GALAMBOS MALLOY: Gotcha. It comes  
24 into the decisions.

25 MS. JOHNSTON: Right.

1           LEGAL COUNSEL MILLER: You did mention, though, so  
2 long as it's not a quorum.

3           MS. JOHNSTON: That's true.

4           LEGAL COUNSEL MILLER: So I would suggest on these  
5 committees that you bounce it off of one person, so you're  
6 not creating a quorum of bouncing it off of two, and  
7 suddenly it feels a lot like a meeting.

8           CHAIRPERSON GALAMBOS MALLOY: Commissioner Raya?

9           COMMISSIONER RAYA: I have another question about  
10 the idea of passing along information, because I received  
11 an e-mail, and it went to my personal e-mail, regarding  
12 some information on translators. And I don't know if  
13 every -- I asked a couple people if they received that e-  
14 mail and nobody said they did, except that Mr. Claypool  
15 did.

16           So I didn't know whether I could just forward that  
17 to everyone so -- I mean, it was just information, if you  
18 want to know about the law regarding the use of  
19 interpreters, go to this website. That's all it was. So,  
20 I sent it to Mr. Claypool.

21           But that's one -- that's been one of my  
22 frustrations and you've made that a little clearer about  
23 sharing information, because I always feel like, you know,  
24 I'm just playing catch up. If I wasn't one of the two  
25 people, I don't know what happened or what's going on

1 until the day of and then, you know, you get all your  
2 paperwork and try to read everything so you can make some  
3 kind of an intelligent decision.

4 So, is that the appropriate way to treat something  
5 that comes outside the -- didn't come to me from a  
6 Commission member.

7 MS. JOHNSTON: That's really your discretion of  
8 how widely you feel you can distribute it, unless you have  
9 something confidential in it.

10 But if you do distribute it, for instance, to Mr.  
11 Claypool, it becomes a public document because he doesn't  
12 enjoy any privilege. So, if someone were to ask for his  
13 e-mails --

14 LEGAL COUNSEL MILLER: That's what he's looking  
15 for --

16 MR. CLAYPOOL: I already knew that.

17 [Laughter]

18 COMMISSIONER RAYA: But you're saying I could have  
19 just gone ahead and forwarded that e-mail to all my fellow  
20 Commissioners without a problem?

21 MS. JOHNSTON: Yeah.

22 LEGAL COUNSEL MILLER: Although, I think it might  
23 be a better practice to send it to Mr. Claypool and let  
24 him forward it so we, in a sense, can keep track of those  
25 things better.

1 COMMISSIONER RAYA: Right.

2 LEGAL COUNSEL MILLER: The result is the same  
3 either way and we'll come back to this under the Public  
4 Records Act.

5 All of these communications are public -- the  
6 public has access to them. So, you just need to keep that  
7 fact in mind when a decision's made to send them on,  
8 regardless of how it's sent on.

9 COMMISSIONER BARABBA: A while back I watched the  
10 webinar on -- from the Census Bureau, and I thought it was  
11 of value, so I sent it to all the Commissioners. And then  
12 there was a question raised about whether that was okay to  
13 do. I thought it was a public -- it was a public webinar.

14 MS. JOHNSTON: Right. As long as you're just  
15 distributing matter that's available to any member of the  
16 public, there's no problem with that.

17 COMMISSIONER BARABBA: Okay.

18 CHAIRPERSON GALAMBOS MALLOY: And Commissioner  
19 Filkins Webber.

20 COMMISSIONER FILKINS WEBBER: Okay. And that's  
21 where we get into a fine line, which I was wondering. So,  
22 if it's information that you receive from somebody in the  
23 public, it's one thing.

24 But if -- but aren't there fine lines, such as  
25 let's say that this e-mail, for example, that Commissioner

1 Raya received was further information regarding  
2 interpreters and it came from a particular vendor. And  
3 let's say that she may have spoken in an open public forum  
4 regarding that vendor.

5           If she sends it to Mr. Claypool and Mr. Claypool  
6 then sends it to all of the Commissioner members, with  
7 what appears to be the intent that this Commission, you  
8 know, contract with that vendor, isn't that communication  
9 done in a form to solicit, you know, a decision among  
10 fellow Commission members?

11           It's not just passing along the information, and  
12 that's what concerns me. I know there are fine lines here  
13 and if that happens to be one of them, then please let me  
14 know.

15           But that's where just forwarding the information  
16 to all 14 of us, regarding -- we all know that it's going  
17 to be a public record, especially when we're using our  
18 Google e-mail, but I'm concerned that dissemination, if it  
19 may lead or give the appearance of some influence in  
20 ultimate decision making, or decision that might be  
21 influenced by one Commission member could appear to be a  
22 violation, couldn't it?

23           MS. JOHNSTON: Perhaps in that situation you  
24 should put a disclaimer on it, this is for informational  
25 purposes only, I'm not recommending either way.

1           But you do have to consider -- but you might get a  
2 private communication that you would want to share with  
3 the world, and the you should not send it to Mr. Claypool  
4 because it would become public.

5           But if you get it on your Commission e-mail, it  
6 probably is public anyway.

7           LEGAL COUNSEL MILLER: I would just -- one other  
8 distinction, if two Commissioners are corresponding with  
9 one another about Commission business, on a private e-  
10 mail, I think that's going to be considered the same as if  
11 it were on your CRC e-mail.

12           CHAIRPERSON GALAMBOS MALLOY: Thank you.

13           Additional questions?

14           Would you like to give -- you have prepared  
15 something formal for us so --

16           LEGAL COUNSEL MILLER: Sure. Why don't we --  
17 let's spend a minute on the PRA hypothetical, which number  
18 is that?

19           COMMISSIONER WARD: Nine and ten.

20           LEGAL COUNSEL MILLER: That may be redundant of  
21 what we just did, but let's see because this is something  
22 we haven't talked about much and at some point it's going  
23 to become important. Number nine. Number nine's pretty  
24 straight forward.

25           MS. JOHNSTON: And I think you're already doing

1 that.

2 LEGAL COUNSEL MILLER: Yeah.

3 MS. JOHNSTON: My understanding is every material  
4 that comes in you post on your website.

5 LEGAL COUNSEL MILLER: But number ten is the one  
6 that can become burdensome and is -- it may very well  
7 occur.

8 MS. JOHNSTON: Now, there may be certain  
9 privileges that apply, for instance attorney/client, or  
10 maybe it's some privacy issue that comes up.

11 But in general you should consider all your e-  
12 mails involving the Commission be public records. Because  
13 they may be asked for and if they're asked for, they have  
14 to be produced, if they still exist.

15 COMMISSIONER DI GIULIO: Can I ask a question?  
16 So, what obligation are we under if we start receiving e-  
17 mails from the public? I'm assuming we need to forward  
18 things that are related to redistricting matters to you  
19 and the rest we just keep in our account?

20 LEGAL COUNSEL MILLER: Well --

21 COMMISSIONER DI GIULIO: I just -- I mean, we've  
22 already received some things as Commissioners where  
23 organizations, or groups, and I would imagine individuals  
24 would maybe see this as a route for them to get  
25 information to us is via our e-mails.

1 MS. JOHNSTON: If it's going to be information  
2 used by the Commission, then it's a public record.

3 If you keep it and don't distribute it to them,  
4 but it influences your own thinking, it may be a  
5 Commission record.

6 If you delete it and don't consider it --

7 COMMISSIONER DI GIULIO: I guess my point is do we  
8 just forward that -- do we forward those to Dan, because  
9 it's not our prerogative to re-forward it to everyone  
10 else, for his determination?

11 MS. JOHNSTON: That's whatever procedure you want  
12 to set up, if you want Dan to distribute them all.

13 MR. CLAYPOOL: If that's the question and I have  
14 to do that it probably makes some sense because -- it  
15 probably makes some sense because it is, again, what Kirk  
16 has suggested as being a funnel, so that we know what's  
17 coming in and what's going out.

18 LEGAL COUNSEL MILLER: I think, you know, the  
19 danger is one thing implicates another. We've got the  
20 other portion of the statute that precludes a Commissioner  
21 from talking about, quote, redistricting matters, and  
22 we've talked to some extent about what that is.

23 But if you were to receive an e-mail about a  
24 peculiar issue in a district, and you were to respond to  
25 that e-mail in a substantive way, I think you've walked

1 into that other problem. So, you know, I would avoid  
2 doing that.

3 COMMISSIONER DI GIULIO: Yeah, we all know not to  
4 respond. I guess it's a matter of what do you do with  
5 that? This may come up, it may not. Maybe, in our  
6 individual areas, we may have people that figure they can  
7 reach us, individually, with their suggestions. So at  
8 that point we've read the e-mail to some extent, and we've  
9 received some information and we need to pass that along.  
10 So, I'm assuming the law requires us, then, to forward it  
11 to staff for determination of whether it needs to be  
12 distributed for everyone else.

13 LEGAL COUNSEL MILLER: And I wouldn't --

14 MS. JOHNSTON: I wouldn't say the law requires it,  
15 I would say best practice requires it.

16 LEGAL COUNSEL MILLER: Yeah, it's a matter of us  
17 formulating what we think is a prudent approach, as the  
18 law really telling us how to handle that.

19 Are you -- so, I would -- why don't we suggest  
20 that you do that and we'll see if we can fashion a more  
21 formal policy around the issue.

22 CHAIRPERSON GALAMBOS MALLOY: Please continue.

23 LEGAL COUNSEL MILLER: You know, we could use your  
24 input on -- in terms of understanding the kinds of things  
25 that you are receiving and so we've got a little bit of a

1 sense of what the universe of what we're dealing with. I  
2 think it would help to inform any policy that's developed.

3           You know, I just have to say it, you know, e-mail  
4 has always gotten people in trouble. I'll use one  
5 quick -- has anyone here ever done any choral singing? If  
6 you have -- high school's good enough. What you want in  
7 that format is everybody coming in together and going out  
8 together. And if you come in early, that's called an  
9 unintended solo. You don't want that.

10           What you want to avoid is the sarcastic e-mail,  
11 the e-mail that is as if you were speaking to someone in  
12 the hall and not something that would be preserved and  
13 produced in a Public Records Act request.

14           And it's just so easy to fall into the  
15 conversational approach in exchanging messages, but there  
16 is a real risk that those could see the light of day. So,  
17 you just want to be extra careful when you're indicating  
18 on these subjects and how you phrase things, and what you  
19 say.

20           CHAIRPERSON GALAMBOS MALLOY: Feel free to  
21 continue with your scenarios.

22           MS. JOHNSTON: I think that maybe we should talk a  
23 little bit about three. Three is -- well, some discussion  
24 was yesterday about what happens if you're invited to  
25 participate in a public event.

1           If it is a public event that is open to the  
2 general public, then you can go. And what you're allowed  
3 to speak on, reasonably construing what it means to speak  
4 on redistricting matters, is that you can't talk about the  
5 substance of the decision-making process that you're going  
6 through in drawing the lines.

7           You can talk about the process. You can't talk  
8 about any opinions you formed, any possible results that  
9 may come out. But you can certainly describe who the  
10 Commissioners are, what your task is, how far you've  
11 gotten in the process, those types of general questions.

12           And there was one question I heard yesterday about  
13 what happens if you -- someone sends you information?  
14 There's nothing wrong with receiving information that's  
15 available to the general public.

16           When they talk about not participating in  
17 discussions, receiving information about it, they're  
18 talking about that's kept private, that's not available to  
19 other people.

20           LEGAL COUNSEL MILLER: At least that's our read of  
21 the statute. I understand you've gotten more restrictive  
22 advice than that in the past and --

23           MS. JOHNSTON: But you've got to read it  
24 reasonably.

25           LEGAL COUNSEL MILLER: And we think that's a

1 better reading of what was intended here.

2 CHAIRPERSON GALAMBOS MALLOY: Okay.

3 COMMISSIONER ANCHETA: So, some conferences, and  
4 we should obviously exercise discretion and maybe we'll  
5 want to vet it with you in terms of just the content of a  
6 conference. Some conferences, a training conference, for  
7 example, I don't think that's a problem.

8 Conferences where people may be talking -- end up  
9 talking strategy about redistricting, probably not  
10 appropriate for us to be there and I think we'd want to  
11 look at any conference agenda and get a good sense of  
12 what's going on before we even consider it.

13 MS. JOHNSTON: Well, participate in part of it and  
14 then leave when it becomes talking about those other  
15 issues.

16 COMMISSIONER ANCHETA: Okay.

17 CHAIRPERSON GALAMBOS MALLOY: Commissioner Raya?

18 COMMISSIONER RAYA: Someone handing you a  
19 publication or a document that somebody else could just,  
20 you know, go buy off the shelf or, you know, e-mail and  
21 get a copy, whatever, that would be okay?

22 MS. JOHNSTON: You may have a gift problem, which  
23 is a whole different area.

24 {Laughter}

25 MS. JOHNSTON: But it's no problem getting it, no.

1 COMMISSIONER RAYA: Sorry I asked.

2 MS. JOHNSTON: And the last points were really  
3 from Rob. I don't know if Rob wanted to discuss the  
4 suggested answers he came up to --

5 LEGAL COUNSEL MILLER: And before we go there, I  
6 think eight is one that we've talked about, this business  
7 of meeting with less than a quorum of the Commission has  
8 been, as I understand it, a concern.

9 It's fine for subsets of the Commission to meet in  
10 public, in a public session. It's just, obviously, you  
11 can't take action because you lack a quorum. But I think  
12 that covers the problem of going to a mapping session and  
13 receiving input with only a representative number of  
14 Commissioners being present.

15 MS. JOHNSTON: Exactly.

16 COMMISSIONER BARABBA: You said representative,  
17 not a number. I mean, do we have to --

18 LEGAL COUNSEL MILLER: No magic in that. Less  
19 than 14.

20 COMMISSIONER BARABBA: Okay.

21 LEGAL COUNSEL MILLER: Less than nine.

22 COMMISSIONER BARABBA: Less than nine, okay.

23 MS. JOHNSTON: If all you're doing is receiving  
24 information.

25 LEGAL COUNSEL MILLER: Okay. Rob, I think you

1 distributed these Qs and As to the Commissioners?

2           COMMUNICATIONS DIRECTOR WILCOX: No, when working  
3 with these -- I didn't know they were going to be in here.  
4 We're working with these in the committee and this doesn't  
5 reflect some of the changes that one of our Commissioners  
6 made, and it's only a beginning document.

7           MS. JOHNSTON: Rip them up. Although, actually,  
8 now that they've been discussed in public session they  
9 become part of it. You can stamp them draft, though.

10           LEGAL COUNSEL MILLER: Okay.

11           COMMISSIONER ANCHETA: But, functionally, we  
12 should just ignore these for now. They're in the record,  
13 obviously, but we can just --

14           COMMUNICATIONS DIRECTOR WILCOX: They will be --

15           COMMISSIONER ANCHETA: You'll get a new one to us,  
16 right?

17           COMMUNICATIONS DIRECTOR WILCOX: Very soon.

18           COMMISSIONER ANCHETA: Okay. It was an excellent  
19 first effort.

20           MS. JOHNSTON: Any other questions? Do you want  
21 to just look over the other hypotheticals?

22           COMMITTEE MEMBER BLANCO: I have a -- it's not a  
23 hypothetical, it's a situation that's coming up and I  
24 think I understand it, but I just want to know the  
25 pitfalls, potentially.

1           So, because we're considering consultants for  
2 the -- along with even staff attorney, but we're  
3 considering consultants to provide legal services on the  
4 Voting Rights Act. We're going to do the interviews in  
5 the advisory committee, which will be public, so the  
6 candidates will all be there, the public will all be  
7 there, the members of the committee will be there as --  
8 and, in addition to other Commissioners who just want to  
9 sit in on that.

10           And then we will make a decision publicly, because  
11 we have to do it publicly, as to the first cut and then  
12 we'll take that to the -- well, we won't make a --

13           COMMISSIONER ANCHETA: We'll make a  
14 recommendation.

15           COMMITTEE MEMBER BLANCO: We won't be making a  
16 decision, we'll be making a recommendation that we'll take  
17 to the Commission --

18           MS. JOHNSTON: But that's a decision, that counts  
19 as a decision. To make a recommendation is to decide that  
20 you are recommending this person.

21           COMMITTEE MEMBER BLANCO: So, can we do that?

22           MS. JOHNSTON: You can do that because you're a  
23 committee, and you've publicly noticed it and it's done in  
24 public session.

25           Now, just a suggestion, I know that everybody

1 wants to be involved in everything. If you get a hundred  
2 applications and you, as the chair, or whoever the chair  
3 is, can see, clearly, that some people are not qualified,  
4 I would think that you could delegate to the chair only  
5 scheduling those people for interviews who at least meet  
6 some basic qualifications, so there's no obligation to  
7 interview everybody.

8 COMMITTEE MEMBER BLANCO: So, okay -- so that's  
9 helpful. So, we get 60 applications, you're the chair or  
10 I'm the chair or --

11 LEGAL COUNSEL MILLER: Our current procedure would  
12 be that all 60 would -- not the lawyers, themselves, but  
13 the applications would be reviewed in a public meeting of  
14 the committee.

15 COMMITTEE MEMBER BLANCO: I know. I know.

16 LEGAL COUNSEL MILLER: And that's fine. And so  
17 the next step is if you want to build in a protection to  
18 make a decision prior to that time?

19 COMMITTEE MEMBER BLANCO: Right. So, Ms. Johnson  
20 is suggesting that one person could actually say -- we  
21 don't have to sit through 60 applications in this advisory  
22 committee meeting, the chair can make a decision to make a  
23 first cut before we go to the full --

24 MS. JOHNSTON: If the committee has delegated that  
25 authority to the chair.

1           COMMISSIONER FILKINS WEBBER: But my problem with  
2 that is I don't know that this Commission has delegated  
3 the authority to the advisory committee to begin with, to  
4 then delegate from the advisory committee to even a chair  
5 on the advisory committee.

6           MS. JOHNSTON: No, no. Correct.

7           COMMISSIONER FILKINS WEBBER: We haven't given  
8 decision-making power to the advisory committee.

9           COMMITTEE MEMBER BLANCO: And I'm actually less --  
10 let me say that I'm actually not -- wasn't envisioning  
11 doing that.

12           I'm more concerned with your comment that the  
13 recommendation that goes to the Commission is a decision.

14           MS. JOHNSTON: Because it's --

15           COMMITTEE MEMBER BLANCO: And I just really want  
16 to understand that.

17           MS. JOHNSTON: Because it's not just a decision,  
18 it's participating, deliberating -- deliberating and  
19 participating in any way, so the deliberation.

20           LEGAL COUNSEL MILLER: But we've cured the  
21 problem, though, by doing everything in a public meeting.  
22 So while that's the correct, we don't have a legal problem  
23 as a committee because we're doing it all publicly, and  
24 that rule would preclude it from being done in private.

25           COMMITTEE MEMBER BLANCO: But isn't that

1 recommendation, without a quorum of the full Commission?

2 I mean, it's a decision. Can we make that decision in an  
3 advisory -- it's not a Bagley-Keene issue.

4 MS. JOHNSTON: It's not a Bagley-Keene issue, it's  
5 whether or not you've been delegated that authority.

6 COMMITTEE MEMBER BLANCO: Okay.

7 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
8 DiGuilio?

9 COMMISSIONER DI GUILIO: I think this is a good  
10 point, though, have we -- based on the scenario that the  
11 Legal Committee reported out earlier, their responsibility  
12 was to make decisions in the sense of they're going to  
13 eliminate some of the candidates for the full Commission.

14 So, have we delegated authority for them to do  
15 that?

16 LEGAL COUNSEL MILLER: I understood that during  
17 that discussion the Commission approved the procedure that  
18 was recommended by the --

19 COMMISSIONER DI GUILIO: Okay, I just wanted to  
20 make sure we'd given them that authority, because that's  
21 what --

22 COMMITTEE MEMBER BLANCO: And that was what's part  
23 of what's in the recommendation and was approved. I mean,  
24 we did say -- we didn't use the magic word, delegate  
25 authority, but we said this is what we'd like to do and

1 the Commissioners voted on it.

2 CHAIRPERSON GALAMBOS MALLOY: Commissioner Filkins  
3 Webber.

4 COMMISSIONER FILKINS WEBBER: That was also under  
5 the understanding that any other Commission member that's  
6 not on the Legal Advisory Committee could always ask that  
7 another candidate come in.

8 So, there was some limitation on the full,  
9 without -- delegated authority, essentially. So, I mean,  
10 it's a process and procedure that I think was permitted,  
11 even though we are bound by other provisions under the  
12 Voters First Act, as far as our ability to delegate  
13 decision making to advisory committees, as I understand  
14 it.

15 LEGAL COUNSEL MILLER: That's right. The Act  
16 would not permit -- this is the Voters First Act, now.

17 CHAIRPERSON GALAMBOS MALLOY: Right.

18 LEGAL COUNSEL MILLER: Would not permit the  
19 committee to make this particular decision because it's  
20 the retention of a consultant, and that requires the  
21 special majority.

22 COMMITTEE MEMBER BLANCO: And that's why my  
23 question was if we're not recommending the retention, but  
24 by narrowing the field there's some people you've decided  
25 not to retain.

1           LEGAL COUNSEL MILLER: Well, I think the Voters  
2 First Act refers to making the final decision about who's  
3 going to do the work.

4           COMMITTEE MEMBER BLANCO: Okay.

5           LEGAL COUNSEL MILLER: And that will be a decision  
6 of the full Commission.

7           CHAIRPERSON GALAMBOS MALLOY: Excellent.

8           COMMITTEE MEMBER BLANCO: Thank you.

9           CHAIRPERSON GALAMBOS MALLOY: Are there other  
10 scenarios you'd like to present for discussion?

11           MS. JOHNSTON: One that may come up, depending on  
12 the availability of Commissioners at some of these input  
13 meetings, if you schedule it for a public meeting and you  
14 do not have a quorum, you cannot convene the Commission.  
15 But you could convene an advisory -- the members who are  
16 present as an advisory committee, who would then accept  
17 all the input.

18           So, even though you're trying to schedule them as  
19 full Commission meetings, if it turns out because of  
20 people's schedules that you just can't meet the quorum  
21 requirements, you can still receive the information.

22           CHAIRPERSON GALAMBOS MALLOY: Commissioner Filkins  
23 Webber.

24           COMMISSIONER FILKINS WEBBER: You say receive the  
25 information. Would there be other limitations to what

1 this Commission could do at this input hearings as far as  
2 interaction with the public, any discussions? I mean,  
3 what --

4 MS. JOHNSTON: You can ask questions, you can ask  
5 for clarifications, you can make comments. You cannot  
6 make a decision.

7 COMMISSIONER FILKINS WEBBER: You can't make a  
8 decision, but is there a prohibition to a discussion? I  
9 guess there wouldn't be. So, just because you don't have  
10 a quorum, you just can't make a decision, which we  
11 wouldn't be doing at input hearings, anyway.

12 MS. JOHNSTON: Because you're meeting as an  
13 advisory committee, but you've publicly noticed it, so  
14 it's okay to engage in the discussion.

15 LEGAL COUNSEL MILLER: And think, too, about this,  
16 even if you had a quorum, even if there were a quorum  
17 present, I don't think we're contemplating making  
18 decisions at that stage.

19 So, I think it's fair to say you can do anything  
20 with two in these meetings that we would anticipate doing.

21 MS. JOHNSTON: One other caveat that I think you  
22 may be aware of, I saw your sign-in sheet said it was  
23 voluntary. In your public meetings, tomorrow, you cannot  
24 require people to identify themselves. If they want to  
25 speak without identifying themselves, that is their

1 absolute right. So make sure that any -- that you make it  
2 clear to people that it's a voluntary process.

3 COMMISSIONER FILKINS WEBBER: Do you recommend  
4 that before opening public comment sessions? We drafted  
5 some procedures to remind the public regarding the  
6 decisions that we've made.

7 Do you think it's a good custom and practice, as  
8 part of our procedural, to make a -- provide a notice that  
9 no member of the public is required to provide their name,  
10 even though they may see that other members of the public  
11 do so.

12 MS. JOHNSTON: My concern was that you were  
13 scheduling people because they had submitted requests to  
14 speak, and so that was requiring people to identify  
15 themselves.

16 If someone shows up tomorrow, who did not fill out  
17 a request to speak, but is there and wants to speak, they  
18 need to be allowed to.

19 CHAIRPERSON GALAMBOS MALLOY: Yeah. And that is  
20 our practice. And tomorrow, we offered the opportunity to  
21 organizations who wanted to make more extensive  
22 presentations than would typically be allowed by our  
23 public comment rules, for them to reserve time ahead.

24 We also have several hours dedicated to public  
25 comment that can be anybody who comes in, that wouldn't

1 have to identify themselves.

2 MS. JOHNSTON: Good.

3 LEGAL COUNSEL MILLER: Well, thank you for your  
4 attention at five o'clock, on a Friday night, on the  
5 intricacies of the Bagley-Keene and other Acts.

6 [Laughter]

7 COMMUNICATIONS DIRECTOR WILCOX: Let's hope they  
8 stay tuned.

9 CHAIRPERSON GALAMBOS MALLOY: Excellent. So,  
10 how -- do Commissioners feel like we can move into the  
11 Public Information report-back without a bio break?  
12 Absolutely.

13 So, at long last, our --

14 COMMISSIONER RAYA: Okay, let me -- I have to open  
15 up my computer again.

16 CHAIRPERSON GALAMBOS MALLOY: Okay.

17 COMMISSIONER RAYA: Well, okay, so much of what we  
18 were reporting on has been brought out, so we could really  
19 condense this. And I think I would let Mr. Wilcox report  
20 on what's been done, and if there's anything missing, then  
21 we'll fill that in.

22 COMMUNICATIONS DIRECTOR WILCOX: Okay, thank you.  
23 And I want to thank the advisory committee for their work  
24 in working with me to make many of these things and  
25 accomplishments possible.

1           Twitter, there was a Twitter feed that was started  
2 some time ago, called We Draw The Lines. It's now in our  
3 possession to be able to Tweet. I have been Tweeting.  
4 And when you see me on my phone, doing something, that  
5 means I'm Tweeting, I'm not answering other e-mail and  
6 surfing the web. I promise.

7           So, that's another way to give newsworthy  
8 information in a timely way.

9           We are up on Facebook, a quick and easy way for  
10 the public to access information about the Commission.  
11 And content is being added daily.

12           Redistrictingca.org is posting Commission  
13 information, as you know, we've been talking about this in  
14 our meetings. And I want to thank Common Cause for giving  
15 us a direct link so that we can post to that web -- to the  
16 website.

17           Crc.ca.gov, our website. I want to thank the  
18 Secretary of State because this week has been putting a  
19 lot of information on, and getting those presentations,  
20 and requests for information and drafts up on the website.

21           Commissioner Ancheta is actually on that website.  
22 And I want to thank -- and so our staff met with them and,  
23 you know, of course, they have much on our plate and  
24 they're really committed to helping us. And then we have  
25 these other networks that are helping us get information

1 out.

2           The Commission database, we now have control of  
3 our database and the ability to directly send messages  
4 out. And the media list, we have identified the media  
5 database to be purchased and, of course, that's going  
6 through the process.

7           But I just want you to know that I have -- I have  
8 my list, I'm augmenting that as we speak. Nothing is  
9 going to not be done because I don't have that other  
10 database.

11           So, you know, I'm very confident that we will  
12 continue here. It will be a help as we move along,  
13 especially as we're going into having the input hearings  
14 and wanting to make sure that we're covering all of the  
15 media in a certain area, but we are confidently moving  
16 forward.

17           Editorial boards, we briefly talked about that and  
18 you will be hearing from me next week, some of you have  
19 already heard from me, and booking those up and down the  
20 State.

21           And let me just tell you, the editorial boards are  
22 really setting a foundation for our relationship with  
23 these newspapers, and that you will come into a forum and  
24 talk to editors, maybe even the publisher, journalists.  
25 And even though they may not run out and write a story

1 just that day, they now have the background so when  
2 they're covering you, they've also met Commissioners,  
3 they've been able to talk with you and interview you,  
4 understand who you are and what the process is. And at  
5 the end of the day, when they're editorializing, which may  
6 not be until the end of the process, that you've come to  
7 them and started a conversation very early on.

8           We're maximizing the relationship with our  
9 outreach partners. I just want to say, publicly, to thank  
10 all of them. And they have -- I'm having regular  
11 conversations with them and they've come forward to offer  
12 their help in any way that they can, with their e-mail  
13 lists, and their websites, and their resources.

14           Media training of Commissioners, really, the  
15 conversations that I've had, I want to thank all of you  
16 for doing that. Right now I'm up to 11 out of the 14 and,  
17 hopefully, we'll be able to complete the others. But I  
18 thank you for that.

19           Commissioner Aguirre had mentioned something that  
20 is actually in my report, when he said that the Census  
21 reached out to local officials, that it was very important  
22 in the outreach. And I think that putting into the  
23 communications plan government affairs, government  
24 outreach is very, very important because it can be very,  
25 very key.

1           And I've had a very good conversation with the  
2 California League of Cities, and will be reaching out to  
3 other government associations.

4           The California League of Cities said we would love  
5 to work with you, and offer our newsletter, and our  
6 magazine, and getting information out to members regarding  
7 meetings. And, also, they have 15 local organizations,  
8 for example, the Orange County League of Cities, that have  
9 local meetings that we will offer Commissioners as  
10 speakers.

11           COMMISSIONER BARABBA: Rob, it occurred to me when  
12 you mentioned the Census, one of the really successful  
13 programs was reaching out to the school systems. They  
14 actually created a curriculum for teachers to teach what  
15 the Census is about.

16           And, usually, when you get the kids talking about  
17 it, it really gets to the house. And so you might want to  
18 think about it.

19           COMMUNICATIONS DIRECTOR WILCOX: Thank you. Thank  
20 you, Commissioner Barabba.

21           Frequently asked questions, we just heard about  
22 these. We talked about them in our advisory committee  
23 meeting and we just started brainstorming and putting  
24 together a draft list, and we are completing more of  
25 those, and we'll have that available to the full

1 Commission this week, and it will be posted on our  
2 website.

3           And I'm very confident about that because there's  
4 already frequently asked questions on there now and this  
5 one can just replace those.

6           And those frequently asked questions will also be  
7 part of press kits. And that's my next point, that we are  
8 putting together and will have before the first editorial  
9 board, which is on Wednesday, we'll have a press kit put  
10 together with a background on the Commission, and bios on  
11 the Commissioners, and the Redistricting California  
12 booklet, which is great, and they've offered to give us so  
13 many.

14           Yes?

15           COMMISSIONER FILKINS WEBBER: I'm sorry, you said  
16 bios on the Commissioners?

17           COMMUNICATIONS DIRECTOR WILCOX: Yes.

18           COMMISSIONER FILKINS WEBBER: And where are those  
19 coming from?

20           COMMUNICATIONS DIRECTOR WILCOX: The ones that are  
21 on the website.

22           COMMISSIONER FILKINS WEBBER: There's errors in  
23 mine and I just never bothered to get it corrected because  
24 there were problems with, you know, dealing with BSA and  
25 then transitioning to SOS, and it was a low, low, low

1 priority.

2 COMMUNICATIONS DIRECTOR WILCOX: Yes.

3 COMMISSIONER FILKINS WEBBER: So, I would  
4 appreciate conference with me before you release any of  
5 those, to correct some errors.

6 COMMUNICATIONS DIRECTOR WILCOX: Well, could I ask  
7 Commissioners to go through your bio and send me the  
8 correct, you know, what you want to see.

9 And this came up in our committee about that  
10 someone had chosen a quote for you from -- you had  
11 actually said it, but they chose it. If you want to  
12 change that quote, please do. Be comfortable with what,  
13 because we're going to send it out to a lot of people, and  
14 a lot of news organizations, so please be comfortable with  
15 it.

16 COMMISSIONER FILKINS WEBBER: Do you want to  
17 provide us a date, a due date? You have a schedule in  
18 mind so --

19 COMMUNICATIONS DIRECTOR WILCOX: Yes, I would love  
20 by the close of business on Tuesday. Is that pushing  
21 everybody too much?

22 COMMISSIONER FILKINS WEBBER: Wonderful, thank  
23 you.

24 COMMUNICATIONS DIRECTOR WILCOX: Okay.

25 COMMISSIONER RAYA: Can I get a new picture?

1           COMMISSIONER DI GIULIO:  Seriously, the  
2 pictures -- I mean, but seriously, if you're going to  
3 distribute those, I think some of us have some issues with  
4 them.

5           COMMUNICATIONS DIRECTOR WILCOX:  Oh, well, I --  
6 no, can I just say something?  The bio I have in mind, I  
7 was not going to --

8           CHAIRPERSON GALAMBOS MALLOY:  Mr. Wilcox has the  
9 floor, please.

10          COMMUNICATIONS DIRECTOR WILCOX:  I necessarily  
11 didn't decide to actually put -- I didn't know whether I  
12 was going to put the photos on there or not.  It was more  
13 important the substance, yeah.  Okay.

14          The local Headline News, Time Warner and Comcast,  
15 we talked a little bit about this, a couple of  
16 Commissioners have already done the Comcast one.  I'm  
17 going to be asking many of the Commissioners to also do  
18 the Headline News interviews in their local communities.

19          Time Warner will offer all Commission meetings  
20 online -- excuse me, on Video-on-Demand.  I don't know if  
21 you know that service.  And so that's -- that's a lot --  
22 that's millions of households that will have access, at  
23 any time, to the Commission meeting, and so I want to  
24 thank Time Warner for doing that.

25          So, I just want to say a couple of things about

1 the conversation that happened before, is that tomorrow  
2 I'm looking forward to these presentations because I  
3 believe there are a lot of incredible organizations out  
4 there that have put together some pretty good outreach  
5 plans.

6 I received -- I just watched it this morning, a  
7 really great video that I will send around, from the  
8 Greenlining Institute. You'll probably see it tomorrow or  
9 hear about it. And I believe there are others that are  
10 doing some fantastic work out there and I think that will  
11 also determine what our plans are going to be. Because to  
12 be able to piggy back, and to collaborate, and to partner  
13 with these organizations is going to be great.

14 I think that's it.

15 CHAIRPERSON GALAMBOS MALLOY: Any other members of  
16 this --

17 COMMUNICATIONS DIRECTOR WILCOX: Oh, can I just  
18 add one more thing, I'm sorry?

19 CHAIRPERSON GALAMBOS MALLOY: Yes, please do.

20 COMMUNICATIONS DIRECTOR WILCOX: Yes, I didn't  
21 mention that also in the outreach with -- and I see this,  
22 really, as two steps here in the beginning. We're going  
23 out to the editorial boards right away. And then, you  
24 know, we will also offer television and radio the  
25 opportunity, as we go along, to cover the Commission and

1 interview Commissioners.

2 But I also see that the big, big push will happen  
3 when all of those -- of that media, up and down the State,  
4 especially in the communities that we are holding the  
5 input hearings, that that big push starts the 14 days --  
6 it starts now. But the 14 days before you have an input  
7 meeting that -- and especially if you have draft maps that  
8 are going to be posted at that time, that's when we're  
9 really going to get attention and that's when we're going  
10 to go after the media to make sure that that's out there,  
11 to get the public out to those input hearings.

12 CHAIRPERSON GALAMBOS MALLOY: Great. Commissioner  
13 Blanco?

14 COMMITTEE MEMBER BLANCO: I know you -- I know  
15 this must be in your plan, but I -- if it's not, just  
16 radio in the valley and in Latino communities is huge,  
17 much more than paper or TV. So, when we get to --  
18 particularly to dealing with the valley and all of that,  
19 I'd really recommend that we do a lot of radio.

20 COMMUNICATIONS DIRECTOR WILCOX: Absolutely.

21 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

22 COMMISSIONER WARD: Thank you. Three things,  
23 being on the Communications Committee, we'd had some  
24 discussion that maybe we can clear up -- I think for two  
25 weeks we've been wondering, and I've been horrible about

1 following up, if the BSA database that they had  
2 accumulated contact data during the application process, I  
3 understand that was a wealth of data mining that was done  
4 there. Were we ever able to take custody of that?

5 COMMUNICATIONS DIRECTOR WILCOX: Yes, we have it  
6 and we are e-mailing to it, using it.

7 COMMISSIONER WARD: Oh, excellent. Well, thank  
8 you, BSA.

9 And then, through the course of conversation today  
10 it's kind of become evident that the Communications  
11 Director might be well-advised to be a part of the  
12 outreach meetings. Is that something that the Commission  
13 would be an appropriate thing to suggest or recommend to  
14 staff at this point?

15 CHAIRPERSON GALAMBOS MALLOY: Can you repeat what  
16 you just said, Commissioner Ward?

17 COMMISSIONER WARD: Yeah. Right now the  
18 Communications Director has no formal role in the Outreach  
19 Advisory Committee. And judging from the issues that  
20 arose today, and seeing how the Communications Advisory  
21 Committee and the Outreach Advisory Committee have such  
22 blended functions that perhaps the Communications Director  
23 ought to be a part of both of those advisory committees as  
24 a formal component.

25 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ontai?

1           COMMISSIONER ONTAI: And I would totally invite  
2 that. I accept.

3           CHAIRPERSON GALAMBOS MALLOY: Excellent. Mr.  
4 Miller.

5           LEGAL COUNSEL MILLER: I think if you're  
6 suggesting he becomes a member of the Committee, that  
7 takes --

8           CHAIRPERSON GALAMBOS MALLOY: No.

9           LEGAL COUNSEL MILLER: Oh, sorry.

10          CHAIRPERSON GALAMBOS MALLOY: That he  
11 participates, that he is at their disposal when they met.

12          LEGAL COUNSEL MILLER: Excellent suggestion, then.

13          COMMISSIONER ONTAI: As a matter of fact, we've  
14 been very difficult having him -- pinning him down at our  
15 meetings, he seems to come and go.

16          COMMISSIONER WARD: And, lastly, I was just  
17 wondering, Rob, if you could comment on any of our video  
18 discussion or DVD type discussions that we'd had, I think  
19 two meetings ago, and how that might assist in our  
20 outreach efforts?

21          COMMUNICATIONS DIRECTOR WILCOX: Yes, and I think  
22 the conversation that went on today, starting with Mr.  
23 Claypool, with the budget this morning and some of the  
24 video ideas, and going viral, and the DVDs, and the short  
25 videos. And, of course, in talking about the CCP and what

1 they might be doing, that we have several options, I think  
2 at our disposal, and to make sure that they are available  
3 on -- you know, we're going to look at this to make sure  
4 that the message is the right one and that they're  
5 available to as many people as possible and that it's --  
6 and I think it's what we're going to be working on,  
7 immediately, to see what is going to be the first DVD,  
8 what is the process, and to get that message out there.

9           And to do it in the best way possible and  
10 economical way possible.

11           And did I answer your question?

12           COMMISSIONER WARD: Thank you.

13           CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai?

14           COMMISSIONER DAI: Yeah, there were just a couple  
15 of other things. One of the things that we thought was  
16 important was the -- this was under like the "Where's  
17 Waldo?" kind of thing, "Where in California."

18           COMMUNICATIONS DIRECTOR WILCOX: Oh, I had this on  
19 here and I forgot.

20           COMMISSIONER DAI: Go ahead.

21           COMMUNICATIONS DIRECTOR WILCOX: Can I just say  
22 that you will be receiving and I'm working, and I just  
23 spoke to Christina today, about you will be receiving,  
24 because we're going to have a historical calendar on what  
25 you have done so far. What speaking engagements, and what

1 media interviews, so the public can see that.

2           And then -- and you will receive a document that  
3 you can fill in, and then we will put that together in a  
4 document that will be on our website, it will be shared  
5 with the public.

6           And then as we go along we will be adding -- and,  
7 of course, just a reminder to all Commissioners, when you  
8 have an interview, when you have a speaking engagement,  
9 please give me the details. I know that several  
10 Commissioners have done that and I appreciate that, and  
11 just a reminder to do that.

12           And then it will be a rolling document that will  
13 provide all you that you'll know what everyone is doing,  
14 and that the public will know where the Commissioners are.  
15 And so, "Where's Waldo?" was that the --

16           COMMISSIONER DAI: Yes.

17           COMMUNICATIONS DIRECTOR WILCOX: Yes, uh-hum.

18           COMMISSIONER DAI: Yeah, the idea here is this  
19 will be important to show that we are getting out into  
20 communities. And who are we speaking to? You know, we're  
21 speaking to classes, we're speaking to organizations,  
22 we're speaking to the media, et cetera, and I think it  
23 will be useful for us, as well, just to kind of know.

24           Because I think we've been finding, I think by  
25 accident in many cases, you know, that, oh, Jeanne went

1 there and so and so spoke there, and now we'll just have a  
2 single place where we can see that all.

3           COMMUNICATIONS DIRECTOR WILCOX: And can I add one  
4 more thing, please?

5           Also, what was discussed at the advisory  
6 committee, and which you will also be receiving from me,  
7 is information on how to set up your signature. So that  
8 we have a form signature on your e-mail, on the  
9 information, that it's consistent.

10           COMMISSIONER FILKINS WEBBER: For what purpose?

11           COMMUNICATIONS DIRECTOR WILCOX: I think for  
12 conformity and that we have -- I mean, if one Commissioner  
13 has the address and the information about the office, and  
14 like some -- if you put something about the website, that  
15 that would maybe be good that it's consistent and that all  
16 Commissioners have that same kind of form.

17           COMMISSIONER DAI: It's a communication vehicle.  
18 So, for example, if we want to advertise our website, or  
19 Twitter, et cetera, and we just want to make sure, so if  
20 an e-mail's going out from any Commissioner, that that  
21 information is consistent and communicates about the  
22 Commission each time.

23           We also, by the way, brainstormed --

24           COMMISSIONER RAYA: I'm sorry, I want to know what  
25 Jody's -- Commissioner Filkins Webber's -- your question

1 or concern, so we can address that.

2 CHAIRPERSON GALAMBOS MALLOY: Do you have a follow  
3 up, Commissioner Filkins Webber?

4 COMMISSIONER FILKINS WEBBER: Yeah, I have a  
5 problem with disseminating my signature. I mean --

6 COMMUNICATIONS DIRECTOR WILCOX: Oh, no, I'm  
7 sorry, it's electronic, it's not a signature. It's just  
8 your name and --

9 COMMISSIONER FILKINS WEBBER: Oh, I didn't  
10 understand. I mean, there is a capacity to do that, so  
11 you didn't specify.

12 COMMUNICATIONS DIRECTOR WILCOX: You know what and  
13 I --

14 COMMISSIONER FILKINS WEBBER: I'm thinking wait a  
15 minute. Okay.

16 COMMUNICATIONS DIRECTOR WILCOX: You know what, I  
17 shouldn't have called it a signature. It's your name and  
18 information that's just pro forma.

19 COMMISSIONER FILKINS WEBBER: Your salutation,  
20 okay.

21 COMMUNICATIONS DIRECTOR WILCOX: Yes, yes.

22 COMMISSIONER FILKINS WEBBER: Okay. I mean, you  
23 can do that, so that's why I was wondering.

24 COMMUNICATIONS DIRECTOR WILCOX: We will not be  
25 doing that.

1 COMMISSIONER FILKINS WEBBER: And it's 20 to 6:00  
2 so, okay.

3 COMMUNICATIONS DIRECTOR WILCOX: Thank you for  
4 clarifying that and I'm sorry for using the word  
5 "signature."

6 CHAIRPERSON GALAMBOS MALLOY: Commissioners Ontai,  
7 Ancheta, and they Dai.

8 COMMISSIONER ONTAI: I'm glad you clarified that.  
9 I don't want people forging my checks.

10 Rob, are you contacting the public universities or  
11 colleges, as well? And their student bodies, would they  
12 be interested in what we're doing?

13 COMMUNICATIONS DIRECTOR WILCOX: Absolutely. And  
14 that is part of our media outreach is when we're talking  
15 about print media, we're also talking about the college  
16 radio stations and the college newspapers.

17 COMMISSIONER ONTAI: Great, great. And how about  
18 KPBS, or public television.

19 COMMUNICATIONS DIRECTOR WILCOX: Absolutely.  
20 Public radio and public television is all part. And, you  
21 know, we're also talking ethnic media and the different  
22 multi-language radio and television.

23 COMMISSIONER ONTAI: And then regarding minority  
24 press or media, San Diego for example, how do I know  
25 you're contacting the right ones? Do you have a list we

1 can check? Like San Diego, we have the Voice of  
2 San Diego -- the Voice of San Diego, which is an African  
3 American newspaper. La Prensa, Mabuhay, Asian Journal,  
4 all in San Diego, how do we know you got that down on your  
5 list?

6 COMMUNICATIONS DIRECTOR WILCOX: Well, the Voice  
7 of San Diego is the website. I don't think that's the  
8 African American one.

9 COMMISSIONER ONTAI: No, there's actually a  
10 newspaper called --

11 COMMUNICATIONS DIRECTOR WILCOX: Oh, there's also  
12 the voice of San Diego, which is a website for that.

13 COMMISSIONER ONTAI: Yeah, it's confusing.

14 COMMUNICATIONS DIRECTOR WILCOX: So, well, that  
15 will be also that I'm compiling that now, and the  
16 information.

17 Let me say this, I want to rely on Commissioners  
18 in areas. I'm going to be relying on other groups, many  
19 of our outreach groups to make sure that I am contacting  
20 the right ones. And that we're looking at circulation and  
21 especially when we're looking at sending Commissioners out  
22 to a newspaper, or ethnic newspaper, that there may be  
23 several especially in Los Angeles, for one ethnic  
24 community and you want to make sure you get the right one.

25 So, there are many factors that I consider in

1 making sure that I get the right one. But I would also  
2 like the input from Commissioners from their local  
3 communities.

4 CHAIRPERSON GALAMBOS MALLOY: Mr. Wilcox, just a  
5 process suggestion on that, then, are you suggesting that  
6 we all flood you with e-mails? Will you have, say, for  
7 example, a Google spread sheet set up where we can go in  
8 and add contact information, what would be -- or would you  
9 like to have some time to think on that and get back to us  
10 on how we give you that information?

11 COMMUNICATIONS DIRECTOR WILCOX: Yes, I would like  
12 some time to think and make sure we set that up.

13 CHAIRPERSON GALAMBOS MALLOY: Great. We'll look  
14 for an e-mail from you.

15 Commissioner Ancheta, and then Dai, and then I  
16 believe Filkins Webber. No? Okay. Ancheta?

17 COMMISSIONER ANCHETA: Yeah, and I was going to  
18 underscore that very same point regarding the ethnic  
19 media. And to the extent you can have a master spread  
20 sheet and all of us can take a look at it, and not to  
21 overwhelm you, but have some input, that would be great.

22 Just going back to an earlier point regarding --  
23 and I guess it was framed in terms of the e-mail  
24 signature. But just a question in terms of what  
25 information is being made more public than others?

1 Obviously, website, Facebook, Twitter.

2 Address of the Commission offices, I presume, is  
3 fairly well publicized?

4 COMMUNICATIONS DIRECTOR WILCOX: Yes, it is.

5 COMMISSIONER ANCHETA: Telephone number of the  
6 Commission office?

7 COMMUNICATIONS DIRECTOR WILCOX: Yes.

8 COMMISSIONER ANCHETA: Okay. So, this is a  
9 question, I guess, for the e-mail signature. So, e-mail  
10 addresses of Commissioners, what level of public awareness  
11 or publication of that is -- how is that?

12 COMMUNICATIONS DIRECTOR WILCOX: I'm not -- I  
13 don't -- I am not aware of any publication of your  
14 addresses and I don't see --

15 COMMISSIONER ANCHETA: I'm not suggesting that,  
16 either, but I'm just wondering what's --

17 COMMUNICATIONS DIRECTOR WILCOX: No, and I don't  
18 see any -- I would never be doing that.

19 COMMISSIONER ANCHETA: Oh, no, that's fine. And  
20 that's fine, I just wanted to make sure.

21 COMMUNICATIONS DIRECTOR WILCOX: Okay.

22 COMMISSIONER ANCHETA: And, also, a number or most  
23 of us have Blackberry numbers, the same question, level of  
24 any publicity, if any, regarding those numbers?

25 COMMUNICATIONS DIRECTOR WILCOX: I have -- we

1 are -- I'm not publicizing them. I have noticed that  
2 Commissioners in their -- at the bottom of their e-mail,  
3 that some of them have their phone numbers listed. And  
4 that's why, you know, if -- when you get this to set up  
5 how you want it to look like, if you wanted to -- we will  
6 give you options. If you wanted to add your personal  
7 contact information on that, you could do that, but that  
8 will be up to you, it will be your choice.

9 CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai?

10 COMMISSIONER ANCHETA: I'm sorry, just a last  
11 point.

12 CHAIRPERSON GALAMBOS MALLOY: Oh, I'm sorry.

13 COMMISSIONER ANCHETA: Just a point to some --  
14 maybe the Commissioners want to think about this. But I  
15 have no problem with sort of the personal discretion of  
16 giving out the number. I don't know, as a policy matter,  
17 if there would be any concerns about some Commissioners  
18 giving out their number and others not? Just to raise the  
19 question about whether putting phone numbers out publicly  
20 is a good thing or a bad thing?

21 But at this point I'm happy to let it be up to the  
22 discretion of the individual Commissioner.

23 CHAIRPERSON GALAMBOS MALLOY: Uh-hum.

24 Commissioner Dai?

25 COMMISSIONER DAI: Yeah, I was just going to

1 mention one more thing that we brainstormed in the  
2 committee, which was we -- we discussed possibly using a  
3 tag line for the Commission.

4           COMMUNICATIONS DIRECTOR WILCOX: Thank you.

5           COMMISSIONER DAI: On the We Draw the Lines site  
6 it was "real power for real people," which was more about  
7 the selection process.

8           And we didn't think it was specific enough to kind  
9 of get at what we're trying to do. So, we brainstormed a  
10 lot of concepts that we have now left in Mr. Wilcox's  
11 capable hands to see if there's something that resonates  
12 there.

13           And this might be something that, you know, would  
14 be part of a signature, or would be on the back of a  
15 business card, something like that.

16           CHAIRPERSON GALAMBOS MALLOY: Commissioner  
17 Parvenu?

18           COMMISSIONER PARVENU: Yes, I'm certain in  
19 committee you'll brainstorm all these ideas.

20           One suggestion, I'm not certain if you've touched  
21 upon this one, but C-SPAN, C-SPAN 1 and C-SPAN 2, they  
22 cover governmental affairs.

23           COMMUNICATIONS DIRECTOR WILCOX: Yes.

24           COMMISSIONER PARVENU: They could possibly offer  
25 broad, nationwide attention to some of our meetings here.

1 Because what we're doing will eventually have national  
2 implications.

3 COMMUNICATIONS DIRECTOR WILCOX: Thank you.

4 COMMISSIONER PARVENU: And in terms of  
5 brainstorming songs, John Lennon has one called "The Power  
6 to the People." Noah (inaudible) has one called "Power to  
7 the People", too. We gots to get more power to the  
8 people. As theme songs for, perhaps, radio announcements,  
9 background.

10 CHAIRPERSON GALAMBOS MALLOY: Are there any more  
11 questions or comments for the Public Information Committee  
12 or for Mr. Wilcox?

13 Excellent. Thank you, Mr. Wilcox and Public  
14 Information.

15 We are really on the home stretch, Commissioners.  
16 Much of what we have ahead of us is administrative in  
17 nature. However, I do need to suggest that we take a  
18 five-minute bio break before we tackle those items.

19 So, we are on recess for a five-minute stretch and  
20 bio break. We will reconvene at 5:55.

21 (Off the record at 5:39 p.m.)

22 (Back on the record at 5:58 p.m.)

23 CHAIRPERSON GALAMBOS MALLOY: At this time I'd  
24 like to reconvene this meeting of the California Citizens  
25 Redistricting Commission. The time is now 5:58 p.m.

1           We are going to go back into our agenda. Before  
2 we get to the more administrative items, we do have two  
3 action items remaining, held over from our advisory  
4 committee meetings.

5           The first of these and, potentially the most  
6 pressing, is the budget.

7           And with that, I'll hand this back over to  
8 Commissioner Dai, representing the Finance and  
9 Administration Advisory Committee.

10           COMMISSIONER DAI: Thank you, Madam Chair. So,  
11 you have in front of you a revised pro forma budget based  
12 on the input that we provided to Mr. Claypool.

13           So, you'll notice that the number of business  
14 meetings, the days have been increased.

15           You'll also notice we still have the line item in  
16 there for educational outreach, even though we've  
17 basically decided to get rid of at least eight of nine of  
18 those. We'll get to that in a second.

19           The same thing for -- it carries over both for  
20 Commission and staff, and travel.

21           Also, the contracts were split over two fiscal  
22 years, as was suggested.

23           Mr. Claypool, I'd just note that you still have  
24 "payment on completion" in the notes, so you might want to  
25 just remove that.

1 MR. CLAYPOOL: I still have what?

2 COMMISSIONER DAI: "Payment on completion" in the  
3 notes on the side, so you might just want to remove that.

4 MR. CLAYPOOL: Uh-hum.

5 COMMISSIONER DAI: And I guess my question to Mr.  
6 Claypool given that, you know, we basically need something  
7 that's pretty close so we can get this Department of  
8 Finance letter out, to what degree do you think we need to  
9 tweak this based on recent decisions that we just made  
10 with CCP's contract.

11 Commissioner Ward, did you --

12 COMMISSIONER WARD: Thank you. The only reason I  
13 inserted myself here is I had a recommendation on a tweak  
14 and I'd like Dan to comment on it with the others.

15 And I beg the Commission's kind attention on this,  
16 because I know it's late and it's hard to move into this,  
17 but it's something that I think's important.

18 I guess in being up here and seeing, you know, our  
19 business function, seeing our staff function, it occurred  
20 to me that when we started this and we evaluated our  
21 staffing needs it was with the paradigm we had then.

22 As we all can agree, that paradigm has  
23 dramatically changed from a month ago, from two weeks ago.  
24 And considering the increased function that we're  
25 considering putting on staff, to include scheduling and,

1 you know, broadening the job duties of basically everyone  
2 that we have, realizing that they're already -- the staff  
3 is already taxed to a maximum, I think that for this  
4 budget the Commissioner needs to consider the addition of  
5 a retired annuitant as a secretary or in a staff role.

6 And I'd like to just have that idea remarked on by  
7 staff at this time.

8 MR. CLAYPOOL: Actually, that's -- thank you.  
9 Thank you. Thank you.

10 We're absolutely at the peak and we're beyond the  
11 peak, and particularly Janeece, who I'm trying to, on a  
12 daily basis, make sure she comes to work.

13 But, no, we need somebody else to help with just  
14 the day-to-day functions in the office. We do have the  
15 retired annuitants that we've brought forward, but they  
16 have very specific tasks.

17 I have to say Oral and Carol are also starting to  
18 just help wherever they can, because they see the look of  
19 desperation on our faces sometimes.

20 But it would be welcomed if we could pick up at  
21 least a retired annuitant to carry us through. This  
22 person would probably carry through more in line with the  
23 staff functions, but not a temporary person, but a person  
24 that would go all the way through October and help with  
25 this just in this function.

1           So, I welcome that suggestion. And if the  
2 Commission is good with it, we would look for a retired  
3 annuitant to help us.

4           COMMISSIONER WARD: Dan, considering that with  
5 your input, that you guys see yourselves at maximum, and I  
6 think we would all agree that the job duties for all of us  
7 are going to increase, not decrease, as the months go by,  
8 would you say that the need for that addition is critical  
9 to performing the function of staff at this point?

10          MR. CLAYPOOL: Yes, particularly given that we  
11 don't have the budget officer on board. And once we  
12 get -- certainly, once we get the budget officer on board,  
13 and that's a big when, then it eases quite a bit for me.

14          But this particular additional position is just  
15 needed and just for Christina and Janeece, just to take  
16 some load off them. Because right now it's become a  
17 seven-day, 10-hour-a-day job and we need to move that off.

18          CHAIRPERSON GALAMBOS MALLOY: Well, we do have  
19 Commissioner Filkins Webber and then Commissioner Dai.

20          COMMISSIONER FILKINS WEBBER: So two questions,  
21 just on that issue, because my other, original question is  
22 another clarification on this.

23          Do you need to then add a line for your proposed  
24 retired annuitant under -- one page one, under "staff  
25 salary cost?"

1 MR. CLAYPOOL: Yes.

2 COMMISSIONER FILKINS WEBBER: Okay. And do you  
3 have a proposal so that we could just ask that you amend  
4 it. But if our intention is to pass this budget or at  
5 least put it up for a vote right now, can you tell us what  
6 that would be, first? And then I have a second question  
7 for another correction.

8 MR. CLAYPOOL: I can tell you that it would be --  
9 it would be no more than the current program analyst  
10 position and probably less.

11 So, if you could give me the authority to go up to  
12 the amount shown for the program analyst, AGPA, then  
13 that's -- that would be the most that it would increase.  
14 And it could probably be less, but it would not be more.

15 COMMISSIONER FILKINS WEBBER: Okay. And my second  
16 question is, as I understood it, page two, technical  
17 analyst, on the original budget we discussed this morning  
18 the amount was 200,000 and we had asked that it just be  
19 split among the two fiscal years.

20 But on page two of your amended one, you added a  
21 hundred thousand rather than splitting it. Did I  
22 misunderstand?

23 MR. CLAYPOOL: Well, there was an addition. At  
24 first we split it and then there was the request that we  
25 have an increase by a hundred thousand because we had the

1 discussion of demographers, and so forth. And so I just  
2 steaded the 200 and added the one in the front here.

3 COMMISSIONER FILKINS WEBBER: Okay, I must have  
4 missed this.

5 CHAIRPERSON GALAMBOS MALLOY: This was in regards  
6 to a comprehensive evaluation and final report.

7 COMMISSIONER DAI: Maybe to clarify it, instead of  
8 calling it technical analyst, since we have technical  
9 consultants, would it be easier to give it another name?  
10 I don't know if Commissioner Filkins Webber was getting  
11 that confused with our technical consultants but --

12 CHAIRPERSON GALAMBOS MALLOY: And I think we had  
13 at least had to have, in the notes for this line item, a  
14 note that specified evaluation.

15 COMMISSIONER DAI: Mr. Claypool?

16 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool?

17 MR. CLAYPOOL: Yes, I'm sorry.

18 CHAIRPERSON GALAMBOS MALLOY: Could you add in the  
19 notes --

20 MR. CLAYPOOL: Yes.

21 CHAIRPERSON GALAMBOS MALLOY: -- some note around  
22 evaluation, or evaluator?

23 MR. CLAYPOOL: Right. I was trying to -- you had  
24 given a specific term, that's what I'd asked Kirk, can  
25 you -- so, what was the specific term for the person we'd

1 discussed?

2 LEGAL COUNSEL MILLER: Process, rather than peer  
3 review.

4 MR. CLAYPOOL: Process evaluation, okay.

5 CHAIRPERSON GALAMBOS MALLOY: No. No, I think  
6 we're mixing up our processes here. So, Commissioner  
7 Aguirre, I think you're the one who suggested it,  
8 initially.

9 COMMISSIONER AGUIRRE: Yes. We talked about the  
10 in-process reviewer, right, formerly known as a peer  
11 evaluator, you know, or peer reviewer.

12 And this one was to have an ongoing evaluation  
13 done of the process so, you know, in consultation with Mr.  
14 Ancheta, we thought that a hundred thousand would do it.  
15 So, it's for an evaluator.

16 COMMITTEE MEMBER BLANCO: And that's of the  
17 Commission, not the line drawing.

18 MR. CLAYPOOL: Yes.

19 COMMISSIONER DAI: Was it ongoing? I thought it  
20 was after the fact.

21 COMMITTEE MEMBER BLANCO: Yes. That's why it's in  
22 the second fiscal year.

23 COMMISSIONER DAI: Yeah.

24 MR. CLAYPOOL: Post-evaluation.

25 COMMITTEE MEMBER BLANCO: Right.

1           COMMISSIONER DAI:  And I thought we had talked  
2 about actually using the term "experts."

3           MR. CLAYPOOL:  I must have missed that.  So what  
4 we're going to call it, technical experts, is that what  
5 you're referring to, rather than technical analysts?  
6 For the title.

7           COMMISSIONER DAI:  Yeah.

8           COMMISSIONER ANCHETA:  I'm sorry, I really don't  
9 have any strong feelings one way or the other.  Experts is  
10 fine, if that would be more descriptive.

11          MR. CLAYPOOL:  That can certainly be changed.

12          CHAIRPERSON GALAMBOS MALLOY:  I think our main  
13 concern was that the notes be explanatory enough that we  
14 don't -- that we know exactly when we read it what our  
15 intent was.

16          COMMISSIONER PARVENU:  Chair?

17          CHAIRPERSON GALAMBOS MALLOY:  I'm sorry.  
18 Commissioner Parvenu?

19          COMMISSIONER PARVENU:  For clarification, I was  
20 under the impression that this category also included  
21 funds, if required, for something such as a racial, what  
22 we know to be racial organization study, as well.

23          CHAIRPERSON GALAMBOS MALLOY:  Right.

24          COMMISSIONER PARVENU:  Okay, I don't see it  
25 indicated there.  But I guess it's open, okay, fine.  I

1 just wanted to make sure that was the intended purpose.

2 LEGAL COUNSEL MILLER: Thank you, Commissioner  
3 Ward for your suggestion. I wondered if you could give  
4 us -- the retired annuitants have been perfect for many  
5 jobs, but in this case I wonder if you would give us the  
6 budget flexibility to go with either a retired annuitant  
7 or someone else, because we're just looking for a  
8 different kind of skill set. The dollars would not  
9 change.

10 COMMISSIONER DAI: I think that would be fine. In  
11 fact I would just put two program analysts, just multiply  
12 that times two.

13 LEGAL COUNSEL MILLER: I'm sorry, I was referring  
14 back to Commissioner Ward's motion earlier.

15 COMMISSIONER DAI: Yes.

16 LEGAL COUNSEL MILLER: Oh, I'm sorry.

17 MR. CLAYPOOL: Times two.

18 LEGAL COUNSEL MILLER: Okay.

19 MR. CLAYPOOL: Thank you.

20 CHAIRPERSON GALAMBOS MALLOY: Other questions or  
21 comments on the budget?

22 MR. CLAYPOOL: So that I can be clear, the process  
23 for bringing that person aboard will be the same as we've  
24 done, it will go to the procurement contract and then we  
25 will get your approval at the next meeting. Okay.

1           COMMITTEE MEMBER BLANCO: I have one comment on  
2 this, and I know that we're operating under a lot of  
3 restrictions in terms of time, and annuitants, and who's  
4 available. We have had twice, I think, comments about the  
5 composition of our staff in terms of diversity. And so I  
6 would really urge us to try and get us many diverse  
7 candidates for this staff position. It's been brought to  
8 our attention several times.

9           MR. CLAYPOOL: I can say that on the last time we  
10 did it, we actually solicited comments from -- or,  
11 actually, applicants from the commenters and made an offer  
12 to one, which was the basis for raising the rate. And  
13 that person still balked at the advanced rate, and  
14 understandably so, because that person had participated in  
15 a very high level of government.

16           But we're very aware of that and it is always  
17 first and foremost in our mind.

18           At this point I can say that it's just -- it's  
19 just been the candidate pool that we've gotten, and it's  
20 mainly come from Sacramento, and that's because this is  
21 where the job is primarily located.

22           But we'll keep that absolutely in mind.

23           CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool, could  
24 I make the request that for this position you prioritize  
25 getting the word out through the Redistricting California

1 network, who is really tapped into a more diverse pool  
2 than, potentially, our networks right here in Sacramento.

3 Other comments or questions? Commissioner  
4 Ancheta?

5 COMMISSIONER ANCHETA: A clarification. Thank  
6 you, a clarification. Because Commissioner Dai suggested  
7 simply just doubling the figure, which one would be  
8 doubled or which --

9 MR. CLAYPOOL: It's the final category in the  
10 staff salary cost, program analyst. And the basic job  
11 category is --

12 COMMISSIONER ANCHETA: No, I see it.

13 MR. CLAYPOOL: -- associate program analyst, which  
14 is --

15 COMMISSIONER ANCHETA: So, the question I would  
16 have is because I think that's budgeted all the way  
17 through fiscal 2012, is that position needed to be funded  
18 at that level all the way through 2012?

19 MR. CLAYPOOL: No. And in fact, if you'll go up  
20 to the Commission Assistant, AGPA, the same level, that  
21 goes through 10/30/11. That's where we would carry it.

22 COMMISSIONER ANCHETA: Okay, so it's the line  
23 above is what's being doubled?

24 MR. CLAYPOOL: Right.

25 COMMISSIONER ANCHETA: Okay, that's fine. That's

1 fine.

2 CHAIRPERSON GALAMBOS MALLOY: Other questions or  
3 comments regarding this revised budget?

4 COMMISSIONER DAI: So my only question to the  
5 Commission is -- well, I guess I have one question for Mr.  
6 Claypool, first.

7 We have the line-drawing expertise for the  
8 outreach meetings, which we've now essentially eliminated.  
9 But my question is that's not a fixed fee contract,  
10 correct?

11 MR. CLAYPOOL: Actually, that number, that line-  
12 drawing expert for outreach will remain. It will be  
13 reduced because that -- the Rose Institute will be  
14 instrumental in assisting with the information that's put  
15 into the video.

16 COMMISSIONER DAI: Sure.

17 MR. CLAYPOOL: Okay. So, there will be a  
18 reduction.

19 COMMISSIONER DAI: But is it a fixed fee or is it  
20 based on time or --

21 MR. CLAYPOOL: You know, originally, it was  
22 negotiated at -- the sixteen five was negotiated as a  
23 \$3,000 base fee for production and 1,500 a meeting. What  
24 we will do is go back -- I think they've actually already  
25 negotiated a reduced fee. I can't tell you what it was,

1 but it will be -- it will be a different number.

2 COMMISSIONER DAI: Okay. Okay, great. And I just  
3 wanted to know if the Commission felt the necessity to  
4 adjust any of the other numbers based on our discussion  
5 and the fact that we've changed out the educational  
6 workshops for -- probably replacing it with a video.

7 We don't have to because it gives us a little bit  
8 of contingency there, but I just wanted to make sure  
9 everyone was comfortable with that.

10 COMMISSIONER WARD: I am, just given the fact that  
11 the plan is still in the works and nothing's been  
12 approved. So, I think it would be prudent to push forth  
13 as listed and, obviously, we can -- we're under no  
14 obligation to use it.

15 COMMISSIONER DAI: Excellent. In that case, I'd  
16 like to make a motion to approve this budget so that we  
17 can move forward with the Department of Finance letter for  
18 our budget augmentation, as amended.

19 COMMISSIONER BARABBA: Second.

20 CHAIRPERSON GALAMBOS MALLOY: I think the first  
21 second that I heard was from Commissioner Barabba.

22 MR. CLAYPOOL: I'm going to have to remember to  
23 bring the budget up at the end of our meetings from now  
24 on.

25 [Laughter]

1           CHAIRPERSON GALAMBOS MALLOY: And, Janeece, if you  
2 don't mind repeating back to us the motion.

3           MS. SARGIS: The motion is to approve the budget.

4           CHAIRPERSON GALAMBOS MALLOY: Any discussion on  
5 the budget?

6           Seeing none, are there any members of the public  
7 who would like to comment on the budget?

8           Seeing none, I would like to call a vote. I will  
9 try a show of hands for this vote.

10          All in favor of the motion as stated, please raise  
11 your hands and say aye.

12          (Ayes.)

13          CHAIRPERSON GALAMBOS MALLOY: All those opposed?

14          The motion passes unanimously.

15          All right. So, the only outstanding item,  
16 business item that had bubbled up from our advisory  
17 committee meetings, that we need to go back to, was  
18 regarding the line drawing.

19          And so, I will refer back to Commissioner  
20 DiGuilio, as liaison to that committee, and to  
21 Commissioner Filkins Webber, who had made some suggestions  
22 regarding this issue.

23          COMMISSIONER DI GUILIO: Well, I guess I wasn't  
24 bringing it up as an issue that we brought up from the  
25 Technical Committee, I was responding to a new

1 suggestion -- or should I call it a suggestion or an  
2 option.

3           If you recall, what was proposed by Commissioner  
4 Filkins Webber as an idea, was that if the Commission --  
5 if we're going to eliminate the educational outreach  
6 aspects, that maybe there's a possibility that we begin  
7 some input hearings in March, or at least in -- maybe some  
8 that will take us into early April.

9           And in order to do that, because we are waiting on  
10 the IFB process, an option could be to potentially split  
11 that, a technical contract between Karin MacDonald and Mr.  
12 Douglas Johnson.

13           I think at this point the Commission has to make,  
14 and maybe this is a point of discussion, is that are we  
15 comfortable -- are we comfortable with just waiting until  
16 the IFB process is complete and then we will have a  
17 technical consultant on base?

18           We have three options. It's just simply waiting,  
19 knowing that that process could -- I think at best we  
20 would be lucky to get it -- having it in place by April  
21 1<sup>st</sup>, and knowing that it could be pushed and then we have  
22 to consider those options in terms of falling back into an  
23 interagency agreement or a no-bid contract.

24           The second option, as mentioned, would be a split  
25 between those two to at least, initially, get the process

1 up and running in inputs, with those two individuals then  
2 giving their information to whoever is awarded the line  
3 drawer.

4           And I think the third option, which has not been  
5 considered, either, and I'm going to just put it out there  
6 as well, is if it is a priority for this Commission to  
7 begin those input hearings, and I'm just -- let me -- I'm  
8 speaking for myself, not necessarily the Technical  
9 Committee here, on this one, is I find it problematic to  
10 have two separate individuals do a temporary technical  
11 consultant for the input when we really -- and then have  
12 them pass it off.

13           I just think that's too many hands in the pot and  
14 to push the process.

15           If the Commission feels it wants to move on the  
16 input hearings, then I think one of our realistic options,  
17 and this goes back into the fall-back of either a no-bid  
18 contract, which I don't think is realistic, or is to go  
19 into the interagency agreement.

20           It's my understanding that Mr. Claypool has been  
21 working with Berkeley to try and move the process forward  
22 through the law school, which would then contract with Q@  
23 staff, which would be Karin, to do -- we would make that  
24 decision to say we're going to do an interagency agreement  
25 for the line drawing.

1           And then I would suggest, if we did that, then we  
2 would continue with an IFB for the in-process review,  
3 which would then allow for maybe some of the balance  
4 issues, and still allow for a public vetting process.

5           And I would only add to that, that I know there's  
6 been concern, there's been issues about balance, and it's  
7 been as a technical -- and my role as the Technical  
8 Advisory, having done some research on Karin MacDonald,  
9 and asking staff to do the same thing with other agencies,  
10 and entities, and states that have worked with her, is her  
11 reputation is one of the most nonpartisan that we are  
12 going to get out there.

13           I think -- it's not going to alleviate the issues  
14 that we have, but I think that that is legitimately the  
15 case that she's one of the most nonpartisan out there.

16           So, if we went with the interagency agreement,  
17 because the Commission wanted to do the input hearings,  
18 and she was enveloped under Berkeley as another buffer,  
19 that that is an option.

20           Otherwise, the only option is to wait for the IFP  
21 to play itself out.

22           CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai and  
23 then Commissioner Ward.

24           COMMISSIONER DAI: Commissioner DiGuilio, could  
25 you clarify? You said that the option was to do an

1 interagency agreement with Berkeley, and Berkeley would  
2 then contract with Q2, or Berkeley would have Ms.  
3 MacDonald as an employee of Berkeley, as the statewide  
4 database.

5 COMMISSIONER DI GIULIO: I'm sorry, let me clarify  
6 that. As I understand it, and Mr. Claypool could say  
7 that -- but just so you know, it's not as if it's we're  
8 contracting with UC Berkeley and it's a whole new set of  
9 people. It would be Karin, as I understand it, and maybe  
10 some of her staff. But it would be through the law  
11 school.

12 COMMISSIONER DAI: Karin is director of the  
13 statewide database?

14 MR. CLAYPOOL: So, because I was directed to move  
15 forward on all fronts, and an interagency agreement is a  
16 very real possibility, I was put in touch with the -- I  
17 guess it's Dean Eggley, is that -- Edley. Thank you.

18 It was late, I had an e-mail. And he and his  
19 staff are looking into the possibility of making it a more  
20 plausible work environment for the workers in Q2. And I'm  
21 assuming this means an absorption of that staff, and then  
22 some type of an agreement that they can work beyond the  
23 hours. Because I believe part of the problem was the  
24 work, the number of hours that Berkeley allows its workers  
25 to be worked.

1           So, we are looking into that. So it has become  
2 what was impossible, you know, three weeks ago, is now  
3 possible.

4           But that's the arrangement I believe they're  
5 talking about.

6           CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

7           COMMISSIONER WARD: Commissioner DiGuilio, I was  
8 hoping you could just help me out by further defining.  
9 You mentioned that -- I thought that your option of having  
10 two contracts and more of a bipartisan approach to  
11 receiving public input seems, on face, to be an excellent  
12 option. Now, you said that it was too many hands in the  
13 pot.

14           And I was just hoping maybe you could explain why  
15 that would be so?

16           COMMISSIONER DI GIULIO: I guess this is just --  
17 is it so much as hands in the pot. I think there's a  
18 couple issues. I think the proposal of splitting them,  
19 Karin doing the north and Hans Johnson -- excuse me, I  
20 apologize, Douglas Johnson doing the south, I think  
21 there's an element there of a Democrat/Republican split,  
22 even though I think -- and this is my personal opinion --  
23 well -- I think there's some elements that had been  
24 discussed about a split in terms of the areas of the State  
25 that they would take.

1           But I think more importantly, to be honest, I  
2 think the issue is, is if we put the horse before the cart  
3 to some degree and say we're going to have these two  
4 people do some elements of the technology consultants for  
5 input hearings, but we don't really know how the final  
6 contractor will do it, I think it goes back to  
7 Commissioner Ancheta's earlier point is, you know, it's  
8 garbage in, garbage -- it's whatever we ask from them, if  
9 it's not consistent, then it come into issues later on for  
10 us.

11           So, the consistency of having two individuals  
12 working -- I think of the discussion of how they would  
13 work together, would they be doing the same presentation,  
14 and then how would that be translated later on, I find it  
15 just very -- I'm sorry, I just find it problematic, that  
16 option. That's my personal opinion about that option.

17           So, I took it upon myself to say if the Commission  
18 would like to move forward with an input hearing, here's  
19 another option that we haven't considered, as well, just  
20 moving straight to the line drawer.

21           CHAIRPERSON GALAMBOS MALLOY: Commissioner Blanco?

22           COMMITTEE MEMBER BLANCO: Yeah, I have four  
23 concerns about this arrangement. One was alluded to in  
24 some of the public comment that we got, both by mail and  
25 then yesterday, which is the fact that if we were going to

1 go bipartisan, then we would really need to hire a  
2 Democrat to balance out the Rose Institute, and Doug  
3 Johnson, in particular. Because as many people commented,  
4 in the public comments we received, no matter what we  
5 heard from her competition at the Claremont meeting, she  
6 is personally an independent, apparently is perceived as  
7 an independent.

8           And so I don't think this is a bipartisan  
9 approach.

10           When Commissioner Filkins Webber made the  
11 suggestion she said, well, it's not a partisan issue when  
12 you have the person advising at the input hearings. But  
13 then if that's true, why do we need -- why are we striving  
14 for the bipartisanship?

15           So, you know, I don't understand that. If it's  
16 really just a technical position, why do we feel we need  
17 to do a bipartisan and it's not, in fact, bipartisan.

18           I'm very -- so that's -- and I want to say one  
19 thing else about sort of the neutrality, impartiality,  
20 appearance and all those issues.

21           I was -- I thought some of Mr. Johnson's  
22 presentations, the materials in particular, were  
23 inappropriate. I was very -- I thought they showed, in  
24 themselves, a bias. And I'm actually concerned that we're  
25 going to have them on our website but, you know, it's

1 somebody else's so what can we do about it?

2           But I was concerned about the characterization of  
3 the Bird Court, and then when it was another context it  
4 was the Supreme Court. Those are, in California, buzz  
5 words, we all know what they are. And I thought to put  
6 that in a public presentation was really inappropriate.  
7 And I worry about, in fact, now that we are having him do  
8 content for our other -- for our video, or the other work  
9 for our outreach, I'm concerned about -- I now want to  
10 review some of those materials, to tell you the truth.

11           And comments about -- in his written materials  
12 about Congressman Berman and his lieutenants. Now, I sued  
13 Congressman Berman so I'm not -- and I have concerns about  
14 his Congressional district in 2001.

15           But to, in a public document, be referring, use  
16 language like that, which is very derogatory, and  
17 nothing -- and none of the materials did anything -- said  
18 anything about Republicans in that same vein.

19           So, I have a particular problem with this -- with  
20 this institution now doing this, especially if it's  
21 attempted impartiality. Because to me, we are not getting  
22 impartiality.

23           And on a technical level, I'm concerned about two  
24 line drawers for north and south. I think some of the  
25 presentation about maybe you have somebody doing Congress

1 and somebody doing -- I mean, there might be issues about  
2 that, that are more like about time, and maybe it's the  
3 same shop, but different people in the same shop doing the  
4 different maps.

5 But if we split this, like this, people do use  
6 different methodologies and so we're going to have people  
7 presenting to people in the north and people presenting to  
8 folks in the south about what the process is, and they're  
9 going to be telling them different things.

10 And we haven't hired them in order for us to vet  
11 what they're saying. If we're going to do that, we  
12 could -- I mean, I'm not saying we could do it. But  
13 that's what we'll have to do to ensure consistency with  
14 these presentations, because people do use different  
15 technologies. We'll have to then merge them or put the  
16 time up front to make sure that they're consistent. And  
17 maybe we can do that, but it is time that we will have to  
18 take upon ourselves.

19 So, that's -- I can -- I have other comments about  
20 whether we want to go to the interagency, but I think I --  
21 I just want to comment on this particular proposal, and  
22 then I reserve time to discuss the interagency stuff  
23 later.

24 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

25 COMMISSIONER WARD: Yeah, thank you for your

1 comments, Commissioner. I don't feel, personally, it's  
2 appropriate to disparage, you know, either the Rose  
3 Institute, Mr. Johnson, Karin, Q2, any of that, I just  
4 don't think that gets us anywhere.

5 I mean, the bottom line is, is there's no way  
6 around the fact that experts that have so far provided  
7 guidance to the Commission have partisan ties on both  
8 sides. You know, Karin is fantastic, but certainly there  
9 was a fair concern raised about a partisan past.

10 Do I have issues with that? All of us have  
11 partisan leanings, well most -- some of us, and we've all  
12 said we can put that aside and do the business of the  
13 people of California.

14 And we're going to demand the same from whoever we  
15 hire.

16 And so I think that's just important to realize  
17 that everybody's going to bring baggage to the table, and  
18 we're the decision makers and so, you know, we need to  
19 demand that they're able to put that aside, too.

20 And also, again, I'm new to the redistricting  
21 process, but my understanding is that we were going to  
22 have some control over -- or direct control, actually,  
23 over what input is solicited, what guidance is given,  
24 things like that.

25 So as far as consistency issues, I -- I mean at

1 this point maybe it needs to be elaborated on so I can  
2 catch up. But I just don't understand the consistency  
3 issues between having two different people. It doesn't  
4 seem to me like it's a science experiment where you need  
5 equal parts this, equal parts that or the whole thing blow  
6 up.

7           It seems to me like we're looking for public input  
8 on their neighborhoods, on their communities, and I guess  
9 I'm just missing where we lose anything, even with minor  
10 tweaks in that.

11           CHAIRPERSON GALAMBOS MALLOY: Commissioner Barabba  
12 and then Commissioner Filkins Webber.

13           COMMISSIONER BARABBA: Yeah. First, relative to  
14 the comments that were made in Claremont, I think they  
15 have been absolutely refuted, and I think all the evidence  
16 that's been presented by everyone else have proven them to  
17 be false.

18           CHAIRPERSON GALAMBOS MALLOY: Uh-hum.

19           COMMISSIONER BARABBA: So to say that there was a  
20 statement made as to her impartiality being not clear, in  
21 my mind, I have not seen any evidence to that fact. In  
22 fact, all the evidence that's been presented since,  
23 including from Republicans in San Diego, where she  
24 performed that activity, said she was extremely impartial.

25           So the issue of impartiality, in my mind, though

1 it's been raised, I really get upset with character  
2 assassination when it's not supported by facts.

3           And so to that extent I have a little hard time  
4 with the fact that somebody said somebody's not impartial  
5 and, in fact, that makes them impartial.

6           Relative to dealing with two versus one, all the  
7 conversation we had so far is it's going to be really hard  
8 for us, as a group, to be deeply involved in the direction  
9 to the line drawers. It was going to be hard and we kind  
10 of were working our way through that.

11           If we have to deal with two, I think we've just  
12 doubled the assignment. And I've got to tell you, I was  
13 kind of sweating doing it with one correctly, and if I  
14 have to do it with two, I think you just made the task far  
15 more difficult.

16           CHAIRPERSON GALAMBOS MALLOY: Thank you.  
17 Commissioner Filkins Webber?

18           COMMISSIONER FILKINS WEBBER: Given the latest of  
19 the hour, I certainly don't want there to be any  
20 misunderstanding, and so let's just get down to what I had  
21 put on the table for consideration, because it only became  
22 a matter of timing and in light of the possibility that we  
23 do not get the opportunity to present an award to have  
24 somebody on board by April 1<sup>st</sup>.

25           I was not suggesting two line drawers, because

1 we've already vetted that idea. I was only suggesting the  
2 possibility of having -- splitting up the work and getting  
3 us going right away.

4 You know, our one concern was is without -- having  
5 an input hearing without a technical expert to gather the  
6 data, that's initially what we were looking at.

7 But let me give you some idea of our 14-day notice  
8 issue because let's just get down to the nitty gritty  
9 here. Let's not get down into, probably, the  
10 philosophical discussion, which we've done before, about  
11 whatnot.

12 The bottom line is that if we consider looking at  
13 the contract and if we upped our schedule by two weeks to  
14 consider an input hearing, let's say -- again, March 1<sup>st</sup> is  
15 next week, right?

16 CHAIRPERSON GALAMBOS MALLOY: Yes.

17 COMMISSIONER FILKINS WEBBER: Just make sure I'm  
18 on the right calendar.

19 So, essentially, in order to hold, for example, an  
20 input hearing on March 19<sup>th</sup>, we'd have to provide notice  
21 next Saturday.

22 Now, as I understand, if we were to consider  
23 providing -- we had discussed, earlier today, the  
24 possibility of increasing -- or moving forward -- moving  
25 closer to us -- the input hearing schedule, to get started

1 right away. Because right now, based on the schedule that  
2 has been presented to us by CCP, the first input hearing  
3 is April 2<sup>nd</sup>, under the assumption, I presume, that we  
4 would have an award and have somebody on board with us by  
5 April 1<sup>st</sup>, but that's my assumption.

6 But if you just look at it practically speaking, I  
7 mean, if we're able to get to an input hearing and up the  
8 schedule by a couple of weeks, we would have to provide  
9 notice by next Saturday.

10 And in addition, as I understand it, if --  
11 provided everything works out with CCP, and I'm not making  
12 any pre-determinations on my new, delegated responsibility  
13 today, but aside from that.

14 I do understand from Mr. Douglas -- or Doug  
15 Johnson, excuse me, that they are ready to go and based on  
16 the representations that were made by Ms. MacDonald, in  
17 Claremont, their materials are ready to go.

18 But they're both experts in technical, you know,  
19 data collections and they didn't seem to have a problem  
20 with that.

21 So, again, it was just a limited idea for the  
22 first, initial input hearings. So, if you're not ready to  
23 make that decision to move forward with an input hearing,  
24 the first one of which would be March 19<sup>th</sup>, in light of the  
25 possibility -- in light of your educational issues, then

1 this discussion is moot.

2 And I would like to further comment on  
3 Commissioner DiGuilio's third proposal.

4 But I certainly just wanted to put it out there.  
5 It was something that was brought forward to my attention,  
6 it might have been one possibility. But, again, when we're  
7 just looking at timing we may need to revisit this and we  
8 will have time to revisit this precise issue,  
9 consideration of just a small contract for data input,  
10 only, if this award issue doesn't work out.

11 And if our schedule gets messed up, we're looking  
12 at it, and we'll get into a scheduling issue just  
13 momentarily, I suspect.

14 But we're tentatively looking at our general  
15 meeting being rescheduled around the 17<sup>th</sup>, 18<sup>th</sup>, unless it's  
16 subject to some other input from staff.

17 But if that works out where we could be  
18 considering awards during that week, if we do run into  
19 some problem with the IFP or we had changed it, then we  
20 would be in a position to revisit this issue and still be  
21 in a two-week notice situation, again, with the same  
22 possible consultants that we would ask to be technical  
23 gatherers at the next input hearing, if we don't have a  
24 final person on board.

25 COMMISSIONER DI GUILIO: And I think that's the

1 ultimate issue that was if the Commissioners wanted to  
2 have input hearings. Where our choices, if we would like  
3 to go complete the IFB process, then that means there's --  
4 I would assume there's not going to be input hearings  
5 until that technical consultant, that line drawer is in  
6 place.

7 COMMISSIONER FILKINS WEBBER: But, no, this is an  
8 alternative to that.

9 COMMISSIONER DI GIULIO: But if we wanted to do it  
10 that way and get our input hearings going now, then it was  
11 the issue of -- in my mind I saw the two options. It was  
12 the option you were presenting, which is I had some issues  
13 with that, and that was what I discussed.

14 And so, as a result, I said I wanted to propose if  
15 that -- that was my third option. Because if you wanted  
16 to have input hearings, I was proposing the third option,  
17 which you can comment on.

18 COMMISSIONER FILKINS WEBBER: Okay. And I would  
19 like to comment, if I may, on that third. There's just  
20 two quick points. Number one, we -- by considering an  
21 interagency agreement and foregoing what we had fully  
22 discussed in Claremont to proceed with request for  
23 proposal -- request for a bid. I'm so confused about that  
24 terminology. But be that as it may, it's an IFB right  
25 now, an invitation for bids. But just the solicitation,

1 in general.

2           We were criticized at first for considering a  
3 sole-source contract. I believe that the perception may  
4 very well be that we have put forth -- the potential  
5 consultants have put forth significant effort, as well as  
6 our staff, to move forward with the process of  
7 solicitation. And that, now, we are then foregoing that  
8 entirely by considering an interagency agreement and,  
9 again, with somebody that had been subject to criticism by  
10 the public.

11           But be that as it may, but let me get to point B,  
12 which is the problem. That I understood, yesterday, is  
13 that the in-process review individual would be subject to  
14 competitive bid. And if that individual is subject to  
15 competitive bid, it does not work with our intent to find  
16 a balanced individual. In other words, we would be  
17 subject to the lowest responsible bidder, and I don't know  
18 if we could fit the "balanced nature" within the word  
19 "responsible" when we're looking at competitive bid. And  
20 that's the information that Carol had provided, yesterday.

21           So, and that would be for somebody, in the in-  
22 process review, that would be in excess of the \$5,000.

23           So, we would not have the freedom to consider or  
24 select the in-process reviewer through a competitive bid  
25 process. So, you're not getting -- the balanced nature of

1 that is not going to work with that, with your competitive  
2 bid, as I understand it.

3 COMMISSIONER DAI: Maybe Mr. Claypool.

4 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool and  
5 then Commissioner Ancheta.

6 MR. CLAYPOOL: Point of clarification. The 15<sup>th</sup>  
7 would be the next meeting for the Legal Subcommittee, as I  
8 understood it. The 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> are locks,  
9 regardless, we have to -- the Legal Subcommittee needs to  
10 vet our VRA attorney. We are hoping that the bid process  
11 with the IFB for our line drawer collides with that date.  
12 If it doesn't, we might have to come back the following  
13 week. But the other alternative was, by having the 10<sup>th</sup>  
14 and 11<sup>th</sup>, was that we were looking at having to come back  
15 three weeks in a row. That's why we dropped that date.

16 On the point with the -- with our -- with the IFB  
17 that we would have to do for the end-line process  
18 reviewer, you're absolutely right. You have to put the  
19 criteria in there and it would be -- that is a place where  
20 you could put a scoring matrix, if you wished, you have  
21 the same issues, you have to score it in public.

22 The pass/fail function can be a very high bar, so  
23 that you may not end up with somebody who is the exact  
24 polar opposite of whoever wins our -- or whoever we make  
25 our award to, but you end up with somebody whose

1 credentials are high enough so that they are relatively  
2 unassailable. And that's really what you want, you want  
3 somebody that is good enough at what they do, and thought  
4 of well enough for what they do to make this review and  
5 give you an honest, second opinion that people can live  
6 with.

7           The last point that we were going to talk about  
8 was -- or that I want to say is on this issue of having  
9 Doug Johnson do it, and having Karin do it, you can select  
10 Doug Johnson to do it all for uniformity, you can select  
11 Karin to do it all for uniformity. It doesn't -- the idea  
12 was brought forth for splitting it because it was -- it  
13 had this balance, this symmetry to it that would ring this  
14 right bell.

15           But it is bringing in the information early, very  
16 early in the process. And it isn't -- as I understand it,  
17 it's to start the process, start the input, start  
18 gathering and hand it to somebody. And I know it's all  
19 input is very critical, but at the start of the process it  
20 would seem to me, as a layman, and perhaps Commissioner  
21 Barabba could tell me, less critical than the information  
22 we're going to get after we place our first maps out there  
23 and people really start diving into those lines. And by  
24 then we would have our -- our line drawer.

25           CHAIRPERSON GALAMBOS MALLOY: Thank you.

1 Commissioner DiGuilio?

2 COMMISSIONER DI GUILIO: I think Mike was before  
3 me.

4 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward.

5 COMMISSIONER DI GUILIO: Actually, Commissioner  
6 Ancheta was first.

7 CHAIRPERSON GALAMBOS MALLOY: Commissioner  
8 Ancheta, then Commissioner Ward, and then Commissioner  
9 DiGuilio.

10 COMMISSIONER ANCHETA: Well, I think it's an  
11 important discussion to have in terms of having  
12 contingencies, but I'm going to speak against any  
13 recommendation that would push any input meeting into  
14 March, for a number of reasons.

15 One, the Commission -- and because we're not --  
16 this is pretty much it in terms of what we're going to be  
17 discussing for this meeting. I don't think the Commission  
18 has sufficiently discussed, to the level that the public  
19 will need, in relevant information and pertinent  
20 information regarding the input process.

21 This Commissioner has not discussed a number of, I  
22 think, very important concepts in areas within the Act,  
23 itself, so that we would have sufficient clarity for the  
24 public regarding appropriate data to have.

25 So, I think the Commission needs to do that,

1 first, before it has any input meeting.

2 Second, and again, if we're looking at communities  
3 of interest and neighborhood information that's fine, but  
4 the Census numbers, even at the earliest, are not going to  
5 be available for a couple weeks, still.

6 And I think the public, at least the public that  
7 will want to look at those kinds of numbers, will need a  
8 little bit more time to digest them. Even if they're out,  
9 let's say, the week of the 14<sup>th</sup>, I think you need to look  
10 at that.

11 Even the most, at the basic level, even beyond  
12 looking at a community of interest, you want to know where  
13 is it growing, what are the numbers telling me?

14 But I do appreciate the fact that we do need to  
15 think about contingencies. And to that extent we could  
16 still be delayed even past the beginning of April. So, I  
17 think it's a very important topic to discuss.

18 My feeling, generally, and I share some concerns  
19 about Mr. Johnson's presentation today, but I'm less  
20 concerned about our consultants because my feeling is this  
21 Commission needs to have very close oversight over anybody  
22 who is drawing lines and taking technical information.

23 And to the extent we, as a Commission, have a  
24 prerogative to really watch over those people's shoulders,  
25 whether it's one -- I don't feel that comfortable with two

1 because I think we're going to get too much stuff coming  
2 in.

3 But I have no problem with Mr. Johnson and I have  
4 no problem with Ms. MacDonald because I trust we can watch  
5 out for what they're doing. But I really, strongly feel  
6 it's not in the best interest of the Commission or our  
7 work to push it up that soon, because I really think we  
8 want to make sure we're telling the public the right  
9 thing.

10 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?  
11 Commissioner DiGuilio?

12 COMMISSIONER DI GIULIO: And all I would say is I  
13 would wholeheartedly agree, I would like to see the IFB  
14 process play itself out, so we have at least the options.  
15 And I think we have -- as we've discussed prior, we have  
16 some fall back measures.

17 And if we meet on the 17<sup>th</sup>, 18<sup>th</sup>, and when we're  
18 meeting the next time, whenever that it is, if we realize  
19 that this process is not moving forward, then maybe we can  
20 consider this issue later.

21 My intent with providing the third option was only  
22 if the Commission wanted to do input hearings that that  
23 was available, that was another option to consider.

24 And just lastly, I think there is an element of  
25 concern because we feel like we need to get out there as

1 soon as we can. But if I'm not mistaken, I heard  
2 Commissioner Dai say for all of us who are concerned that  
3 March is going to be an empty meeting, or not being  
4 utilized very well, from what I understand is we're  
5 actually going to have quite a few things on our plate  
6 and, in a sense, doing our own outreach effort. That's  
7 all I have to say.

8 CHAIRPERSON GALAMBOS MALLOY: Commissioner Dai.

9 COMMISSIONER DAI: Yes, actually, I was going to  
10 say that. I think that I agree with Commissioner Ancheta  
11 that trying to rush into this prematurely, when we haven't  
12 decided some basic things, like what's the format we want  
13 information, you know, received in, I have not heard that,  
14 yet, from the Outreach Committee.

15 So, I think we have not had a chance to even  
16 discuss the most basic information that we would need to  
17 accept public input right now.

18 And I do think we are going to need time to build  
19 public awareness, you know, before we start this,  
20 otherwise we risk the problem of scheduling a public input  
21 meeting and then having no one show up.

22 So, I think we're going to need that lead time so  
23 that Mr. Wilcox can, you know, get those engines going, so  
24 that he has adequate lead time to make sure that people  
25 are ready to show up/

1 CHAIRPERSON GALAMBOS MALLOY: Commissioner Blanco?

2 COMMITTEE MEMBER BLANCO: And, also, having March  
3 open and not moving up any input meetings could actually  
4 give us the opportunity to do some of what you're  
5 suggesting, Commissioner Ancheta.

6 In other words, we could have somebody come -- we  
7 could use that time to become more knowledgeable about  
8 some of these issues.

9 Like, Mr. Johnson's handout had like six  
10 definition of community of interest, because there's a lot  
11 of differences of opinion about what constitutes a  
12 community of interest.

13 There are presentation -- there are issues, I know  
14 Commissioner Barabba has commented a couple of times about  
15 the article around nesting, and how that interfaces with  
16 the Voting Rights Act.

17 We could be, especially if you envision us as  
18 having a lot of oversight over the line drawers, we could  
19 use March to educate ourselves about some key concepts  
20 that we need to have under our belt.

21 CHAIRPERSON GALAMBOS MALLOY: Commissioner Filkins  
22 Webber?

23 COMMISSIONER FILKINS WEBBER: Given the lateness  
24 of the hour, and also the necessity to probably get to  
25 scheduling, are we comfortable of just tabling this? I

1 mean, we appreciate the discussion, but we see that it  
2 might be a necessity if we can't get our award out.  
3 Everybody agree with that?

4           Okay, so I just -- we put it out there, it's  
5 something that we might need to consider at our next  
6 meeting, but I don't think it's subject to any particular  
7 motion. And I would just ask that the chair, if -- oh,  
8 I'm sorry.

9           COMMISSIONER DAI: Yeah, I would just like to say  
10 that I believe that staff is already working on an  
11 interagency agreement as a backup plan and I would urge  
12 that they continue to do that because we don't know how  
13 this process, the bidding process is going to end up, and  
14 I do think we need a backup plan.

15           MR. CLAYPOOL: And we're working on all backup  
16 plans.

17           CHAIRPERSON GALAMBOS MALLOY: Thank you, Mr.  
18 Claypool.

19           Mr. Barabba?

20           COMMISSIONER BARABBA: And I think it might be  
21 appropriate, maybe two members of the Technical Committee,  
22 so we'd be in compliance here, talk about what it is we  
23 think we need further training in, and then working with  
24 the staff, start identifying people who can come in and  
25 train us during this March period.

1           CHAIRPERSON GALAMBOS MALLOY: Excellent.

2           So, with that, we can now transition into our more  
3 administrative items, so we really are on the home stretch  
4 this time.

5           That first time I said that was maybe a little bit  
6 of false advertising so you didn't -- didn't despair and  
7 have a mutiny on this Commission meeting.

8           [Laughter]

9           CHAIRPERSON GALAMBOS MALLOY: So, in closing out  
10 some of the outstanding items on the agenda, there were  
11 some carry over things that I just wanted to make mention  
12 of.

13           One, Commissioner Barabba had referred earlier to  
14 this Census webinar that's available online. You all have  
15 information on that, as does the public. Again, it's not  
16 a requirement, but it is there for you as a resource.

17           We are working, Mr. Miller has been tasked and is  
18 working with, you know, members of the Legal sub --  
19 Advisory Committee have been giving him suggestions on who  
20 could provide us with some very substantive Voting Rights  
21 Act training at our next meeting. So, that's something  
22 that will be forthcoming and that future chair,  
23 Commissioner Filkins Webber is aware of.

24           Again, all Commissioners will be responsible for  
25 completing their own ethics and sexual harassment training

1 online, and we will be receiving that information in the  
2 coming days or week from our staff.

3           And the last training item was that when Hans  
4 Johnson came to present to us, he left off at a piece of  
5 the presentation that I know multiple Commissioners had  
6 expressed interest in going deeper on, and that was  
7 regarding adjustments, particularly prison adjustments.

8           And so I will continue to task Mr. Miller, who we  
9 had had some discussion about what that training could  
10 look like, with identifying whether it is Hans, or whether  
11 it is somebody else that can delve deeper into the  
12 adjustments. Particularly, analysis of what's been done  
13 in other states, et cetera.

14           Go ahead, Commissioner.

15           COMMISSIONER FILKINS WEBBER: Just one thought on  
16 that because I think it might relate, is the lawsuit in  
17 Texas. I mean, if we're talking about certain populations  
18 and the analysis of the Census data, it falls right in  
19 line, I think, with how we're going to deal with prisoners  
20 and what other states have done with prisoners. But I  
21 think it falls right in line with what other states are  
22 challenges, other states are being faced with, with  
23 undocumented immigrants.

24           CHAIRPERSON GALAMBOS MALLOY: Definitely. I think  
25 I gave a handful of categories that included students, it

1 included prisoners, it included undocumented immigrants,  
2 and I might be missing one or two. But he has some  
3 direction in that regard.

4 Commissioner Barabba?

5 COMMISSIONER BARABBA: Yeah, for those who are  
6 interested, I would suggest that you go to [www.census.gov](http://www.census.gov)  
7 and hit fact-finder, and there's an incredible amount of  
8 information about what's going on, and when data's coming  
9 out, when it comes out.

10 And if you go down any of the files, it gives you  
11 quite an interesting look at some of these issues. Fact-  
12 finder, yeah. At census.gov, yeah.

13 CHAIRPERSON GALAMBOS MALLOY: Excellent.

14 So, with that, I would like to begin transitioning  
15 us to scheduling. Now, the purpose of what Commissioner  
16 Filkins Webber is going to take on is to try and schedule  
17 our most immediate upcoming meetings.

18 But before we do that, I did want to make some  
19 observations as your chair, and sort of take the pulse of  
20 the Commission around a process suggestion that I have.

21 It is very difficult to do certain tasks as a  
22 large group, particularly if we are starting from scratch  
23 and don't have concrete recommendations to respond to.  
24 And that's something that I'll come back to when we  
25 finalize our meeting procedures regarding the format of

1 how we report back from our advisory committees to the  
2 full Commission.

3           What I wanted to explore with you, particularly  
4 now that we will be adding some additional staff capacity  
5 to the budget, was if the Commissioner would be amenable  
6 to trying out a process where staff is tasked with coming  
7 up with some draft calendar scenarios for us that attempt  
8 to integrate projects on when we might need our business  
9 meetings, projections on -- as they continue to work with  
10 CCP and other contractors, where they anticipate we might  
11 need to calendar things.

12           My thinking is, of course, this would be a draft,  
13 just something for consideration, but they could  
14 potentially offer us more than one scenario. You know,  
15 maybe one scenario that involves all the Commissioners  
16 being at all the input meetings. Another that has a more  
17 staggered approach.

18           But that we really need to centralize this  
19 function and that, in my experience, it is not an  
20 efficient way to do this to have the chair or the vice-  
21 chair attempt to do it.

22           It would depend on Commissioners keeping up to  
23 date and really projecting out, not just what their March  
24 calendar looks like, but sitting down over the coming days  
25 and looking out all the way to August 15<sup>th</sup> and being able

1 to plug in their availability or, rather, when they're not  
2 available.

3 So, I wanted to throw that out for a discussion.  
4 I have discussed it with staff and they are willing to  
5 come back to the next meeting with that in mind.

6 Commissioner Barabba.

7 COMMISSIONER BARABBA: I would support that, it's  
8 about time they started earning their money.

9 [Laughter]

10 MR. CLAYPOOL: And we're finally happy to have a  
11 task.

12 CHAIRPERSON GALAMBOS MALLOY: So, you know, when I  
13 say calendar, I maybe mean it a little more broadly. Call  
14 it a calendar, call it a work plan, we really need to  
15 start getting a grip on what many months ahead are going  
16 to look like.

17 So, if there's no further questions or concerns  
18 around that, we can leave it in staff's court, working  
19 with the incoming chair to figure out what that looks  
20 like.

21 Excellent. Seeing no discussion, I'll pass the  
22 floor over to Commissioner Filkins Webber.

23 COMMISSIONER FILKINS WEBBER: Based on some of the  
24 discussions that I've had with staff in considering the  
25 calendar, and given our meetings this week we've agreed,

1 contrary to what we had discussed in Claremont, we will  
2 not be meeting on March 10<sup>th</sup> and 11<sup>th</sup>. That would have  
3 required agenda notice yesterday.

4 And the reason that we had considered that is  
5 primarily based on the fact of the pending award and  
6 certainly want to keep in mind of efficiency of  
7 Commissioners' time and efficiency of work.

8 And had we considered meeting that week, for our  
9 general meeting, we would certainly have to consider  
10 coming back the week of the 14<sup>th</sup> or the week of the 23<sup>rd</sup>.  
11 At this point we still don't know if we'll need to come  
12 back the week of the 21<sup>st</sup>. Again, it depends on the  
13 contract.

14 And that's what we're trying to strive for. If  
15 everything goes according to plan, it appears that we  
16 might have the opportunity to consider the solicitations  
17 or at least the bids for the technical expert, as I  
18 understand it. And correct me if I'm wrong, Mr. Claypool,  
19 if anything's changed in this process.

20 But the full Commission would have an opportunity  
21 to consider the proposal and to grant an award, more than  
22 likely somewhere around Friday, the 18<sup>th</sup> or 19<sup>th</sup> is our  
23 goal. If that right?

24 If everything works out in the manner in which we  
25 have considered, but I understand there has been a change

1 with the vote, yesterday, that we are agreeing on the IFB  
2 without the scoring methodology, that if that gets  
3 approved --

4 MR. CLAYPOOL: Certainly. Carol looked at the --  
5 and I haven't spoken with Carol today, so I don't know  
6 where the process is.

7 But Carol looked at it yesterday and said if we  
8 take the scoring out, it becomes so much easier for DGS,  
9 which puts us back on track for receiving the bids on the  
10 15<sup>th</sup>. And the earliest that we could make an award would  
11 be the 18<sup>th</sup>. We could look at them any time after that,  
12 but that time frame would fit in line with our meeting on  
13 the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup>.

14 COMMISSIONER FILKINS WEBBER: Okay. And so, and  
15 if Legal could refresh my recollection as to what your  
16 intent and purpose was for the 15<sup>th</sup>, and were you  
17 suggesting that the Legal Advisory Committee would come  
18 together on that day, on Tuesday, the 15<sup>th</sup>?

19 COMMITTEE MEMBER BLANCO: Correct.

20 COMMISSIONER FILKINS WEBBER: And for what  
21 purpose, I'm sorry?

22 COMMITTEE MEMBER BLANCO: We were asking people to  
23 submit their SOQ by March 14<sup>th</sup>, and then we will do that  
24 first cut that we had an earlier discussion about on 3/15.  
25 And that would be Tuesday, and it would be a committee,

1 advisory committee meeting, public meeting, so we need to  
2 notice that, which we have time for.

3           And then we would come -- we would -- the advisory  
4 committee would then do interviews on March 17<sup>th</sup>, the first  
5 day of our meetings. And we would bring it to the full  
6 Commission for a vote on the 18<sup>th</sup>.

7           COMMISSIONER FILKINS WEBBER: Okay. So, you were  
8 considering a proposal that the Legal Advisory Committee  
9 would meet on Tuesday in order to determine the candidates  
10 that would be interviewed on Thursday, the 17<sup>th</sup>, thus  
11 considering Thursday, the 17<sup>th</sup>, similar to what we have  
12 done previously, an advisory committee meeting day?

13           COMMITTEE MEMBER BLANCO: Correct.

14           COMMISSIONER FILKINS WEBBER: And then full  
15 Commission meeting on Friday, the 18<sup>th</sup>.

16           COMMITTEE MEMBER BLANCO: Correct.

17           COMMISSIONER FILKINS WEBBER: Okay. In light of  
18 that proposal, in light of the fact that I am expected to  
19 be proposed chair, I have done my utmost in consideration  
20 of the last discussion that we had regarding calendar, and  
21 our ongoing efforts to schedule meetings on Thursdays and  
22 Fridays.

23           I am not available on Tuesday, March 15<sup>th</sup>, because  
24 I have done everything to bunch up my week on Mondays and  
25 Tuesdays.

1           In light of the fact that -- and, again, this is  
2 just a personal issue, but I just need to advise you as  
3 chair that I will not be here. So, I don't know whether I  
4 need to consider turning over my responsibilities as the  
5 chair.

6           But again, I pushed a commitment. But aside from  
7 that, I am available on Thursday, the 17<sup>th</sup>, for the  
8 advisory committee meeting, probably in the latter part of  
9 the afternoon, if you consider the 3:00 to 5:00 session  
10 for interviews. But I'm not sure if that's what you're  
11 considering?

12           COMMITTEE MEMBER BLANCO: Yes.

13           COMMISSIONER FILKINS WEBBER: Okay.

14           COMMITTEE MEMBER BLANCO: We looked, we agonized  
15 about your calendar when we were --

16           COMMISSIONER FILKINS WEBBER: Trust me, I'm doing  
17 the same. And I've bunched things up in a week, but I  
18 really thought we were going to be free. I mean, that I  
19 would be free for business because my week before that and  
20 my week after that is completely clear.

21           COMMITTEE MEMBER BLANCO: Yeah, and so we thought,  
22 well, we can do the first cut without you there, and I  
23 don't think this impacts your chairing at all.

24           COMMISSIONER FILKINS WEBBER: Okay, well --

25           COMMITTEE MEMBER BLANCO: And then the idea was

1 precisely as you said, we would follow the format. And  
2 our Legal Committee has been meeting from 3:00 to 5:30,  
3 and we thought we would just keep that time.

4 CHAIRPERSON GALAMBOS MALLOY: Wasn't it 3:00 to  
5 6:30 or so?

6 COMMITTEE MEMBER BLANCO: Well, yeah. But, you  
7 know, from 3:00 until. We begin it for 3:00 and so that  
8 was the thinking, precisely.

9 COMMISSIONER FILKINS WEBBER: How many individuals  
10 were you anticipating interviewing on Thursday, in your  
11 advisory committee, do you --

12 COMMITTEE MEMBER BLANCO: We have no idea what  
13 we're going to get.

14 COMMISSIONER FILKINS WEBBER: Well, no, I thought  
15 you were making your determination on --

16 COMMITTEE MEMBER BLANCO: Oh, yes. Oh, you mean  
17 on that. Yes, because --

18 COMMISSIONER FILKINS WEBBER: Because you're  
19 actually interviewing on Thursday, the 17<sup>th</sup>.

20 COMMITTEE MEMBER BLANCO: Yes, yes, yes.

21 COMMISSIONER FILKINS WEBBER: So, if you're  
22 limiting it to four and it's an hour each, maybe a 1:00 to  
23 5:00 instead of your typical 3:00 to 6:00. So, that's  
24 what I'm suggesting first of all for you to look at, that  
25 your timing might be different, so we need to advise staff

1 on what the potential agenda will be for that, in addition  
2 to actually committing to a schedule today.

3 COMMITTEE MEMBER BLANCO: What's your  
4 availability?

5 COMMISSIONER FILKINS WEBBER: I'll be flying -- I  
6 can probably make it in on -- at least my last -- I think  
7 the flight arrives at 1:55, straight from the airport to  
8 here, provided I can get through security with my luggage,  
9 which I don't think I would be, but I could probably get  
10 here at 3:00 or 3:30 on that day.

11 COMMITTEE MEMBER BLANCO: Let's talk offline about  
12 it, about the precise --

13 COMMISSIONER FILKINS WEBBER: We can.

14 COMMITTEE MEMBER BLANCO: -- hour. And we'll work  
15 with staff offline. But we will do that on Thursday, we  
16 will have a reduced number of candidates to interview.

17 COMMISSIONER FILKINS WEBBER: Okay. One other  
18 caveat to this, that I need to put out there, in the event  
19 that there's any hold up with DGS regarding the approval  
20 of the IFB could push us back another week, probably into  
21 the 13rd, 24<sup>th</sup> or 25<sup>th</sup>.

22 And so I want us to keep that in mind, that we  
23 have kicked the 10<sup>th</sup> and the 11<sup>th</sup>. Would -- and let me put  
24 this on the table, though, would Legal be interested in  
25 still keeping their schedule for the 15<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> to

1 consider putting out an award or agreeing on a contract  
2 for the VRA if we are not in a position to consider the  
3 awards for the technical? In other words, would you be  
4 opening yourself up to the possibility of coming back the  
5 following week?

6           And I'd like to throw it out now so that --  
7 because I will be asked this question as chair, as we get  
8 information next week about how DGS is working with the  
9 proposal.

10           COMMITTEE MEMBER BLANCO: I'm sorry, I don't know.

11           COMMISSIONER FILKINS WEBBER: Okay. Would  
12 Legal --

13           COMMISSIONER ANCHETA: I love coming to  
14 Sacramento. I'm available if you -- you're asking that  
15 question, so I'm available that week. If we need to push  
16 it into the following week --

17           COMMISSIONER FILKINS WEBBER: I'm saying would  
18 Legal -- how urgent does Legal feel that the necessity of  
19 putting out a bid for the VRA, or would you be willing to  
20 push it back?

21           COMMISSIONER ANCHETA: A week.

22           COMMISSIONER FILKINS WEBBER: If I hear next week  
23 that we're going to get -- I will know next week, correct,  
24 Mr. Claypool, if we probably have to kick back the  
25 possibility of the award to technical into the following

1 week.

2 MR. CLAYPOOL: Well, what we will know next week  
3 is if we don't hear anything next week, it will absolutely  
4 push.

5 COMMISSIONER FILKINS WEBBER: It will.

6 MR. CLAYPOOL: Otherwise we'll hear and we'll  
7 know.

8 COMMISSIONER FILKINS WEBBER: Okay. So, my  
9 question is, if we don't hear anything is Legal willing to  
10 forego or is the Commission -- forego considering VRA  
11 interviews that week and push it to the following week?

12 COMMISSIONER ANCHETA: Well, one, I'm available.  
13 Two, if we're not having any input hearings during March,  
14 I don't see a pressing need to have the VRA attorney on  
15 board, so if it goes back a week, and as long as we can  
16 get the person on -- this is very tight, of course. So,  
17 you know, if you can get the person on board prior to the  
18 first input hearing, that's ideal.

19 Again, we're dealing with a lot of contingencies,  
20 just start up times.

21 CHAIRPERSON GALAMBOS MALLOY: Mr. Claypool.

22 COMMISSIONER ANCHETA: So, I have no problem with  
23 pushing it back a week.

24 COMMISSIONER FILKINS WEBBER: Okay.

25 MR. CLAYPOOL: Okay. May I echo Commissioner

1 Blanco's concern the other day, that these are the two  
2 more critical decisions we're going to make, and I think  
3 we need, as a Commission, to make a special dispensation.

4 I think we need to lock that 17<sup>th</sup>, 18<sup>th</sup> day and get that --

5 COMMISSIONER FILKINS WEBBER: I'm going to do it.

6 MR. CLAYPOOL: Okay. And know that we might have  
7 to come back.

8 COMMISSIONER FILKINS WEBBER: Absolutely, that's  
9 what -- that's what my intent is. But in the event --  
10 this is going to happen next week.

11 I just want to know the thoughts, open, public,  
12 you know, hearing, what Legal's concerned. I don't want  
13 there to be something behind the scenes that says, well,  
14 why did we push it a week?

15 I want it to really be that there's a strong  
16 possibility we could kick it. But today we'll set the  
17 schedule, more than likely, for the 17<sup>th</sup> and 18<sup>th</sup>. But are  
18 you willing -- if I know next week that we're not going to  
19 hear this award, would you be willing to push it over just  
20 one more week because --

21 COMMITTEE MEMBER BLANCO: I have reservations  
22 about that because I -- I'm concerned that we aren't going  
23 to find somebody that can drop everything they're doing  
24 and join us quickly.

25 And so, the sooner we have an offer out, the

1 sooner that person, or whatever entity, can go back and  
2 wrap up. We know what it was like -- we all know what  
3 that's like.

4 CHAIRPERSON GALAMBOS MALLOY: And I have an  
5 observation and we have a Commissioner in the stack, as  
6 well.

7 Commissioner Blanco, I didn't mean to interrupt.  
8 continue.

9 COMMITTEE MEMBER BLANCO: So, I -- I don't want to  
10 push it back. I really am concerned that if we push back  
11 the hire date then we push back -- I mean, the interview,  
12 then we push back the hire, then the time the person takes  
13 to wrap up and then we're -- we are into input meetings  
14 that are happening without having prep time for us, with  
15 an attorney.

16 CHAIRPERSON GALAMBOS MALLOY: Yes. And as acting  
17 chair --

18 COMMITTEE MEMBER BLANCO: And I'd be willing to  
19 come back, again, rather than lose that date.

20 COMMISSIONER ANCHETA: Right.

21 CHAIRPERSON GALAMBOS MALLOY: Duly noted. And as  
22 acting chair for this meeting, as we've just discussed,  
23 the training that remains to be done, one of our concerns  
24 is how -- how packed the various meetings are and we need  
25 to continue working to schedule and provide the potential

1 training -- trainer some options on when they can actually  
2 come back and meet with us versus here's the only day and  
3 the only time that you can come back.

4 And so, that would give us some more flexibility  
5 to make sure that we have the substantive training we need  
6 to actually go into the input phase in a way that we're  
7 informed.

8 Commissioner DiGuilio?

9 COMMISSIONER DI GIULIO: Can I just suggest that  
10 all of us Commissioners keep both of those weeks open and  
11 we will -- we'll deal with the actual elements when it  
12 arises.

13 And I've made those -- those weeks are open,  
14 period.

15 I do, I think one thing we haven't actually  
16 discussed is for the technical, the review of the  
17 technical consultants. We touched on it a little bit, but  
18 is it the same process as what the Legal is going through  
19 because we, as a Technical Committee, need to put that  
20 down, as well, if we're going to be reviewing.

21 I thought we had some discussion of whether the  
22 Technical's going to vet it the similar way or are we  
23 going to have it as a full Commission for our scoring?

24 MR. CLAYPOOL: I believe that for this Commission  
25 it will be a different process and it will be a process

1 where, for instance, you're going to open up your bids by  
2 a Technical Committee and go through them.

3           There's so much scrutiny on this that I think you,  
4 as a Commission, need to open these up in public and then  
5 do your -- do your review right there and then, and have  
6 it done.

7           That's why I'm not -- I'm not envisioning this,  
8 personally, as seeing this as being a multi-day process.  
9 I'm seeing this as almost being a very, very long day,  
10 similar to today, where you just go through these -- these  
11 bids, first make sure that -- first, open up for public  
12 comment, then go through the bids and make sure that  
13 they're sufficient, that they have all the elements that  
14 they're required to.

15           And then go through, as a Commission, and do  
16 your -- do the pass/fail, look at the bid, and then make  
17 your award. That's how -- that's how I think I'm  
18 envisioning it, and that's why we went to this simplified  
19 process.

20           But it's never been done, I've never heard of this  
21 being done in public before. Never, you know, and that's  
22 always done.

23           So, the faster, the cleaner it is, the -- and the  
24 faster you do it, and particularly not to leave and then  
25 make an overnight thing and then come back, it just -- I

1 think that's what we're envisioning.

2 COMMISSIONER DI GIULIO: So, just as a point to  
3 that is just to clarify, we can work out the details later  
4 in the sense of time, and give that information to  
5 Commissioners.

6 But I do want to make a point that, and Dan had  
7 mentioned this earlier, is that we, as individuals, would  
8 literally sit there as an -- we would not have the ability  
9 to discuss anything, we would look through, plan on  
10 reading a lot in your own little world, with your own  
11 little note-taking, and then we can discuss as a big  
12 group. But we would be physically there on camera,  
13 showing that we were reading them without discussion  
14 amongst each other. If that's how I understand, that's  
15 partly how this is going to work.

16 CHAIRPERSON GALAMBOS MALLOY: I'm sorry.  
17 Commissioner Barabba and then Commissioner Ward.

18 COMMISSIONER BARABBA: Do we have a rough idea of  
19 how many we're going to receive?

20 MR. CLAYPOOL: No. And remember that this is  
21 going to be a national.

22 COMMISSIONER BARABBA: I guess my only concern is  
23 if there's 20 items sitting in front of us, 20 bids  
24 sitting in front of us, and there's 14 of us sitting  
25 around the table, and there's no review or screening prior

1 to that, that's going to be a really complex day. I'm not  
2 sure how you get through that.

3 CHAIRPERSON GALAMBOS MALLOY: Commissioner Ward?

4 MR. CLAYPOOL: One of the things I would say is by  
5 going to the pass/fail, and staff can -- your staff can be  
6 there to assist you because it's going to be -- the  
7 public's going to be there and they're going to see us.

8 There was an issue with the fact that your staff  
9 wasn't vetted, the same way you were, and you heard the  
10 comments of individuals from both sides of the political  
11 spectrum, all wanting the same thing, wanting to see this  
12 being done in public.

13 But because we've gone to this pass/fail, your  
14 staff can go through with you and very quickly, as quickly  
15 as you can, with as many as we get, decide what's -- you  
16 know, whether you have sufficiency.

17 Then you can go through and make the pass/fail on  
18 as high a bar as you -- you know, as we put into the  
19 document. And then with that it really becomes a very  
20 simple process, then it's lowest -- lowest responsible  
21 bidder. And the key will be on the word "responsible."  
22 You have to make a determination as to whether or not Dan  
23 Claypool comes in at, you know, \$10,000 for a \$750,000 job  
24 is responsible.

25 But you'll make those decisions, we'll have

1 some -- we will have to decide on the criteria. By the  
2 way, I am not submitting.

3 But we will have the criteria up front and it  
4 should be pretty straight forward.

5 The thing that you have to know is with this  
6 process, and as the gentleman, Mr. Toppin said, it's not a  
7 process that's going to allow a lot of qualitative  
8 discussion, it's a process that's going to very quickly  
9 come to a fairly clear cut winner and it's going to be  
10 seen.

11 COMMISSIONER BARABBA: I didn't mind the work,  
12 it's just your comment was, is that we should probably do  
13 it in one day and I guess I was questioning whether that  
14 was feasible.

15 MR. CLAYPOOL: If there are -- if there are 200 of  
16 them, then it won't get done in one day, and I think the  
17 public will understand that.

18 The big thing, in my mind, and this is just  
19 talking with the -- with Carol and everything, is any  
20 break where you leave, or any computers open, all these  
21 things are going to leave that perception. There's a  
22 reason this room doesn't have very good reception and  
23 that's because they don't like these Legislators with  
24 their computers open because they don't know who's  
25 communicating with them while they're going through their

1 votes.

2 I mean, these are all things on that day that will  
3 be very major considerations for us. Because on that day  
4 I believe we'll have a packed house and I believe they'll  
5 all be there to see this get done.

6 If it can be done in one day, it just makes it  
7 that much cleaner. If it can't, then it can't.

8 COMMISSIONER BARABBA: Uh-hum.

9 CHAIRPERSON GALAMBOS MALLOY: Commissioner Filkins  
10 Webber?

11 COMMISSIONER FILKINS WEBBER: With that in mind,  
12 then it's my understanding and what we would more than  
13 likely do is let -- first, I would ask staff to -- diary,  
14 of course, to the due date for the agenda for March 15<sup>th</sup>,  
15 which I have is March 1<sup>st</sup>. Of course, please correct me if  
16 I'm wrong, you guys do this better than me. So, that  
17 obviously would be this coming Tuesday that we would have  
18 to provide the agenda for Legal.

19 Does Legal suggest that there be any other  
20 language for the agenda to advise staff, other than our  
21 customary language, or will the customary language, which  
22 includes consideration of VRA counsel, procedures,  
23 criteria, including conflicts, would that be sufficient,  
24 or do you want it to be specific reference? Counsel or  
25 committee.

1 COMMITTEE MEMBER BLANCO: I think it has to be  
2 more specific.

3 CHAIRPERSON GALAMBOS MALLOY: I think this is the  
4 type of thing that could be handled offline.

5 COMMISSIONER FILKINS WEBBER: Sure. Okay, so just  
6 so we know. So, you'll get the language to staff. Thank  
7 you. And that should be done no later than Monday, Monday  
8 at noon.

9 CHAIRPERSON GALAMBOS MALLOY: Just a process  
10 point, as we adopted at the last meeting, agenda items go  
11 through the chair. So --

12 COMMISSIONER FILKINS WEBBER: Only because this  
13 was the subcommittee -- or, excuse me, it was the advisory  
14 committee, number one, and I'm not going to be present to  
15 be chair on that day so --

16 CHAIRPERSON GALAMBOS MALLOY: Well, whoever -- I'm  
17 just repeating what our process is. Our process is that,  
18 you know, whether you're physically there or not, if  
19 you're acting chair, that's part of the role is to collect  
20 item for the agenda so that there's -- so that the chair  
21 is overseeing and actually making decisions about what  
22 goes on any given agenda, and then directing staff to  
23 create that agenda.

24 COMMISSIONER FILKINS WEBBER: Oh, for advisory  
25 committees, as well?

1 CHAIRPERSON GALAMBOS MALLOY: For all public  
2 agendas.

3 COMMISSIONER FILKINS WEBBER: Oh, I didn't  
4 understand. Oh, that's fine.

5 COMMISSIONER BARABBA: And you don't have to be  
6 here to do that.

7 COMMISSIONER FILKINS WEBBER: No, that's fine. I  
8 didn't understand that the chair was doing that for the  
9 advisory committees, as well. Okay. Because I did my own  
10 agenda for the Legal Advisory. Okay.

11 Then, I would ask that staff, again, diary March  
12 3<sup>rd</sup> for the due date to provide notice for the March 17<sup>th</sup>  
13 hearing. Which, as I understand, let's show ahead, unless  
14 Commission has comments otherwise, do the general notice  
15 that we have for the advisory committees, unless suggested  
16 otherwise by the Commission, similar to what we did for  
17 Wednesday, February 23<sup>rd</sup>?

18 CHAIRPERSON GALAMBOS MALLOY: Again, any  
19 Commissioners who have agenda items to suggest, again we  
20 go back to our process that we decided in Claremont, which  
21 is you would have 48 -- I'm talking off the top of my head  
22 here, let me pull it up.

23 I think it's 72 hours -- yes, 72 hours prior to  
24 the scheduled meeting, which is essentially three days  
25 prior, Commissioners would submit suggested agenda items

1 to the chair that includes, for the advisory committees,  
2 48 hours prior to the meeting the chair then submits that  
3 agenda to staff for legal review and posting. And then 24  
4 hours prior to the scheduled meeting, or even before if  
5 it's available, staff will post that expanded agenda to  
6 the website and distribute it to the full Commission.

7 MR. CLAYPOOL: We love that.

8 CHAIRPERSON GALAMBOS MALLOY: Is there a second  
9 meeting you want to put on the calendar?

10 COMMISSIONER FILKINS WEBBER: Well, the first is  
11 the 17<sup>th</sup> through the 19<sup>th</sup>. Based on some of the discussion  
12 from Mr. Claypool, would you want to notice it at least  
13 through the 20<sup>th</sup> because of -- we're doing two things, and  
14 that's essentially what the focus would be on, aside from  
15 any other things that somebody may ask to be added to the  
16 agenda. But it's the consideration of VRA counsel and  
17 consideration of the technical expert in the manner in  
18 which you described, which could take an entire day. So,  
19 should we notice it through a longer period of time?

20 MR. CLAYPOOL: I think that we should do the same  
21 thing we did for this meeting and just say that we will  
22 roll over on Sunday, on Sunday, the 20<sup>th</sup>, if necessary, for  
23 the specific purpose of finishing the review of that bid.

24 COMMISSIONER FILKINS WEBBER: Okay. Then one  
25 other -- I think we need to raise this other issue. Given

1 the likelihood of what's being anticipated for the day in  
2 which we consider the bids, and I know that, chair, you  
3 had suggested that we take another look at the procedures  
4 for public comment, and we've had that. I do believe we  
5 should set up, at this point, the procedures for as, Mr.  
6 Claypool has suggested, the time frame for public comment  
7 in the morning.

8           If we, for instance, have to consider a hundred or  
9 50, whatever the case may be, bids, and do it in an open,  
10 public hearing, and there will likely be members of the  
11 public that would wish to comment on those, probably even  
12 before we open them. So, some of the proposals were to  
13 notify the public that open, public comment would be  
14 provided.

15           And I want this put on the agenda, that's why I'm  
16 asking for clarification, because we did not have a final  
17 determination on this procedural issue. That public  
18 comment would take place at -- you know, 9:30. From 9:30  
19 to 10:30 would be the first opportunity for public  
20 hearing -- I mean for public comments and then, again, at  
21 another time.

22           CHAIRPERSON GALAMBOS MALLOY: May I ask one point  
23 of clarification, are you suggesting this or something  
24 like it as something we adopt formally as our -- part of  
25 our meeting procedures for every meeting, or you're

1 suggesting a specific procedure for this specific purpose?

2 COMMISSIONER FILKINS WEBBER: It could be either  
3 one. But I think it's necessary for at least, at a  
4 minimum, to set up what the procedure will be for the  
5 March 18<sup>th</sup> full Commission meeting.

6 And the reason being is that we anticipate  
7 everything going along as scheduled, we need to make a  
8 determination so that the public is made aware of what our  
9 process and procedure will be for accepting public  
10 comment, and how that procedure will take place.

11 Because our work, likely, in the hearing, we'll be  
12 reading these bids and, therefore, the public should be  
13 made aware when they will have an opportunity to do so,  
14 and all the Commission should be fully advised as to the  
15 limited time.

16 Again, we need to consider that it would be for  
17 one hour, for instance in the morning, so that then the  
18 Commission can get to opening the bids and start reading.  
19 That's what I'm suggesting.

20 So, if we just open public comment then 200  
21 members of the public, that I certainly know are going to  
22 show up, which would be great and we'd love to have them,  
23 we could potentially take up the entire day unless we  
24 consider that procedure, that's all I'm suggesting.

25 MR. CLAYPOOL: The two things I would say,

1 whatever -- we should put in a protocol that we use for  
2 all procedures, because we're going to, in all likelihood,  
3 do the same procedure if we have an inline process and we  
4 do it.

5           So, whatever we do once, we should do always or as  
6 close as possible. If we have to tweak it later because  
7 of something, we will.

8           The second thing, I would think about this long  
9 and hard. I believe that you want public comment before  
10 they're open. They can comment on anybody that they want  
11 while those are sealed. And then if you want public  
12 comment, they can have the public comment after you've  
13 finished the scoring and you've made the award.

14           But do you want to be in the position of taking  
15 public comment and then changing a score that gives -- or  
16 changing something in order to -- on public comment that  
17 might change the bid.

18           Now, the beauty of this process is pass/fail, that  
19 high bar, and these five out of the hundred passed, and  
20 now it's really low bid, and they win. That's the way  
21 this sets up without having that -- without having that  
22 scoring matrix that everybody hates.

23           So, it will be fairly -- it will be fairly known,  
24 as soon as that happens, who passed that criteria and  
25 people can have public comment at that point.

1 I would just state that that public comment can  
2 be -- can talk about the process, talk about the bidders,  
3 talk about anybody else, but we don't want it to alter  
4 that decision.

5 CHAIRPERSON GALAMBOS MALLOY: Let me just review,  
6 in brief form, what we have already adopted as our  
7 procedure for public comment which, of course, is open to  
8 being amended.

9 That comments from each public member are limited  
10 to five minutes and that we reserve the right to shorten  
11 it to three minutes, where necessary. That we have -- we  
12 offer a public comment opportunity before voting on each  
13 agenda item, except where there has been a prior  
14 opportunity to comment, when a matter has been discussed  
15 in committee and is coming before the full Commission for  
16 a vote without substantial change from what happened in  
17 the committee.

18 That we have in place a public comment for items  
19 not at the agenda at the beginning and the close of a  
20 meeting. What we tried to do in this meeting was to just  
21 explore a couple different options on that. And I'm  
22 hoping, before we go home today, we can just land on what  
23 is our -- what are our standing times for accommodating  
24 the not-on-the-agenda public comment. So, FYI, that's  
25 what we have so far.

1 Commissioner Aguirre?

2 COMMISSIONER AGUIRRE: Just a clarification  
3 question regarding public comment. Public comment has to  
4 occur before an actual decision is made, correct?

5 LEGAL COUNSEL MILLER: Well, the language is  
6 before or during. I believe if, as a result of that  
7 language before, if you choose to take the comment in the  
8 morning, first, you have satisfied the requirement.

9 COMMISSIONER AGUIRRE: Yeah, but the discussion  
10 was, you know, if we make a decision on one individual or  
11 if we make an award, and then we have public comment, and  
12 then we -- based on that information we have to go back  
13 into the pool and change that, then that implies that we  
14 made the decision before public comment. So, I just want  
15 to be clear that, you know, my understanding of PC is that  
16 you either entertain it before, during, but not after the  
17 decision is made.

18 LEGAL COUNSEL MILLER: That's correct. So, if you  
19 entertain comment before the bids are open, at the start  
20 of the meeting, I believe you've fulfilled the  
21 requirement.

22 COMMISSIONER AGUIRRE: Yeah.

23 CHAIRPERSON GALAMBOS MALLOY: So, would someone  
24 like to make a proposal? I think there's two things that  
25 can be done. What I'd like to do is focus on this

1 particular meeting, if someone can make a proposal of what  
2 that process for public comment should look like?

3           COMMISSIONER FILKINS WEBBER: I would propose that  
4 for the purpose of our consideration of the bids for the  
5 technical expert, so whether that occurs on March 18<sup>th</sup> or a  
6 date in the following week, this proposal would be for the  
7 same. So, it's just as to the meeting for the  
8 consideration of the technical expert, that we consider a  
9 start time of 9:00 a.m. That we would open the agenda  
10 with, as we customarily do, a brief introduction, and then  
11 immediately go into open, public comment on matters that  
12 are not on the agenda. Allow a minimum of -- given the  
13 necessity to get through each of the anticipated large  
14 number of bids, that the open, public comment on matters  
15 not on the agenda be limited to 30 minutes. In  
16 consideration of the members of the public that would like  
17 to comment specifically on those potential bidders.

18           And so by, approximately 9:30, we would then open  
19 public comment for one hour, from 9:30 to 10:30 for  
20 consideration of the specific agenda item related to those  
21 submitting bids.

22           And then to the extent there are quite a number of  
23 people that wish to comment further, that we could extend  
24 that another half an hour, but we can make consideration  
25 of that based on availability of time and the number of

1 members of the public who wish to speak.

2           And thereafter the full Commission would consider  
3 the bids and then following customary rules of procedure,  
4 depending on what motion may be on the floor or awards  
5 thereafter.

6           That was a lot but I think it spells it out based  
7 on all the public comment that we needed for a time frame  
8 and I think it's based on everything that we've said that  
9 maybe we need to do that. But I'm certainly open to any  
10 other suggestions.

11           CHAIRPERSON GALAMBOS MALLOY: Are there any  
12 concerns or questions about what has been stated?

13           Mr. Miller? No?

14           LEGAL COUNSEL MILLER: No, I was just going to  
15 suggest, given that it is a long motion, that perhaps it  
16 would most efficient for Commissioner Filkins Webber to  
17 read that back a second time, rather than asking the clerk  
18 to do it.

19           CHAIRPERSON GALAMBOS MALLOY: We have a court  
20 reporter, though.

21           LEGAL COUNSEL MILLER: That would permit us to  
22 follow our procedure of hearing the motion twice, and this  
23 one is a complicated motion.

24           CHAIRPERSON GALAMBOS MALLOY: And let me clarify,  
25 were you expressing it in the form of a motion?

1 COMMISSIONER FILKINS WEBBER: Yes, I was.

2 CHAIRPERSON GALAMBOS MALLOY: Okay. Excellent.

3 COMMISSIONER BARABBA: And my second.

4 COMMISSIONER FILKINS WEBBER: Oh, I need a second.

5 CHAIRPERSON GALAMBOS MALLOY: Commissioner Barabba  
6 seconded. If I could please have it read back, okay.

7 COMMISSIONER FILKINS WEBBER: Oh, you've got it  
8 okay. Oh, she's so good.

9 MS. SARGIS: Please correct me, if I don't have it  
10 correct.

11 For purposes of considering bids for the technical  
12 expert that the Commission consider a nine o'clock start  
13 time, that an introduction be made to the meeting, as  
14 usual, that we open up public comment for non-agendized  
15 items for a total of 30 minutes, only, that comment being  
16 specifically on the bidders.

17 From 9:30 to 10:30 the consideration of specific  
18 items, for those who are submitting bids.

19 And, if needed, public comment would then be  
20 extended for another 30 minutes and then the full  
21 Commission would consider the bids.

22 COMMISSIONER FILKINS WEBBER: A few  
23 clarifications.

24 MS. SARGIS: Okay.

25 COMMISSIONER FILKINS WEBBER: The 9:30 to 10:30 is

1 open, public comment regarding the specific agenda item,  
2 which are those technical experts submitting bids. It's  
3 not that they would be providing any public comment, not  
4 the bidders, themselves.

5 I'm sorry?

6 LEGAL COUNSEL MILLER: But I don't think you can  
7 preclude them from speaking, they're a member of the  
8 public.

9 COMMISSIONER FILKINS WEBBER: Oh, no. Certainly,  
10 I understand that. Again, I just didn't want it to be  
11 phrased as looking as if it would only be those bidders  
12 and that's what it appeared to be, that's all.

13 Certainly, they can come up, those members of the  
14 public.

15 MS. SARGIS: So, on those who have submitted bids.

16 COMMISSIONER FILKINS WEBBER: Correct, on the  
17 agendized item, correct.

18 CHAIRPERSON GALAMBOS MALLOY: Any additional  
19 clarifications?

20 COMMISSIONER FILKINS WEBBER: Nope, I think that's  
21 it.

22 CHAIRPERSON GALAMBOS MALLOY: Okay, open for  
23 discussion.

24 Seeing none, are there any members -- oh, sorry.

25 COMMITTEE MEMBER BLANCO: I just have a question.

1 No, remind me what our process is right now for getting  
2 public comments? Are we all just picking them up off the  
3 web, ourselves? I'm just thinking we're going to get a  
4 lot -- one of the things that's going to make this even  
5 richer is that we're going to have, I suspect, a lot of  
6 written comments submitted to us. And so, I just want to  
7 figure out where that fits into the equation. I mean,  
8 it's not new, but just -- I would just want to nail that  
9 down, please.

10 MR. CLAYPOOL: Janeece, they're asking about how  
11 the public comments that we receive, what's our procedure  
12 for making sure they have it?

13 MS. SARGIS: I believe, and I hope this is  
14 correct, that Raul is reviewing them, now, and I -- I  
15 believe they're being posted. Are they?

16 COMMUNICATIONS DIRECTOR WILCOX: Let me make a  
17 little bit of a clarification. That I think Commissioners  
18 were sent public comment and it's posted -- it was posted  
19 this last week on the web. And I think that we need to  
20 clarify whether they will also be sent at the same time,  
21 while they're being posted, to Commissioners or if they're  
22 just going to be posted on the web.

23 COMMITTEE MEMBER BLANCO: That's my question.

24 COMMUNICATIONS DIRECTOR WILCOX: Okay.

25 CHAIRPERSON GALAMBOS MALLOY: I would just like to

1 note, in the interest of time, that we are about to lose  
2 the Commissioner that will allow us to take this vote.

3 So, I believe that we can come back to this  
4 procedure around e-mail after we deal with the actual vote  
5 that's on the floor. So, if there are any questions or  
6 comments related to this motion, specifically?

7 Okay, seeing none, our member of the public please  
8 come forward.

9 MR. WRIGHT: A long day. For this comment, I  
10 choose not to identify myself as Jim Wright.

11 [Laughter]

12 MR. WRIGHT: How are the members of the public  
13 going to be aware of who the bidders are? Are you going  
14 to post the names of the bidders on the website, so that  
15 they can make comments about them?

16 CHAIRPERSON GALAMBOS MALLOY: Thank you. We can,  
17 again, at public comment close we can actually move to a  
18 vote on this matter and we can come back to these details  
19 around how we collect the comment and post the bidder  
20 information. Thank you very much, unidentified member of  
21 the public.

22 I'd like to take a vote and I'd like to do a show  
23 of hands. All those in favor say aye.

24 (Ayes.)

25 CHAIRPERSON GALAMBOS MALLOY: All those opposed?

1 Did the motion pass?

2 MS. SARGIS: Yes, the motion passed.

3 CHAIRPERSON GALAMBOS MALLOY: I thought so. Okay,  
4 excellent.

5

6 COMMISSIONER DI GIULIO: I do apologize for  
7 leaving, I pinkie-swore on my kids I'd get back before  
8 bedtime tonight and I can't break a pinkie-sear.

9 [Laughter]

10 COMMISSIONER DI GIULIO: But I just wanted to just  
11 mention, very quickly, that if the Commission is  
12 comfortable with it, that I think there are some details  
13 that will probably have to be worked out in terms of  
14 the -- some of the form -- the level of details for the  
15 review. And that can we agendized it in a -- with our  
16 general intentions and have some of those details  
17 disseminated to the rest of the Commissioners?

18 In terms of the Technical Committee maybe working  
19 with staff on those?

20 LEGAL COUNSEL MILLER: Well, I'm not quite sure  
21 what you mean. The Committee as a whole cannot engage  
22 with us, that -- that is a public meeting if the entire  
23 committee is meeting.

24 COMMISSIONER DI GIULIO: No, I'm sorry, it sounds  
25 like there's still some issues around how -- there's

1 certain elements of the review of the technical -- of the  
2 bids that we will be receiving.

3 MR. CLAYPOOL: If I might, so as we develop, with  
4 Carol Umfleet --

5 COMMISSIONER DI GIULIO: Yes.

6 MR. CLAYPOOL: -- our plan for how this should go,  
7 would it be acceptable to send that to all Commissioners,  
8 so that they could -- so that they could see it, or should  
9 we only work through one Technical Committee?

10 LEGAL COUNSEL MILLER: Well, we can send it to  
11 them to see it, but we have to ask what is the purpose?  
12 If each -- I guess if each is commenting only to us, and  
13 then we're not, in turn, giving that comment back, we  
14 could do it. But I don't know that that's a very good  
15 procedure.

16 Let's say we receive 14 different views on an  
17 aspect of what we send them, we're not in a position then  
18 to respond to the entire Commission on the totality of the  
19 comments we receive.

20 I think that -- and then make adjustments. We're  
21 having a meeting at that point. I would suggest that if  
22 we need to engage that, perhaps, two commissioners be  
23 chosen, the chair and the vice-chair for example, our  
24 procedure, to -- and be given authority by the Commission  
25 to make the decisions about the bid process. But we can't

1 engage -- I just don't feel it's possible to receive  
2 comment back from all 14 Commissioners, make adjustments,  
3 and not seriously be in jeopardy of violating the serial  
4 meeting rule.

5 MR. CLAYPOOL: Would it be appropriate, Kirk, to  
6 meet with the Legal Committee on the 15<sup>th</sup>, when they're in  
7 full session, and vet the procedures.

8 LEGAL COUNSEL MILLER: As long as we agendize that  
9 matter it would be, from Bagley-Keene perspective, that  
10 would be fine.

11 MR. CLAYPOOL: Is that something the Commission  
12 would want?

13 COMMITTEE MEMBER BLANCO: I've asked Commissioner  
14 Ancheta to give that to you because I'm going to be  
15 traveling and can't get it by noon.

16 So, we're saying not only to agendize that we will  
17 specifically be reviewing the Voting Rights Act applicants  
18 and doing the first cut, but that in addition the Legal  
19 Advisory Committee will also be reviewing the procedures  
20 for the bid process. Is that correct?

21 MR. CLAYPOOL: The bid review process.

22 COMMITTEE MEMBER BLANCO: The bid review process.

23 COMMISSIONER ANCHETA: We're going to do that?

24 Okay. Is that --

25 MR. CLAYPOOL: I think it's going to be pretty

1 straight forward. There are not going to be a lot of  
2 decision points in this. Mainly, what you'll be doing is  
3 looking at the process and seeing that you kind of agree  
4 with the overall flow and deciding -- you may have to  
5 decide where you want to place the bar on the pass/fail  
6 but --

7 COMMISSIONER ANCHETA: Okay. So, does the  
8 Commission have to delegate that to us?

9 CHAIRPERSON GALAMBOS MALLOY: We don't actually  
10 have enough Commissioners to take a vote at this point in  
11 time so --

12 COMMISSIONER ANCHETA: So, can we do anything on  
13 that day?

14 MR. CLAYPOOL: Well, you could make a  
15 recommendation to the --

16 COMMISSIONER ANCHETA: A recommendation, sure.

17 MR. CLAYPOOL: -- Commission without them asking  
18 you to do that.

19 COMMISSIONER ANCHETA: Okay, that's fine.

20 CHAIRPERSON GALAMBOS MALLOY: Uh-hum. Okay.

21 COMMISSIONER ANCHETA: And I'll work with staff on  
22 the language, okay.

23 COMMISSIONER FILKINS WEBBER: So, oh, well, I  
24 thought it was my obligation to do that as chair, to work  
25 with staff regarding the agendized -- the agendas for

1 advisory and the full Commission.

2 COMMISSIONER ANCHETA: Well, yeah.

3 COMMISSIONER FILKINS WEBBER: So, I just made  
4 detailed notes so --

5 COMMITTEE MEMBER BLANCO: Oh, okay. I thought you  
6 had asked us to get the --

7 COMMISSIONER BARABBA: You weren't going to be  
8 there.

9 MR. CLAYPOOL: But you can do the agenda language.

10 COMMISSIONER FILKINS WEBBER: I'm doing the agenda  
11 language.

12 MR. CLAYPOOL: Yeah, you do that, so that's fine.

13 COMMISSIONER FILKINS WEBBER: Okay. I thought it  
14 was my job duty.

15 COMMITTEE MEMBER BLANCO: Great.

16 CHAIRPERSON GALAMBOS MALLOY: So, I think that's  
17 it on scheduling.

18 In regards to our meeting procedures, our ongoing  
19 meeting procedures outside of this special -- can I  
20 just -- we are very close to wrapping up here.

21 This -- so the question on the table is at what  
22 times do we want to institutionalize having our public  
23 comment during the course of a regular business day?

24 We've tried it in the morning, we've tried it in  
25 the evening, we've tried it after lunch. So, I'm open to

1 suggestions. And this will really apply to Commissioner  
2 Filkins Webber's meeting coming up.

3 COMMISSIONER FILKINS WEBBER: Well, I don't know  
4 necessarily that it will since we just passed a motion  
5 that would apply to the technical.

6 But I -- I would propose, let's just move forward,  
7 that for our general meetings because, again, this is  
8 separate and apart from what we are describing as outreach  
9 or input hearings, but for our general meetings, under due  
10 regard that we are commencing at 9:00 a.m., we would then  
11 have the customary brief introduction.

12 I would then propose that we allow 30 minutes for  
13 non-agendized items. To the extent in which there are  
14 quite a number of members of the public who wish to  
15 provide public comment, we could consider increasing that  
16 by 30 minutes.

17 To the extent -- and then I would consider, for  
18 the benefit of the public and quite a number of people,  
19 when we've been outside of Sacramento, were interested in  
20 providing public comments after lunch, rather than waiting  
21 until the end of our business day.

22 So I would then consider a proposal that,  
23 generally speaking, if we convene -- reconvene after our  
24 lunch recess at 1:00 a.m. -- or 1:00 p.m., or at any time  
25 thereafter we open up a public comment at -- for a half an

1 hour after we resume from our lunch time.

2 And, again, to the extent there's a possibility of  
3 additional members of the public who wish to speak beyond  
4 that 30 minutes, we could consider increasing that to  
5 another 30 minutes, for a full hour.

6 And then, again, in the interest of those who may  
7 be interested in attending our meetings at the evening  
8 time, that we consider a half an hour at the last close of  
9 business for public comment further.

10 CHAIRPERSON GALAMBOS MALLOY: So what I can do,  
11 given that we're not enough Commissioners here to take a  
12 vote, unless there's any major dissent to these  
13 suggestions, I can build this into our draft meeting  
14 procedures, and then you can bring that back to the full  
15 Commission when we meet later, in March, for  
16 consideration.

17 I will also add the suggestion proposed by  
18 Commissioner DiGuilio, which we seemed in concept  
19 supportive of, around all documents that come before the  
20 Commission need to have dates on them. So, I'll add that  
21 in, as well.

22 So with that, homework, please submit your bios,  
23 your updated bios to Mr. Wilcox by close of business  
24 Tuesday, at the latest.

25 And spend some time on the Google calendar,

1 looking all the way out through August, so that as we've  
2 directed staff to do some work planning and calendaring  
3 that they have the ability to do that.

4 And remember, as you put in your availability, to  
5 add your party affiliation.

6 Commissioner Ward.

7 COMMISSIONER WARD: I'm sorry to interrupt you,  
8 Chair. I just want to make sure, I think Commissioner  
9 DiGuilio's input was date and origin.

10 CHAIRPERSON GALAMBOS MALLOY: Origin.

11 COMMISSIONER WARD: Both of those were important  
12 to her.

13 CHAIRPERSON GALAMBOS MALLOY: Can you explain the  
14 word origin?

15 COMMISSIONER WARD: Yeah, who is it from.

16 CHAIRPERSON GALAMBOS MALLOY: Who drafted it.

17 Gotcha. Okay, author. Thank you.

18 So with that, all we have left are our  
19 accomplishments, our summary of accomplishments by Mr.  
20 Wilcox, public comment for items not on the agenda, and  
21 then a couple quick announcements about tomorrow's  
22 proceedings.

23 So, Mr. Wilcox?

24 COMMUNICATIONS DIRECTOR WILCOX: Thank you. The  
25 Commission was called to order at 9:05 a.m. by Chair

1 Galambos Malloy, the Commission heard public comment.  
2 Commissioner Dai presented the Finance and Administration  
3 Advisory Committee report, and Mr. Claypool presented the  
4 budget.

5 They did that in two phases during today's  
6 meeting.

7 The Commission approved the hiring, with a 14 to 0  
8 vote, of three full time retired annuitants, at two months  
9 each, one legal half-time for six months.

10 The Commission voted to approve, on a 13 to 0  
11 vote, the Commission's budget through fiscal year 2011-  
12 2012.

13 There was a presentation on redistricting by Doug  
14 Johnson, of the Rose Institute.

15 The Outreach Advisory Committee was presented by  
16 Commissioner Ontai.

17 The Commission voted, on a 13 to 0 vote, to award  
18 a contract to CCP not to exceed \$100,000. Any activities  
19 must be approved by Commissioner Filkins Webber, after  
20 consulting with the Commission's Outreach Advisory  
21 Committee liaison and the Commission's Communications  
22 Director.

23 There was a presentation by the Commission's Chief  
24 Counsel, Mr. Miller, and Marian Johnston, on the Bagley-  
25 Keene Act.

1           Presentation by Commissioner Raya on the Public  
2 Information Advisory Committee and a report was given by  
3 the Communications Director.

4           The Commission set the dates of March 17<sup>th</sup> through  
5 the 20<sup>th</sup> for their next Commission meeting. And the  
6 Commission voted 10 to 0 to adopt certain guidelines for  
7 the March 18<sup>th</sup> meeting in consideration of the technical  
8 expert.

9           The synopsis, this synopsis, as I've just read,  
10 will be available online at [redistrictingca.org](http://redistrictingca.org) and at the  
11 Commission's Facebook page. This will be this evening,  
12 and that's at California Citizens Redistricting  
13 Commission. Thank you.

14           CHAIRPERSON GALAMBOS MALLOY: Commissioner Blanco?

15           COMMITTEE MEMBER BLANCO: Did I -- I think we  
16 should include in our decisions our decision to not do  
17 public educational meetings as a decision in and of  
18 itself. If we just say that we awarded the contract to  
19 CCP --

20           COMMUNICATIONS DIRECTOR WILCOX: Yes.

21           COMMITTEE MEMBER BLANCO: -- it doesn't really  
22 capture that, and that was a pretty significant decision.

23           COMMUNICATIONS DIRECTOR WILCOX: Oh, absolutely.

24           CHAIRPERSON GALAMBOS MALLOY: Yes, I concur with  
25 Commissioner Blanco, I do think that perhaps adding some

1 language around the alternative methodologies. I think it  
2 could come across as though we don't view education as an  
3 important component of this process. I think we changed  
4 our framework on how we are going to approach education  
5 so --

6 COMMUNICATIONS DIRECTOR WILCOX: How about scaling  
7 back previously discussed outreach and education meetings,  
8 and discussed other avenues for public education, and then  
9 to talk about that contract.

10 CHAIRPERSON GALAMBOS MALLOY: Yeah.

11 COMMUNICATIONS DIRECTOR WILCOX: Okay.

12 CHAIRPERSON GALAMBOS MALLOY: I trust you, as  
13 staff, you get the intent of what we're trying to express  
14 there.

15 COMMUNICATIONS DIRECTOR WILCOX: Okay, great.  
16 Thank you.

17 CHAIRPERSON GALAMBOS MALLOY: With that, are there  
18 any members of the public who would like to comment on  
19 items not on the agenda?

20 Seeing none, the last announcements I have are we  
21 have a reminder to the public, tomorrow morning we will be  
22 having our session to receive information on outreach  
23 efforts. It will be starting at 9:00 a.m., here at the  
24 State Capitol building, in room 126. The State Capitol  
25 building actually opens at 9:00 a.m. on Saturday and

1 Sunday. The only entrance that will be available to the  
2 public is the one at 11<sup>th</sup> and L Street.

3 Another piece of information that would be useful  
4 for the public to know is that on Saturday, tomorrow at  
5 noon, there is a rally that will be happening, actually  
6 across the nation, in front of every state house and major  
7 city, to stand in solidarity with the people of Wisconsin.

8 We're not able to anticipate how significant in  
9 size this will be, but it might impact traffic, parking.  
10 Luckily, it's on a weekend. So just want our public, who  
11 might be coming to present or to participate -- to attend,  
12 that this will be occurring.

13 The final announcement I have is that with the  
14 long day that we've -- long and productive days we've had  
15 here, we do not anticipate needing to meet on Sunday. The  
16 only exception would be if we had such a tremendous  
17 turnout tomorrow that there was no way we could finish our  
18 hearing tomorrow. But at this point that does appear  
19 unlikely.

20 So, with that, thank you for all your hard work  
21 today. I will be -- Mr. Claypool is eyeing me.

22 MR. CLAYPOOL: Go ahead and finish. I just have a  
23 minor point to -- just I'm presuming all meetings that  
24 we've discussed are in Sacramento for the agenda. I just  
25 want to make sure that that's said.

1 CHAIRPERSON GALAMBOS MALLOY: Yes.

2 COMMISSIONER FILKINS WEBBER: Yes.

3 MR. CLAYPOOL: I apologize.

4 CHAIRPERSON GALAMBOS MALLOY: Thank you.

5 COMMISSIONER FILKINS WEBBER: And when you say in  
6 Sacramento, the Capitol?

7 MR. CLAYPOOL: Yes.

8 COMMISSIONER FILKINS WEBBER: Thank you.

9 CHAIRPERSON GALAMBOS MALLOY: Okay, excellent, so  
10 those meetings will be happening.

11 So then our next -- Jodie, would like to just  
12 remind the public -- we'll announce it at the end of  
13 tomorrow, because that will be our formal adjournment.

14 So for that, adjourning for the evening, we will  
15 reconvene tomorrow morning at 9:00 a.m.

16 MR. WRIGHT: Public comment.

17 CHAIRPERSON GALAMBOS MALLOY: I did offer public  
18 comment and nobody responded.

19 COMMISSIONER AGUIRRE: Well, we called for Jim  
20 Wright, but he wasn't here.

21 [Laughter]

22 CHAIRPERSON GALAMBOS MALLOY: Evidently, there's a  
23 member of the public who did not hear or respond to the  
24 offer for public comments for items not on the agenda, so  
25 we will turn it over to our member of the public.

1           MR. WRIGHT: Thank you. My apologies, I should  
2 get a hearing aid.

3           I just want to make a quick observation about  
4 collecting information from the public. There's really  
5 only four pieces of information that you require. First  
6 of all you need a label for the submission that they're  
7 making.

8           Secondly, you need a description of the boundaries  
9 of the area that they're talking about, the geographic  
10 parameters.

11           Thirdly, you need information about why they  
12 consider this to be important.

13           And fourth, you need to identify who it is that  
14 proposed it.

15           Have a nice evening, thank you.

16           CHAIRPERSON GALAMBOS MALLOY: Thank you, Mr.  
17 Wright.

18           With that, we are adjourned until tomorrow morning  
19 at 9:00 a.m. Thank you, have a great night.

20                                   (Recess at 7:46 p.m.)

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