STATE OF CALIFORNIA

2020 CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

PUBLIC MEETING

721 Capitol Mall, 2nd Floor
Sacramento, California 95814

TUESDAY, OCTOBER 6, 2020
9:32 A.M.

Reported by:
Peter Petty
APPEARANCES

Commissioners Present:
Alicia Fernandez, Chair
Angela Vasquez, Vice Chair
Isra Ahmad
Linda Akutagawa
Jane Andersen
Neal Fornaciari
J. Ray Kennedy
Antonio Le Mons
Sara Sadhwani
Patricia Sinay
Derric H. Taylor
Pedro Toledo
Trena Turner
Russell Yee

Staff Present:
Marian Johnston, Counsel
Raul Villanueva

Public commenters:
Renee Westa-Lusk

Also present:
Kristian Manoff, AV Tech
Telephone Line Operator
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PROCEDINGS

Tuesday, October 6, 2020 9:32 a.m.

CHAIR FERNANDEZ: Great. Welcome back, everyone, at October 6, 2020, of our regular session, Tuesday.

Today, just so everyone is aware, we'll be discussing Agenda Item 9, which is budget update, 10, which is the Commission contracts and procurement, and 13, which is about comradery within the Commission, but, before we start with that, we're going to go to public comment.

So, Jesse, can you -- actually, Raul, can you please read the instructions, and then we'll have Jesse.

MR. VILLANUEVA: Thank you.

In order to maximize transparency and public participation in our process, the Commissioners will be taking public comment during their meeting by phone. There will be opportunities to address the Commission regarding the items on the agenda. There will also be opportunities for the public to submit general comments about items not on the agenda. This is what is being called for now.

The Commission will advise the viewing audience when it is time to submit public comment, which is right now, and then they will allow time for those who wish to comment to dial in. To call in, number one, on your phone, please dial the telephone number provided on the livestream feed. Second, when prompted, please enter the meeting ID
number provided on the livestream feed, using your dial
pad. Third, when prompted to enter a participant ID,
simply press the pound sign.

Once you have dialed in, you will be placed in a
queue, from which a moderator will begin unmuting callers
to submit their comment. You will also hear an automatic
message to press star, nine to raise your hand, which
indicates that you wish to comment. When it is your turn
to speak, the moderator will unmute you, and you will hear
another automatic message, "The host would like you to
talk," and to press star, six -- that's star, six -- to
speak. You will have time to provide your comments.

Please make sure to mute your computer or
livestream audio to prevent any feedback or distortion
during your call. Once you are waiting in the queue, be
alert for when it's your turn to speak, and, again, please
remember to turn down the livestream volume.

Commissioners will take comment for every action
item on the agenda. As you listen to the online video
stream, the Chair will call for public comments, and that
is the time to call in. The process for making a public
comment will be the same each time. You begin by dialing
the telephone number provided on the livestream feed and
following the steps as I have just outlined, and these
instructions are on the website.
Chair.

CHAIR FERNANDEZ: Okay. Thank you.

I forgot to do roll call. Thank you, Commissioner Ahmad, for reminding me. If you'd take roll call, please, before we go to the public comment.

MS. JOHNSTON: Commissioner Ahmad.

COMMISSIONER AHMAD: Here.

MS. JOHNSTON: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Here.

MS. JOHNSTON: Commissioner Andersen.

COMMISSIONER ANDERSEN: Here.

MS. JOHNSTON: Commissioner Fernandez.

CHAIR FERNANDEZ: Here.

MS. JOHNSTON: Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Here.

MS. JOHNSTON: Commissioner Kennedy.

COMMISSIONER KENNEDY: Here.

MS. JOHNSTON: Commissioner Le Mons.

COMMISSIONER LE MONS: Here.

MS. JOHNSTON: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Here.

MS. JOHNSTON: Commissioner Sinay.

COMMISSIONER SINAY: Here.

MS. JOHNSTON: Commissioner Taylor.

COMMISSIONER TAYLOR: Present.
MS. JOHNSTON: Commissioner Toledo.

COMMISSIONER TOLEDO: Here.

MS. JOHNSTON: Commissioner Turner.

COMMISSIONER TURNER: Here.

MS. JOHNSTON: Commissioner Vazquez.

VICE CHAIR VAZQUEZ: Here.

MS. JOHNSTON: Commissioner Yee.

COMMISSIONER YEE: Here.

MS. JOHNSTON: Hundred percent, Madame Chair.

CHAIR FERNANDEZ: Great. Thank you.

Okay. Jesse, can we see if anyone -- I see someone is in queue.

TELEPHONE LINE OPERATOR: Good morning, Caller.

Could you please state your name for the record, please.


I just have some questions regarding the commonly used acronyms by the Commissioners. I've been following the meeting. I kept hearing like an "RPE" or an "RPD," and then the Gantt acronym, and I did look up the Gantt document online this morning, but I'm asking if the Commissioners could have commonly used acronyms posted on the CRC website somewhere so laypeople can understand what you're conversing about. That's my comment.
CHAIR FERNANDEZ: Thank you. I appreciate that comment. Yes, we tend to speak in acronyms, and "RFP" is a request for proposal. It's a document that has to go forward when you're requesting a service.

MS. WESTA-LUSK: Okay.

CHAIR FERNANDEZ: But yes, that's something we'll look into. So thank you.

MS. WESTA-LUSK: Okay. Thank you.

COMMISSIONER SADHWANI: If I can jump in, I don't know if we also (indiscernible) "RPV," which is racially polarized voting, which is the kind of analysis that's often used to identify Voting Rights Act districts. So I don't know if it was RFP or RPV, but both, I think, have been used.


VICE CHAIR VAZQUEZ: Yes. I was actually going to make a statement of my own yesterday, and I missed out, but I am going to personally try to not use "COI," because that is not something I've heard outside of any of these discussions, and I will do my best to at least say out, "Communities of interest" or "Community of interest tool," because "COI" is not used outside of this particular process.

CHAIR FERNANDEZ: And they could also think
you're being coy, right? All right.

Jesse, anyone else in queue?

TELEPHONE LINE OPERATOR: There are currently no callers in the queue.

CHAIR FERNANDEZ: Thank you.

So we are going to move into Agenda Item Number 9, which is the budget, and so, Raul, I'll hand it over to you, and I know there's some -- I think there's something that we want to talk about jointly as well. So, to you, Raul.

MR. VILLANUEVA: Okay. So, as of August 15, there was 3.86 million dollars available, in addition, two parts of the appropriation that we can request, one for 1.3, for operational costs, and one for 2.1, approximately, for outreach efforts, and so, pending the plans for the outreach efforts, we can do that ask, ask for those funds, and operational costs, now that you have an executive director, we can start that process, also.

As far as the condition of funds at this point, a couple of considerations. Right now the funds that were allocated to the State Auditor, the 5.2 million, something to keep in mind is the State Auditor is still providing services to the Commission, and, as such, until we have those contracts in place, for example, with the videography, they are still expending funds on our behalf,
and so that's something that is still pending.

CHAIR FERNANDEZ: Are there other services that the State Auditor is still providing to us, other than the videography?

MR. VILLANUEVA: They're also doing procurements on our behalf, and part of that is, it takes anywhere from four to six weeks to try and run a purchase order through DGS, and so I've asked them to do those purchases for us, and so we can have those things much quicker.

CHAIR FERNANDEZ: Well, how does that -- so, if it's going -- and I'm sorry. Just for my own understanding, if we're asking them to process, then, whatever position is processing them, then they code that to be charged to the Commission?

MR. VILLANUEVA: I don't think they're charging -- I can ask, but I don't think that they're charging staff time. But that's a question mark, and so I'll reach out and find out.

CHAIR FERNANDEZ: Let's not ask. No, I'm kidding.

Commissioner Turner.

COMMISSIONER TURNER: Thank you, Madame Chair.

Raul, of the 5.2 million that's been allocated, how much has been spent to date?

MR. VILLANUEVA: I don't have those numbers, and
part of that is because of the funds are still being expended.

I can tell you this, though, because the question did come up early on, "Well, what happens if there's any funds left?" And if there's any funds left, which I doubt, because they're still expending funds on your behalf, it would have to go to the Department of Finance and to the legislature. Since this appropriation is done out of the Budget Act, there would have to be legislation, then, to change the appropriation.

COMMISSIONER TURNER: Yes. The question, more so, I'd like to know, particularly since we are talking about lessons learned going forward, is, to date, how much has been spent of the allocated funds, and then I'd be interested in knowing how did it compare for the first, only for lessons going forward, to be able to understand if the services they're providing -- if they're the right services.

We talked about needing communications sooner, et cetera, and I think it would afford us with kind of the background and information that we need, particularly as we leave notes going forward on how much money are we going to use from the Auditor's Department, et cetera.

MR. VILLANUEVA: That's a very good question, and posted on the website right now is the budget information
for the entire 2011-2012 cycle. I provided that to the
subcommittee on finances. They are actually working
through that, and preparing a report back to the
Commission, but just to let you know that that's there on
the website if you want to take a sneak peek, per se.

Also, too, you need to understand, the Auditor
doesn't make a report back to the Commission about that
expenditure. It would go to the Department of Finance and
to the legislature, and that would be their responsibility,
to do that in that direction, not to you.

COMMISSIONER TURNER: So we're spending without
knowledge of where we are or if we're overspending, and
making more decisions, but we don't have, then, any
information?

MR. VILLANUEVA: Well, no. That
expenditure -- those expenditures are to the State
Auditor's allocation, not to the Commission's allocation,
but the point to which --

COMMISSIONER TURNER: But then they pass the cost
on, right?

MR. VILLANUEVA: Pardon me?

COMMISSIONER TURNER: They pass that cost on to
our budget?

MR. VILLANUEVA: No. They were allocated 5.2
million dollars.
COMMISSIONER TURNER: Okay.

MR. VILLANUEVA: Now, at the point to which the 5.2 million dollars is expended completely, and they're still providing services to the Commission, then those services would be passed on to the Commission, as they were in 2011.

COMMISSIONER TURNER: Okay.

MR. VILLANUEVA: And, like I say, on that report, it shows the expenditures by the Secretary of State, and by the State Auditor, although the State Auditor didn't pass on all of the costs in 2011, but they're still pretty good numbers.

COMMISSIONER TURNER: Okay.

CHAIR FERNANDEZ: Yes, and, as Raul mentioned, the California Citizens Redistricting Commission for the 2010, that budget information is on line, and I thought we were going to discuss it this time, but I guess we're not.

What I had asked him to do is, in one of our future meetings, is to do like a side-by-side kind of comparison of what 2010 had, their budget, and what our budget is so far. It's kind of like a good tracking mechanism, and I'd like to have, like, the budget information, actually, like in a spreadsheet or some sort of (indiscernible) given to us monthly, so we can track it better.
Anyway, I do notice that Commissioner Le Mons and Commissioner Ahmad also had a question. So, Commissioner Le Mons.

COMMISSIONER LE MONS: Yes. I think you partially answered the question just now, so I guess I'll reframe my question a little bit.

So we're going into this discussion of budget with no frame. At least, I didn't feel like I really even understand what we're about to talk about. So I think this kind of hearkens to some of the comments yesterday about being a little bit more detailed in what the purpose of the discussion is, or action items that are to be taken. My expectation at this point would have been that we would have had some more detailed information with regard to budget, particularly if we had agendized it as an item.

I know some of these questions go back to some of our earlier meetings, in wanting to understand the State Auditor's budget, and whether or not any of those resource would be able to be used by us as a part of our budget. I understand it's a separate allocation. I understand that they track it separately. All that part is fine, but I think some of the germane questions that we raised have yet to be answered.

Also, if I understood correctly yesterday, we voted to approve maintaining someone who was working on our
budget, so I'm a little confused as to why we wouldn't have
detailed information about our own budget, if we have staff
that is actually working on that. So I'm just a little
perplexed as to the conversation we're embarking upon, the
outcomes of that conversation as it relates to budget, and
what we can expect going forward.

CHAIR FERNANDEZ: All right. Thank you.
Commissioner Ahmad, and then Commissioner Sinay.

COMMISSIONER AHMAD: Pass.

CHAIR FERNANDEZ: Commissioner Sinay, you're on
mute.

COMMISSIONER SINAY: Sorry. I had a dog issue,
so I went on -- I had to turn off my video, and I didn't --
anyway, a couple of things.

I was alarmed when I read the staff report that
there wasn't budgeted for meetings out in the community,
because last time meetings were done -- you know, they
found places to have it for free, but my understanding,
that didn't always work, and we are really looking to go
where the community is, not ask community to go where we
want them to go. So I do feel that we need to keep that in
mind. Even if we do think virtually, I still would like us
to think creatively on how some of us can be there and can
connect with the community. We can't do 100 percent
virtual. That's a trust thing.
So we'll talk more about that when we do the plan, but I did want everybody to be aware that that was in the budget, and they said that was about 6,000 per meeting, 34 meetings. So that wasn't calculated when they did that.

Also, about three meetings ago, I think, or I don't -- the first meeting, since we've only had three -- the first meeting, we had requested to understand how we could make contracts -- or I don't want "contracts" -- how we could finance nonprofits for the work that they're doing, and we were told that we would get an update on that, and that is critical for the outreach piece and for our discussion tomorrow. So do we have an update on how we can give funding to nonprofits quickly, if need be, or what's the timeline and all that?

MR. VILLANUEVA: I think that's the next agenda item.

CHAIR FERNANDEZ: Well, we can talk about it now. It is part of the budget.

MR. VILLANUEVA: Well, if I may, for example, some of the questions that Commissioner Le Mons was asking about go into the next part of the discussion, right? I got as far as being able to describe what's going on with the budget, some of the hindrances in getting a bottom line in terms of the actual fund condition, what's going on, then, in terms of actual expenditures at this time. I have
a report on that. And so, while we could pursue the additional areas, what I would suggest is maybe letting me go ahead and finish the part about the budget, and then we can move on.

CHAIR FERNANDEZ: Okay. Why don't we -- why don't you continue to do that, and then, at the end, obviously, we may have questions, but then we also want to have discussion as to, if we're going to have this as an ongoing agenda item, maybe what we expect to see in terms of more information on expenditures, whatever the Commission hasn't --

MR. VILLANUEVA: Right.

CHAIR FERNANDEZ: And then, Commissioner Sinay, do you want to say something before he continues?

COMMISSIONER SINAY: Yes. This goes back to what Commissioner Le Mons was saying. There really should be a written report that we get to read ahead of time, and staff getting upset because we're interrupting isn't okay, because we have absolutely no clue what we're walking into right now.

So I apologize for interrupting or jumping the gun, but I also didn't know -- I don't have anything. So we need written information prior to a meeting, so we can come prepared and not ask questions that are going to be answered later.
CHAIR FERNANDEZ: Okay. All right. Raul, if you can continue with your presentation.

MR. VILLANUEVA: Very good. So, up through August, and into the beginning of September, the expenditures have been primarily paid for by the Auditor's Office. What we're waiting for now here, at the beginning of October, is whatever invoices come in that we're paying for, and so, at this point in time, it's October 6th, and those are still pending. As such, then, I can report partially.

So, for example, what I was going to report today -- and, again, so all of this was vetted through the finance subcommittee, in terms of what's to be reported, how is it to be reported. I understand if you want more documents, and I agree, and if I had more hours in the day, I would certainly try and accomplish that for you.

Anyway, as far as your meeting costs, you had two complete meetings, the August 26th through September 4th, a seven-day meeting, and then September 23rd through 25th. The meeting costs for the August 26th through September 4th meeting were approximately $18,000 a day.

That breaks down into $6,500 for the Internet -- well, the videographer, the Internet streaming -- $522 for the sign language. The AT&T services, that has to be an estimate. There's no invoice for that, so I had to go on
the website and actually try and find how they break down their services, approximately $2,500 per day. The transcripts, $2,000 per diem, $5,300, staff costs, approximately $1,300, for a total for the seven-day meeting, $127,505. 

For the September 23rd through 25th meeting, in terms of doing some cost-cutting, and also some improvement services, we worked with the videographer to have them start doing the public comment. I think you would agree that that's been very successful for us, so that saved that $2,500 a day, and so the costs are down to $15,000 a day, approximately. The cost for the September 23rd, 25th meeting, three days, is approximately $47,000.

As time moves forward, and we look at different types of services and how to approach those services, that's something that we'll be looking at, is, again, how do we improve services? How do we get something that's more cost-effective?

CHAIR FERNANDEZ: Okay. Before we take other questions, I just have to -- Raul mentioned that this was vetted through the finance committee, and I want to let you know, in terms of the expenditure information, the finance committee received that information Sunday evening, right before the meeting, so not a lot of time to review the information. That's something that we'd need to work on as
we move forward, to be more proactive and give us more time to actually review the (indiscernible).

With that, in terms of what would be beneficial for future, I completely agree -- I said it yesterday -- that we need to have some sort of documentation or something that we're going to -- that we can at least refer to when we get to an agenda item, and for budget, I feel that's especially important, because, obviously, it's our livelihood, and we need to track it, although we don't need to track it in detail -- well, we should, but we'll have staff that will do that and can, you know, red-flag as we're getting close to, maybe, we'll be expending our expenditures.

What I do want to see for future meetings is a budget, and by line item, what has been -- what's budgeted, what's been appropriated, what's been expended, what's been encumbered, so that we know what the balances are, and it's good information to know how much per meeting it's costing us. That's good to know, because then we can project out.

When I say that's good to know, it's not good to know so that "We only have enough for three more meetings." No. We have 20 more meetings we want to do, so let's go and find -- you know, see what we can do about getting additional money. I don't want it to restrict us, but I want it to be a guide in terms of when we need to forward
to request additional funding.

So does anyone else have any other comments regarding budgets? Commissioner Le Mons.

COMMISSIONER LE MONS: Yes. First I want to say, staff, I mean, we appreciate all the work that you guys are doing. I think we are sort of at a point in this process where, you know, we've stretched you to the limit.

I mean, you're carrying this situation, this whole shift, for the last several months, with a very, very skeletal team, and my questions aren't intended to show any kind of lack of appreciation of all of the work that you guys are doing, and I know that these processes are going to improve as we move forward and get staff in place, which is why I prefaced my budget comments with the point that I thought we had someone working on that.

At a bare minimum, I'd just like to go into any of these particular agenda items really understanding what we're doing, if they could get framed up on the front end. Whether the subcommittee has established it or whoever, it's fine with me. I just want to know what we -- if we can focus our discussions, we know what we're talking about.

I think, to Commissioner Sinay's point, when we don't know, we end up asking, all of us. I mean, we end up -- well, some of us more than others, but we end up
asking a lot of questions about things that are going to eventually get addressed, but we have no way of knowing, because we have no idea what really is -- what is going to be the substantive conversation about that particular item.

So, when anyone is presenting, maybe if you open with an overview of "This is what I'm going to cover. This is the outcome," so then we can set our minds and go, "Okay. This is where we're going with this." And that's not to prevent anyone from asking any different questions, but at least you're kind of on a path and know where you're going.

So that would be very helpful in the immediate. Like, we could do that right now, because whoever is talking or going to present knows what they're going to talk about. We don't have any way to communicate with each other, so that's why we don't know.

I mean, stuff isn't sent out to us en masse, so we don't have it, and if a subcommittee gets together and makes some decisions, you know, it's not that we are questioning the decisions, it's just, you guys have talked, whoever is on the subcommittee, so you know what's going on, but the other people don't know.

So, just when you're going to present, whether that's staff or a subcommittee, if you can just give us a little overarch of what to expect from the presentation, I
think it will help frame us up a little better, and as our staff comes on board, this will get better and better. So I just wanted to acknowledge staff, and our appreciation for the work, and it's a lot, and we realize that.

MR. VILLANUEVA: And if I may, some of these figures really aren't available yet. Like I said, through August and into the beginning of September, the Auditor is providing those services.

The services that we're paying for are occurring in September. It's the beginning of the month in October. They haven't come in yet, as well as any of the reports from Department of General Services, Fiscal Services. So the information just is not available this early in the month. Later on in the month, I should have those reports. Then you can get something a lot more details.

So maybe, when I said that, I wasn't being plain enough in terms of what those issues are there, and, likewise, with your appropriation. Those factors that impede knowing what the actual condition is right now are coincident with expenditures being done on one appropriation, as well as we don't have the figures in yet for September.

CHAIR FERNANDEZ: Okay.

MR. VILLANUEVA: So it's not like the information is not being provided to you. It's not here yet.
CHAIR FERNANDEZ: Okay. Yes. Thank you, Raul.

Also, just in response to -- and I do see Commissioner Turner has a question, too, but, in response to Commissioner Le Mons' question represent the RAs that we approve, the one for budget there, can you explain a little bit more about what they're doing? Because I don't -- they're just part-time, of course, but if you could just provide a little bit more information.

MR. VILLANUEVA: So they're not acting in the capacity of your budget director. They're acting in the capacity of those parts of the budget that deal with the state system. FI$Cal is what it's called, and the specific part of FI$Cal for budgets is called Hyperion.

The way that it's been set up is it's two different but coincident systems. Anything that has to do for an invoice, a purchase order, a contract, has to be entered into the Hyperion system, and it's a whole layer of information.

Once that is in place, then you can go ahead and set up the accounting system to even submit an invoice. And so what they're doing is making sure that the contracts are in in place, that invoices are anticipated to be in place, to make sure that that information is there in the system, so that the State Controller's Office will recognize that for payment. Okay? I don't know --
CHAIR FERNANDEZ: Wait. Because they're not -- like, what I would think of budget analysts, they're not a true budget analyst if that's their focus, is to really track the budget and, you know, have like a revolving budget that's continually updated, right?

MR. VILLANUEVA: In the future.

CHAIR FERNANDEZ: Right.

MR. VILLANUEVA: A lot of it is setting things up so that payments can be made, invoices can be submitted. Your TECs go through that process. Your per diems, roundaboutly, go in through the State Controller's. So that's what's all being set up, is all those pieces, parts. The other part is, again, in terms of your specific expenditures, they happened last month, in September, and so we haven't received all the invoices for that, and that's why some of the information is, you know, just looking forward and extrapolating.

CHAIR FERNANDEZ: Okay. Thank you.

Commissioner Turner, then Commissioner Andersen.

COMMISSIONER TURNER: Yes. And mine -- thank you, Madame Chair -- was a question for maybe you, maybe counsel, but I'm trying to keep straight and gain clarity around when we're opening for public comment.

I thought we started discussions a couple of meetings back, stating that they had to happen at the
conclusion of every agenda item, and if we are -- we didn't do that some yesterday, but, also, we were talking just now about rolling from 9 into 10, and rolling them together, and I'd just like to know, are we required to do then in between, after every agenda item, or are we not? I love the combining, but I do want clarity on what we're supposed to do.

CHAIR FERNANDEZ: Okay. It's my understanding -- I'm going to defer to Marian, but it's my understanding, if there isn't action taken on the agenda item, you do not need to go to public comment.

COMMISSIONER TURNER: Okay.

CHAIR FERNANDEZ: Is that correct, Marian?

MS. JOHNSTON: There needs to be public comment allowed on that item, but it doesn't necessarily need to be during that item. If there's action taken, then you need to have public comment before you take action.

CHAIR FERNANDEZ: Okay. Right. Okay. So, if there's no action, you don't have to do public comment?

MS. JOHNSTON: You don't have to do public comment during that item. If someone wants to talk about it during the public comment, then it's permissible.

CHAIR FERNANDEZ: Okay. Commissioner Andersen, and then Commissioner Kennedy.

COMMISSIONER ANDERSEN: I also -- I totally agree
with everything that Commissioner Le Mons has been saying. One, I really would, again, agree. Before proceeding forward, we definitely need a handout for the budget item, but for basically everything.

I am also confused in terms of -- and I don't quite know if this is the right place, but, so do we actually have other people working for us now in the staff? And do we ever hear -- you know, since this is administrative, I don't think we have to in open meeting, but is there -- like, can we get posted with a list of who is actually working in the staff for us now? Because, you know, like, we actually do have the press release that went out, right? That's someone who is working for us.

You know, so, if we do have people who are doing things for us, I think the Commission, as a group, would like to know that, so we have an idea of -- because I know there's -- again, this is not -- it isn't on the two staffers here, who are doing so much, way, way more than they can possibly do, but when I hear, like, "Well, there's an indication that, well, we do have a couple people who are working for us now, and doing kind of different things," it leads to a frustration of, well, then, why don't we know this information, or why don't we know that information? It just is -- it causes miscommunication, and there's just a lot of miscommunication here, and I think
it's because we're all so worried about, you know, what
needs to be done in open meeting.

    If it's in administration parts, I don't think
that requires quite the extreme, but that doesn't mean we
have to be held in the dark. So, if we could change that,
please, and I don't know if it just -- you know, I know
there's a privacy concern about who's being hired, things
like that, but, whatever mechanism we need to put in place,
can we put it in place, so we know as Commissioners, like,
if someone from the staff calls us because they've been
told to do this, to get information, say, from a
subcommittee, that we don't go, "Who the heck are you? You
can be anybody. I have no idea, and I'm not going to give
you any information." So I please would request those two
things.

    CHAIR FERNANDEZ: Okay. I'll go to Raul, but I
believe the only staff right now -- because the
communications and the IT are contractors, and the staff is
Raul and Marian, and then the two other RAs, retired
annuitants, that we approved yesterday, they were hired by
the State Auditor, I believe. Right?

    MR. VILLANUEVA: No.

    CHAIR FERNANDEZ: Well, they were hired for the
2010.

    MR. VILLANUEVA: 2010, yes.
CHAIR FERNANDEZ: Right, right.

MR. VILLANUEVA: State Auditor had nothing to do with it.

CHAIR FERNANDEZ: Okay.

MR. VILLANUEVA: And they're very, very part-time, and, as I mentioned yesterday, up until now, what they've been mostly handling is finishing up the fiscal year's end from the 2010 Commission. That work is still waiting to be completed, and then I asked them if they would stay on to provide the budget and the accounting, to get those parts of your system entered in, and that's why they were brought forward to you yesterday, so that there could be an official acknowledgment that they're here, that they will be doing that work on your behalf on an interim basis.

Most of the work I'm doing for you. Marian provides whatever assistance is needed from her position, and then she takes on other things, too, that are not, strictly speaking, chief counsel-related, but that I just need some help.

CHAIR FERNANDEZ: Okay. Thank you, Raul.

Commissioner Kennedy, and then Commissioner Fornaciari.

COMMISSIONER KENNEDY: Thank you, Madame Chair.

One of the documents that I came across in researching the
Commission in the last few months is the 2010 -- it's called the "administrative support action plan" that Secretary Bowen and her staff developed to support the transition from the random draw through fully operational, and I'm wondering -- I haven't seen one for 2020. Did the State Auditor's Office do a similar administrative support action plan for the transition?

MS. JOHNSTON: That was a change made in the law after the 2010 Commission completed its work. The transition -- before, it was the Auditor selected, then the Secretary of State provided transition. That law was changed so that the Auditor took over the Secretary of State's responsibilities. So, for this time around, the Secretary of State had no role. All those duties were performed by the State Auditor.

MR. VILLANUEVA: Correct.

COMMISSIONER KENNEDY: I understand that. My question is, did the Auditor's Office prepare an administrative support action plan to get the Commission from the random draw through fully operational?

MR. VILLANUEVA: Well, yes, they did, internally, and I hear your frustration, Commissioner, and something to keep in mind -- so, for example, with the three positions, the executive director, communications director, chief counsel, all those recruitments were done.
Now, this Commission decided that it wanted to go ahead and conduct its own. Okay. At that point in time, there is kind of a cause and effect, in that you weren't moving forward with getting a communications director, but you needed communications services, but that's not because the Auditor's Office didn't do that front-end work. The Secretary of State did that last time, just as it did this time, in other words, put out those recruitments.

The big difference is that, in 2011, those recruitments were used, then, to fill those positions, and it happened much faster. This go-around, it didn't, and so interim services were required, but that was a choice on the Commission's behalf, not on the Auditor's behalf, and so that's why, then, the Ogilvy contract, to make sure that you have interim services, that you have Marian here to provide those interim chief counsel services, but there's a cause and effect.

COMMISSIONER KENNEDY: Well, I mean --

CHAIR FERNANDEZ: So I'm thinking the answer is no.

COMMISSIONER KENNEDY: -- on the executive director, we did not reopen. We took the -- we reviewed the applicants we got. We interviewed five of them, and we're moving forward. So, I mean --

MR. VILLANUEVA: That's true, for your executive
director, and they're coming on board October 12th. Yes.

COMMISSIONER KENNEDY: Yes. At least for the purposes of the lessons learned subcommittee -- and I'm glad we have a lessons learned subcommittee this early in the process -- I would request a copy of that internal administrative support plan developed in the Auditor's Office, because I think that may help us see where we can make recommendations to improve this process next time.

I mean, I would also go back to a point that I made several meetings ago, and I think you were generally in agreement, Raul, that, in some sense, you know, there is a -- it's almost like the legislature. The legislature doesn't disappear, and they don't -- you know, the office buildings don't disappear. They don't have to rebuild the capital or go rent space for sessions. Neighbors come and go, but the institution remains.

What I would like to see, long-term, is -- and we discussed this, particularly in terms of -- I think it was contracting authority, and putting something on hiatus until the next Commissioners took office, but so as not to have to start from scratch and, you know, lose so much time.

I think, you know, the general framework needs to be, there is an institution, even if it hibernates from time to time, but there is a permanent institution, with
permanent policies and procedures, that the incumbent Commissioners can change as and when they decide to change it, but, you know, I think we're spending too much time building an airplane that the 2010 Commission built, and apparently, when passengers got off, the plane went to, you know, the plane cemetery out in the Mojave, and we're having to start over.

MR. VILLANUEVA: Well, believe me, I'm in 100 percent agreement with you. What you don't see is the two and a half months that I've spent to reestablish a recognition of this entity, back in June and July and August, that's gotten you to this place, and I agree. Because there was that eight-year hiatus, that's no reason to forget the Commission and its place in the Constitution.

The fact that it happened this time is a lesson learned, and I've been working with the control agencies to actually get that documentation in place. So coincident with the work that I'm doing on your day-to-day services is the work that I'm doing with the control agencies to have that documentation in place, because it was completely lacking.

CHAIR FERNANDEZ: Okay.

MS. JOHNSTON: If I may add, one of the problems is there's a glitch in the way the Commission and its staff were established. The terms of the 2010 Commission ended
when the first eight were selected, and the employees for
the 2010 Commission were no longer employed officially
after that time, but there was no 2020 Commission until the
six, the next six, were picked. So there's this
six-week --

COMMISSIONER KENNEDY: Yes.

MS. JOHNSTON: -- when there was nothing.

COMMISSIONER KENNEDY: We definitely need to work
on that, and, Raul, you know, I really do appreciate that
this has been a lot of work, and, unfortunately, some
needless work, and, as I say, for the purposes of the
lessons learned subcommittee, you know, we're going to try
to work on this as a very high priority, you know, and
really -- I believe I've said this before. To the extent
that the two of you are overworked, I would hope
that -- well, Mr. Claypool's report fed out something that
I'm in full agreement with, which is, there's no common
understanding of what "fully functional" means.

That's part of our problem, that the State
Auditor's Office has one concept of what getting us up to
fully functional is, and I think we have a different
concept of what fully functional is, and the legislature
may have yet another concept of what getting the Commission
up to fully functional is, but we really need to nail that
down, clarify that, so that the next Commission doesn't
have to go through this. I mean, the State Auditor -- if there's too much work, and it looks like there is, then the State Auditor needs to be providing more staff.

MR. VILLANUEVA: Actually, part of it, too, is in statute, because statutory authority for staffing and for contracts is with the Commission, and when there's no Commission in place, then who holds that? That's a gray area in the law that needs to be addressed, but that was also one of the gray areas that kept the Auditor from being able to do additional things that they wanted to do.

That was a question that was posed. We looked at it. We ran it through legal, and there was really nothing in place right now that enabled the Auditor to supersede what was already in law, in terms of those two acts that belong solely with the Commission and solely on the basis of a supermajority vote.

So, as far as the subcommittee, I'd be happy to work with you, because I've got my list, too, and just so you know, there's a lot of folks working on it. Quite often with these ventures, you don't really get to see the impact of decisions made eight years ago, 10 years ago, until the next go-around, and now you're actually seeing how they work. Anyway, so we're in a really good spot right now in terms of the immediacy of the effects of those decisions then.
CHAIR FERNANDEZ: All right. Thank you.

COMMISSIONER KENNEDY: (Indiscernible.)

CHAIR FERNANDEZ: Thank you.

In terms of the "fully functional" and being able to staff, I mean, I think that would be a good future agenda item, once we're all staffed and up and running, to really pinpoint what our definition is at that point, and what we would like to see for the next Commission in terms of what resources they will have available day one, versus having to wait.

So the next -- Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Yes. Just to add onto that conversation, Raul already touched on this point, but, you know, one of the missing pieces here is a budget director. Now that we have an executive director in place, we can start that.

He can start that process to get a budget director in place who can -- you know, who will be responsible for pulling all these pieces together, and working with us, with the budget committee or the finance committee, to, you know, ensure that we've got the ongoing reporting process in place so we can keep track of the budget and understand where we're at.

So I think, you know, that will definitely be a priority for the executive director when he comes on board,
to fill that slot, so we can more effectively understand where things are at, and keep track of that.

CHAIR FERNANDEZ: Thank you.

Again, I understand all of us in terms of wanting to have documentation for every agenda item, and, again, we're being sensitive, trying to be sensitive to, we really only have two staff that are supporting us right now.

So, for the next couple of meetings, I'm not sure how much documentation we'll have for each agenda item, but, as Commissioner Fornaciari just mentioned, I think, once we have the budget director and some of the other staff, then, at that point, I believe we would fully expect to see more documentation.

Any other questions? And I am glad to see that, by using the current videographer to do our public comments, we are saving in terms of not having to use AT&T for (indiscernible). So thank you very much for doing that.

Commissioner Le Mons, and then Commissioner Yee.

COMMISSIONER LE MONS: Yes. I just wanted to -- excuse me. I want to reinforce my point about communication, and not so much about the documentation. I can be patient with documentation, but, even as we get our executive director on, I think we've been told a lot, "This is going to happen," you know, "When the budget person gets
on, then this will happen."

I think we should be aware of what to expect in the interim, how is it handled in the interim, because we're operating in the interim, and we are impacted by the interim, and I think that's where we began to get frustrated, because, you know, two meetings go by or a month goes by, and nothing has happened, and then the response is that we're waiting for this person to be hired, and we go, "That's six, eight weeks from now."

So I think, if we're clear that "Yes, this is what we can expect now, and this is what you'll get now," or "This is how it's going to be handled now," and then, once the person or whatever role is filled, "This is how it will move forward."

Then back to my point about the agenda items, or whoever is presenting. I think just giving a verbal overview -- I don't have to have that part on paper now, because I know that that's a hard thing to do, but if you can set us up to understand what we're going to talk about, I think it will be -- it will be helpful to me, at least just knowing that we can narrow our discussion.

So I wanted to just reinforce that point of framing the discussion, and not have that get convoluted with the idea of needing things in writing. I do support that, but I understand that's something that will be more
long-term.

CHAIR FERNANDEZ: Okay. Great. Thank you.

Commissioner Yee.

COMMISSIONER YEE: Yes. Thank you, Madame Chair.

So, first of all, yes, I also wanted to just acknowledge Marian and Raul's good efforts so far, and all you've done to really support us magnificently.

I also want to acknowledge, I think, what I think is, you know, a little bit of mixed messaging from us as a Commission, on one hand, frustrated that more was not left in place for us, and having to reinvent things from scratch, and so on, and, on the other hand, bristling a bit when, you know, things have been done before we have decided them or whatever, initiatives taken, you know, and that's only natural. You know, no blame either way, but just to acknowledge that I think we've sent somewhat mixed messages in that regard, you know, which is only natural, but, still, it's something to take responsibility for as well.

A quick question. So we have our two RAs that we talked about yesterday bringing back, and Marian, but, Raul, I don't think we've heard your status with us, and, if it's appropriate in open session, if you want to just remind us of that, where you are, and, as we bring the executive director on, where that leaves you.
MR. VILLANUEVA: So currently I'm funded through the State Auditor's Office, and once the executive director comes in, then I guess I have to make a decision, and so do you, as far as my services or my place.

CHAIR FERNANDEZ: So are you with the State Auditor -- are you full-time with them, or are you an RA with them, a retired annuitant or full-time?

MR. VILLANUEVA: So I was hired as an RA. I am an RA, and so this work is not part-time, and so there was an acknowledgment, when we were negotiating of duties and responsibilities, an acknowledgment that it's not even a 40-hour week. And so that does do an impact on the 960, and that is something that I watch, and, if I may, I present it that way to just be very cut-and-dry about the status.

I don't want to give an implication of I'm not happy with what I do. I'm very happy with what I do. I want to be of service to you and to this effort. But as far as status goes, the status is very cut-and-dry, right? And that is, they pay me over there. There's decisions that have got to be made in the future that are outside of the scope of this specific discussion, and I do keep an eye on my time so that, in between now and then, you're not left without --

CHAIR FERNANDEZ: Support.
MR. VILLANUEVA: Support.

CHAIR FERNANDEZ: Okay. Thank you. Thank you so much for that.

Commissioner Sinay, and then Commissioner Vazquez.

COMMISSIONER SINAY: First of all, my apologies. I didn't quite read Number 10 all the way, or I think I had read it before, and I thought it was part of this one, when it did talk about nonprofits. So my apologies on that.

I have been looking at civic technology — it's kind of a whole field — and I did — and I bring it up here in the budget because a lot of our frustrations have to do with technology, and ways we might be able to save money is by figuring out what platform would work better for some of these meetings, and, you know, it would be great to be able to see folks when we're talking to them, and things like that, but my main reason for the meeting was to understand civic technology, and how we would use it for the community input side, but looking at it as big picture.

I'm saying all that to say, would someone -- because I can have a call with one other person. If it fits into your -- you know, if it works, would someone else like to sit in on that conversation? I did think at some point that those who are -- maybe someone from the
communities of interest tool would want to talk, be part of
the conversation -- this is a woman who's pretty high up,
who's very well respected nationally on this -- to see how
we would use that tool, but I also think that the
administrative side -- there's a big piece here,
administratively, that could work better for us, where we
have our documents, all those things, even just -- so I
just wanted to put it out there.

Again, it can only be two of us on the call, but
I can always -- I'm hoping that she will come in and lead a
workshop, maybe, for us, where we kind of dump -- you know,
she facilitates, where we can dump all the different things
that we're struggling with, and she can give us ideas of
technology that can work for some of that, or where
technology won't work. But I just wanted to put it out
there that you're all going to have access to it, but
just --

CHAIR FERNANDEZ: Commissioner Turner, were
you --

COMMISSIONER TURNER: Yes. I'd love to sit in
on --

COMMISSIONER SINAY: Okay.

CHAIR FERNANDEZ: Commissioner Vazquez, you were
next.

VICE CHAIR VAZQUEZ: Yes. I just wanted to
clarify, and I don't think I had -- maybe I knew in the back of my head, but did not crystallize it.

So, Raul, you and your time is not sort of like a full-time salaried employee. So, like, for example, I am still full-time at my otherwise 9:00-to-5:00 job, and, you know, I'm paid. Some weeks I work 50 hours at that job, some weeks -- you know what I mean? But I'm still paid a particular salary, whereas your time is more akin to someone who is nonexempt, and you need to be tracking your time, and are in some ways limited by your contract as an RA, correct, in terms of how much time we can expect to have from you?

MR. VILLANUEVA: Correct. So I report my time on a daily and a weekly basis. I also keep track of it on my own. It is hourly, and so, as time ticks, so does the 960.

VICE CHAIR VAZQUEZ: Got it. Got it. Okay. That's very, very helpful.

MR. VILLANUEVA: But it's not a non-FLS -- it's not -- FLSA doesn't impact, because it's an RA. In other words, there is no overtime --

VICE CHAIR VAZQUEZ: Right. So I think that --

MR. VILLANUEVA: -- no overtime, no holidays.

VICE CHAIR VAZQUEZ: Right. So you're much more like a contractor, and I think that also helps me to manage my expectations, because, again, when I'm thinking of
full-time salaried employee, it's much more "Get the job done in however much time it takes," versus, you know, a contractor, but, based on time, it's not so much about deliverables as it is we're trying to fit certain deliverables in a particular time constraint, and we cross our fingers and hope that, you know, things work as efficiently as possible, but that's not always the case.

MR. VILLANUEVA: Well, no, that's not the attitude at all. It really is more acting -- if I was your employee, I would be acting the same way, and that is however much time it takes to get it done. Some of the things take longer because there's only one. Some of the things take longer because of state processes.

Yesterday was 7:30 in the morning until 9:00 o'clock at night because, you know, the meeting ended, then we had another meeting, put together the agenda, and then time to work with Riana to get the materials posted. That's what it took.

VICE CHAIR VAZQUEZ: Right, and I'm sorry. I guess what I am trying to say is that, as part of a Commission that is your, you know, employer, your supervisor, I also want to, like, recalibrate my expectations to respect your time and respect your contract. So that's where I'm coming at this, so I just appreciate the clarification.
CHAIR FERNANDEZ: Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Madame Chair.

Going back to Commissioner Sinay's comments, first of all, is that Center for Tech and Civic Life that you're referring to?

COMMISSIONER SINAY: She's in -- I think she's -- I haven't met -- I think she's the -- no. Here it is, "Director for Center for Civic Design."

COMMISSIONER KENNEDY: Okay. That's another group, yes.

COMMISSIONER SINAY: Yes. And there's also Civic something America, Tech America. This one just came strongly recommended from community partners.

COMMISSIONER KENNEDY: Yes. CCD is very good -- I've met some of them -- Center for Tech and Civic Life, also, and in my election line weekly newsletter, I recently came across reference to what looks to be a fairly new group called U.S. Digital Response, and I had shared that with staff. So that would be another option for us to look at.

CHAIR FERNANDEZ: Okay. Thank you.

Raul, were we also going to talk about the phones?

MR. VILLANUEVA: Actually, the things I have on the list at this point is talking about the videography
contract, talking about --

CHAIR FERNANDEZ: Well, that will be for the next one, right? That will be for 10?

MR. VILLANUEVA: Yes.

CHAIR FERNANDEZ: Okay.

MR. VILLANUEVA: All the rest of them are for 10.

CHAIR FERNANDEZ: So the phones aren't for the budget? The phones are a contract?

MR. VILLANUEVA: It's a contract.

CHAIR FERNANDEZ: Okay.

MR. VILLANUEVA: CalNet. CalNet is what it's called.

CHAIR FERNANDEZ: Okay. So let me just go through my list real quick, to make sure -- okay. I think that was it. And just a reminder, if everyone could turn in their per diem and tele-claims monthly, and if you have -- Raul sent out instructions and a template, that if you have any questions, to please reach out to him.

MR. VILLANUEVA: I also sent out this morning the employee action request forms and the authorizations for direct deposit, so please look for those. If you have any questions on those, reach out, and we'll find time to go over those forms. They're not 100 percent intuitive, but they're pretty much okay, as a state form goes. But, still, if you have questions --
CHAIR FERNANDEZ: All right. Okay. We can go to 10, but I'm thinking that might be a lengthy conversation, too, because we have quite a few things to go through, I believe, right, Raul?

MR. VILLANUEVA: It depends on the discussion.

CHAIR FERNANDEZ: Right. I'm just wondering if we should take a break now, and then go to 10, but -- yes. I think maybe we will take a break. Yes. And I kind of -- I want to also reemphasize that I do appreciate all of your time, because I receive e-mails from you at hours that I'm not normal to receiving e-mail.

So I do appreciate it, and we do get frustrated, but, at the end of the day, what's being put out by you and Marian and the skeleton crew is actually pretty incredible, considering what has to be put together every single week, and then, for every agenda, you have to stop what you're doing, concentrate on the agenda, get the speakers lined up. So just thank you very much.

MR. VILLANUEVA: It's our pleasure.

CHAIR FERNANDEZ: Okay. Yes. Definitely applause.

MR. VILLANUEVA: Speak for you, too, Marian.

CHAIR FERNANDEZ: I'm going to go ahead and call for a break. It's 10:35, so if everyone can be back at 10:50. Thank you.
MR. VILLANUEVA: Thank you.

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

(On the record at 10:50 a.m.)

CHAIR FERNANDEZ: Okay. Welcome back, everyone.

We finished with Agenda Item 9, and now we're moving on to Agenda Item 10, which is Commission contracts and procurement, status and possible action, including report on contracting with nonprofit organizations.

Raul, we're going to -- I'm going to move it over to you.

MR. VILLANUEVA: So, as far as the funding for the current videography contract, at the current burn rate, we're looking at somewhere, at the end of October, beginning of November, for those funds to be expended. Okay. That's a contract that is -- we're currently using the State Auditor's contract on that, for the services.

So what I had proposed to the finance committee was "Let me go ahead and start the work on that," and I can continue to work with the finance committee in terms of the details on that, and then, coincident, my suggestion would be, with the public outreach, that at the point where we're working on an actual statement of work, to be able to touch base with that subcommittee, in terms of the statement of work, but it is something that needs to be started soon, because, like I say, the burn rate -- we can already
project that right there, end of October, beginning of
November, we're going to want to have something ready and
in place.

CHAIR FERNANDEZ: Thank you, Raul, and I'm going
to just start the discussion a little bit on that, in terms
of the RFP for the videography. I went back to the notes
from our first full meeting, and some of the scope areas
that we wanted to look into or at is, we wanted to update
the scope based on security threats, and also include
something in there regarding opportunities for different
engagements, and I think it was -- yes. There was quite a
bit of the public outreach, to make sure that public
outreach was taken into account.

So those were -- and that's why Raul is
recommending, I mean, work with the finance committee in
terms of the dollars, obviously, and we'll also review
whatever RFP goes out, request for proposal goes out, and
then have the outreach subcommittee review it to ensure
that it's capturing those outreach efforts, and that it's
flexible enough for whatever else we might encounter this
next year and a half.

So, if there's any -- Commissioners have any
comments on that? Commissioner Sinay.

COMMISSIONER SINAY: I really appreciate your
last statement, just about flexibility, because -- well,
just because.

I think, Raul, you bring up a great point, and I've been struggling with this, is thinking about a lot of the work that we're doing, is it's hard not having a staff partner for some of these things. I'm not saying you're not a staff partner, but if we had a communications person or whatever, they would be thinking about this, but when we need to make decisions, so that we can hire the right people or put out the RFP and all those things.

So I don't know. Is there a general rule of thumb that we should be using, like, if you want to have something ready by January to go to the public, you should be doing X, Y -- you know, so that we back-end into it, and that was use that -- you know, we have that in the Gantt chart, you know, kind of saying we need to get the RFP out for this or that?

MR. VILLANUEVA: Right, and that solicitation, if I may, probably won't be an RFP. That will take too long.

CHAIR FERNANDEZ: That's right.

MR. VILLANUEVA: It will probably more with the master services agreements, strictly speaking, the CMAS, and my apologies to the public. It's California Master -- and I don't remember right now what the "AS" is for, but it's a master services agreement, in other words. So it's already been pre-bid.
The vendors have already -- what's the word I want? They've already been vetted by the state, and so that's something that we don't have to do, and we can put out a solicitation to those specific vendors and get a response, then, that the Commission can look at.

CHAIR FERNANDEZ: So, Raul, just for clarification, even if they are on the California multiple award schedule -- I'm just going to do that.

MR. VILLANUEVA: (Indiscernible.) Thank you.

CHAIR FERNANDEZ: Is that it? I can sleep well tonight.

MR. VILLANUEVA: Yes. Very good.

CHAIR FERNANDEZ: Because it's on that schedule, we still have to send out the solicitations to them?

MR. VILLANUEVA: Yes.

CHAIR FERNANDEZ: Okay.

MR. VILLANUEVA: There's still a standard process that we would need to follow.

CHAIR FERNANDEZ: Okay. Any other questions regarding the videography contract? Commissioner Sinay, was that your hand? Okay.

COMMISSIONER SINAY: Yes. At some point, I would love to have a cheat sheet, and maybe you gave it to us already, Raul, because I'm learning that there's a lot of cheat sheets that were given to us, but we got bombarded by
a lot at the very beginning from different speakers and
stuff, but a cheat sheet on the different ways that we can
work with those outside, what they mean, and how much time
they take, so, as we're thinking through some of this, we
don't have to say -- you know, just a cheat sheet.

MR. VILLANUEVA: Yes.

CHAIR FERNANDEZ: Okay. Yes, that would
definitely be helpful, because it's definitely changed
since I was deeply involved into the procurement office,
yes, the time frames.

Any other questions? If not, we'll just proceed
with the recommendation.

UNIDENTIFIED SPEAKER: Commissioner Ahmad.

CHAIR FERNANDEZ: I just called on her. Thank
you.

Commissioner Ahmad.

COMMISSIONER AHMAD: Thank you. CMAS, California
Multiple Awards Schedule.

CHAIR FERNANDEZ: Yes.

COMMISSIONER AHMAD: Just wanted to define it.
I'm keeping a running list of all the acronyms we're using.
That's all.

MR. VILLANUEVA: Very good.

CHAIR FERNANDEZ: Thank you.

Okay. So I think that's (indiscernible).
MR. VILLANUEVA: Okay. The next one -- well, are we ready to --

CHAIR FERNANDEZ: Yes. So we can proceed with the videographer, in terms of working with finance on one side of it, and then the outreach subcommittee, to ensure that the scope covers the needs of that area.

MR. VILLANUEVA: That would be great. I look forward to it.

CHAIR FERNANDEZ: All right. Thank you.

MR. VILLANUEVA: Okay. So, before jumping into the cell phones, I thought I'd take care of the one that's been pending, and that is regarding contracting with nonprofit community organizations, because I know that's been of interest.

What I did is, I contacted the Department of General Services' Office of Legal Services, which is the legal department that oversees the contracting procurement. I figured they would know. And so what I'm going to do is give an overview of how this fits into the Public Contract Code structure, which is the context that we have to work within, and then identify several avenues that we can pursue. Okay?

Commissioner Le Mons, is that a good overview?

Very good.

CHAIR FERNANDEZ: Then let's move forward.
MR. VILLANUEVA: Let's move forward. So the Public Contract Code requires open bidding, fairness in bidding, and, as such, then, solicitations that would go out, that you would say, "I think we want a nonprofit to bid on this," would also be private entities bidding on it, also, and as far as the requests for proposal, they would need to be competitively bid.

As such, depending on the criteria that have been established, you can't guarantee that it's going to go one way versus the other, meaning that you can't slant it towards a specific organization -- that's against the Public Contract Code -- and you can't slant it towards only specific types of organizations, because that's against competitive bidding.

As far as exemptions from competitive bidding, that's called a "sole-source contract." Sole-source contracts are pretty much provided on two bases, one, that there's a compelling emergency, such that there is no opportunity to do any bidding, which is not our case. So what's the other one?

The other one is where you can identify that the individual or company is the primary source, and other ones would not be able to bid. So, for example, I have a proprietary system. I need to do repairs on that proprietary system. There's only one organization that
provides the replacement parts for that proprietary system.

As such, then, I could get -- I would put in an exemption from competitive bidding under that basis, that that's the only place that I can get that part, which, again, makes it difficult, because there's an interchangeability in terms of these organizations and the services they provide.

So what are our choices, then? Well, we could do a competitive bid, and see how it lands. We could do one within a context. So, for example, a personal services contract of $10,000 can be used for what's called a "fair and reasonable basis," "fair" meaning that you're looking at the potential entities to provide those services on a fair basis, and "reasonable" in that what they're going to charge you is at a competitive value.

So, for example, with Ogilvy, that was done on the personal services contract, under $10,000. Why was that fair and reasonable? Here was an entity that had provided services to the CRC before, up through this summer, so they had a proven track record.

We didn't have to pay them to try and identify what to do and who the players are, so there's an advantage there, and far as the reasonable price, we have the contracts that have been in place with the Auditor to be able to compare what they're charging the Commission, and
so there was a strong basis, then, to be able to
demonstrate fair and reasonable for that solicitation.
Okay.

The context, I think, that may allow the
Commission to do this type of solicitation would be, let's
say that we're doing an outreach up in Shasta. Okay? What
are the entities there that are the boots on the ground,
that know the different public groups and members of the
public in that area? I think, on that basis, you could
establish documentation to support the fairness, why these
organizations versus another.

In terms of the reasonableness, which goes with
the cost, that's going to take a little bit more problem
solving, in that, how do you demonstrate and document that
what they're going to charge is competitive from what other
organizations would charge?

So that's something in the future, as we think
about these things, but, going back, the basis would be the
context of that type of meeting, the intents and goals of
that meeting, and how these public entities, then -- public
community entities, I should say -- can help meet the needs
and the services of what's to be accomplished to meet those
goals and needs. I think that would probably be a stronger
basis than to establish documentation to defend those types
of contracts.
One of the things you need to watch out for, or we need to watch out for, is having, without a context, a lot of personal services contracts, because, at that point in time, you could be questioned about "Are you trying to put aside the competitive bidding process?" And, as such, that's why the context is so important, then, in terms of why that type of solicitation and contract was used as a primary means. So that's kind of my Reader's Digest version.

CHAIR FERNANDEZ: Yes. I see how it can be seen as trying to circumvent the process. Right, Raul?

MR. VILLANUEVA: Exactly.

CHAIR FERNANDEZ: That's --

MR. VILLANUEVA: Again, the context becomes very important.

CHAIR FERNANDEZ: Right. Commissioner Sinay, and then Le Mons.

COMMISSIONER SINAY: Thank you. That was really helpful. Okay. So, if we go back to the public contract structure, and we do an open bidding, what is, generally, the time frames? The time frame piece is really important for understanding a lot of this, so how long does it usually -- we won't talk about actually drafting it, but from when it's put in the public until money goes out.

MR. VILLANUEVA: Well, see, it's all the
front-end piece that takes the time.

COMMISSIONER SINAY: All right. Then how long does that --

MR. VILLANUEVA: I understand what you're asking, but it is --

COMMISSIONER SINAY: So what would be the quickest we could get money out using the public contract structure?

MR. VILLANUEVA: It would be to have some kind of a meeting set up, the specific services identified, and then the homework to identify those entities that could provide those services. And so, once that homework has been done, and the means of evaluating the costing, then it's a matter of as short as a week.

COMMISSIONER SINAY: But you don't have to put like an RFP or something out, and then people have to respond?

MR. VILLANUEVA: Okay. That's for the personal services contract, under $10,000. That's the fastest.

COMMISSIONER SINAY: Okay. Yes. I was going the other way. I was going starting with the public contract structure -- I mean, the first one.

CHAIR FERNANDEZ: Open bidding?

COMMISSIONER SINAY: Open bidding.

CHAIR FERNANDEZ: Was it open bidding?
COMMISSIONER SINAY: Yes, yes.

MR. VILLANUEVA: Open bidding.

COMMISSIONER SINAY: I was looking at open bidding, going down the three options you kind of gave.

MR. VILLANUEVA: You might as well look at around -- on a planning basis, I'd say consider six to eight weeks, and then, of course, depending on other factors is where you might be able to save time within that preparation.

CHAIR FERNANDEZ: And then, also --

COMMISSIONER SINAY: Wait. Can I just finish and get the date for all three of them?

CHAIR FERNANDEZ: Yes.

COMMISSIONER SINAY: Sorry. And then, for the sole source, which -- that was the emergency one, which we don't think that's going to work, so let's not talk about that one. For the personal contract, you're saying it could be a week, if we've done all our homework?

MR. VILLANUEVA: That's to get the contract in place. To pay it, I think the State Controller's Office allows up to 45 days for actual payment once an invoice is submitted.

COMMISSIONER SINAY: All right. That's really helpful. Thank you.

CHAIR FERNANDEZ: Okay. Commissioner Le Mons,
and then Commissioner Kennedy.

COMMISSIONER LE MONS: Raul, is it possible for us to get a copy of those providers, vendors, that are on the CMAS that are focused on outreach, so that we could at least evaluate who's there, at least, well, the subcommittee, outreach subcommittee, could evaluate that? I think that it would also be some clues to begin to build a context case, in the event that we want to go with the contract that's less than $10,000. We would begin to do some of that planning and thinking through, because it may work, in certain parts of the state, differently, based on your example -- I think that was a really good example -- so that we don't think kind of globally that "We can just go this route," but to really start to dig in with the planning as the outreach is being thought through? Is that possible, to get a list?

MR. VILLANUEVA: Yes.

COMMISSIONER LE MONS: Wonderful.

MR. VILLANUEVA: And what I would do is look at the CMAS, the California Multi-Award Services contract, the MSA, which is the Master Services Agreements, and the SB, which is the Small Business, all three, and you're going to get a mix of private entities, individuals, companies. I don't know if there's any nonprofits on there, but I agree with you. I think it's worth a look, and we should look.
COMMISSIONER LE MONS: Thank you.

MR. VILLANUEVA: I can do that.

CHAIR FERNANDEZ: Thank you.

Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Madame Chair.

Raul, the explanation was very helpful, as it was the previous time when we went through some of this. I'm wondering, you know, beyond our mandatory online training courses, are there nonmandatory training courses for state employees that we might have access to on things like contracting and procurement, but not necessarily exclusively?

I'm wondering if Department of General Services or anyone has compiled a global catalogue of online training courses developed by various parts of state government, some of which might be useful to us, even if they're not required of us. Thank you.

MR. VILLANUEVA: I don't know of one, per se. I can inquire. In other words, one place where it's all collected?

COMMISSIONER KENNEDY: Well, I mean, that would be ideal, but, you know, the base question, the underlying question, is, are there courses developed by any element of state government that might be useful to us? I mean, whether they're all catalogued in the same place or not,
are there online training courses developed by and for state government that could be useful to us, even if they're not mandatory online training courses?

MR. VILLANUEVA: It might be helpful, too, if you come up with something more specific than "any and all," and that would facilitate my search.

COMMISSIONER KENNEDY: My initial thought was on contracting and procurement, and, you know, thinking that, if there's not one, maybe, you know, one of these days, when you have some free time, the state might be well served by asking you to develop an online training course, but, you know, I'm just looking to see -- you know, we know what our required online training courses are, but does the state offer others? And I'm thinking right now particularly in contracts and procurement, but eventually it could be other topics.

CHAIR FERNANDEZ: And I'll answer that, because I do receive a weekly from -- I think it's the statewide training -- that they have a whole slew of different training classes that they have.

I'll take a look at that, or maybe I'll just send you the link, and we can go through that, but I believe they do have, like, contracting and procurement, but, also, we have to pick the right one, because, some of them, you're just like, in the weeds, like it's you're actually
going to be the procurement officer, versus like an overview, which I think would be super helpful for us.

So I'll try to send you the link on that, and I've got Commissioner Turner, Commissioner Sinay, and Commissioner Andersen.

COMMISSIONER TURNER: Thank you, Madame Chair.

Raul, thank you for the explanation, and I think my question might have you repeat a little bit, just so I can ensure I understood. Part of the request, at least my desire in having you bring this back, is to try to see how we can have more nonprofits in a position where they will quality, either now or in the future, and so I wanted to understand.

When you were, I think, talking about the competitive bidding process, you made a statement as well, but I'm not clear if that is a stated qualification or part of the process, or was it a "nice to have," but you talked about -- you may have used Ogilvy as an example, but you talked about the fact that they've done it before, and they are familiar with it. How does that play into some of the requirements to be a part of the competitive bidding? Say that portion again.

MR. VILLANUEVA: Good question. That was specifically in regards to being able to demonstrate the requirements for what's known as "fair and reasonable,"

COMMISSIONER TURNER: Thank you, Madame Chair.

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MR. VILLANUEVA: Good question. That was specifically in regards to being able to demonstrate the requirements for what's known as "fair and reasonable,"
which is the criteria that enables you to use the personal
services contract under $10,000. Okay?

            COMMISSIONER TURNER: Fair and reasonable. Okay.

            MR. VILLANUEVA: Fair and reasonable. So

            fairness, again, is in terms of how you're looking at other
folks who may be able to provide those services, and why
this specific entity, and reasonable is in terms of the
competitiveness of the price.

            COMMISSIONER TURNER: Yes. And not, I guess, I
disagreement with what you're saying, but, for me, I'll
probably look it up and process a little bit longer,
because it seems that it puts anyone that has not already
been selected in previous time periods at a disadvantage
for ever being able to be in this "fair and reasonable."
So I think I'm struggling a little bit with that.

            MR. VILLANUEVA: That was just for that specific
example, Commissioner Turner.

            COMMISSIONER TURNER: Okay. So it wasn't a
qualification, it was just --

            MR. VILLANUEVA: No.

            COMMISSIONER TURNER: Okay. That's
(indiscernible).

            MR. VILLANUEVA: For example, the other personal
services contract we have, with Riana, her contract is
specific in two areas, one in terms of being able to post
on the website, and secondarily in terms of the Google
Office, right?

Finding someone who has the capacity to work with
a legacy website like we have was a primary concern, and so
I went out and tried to solicit that ability through the
retired annuitant structure. It wasn't there, and so it
wasn't -- her "fair," then, came in that there was an
attempt made to find those skills in other areas, and
because of the nature of the system, that knowledge and
ability to perform that work was difficult to find, and so
she's able to do that. So that's where the fairness comes
in.

The competitiveness on her contract is also much
more straightforward, because what she's being paid
compared to civil service is fairly equitable, as opposed
to looking at how much those services would cost going out
into the private sector, for example, and so that's how
fair and reasonableness was approached with that specific
one. So good questions. Thank you.

CHAIR FERNANDEZ: Okay. I have Commissioner
Sinay, Andersen, and Le Mons.

COMMISSIONER SINAY: I think tomorrow, when
Philanthropy California gives us their presentation, they
will be talking kind of -- they will be sharing what
happened with Irvine, and the investments they made, and
what they thought.

They're getting ready -- they've put out an RFP, and they'll share a little bit about how they've cut back on what they're looking at to do, and one of the questions I asked them to address was "If you had more funding, what" -- you know, "If you were able to get more funding from other foundations" -- because it's a collaborative pool this time, so individual foundations are giving money -- "what could you do?"

So that was to spark our thinking as well, and so, you know, it's sounding that if they had some great proposals that would really help us, we wouldn't be able to just take those proposals on, review them, and fund them, because we haven't put out a public contract structure or we haven't set anything up, that we would have to look at the RFP they have right now, and do a parallel process.

MR. VILLANUEVA: Essentially, yes. Let's look at the grants, because that's one of the things that was brought up. Can the Citizens Redistricting Commission provide grants --

COMMISSIONER SINAY: And we can't.

MR. VILLANUEVA: -- to other entities? And the answer to that is, not really, but on two different bases. One is that the California Citizens Redistricting structure is not set up as a grant-issuing agency. To be able to do
that, we would have to probably go back to State Controller's Officer, Department of Finance, and maybe even the legislature, to set that up. The other thing is with your funding. You're funded through the general fund, and, typically, general fund entities aren't using the general fund to provide grants.

On a more focused level, you have your appropriation, and at some point in time, you may need to ask for additional funds, request additional funds. It may create flags when you go back to the legislature for additional funds, and they're asking, "So much money of yours did you give away, and here you're coming back to ask for more?" And that being the case, I have to bring that up because right now, with the condition of the state, that becomes something that you have to keep in mind.

CHAIR FERNANDEZ: Okay. Thank you.

Commissioner Andersen.

COMMISSIONER ANDERSEN: Yes. Thank you, Chair.

One quick question. On the competitive bidding, Raul, are we required to just take the lowest bid?

MR. VILLANUEVA: No. With the RFPs, there's an RFP one, request for proposal one, and a request for proposal two, the difference being that one is set up with the criteria where you take the lowest bid. The other one is set up in terms of responsiveness of the bid.
COMMISSIONER ANDERSEN: Right.

MR. VILLANUEVA: Okay. And so, just on the front end, we would probably want to look at the request for proposal two.

COMMISSIONER ANDERSEN: Got it.

MR. VILLANUEVA: The asterisk is, the entities, private and nonprofit, who would be responding to it, you would have to look at all of them on an equal basis.


Thank you.

Then, Chair, this is actually -- the statewide training, the lists that you were talking about, could you send -- I would like to get that, and I don't know if anyone else wants to get it, because you said you were going to send it to Commissioner Kennedy. Could we get maybe a just quick hands up, who would like to get that, so you can figure out if it's to all or to -- I would like to get it.

CHAIR FERNANDEZ: I'll send it to everyone, and you can delete it if you want, but I think it will be good information.

COMMISSIONER ANDERSEN: Great. Thank you.

CHAIR FERNANDEZ: Thank you for that.

COMMISSIONER ANDERSEN: Yes. Great. Thank you very much.
CHAIR FERNANDEZ: And Commissioner Le Mons.

COMMISSIONER LE MONS: Pass.

CHAIR FERNANDEZ: I just need to write this down. Okay. And then, Raul, just for a clarification, when we're talking about the nonprofits and doing a request for proposals or whatever route, we have to do a separate one for each type of engagement. Is that correct?

MR. VILLANUEVA: You know, I've been thinking about that, and I think it bears some thought. So let's say -- and I'm just brainstorming here with you. Okay? Let's say that the Commission identifies that they're going to do X number of public input meetings in a certain region. You've identified those areas within that region, and you're going to set up those meetings. You've identified the services that you want to be provided in those different areas, in those different locales within that region.

It would be a little bit more challenging, but I think we would be allowed to create a request for proposal that takes all of that into consideration, and then how it might be awarded. That's something that I would have to work with the Office of Legal Services, to actually figure out, how can we do a multiple awards schedule off of a request for proposal, but I think it's worth exploring as we move forward.
CHAIR FERNANDEZ: Okay. Sorry. I just lost everyone like for about 10 seconds. I went blank.

Could it be something where -- like, you were mentioning, you know, one request for proposal, and maybe the individuals could respond to specific, "Okay. I want to do this one," or "I want to do, like, this region or that region"? Would it be something that it could be, like, separate, so then, like you mentioned, you could theoretically have different awards off the same --

MR. VILLANUEVA: Award for the locations. That's what I'm wondering.

CHAIR FERNANDEZ: Right.

MR. VILLANUEVA: It's not typically done, but I think it's worth exploring.

CHAIR FERNANDEZ: Right. I thought I had -- I'm trying to remember which job we had done something similar, and now I can't.

MR. VILLANUEVA: (Indiscernible) in construction.

CHAIR FERNANDEZ: I think --

COMMISSIONER ANDERSEN: Yes. I was going to say that's done -- I'm sorry. Just quickly jumping in, that is done -- it's in construction. That's certainly done, and in engineering services.

MR. VILLANUEVA: Yes.

COMMISSIONER ANDERSEN: I don't know if
it's -- actually, maybe it is done on the state level, too, but in those fields.

MR. VILLANUEVA: And so that's -- and so, Commissioner Andersen, that's what got me thinking the other day, knowing that that type of request for proposal exists for that structure, and just wondering, for services, would that, A, be permissible, and, B, if it is permissible, what would we need to do to be able to deliver that type of request for proposal and be in compliance with the Public Contract Code requirements?

CHAIR FERNANDEZ: Right. And that might have been when I was in procurement and planning construction. So it would make sense.

Okay. Any other questions before we move on from this? Commissioner Vazquez.

VICE CHAIR VAZQUEZ: Yes. I'm wondering, possibly not for a full presentation, because I think that would be too in the weeds, but I'm wondering if folks would be okay with the outreach committee reaching out to another state agency that I have worked with, staff there, the California Collaborative for Education Excellence.

So they're a relatively new state agency that I worked with a couple of years ago at my job. We had a contract with them. Because they were a new state agency, my experience with them was that a majority of their work
was done through contracts to community-based agencies, of which my agency at the time was one of the recipients of those, and they're still, you know, issuing RFPs for particular buckets of work with school districts. So I'm wondering if it might be useful to talk with one of their lead administrators about how they have structured those RFPs. They are funded by the general fund.

I understand that we're doing vastly different work, but a lot of their funding is community outreach and technical assistance and capacity building to school districts, and the majority of the -- I can't -- there may have been one or two sort of for-profit, corporate recipients of those, but, because the bread and butter of a lot of these community organizations is outreach, they were the best positions to receive those contracts from the CCD.

So we might just -- you know, I'm willing to have a phone call with them, and, Raul, maybe we could boot you in, if you're available, just so that you can help code switch and translate some of the information we receive.

MR. VILLANUEVA: Sure. I'd love to talk to their contracting finance folks.

VICE CHAIR VAZQUEZ: Yes.

MR. VILLANUEVA: You know, the Commission poses a really, really interesting question with this, and I understand what the intent is, and we're still at a point
right now to where doing this work to find out, I think, is what we need to be doing. So yes, just let me know, and I'll make sure to make myself available.

CHAIR FERNANDEZ: Commissioner Sinay.

COMMISSIONER SINAY: I wanted to build on what you all were talking about, one RFP for different regions, and say, could it also be one RFP for different scope of work, like, you know, public education or -- you know, I still haven't thought it all through -- or do we need different RFPs for each piece, like, you know, creating a video to explain redistricting, plus the COI tool, you know, the different --

CHAIR FERNANDEZ: Different pieces, right?

COMMISSIONER SINAY: Yes. There's the different pieces, because there's the public -- as the framework shows, there's the public education, there's the outreach, and there's the engagement, and really the regional part is -- a lot of that is outreach and engagement, but the public education and civic could be different. Maybe it's just written, "How would you do this?" and we get different RFPs.

CHAIR FERNANDEZ: Okay. So, Commissioner Le Mons.

COMMISSIONER LE MONS: Yes. I was just going to suggest that I think those are the things that the
subcommittees should explore, and then come back when you
have a little clearer plan as to what direction you want to
go.

We have the framework now for how we can secure
potential resources to support what we're trying to do, and
it can probably take on any number of complexions, but I
think that this would be where you guys would sort that
out, regional, local, different -- RFP might be appropriate
for a regional one, and then using the other approach for
something more localized. Who knows? But I think the plan
has got to be sorted out before we get into the weeds of
which mechanism is appropriate.

CHAIR FERNANDEZ: Right. Exactly. And in the
interim, Raul, if you or someone can look into the
possibility of, you know, one major RFP, and potentially
having multiple vendors awarded the RFP, that would be
great.

MR. VILLANUEVA: All right. I will.

CHAIR FERNANDEZ: Okay. Anything else on that
before we move on to the next topic in this Agenda Item 10?

(No response.)

CHAIR FERNANDEZ: Okay. Next one, Raul.

MR. VILLANUEVA: Okay. So, cell phones.

CHAIR FERNANDEZ: I think that they're hollow.

MR. VILLANUEVA: Okay. So I will first be
providing you an overview on where the process has been, and why, where are we now, and then, more specifically on the "where are we now," what are our choices, and how do we make them?

CHAIR FERNANDEZ: Great.

MR. VILLANUEVA: So the Commission currently has a contract with Verizon, and it actually is the one that I put into place back in 2011, and it's still there. The plus about that, then, is it allows an easy door. I contacted them, and they were getting ready to roll over into a different contract, and asked me, "Do you want to try to get in now, or wait until we get into the different contract?" And so I started asking about "Well, what are the advantages to the Commission, price-wise?" And they anticipated that there would be more advantage the second go-around.

That work has finally been completed, and so I went ahead and contacted Verizon, AT&T, T-Mobile, I think predominantly those three, through the CalNet services, for a bid, and what I asked for was 21 lines, so that's 14 Commissioners, seven staff, just to start, and I wanted an up-to-date phone, capable of at least 4G, with services for unlimited voice, data at a reasonable level, unlimited text messages, and so the bids have been coming in, in terms of what those services might look like.
Your frontrunners right now are Verizon, who is basically offering $50 for all the above, and a Samsung 10 cell phone, and T-Mobile, and I'm waiting for them, because, actually, I was talking to them during break, and I wanted something that I could compare with more side by side, and so I'm waiting for that.

So, at this point, it's a matter of seeing which one is going to provide the better array of services at a better cost, and be able to provide us the phones. I want them for free, basically, you know, and I also want there to be a minimal, if no, charges, for just getting the system set up for each person, because that can run into the thousands, just to have your phones turned on. And so that's where we are now.

CHAIR FERNANDEZ: Did we also look into hot spots, potentially? Because I know some of us may have -- I'm actually using my hot spot on my personal phone right now. So I don't know if that's a feature that's included.

MR. VILLANUEVA: Yes. So, like, for example, with Verizon, you can use the phone as a hot spot, and with Samsung 10, it's capable of being able to do that, because I know, yes, for several folks -- and then, Commissioner Vazquez, you were mentioning with the wi-fi calls yesterday -- and so that's why having equipment that's more state of the art and at least 4G-capable really needs to be
at the forefront of what we're doing.

CHAIR FERNANDEZ: And so how much longer do you
need to wait to receive the other bids? I mean, was there
a time frame in terms of when to submit the bids -- or the
cost?

MR. VILLANUEVA: So, hopefully, today.

CHAIR FERNANDEZ: Okay.

MR. VILLANUEVA: I let them know when I talked to
them during break that we're in the middle of the meeting
right now. I told them, "I'm talking to you during break,
and so, if you could please send me something that I can
then respond back to the Commission before the meeting is
over, that would be the ideal."

CHAIR FERNANDEZ: Okay. And if we have to maybe
continue this discussion until tomorrow morning, when you
have all of the information, then that would probably be
good as well.

MR. VILLANUEVA: Yes.

CHAIR FERNANDEZ: Okay. Any questions regarding
phones, cell phones? Commissioner Andersen.

COMMISSIONER ANDERSEN: Sorry. I do just have
one. My phone, it's AT&T. So I'm wondering -- you know,
it comes up AT&T. It's totally AT&T. So that you
mentioned Verizon did surprise me. Does that mean the ones
we're using are -- do we have two contracts going on?
That's what I'm wondering. Did the State Auditor use AT&T, but we've had an existing Verizon account that we just haven't been using?

MR. VILLANUEVA: So the State Auditor has an account with AT&T, and, if I may, they're very happy with their services that they're getting. That's why they went ahead and, when they got us the interim phones, the interim phones --

COMMISSIONER ANDERSEN: Are AT&T.

MR. VILLANUEVA: -- are AT&T. Our Verizon, there's only been, I think, one line extant over the last few years, but that's been enough to keep the account in good standing.

COMMISSIONER ANDERSEN: Got it. Okay.

MR. VILLANUEVA: And so we may --

COMMISSIONER ANDERSEN: All right. Thank you.

MR. VILLANUEVA: Yes.

CHAIR FERNANDEZ: Any other questions regarding phones? Commissioner Kennedy.

COMMISSIONER KENNEDY: Just to say that, you know, for those of us who do live in isolated locations, the coverage map is going to be an important factor to consider as well, not just price and features, but coverage maps.

MR. VILLANUEVA: Yes. No, I agree. I live quasi
in the sticks, too, and so I know exactly what you mean. Certain parts of the house is great, certain other parts of the house, just not so much.

CHAIR FERNANDEZ: Right. I agree, too. We had AT&T that didn't work for me at home, and now Verizon seems to work.

Obviously, this is very important to all of us, and I would love to make a decision before the end of our meeting tomorrow. So, if it's okay with -- I was going to say, if it was okay with everyone, tomorrow morning, we can revisit this, when Raul has all of the information, and then, at that point, can make a decision to move forward.

Commissioner Le Mons, you had your hand up.

COMMISSIONER LE MONS: Yes. I have a quick question. Verizon happens to be the carrier of choice for where I live, also, and I'm wondering, among Commissioners, is Verizon a problem in any of the Commissioners' area? So, if we are looking at Verizon -- because that may -- it is a problem in your area, Commissioner Sinay? No.

COMMISSIONER SINAY: No.

COMMISSIONER LE MONS: Okay. So is everybody thumbs up on Verizon, just in terms of coverage? I'm not talking about costs or anything like that. Is there anybody where it's horrible and it won't work for them?

CHAIR FERNANDEZ: Commissioner Vazquez?
VICE CHAIR VAZQUEZ: Well, the problem is that everything is horrible, so, for me, it's more about the phone, and the ability to connect via wi-fi.

COMMISSIONER LE MONS: Okay. So you should be okay with the wi-fi.

VICE CHAIR VAZQUEZ: Right.

COMMISSIONER LE MONS: As far as everybody else, on cell service issue, does anybody else have a problem with Verizon?

CHAIR FERNANDEZ: Commissioner Turner.

COMMISSIONER TURNER: Yes. I just want to state, I moved two months ago, and I have no clue if Verizon works here or not. So I don't want to not say anything. I just don't know about Verizon yet. I'm assuming it should work fine.

COMMISSIONER KENNEDY: And I have T-Mobile for my personal phone, and the AT&T for the Commission phone, both of which seem to work well, but I don't know about Verizon.

CHAIR FERNANDEZ: Okay. So, with that, we'll still wait until tomorrow morning to get the feedback, but it sounds like most don't seem to have issues, except we don't know, with Commissioner Kennedy or Commissioner Turner, and Commissioner Vazquez is just a universal bad. Does that summarize it? Okay. But if you have hot spot capability or wi-fi, then -- okay.
Does that sound okay with everyone, if we just revisit it in the morning, once we have all the information? Okay. All right. So we'll bring that one back, Raul, tomorrow morning.

MR. VILLANUEVA: Very good.

CHAIR FERNANDEZ: So your next one?

MR. VILLANUEVA: So that's what I had to bring up for Item Number 10.

CHAIR FERNANDEZ: Thank you.

I think that's all I had on my list. Anything else for contracts and procurement?

(No response.)

CHAIR FERNANDEZ: Okay. All right. At this point, even though we don't have to, I would like to go out to public comment, since we did discuss two agenda items.

Raul, can you read the instructions, please.

MR. VILLANUEVA: This will be public comment regarding Agenda Items 9 and 10?

CHAIR FERNANDEZ: 9 and 10.

MS. JOHNSTON: And general.

MR. VILLANUEVA: And general. Really, and general?

MS. JOHNSTON: That's what --

CHAIR FERNANDEZ: It was just 9 and 10.

MS. JOHNSTON: Thank you.
MR. VILLANUEVA: Okay. Thank you for the clarification.

Okay. So the Commission will advise the viewing audience when it is time to submit public comment. At this time, if you would like to submit public comment for Agenda Items 9 and 10 -- that's Agenda Items 9 and 10 -- the Commissioners will then allow time for those who wish to comment to dial in.

To call in, first of all, on your phone, please dial the telephone number provided on the livestream feed. Second, when prompted, enter the meeting ID number provided on the livestream feed, using your dial pad. Third, when prompted to enter a participant ID, simply press the pound sign.

Once you have dialed in, you will be placed in a queue, from which a moderator will begin unmuting callers to submit their comment. You will also hear an automatic message to press star, nine to raise your hand, which indicates that you wish to comment. When it is your turn to speak, the moderator will unmute you, and you will hear an automatic message stating, "The host would like you to talk," and to press star, six -- that's star, six -- to speak. You will then have time to provide your comments.

Please make sure to mute your computer or livestream audio to prevent any feedback or distortion.
during your call. Once you are waiting in the queue, be
alert for when it is your turn to speak, and, again, please
remember to turn down the livestream volume.

The Commissioners will take comment for every
action item on the agenda, and at this time, again, we're
soliciting public feedback for Agenda Items 9 and 10. The
process for making a comment will be the same each time.
Begin by dialing the telephone number provided on the
livestream feed and then following the instructions as I
have provided. They are also located on the website.

Madame Chair.

CHAIR FERNANDEZ: Okay. Jesse, do we have
anyone? I don't see anyone in queue.

TELEPHONE LINE OPERATOR: There are currently no
callers in the queue.

CHAIR FERNANDEZ: Okay. We'll just wait another
minute or so and see if someone calls in.

COMMISSIONER SADHWANI: Yes. I recall, at some
point during conversation, a number popped up and then kind
of went away. So someone might call in. You never know.

CHAIR FERNANDEZ: Okay.

TELEPHONE LINE OPERATOR: Good morning, Caller.
Could you please state and spell your name for the record,
please.

(No response.)
TELEPHONE LINE OPERATOR: We cannot hear you.

MS. WESTA-LUSK: Yes. This is Renee Westa-Lusk.

Hello?

TELEPHONE LINE OPERATOR: Hello.

CHAIR FERNANDEZ: Yes.

MS. WESTA-LUSK: Do I need to spell my name?

TELEPHONE LINE OPERATOR: Yes, please.

MS. WESTA-LUSK: R-E-N-E-E is the first name.

The last name is W-E-S-T-A, and then there's a hyphen, and then it's Lusk, L-U-S-K.

TELEPHONE LINE OPERATOR: Thank you. The floor is yours.

MS. WESTA-LUSK: I have a question regarding the costs. This is Agenda Item Number 9. Is there any -- I looked at the budget that was in the report from the 2010 Commission, and they had two categories of meetings in their budget. My question has to do with, is there any data on the cost per day for meetings that the original 2010 CRC had? I'm just assuming from the discussion it costs more to do virtual meetings of the California CRC than if meetings are conducted in person.

I guess it looks like (indiscernible) from their budget, that one-page budget, the meetings included travel expenses for all the Commissioners and staff that had to go to all the different meetings at the cities and the
counties back in 2011, so I'm assuming -- is the budget going to be bigger, and there will be no cost savings, because virtual meetings and virtual hearings will be more expensive to conduct? That's mainly my question.

CHAIR FERNANDEZ: Thank you.

I don't believe we've done that analysis yet, have we, Raul?

MR. VILLANUEVA: No, but one of the things to keep in mind when someone looks at that 2012 report is that those are 2011 and 2012 dollars, and so you can't do a straight side-by-side comparison without doing some kind of adjustment for those 2011-2012 dollars into 2020. It's always going to look at lot larger. So are they really more expensive? When she talks about two meetings, there was the business meetings, and there was the public input meetings.

MS. WESTA-LUSK: Right.

CHAIR FERNANDEZ: Right.

MR. VILLANUEVA: So there is data for the two separate types of meetings. From what I've seen, the main difference is the cost of services now, compared to then, but I think, if you were to put it on an equal basis, it would probably be fairly comparable.

CHAIR FERNANDEZ: Okay. So maybe that's something that we'll look into later, so thank you for that
feedback.

MS. WESTA-LUSK: I just want to ask, so then, you think virtual meetings of the Commission, compared to in-person meetings like they used to have, are going to be the same cost, you're guessing right now?

CHAIR FERNANDEZ: Well, right now he's guessing. We haven't really looked into it. So we don't want to commit to something, and it's probably something that we may look into in the future.

MS. WESTA-LUSK: My point was just to bring up if there's any way to save money doing virtual meetings or not. I guess that's all I wanted to make the point about.

Okay. Thank you for listening.

CHAIR FERNANDEZ: Okay. Thank you.

Anyone else, Jesse?

TELEPHONE LINE OPERATOR: There are currently no more callers in the queue.

CHAIR FERNANDEZ: Okay. Thank you.

Okay. So we will move on to the last agenda item for the day, which is Number 13, which is developing comradery within the Commission, discussion and possible action. On this agenda item, it appears to be -- it's kind of like an open -- discussing ways on how we can build comradery as a team. So, at any time, if anyone wants to jump in.
I did actually -- I went on the Internet last night, and I looked at, you know, different articles out there in terms of how to build comradery during these COVID times, and one of these, I just have to say, kind of made me laugh, because, if I did it with my family -- it was give out blind directions, where they pair you up, and one is blindfolded, and you're supposed to put them somewhere and then verbally give them directions on where to turn. I was just picturing my family taking me out in the middle of nowhere, and then they left. So, hopefully, that's not something we would do, but I think --

COMMISSIONER ANDERSEN: I think that is what we're doing right now, quite frankly, with the two people in subcommittees. I think that's exactly what we're doing.

CHAIR FERNANDEZ: Okay. Yes. And that definitely helps, but we don't -- when you have subcommittees, you're not working with -- you're working with an --

COMMISSIONER ANDERSEN: Exactly. We can't talk to each other.

CHAIR FERNANDEZ: Right, but you're not working -- yes. You're getting to work with one on one, individually, which is great, and I actually really appreciated the opportunity, but I haven't had an opportunity to work with everyone else individually, and if
we do that, at that point, that's a full-time job in itself.

So, I mean, they did have some kind of good ideas in terms of, you know, game time, like trivia or something like that, but, anyway, so I'm throwing it out there, if anyone has any suggestions. I honestly don't know where we're going to go with this at this point.

Commissioner Andersen.

COMMISSIONER ANDERSEN: I do have a question. Does that also have to be done in public? I mean, do we (indiscernible)?

CHAIR FERNANDEZ: If it's more than two, it does have to be done in public.

COMMISSIONER ANDERSEN: Okay.

MS. JOHNSTON: Not if you don't discuss Commission business.

COMMISSIONER ANDERSEN: Yes.

CHAIR FERNANDEZ: That's interesting, then.

MS. JOHNSTON: If it's purely social.

COMMISSIONER ANDERSEN: Then I do have one thing that -- who brought that up? Someone brought it up, and I don't recall who. I think it was that the 2010 got together in, like, a large auditorium, where they could all be in one area but, you know, far enough apart, like, you know, or, instead, like in a large park or something like
that, just in terms of actually seeing each other's faces. I can't remember who brought that up, but that's just to throw out there.

CHAIR FERNANDEZ: Marian, just for clarification, but if we do something like that, it has to be noticed --

MS. JOHNSTON: No.

CHAIR FERNANDEZ: -- the same process? It does not?

MS. JOHNSTON: No, as long it's not a business meeting, you don't discuss or conduct any business, purely social, no work.

CHAIR FERNANDEZ: Okay. But, obviously, discussion of it is in open forum. So, if we decide to do something, date, time, that would be public information, in that sense, right?

MS. JOHNSTON: Yes.

CHAIR FERNANDEZ: Okay. Commissioner Turner.

COMMISSIONER TURNER: Yes. I like, of course, the suggestion on the table of getting together somewhere large, but, in trying to think this through earlier, I don't know if our videographers or whatever have the capability, but if we could go into Zoom rooms of two, and not discuss Commission business, we can kind of at least do some sort of speed "Get to know you" five minutes, switch again, you know, and we'll be able to do it on line, and
meet with just two people, and be able to have conversation that way as well.

CHAIR FERNANDEZ: Like that speed dating?

COMMISSIONER TURNER: Absolutely.

CHAIR FERNANDEZ: That's nice, nice suggestion.

Okay.  Wait.  Now I've got to mark them down.

Let's see.  Commissioners Akutagawa, Vazquez, and Sadhwani.

COMMISSIONER AKUTAGAWA: So my organization, when COVID started, we did implement just a "no work, let's just be social" time in which we can just kind of check in and get to know each other, and so one of the things that -- it was getting kind of old, what we were doing, so what we started doing is, we started rotating, I guess, the facilitation of our check-in sessions, and so far it's been going pretty well, because people are bringing different kinds of activities, things that we can do together as a team to get to know each other, and that's really what it is.  It's not just to check in, "How are you doing?" kind of thing, but, like, "What can we do to get to know each other?"

So a couple suggestions from what we did is, one of the ones that I really liked is, one of my staff members asked us to use the other side of our brain, and draw what our dream room in our dream house would be, or dream space
would be. That was kind of interesting because, you know, drawing is not something that we may all do.

So that was kind of fun, and just kind of explaining to everybody what and why we wanted, and everything like that. When I had my turn, I like to cook, so I asked everybody, "What's your signature dish?" And it was really interesting hearing what people talked about is their signature dish.

So that's just kind of a suggestion in terms of something that we could do, where we can all hear. There's a lot of us, I know, but it's still kind of fun to hear, you know, everybody's perspectives on some of these things.

CHAIR FERNANDEZ: Yes. Thank you.

Commissioner Vazquez.

VICE CHAIR VAZQUEZ: Yes. I mean, could we -- if it would be social and, you know, no business, no shoptalk, I mean, could we not organize, like, a Zoom social hour? I'll just say, for my health right now, I'm not able to travel or be outside for very long, and would love to be able to just hang out for an hour and get to know whomever wanted to join a social hour.

CHAIR FERNANDEZ: Yes, that's a good idea.

Commissioner Sadhwani.

COMMISSIONER SADHWANI: I think Commissioner Vazquez answered my questions. I love all of the ideas
that have been put out. I just wanted to know if we --
certainly the idea of meeting in person was put out there.
Does that feel to folks? Does everyone want, like -- yes.
I'm just trying to get a sense of the room, so that we know
better, then, how to plan.

CHAIR FERNANDEZ: All right. Commissioner Sinay,
was that kind of a hand?

COMMISSIONER SINAY: (No response.)

CHAIR FERNANDEZ: Mute. You're on mute,
Commissioner Sinay.

COMMISSIONER SINAY: So there's a couple of
things we can do, borrowing from my teenage daughter.
There's a movie that's out there about gerrymandering that
could be interesting for all of us to watch and just -- but
that might be business-related, so forget it. So maybe we
find another movie that's not -- you know, just an
interesting movie, we all watch it, we have it going, and
we all talk, you know, whatever. But it's amazing how much
they talk to the movies they're watching.

The other one is, we can all have a meal together
and not be together, and so there are certain meal
services. You know, we all order, you know, and we get it
delivered, and we just sit here and we talk and eat a meal,
so we feel like we did share a meal, because sometimes it
feels weird to just have a social hour and not having
anything.

So we also can -- all the picture ones are kind of fun, where we have to guess who's who based on their baby picture, or who's their dad or who's their mom, whatever, but I feel like just -- if we do just a sit-and-eat, a virtual meal together, and we all take turns just sharing a little bit of our family or, you know, whatever, those are the kind of things that kind of connect us, and ask any of the random questions we have. But we can do a virtual meal. It's not that hard to set up.

I know, at the very beginning, I was trying to figure out -- I got a virtual box yesterday with all the stuff for a conference I'm going to, and it has everything from a mask to treats to a virtual bingo, which I thought was kind of funny. Like, I thought of -- if a dog interrupts, that's one of your virtual bingo things, but it also had -- and I know this -- I thought of -- it has -- I don't know if you can see them, but just signs that you can put up, which I think sometimes we all need signs just to agree with each other and stuff.

So I was just laughing at this package, saying, "Wow," you know, how I know, when I was -- I said, "I want to create a package like this and send it out to all of you all," so we'd have something like that, but there are things that we can do like that.
CHAIR FERNANDEZ: Thank you.

Commissioner Vazquez.

VICE CHAIR VAZQUEZ: I'd have to ask a friend, but she hosts weekly Zoom trivia with her friends from all over the place. So I don't know if there are any trivia fans, but that could be a fun way to get to know each other over an hour and see who's competitive.

CHAIR FERNANDEZ: I must say, when I did my Google searches, or my searches last night, a lot of it was trivia, doing the trivia virtually.

Commissioner Andersen.

COMMISSIONER ANDERSEN: We did my -- my husband has a large family, and his parents are older, and they live on the East Coast, so we have done a lot of Zoom family calls, which is really nice. Of course, they all talk over each other, so there's a real problem with that, but we did actually try the Trivial Pursuit. Do you remember the old Trivial Pursuit game? Well, if you pull out those old cards and play those old cards, the whole set, you can see the generational gap. You can see all sorts of things, and that's actually very funny, just in terms of, like, "Okay. Who knows any of these people at all?" You know, it's a question of "No. If you weren't born before, you know, 1930, you are not going to know any of this." So it was kind of really interesting. That's a
fun idea, pulling out old trivia cards just to go, you
know, "Who even has a clue about it?" But that just a
thought there.

CHAIR FERNANDEZ: Commissioner Taylor.

COMMISSIONER TAYLOR: Yes. I just wanted to
throw in my two cents. Social hour seems great, and just
to Commissioner Sinay's suggestion, I feel like I'm at a
disadvantage if we have baby pictures.

CHAIR FERNANDEZ: That was funny.

Commissioner Yee.

COMMISSIONER YEE: I'm wondering, Raul, so the
2010 Commission, you know, traveled together and had meals
together on the road. I wonder if they did anything else
that you can mention that were good ideas.

Another thought. I'm wondering, a private
Facebook group? I mean, that may be too risky, but that
would be a lot of fun, I think. Would that be possible?

CHAIR FERNANDEZ: We go back to, did the 2010
Commission have any teambuilding? I mean, of course, they
were able to get together, which, hopefully, helped with
comradery.

MR. VILLANUEVA: Right. It really wasn't an
issue for them, because they could get together, and
especially when they were on the road, I know they shared
meals. Staff were present so that -- you know, to be able
to demonstrate that there was not inappropriate
discussions. So that was almost a nightly thing when they
were on the road. They didn't have the challenges that you
have.

My look of consternation about the Facebook page
is, number one, I don't really know a lot about Facebook.
It's not something I use. And so I can only go on what
I've heard, and that's whatever my kids have told me, quite
honest. So I really don't have any feedback there as far
as safety and security.

CHAIR FERNANDEZ: Okay. Thank you.

Commissioner Akutagawa, and then Commissioner
Turner.

COMMISSIONER AKUTAGAWA: I guess my two cents on
the Facebook is, it's only as good as the people who are
willing to participate on it, and, to be honest, I've been
trying to boycott Facebook. So I would probably not be
very active on it.

CHAIR FERNANDEZ: Commissioner Turner.

COMMISSIONER TURNER: Thank you, Madame Chair. I
was going to respond. Commissioner Sadhwani had asked
about comfort level to help with planning. I am
comfortable traveling now. I think many of you know that I
was out with COVID for a couple of months, and then got the
aftermath of the issue, but I'm feeling healthy and strong.
I also wanted to suggest, if you come up north at all, I have access to a facility that can accommodate up to 500 people, so I think we could certainly social distance within it, for those that are comfortable, but I just wanted to respond to that.

CHAIR FERNANDEZ: That is very good to know. When I did my -- well, I kind of -- my youngest is an artist, and I absolutely am not an artist. So he's gotten into this Bob Ross -- okay, so I'm going to age myself -- Bob Ross, and he has these YouTube videos, and so he's actually, like, watching the Bob Ross video, and he's painting it, and when he's done, it looks awesome.

So we could do something like that. Mine will not look awesome. It will look -- you won't know what it looks like, actually, but, I mean, that's another thing, potentially, we could do, where everyone is kind of doing it at home, or if (indiscernible) time to get together, we could do that. It would kind of be kind of funny, and embarrassing, probably, for me personally, because I'm sure everybody would be much (indiscernible) than me.

So there's a lot of suggestions that have been put out. I don't think at this point we're going to make a decision, but what I'm going to suggest is that all of this -- the information, we'll send it out to everyone, and then maybe, if we can think about it, in a couple weeks, a
couple of meetings, or maybe two or three meetings,
whenever we can agendize it, maybe we come back and
solidify in terms of what everyone is more comfortable with
or willing to do, or "Yes, that sounds good," or we can
combine the having a dinner with your -- what was it? --
eating together and signature meal at the same time, and
that's a good discussion.

Then we have -- Commissioner Vazquez has her hand
up.

VICE CHAIR VAZQUEZ: Yes. I'm just wondering, I
mean, is this really Commission business? If we're trying
to organize a social hour, could we not talk either in a
small group or have like a schedule? I mean, there's 14 of
us, but I've been on bigger scheduling e-mails, right? So
could we not do that, and not have -- do we have to have
this discussion about social hour scheduling, like the
technical pieces, the admin piece of it, in a public
session, or can we do that over e-mail?

CHAIR FERNANDEZ: Marian, what are our parameters
for that?

MS. JOHNSTON: There are no limits on what you
can do, as long as it's non-business.

CHAIR FERNANDEZ: Okay. So, with that being
said, Commissioner -- but wait. But, also -- okay.

Commissioner Andersen, let's go to --
COMMISSIONER ANDERSEN: Okay. I'm just going to throw something out here, because it looks like we might be coming to the end of the day in terms of topics that we're going to cover. What if we just say, "Okay," you know, when we break, everyone go, you know, prepare a lunch, come back on, and do just a casual -- eat our lunch over just the same video connection, but just by ourselves, just chat about whatever, you know -- I mean, well, and chat about not business items.

CHAIR FERNANDEZ: Not business.

COMMISSIONER ANDERSEN: Not business items.

Since we already have the time, and we're scheduled today, we're all here. I'm going to throw that out there as an idea in terms of planning, that kind of thing.

MS. JOHNSTON: Kristian, would that be possible, to organize sort of like a closed meeting that's not open to the public, if it's just a social hour?

MR. MANOFF: We can absolutely do that.

CHAIR FERNANDEZ: Okay. And yes, you're absolutely right, Commissioner Andersen, that this is the last agenda item, and we would be done after this agenda item. I will ask for public comments before we close, and then we would not return until tomorrow morning at 9:30.

Commissioner Vazquez, and then Commissioner Ahmad.
VICE CHAIR VAZQUEZ: Last thing, because I had to
set up all of this stuff, because I'm limited in travel,
but I have my own Zoom account. So we also -- you know, if
we were going to something social, virtual, we don't
necessarily need to rely on staff to have a lunch, a social
lunch, now or in the future.

CHAIR FERNANDEZ: Commissioner Ahmad.

COMMISSIONER AHMAD: Thank you, Madame Chair. I
just wanted to clarify for folks listening in, any social
hour that we have as a group will not be charged for pay.

CHAIR FERNANDEZ: And just for future, I don't
have a Facebook account, and I purposely do not have a
Facebook account. So I have to figure out how to get to
that. I mean, I do know how to use it, because I
(indiscernible) for my job. I have one, but I don't have
it personally.

So any other comments? Commissioner Turner.

COMMISSIONER TURNER: I just wondered if we even
had the capability for private rooms, because I threw it
out but I didn't get a response. I don't know if that's
even an option.

MS. JOHNSTON: Kristian said he could set that
up.

COMMISSIONER KENNEDY: Raul has his hand up.

CHAIR FERNANDEZ: Raul. Yes. I was waiting for
Marian to finish, but thank you.

Raul?

MR. VILLANUEVA: I just have a question, please, regarding the interviews. Will those be live attendees?

CHAIR FERNANDEZ: For next week?

MR. VILLANUEVA: Yes.

CHAIR FERNANDEZ: I was assuming it would be the same as last time.

MR. VILLANUEVA: Well, and that's why I'm asking.

CHAIR FERNANDEZ: I don't know. I'd have to ask the subcommittees.

Commissioner Vazquez?

VICE CHAIR VAZQUEZ: We haven't talked about this as a committee, but I think one, if not maybe more than one, is not local to Sacramento, and I personally am comfortable with a virtual interview, since they're virtual to me right now anyway.

COMMISSIONER TAYLOR: I think I would concur as it relates to the director of communications. I think that we had established earlier in our conversations as a full Commission that it wasn't necessarily required that the director of communication be in Sacramento or local. So, that being the case, I think we have to be open to a virtual environment. So I think, as long as they schedule on the one day that we picked out, the 14th, I am
comfortable, the subcommittee is comfortable, with it being live or virtual.

CHAIR FERNANDEZ: So are you also comfortable maybe it being like one or two are virtual, two or three are live? Does it matter?

COMMISSIONER TAYLOR: Yes, I'm fine with that. It doesn't seem to matter to me. I don't think it affects their ability to do their job.

CHAIR FERNANDEZ: Okay. And what about the chief counsel?

COMMISSIONER TOLEDO: Because it's so Sacramento-focused, the preference would be in person, but if, for some reason, they can't do it in person, the virtual might be a possibility.

MS. JOHNSTON: How about Commissioners? Are any of you planning to come here for the actual interviews?

COMMISSIONER YEE: I'm available.

CHAIR FERNANDEZ: I did send an e-mail saying that I'd be there every day next week for our meetings.

MS. JOHNSTON: Did you think it was valuable being here last time in person?

CHAIR FERNANDEZ: Yes, I did, because you get to see -- well, I don't want to give it away, but you get to see all of the different -- the nonverbals. You get to see that as well. So, for me, I did appreciate being there.
It would have been fine if I wasn't there, also.

Really, the more -- the real reason I'm going, I mean, for the interviews, but, also, it's Mr. Claypool's -- he's starting on Monday. So I feel it's important to (indiscernible), hopefully, someone to be there. I know you'll be there, but maybe someone from the Commission to be there as well.

Let's see. Commissioners Kennedy and Andersen.

COMMISSIONER KENNEDY: Thank you, Madame Chair.

I just got a note back from Professor Rick Hasen at UC Irvine, and he has probably the most active election law blog in the country, and he has posted our chief counsel job posting. So, if you go to "ElectionLawBlog.org," it's right there.

CHAIR FERNANDEZ: Great. Thank you.

Commissioner Andersen.

COMMISSIONER ANDERSEN: Sorry. Finish that, Commissioner Kennedy. It was "ElectionLawBlog" --

COMMISSIONER KENNEDY: "Dot, org."

COMMISSIONER ANDERSEN: Got it. Thank you.

One quick thing. The press release that went out does not have the correct information on it about the date for the chief counsel's -- it said, you know, that the posting closed September 30th, and that's not -- it did not. That was over, but it has been extended, and it
doesn't say that. So anyone you tell, please say, "No, no, no. That press release, unfortunately, is not correct."

Let's see. My question about going. I felt it was very valuable, because you do get to see the nonverbal and the person, and I would be -- if the chief counsel is going, or if one of those people are going in person, then I would indeed like to go up there, up to Sacramento.

MS. JOHNSTON: What press release are you referring to?

COMMISSIONER ANDERSEN: The --

CHAIR FERNANDEZ: She's referring to the executive director, and the reason it's inaccurate is, the latest information that we had was that it was closing on the 30th, and we didn't find out of the date change until yesterday.

COMMISSIONER ANDERSEN: Yes, but I would like for, moving forward, if communications -- if it involves any other subcommittee, please check with that subcommittee, since the subcommittees can't report to the full group until the full meeting, and that date -- that information was indeed known by the subcommittee, but we couldn't report it. So the communications person must contact -- anything that involves a subcommittee, contact that subcommittee to verify the information. I'd like to put that out there, please.
CHAIR FERNANDEZ: Commissioner Kennedy.

COMMISSIONER KENNEDY: Yes. I mean, that was why I was clarifying yesterday with staff. So the blog posting says, "Please note that the first round of interviews is scheduled for 13 October, but we will continue to accept the applications until the position is filled."

CHAIR FERNANDEZ: Okay. Thank you.

Any other comments? We do have a suggestion out there to have a virtual lunch hour after the end of this meeting. Is anyone -- okay. I guess thumbs up if you are interested. How about if we just do it that way, if they're interested in having a lunch. Okay. But I would -- I'm going to ask if we not have it right away, because I don't have my lunch ready yet. So, if that would be okay, it is -- okay.

Any other questions before I go to public comment? Commissioner Ahmad.

COMMISSIONER AHMAD: Can I suggest we reconvene at, like, 12:45-ish, or 1:00, for our non-business-related comradery event?

CHAIR FERNANDEZ: Yes, definitely. That would work out well.

Let's go to public comment, please, Raul, and this would be for, I guess, general, at this point.

(No response.)
CHAIR FERNANDEZ: Raul, could you read the instructions for --

MR. VILLANUEVA: Yes. I was waiting for everything to get set on the other side.

CHAIR FERNANDEZ: I'm sorry. Okay.

MR. VILLANUEVA: No problem. We're ready.

CHAIR FERNANDEZ: Okay.

MR. VILLANUEVA: Okay. The Commission will advise the viewing audience when it is time to submit public comment. At this time, you are being asked if you would like to submit general public comment, to please do so. Commissioners will then allow time for those who wish to comment to dial in.

To dial in, number one, on your phone, dial the telephone number provided on the livestream feed. Second, when prompted, please enter the meeting ID number provided on the livestream feed, using your dial pad. Third, when prompted to enter a participant ID, simply press the pound sign.

Once you have dialed in, you will be placed in a queue, from which a moderator will begin unmuting callers to submit their comment. You will also hear an automatic message to press star, nine to raise your hand, indicating that you wish to comment. When it is your turn to speak, the moderator will unmute you, and you will hear an
automatic message, "The host would like you to talk," and to press star, six to speak. You will have time to provide your comments.

Please make sure to mute your computer or livestream audio to prevent any feedback or distortion during your call. Once you are waiting in the queue, be alert for when it is your turn to speak, and please remember, turn down the livestream volume.

The Commissioners will take comment for every action item on the agenda. At this point in time, we are taking general public comment, and the process for making a comment will be the same each time. Begin by dialing the telephone number provided on the livestream feed, and then following the instructions as I have outlined, and these instructions are also on the website.

Madame Chair.

CHAIR FERNANDEZ: Thank you, Raul.

Jesse, I don't see anyone, but you might see someone in the queue.

TELEPHONE LINE OPERATOR: There are currently no callers in the queue.

CHAIR FERNANDEZ: Okay. We're just going to wait a couple minutes, and while we wait, I'm just going to let everyone know that, on the agenda for tomorrow, we're going to go back and revisit the cell phones, Agenda Item 10.
That would be our only discussion item, I believe, and then we're going to have Agenda Item Number 11 regarding the discussion of strategies for outreach. That will be at 10:30 in the morning, and then Agenda Item Number 12 will be the strategies for public input meeting, and that will be at 2:00 o'clock in the afternoon.

Then, Kristian, just a quick question for you for our lunch, virtual lunch. Are you going to send a separate e-mail to us, or we just dial back into this one?

MR. MANOFF: Probably best to send a separate e-mail, the same way we do for closed session.

CHAIR FERNANDEZ: Okay. Great. Thank you. And then, so we will -- 1:00 o'clock would be a good time to reconvene for that.

So, anyone, Jesse?

TELEPHONE LINE OPERATOR: Madame Chair, there is no callers in the queue currently.

CHAIR FERNANDEZ: Okay. Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Just a question for tomorrow. The speakers that we have at 2:00 o'clock, if we're able to finish our morning presentation earlier, would it be possible to move them up to an earlier time frame?

CHAIR FERNANDEZ: I'm not sure if that would be possible, and we also have to take into account -- I
think -- Commissioner Sinay, correct me if I'm wrong. I think we gave them like a two-hour allocated time, and then we also have the lunch hour in there. So I'm not sure, like, how much sooner than 2:00 o'clock we would come back from lunch, if that makes sense. Okay.

COMMISSIONER SINAY: Correct.

CHAIR FERNANDEZ: Okay. Anything else?

(No response.)

CHAIR FERNANDEZ: Okay. Thank you, everyone. We'll see everyone either at lunch or tomorrow morning at 9:30. Thank you.

(Session recessed until October 7, 2020.)
REPORTER’S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

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IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of July, 2021.

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Barbara Little
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