

-----Original Message-----

From: "Rick Chivaro" <rchivaro@sco.ca.gov>

Sent: Tuesday, February 25, 2014 5:27pm

To: info@openthebooks.com

Subject: RE: California request for public records

I have confirmed with the staff that we are unable to accommodate your request for the reasons identified in my prior electronic communications.

Sincerely,

Richard J Chivaro
Chief Counsel
State Controller's Office

From: info@openthebooks.com [<mailto:info@openthebooks.com>]

Sent: Tuesday, February 25, 2014 10:33 AM

To: rchivaro@sco.ca.gov

Cc: info@openthebooks.com

Subject: California request for public records

Richard Chivaro, Chief Counsel for the State of California
Controller's Office,

I respectfully respect your time and have not expected your agency to answer immediately. But on September 19, 2013 you stated, "However, that being said, I will check with staff and get back to you." Being that today is February 25, 2014 I was wondering how long we are to wait to hear response of any kind back from you. I would appreciate a status update to our request for public records from 2013 and at a minimum a acknowledgement of receipt of this e-mail.

Thank you for your cooperation,

Laura Reigle
Director of Government Information Collection

Info@openthebooks.com

-----Original Message-----

From: Info@openthebooks.com

Sent: Wednesday, November 6, 2013 10:57am

To: "Rick Chivaro" <rchivaro@sco.ca.gov>

Cc: Info@openthebooks.com

Subject: RE: California request for public records

Rick Chivaro, Chief Counsel for the State of California Controller's Office,

The California State Law claims that you should be assisting us attain the public records we are requesting. So if we lack the ability to understand what documents contain the relevant public records requested you are to assist us with that process. We specifically stated a time frame in our request. For you to muddy the waters with the terms "claim schedule number or the day the particular claim was submitted" is not pertinent to our request. As no person other than a employee of your agency would have knowledge of this information. I believe that you have a full understanding of what public records we are requesting, as we have had many discussions. If your intentions are to not provide us with the requested public records you need to provide us with a statue stating why you are denying us the public records. If you intend on providing these public records, please provide us with a status update.

Thank you again for your assistance.

Laura Reigle

Director of Government Information Collection

Info@OpenTheBooks.com

-----Original Message-----

From: "Rick Chivaro" <rchivaro@sco.ca.gov>

Sent: Thursday, September 19, 2013 2:25pm

To: Info@openthebooks.com

Subject: RE: California request for public records

As I explained previously, all claim schedules are batched by date of receipt and are not segregated by agency or payment type. On a typical day, we might receive 200 or more claims. Those claims include the requests for revolving fund replenishment as well as travel expense claims, per diem claims, and all other claims for payment from a particular appropriation. Consequently, without knowing the claim schedule number or the day the particular claim was submitted to this agency, I do not believe that it will be possible to comply with this request. However, that being said, I will check with staff and get back to you.

Sincerely,

Richard J. Chivaro
Chief Counsel
California State Controller's Office

From: info@openthebooks.com [<mailto:info@openthebooks.com>]

Sent: Thursday, September 19, 2013 11:11 AM

To: rchivaro@sco.ca.gov

Subject: California request for public records

Richard J. Chivaro, Chief Counsel for the State of California Controller's Office,

Please process the attached public records request. I hope this is clear with precisely what records are being requested. Please feel free to e-mail me with any questions regarding the request.

Thank you for your cooperation with our public records request.

Laura Reigle
Director of Government Information Collection
Info@OpenTheBooks.com

-----Original Message-----

From: "Rick Chivaro" <rchivaro@sco.ca.gov>

Sent: Wednesday, September 18, 2013 8:54pm

To: info@openthebooks.com

Subject: RE: RE: California request for public records

Ms. Reigle:

I can certainly try to break this down for you in its simplest of terms. First, when I say decentralized I mean that the State Controller does not pay all contracts. Rather, as previously explained, many contracts are paid directly by the contracting agency. In California, there are approximately 500 California state governmental agencies, departments and commissions each of which pay some or all of their vendors directly. The State Controller's Office does not maintain a "check" register dedicated solely

to vendor payments which covers all vendor payments made by every agency, board and commission of the State of California.

In basic terms, and using the following example, the process works in the following manner.

Scenario 1—Agency Pay

1. An agency contracts for the delivery of goods and/or services and is billed by the vendor accordingly
2. The contracting agency decides to pay the vendor in order to take advantage of a 30/60/90 discount
3. The contracting agency writes a check payable from the agency's Revolving Fund account—Each agency has its own Revolving Fund account which is essentially a checking account from which an agency can pay its bills.
4. Periodically, the agency will forward a claim to the State Controller requesting that its Revolving Fund account be replenished. The agency's claim is supported by a listing of expenditures made from the Revolving Fund as well as any backup information the agency has to support the expenditure.
5. The claim for reimbursement is audited upon receipt prior to the Controller replenishing the agency's revolving fund.
6. All claim schedules are batched by date of receipt and are not segregated by agency or payment type.

Scenario 2—Controller Pays Claim

1. An agency contracts for the delivery of goods and/or services and is billed by the vendor accordingly
2. The contracting agency prepares a claim schedule, attaches the invoice and submits the claim to the Controller for payment
3. The Controller audits the claim prior to payment and either rejects or pays the claim
4. The claim schedule is batched by date of receipt and are not segregated by agency or payment type.

Under scenario 1, the decentralized payment method, since the Controller issues his payment to the agency revolving fund as opposed to any particular vendor, the vendor payments made by the agency are not recorded into the Controller's system.

I hope this helps.

Sincerely,

Richard J. Chivaro

Chief Counsel

California State Controller's Office

From: info@openthebooks.com [<mailto:info@openthebooks.com>]

Sent: Monday, September 09, 2013 6:21 AM

To: rchivaro@sco.ca.gov

Cc: Info@openthebooks.com

Subject: FW: RE: California request for public records

Richard J. Chivaro, Chief Counsel for the State of California Controller's Office,

Please provide some explanation to the below.

Respectfully, I appreciate that fact that you have been willingly cooperating with us by answering our questions to achieve a better understanding of our public records request. But I still do not understand how any software package being used by a State would be unable to run reports such as a vendor report to comply with public records request. Many large States in the United States have complied with our request in full with no difficulty.

So I do not have a thorough understanding by yourself has to the issue with the system that The California State Controller's Office is currently using for keeping checks and balances. Your repetitive statement that it is decentralized obviously is not clear to me. Would you please take the time to provide me with a more precise explanation as to why the State of California's Controller's Office is unable to run reports on whatever system they are using to run the State Controller's Office. I also do not understand how any audits are performed if reports on warrants are unable to be run, even on the audit of your own agency The California State Controller's Office.

Thank you

Laura Reigle

Director of Government Information Collection

Info@OpenTheBooks.com

-----Original Message-----

From: info@openthebooks.com

Sent: Thursday, August 29, 2013 11:06am

To: "Rick Chivaro" <rchivaro@sco.ca.gov>

Cc: Info@OpenTheBooks.com

Subject: RE: California request for public records

Richard J. Chivaro, Chief Counsel for the State of California Controller's Office,

Respectfully, I appreciate that fact that you have been willingly cooperating with us by answering our questions to achieve a better understanding of our public records request. But I still do not understand how any software package being used by a State would be unable to run reports such as a vendor report to comply with public records request. Many large States in the United States have complied with our request in full with no difficulty. So I do not have a thorough understanding by yourself has to the issue with the system that The California State Controller's Office is currently using for keeping checks and balances. Your repetitive statement that it is decentralized obviously is not clear to me. Would you please take the time to provide me with a more precise explanation as to why the State of California's Controller's Office is unable to run reports on whatever system they are using to run the State Controller's Office. I also do not understand how any audits are performed if reports on warrants are unable to be run, even on the audit of your own agency The California State Controller's Office.

Thank you

Laura Reigle

Director of Government Information Collection

Info@OpenTheBooks.com

-----Original Message-----

From: "Rick Chivaro" <rchivaro@sco.ca.gov>

Sent: Thursday, August 29, 2013 10:47am

To: info@openthebooks.com

Subject: RE: California request for public records

Ms. Reigle:

I have respectfully replied to your request now several times. For the reasons explained and examples given, the vendor payment system is decentralized and we are unable to provide you with the data you seek. This office responds to all records requests received and, consistent with the Controller's policy on transparency, strives to make every effort to comply with all such requests. However, in this instance, we simply do not have a "check" register dedicated solely to vendor payments which covers all vendor payments made by every agency, board and commission of the State of California.

Sincerely,

Richard J. Chivaro

Chief Counsel

California State Controller's Office

From: info@openthebooks.com [<mailto:info@openthebooks.com>]

Sent: Thursday, August 29, 2013 7:16 AM

To: rchivaro@sco.ca.gov

Cc: Info@OpenTheBooks.com

Subject: RE: California request for public records

Richard J. Chivaro, Chief Counsel for the State of California Controller's Office,
Our public records request to The California State Controller's Office was for "I am requesting an electronic copy of "and" and "all" checkbook payments" (I believe in your case this is warrants from the conversation below.) "for the year 2008-2013 which should include the vendor name, vendor address, vendor city, vendor state name, vendor zip code, check date, check number, check amount." . Accordingly, directly from The California State Controller's website it states that one of "The State Controller's Functions" is to "**Inform the public of financial transactions of city, county and district governments.**" Now with that said our agency formally made a public records request to The State of California Controller's Office for in your case what would be called warrant payments for the years 2008-2012. Whatever warrant payments to vendors for products and services rendered that is retained by the agency should be provided to us by The California State Controller's Office. Please let me know precisely what records we can acquire from The California State Controller's Office through our public records request and when we should be able to attain them by.

Thank you

Laura Reigle

Director of Government Information Collection

Info@OpenTheBooks.com

-----Original Message-----

From: "Rick Chivaro" <rchivaro@sco.ca.gov>

Sent: Wednesday, August 28, 2013 4:29pm

To: info@openthebooks.com

Subject: RE: California request for public records

The statement on our website is correct. The State Controller's Office does make approximately 46 million payments annually. However, those payments include many things such as disbursing money appropriated by the legislature for various programs in the total amount of \$145.3 billion dollars, transfer of investment dollars, bond payments etc. The reference to the state department's operating cost includes such things as employee salaries, rent, travel expense reimbursements, health benefit costs and transfer of money to an agency's revolving fund account from which the agency may pay its vendors. That being said, I will reiterate the fact that the records requested for all agencies of the state does not reside in the Controller's Office.

Richard J. Chivaro

Chiefs Counsel

California State Controller's Office

From: info@openthebooks.com [<mailto:info@openthebooks.com>]

Sent: Wednesday, August 28, 2013 10:34 AM

To: rchivaro@sco.ca.gov

Cc: Info@OpenTheBooks.com

Subject: RE: California request for public records

Rick Chivaro, Chief Counsel for California State Controller's Office,

I am still a bit confused. After reading the below conversation from you. I went to the California State Controller's website to find out what the agency does. In the about page under Administration & Disbursements Division it reads, "The Disbursements Bureau **pays** about 46 million payments annually, 24 million through warrants (**state equivalent of checks**) and **22 million via electronic fund transfers (EFT)**. Daily, that's about 183,000 payments, 97,000 warrants and 86,000 EFT. **Payments include, among other things, state departments' operating costs** and payroll, personal income tax refunds, and retirement warrants." When I called the number listed 916-445-7789, the individual that answered replied "State Controllers Office". Our original request is for the payments made to vendors by the State Controller's Office. Which would include all divisions in the State Controller's Office. Please explain to me as to why your agency has not provided the above warrant (state equivalent of checks) information. It appears at least to me, that the California State Controller's Office by the attachment included in this e-mail does process checks/warrants. I believe the original request requested these precise public records.

Please clarify to me how to attain the above public records from the Administration & Disbursements Division (Part of the State of California Controllers Office), if our original request to The California State Controller's Office doesn't suffice, being the Chief Counsel for all divisions within The State of California's Controller's Office.

Thank you again for your cooperation.

Laura Reigle

Director of Government Information Collection

Info@OpenTheBooks.com

-----Original Message-----

From: "Rick Chivaro" <rchivaro@sco.ca.gov>
Sent: Wednesday, August 28, 2013 12:35pm
To: info@openthebooks.com
Subject: RE: California request for public records

Dear Ms. Reigle:

While you purport to have clarified your response, the premise remains the same. In other words, you again ask for information I previously informed you that we could not provide. Your question erroneously assumes that the payment to vendors is centralized in the State Controller's Office. In fact, the payments are decentralized. Simply stated, the State Controller's Office does not pay the vast majority of vendors. Rather as previously explained, in most cases, vendors are paid directly by the agency contracting for the services. For example, the California Department of Motor Vehicles may contract directly with a vendor for purposes of providing office supplies. The vendor then submits its invoice directly to the Department of Motor Vehicles for payment and the payment on that invoice is then made by the Department of Motor Vehicles to the vendor. There are approximately 500 California state governmental agencies, departments and commissions each of which pay some or all of their vendors directly.

As previously explained, and since the vendor payment system is decentralized, the State Controller's Office does not maintain a master or centralized list of all vendors doing business with the individual agencies. Therefore, in order to obtain the information requested, you would be required to serve a separate Public Records Act request on each of the various Boards and Commissions.

I hope this serves as clarification of my prior response.

Sincerely,

Richard J. Chivaro
Chief Counsel
California State Controller's Office

From: info@openthebooks.com [<mailto:info@openthebooks.com>]
Sent: Wednesday, August 28, 2013 9:05 AM
To: rchivaro@sco.ca.gov
Cc: Info@OpenTheBooks.com
Subject: California request for public records

Richard Chivaro, Chief Counsel for California State Controller's Office,

We are requesting clarity of these statements, "The State of California, State Controller' Office does not maintain a centralized vendor contract database which would allow it to identify all contracts regardless of the agency awarding such contract. In fact, many state contracts are paid for directly by the contracting. This procedure allows the contracting agency to make such payments as expeditiously as possible thereby taking advantage of an early payment discount which may be available.

Moreover, the Controller's Office receives literally thousands of claims for payment daily. Claims are batched by date received and are not segregated, logged or otherwise tracked by agency, employee or payment type. Consequently, because of the way the claims are batched and processed by this office, we are unable to locate or otherwise provide you with the documents requested."

Just to make sure I understand what you have stated above, I am asking you to answer some questions to provide clarity to your above statements. Does The State of California Controller's Office maintain a list of all checks written by California State Controller's Office for auditing purposes? Does The State of California Controller's Office follow General Accounting Standards? Does the State of California Controller's Office maintain it's financial records through a computer software package? We are not asking The State of California Controller's Office to segregate any data by date received. We are just asking for the data in bulk. A listing of all checks written by the Controller's office for the years of 2008-2012 (Date, check number, vendor name, description, and amount of check). Including vendors address' and zip codes which would be required by the Controller's office to mail the checks for payment of purchase made and services rendered. I fail to understand the complexity of this request, with that said I am offering you the opportunity to explain your above statements to me to provide a clearer understanding.

To state our request for public records in another perhaps maybe clearer manner, we are asking for all payments made to vendors for purchases made and services rendered for the years 2008-2012.

Please provide us with a clearer explanation and any statutes as to why your agency is unable to provide this information to Open The Books.com, as requested in our originally submitted public records request. I have included a copy of our original request for your convenience.

Thank you for your cooperation with our public records request.
Laura Reigle
Director of Government Information Collection
<mailto:Info@OpenTheBooks.com> Info@OpenTheBooks.com

-----Original Message-----

From: "Rick Chivaro" <<mailto:rchivaro@sco.ca.gov>> rchivaro@sco.ca.gov>
Sent: Monday, July 8, 2013 7:45pm
To: <mailto:info@openthebooks.com> info@openthebooks.com
Subject: california request for public records

Dear Ms. Reigle:

Your electronic inquiry below has been forward to me for review. Through your request, you seek access to an electronic copy of "and" and "all" checkbook payments for the year 2008-2012 which should include the vendor name, vendor address, vendor city, vendor state name, vendor zipcode, Check Date, Check Number, Check Amount.

While your request is not entirely clear, its asks for copies of 'and' and 'all' checkbook payments for the year 2008-2012 which should include the vendor name, vendor address, vendor city, vendor state name, vendor zipcode, Check Date, Check Number, Check Amount.

The State of California, State Controller' Office does not maintain a centralized vendor contract database which would allow it to identify all contracts regardless of the agency awarding such contract. In fact, many state contracts are paid for directly by the contracting. This procedure allows the contracting agency to make such payments as expeditiously as possible thereby taking advantage of an early payment discount which may be available.

Moreover, the Controller's Office receives literally thousands of claims for payment daily. Claims are batched by date received and are not segregated, logged or otherwise tracked by agency, employee or payment type. Consequently, because of the way the claims are batched and processed by this office, we are unable to locate or otherwise provide you with the documents requested.

Sincerely,

Richard J. Chivaro
Chief Counsel
California State Controller's Office

-----Original Message-----

From: <mailto:info@openthebooks.com> info@openthebooks.com [<mailto:info@openthebooks.com>] <mailto:info@openthebooks.com>
Sent: Wednesday, June 26, 2013 10:52 AM
To: EO Inquiry
Subject: california request for public records

State Controller's Office Staff

First Name: ... Laura
Last Name: Reigle
Address: 200 S. Frontage Road, Suite 101 Apt Num:
City: Burr Ridge
State: IL
Zip Code: 60527
Country: USA
Phone: 6305685692
Message:
Subject: FOIA Request - Sent on 06/24/2013 (2008-2012 Checkbook Details)

Date: 06/26/2013

Dear FOIA Compliance Officer,

Pursuant to the Freedom of Information Act/Open Records Act, this is a request for a copy of the following records: I am requesting an electronic copy of "and" and "all" checkbook payments for the year 2008-2012 which should include the vendor name, vendor address, vendor city, vendor state name, vendor zipcode, Check Date, Check Number, Check Amount.

The principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public. A fee waiver is requested. The purpose of this is to make this information more accessible to the public and to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public, and not principally for personal or commercial benefit. I am requesting a waiver of fees.

If there is a charge for this service please obtain my approval in writing prior to proceeding with request.

All documents can be e-mailed to [\[mailto:info@OpenTheBooks.com\]](mailto:info@OpenTheBooks.com) info@OpenTheBooks.com. If any documents are not provided in the format specified, please provide the State or Federal statutes relied upon for that decision. If any record or portion of a record responsive to this request is contained in a record or portion of a record deemed unresponsive to the request, I would like to inspect the entire document. Under the Freedom of Information Act, all non-exempt portions of any partially-exempt documents must be disclosed. If any records or portions of records are withheld, please state the exemption on which you rely, the basis on which the exemption is invoked, the name of the individual responsible for the decision.

Thank you for your prompt consideration of my request. If you have any questions, or if I can be of any assistance, please e-mail me at [\[mailto:info@OpenTheBooks.com\]](mailto:info@OpenTheBooks.com) info@OpenTheBooks.com.

Sincerely,
Mrs. Laura Reigle
[\[http://www.OpenTheBooks.com\]](http://www.OpenTheBooks.com) www.OpenTheBooks.com
Director of Public Information
630-568-5692

OpenTheBooks.com
c/o Laura Reigle and Adam Andrzejewski
200 South Frontage Road
Suite 101
Burr Ridge, IL 60527