

**CALIFORNIA**

**CITIZENS REDISTRICTING COMMISSION**

**POLICY MANUAL**

## TABLE OF CONTENTS

|            |   | Page  |
|------------|---|-------|
|            | Table of Contents   | 2     |
| Section 1  | Commissioner Code of Conduct  | 3     |
| Section 2  | Commissioner Per Diem Policy  | 4-6   |
| Section 3  | Commissioner Per Diem Codes   | 7-8   |
| Section 4  | Staff and Consultant Code of Conduct                                | 9-10  |
| Section 5  | Communications Protocol   | 11-12 |
| Section 6  | Personnel Policy and Procedure                                      | 13    |
| Section 7  | Record Retention Policy   | 14-19 |
| Section 8  | Commission Hearing Security Plan                                    | 20-22 |
| Section 9  | Reporting Lost/Stolen State Issued Equipment                        | 23-24 |
| Section 10 | Attorney Invoice Process  | 25-26 |
| Section 11 | General Contractor Invoice Process                                  | 27-28 |
| Section 12 | Conflict of Interest Code for the Citizens Redistricting Commission | 29-30 |

## **Section 1: Commissioner Code of Conduct**

The Commission's Code of Conduct is a set of conventional principles and expectations that are considered binding on any person serving the California Citizens Redistricting Commission in any capacity.

Per Government Code Section 8253, Commissioners shall not communicate with or receive communications about the Commission's redistricting matters outside of a public meeting. This does not prohibit communications between Commissioners, employees, consultants, and legal counsel that are otherwise permitted by the Bagley-Keene Act.

All Commissioners shall:

- Conduct themselves in a manner which reflects credit on the Commission, their colleagues, and themselves.
- Speak the truth with no intent to deceive or mislead by technicalities or omissions.
- Ensure that all reports presented to the Commission or the public are accurate and honest.
- Honor all agreements made with the Commission or colleagues, with the understanding that individual Commissioners may not bind the entire Commission without action by the full Commission.
- Disclose actual or perceived conflicts of interest to the Commission.
- Take personal responsibility for their actions – for success or failure.
- Act impartially and provide no special privilege to any one member of the Commission or staff.
- Discharge their responsibilities with dedication to achieving the Commission's mission and in line with the Commission's principles.
- Comply with all levels of governmental regulations and Commission policy.
- Disclose information that belongs in the public domain freely and completely but protect privileged information about personnel matters and litigation matters.
- Actively encourage diversity of thought and background through the inclusion of qualified people from diverse backgrounds including ethnic or racial minorities, women, and refuse to engage in and or sanction discrimination on the basis of race, gender, age, religion, national origin, sexual orientation, physical appearance, or disability.
- Refuse to engage in and or sanction activities for personal gain at the expense of the Commission or in violation of government code.
- Strive to build collaborative relationships with others including Commission members, Commission staff, and all individuals striving to participate in the redistricting process.

## **Section 2: Commissioner Per Diem Policy**

### **Guidelines for CRC Per Diem Requests for Post-Map Period** **(updated as of 8/30/11)**

In accordance with Proposition 11, California's Voters FIRST Act, Commissioners may receive \$300 per diem for each day in which they are engaged in "Commission business" on behalf of the Citizens Redistricting Commission (CRC).

CRC-adopted policy states that Commissioners are eligible to claim this Per Diem for any business day in which they have engaged in Commission work for at least six hours. The first six hours may be cumulative: acquired over the course of many days and recorded on the day in which six hours is accumulated. However, for days in which a Commissioner works over six hours (such as in the case of certain Business Meetings), the maximum Per Diem allowed for that day will remain at a maximum of \$300. This updated policy reflects the new circumstances of less travel, fewer public comments, and telephonic meetings which will often be fewer than six hours.

CRC's Per Diem codes should be used when completing your Request for Payment – Per Diem Form CRC-001. Using the codes, Commissioners should group billable hours in increments of 30 minutes or more; anything less than 30 minutes should not be billed (i.e., 10 minutes reading email). This format will help ensure proper coding, timely processing, and a robust public record to verify the way in which taxpayer dollars are being expended on behalf of the CRC.

Please note: When a Commissioner is Chair the Per Diem code for Commissioner Prep should be reflected as CP(CH) or Vice Chair CP(VC). This will allow CRC staff to track increased Commissioner Prep. time due to Chair/Vice Chair activities.

#### **Examples of billable hours include:**

- CRC Business Meetings ONLY (If fewer than six hours, including travel, do not bill until you accumulate 6 hours total)
- CRC Media & Outreach, only if pre-approved and arranged by Dir. of Communications (actual time spent at/in media event - not preparation except for presentations and written pieces)
- Actual travel time to meetings and media engagements
- Prep time as Chair, Vice Chair, Advisory Committee lead, Commissioners with delegated authority - time should be for items designated below and specified:
  - Agenda preparation- no longer than 1 Hr.
  - Conference calls - actual time should be noted
  - Document preparation and/or review of staff prepared materials for commission- actual time should be noted
- Litigation matters:

- attendance at depositions, court appearances at request of CRC Counsel (actual time for travel and attendance)
- conference calls with CRC counsel
- PRA responses, or other legal discovery at the request of CRC counsel
- Note: reviewing CRC meeting videos, handouts, notes, etc. you have previously billed for is not billable unless directed by CRC counsel to refresh your recollection
- Time to respond to PRAs (note actual time)
- Required training (2 hours for sexual harassment; 2 hrs for ethics)
- Time to do your TECs or per diem claims, only if requiring over ½ hour
- Completion of Form 700, not to exceed 2 days

**Examples of non-billable hours include anything that does not directly benefit the state or the Citizens Redistricting Commission:**

- No media “prep-time” for interviews (i.e. reviewing notes, videos, talking points in preparation for media interview/event - likely previously billed)
- Education/advocacy in other states
- Education/advocacy locally
- Reviewing Commission videos, other materials, notes, public comments, etc., that you previously billed
- Reading/composing daily emails including news articles (exception where Chair and Vice Chair)
- Making any travel arrangements
- Doing laundry & packing for CRC events
- Down time because you arrived early for a meeting or couldn’t catch an earlier flight out. (Ex: Sunday, August 14, 2011)
- Casual conversations about the CRC with people you happen to know, i.e. unofficial outreach. “Official” outreach means Rob knows about it, and it is justified based on audience (#, type).
- General research about redistricting with materials not shared with the rest of the Commission unless explicitly delegated to do so by an Advisory Committee or the full body, e.g. watching the documentary *Gerrymandering*, playing with the Advancement project site, etc.
- “Shower time” for general contemplation about CRC activities.
- Transcribing notes
- Telephone calls between commissioners and/or staff (except for scheduled conferences, between Chair and Vice Chair & Leads, or those with delegated authority)

**Tips to track time:**

- Write down the start time and end time of each billable activity and record in your calendar.

Requests for Payment deadlines are key to ensuring CRC's accurate per diem budget tracking; thus deadlines for the requests fall 15 days after the close of any given month. Automatic calendar reminders have been set up using Google Docs to remind Commissioners of Per Diem Request for Payment deadlines. For the occasional Request that has not been received a full 30 days after the close of a given month, CRC staff will send a gentle reminder to that Commissioner.

Staff is responsible for developing and distributing new billing codes to reflect new activities as appropriate. Staff will review all commissioner Per Diem requests in accordance with the above stated policy. Any entry not identified as a billable item or significantly out of the typical range relative to the Commission as a whole will be highlighted for the Chair and Vice Chair. (Staff to consider an acceptable range of billable hours within category relative to the commission as a whole.) The Chair will review all flagged Per Diem requests. The Vice Chair will review the Chair's Per Diem request if flagged.

### Section 3: Commissioner Per Diem Codes

The following codes should be used when completing your per diem request forms. This will help ensure proper coding and timely processing.

|            |  |   |
|------------|--|---|
| <b>BM</b>  | <u>Commission Business Meetings</u>    | Both physical meetings and tele-conferencing. Per diem policy requires minimum accumulations of 6 hours before requesting reimbursement but no more than one request for reimbursement per day regardless of the number of hours spend in the business meeting including travel time.   |
| <b>BMT</b> | <u>Commission Travel Activities</u>    | Actual travel time to both physical meetings and tele-conferencing sites. The per diem policy stated for Commission Business Meetings applies to travel activities.   |
| <b>CM</b>  | <u>Communications Media Activities</u> | Media and outreach activities are reimbursable if the activity is pre-approved and arranged by the Outreach advisory committee, the Director of Communications, or any commissioner or staff person designated by the full commission. Reimbursement is for actual time spent at or in the media event but not for preparation except for presentations and written pieces. |
| <b>CMT</b> | <u>Commission Media Travel</u>         | Actual travel time to media engagements. The per diem policy stated for Commission Business Meetings applies to media travel activities.  |

|            |                                      |   |
|------------|--------------------------------------|---|
| <b>CP</b>  | <u>Commissioner Preparation</u>      | <p>Preparation time, as stated in the Policy and Procedure manual is separated in two categories: (1) preparation time needed by the Chair, Vice Chair, Advisory Committee leads and commissioners with delegated authority for items such as agenda preparation, conference calls, and document preparation, and,</p> <p>(2) General preparation time required by all commissioners for items such as attendance at depositions, court appearances, reviews of prior meeting videos at the direction of counsel, required training, travel expense claim preparation, and required state documents such as the Form 700.</p> <p>Please consult the policy and procedure manual for a more detailed description of activities that are allowed or not allowed. This includes when travel is allowable for any preparation related activities.</p> |
| <b>LM</b>  | <u>Litigation Activities</u>         | <p>Litigation activities are reimbursable if the activity is pre-approved and arranged by the Commission's Chief Counsel or requested and arranged by the Commission's outside counsel. Reimbursable activities include attendance at depositions, court appearances at request of the Chief Counsel (actual time for travel and attendance), conference calls with the commission's counsel and/or outside counsel, and reviews of video's or documents at the direction of the counsel.</p>   |
| <b>PRA</b> | <u>Public Records Act Activities</u> | <p>PRA responses or other legal discovery at the request of commission's counsel or any individual designated by the commission to be responsible for the PRA requests.</p>   |

➤ If a Commissioner is Chair or Vice Chair please put a /CH for chair and /VC for Vice Chair next to their Per Diem Codes.



## **Section 4: Staff Code of Conduct**

The Commission's Code of Conduct is a set of conventional principles and expectations that are considered binding on any person serving the California Citizens Redistricting Commission in any capacity. This includes all persons hired directly or indirectly to perform the tasks of the Commission, including consultants and counsel, regardless of the duration of the hiring.

All employees, consultants and legal counsel working for the Commission shall comply with the requirements of Government Code Section 8253 applicable to the Commissioners, and, in particular, shall not communicate with or receive communications about the Commission's redistricting matters outside of a public meeting of the Commission. This does not prohibit communications between Commissioners, employees, consultants, and legal counsel that are otherwise permitted by the Bagley-Keene Act.

All individuals serving the Commission shall:

- Conduct themselves in a manner which reflects credit on the Commission, their colleagues, and themselves.
- Speak the truth with no intent to deceive or mislead by technicalities or omissions.
- Ensure that all reports presented to the Commission or the public are accurate and honest.
- Honor all agreements made with the Commission or colleagues.
- Avoid actual or perceived conflicts of interest and, if in doubt, openly discuss any concerns with their immediate supervisor. The Executive Director should have any such discussion with both the Chief Counsel and the current Chair of the Commission.
- Take personal responsibility for their actions – for success or failure.
- Serve all members of the Commission impartially and provide no special privilege to any one member of the Commission or staff.
- Discharge their responsibilities with dedication to achieving the Commission's mission and in line with the Commission's principles.
- Comply with all levels of governmental regulations and Commission policy.
- Disclose information that belongs in the public domain freely and completely but protecting information which is confidential to the Commission.

- Actively encourage diversity of thought and background through the inclusion of qualified people from diverse backgrounds including ethnic or racial minorities, women, and refuse to engage in and or sanction discrimination on the basis of race, gender, age, religion, national origin, sexual orientation, physical appearance, or disability.
- Refuse to engage in and or sanction activities for personal gain at the expense of the Commission or in violation of government code.
- Strive to build collaborative relationships with others including Commission members, Commission staff, and all individuals striving to participate in the redistricting process.
- Discharge their job duties in a timely and professional manner, including:
  - ❖ ensuring that assigned responsibilities are completed accurately, completely, and on time;
  - ❖ maintaining positive attendance at work including notifying supervisor of absences or tardiness within one (1) hour of scheduled start of work day; and
  - ❖ keeping managers and supervisors aware of errors and problems that could negatively affect operations.

## **Section 5: Communications Protocol**

1. All communications or requests from the Commission are to be directed to the Executive Director or an individual designated by the Executive Director (designee) to receive communications or requests from the Commission. Staff assignments made as a result of a communication or request from the Commission or a Commissioner are the sole prerogative of the Executive Director or his designee. Any staff work generated by staff for presentation to Commission must be reviewed and approved by the Executive Director or his designee prior to the presentation.
2. All communications between the Commission and the Executive Director will be funneled through the Chair and Vice-Chair of the Communication. If the Chair and Vice-Chair designate another Commissioner as a lead, the Executive Director will send and receive information from that individual directly and provide the Chair and the Vice-Chair with copies of all communications.
3. All calls or e-mails from the media will be transferred to the Communications Director. If the Communications Director is absent, the staff person should take a message and e-mail to the Communications Director or transfer the call to the Communications Director's voice mail. No matter what the question, the staff person is only to take a message or transfer the call. If the caller is insistent, the staff person should transfer the call to the Executive Director or the Chief Counsel who will take the message on behalf of the Communications Director.
4. All telephone questions from the public regarding contracting and the Commission's process as to timelines, decision making process, or other activities are to be written down and given to Executive Director, his or her designee or the Chief Counsel. These calls are only to be transferred to the Chair, Vice-Chair, or other Commission staff if there is an expressed urgency to the response.
5. All e-mail or written questions and/or comments directed to the Commission by mail or through the Commission's web site will be reviewed by the Commission's Senior Operations Analyst and disseminated in the following manner:
  - a. Documents that, in the opinion of the Senior Operations Analyst, are not offensive or threatening will be posted to the Commission's web site and simultaneously e-mailed to the Commissioners, the Executive Director, the Chief Counsel, the Commission's primary Administrative Assistant, and any other staff person that the Executive Director deems necessary.
    - i. Documents that are determined to be offensive or threatening in any way by the Senior Operations Analyst will be reviewed by the Commission's Executive Director, his or her designee, and/or the Chief Counsel.
    - ii. If the Commission's Executive Director, designee, and/or Chief Counsel determine that the document(s) is not, in his or her opinion,

sufficiently offensive or is not credibly threatening; the document will be posted as required per 5. A. above.

- iii. If the Commission's Executive Director, designee, and/or Chief Counsel determine that the document(s) is, in his or her opinion, sufficiently offensive or credibly threatening to not be posted, the document(s) will be forwarded to the Chair and Vice-Chair for concurrence. If the Chair and Vice-Chair disagree, the document(s) will be posted as required, per 5. A. above, upon written direction from the Chair and Vice-Chair.
- iv. If the Commission's Executive Director, designee, and/or Chief Counsel determine that the document(s) is, in his or her opinion, sufficiently offensive or threatening to not be posted, the document(s) will be forwarded to the Chair and Vice-Chair for concurrence. If the Chair and Vice-Chair concur, the document will not be posted. Instead:
  1. The document will be placed into a file of "Un-posted Documents" in the Google Doc's section of the Commission's G-Mail account.
  2. The Senior Operations Analyst will notify all Commissioners that an offensive and/or threatening document has been placed in the Un-posted Documents file for their review.
- v. All documents in the Un-posted Document file will be subject to the Public Records Act and will be released upon specific request under the act.

## **Section 6: Personnel Policy and Procedure**

### **1. Employee Status**

- a. All employees of the Commission are exempt from civil service. (Gov. Code Secs. 8253(a)(5), 8253.6(b).)

### **2. Employee Evaluations**

- a. The Commission shall adopt evaluation criteria for the Executive Director.
- b. The Executive Director shall develop objective evaluation criteria for all employees consistent with the standards required by the California Department of Personnel Administration and a methodology for the delivery of employee evaluations that is consistent with state policy.

### **3. Hiring and Firing of Employees**

- a. Any decision to hire an employee may only be made at a public meeting of the Commission and requires nine or more affirmative votes including at least three votes of members registered from each of the two largest parties and three votes from members who are not registered with either of the two largest political parties in California. (Gov. Code Sec. 8253(a)(5).)
- b. All employees of the Commission are “at will” employees, and may be discharged for good cause or for no cause at all, but may not be discharged for reasons that violate either the public policy of California or state or federal statutes.
- c. All employees of the Commission are required to conduct themselves consistent with the Commission’s Code of Conduct, and failure to do so may constitute grounds for discharge.
- d. Any employee accused of misconduct and facing discharge may request a hearing before the Finance and Administration Advisory Committee prior to discharge by the Commission.
- e. Any decision to discharge an employee may only be made at a public and noticed meeting of the Commission and requires nine or more affirmative votes including at least three votes of members registered from each of the two largest parties and three votes from members who are not registered with either of the two largest political parties in California. (Gov. Code Sec. 8253(a)(5).)

## **Section 7: Record Retention Policy**

### **PURPOSE**

This policy provides guidelines for the record retention practices of the Citizens Redistricting Commission (Commission). This policy applies to all records created and received by the Commission, Commissioners, and Commission staff, including paper and electronic records, relating to the Commission's redistricting work.

### **BACKGROUND**

The State Records Management Act, Government Code Sections 14740 – 14769 (Act), requires the Commission to establish and maintain a program for the economical and efficient management of its records. (Gov. Code, Sec.14750, subd. (a).) For this purpose, the Commission establishes this record retention policy.

The Act defines records as follows:

“[A]ll papers, maps, exhibits, magnetic or paper tapes, photographic films and prints, punched cards, and other documents produced, received, owned or used by an agency, regardless of physical form or characteristics. Library and museum materials made or acquired and preserved solely for reference or exhibition purposes, and stocks of publications and of processed documents are not included within the definition of the term ‘record’ or ‘records’ as used in this chapter.”

(Gov. Code, § 14741.) In other words, the definition of records for purposes of the State Records Management Act includes all records, regardless of their form, made or received by the Commission in connection with the performance of its public duties.

### **POLICY**

#### **Executive Director Responsibilities**

The Executive Director is responsible for overseeing the Commission's compliance with all applicable statutes, regulations, and other legal requirements related to record retention, and has the following duties: records inventory, records review and appraisal, and renewal and updating of schedules as required.

#### **Appraising Record Values**

Records that are required to be retained cannot be destroyed by the Commission unless the Department of General Services has determined that the records have no further administrative, legal, or fiscal value, and the Secretary of State has determined that the records lack sufficient research, historical, or archival value justifying preservation in the

state archives. Development of effective record schedules and proper retention periods requires careful evaluation of these factors, which are summarized as follows.

Administrative Value. A record's administrative value is measured by how much it assists the Commission in performing current or future work. The primary administrative value of most records is exhausted, and thus should be destroyed, when the transactions to which they relate are completed. However, some administrative records contain important facts concerning the Commission's policies and functions; and, therefore, may be appropriate for longer retention to document the Commission's operations.

Legal Value. Records have legal value if they are relevant to a legally enforceable right or obligation of the state or the Commission. Once that right or obligation is conclusively resolved, the legal value of such records is exhausted. Examples of records with legal value include: legal decisions and opinions; fiscal documents; public input regarding redistricting; and draft and final redistricting maps..

Fiscal Value. Records of fiscal value pertain to the financial transactions of the Commission, such as budgets, ledgers, allotments, payrolls and vouchers. After records have served their basic administrative functions, they may still have sufficient fiscal value to justify extended retention to protect the Commission against court action or audits.

Research, Historical, or Archival Value: Some records have enduring value because they reflect significant historical events or document the history and development of the Commission. The California State Archives identifies such records in the Commission's schedules and reviews them prior to authorizing their destruction.

### **Categories of Records**

To ensure that the Commission develops consistent and appropriate record retention schedules that allow the Commission to operate as effectively and efficiently as possible, the following categories of records are established. The Commission's record retention policies apply equally to paper and electronic records, including word processing documents, databases and email. Electronic records must be retained for the same time period as corresponding paper records.

#### 1. Permanent and Vital Records.

Description: Permanent records are records that are required to be permanently preserved pursuant to state or federal law, regulations, or at the direction of the Commission.

Retention Period: Permanent. However, duplicate copies of permanent and vital records may be destroyed whenever they are no longer necessary for the efficient and effective operation of the Commission.

2. Active and Current Records.

Description: These are records maintained in an office or computer system for ready access because they are frequently referred to and necessary for effective and efficient performance of Commission responsibilities

Retention Period: Retention period specified by law or regulation. Where state or federal law prescribes a definite period of time for retaining certain records, the schedule must provide for retention of those records for the prescribed period. Examples of such records include the Conflict of Interest Form 700 , which must be retained for seven years pursuant to Government Code section 81009, subdivision (e), and employment records, most of which must be retained for four years pursuant to federal and state law.

No retention period specified by law or regulation. Where state or federal law does not prescribe a retention period, the records schedule shall specify a retention period based on a careful evaluation of the record's administrative, legal, fiscal, and historical value. Absent unusual circumstances, active and current records maintained in a Commission office should be immediately disposed of or sent to storage when they are no longer necessary for the effective performance of Commission business. Transitory email consists of electronic messages that are created primarily for the communication of informal information as opposed to the perpetuation or formalization of knowledge. Transitory email should be destroyed once it has served its purpose.

3. Storage Records.

Description: Storage records include permanent records, active or current records that need not be readily accessible, and inactive or noncurrent records where it is administratively, legally, or fiscally prudent to retain the records for a prescribed period of time. Storage records may be located in personal offices, Commission storage, private storage, or stored electronically



(such as on Commission computers or other electronic storage device/equipment.)

Retention Period: Paper Records. Only active, current, or permanent records that are frequently referred to and necessary for effective and efficient performance of commission responsibilities should be stored in Commission offices. Permanent records may be sent to storage.

4. Electronic Records.

Description: Active and current electronic records must be stored in secure location for the same time as their corresponding paper records. Reference, working, or informational copies of electronic records and notes should be destroyed when no longer needed.

Retention Period: No Retention Required.

5. Documents and Other Material

Description: Documents and other material that need not be retained for any minimum period of time include: reference, working, or informational copies of records; phone messages; transitory email; informal notes; rough drafts of letters, memoranda or reports; copies of correspondence; and library and reference material.

Retention Period: Documents and other materials within this category (including originals and copies) should be destroyed when no longer needed unless they are otherwise required to be retained, are necessary to the functioning or continuity of the Commission, or have legal significance. According to the Department of General Services, computer back-up tapes and other duplicate computer files are not records that must be retained for purposes of the State Records Management Act.

**Designating the “Record Copy.”**

Because records can be maintained in multiple locations, the Executive Director should identify a secure location for the retention of “record copies” to be kept for the full retention period. All remaining copies should be destroyed as appropriate.

**Public Records Act.**

Notwithstanding the planned destruction of records pursuant to a record retention schedule, upon being informed of a Public Records Act request (pursuant to GC §6250 et seq.), the Executive Director shall take reasonable steps to ensure that no record that may be responsive to that request is destroyed until the request has been satisfied by informing the Commission and staff of the request and asking them to refrain from destroying requested records. Upon complying with the Public Records Act request, any records not otherwise required to be retained need not be retained.

**Litigation Holds.**

Records relevant to pending litigation must, at a minimum, be retained until the litigation is finally concluded.

**RECORDS RETENTION SCHEDULE**

**Category of Records**

**Retention Schedule**

**Personnel and Payroll Records**

|                  |   |
|------------------|---|
| Payroll Records  | Four years from end of pay period.  |
| Health Benefits  | Retain until superseded.  |
| Employee Records | Retain until employee separates from state service, and then for five years.  |
| Job Descriptions | Retain until superseded, and then retain as required for historical purposes. |

**Fiscal Records**

|                      |  |
|----------------------|--|
| Budget and Ledgers   | Four years.  |
| Reimbursement Claims | Four years from end of fiscal year in which filed. |

**RECORDS RETENTION SCHEDULE  
(Continued)**

**Category of Records**

**Retention Schedule**

**Correspondence**

|   |   |
|---|---|
| Letters   | Discard when no longer needed, unless required to be kept permanently as part of redistricting process. |
| Transmittals without significant information as to material transmitted.                          | Discard when no longer needed.  |
| Transitory e-mail, created to transmit informal information.                                      | Discard when no longer needed.  |
| E-mail consisting of records that, if not transmitted by e-mail would be required to be retained. | Retain for the same period as would be required if not transmitted as e-mail.                           |

**Redistricting Records**

|   |  |
|---|--|
| Commission agendas and minutes.   | Keep permanently.  |
| Records of public input, including by letter, e-mail, or by other means if not transmitted as an e-mail would be. | Keep for 10 years after redistricting completed or transcripts of public testimony, and until any litigation is concluded, whichever is later. |
| Reports from consultants.   | Keep for 10 years after redistricting completed or until any litigation is concluded, whichever is later.                                      |
| Draft redistricting maps.   | Keep for 10 years after redistricting completed or until any litigation is concluded, whichever is later.                                      |
| Final redistricting maps.   | Keep permanently.  |

## **Section 8: Input Hearing Security Plan**

### **Staff and Contractor Responsibilities**

1. California Highway Patrol (CHP) or venue specific security guards will provide venue security.
2. The security officer should always be positioned near the commissioners once the meetings begin.
3. The security officer will be briefed by staff on the intended purpose of the meeting, any prior issues from past meetings, where his or her position should be during the meeting, and what he or she is expected to do in the event of a disturbance.
4. The local law enforcement agency with jurisdiction over the venue will be alerted and told that the commission is holding a meeting where there is a potential for disturbance or where there have been disturbances in the past.
5. Staff (in conjunction with venue staff and/or local law enforcement) will determine the best evacuation plan for each venue that removes the commissioners quickly and, if possible, without passing through the crowd. The commission will be briefed prior to the beginning of the meeting on where to withdraw in the event of a disturbance.
6. During all breaks, staff will block the access to the podium to ensure that no member of the public has access to the commission seating area.
7. At the end of each meeting, the Commission's staff will remain until all Commissioners and contractor staff have left the venue. Commission staff will escort any Commissioner leaving alone to their vehicle before leaving the venue.

### **Commission Responsibilities**

1. The commissioners will contribute to the safety and decorum of their events by:
  - a. Entering together and on time and leaving the podium together at the end of the meeting (Commissioner's arriving late to a venue should be enter with a member of the Commission's staff and be escorted to the Commission's seating area, if possible, or proceed directly to the Commission's seating area without stopping in the public seating area);
  - b. Keeping questions on point;
  - c. Not mingling with the crowd until after the meeting unless an individual commissioner chooses to do so;
  - d. Taking breaks in groups of two or more and utilizing staff when necessary.
  - e. Not meeting with members of the public at the Commissioner's seating area; if a member of the public attempts to move to the Commissioner's seating area, the following should occur:

- i. If possible, Commission staff or venue security will intercept the individual(s) and request that they not approach the Commission's seating area. If the individual(s) request a meeting with one or more of the Commissioners, the Commissioner(s) will be notified by staff.
  - ii. If a member of the public approaches the Commissioners seating area without being intercepted by the Commission staff or venue security, the Commissioner that is approached should:
    1. Ask the individual(s) to please move away from the Commission's seating area, and/or
    2. Immediately request Commission staff or venue security to escort the individual(s) away from the Commission seating area, or
    3. Guide the individual away from Commission seating area and ask them not to return to Commission seating area.
  - iii. If a member of the public requests a meeting with a Commissioner(s) and the Commissioner(s) chooses to meet with that individual(s), per 1. c. i. above, before, during or after the meeting, the Commissioner(s) should leave the Commission seating area and have the conversation sufficiently away from the Commission seating area to reflect a distinct separation away from that area.
2. The chair reads a brief statement regarding the reason for the meeting and what is expected from the participants and the crowd. Personal introductions are eliminated.
3. A dedicated microphone is always provided for the public. The microphone is located separately from the staff table/microphone and away from commission seating.
4. The attendees are seated as far from the commission as practical. No balcony seating or seating behind or to the sides of the commission.
5. A written list of rules that include the Chair's statement of expectations is provided to attendees at the door. The rules clearly state what will be considered grounds for asking a member of the public to leave and what will prompt the use of security. The rules will also be posted at the door. Rules may include: outbursts that are derogatory in nature or intended to intimidate other participants; displays or presentations not previously approved by the commission chair; any series of minor disruptions that, in their totality, show a lack of respect for the commission or any other attendee, etc. (If required by the commission, a final list of rules will be compiled and approved by the chair prior to the next series of meetings.)

6. For any disturbance witnessed by a Commissioner, a note will be passed regarding the perceived disturbance(s) to the Vice-Chair. The Vice-Chair will then text or gesture to the senior staff person attending the meeting or text or pass a note to the staff liaison who will then text the senior staff person attending. The senior staff person will:
  - a. Go directly to the disturbance and politely asks the individual(s) to have their discussion outside or ask the individual(s) to refrain from speaking/commenting during the meeting out of respect to the Commission and the public.
  - b. Elevate the issue to the security guard if necessary. This action will be at the sole discretion of the senior staff person.
  - c. Request that the Chair stop the meeting while the disturbance is resolved.
7. For any imminent or occurring disturbance noticed by any commissioner besides the Chair, any commissioner may interrupt the proceeding at any time and request a break of 5 minutes. During that time, the commissioner requesting the break should convene with the rest of the commissioners and make a report to the chair.

### **Contingency Plans**

1. In the event that there is a disturbance, the chair will stop the meeting until the disturbance is resolved.
2. If the disturbance is prolonged or greater than two persons in size, the commissioners will leave the podium and assemble in a pre-determined location until the disturbance ceases.
3. In the event that a disturbance cannot be ended, the chair will return to the podium with staff and the security personnel, if possible. The chair will adjourn the meeting and all speakers will be advised to submit their testimony on line. The commission will then remain in a secluded location until the area is secure. The commissioners will then move as a group with staff to their vehicles and leave the area.

## **Section 9: Reporting Lost/Stolen State Issued Equipment**

If any individual associated with the Citizens Redistricting Commission (CRC), including a Commissioner, staff, or consultant, loses state issued equipment, such as a laptop, cell phone, air card, portable printer, electric timer, charger cord, etc., that individual will be responsible for:

- Notifying the Executive Director, Business Manager and/or Senior Operations Analyst immediately but no later than 24 hours after the equipment is discovered missing. If the item is lost or stolen while the Commission is traveling as a group to input hearings or business meetings, the Commission's Liaison should be notified and that individual will forward the notification to the appropriate individuals, stated above. Notification shall include, at a minimum, a description of the missing item and when and where the item was last known to be seen.
- If the lost or stolen item utilizes a service carrier, the Senior Operations Analyst shall immediately but no later than 24 hours after the equipment is reported missing), upon receiving notification of a lost or stolen item, contact the service carrier providing service for that equipment to report the loss, cancel service and follow other protocol required by the service carrier.
- The Senior Operations Analyst shall also immediately contact the CHP to file a report on the missing/stolen equipment as required by the State Administrative Manual (SAM) Sections 5350.1 through 5350.4.
- The individual who lost the equipment or was in possession of the equipment when it was stolen, will obtain a CRC Lost/Stolen State Issued Equipment Report Form from the CRC Business Manager, Senior Operations Analyst, or the Commission Liaison. The form must be completed and returned to the applicable CRC staff within 24 hours of obtaining the form. An abbreviated form is shown on the next page of this policy and procedure manual.
- The CRC Business Manager shall promptly complete a Std. 152 Form (Property Survey Report), as required by SAM, and submit it to the Department of General Services.
- In the event it is suspected that the equipment was stolen, the Executive Director shall notify all Commissioners and staff regarding the loss or suspected theft.
- In addition, if it is determined that the state property was lost due to fraud or embezzlement, the Executive Director shall notify the Department of Finance, Office of State Audits and Evaluations and the Bureau of State Audits, as required by SAM Section 20080.

**CITIZENS REDISTRICTING COMMISSION**  
**LOST/STOLEN STATE ISSUED EQUIPMENT REPORT**  
(Please use a separate form for each piece of equipment being reported)

Date: \_\_\_\_\_

Name of person completing this form: \_\_\_\_\_

Business Address: \_\_\_\_\_

Detailed description of lost or stolen equipment \_\_\_\_\_  
\_\_\_\_\_

Make/Model \_\_\_\_\_

Model # \_\_\_\_\_ Serial# \_\_\_\_\_

Date equipment was lost or stolen \_\_\_\_\_

Time equipment was lost or stolen (if known) \_\_\_\_\_

To Whom Have You Reported this Loss? \_\_\_\_\_

Estimated value of equipment (if known)? \_\_\_\_\_

Please provide a brief explanation as to what steps you have taken (or are taking) to protect the remaining state issued equipment in your possession.

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Please provide an explanation below (to the best of your knowledge) of the details surrounding the loss of the equipment being reported. Be as specific as possible and include dates, descriptions, how and where equipment was lost (including the city, venue, and exact location you last saw the equipment) and what steps you have taken to attempt to recover the equipment. If equipment was stolen from a vehicle, please provide the vehicle license number. Please use additional paper if necessary.

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To the best of my knowledge and belief, the facts stated above are true and accurate.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_



## **Section 10: Attorney Invoice Process**

1. All invoices should first be submitted to the Executive Director and the Business Manager. The Business Manager logs the documents as received and reviews them for accounting accuracy and documentation.
  - a. Any invoices that appear to have computational errors or lacking documentation will be returned to the contractor for correction or explanation. The Business Manager logs the documents as returned to the contractor.
  - b. Invoices that are correct in computation and documentation are forwarded to the Chief Counsel. The Business Manager logs the documents as forwarded to the Chief Counsel.
  
2. The Chief Counsel and the commissioners delegated with attorney oversight review the documents to ensure that the Commission has received the services for which it contracted. The two commissioners that currently have this delegated authority are Commissioner's Forbes and Ancheta. This process should be completed within two business days.
  - a. If either the Chief Counsel or the commissioners have questions, they return the documents to the Business Manager with a detailed description of his issues with the invoices. The Business Manager returns the documents and the detailed description to the contractor and logs the documents as returned to the contractor.
  - b. If the Chief Counsel and the commissioners determine that the services stated are correct receivables as specified in the Commission's contracts and agreements with the contractor, they approve the documents and return them to the Business Manager. The Business Manager logs the documents as approved by the Chief Counsel and the commissioners. Finance and accounting staff will forward the documents to the Department of General Services (DGS) Accounts Payable for review.
  
3. The DGS typically takes up to 15 days to review the Commissions submissions for payment. If errors are noted, the documents are returned to the Commission. Finance and accounting staff will be responsible for logging the documents back into the Commission and resolving the issues. (They will almost always be procedural, computational, or related to a lack of documentation at this stage.) Once the issue is corrected, commission finance and accounting staff forward the documents back to the DGS for review and approval of the payment and log the documents back out to DGS. The 15 day review period begins again.

4. Once the DGS is satisfied with the documentation, the information is transmitted to the State Controller's Office (SCO). The SCO is responsible for ensuring that the agency requesting payment has the funds to cover the payment. The SCO typically takes up to 30 days to verify funds, print the check, and send the check. If there are discrepancies, the SCO will deny the payment. The agency requesting payment must resolve the discrepancy before resubmitting the documentation for payment. This is typically done by the agency (CRC) correcting the error through the Department of Finance which verifies the funds available to the agency. When the documentation is resubmitted to the SCO the 30 days review period begins again. Denials with the SCO are rare but can occur, particularly with small agencies like the CRC because of the peculiarities with our funding sources.
5. Once the SCO sends the check, the contractor is at the mercy of the transfer method. We have already had a check lost in the mail. If this happens, there is a stop check period by the SCO and then up to 30 days to reissue the check. The CRC has no control over this.

## Section 11: General Contractor Invoice Process

1. All invoices should first be submitted to the Business Manager. The Business Manager logs the documents as received.
  - a. The Business Manager and finance and accounting staff reviews the documents for the correct receivable(s), accounting accuracy and documentation.
  - b. Any invoices that appear to have factual or computational errors or lacking documentation will be returned to the contractor for correction or explanation. The Business Manager logs the documents as returned to the contractor.
  - c. Invoices that are correct in computation and documentation are forwarded recorded by the finance and accounting staff and then send to the Department of General Services (DGS) Accounts Payable for review.
2. The DGS typically takes up to 15 days to review the Commissions submissions for payment. If errors are noted, the documents are returned to the Commission. Finance and accounting staff will be responsible for logging the documents back into the Commission and resolving the issues. (They will almost always be procedural, computational, or related to a lack of documentation at this stage.) Once the issue is corrected, commission finance and accounting staff forward the documents back to the DGS for review and approval of the payment and log the documents back out to DGS. The 15 day review period begins again.
3. Once the DGS is satisfied with the documentation, the information is transmitted to the State Controller's Office (SCO). The SCO is responsible for ensuring that the agency requesting payment has the funds to cover the payment. The SCO typically takes up to 30 days to verify funds, print the check, and send the check. If there are discrepancies, the SCO will deny the payment. The agency requesting payment must resolve the discrepancy before resubmitting the documentation for payment. This is typically done by the agency (CRC) correcting the error through the Department of Finance which verifies the funds available to the agency. When the documentation is resubmitted to the SCO the 30 days review period begins again. Denials with the SCO are rare but can occur, particularly with small agencies like the CRC because of the peculiarities with our funding sources.

4. Once the SCO sends the check, the contractor is at the mercy of the transfer method. We have already had a check lost in the mail. If this happens, there is a stop check period by the SCO and then up to 30 days to reissue the check. The CRC has no control over this.

## **Section 12: Conflict of Interest Code for the Citizens Redistricting Commission**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict-of-interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to in duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designated positions and establishing disclosure requirements, shall constitute the conflict-of-interest code of the Citizen's Redistricting Commission (Commission).

Individuals holding designated positions shall file their statements with the Citizens Redistricting Commission, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Commission members and Executive Directory, the Commission shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. All other statements will be retained by the Commission.

### **Designated Positions Assigned Disclosure Category**

|   |                      |
|---|----------------------|
| Commissioners<br>Executive Director<br>Chief Counsel and Staff Counsel<br>Communications Director<br>Budget Officer<br>Consultants* | <b>Category 1</b>    |
| Office/Business Manager<br>Administrative Assistants,<br>Associate Government Program Analysts (AGPA)                               | <b>Category 2, 3</b> |
| Staff Services Analyst  | <b>Category 3, 4</b> |

\*With respect to Consultants, the Executive Director may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in category 1. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure. The Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. Nothing herein excuses any such consultant from any other provisions of this conflict of interest code.

## **Disclosure Categories**

### **Category 1:**

Designated positions assigned to this category must report: All interests in real property in the State of California, as well as all investments, business positions and sources of income, including gifts, loans and travel payments, and including, but not limited to, income from a political consulting firm and any California political committee or California Congressional political committee.

### **Category 2:**

Designated positions must report real property in California.

### **Category 3:**

Designated positions assigned to this category must report: All investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, and from sources which manufacture or sell supplies, services, or equipment, of the type utilized by the Commission, including but not limited; to persons that engage in mapping, elections data, census and redistricting. Income, if any, from a Commissioner, political consulting firm and any California political committee or California Congressional political committee.

### **Category 4:**

Designated positions assigned to this category must report: Business positions, investments in business entities, or income from sources which are engaged in the field of information technology and telecommunications, including but not limited to; sources that prepare and market software programs used for redistricting, mapping, elections and census. Income, if any, from a Commissioner.