

Policy Discussion

Background

Pursuant to Government Code Section 8253 (a)(5): "The commission shall hire commission staff, legal counsel, and consultants as needed. The commission shall establish clear criteria for the hiring and removal of these individuals, communication protocols, and a code of conduct. The commission shall apply the conflicts of interest listed in paragraph (2) of subdivision (a) of Section 8252 to the hiring of staff to the extent applicable. "

Furthermore Government Code Section 8253 (a)(2) provides that "[t]he records of the commission pertaining to redistricting and all data considered by the commission are public records" And pursuant to Government Code Section 12274, the commission is required to have a record retention policy.

The 2010 commission created seven additional policies beyond the required: Personnel, Communications, Commission Code of Conduct, Staff Code of Conduct, and Records Retention.

The titles of all the 2010 policies are listed here:

1. Commissioner Code of Conduct
2. Commissioner Per Diem Policy
3. Commissioner Per Diem Codes
4. Staff and Consultant Code of Conduct
5. Communications Protocol
6. Personnel Policy and Procedure
7. Record Retention Policy
8. Commission Hearing Security Plan
9. Reporting Lost/Stolen State Issued Equipment
10. Attorney Invoice Process
11. General Contractor Invoice Process
12. Conflict of Interest Code for the Citizens Redistricting Commission

The Finance and Administration Sub Committee is bringing forward for approval the 2020 Per Diem and Commissioner Code of Conduct Policies.

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 on the California Citizens Redistricting Commission.

Per Government Code Section 8253 (a)(3), Commission members shall not communicate with or receive communications about redistricting matters from anyone outside of a public meeting/hearing. This does not prohibit communications between Commissioners, staff, consultants, and legal counsel that are otherwise permitted by the Bagley-Keene Act.

Every Commissioner shall:

- Conduct themselves in a manner which reflects positively 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 any 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 policies.
- Disclose information that belongs in the public domain freely and completely and protect privileged Commission information.
- Actively encourage diversity of thought through the inclusion of people from diverse backgrounds 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.
- Build relationships with others from a place of collaboration and respect that supports and upholds the dignity of California's diverse population, the Commission members, Commission staff, and all individuals participating in the redistricting process.

Commissioner Per Diem Policy

In accordance with Government Code Section 8253.5, members of the Commission shall be compensated \$300 for each day the member is engaged in Commission business. For each succeeding Commission, the rate of compensation shall be adjusted in each year ending in nine by the cumulative change in the California Consumer Price Index. (The rate for the 2020 Commission is \$378 per day.)

On October 20, 2020, the 2020 California Citizens Redistricting Commission adopted the language in Government Code Section 8253.6 as their per diem policy without applying any further parameters.

Commissioners are to submit their per diem claims monthly, and are encouraged to submit their claims within two weeks of the end of the month. Commission staff will be responsible for reviewing all per diem and travel expense requests.