

# 2020 California Citizens Redistricting Commission

## Policy Manual

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## **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.

Based on the policies cited above, the required policies are: Personnel, Communications, Commission Code of Conduct, Staff Code of Conduct, and Records Retention. Additional policies are adopted as required by the Commission. All policies are reviewed and approved by a majority vote of the full commission.

# Commissioner Code of Conduct

Adopted 11/4/2020

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, staff, or the public.
- Discharge their responsibilities with dedication to achieving the Commission's mission and in line with the Commission's principles.
- Act with fiscal prudence when conducting Commission business.
- 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**

Adopted 11/6/2020

- 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 8253.5 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 by the 5<sup>th</sup> of the following month. Commission staff will be responsible for reviewing and processing all completed per diem forms (STD. 634 form) within three business days. Electronic signature or scanned per diem forms are acceptable.

## **Commissioner Personal Expense Policy**

Adopted 11/6/2020

In accordance with Government Code Section 8253.5, members of the Commission are eligible for reimbursement of personal expenses incurred in connection with the duties performed. A member's residence is deemed to be the member's post of duty for purposes of reimbursement of expenses.

Commissioners should submit a travel expense claim (STD. 262 form) monthly to obtain reimbursement for personal expenses incurred in connection with their Commission duties. Commissioners are encouraged to submit their claims by the 5<sup>th</sup> of the following month. Multiple months' expenses can be submitted on one travel expense claim as long as the claim is within the same fiscal year. This would normally be done when a Commission-related trip crosses into the following month.

Commission staff will be responsible for reviewing and processing all completed travel expense claims (STD. 262 form) within three business days. Electronic signature or scanned travel expense claims are acceptable.

# Personnel Policy

Adopted 12/14/2020

## 1. Employee Status

- a. All employees of the Commission are exempt from the civil service requirements of Article VII of the California Constitution. (Gov. Code Sec. 8253.6(b).)

## 2. Hiring and Firing of Employees

- a. Any decision to hire an employee may only be made at a public meeting of the Commission. The hiring process for the Executive staff will be conducted by the entire Commission in closed session. The hiring process for all other staff positions will be conducted by the executive responsible for overseeing that position. Once a candidate for a staff position has been identified, the job description and candidate's resume will be submitted to the Finance and Administration Sub Committee for review prior to being presented to the full Commission for approval. Hiring of all Commission employees 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 dismissed for good cause or for no cause at all, but may not be dismissed 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 Staff Code of Conduct, and failure to do so may constitute grounds for dismissal.
- d. Any employee accused of misconduct and facing dismissal may request a hearing before the Finance and Administration Sub Committee prior to dismissal by the Commission.
- e. Any decision to dismiss an employee will be made in closed session at a regularly 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).) An employee may request to have his/her dismissal discussed in open session.

## 3. 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 Human Resources and a methodology for the delivery of employee evaluations that is consistent with state policy.

- c. Performance evaluations and feedback shall be conducted annually for each employee one year from their hire date.

## **Staff Code of Conduct**

Adopted 12/2/2020

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 support the work 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(a)(3) 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.

Every individual serving the Commission 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.
- Avoid actual or perceived conflicts of interest and, if in doubt, openly discuss any concerns with their immediate supervisor and/or point of contact. 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, staff, or the public.
- Discharge their responsibilities with dedication to achieving the Commission's mission and in line with the Commission's principles.
- Act with fiscal prudence when conducting Commission business.
- Comply with all levels of governmental regulations and Commission policies.



- Disclose information that belongs in the public domain freely and completely and protecting privileged/confidential 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, Commission members, Commission staff, and all individuals participating in the redistricting process.
- Not engage in any active volunteering for, consulting for, or service as paid staff for any candidate for public office or any current office holder in California.

# Communications Protocol

Adopted 12/14/2020

1. All communications or requests from the Commission regarding staff assignments or requests of vendors, including legal counsel, the line drawers or subcontractors to any commission vendor, are to be directed to the Commission's current Chair, Vice-Chair, or the Executive Director or an individual designated by the Executive Director or Chair (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/her designee. Any staff work generated by staff for presentation to the Commission must be reviewed and approved by the Executive Director or his/her designee prior to the presentation.
2. All calls or emails from the media will be transferred to the Communications Director. If the Communications Director is absent, the staff person should take a message and email the Communications Director or transfer the call to the Communications Director's voice mail. 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 Deputy Executive Director who will take the message on behalf of the Communications Director.
3. 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 the Executive Director, his/her designee or the Chief Counsel as deemed appropriate. 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.
4. All email or written questions and/or comments directed to the Commission by mail or through the Commission's website will be reviewed by the Communications Director or designee and disseminated in the following manner:
  - a. Documents that, in the opinion of the Communications Director, are not offensive or threatening will be posted to the Commission's website and simultaneously emailed to the Commissioners, the Executive Director, the Deputy 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 will be reviewed by the Chief Counsel or his/her designee.
    - ii. If the Commission's Chief Counsel or designee determine that the document(s) is not, in their opinion, sufficiently offensive or is not credibly threatening, the document will be posted as required per 4.a. above.
    - iii. If the Chief Counsel or designee determine that the document(s) is, in their opinion, sufficiently offensive or credibly threatening, the document(s) will be forwarded to the Chair and Vice-Chair, and the document will not be posted. Instead:

1. The document will be placed into a file of “Unposted Documents” folder in the Commission’s document storage area.
  2. The reasons for not posting the document will be documented and uploaded to the “Unposted Documents” folder.
  3. The Communications Director will notify all Commissioners that an offensive and/or threatening document has been placed in the “Unposted Documents” file for their review.
- iv. All documents in the “Unposted Document” folder will be subject to the Public Records Act, and will be released upon specific request under the act.
- b. Staff shall respond to questions submitted by the public either by phone call, email, letters or social media within two business days.

## **External Communications Approval Protocol**

Adopted 02/25/2021

### Routine Communications

Social media posts, press releases, and responses to routine emails, letters, or phone calls from the public will be handled by the communications staff or appropriate subcommittee as part of their daily duties. Guidelines for these communications will be developed by the Executive Director and/or Deputy Executive Director and the Communications Director.

### Responses by the Commission Chair

Any communications to the Commission that require a response by the Commission Chair will be:

- Drafted by the appropriate Commissioner or staff member(s).
- Reviewed by the Executive Director and/or Deputy Executive Director, Legal Staff, and the current Chair and Vice Chair. Review by legal staff shall include the legal ramifications involved with the response or to provide legal advice and citations to strengthen the response.
- At the option of the Chair, members of a relevant subcommittee(s) may be consulted for clarification and concurrence.
- Final approval, signature, and release will be the responsibility of the current Chair.

### Correspondence on Behalf of the Entire Commission

Correspondence on behalf of the entire Commission will require approval of the Commission during a public meeting.

- Correspondence will be drafted by the appropriate Commissioner or staff member(s).
- Reviewed by the Executive Director and/or Deputy Executive Director, Legal Staff, and the current Chair and Vice Chair. Review by legal staff shall include the legal ramifications involved with the response or to provide legal advice and citations to strengthen the response.
- At the option of the Chair, members of a relevant subcommittee(s) may be consulted for clarification and concurrence.
- The final draft correspondence will be included in the handouts for the Commission meeting where approval is sought.
- During the appropriate item on the agenda, the letter will be made public, presented by the author and discussed by the entire Commission. The Commission will then vote to determine what action to take (approve, deny, revise).
- If applicable, the current Chair or designee will sign the final version of the correspondence prior to release.

# **Record Retention Policy**

Adopted 12/2/2020

## **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, digital and electronic records, relating to the Commission's redistricting work.

## **BACKGROUND**

The State Records Management Act (SRMA), Government Code sections 12270-12279, requires State entities to comply with the rules, regulations, standards, and procedures related to records management issued by the Secretary of State through the California Records and Information Management Program (CalRIM). (State Administrative Manual Section 1602, Government Code sections 12272(a)), and the State Records Appraisal Program (SRAP). (Government Code section 12274(d).)

The State Records Storage Act, Government Code sections 14740 (et seq.), 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:

“As used in this chapter “record” or “records” means all 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 Storage Act includes all records, regardless of their form, made or received by the Commission in connection with the performance of its public duties. (See also Gov. Code Section 6262.)

## **POLICY**

### **Chief Counsel Responsibilities**

The Chief Counsel is responsible for overseeing the Commission's compliance with all applicable statutes, regulations, and other legal requirements related to record retention, i.e.,

SRSA, SRMA, CalRIM, SRAP, etc. Duties include the following: 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**

The Commission's record retention policies apply equally to paper, digital and electronic records, including word processing documents, databases and email. Digital and electronic records must be retained for the same time period as corresponding paper 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:

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.

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

Retention Period: No Retention Required.

4. 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 Chief Counsel 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, the Chief Counsel 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. (Government Code sections 6250-6276.48)

**Litigation Holds.**

Records relevant to reasonably anticipated and/or pending litigation, at minimum, must be retained until litigation in its entirety is concluded, as determined by the Chief Counsel.

**RECORDS RETENTION SCHEDULE**

**Category of Records**

**Retention Schedule**

**Personnel and Payroll Records**

Payroll Records	Four years from the end of the 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.
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Reimbursement Claims

Four years from the end of fiscal year in which filed.

## **Correspondence**

Letters

Discard when no longer needed, unless required to be kept permanently as part of the 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 and accompanying reports to the final redistricting maps.

Keep permanently.

## **Policy on Using Chat or other Electronic Messaging during Commission Meetings**

Adopted 02/25/2021

All meetings of the Commission and its committees must satisfy the requirements of the Commission's own constitutional provisions and statutes and the Bagley-Keene Open Meetings Act, as modified by the Governor's Executive Orders on COVID. Consequently, all substantive discussions during open sessions must be conducted in a manner that is open to the public. The use of Chat during zoom meetings and any electronic messaging that is directed to other Commissioners or staff during public meetings constitute discussions that are not open to the public.

Therefore, the use of Chat and other electronic messaging during Commission meetings shall be limited to non-substantive matters, such as informing other Commissioners that you are stepping away from the meeting, seeking clarification as to the time of the next break or an upcoming agenda item, or letting a Commissioner know that he or she is muted or unmuted. If you are in doubt as to whether a matter is substantive, you may either convey the message in public, or wait for a break and seek advice from counsel.

## **Commission Evacuation Plan**

Approved 02/25/2021

### Notifications:

If the Commission is in session, and staff member or a Commissioner receives notice to evacuate the building, the person receiving the notice shall immediately inform the Chair, who will make the evacuation notice public. All persons in the Commission offices shall immediately evacuate the building. As soon as possible, the Chair shall notify Commissioners, staff, and the public of an estimate when the Commission will reconvene. Once the need to evacuate is ended, Commissioners, staff and the public shall be notified as soon as possible. The Chair shall determine when the session will reconvened, and Commissioners, staff, and the public shall be informed of that time as soon as possible.

If the Commission is not in session, and a staff member receives notice to evacuate the building, all persons in the Commission offices shall be immediately notified and shall immediately evacuate the building. If Executive staff is in the Commission offices, the Executive staff shall notify Commissioners as soon as possible. If no member of Executive staff is in the Commission offices, the staff person receiving the notice shall notify Executive staff as soon as possible, and Executive staff shall notify the Commissioners as soon as possible. Once the need to evacuate is ended, Commissioners shall be notified.

### Evacuation Process:

If notice is received that building in which the Commission offices are located is to be evacuated due to a building-related issue, all persons in the Commission offices shall evacuate immediately, using the elevators if safe to do so, otherwise using the stairways. If a person is unable to use the stairways, a staff person shall remain with that person and arrange for an alternative evacuation process. Persons evacuated shall remain on the median grass strip across from the building, or where otherwise directed, until notice is received that the evacuation order has been lifted.

If notice is received that the building in which the Commission offices are located is to be evacuated due to an external threat, all persons in the Commission offices shall, as the situation and time permit, secure all equipment, before evacuating. If the external threat makes it unsafe to evacuate the building, all persons in the Commission offices in the offices, behind locked doors, until notice is received that either the threat has ended or that is otherwise safe to leave.

In either case, the most senior staff member present will check all office spaces and restrooms to ensure that the office space is evacuated. That staff member will also take a photograph of the in/out board and then ensure all staff that were “in” at the time of evacuation are accounted for.

# Public Comment During Commission Business Meetings

Adopted 05/25/2021

The Commission is committed to accepting public comment during their regular business meetings. The Commission generally seeks public comment at the beginning of each day, at the end of each day, and in advance of any vote. Public comment may be sought at other times as well depending on the topic under discussion, and as the Commission Chair deems appropriate.

The Commission may not discuss or take action on any matter raised during the public comment period that is not already on the agenda, except to decide whether to place the matter on the agenda of a future meeting. [Gov. Code §§ 11125, 11125.7(a)]

The Commissioners may adopt reasonable time limits for public comments in order to ensure that the purpose of public discussion is fulfilled. (Gov. Code, §11125.7, subd. (b).) The Commission has determined that public comments will be limited to two minutes per individual speaker. Time will commence as soon as the individual starts talking.

## **Types of public comments:**

**General:** At the start of each meeting day during open session, shortly after the meeting is called to order, the Commission Chair will call for public comment. Individuals can provide comment on topics relating to state redistricting activities associated with Commission business. Each individual comment will be limited to two minutes.

Prior to the end of each meeting day while in open session, the Commission Chair will call for public comment. Individuals can provide comment on topics relating to state redistricting activities associated with Commission business. Each individual comment will be limited to two minutes.

**Specific:** Prior to conducting a vote of a motioned item, the Commission Chair will call for public comment. Public comment will be specific to the topic up for vote. If an individual is presenting comment not related to the specific action item in question, the Chair will advise the individual that the Commission is only accepting comments relating to the action item in question, and will advise the individual when they can provide their comment.

At the Commission Chair's discretion, the Chair may accept general public comment during a specific public comment if it is close to the end of the open session for that day.

## **Options to Verbal Public Comments:**

Alternatively, written comments may be submitted via the Commission's website at: <https://WeDrawTheLinesCA.org> or emailed directly to [votersfirstact@crc.ca.gov](mailto:votersfirstact@crc.ca.gov). The public comments will be posted as a handout at the next scheduled business meeting.

## Commission Travel Policy

Approved 07/28/2021

The following information provides guidelines for Commissioners and Commission staff (employees) who travel on official Commission business. In general, reimbursement for travel is allowed when traveling at least 50 miles away from your primary residence or established headquarters. Employees are reminded that all travel on official state business must be authorized in advance by their supervisor or appropriate authority. The Commission has identified several travel scenarios that are listed in the table below. Approval for travel in the first six scenarios is granted by the Commission to Commissioners and staff by approval of this policy. The seventh scenario is approved by the Chief Counsel and/or legal representation. The final three scenarios will be approved by the current chair on a case-by-case basis.

	<b>Scenarios</b>	<b>Approval/Approval Approach</b>
1	Commissioner travels to office Headquarters to attend meeting.	Approved
2	Commissioner travels to meeting sites throughout California.	Approved
3	Commissioner travels to a specific location to attend a Commission meeting with other Commissioners.	Approved
4	Staff travel to various meeting locations as required and/or requested by the Commission.	Approved
5	Staff travel to various areas throughout California to start planning for in person meetings (i.e., viewing potential meeting sites to ensure the sites meet the requirements-ADA, videographer, security, attendees, timelines).	Approved
6	Staff travel to various meeting locations to provide support before, during, and after meetings.	Approved
7	Travel associated with Commission-related litigation (depositions, court appearances, etc.).	Reviewed by Chief Counsel and/or Legal Representation
8	Travel associated with Media-related appearances requiring in person interviews (radio, TV, newspaper).	Each instance is reviewed by current Chair
9	Commissioner travel related to Education/Advocacy efforts - both in-state and nationally.	Each instance is reviewed by current Chair
10	Commissioners travel to various parts of California to familiarize themselves with that part of the state.	Each instance is reviewed by current Chair

It is the employee's responsibility to submit a Travel Expense Claim Form (TEC) to substantiate travel expenses within one month of the completion of travel. All business travel that results in any cost (airfare, rental car, lodging, meals, etc.) to the state must be supported by a TEC (STD 262 Travel Expense Claim Form). All business travel that is paid for by the state via a

transportation contract (car rental, airline contract) shall be documented on the travel expense claim, however, the travel expense claim will note the method of transportation but not a cost as the employee does not incur an out-of-pocket expense. Click here for a copy of a [blank TEC form](#) and an example of a completed TEC form (*see page 7*) is attached for your reference.

Travel arrangements shall be made by the respective employee who will be traveling. Travel must be in accordance with the California Department of Human Resources (CalHR) policies, including appropriate reimbursement rates, filing requirements, method of travel, and documents required for reimbursement. The following links provide the most current travel requirements and reimbursement amounts:

[Travel - Coronavirus COVID-19 Response \(ca.gov\)](#)  
[Travel Reimbursements - CalHR](#)

### Business and Travel Policy

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The Commission will determine the necessity for and the mode of travel to be reimbursed. In accordance with CalHR policy, reimbursement shall be for actual, necessary, and appropriate business and travel expenses incurred fifty (50) miles or more from home or headquarters.

**The designated headquarters of each Commissioner shall be his or her residence as such designation is in the best interest of the state. The Executive Director, in coordination with the Chief Counsel, shall determine the headquarters for the Commission staff members.**

Lodging and/or meals included in hotel expenses, conference and registration fees, transportation costs such as airline tickets, or otherwise that are provided shall not be claimed for reimbursement. Employees who are unable to consume a meal(s) provided by the state as noted above due to time constraints or other considerations, such as reasonable accommodation, may be reimbursed in accordance with the rates established in policy, provided an alternate meal was purchased.

When employees are required to obtain lodging due to state business, reimbursement will be for actual receipted lodging plus applicable mandatory taxes and fees, in accordance with policy and the published lodging maximums. Employees shall only use commercial lodging establishments such as hotels, motels, bed and breakfast inns, public campgrounds, or short-term rentals (such as Airbnb) that cater to the general public.

Reimbursement of lodging expenses in excess of specified amounts, excluding taxes, requires advance written approval from CalHR.

Commission staff are in the process of setting up accounts with the Statewide Travel Program that currently offers comprehensive travel services through Concur Travel, an online booking tool that is the primary means for booking all reservations. Most travelers currently access SWABIZ (Southwest Airlines' online booking tool) for their airline tickets; they use direct links to Enterprise Car Rental to book their cars; and they book their lodging directly with hotels.

Until the process is fully set up, Commissioners and staff will be responsible for booking their own flights, car reservations, and lodging outside of Concur Travel.



## [Method of Travel](#)

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Reimbursement for transportation expenses will be based on the method of transportation that is in the best interest of the state, considering both direct expense and the employee's time. If an employee chooses and is authorized to use a method of transportation that is not the least costly, not the typical method of getting from one location to the other, or not "in the best interest of the state," then a cost comparison shall be prepared and the employee shall be reimbursed only the amount that would have been reimbursed had the employee traveled using the least costly method.

## [Short-Term Travel Reimbursement Rates and Guidelines](#)

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The following is provided as a general guide for travel requirements and reimbursements. For the complete policy as well as the updated travel reimbursement rates, please visit:

### [Travel Reimbursements – CalHR](#)

### [Receipts for Meals and Incidentals](#)

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The following reimbursement rates for meals and incidentals are maximums, not allowances. Employees are not required to submit receipts for meals and incidentals, however, in the event of an audit, employees must be able to produce receipts substantiating the amount claimed.

**Per Diem Rates: Breakfast - \$7, Lunch - \$11, Dinner - \$23, Incidentals - \$5**

CalHR must comply with current IRS policy. The term "incidentals" includes fees and tips given to porters, baggage carriers, hotel staff, and staff on ships. No other items may be claimed as incidentals.

### [Travel Timeframes](#)

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For travel lasting 24 hours or more, employees may claim meals (at the rates noted above), based on the following timeframes:

- First day of travel:
  - Trip begins at or before 6 am = Breakfast may be claimed
  - Trip begins at or before 11 am = Lunch may be claimed
  - Trip begins at or before 5 pm = Dinner may be claimed
- Continuing travel after 24 hours:
  - Trip ends at or after 8 am = Breakfast may be claimed
  - Trip ends at or after 2 pm = Lunch may be claimed
  - Trip ends at or after 7 pm = Dinner may be claimed

For travel lasting less than 24 hours (i.e., fractional day travel-trips less than 24 hours):

- Trip begins at or before 6 am and ends at or after 9 am = Breakfast may be claimed
- Trip begins at or before 4 pm and ends at or after 7 pm = Dinner may be claimed

- If the fractional day includes an overnight stay, receipted lodging may be claimed. No meal or lodging expenses may be claimed or reimbursed more than once on any given date or during any twenty-four (24)-hour period.
- Employees may not claim lunch or incidentals on one-day trips.
- When trips are less than 24 hours and there is no overnight stay, meals claimed are taxable.

### Short-Term Lodging Reimbursement Rates

HR Manual section 2201 – Travel and Relocation Policy provides additional information about short-term lodging and the excess lodging rate request process. Following are the Lodging Reimbursement Rates prior to taxes:

<b>County</b>	<b>Maximum Lodging Reimbursement Rate</b>
All counties except those listed below	\$90
Sacramento, Napa, Riverside	\$95
Marin	\$110
Los Angeles, Orange, Ventura & Edwards AFB, excluding the city of Santa Monica	\$120
San Diego, Monterey	\$125
Alameda, San Mateo, Santa Clara	\$140
City of Santa Monica	\$150
San Francisco	\$250

### Excess Lodging Rate Requests

If the base (nightly) room rate exceeds the current state rate, then an [Excess Lodging Rate Approval Request \(STD 255C\)](#) must be submitted by the employee and approved by the employee’s department and, if required, by the CalHR, before the trip takes place.

As noted on the STD 255C, Excess Lodging Rate Requests must include three “good faith” quotes (such as Concur printouts) for the requested travel dates and justification for the lodging rate requested. If an employee submits an Excess Lodging Rate Request for a hotel other than the least expensive **moderately priced** hotel, he/she will need to include justification for why a more expensive hotel is in the best interest of the state.

The Commission will have documentation on file for employees whose justifications for their Excess Lodging Rate Requests cite reasonable accommodations. For additional information regarding reasonable accommodations, please contact your department’s Reasonable Accommodation Coordinator and/or review CalHR’s Disability Services page and/or HR Manual section 1001 – Equal Employment Opportunity (EEO) Officer Role.

## [Airport Parking Expenses](#)

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In regard to airport parking costs, employees on authorized travel status should use the least-costly option when parking at airports. However, if an agency/department determines that additional parking costs above the lowest-cost option are in the best interest of the state, a justification explaining the necessity for the additional cost shall be submitted with the employee's Travel Expense Claim (TEC).

Agencies/departments may consider the following items when determining if additional parking costs are in the best interest of the state: the direct expense, the employee's time, and the employee's safety. Ensure you note the reason for the additional cost on the TEC.

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## [Car Rental Resources for State Travel](#)

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The Department of General Services, Statewide Travel Program has contracted rates through Enterprise-Rent-A-Car and National Car Rental. Both Enterprise-Rent-A-Car and National Car Rental are the exclusive providers of rental vehicles to the state. Expense claims for rental vehicles at non-contracted companies will not be reimbursed. The only exception being the Crescent City airport, which does not have either company.

**Transportation Network Companies:** Employees can also use companies that provide prearranged transportation services for compensation that use an online-enabled application or platform to connect passengers with drivers using a personal vehicle. Lyft and Uber are examples of transportation network companies.

**Car Rental Rates:** The [Mileage Reimbursement Calculator](#) assists you in determining whether renting a vehicle or using a personal car is the most cost-effective method of transportation! The 2021 reimbursement rate for use of a personal vehicle during business travel is \$0.56 per mile.

**Motor Vehicle Accident Procedures:** If a traveler is involved in a rental car accident, please contact the branch where the rental vehicle was acquired for instructions, i.e., arrangement for towing service and vehicle replacement, if needed. In addition, the traveler must fill out the proper forms that can be found on the [DGS Office of Risk and Insurance Management Claims](#) Services website.

**For Emergency:** In case of emergency or other special circumstance, no traveler should be stranded without a rental vehicle. Travelers may rent using a personal credit card. Keep in mind that in this case, rental excludes contracted benefits such as the state rate and insurance, and other fees may apply. You may want to select the insurance option. For more information, please visit [ORIM's website](#). You must submit a Travel Expense Claim - STD 262 along with a Short-Term Vehicle Justification Form approved by your supervisor.

## How to Reserve

Commercial Car Rental Agency Name and Account Manager	Allowed car types
Enterprise Account Manager: Lisa Holmes (916) 787-4733 Enterprise Rent A Car 199 No. Sunrise Ave. Roseville, CA 95661	Compact or intermediate only (maximum rate \$50.00 - this does not include tax) *  For larger vehicles, get advance approval from your department and submit a Short-Term Vehicle Justification Form with your TEC.

Employees are recommended to fill up the rental car before returning to avoid unnecessary expenses to the commission.

## Receipt Policy

Receipts shall be submitted for every item of transportation and business expense of \$25 or more as a result of conducting state business. When receipts are not required to be submitted with a travel expense claim, it is the employee's responsibility to maintain receipts and records of their actual expenses. Receipts must be made available for audit upon request by employing departments, state control agencies and/or the Internal Revenue Service.

The following actual expenses are an exception to the receipt policy:

- Railroad and bus fares of less than \$25 when travel is wholly within California.
- Streetcar, ferry fares, bridge and road tolls, local rapid transit system, taxi, shuttle or hotel bus fares, and parking fees of \$10 or less for each continuous period of parking or each separate transportation expense noted in receipt policy.
- Telephone, fax, or other necessary state business costs of \$5 or less.
- The absence of a receipt shall result in the reduction of the amount claimed to the non-receipted amounts above.

## Out-of-State Travel Policy

Any limitations on lodging are placed by the appointing authority when approving travel. For short-term out-of-state travel, reimbursement will be for actual lodging, supported by a receipt. Reimbursement will be for actual meal and incidental expenses in accordance with the in-state meal and incidental rates. Failure to furnish lodging receipts will limit reimbursement to in-state meal/incidental rates. Long-term out-of-state travel will be reimbursed in accordance with the provisions of long-term travel.

**Approval of Out-of-State Travel Requests:** Please review the current budget letter from the Department of Finance for clarification on how to submit out-of-state travel requests to the Governor's Office for review and approval.



