
BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT

TOWNSHIP POLICY MANUAL

Adopted by the Board of Directors as Amended on April 23, 2024 by Resolution 2024-04, Including BTCSD Workplace Violence Prevention Plan (Chapter 17) as Adopted July 23, 24



Brooktrails Township
Community Services District
24860 Birch Street
Willits, CA 95490

707-459-2494
btcsd@btcsd.org

Brooktrails Township Policy Manual

(Created by Resolution 2013-09; amended by Resolutions 2018-20, & 2021-05)

Table of Contents

TITLE 1. GENERAL PROVISIONS

- CHAPTER 1. BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT
- CHAPTER 2. ESTABLISHMENT OF POLICY MANUAL
- CHAPTER 3. DEFINITIONS
- CHAPTER 4. ENFORCEMENT, VIOLATIONS AND PENALTIES
- CHAPTER 5. PUBLIC NUISANCES AND NUISANCE ABATEMENT
- CHAPTER 6. LIMITATION ON APPEALS
- CHAPTER 7. CORRESPONDENCE
- CHAPTER 8. PUBLIC RELATIONS
- CHAPTER 9. INTERAGENCY RELATIONS

TITLE 2. BOARD OF DIRECTORS AND OFFICERS

- CHAPTER 1. BOARD OF DIRECTORS
- CHAPTER 2. GENERAL MANAGER
- CHAPTER 3. GENERAL COUNSEL
- CHAPTER 4. AUDITOR

TITLE 3. CONFLICT OF INTEREST CODE

- CHAPTER 1. GENERAL PROVISIONS

TITLE 4. PERSONNEL

- CHAPTER 1. GENERAL PROVISIONS
- CHAPTER 2. CLASSIFICATION PLAN
- CHAPTER 3. EMPLOYMENT
- CHAPTER 4. TERMINATION OF EMPLOYMENT
- CHAPTER 5. COMPENSATION AND HOURS
- CHAPTER 6. SICK LEAVE
- CHAPTER 7. VACATION LEAVE
- CHAPTER 8. HOLIDAYS
- CHAPTER 9. OTHER LEAVES OF ABSENCE
- CHAPTER 10. DISCIPLINARY ACTION
- CHAPTER 11. GRIEVANCE PROCEDURES
- CHAPTER 12. SAFETY PROGRAM
- CHAPTER 13. EMPLOYER-EMPLOYEE RELATIONS
- CHAPTER 14. REGULATIONS GOVERNING VOLUNTEER FIREFIGHTERS
- CHAPTER 15. SEXUAL HARASSMENT POLICY

CHAPTER 16. RESERVED
CHAPTER 17. RESERVED
CHAPTER 18. RESERVED
CHAPTER 19. MISCELLANEOUS
CHAPTER 20. DEFINITIONS
 APPENDIX A-1. CLASSIFICATION PLAN
 APPENDIX A-2. COMPENSATION PLAN
 APPENDIX B-1. FIRE DEPARTMENT VOLUNTEERS CLASSIFICATION PLAN
 APPENDIX B-2. FIRE DEPARTMENT VOLUNTEERS REMUNERATION PLAN

TITLE 5. FINANCE

CHAPTER 1. GENERAL PROVISIONS
CHAPTER 2. RESERVES POLICY
CHAPTER 3. INVESTMENT POLICY
CHAPTER 4. DEBT MANAGEMENT POLICY

TITLE 6. PUBLIC SAFETY (RESERVED)

TITLE 7. RESERVED

TITLE 8. PARKS AND RECREATION (RESERVED)

TITLE 9. COMMUNITY PLANNING AND DESIGN (RESERVED)

TITLE 10. UTILITIES (RESERVED)

TITLE 1. GENERAL PROVISIONS

CHAPTER 1. BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT

- 1.01.010 Principal Act
- 1.01.020 Name
- 1.01.040 Powers to Provide Services and Facilities
- 1.01.050 Services and Facilities Provided by Brooktrails Township Community Services District

CHAPTER 2. ESTABLISHMENT OF POLICY MANUAL

- 1.02.010 Purpose
- 1.02.020 Title, Citation and Reference
- 1.02.030 Validity of Policy
- 1.02.040 Scope of Authority Conferred
- 1.02.050 Interpretation and Use
- 1.02.060 Adoption/Amendment of Policies

CHAPTER 3. DEFINITIONS

- 1.03.010 General
- 1.03.020 Board, or Board of Directors
- 1.03.030 County
- 1.03.040 District, BTCSD, Brooktrails Resort Improvement District, Brooktrails Community Services District, Township, Brooktrails Township or Brooktrails Township Community Services District
- 1.03.050 Employee
- 1.03.060 Law
- 1.03.070 May
- 1.03.080 Manager, or General Manager
- 1.03.090 Month
- 1.03.100 Must and Shall
- 1.03.110 Oath
- 1.03.120 Officer
- 1.03.130 Owner
- 1.03.140 Person
- 1.03.150 Personal Property
- 1.03.160 Preceding and Following
- 1.03.170 Property
- 1.03.180 Real Property
- 1.03.190 Sidewalk
- 1.03.200 State
- 1.03.210 Street
- 1.03.220 Tenant or Occupant
- 1.03.230 Week

- 1.03.240 Writing
- 1.03.250 Written
- 1.03.260 Year

CHAPTER 4. ENFORCEMENT, VIOLATIONS AND PENALTIES

- 1.04.010 General: Misdemeanors and Infractions
- 1.04.020 Definitions
- 1.04.030 Duties of the Designated Officers
- 1.04.040 Authority of the Designated Officers
- 1.04.050 Designated Officers as Peace Officers

CHAPTER 5. PUBLIC NUISANCES AND NUISANCE ABATEMENT

- 1.05.005 General: Warrant
- 1.05.010 Findings and Determination
- 1.05.020 Authority for Adoption and Application
- 1.05.030 Definition of Hazardous Conditions
- 1.05.040 Resolution of Abatement
- 1.05.050 Notice to Abate Nuisance
- 1.05.060 Contents of Notice
- 1.05.070 Service of Notice
- 1.05.080 Hearing on Notice
- 1.05.090 Abatement Order
- 1.05.100 Recurring Public Nuisance
- 1.05.110 Abatement by Owner
- 1.05.120 Authority to Enter Private Property
- 1.05.130 Expense of Abatement by District
- 1.05.140 Hearing on Abatement Expense
- 1.05.150 Special Assessment and Lien
- 1.05.160 Collection of Expenses
- 1.05.170 Cancellation or Refund of Assessment
- 1.05.180 Claim for Refund
- 1.05.190 Priority of Lien
- 1.05.200 Partial Invalidity

CHAPTER 6. LIMITATION ON APPEALS

- 1.06.010 Ninety Day Statute of Limitations for Judicial Review of Certain Board Decision

CHAPTER 7. CORRESPONDENCE

- 1.07.001 Amendment
- 1.07.010 Official Address
- 1.07.020 Correspondence Received
- 1.07.030 Correspondence from the District

CHAPTER 8. PUBLIC RELATIONS

- 1.08.001 Amendment
- 1.08.010 Objective of Policy
- 1.08.020 General Statement of Purpose
- 1.08.030 Public Relations Goals

CHAPTER 9. INTERAGENCY RELATIONS

- 1.09.001 Amendment
- 1.09.010 Communications with Officials of Other Agencies
- 1.09.020 Reporting System

CHAPTER 1. BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT

1.01.010 Principal Act. The Brooktrails Township Community Services District (BTCSD) is a political subdivision of the State of California created pursuant to and governed by the Community Services District Law (Government Code §61000 et seq.).

Annotations: In 1962 the District was created as a Resort Improvement District pursuant to the Public Resources Code §13000 et seq. For historical perspective it is helpful to note the intent of that law:

13000. The Legislature hereby finds and declares that there exists throughout the State large unincorporated areas which are particularly suited to and used for recreation resort purposes, and which are held and used by residents of this State, but which are inhabited only seasonally. The Legislature further finds and declares that these resort areas are not suited to full urban development without destroying the very nature of the areas; but the seasonal residents of these areas are, nevertheless, in need of extended governmental services; and that the extension of governmental services and the construction and financing of public improvements in these resort areas is complicated by the facts that: (a) many of the services are needed only seasonally, and (b) most of the landowners whose property is benefitted by the public improvements, because they are technically nonresidents, are without voice in the direction or method of financing of the necessary services and improvements. It is the intent of the Legislature in enacting this division to provide an alternative method for the furnishing of extended governmental services, including the construction and financing of public improvements, within recreation resort areas adequate to meet the needs of such areas; and to provide for the levy of taxes within such areas in an amount sufficient to pay for extended services provided, additional extended services to be provided, and for public improvements installed or constructed.

In contrast, the intent of the Community Services District Law was rewritten in 2006 and reads as follows:

61001. (a) The Legislature finds and declares all of the following:

- (1) The differences among California's communities reflect the broad diversity of the state's population, geography, natural resources, history, and economy.
- (2) The residents and property owners in California's diverse communities desire public facilities and services that promote the public peace, health, safety, and welfare.
- (3) Responding to these communities' desires, the Legislature enacted the Community Services District Law in 1951, and reenacted the Community Services District Law in 1955.
- (4) Between 1955 and 2005, the voters in more than 300 communities have formed community services districts to achieve local governance, provide needed public facilities, and supply public services.
- (5) Since then, the Legislature has amended the Community Services District Law in many ways, resulting in a statute that can be difficult for residents, property owners, and public officials to understand and administer.
- (6) There is a need to revise the Community Services District Law to achieve statutory clarity and provide a framework for local governance that California's diverse communities can adapt to their local conditions, circumstances, and resources.
- (7) The enactment of this division is necessary for the public peace, health, safety, and welfare.

(b) The Legislature finds and declares that for many communities, community services districts may be any of the following:

- (1) A permanent form of governance that can provide locally adequate levels of public facilities and services.
- (2) An effective form of governance for combining two or more special districts that serve overlapping or adjacent territory into a multifunction special district.

- (3) A form of governance that can serve as an alternative to the incorporation of a new city.
- (4) A transitional form of governance as the community approaches cityhood.
- (c) In enacting this division, it is the intent of the Legislature:
 - (1) To continue a broad statutory authority for a class of limited-purpose special districts to provide a wide variety of public facilities and services.
 - (2) To encourage local agency formation commissions to use their municipal service reviews, spheres of influence, and boundary powers, where feasible and appropriate, to combine special districts that serve overlapping or adjacent territory into multifunction community services districts.
 - (3) That residents, property owners, and public officials use the powers and procedures provided by the Community Services District Law to meet the diversity of the local conditions, circumstances, and resources.

1.01.020 Name. The name of the District shall be “Brooktrails Township Community Services District”. When used herein and in other official documents, the terms “Brooktrails Township”, “Brooktrails Township CSD”, “Township”, “Brooktrails Community Services District”, “Brooktrails Resort Improvement District”, and “District” shall mean the Brooktrails Township Community Services District.

Annotations. Initially the District was established as the Brooktrails Resort Improvement District. In 1975 it became the Brooktrails Community Services District. Resolution 1990-36 added the word “Township” to the name. The Community Services District Law provides as follows:

61061.

- (a) A district shall have perpetual succession.
- (b) A board of directors may, by resolution, change the name of the district. The resolution shall comply with the requirements of Chapter 23 (commencing with Section 7530) of Division 7 of Title 1. Notwithstanding Section 7530, any district formed on and after January 1, 2006, and any district that changes its name on or after January 1, 2006, shall have the words "community services district" within its name. Within 10 days of its adoption, the board of directors shall file a copy of its resolution with the Secretary of State, the county clerk, the board of supervisors, and the local agency formation commission of each county in which the district is located.

1.04.030 General Powers. The following provision of the Community Services District Law is incorporated herein:

61060. A district shall have and may exercise all rights and powers, expressed and implied, necessary to carry out the purposes and intent of this division, including, but not limited to, the following powers:

- (a) To adopt ordinances following the procedures of Article 7 (commencing with Section 25120) of Chapter 1 of Part 2 of Division 2 of Title 3.
- (b) To adopt, by ordinance, and enforce rules and regulations for the administration, operation, and use and maintenance of the facilities and services listed in Part 3 (commencing with Section 61100).
- (c) To sue and be sued in its own name.

(d) To acquire any real or personal property within or outside the district, by contract or otherwise, to hold, manage, occupy, dispose of, convey, and encumber the property, and to create a leasehold interest in the property for the benefit of the district.

(e) To acquire by eminent domain any real or personal property within or outside the district. If a district acquires real or personal property of a public utility by eminent domain, the district shall also pay for the cost of the removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables, or poles that must be moved to a new location.

(f) To appoint employees, to define their qualifications and duties, and to provide a schedule of compensation for performance of their duties.

(g) To engage counsel and other professional services.

(h) To enter into and perform all contracts, including, but not limited to, contracts pursuant to Article 43 (commencing with Section 20680) of Chapter 1 of Part 3 of the Public Contract Code.

(i) To adopt a seal and alter it.

(j) To enter joint powers agreements pursuant to the Joint Exercise of Powers Act, Chapter 5 (commencing with Section 6500) of Division 7 of Title 1.

(k) To provide insurance pursuant to Part 6 (commencing with Section 989) of Division 3.6 of Title 1.

(l) To provide training that will assist the members of the board of directors in the governance of the district.

(m) To construct any works along, under, or across any street, road, or highway, subject to the consent of the governing body in charge, and along, under, or across any other property devoted to a public use.

(n) To take any and all actions necessary for, or incidental to, the powers expressed or implied by this division.

1.01.040 Powers to Provide Services and Facilities. Subject to approval of its Board of Directors and the Mendocino County Local Agency Formation Commission, the Brooktrails Township Community Services District may provide any of the following services and facilities:

(a) Supply water for any beneficial uses, in the same manner as a municipal water district, formed pursuant to the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(b) Collect, treat, or dispose of sewage, wastewater, recycled water, and storm water, in the same manner as a sanitary district, formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400) of the Health and Safety Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(c) Collect, transfer, and dispose of solid waste, and provide solid waste handling services, including, but not limited to, source reduction, recycling, and composting activities, pursuant to Division 30 (commencing with Section 40000), and consistent with Section 41821.2 of the Public Resources Code.

(d) Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district, formed pursuant to the Fire Protection District Law, Part 2.7 (commencing with Section 13800) of Division 12 of the Health and Safety Code.

(e) Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

(f) Organize, promote, conduct, and advertise programs of community recreation, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

(g) Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.

(h) Provide for the surveillance, prevention, abatement, and control of vectors and vector-borne diseases in the same manner as a mosquito abatement and vector control district formed pursuant to the Mosquito Abatement and Vector Control District Law, Chapter 1 (commencing with Section 2000) of Division 3 of the Health and Safety Code.

(i) Provide police protection and law enforcement services by establishing and operating a police department that employs peace officers pursuant to Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

(j) Provide security services, including, but not limited to, burglar and fire alarm services, to protect lives and property.

(k) Provide library services, in the same manner as a library district formed pursuant to either Chapter 8 (commencing with Section 19400) or Chapter 9 (commencing with Section 19600) of Part 11 of the Education Code.

(l) Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works. A district shall not acquire, construct, improve, or maintain any work owned by another public agency unless that other public agency gives its written consent.

(m) Convert existing overhead electric and communications facilities, with the consent of the public agency or public utility that owns the facilities, to underground locations pursuant to Chapter 28 (commencing with Section 5896.1) of Part 3 of Division 7 of the Streets and Highways Code.

(n) Provide emergency medical services pursuant to the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(o) Provide and maintain public airports and landing places for aerial traffic, in the same manner as an airport district formed pursuant to the California Airport District Act, Part 2 (commencing with Section 22001) of Division 9 of the Public Utilities Code.

(p) Provide transportation services.

(q) Abate graffiti.

(r) Plan, design, construct, improve, maintain, and operate flood protection facilities. A district shall not plan, design, construct, improve, maintain, or operate flood protection

facilities within the boundaries of another special district that provides those facilities unless the other special district gives its written consent. A district shall not plan, design, construct, improve, maintain, or operate flood protection facilities in unincorporated territory unless the board of supervisors gives its written consent. A district shall not plan, design, construct, improve, maintain, or operate flood protection facilities within a city unless the city council gives its written consent.

(s) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.

(t) Abate weeds and rubbish pursuant to Part 5 (commencing Section 14875) of the Health and Safety Code. For that purpose, the board of directors shall be deemed to be a "board of supervisors" and district employees shall be deemed to be the "persons" designated by Section 14890 of the Health and Safety Code.

(u) Acquire, construct, improve, maintain, and operate hydroelectric power generating facilities and transmission lines, consistent with the district's water supply and wastewater operations. The power generated shall be used for district purposes or sold to a public utility or another public agency that generates, uses, or sells electrical power. A district shall not acquire hydroelectric power generating facilities unless the facilities' owner agrees.

(v) Acquire, construct, improve, maintain, and operate television translator facilities.

(w) Remove snow from public streets, roads, easements, and rights-of-way. A district may remove snow from public streets, roads, easements, and rights-of-way owned by another public agency, only with the written consent of that other public agency.

(x) Provide animal control services pursuant to Section 30501 of the Food and Agricultural Code. Whenever the term "board of supervisors," "county," "county clerk," or "animal control officer" is used in Division 14 (commencing with Section 30501) of the Food and Agricultural Code, those terms shall also be deemed to include the board of directors of a district, a district, the general manager of the district, or the animal control officer of a district, respectively. A district shall not provide animal control services in unincorporated territory unless the county board of supervisors gives its written consent. A district shall not provide animal control services within a city unless the city council gives its written consent.

(y) Control, abate, and eradicate pests, in the same manner as a pest abatement district, formed pursuant to Chapter 8 (commencing with Section 2800) of Division 3 of the Health and Safety Code. A district's program to control, abate, or eradicate local pine bark beetle infestations shall be consistent with any required plan or program approved by the Department of Forestry and Fire Protection.

(z) Construct, maintain, and operate mailboxes on a district's property or rights-of-way.

(aa) Provide mail delivery service under contract to the United States Postal Service.

(ab) Own, operate, improve, and maintain cemeteries and provide interment services, in the same manner as a public cemetery district, formed pursuant to the Public Cemetery District Law, Part 4 (commencing with Section 9000) of Division 8 of the Health and Safety Code.

(ac) Finance the operations of area planning commissions formed pursuant to Section 65101.

(ad) Finance the operations of municipal advisory councils formed pursuant to Section 31010.

(ae) Acquire, own, improve, maintain, and operate land within or without the district for habitat mitigation or other environmental protection purposes to mitigate the effects of projects undertaken by the district.

(af) If a private person or entity is unable or unwilling to deploy broadband service, construct, own, improve, maintain, and operate broadband facilities and to provide broadband services. For purposes of this section, broadband has the same meaning as in subdivision (a) of Section 5830 of the Public Utilities Code. The district shall first make a reasonable effort to identify a private person or entity willing to deploy service. The authority granted by this subdivision shall expire when a private person or entity is ready, willing, and able to acquire, construct, improve, maintain, and operate broadband facilities and to provide broadband services, and to sell those services at a comparable cost and quality of service as provided by the district. At that time, the district shall do one of the following:

(1) Diligently transfer its title, ownership, maintenance, control, and operation of those broadband facilities and services at a fair market value to that private person or entity.

(2) Lease the operation of those broadband facilities at a fair market value to that private person or entity.

1.01.050 Services and Facilities Provided by Brooktrails Township Community Services District. The Brooktrails Township Community Services District within its boundaries provides the following facilities and services:

(i) Supply water for any beneficial uses, in the same manner as a municipal water district, formed pursuant to the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(ii) Collect, treat, or dispose of sewage, wastewater, recycled water, and storm water, in the same manner as a sanitary district, formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400) of the Health and Safety Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(iii) Collect, transfer, and dispose of solid waste, and provide solid waste handling services, including, but not limited to, source reduction, recycling, and composting activities, pursuant to Division 30 (commencing with Section 40000), and consistent with Section 41821.2 of the Public Resources Code.

(iv) Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district, formed pursuant to the Fire Protection District Law, Part 2.7 (commencing with Section 13800) of Division 12 of the Health and Safety Code.

(v) Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

(vi) Organize, promote, conduct, and advertise programs of community recreation, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

(vii) Provide emergency medical services pursuant to the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(viii) Abate weeds and rubbish pursuant to Part 5 (commencing Section 14875) of the Health and Safety Code. For that purpose, the board of directors shall be deemed to be a "board of supervisors" and district employees shall be deemed to be the "persons" designated by Section 14890 of the Health and Safety Code.

(ix) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.

(x) Finance the operations of area planning commissions formed pursuant to Section 65101.

(xi) Acquire, own, improve, maintain, and operate land within or without the district for habitat mitigation or other environmental protection purposes to mitigate the effects of projects undertaken by the district.

Annotations. In 1962 when the District was created under the 1961 Resort Improvement District Law, it was authorized to supply inhabitants with water for domestic, irrigation, sanitation, industrial, fire protection, and recreation uses; collect, treat, or dispose of sewage, waste and storm water; provide fire protection; plan for physical growth of the area; collect or dispose of garbage; provide public recreation by means of parks, aquatic parks, harbors, playgrounds, golf courses, swimming pools, recreation buildings, and public squares; street lighting; mosquito abatement; police protection; street work; parking and transportation facilities. In 1975 after the Legislature had severely restricted the powers of resort improvement districts, the voters of Brooktrails approved becoming a community services district authorizing the new district to provide all the services and facilities then permitted a CSD. The revision of the Community Services District Law in 2006 provides as follows:

61106.

(a) If a board of directors desires to exercise a latent power, the district shall first receive the approval of the local agency formation commission, pursuant to Article 1.5 (commencing with Section 56824.10) of Chapter 5 of Part 3 of Division 3.

(b) After receiving the approval of the local agency formation commission, the board of directors may, by ordinance, order the exercise of that power.

CHAPTER 2. ESTABLISHMENT OF POLICY MANUAL

1.02.010 Purpose. It is the intent of the Board of Directors of the Brooktrails Township Community Services District to establish and maintain this Brooktrails Township Policy Manual. Contained herein shall be a comprehensive listing of the Board's current policies, being the laws, rules, and regulations enacted by the Board from time to time and formally referencing state law where appropriate. The Policy Manual will serve as a resource for Directors, staff, and members of the public in determining the manner in which matters of District business are to be conducted.

1.02.020 Title, Citation and Reference. This Policy Manual shall be known as the "Brooktrails Township Policy Manual" and may be cited as and referred to herein as "Brooktrails Township Policy Manual" or "Policy Manual". It shall be sufficient in the conduct of official activity of the District, its departments, and officials to refer to this Policy Manual and its sections as numbered in lieu of referring to the ordinance, resolution or order establishing the policy contained and compiled herein. It shall be deemed sufficient when amending, repealing, or adding to any policy contained herein to refer to this Policy Manual or to sections herein.

1.02.030 Validity of Policy. If any policy or portion of a policy contained within this Brooktrails Township Policy Manual conflicts with any rules, regulations or legislation having authority over the District, said rules, regulations or legislation shall control. Any District policy not contained herein shall not be invalid solely because it is not contained in this Policy Manual. Policies found to be invalid, and policies not contained herein may be brought to the Board's attention by the General Manager, the General Counsel, any Board member, or any other person, and may be scheduled for review and action on the agenda pursuant to the procedures in Section 1.01.060.

1.02.040 Scope of Authority Conferred. This Policy Manual does not confer additional authority or limit the existing authority of the Board, any commission, department, or official to administer or enforce any regulation contained herein.

1.02.050 Interpretation and Use. Interpretation and use of this Policy Manual should be made only in conjunction with the underlying law permitting the establishment of the policy contained herein.

1.02.060 Adoption/Amendment of Policies. The Board may adopt, amend, or repeal policies or regulations contained within this Policy Manual by ordinance, or by resolution where permitted. Consideration by the Board of Directors to adopt a new policy or to amend or repeal an existing policy may be initiated by submitting a written draft of the proposed ordinance or resolution to the General Manager or the Board President and requesting that the item be included for consideration on the agenda at the next regular Board meeting. Before considering any policy action, copies of the proposed action and associated documents shall be included in the agenda information packet distributed to Directors and made available to the public at least three (3) days prior to any meeting at which the action(s) are to be considered.

CHAPTER 3. DEFINITIONS

1.03.010 General. For purposes of this Policy Manual and other official documents, certain terms, phrases, words, and their derivatives shall be construed as specified in this chapter, unless otherwise indicated in this Policy Manual. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and in the feminine gender the masculine. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

1.03.020 Board, or Board of Directors. For purposes of this Policy Manual and other official documents, "Board" or "Board of Directors" shall mean the Board of Directors of the Brooktrails Township Community Services District.

1.03.030 County. For purposes of this Policy Manual and other official documents, "County" shall mean the County of Mendocino.

1.03.040 District, BTCSD, Brooktrails Resort Improvement District, Brooktrails Community Services District, Township, Brooktrails Township or Brooktrails Township Community Services District. For purposes of this Policy Manual and other official documents "District", "BTCSD", "Brooktrails Resort Improvement District", "Brooktrails Community Services District", "Township", "Brooktrails Township" or "Brooktrails Township Community Services District" shall mean the Brooktrails Township Community Services District and which may be referred to as "BTCSD"; or where appropriate within the context, these terms shall mean the area within the territorial limits of BTCSD, and such territory outside BTCSD over which BTCSD has jurisdiction or control by virtue of any constitutional or statutory provision.

1.03.050 Employee. For purposes of this Policy Manual and other official documents, "Employee" shall mean an employee of the Brooktrails Township Community Services District, excepting officers of the District unless otherwise indicated.

1.03.060 Law. For purposes of this Policy Manual and other official documents, "Law" denotes applicable federal law, the Constitution, and statutes of the state of California, the ordinances of BTCSD, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

1.03.070 May. For purposes of this Policy Manual and other official documents, "May" is permissive.

1.03.080 Manager, or General Manager. For purposes of this Policy Manual and other official documents, "Manager" or "General Manager" shall mean the General Manager of the Brooktrails Township Community Services District.

1.03.090 Month. For purposes of this Policy Manual and other official documents, "Month" means a calendar month.

1.03.100 Must and Shall. For purposes of this Policy Manual and other official documents, "must" and "shall" are each mandatory, except in reference to acts or omissions of the BTCSD, the board, or any board, commission, officer, agent, or employee of the BTCSD while acting in the course and scope of their duties or employment. Within this exception "must" and "shall" are directory only.

1.03.110 Oath. For purposes of this Policy Manual and other official documents, "Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

1.03.120 Officer. For purposes of this Policy Manual and other official documents, "officer" includes members of the Board, the General Manager, the Auditor, the General Counsel of the District, and other persons designated by the Board.

1.03.130 Owner. For purposes of this Policy Manual and other official documents, "Owner," applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, or the whole or part of such building or land.

1.03.140 Person. For purposes of this Policy Manual and other official documents, "Person" includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer, or employee of any of them.

1.03.150 Personal Property. For purposes of this Policy Manual and other official documents, "Personal property" includes money, goods, chattels, things in action and evidence of debt.

1.03.160 Preceding and Following. For purposes of this Policy Manual and other official documents, "Preceding" and "following" mean next before and next after, respectively.

1.03.170 Property. For purposes of this Policy Manual and other official documents, "Property" includes real and personal property.

1.03.180 Real Property. For purposes of this Policy Manual and other official documents, "Real property" includes lands, tenements, and hereditaments.

1.03.190 Sidewalk. For purposes of this Policy Manual and other official documents, "Sidewalk" means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

1.03.200 State. For purposes of this Policy Manual and other official documents, "State" shall mean the State of California.

1.03.210 Street. For purposes of this Policy Manual and other official documents, "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in BTCSD which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

1.03.220 Tenant or Occupant. For purposes of this Policy Manual and other official documents, "Tenant" and "occupant," applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

1.03.230 Week. For purposes of this Policy Manual and other official documents, "Week" means seven consecutive days.

1.03.240 Writing. "Writing" includes any form of a recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement, or record is required or authorized by this Policy Manual, it shall be made in writing in the English language, unless it is expressly provided otherwise.

1.03.250 Written. "Written" includes printed, typewritten, mimeographed, multi-graphed, photocopied, or otherwise reproduced in permanent visible form.

1.03.260 Year. "Year" means a calendar year.

CHAPTER 4. ENFORCEMENT, VIOLATIONS AND PENALTIES

1.04.010 General Misdemeanors and Infractions. Section 61064 of the Government Code is incorporated herein as follows:

§61064.

(a) Violation of any rule, regulation, or ordinance adopted by a board of directors is a misdemeanor punishable pursuant to Section 19 of the Penal Code.

(b) Any citation issued by a district for violation of a rule, regulation, or ordinance adopted by a board of directors may be processed as an infraction pursuant to subdivision (d) of Section 17 of the Penal Code.

(c) To protect property and to preserve the peace at facilities owned or managed by a district, a board of directors may confer on designated uniformed district employees the power to issue citations for misdemeanor and infraction violations of state law, city or county ordinances, or district rules, regulations, or ordinances when the violation is committed within a facility and in the presence of the employee issuing the citation. District employees shall issue citations pursuant to Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code.

1.04.020 Definitions.

(a) "Protect" as used herein shall mean the preventing or limiting of damage or harm to property, flora, fauna, geology, water quality, or the general environment, which results from, or may result from, violations of District Ordinances, County Ordinances, State Statutes, Federal Laws, or other applicable laws, regulations, or orders over and above those items described in the Uniform Fire Code.

(b) "Fire Chief" shall mean the person responsible for enforcement of fire prevention and suppression laws and regulations within the Brooktrails Redwood Park who shall be the Fire Chief of the Brooktrails Fire Department.

(c) "Designated Officer" as used herein shall mean the Fire Chief, Deputy Fire Chief, Fire Prevention Officer and Seasonal Fire Prevention Officer, who shall have the duty of protecting the Brooktrails Redwood Park and other property of the District.

(d) "Park" as used herein shall mean the Brooktrails Redwood Park.

(e) "Cite" means an arrest where the suspect is not taken into custody, but given a written notice of violation, and the suspect does not resist and does not require any use of force or threat of the use of force. *(BTCSD Ordinance No. 111)*

1.04.030 Duties of the Designated Officers. The Designated Officers shall have the duty of providing for the protection of the Park, and for the protection of properties. *(BTCSD Ordinance No. 111)*

1.04.040 Authority of the Designated Officers. *(BTCSD Ordinance No. 111)* In addition to the authority described in the Uniform Fire Code, the Designated Officers shall have the

authority to enforce the provisions of the ordinances, laws, statutes, and regulations listed below:

<u>Subject</u>	<u>Jurisdiction</u>	<u>Severity</u>
Mushroom Picking	BTCSD	Misdemeanor
Littering	County	Infraction
Loose Dogs	County	Infraction
Off-road Driving	County	Misdemeanor

1.04.050 Designated Officers as Peace Officers. Designated Officers shall not be peace officers, but pursuant to Section 836.5 of the Penal Code may issue citations without a warrant whenever the Designated Officer has reasonable cause to believe that the person to be cited has committed, in his or her presence, a misdemeanor or infraction which is a violation of a Statute or Ordinance the Designated Officer has the duty to enforce. Prior to the issuance of such citations, the Designated Officer shall request support from the Mendocino County Sheriff. *(BTCSD Ordinance No. 111)*

CHAPTER 5. PUBLIC NUISANCES AND NUISANCE ABATEMENT

1.05.005 General: Warrant. Section 61069 of the Government Code is incorporated herein as follows:

§61069. A district may request an inspection and abatement warrant pursuant to Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure. The warrant shall state the location which it covers and shall state its purposes. A warrant may authorize district employees to enter property only to do one or more of the following:

(a) Inspect to determine the presence of public nuisances that the district has the authority to abate.

(b) Abate public nuisances, either directly or by giving notice to the property owner to abate the public nuisance.

(c) Determine if a notice to abate a public nuisance has been complied with.

(d) Where there is no reasonable expectation of privacy and subject to the limitations of the United States Constitution and the California Constitution, employees of a district may enter any property within the district for any of the following purposes:

(1) Inspect the property to determine the presence of public nuisances that the district has the authority to abate.

(2) Abate public nuisances, either directly or by giving notice to the property owner to abate the public nuisance.

(3) Determine if a notice to abate a public nuisance has been complied with.

1.05.010 Findings and Determination. The Board of Directors of the Brooktrails Township Community Services District find and determine as follows:

(a) The maintenance of certain hazardous conditions constituting a public nuisance have been found from place to place throughout the District;

(b) The existence of these conditions is injurious and inimical to the public health, safety and welfare of the residents of this District and contributes substantially and increasingly to the necessity for protection against hazards and diminutions of property values, most particularly for the protection against the hazard of fire and wildfire in this District with its admixture of forest immediately adjacent and contiguous to its many residential parcels;

(c) Unless corrective measures are undertaken to alleviate these hazardous conditions and particularly to avoid future problems in this regard, the public health, safety, and general welfare is threatened. The abatement of these conditions will substantially decrease the threat of fire and wildfire;

(d) The abatement procedures set forth herein are reasonable and afford a maximum of due process and procedural guarantees. *(BTCSD Ordinance No. 98 as amended)*

1.05.020 Authority for Adoption and Application. This Chapter is authorized pursuant to Section 61100 (t) of the Government Code and Part 5, Division 12 of the Health and Safety

Code. The procedure set forth in this Chapter is not exclusive and is in addition to the procedure for abatement conferred upon the District by other lawful authority. *(BTCSD Ordinance No. 98 as amended)*

1.05.030 Definition of Hazardous Conditions. Each of the following conditions upon real property are declared to be a fire hazard and public nuisance and may be abated as provided herein:

(a) Accumulations upon or in front of private property within this District of weeds as defined in Health and Safety Code Section 14875, dry grass, stubble, brush, dry or dead shrubs, dead trees, or limbs or any vegetative material, dead or alive, which by manner of its size, manner of accumulation, manner of growth or location constitutes a fire hazard, or when dry, will in reasonable probability constitute a fire hazard; and/or,

(b) Rubbish, which by reason of its location, character, and accumulated size constitutes a fire hazard, or when dry in reasonable probability will constitute a fire hazard. Rubbish means unused or discarded matter and material having no substantial market value, and which consists of such matter and material as: litter, refuse, waste, debris, and matter of any kind included but no limited to rubble, asphalt, plaster, building materials, automobile parts, crates, cartons, containers, boxes, trimmings from plants and trees, bottles, and barrels. *(BTCSD Ordinance No. 98 as amended)*

1.05.040 Resolution of Abatement. Whenever the proscribed conditions are found to exist on private land in the District, the Board of Directors may by resolution declare the condition a public nuisance. Such resolution shall refer to each parcel of private property by its street address and in such further specificity to identify the parcel upon or near which the proscribed conditions are found to exist, including but not limited to, reference to the street, highway or road upon which the parcel fronts or abuts or nearest to which the parcel of private property is located and further describing the property by reference to the tract, block, lot and assessor's parcel number as used in the records of the Mendocino County Assessor. Any number of parcels of private property may be included in one resolution. Such Resolution shall be referred to as the Resolution of Abatement. *(BTCSD Ordinance No. 98 as amended)*

1.05.050 Notice to Abate Nuisance. The Board of Directors shall by its Resolution of Abatement authorize the Fire Chief, or the Fire Chief's designee, to give notice to the property owner to abate the nuisance. *(BTCSD Ordinance No. 98 as amended)*

1.05.060 Contents of Notice. Notices to be given hereunder shall be headed "NOTICE TO ABATE NUISANCE, in letters not less than one inch in height. The notice shall be substantially in the following form:

NOTICE TO ABATE NUISANCE

Notice is hereby given that on the ____ day of _____

19____, the Board of Directors of the Brooktrails Township Community Services District passed a resolution declaring that conditions defined in District Ordinance 98 are found to exist upon the property described as _____ Street, Assessor's Parcel Number _____ nearest to _____ Street, in said District and more particularly described in said resolution and that the same constitute a public nuisance which may be abated by the removal of such condition, otherwise they will be removed and the nuisance will be abated by District authorities, in which case the cost of removal shall be assessed upon the lots and lands from which such conditions are removed, and such costs will constitute a lien upon such lots or lands until paid. Reference is hereby made to said resolution for further particulars.

All property owners having any objections to the proposed removal of such conditions are hereby notified to attend the meeting of the Board of Directors of said District, to be held _____, 19_ when their objections will be heard and given due consideration.

A copy of the Resolution is attached and incorporated herein.

Dated this _____ day of _____, 19____

Secretary of the Board

(BTCSD Ordinance No. 98 as amended)

1.05.070 Service of Notice. (a) Notice in the form specified herein shall be conspicuously posted in front of the property on which or in front of which the nuisance exists. If the property has no frontage upon any street, highway, or road then the notice shall be posted upon the portion of the property nearest to the street, highway, or road, or most likely to give actual notice to the owner. At least one notice shall be posted on each lot or parcel, but notices shall not be posted more than 100 feet in distance apart. The notice of the hearing prescribed in 1.05.060 above shall be published once in The Willits News not less than ten (10) days prior to the date of the hearing. *(BTCSD Ordinance No. 98 as amended)*

(b) As an alternative to posting and publication. notice in the form of that required by Section 1.05.060 above may be mailed by first class mail to the property owner as the property owner's name and address appears from the last equalized roll, or as they are known to the Fire Chief. Such notice shall be made fifteen (15) days prior to the hearing. *(BTCSD Ordinance No. 98 as amended)*

1.05.080 Hearing on Notice. At the time stated in the notices the Board of Directors shall hear and consider all objections or protests, if any, to the proposed removal of the conditions found to be proscribed herein, and the Board of Directors may continue the hearing from time to time. Upon the conclusion of the hearing the Board shall acquire jurisdiction to abate the nuisance and the decision of the Board on this matter is final, except as provided in Sections 1.05.160 and 1.05.170 herein. *(BTCSD Ordinance No. 98 as amended)*

1.05.090 Abatement Order. After final action is taken by the Board on the disposition of any protests or objections, or in case no protest or objections are received, the Board shall order the Fire Chief, by and through fire department assistants, deputies, employees or contracting agent to abate the public nuisance. *(BTCSD Ordinance No. 98 as amended)*

1.05.100 Recurring Public Nuisance.

(a) Declaration of Recurring Public Nuisance. In the event that an Abatement Order as authorized by this Chapter is issued for a specific property three or more times within a one-year period, the Board of Directors may declare the nuisance as a Recurring Public Nuisance and the procedures of this section shall apply.

(b) When a nuisance comes within the definition herein for "recurring public nuisance" all notices and resolutions provided for in this Chapter shall identify the public nuisance as a Recurring Public Nuisance subject to this section.

(c) The Resolution of Abatement for a Recurring Public Nuisance shall include a reasonable repeating schedule for abatement of the recurring nuisance which abatement may be performed without the requirement of further order or notice of hearing for each abatement for a period for up to one year from the date of the Order of Abatement of Recurring Public Nuisance. *(BTCSD Ordinance No. 98 as amended)*

1.05.110 Abatement by Owner. Any property owner may abate the conditions that have been declared a public nuisance at the owner's expense if the owner is completed with the abatement prior to the arrival of the Fire Chief or designee upon the property to abate the public nuisance. *(BTCSD Ordinance No. 98 as amended)*

1.05. 120 Authority to Enter Private Property. The Board of Directors, Fire Chief, and her or his assistants, deputies, employees, or contracting agents, or other designees may enter upon private property for the purpose of abating the public nuisance by authority of this Code which in turn is specifically authorized by Section 14901 of the Health and Safety Code. *(BTCSD Ordinance No. 98 as amended)*

1.05.130 Expense of Abatement by District. The Fire Chief abating the nuisance shall keep an account of the cost of the abatement on each separate parcel of land and shall render an itemized report in writing to the Board of Directors showing the cost of abating the nuisance on or before July 1 each year. This Report shall be known as the Abatement Report. *(BTCSD Ordinance No. 98 as amended)*

1.05.140 Hearing on Abatement Expense. (a) Before the Abatement Report mentioned in 1.05.130 above is submitted to the Board of Directors, a copy of it shall be posted in three public places, with a notice of the time when the report will be submitted to the Board for confirmation. Concurrently to such posting, the Secretary of the District shall mail a copy of the report and notice of the time when the report will be submitted to the Board for confirmation to the property owners of affected parcels by first class mail addressed as provided in Section 1.05.070 herein.

(b) At the time fixed for receiving and considering the report, the Board shall hear it and any objections of the property owners liable to be assessed for the work of abatement. Thereupon the Board may make such modifications in the report as it deems necessary after which by resolution the report shall be confirmed and thereafter referred to as the Resolution of Confirmation. *(BTCSD Ordinance No. 98 as amended)*

1.05.150 Special Assessment and Lien. The amount of the cost for abating the nuisance upon the various parcels of the land mentioned in the Abatement Report as confirmed and the amount of the costs incurred by the District in enforcing abatement upon the parcels, including investigation, boundary determination, measurement, clerical, and other related costs shall constitute special assessments against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien attached upon recordation of a certified copy of the Resolution of Confirmation in the office of the Recorder of the County of Mendocino. The assessment may be collected at the same time and in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties for such taxes. All laws applicable to the levy, collection and enforcement of ordinary ad valorem taxes shall be applicable to such assessments, collection and enforcement of ordinary ad valorem taxes shall be applicable to such assessments, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attaches thereon, prior to the date that the Resolution of Confirmation is recorded, then the lien which would otherwise be imposed by the section shall not attach to the real property in the costs of abatement, as confirmed, relating to such property shall be transferred to the unsecured roll for collection, or otherwise collected by the District by action for recovery. *(BTCSD Ordinance No. 98 as amended)*

1.05.160 Collection of Expenses.

(a) A copy of the Resolution of Confirmation shall be delivered to the Auditor of the County of Mendocino, on or before the tenth day of August following such confirmation, and the Auditor shall enter the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll pursuant to the provisions of Section 14915 of the Health and Safety Code.

(b) The Tax Collector of the County of Mendocino shall include the amount of the assessments on bills for taxes levied against the respective lots and parcels of land.

(c) Thereafter the amounts of the assessments shall be collected at the same time and in the same manner as the District taxes are collected and are subject to the same penalties

and the same procedure and sale in case of delinquency as provided for ordinary ad valorem taxes.

(d) The Tax Collector of the County of Mendocino may in her or his discretion issue separate bills for such special assessment taxes and separate receipts for collection on account of such assessments. *(BTCSD Ordinance No. 98 as amended)*

1.05.170 Cancellation or Refund of Assessment. All or any portion of any such special assessment, penalty or costs heretofore or hereafter entered, shall on order of the Board of Directors be canceled by the Auditor if uncollected, or, except in the case provided for in subdivision (e) hereof, refunded by the County Treasurer if collected, if it or they entered, charged or paid: (a) more than once; (b) through clerical error; (c) through the error or mistake of the Board of Directors or of the Officer designated by them to give notice or to abate the nuisance, in respect to any material fact, including the case where the cost report rendered and confirmed as hereinbefore provided shows that the District accomplished such abatement but such is not the actual fact; (d) illegally; (e) on property acquired after the lien date by the State or by a county, city, school district or other political subdivision and because of this public ownership not subject to sale for delinquent taxes. *(BTCSD Ordinance No. 98 as amended)*

1.05.180 Claim for Refund. No order for a refund under the foregoing section shall be made except on a claim: (a) certified by the person who paid the special assessment, her or his guardian, executor, or administrator; (b) filed within three (3) years after making of the payment sought to be refunded. The provisions of this section do not apply to cancellations. *(BTCSD Ordinance No. 98 as amended)*

1.05.190 Priority of Lien. The lien, whether bonds issued to represent the assessment or otherwise, shall be subordinate to all fixed special assessment liens previously imposed upon the same property, but it shall have priority over all fixed special assessment liens which may thereafter be created against the property. The lien of a reassessment and a refunding assessment shall be the same as the original assessment to which it relates. A supplemental assessment is a new assessment. *(BTCSD Ordinance No. 98 as amended)*

1.05.200 Partial Invalidity. If any provision in this Chapter is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the Board of Directors declares that it would have adopted the remainder of the Chapter without the offending provision and the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way. *(BTCSD Ordinance No. 98 as amended)*

CHAPTER 6. LIMITATION ON APPEALS

1.06.010 Ninety Day Statute of Limitations for Judicial Review of Certain Board Decisions.

(a) Code of Civil Procedure Section 1094.6 is applicable for any decision of the Board of Directors of Brooktrails Community Services District, the Brooktrails Architectural Review Commission, or of any commission, board, officer, or agent of Brooktrails Community Services District.

(b) The provisions of this section shall prevail over any conflicting provision in any otherwise applicable law relating to the subject matter unless the conflicting provision is a State or Federal law which provides a shorter statute of limitations, in which case the shorter statute of limitations shall apply.

(c) Any affected party shall be given notice at the time of the decision that the time within which judicial review must be sought is governed by Code of Civil Procedure Section 1094.6(f). (*BTCS D Resolution No. 1990-10*)

CHAPTER 7. CORRESPONDENCE

1.07.001 Amendment. Unless otherwise provided by State law, the provisions of this Chapter may be amended by a resolution of the Board of Directors.

1.07.010 Official Address. The official address of the District for purposes of receiving mail and other correspondence, notice, or service shall be 24860 Birch Street, Willits, California 95490. *(BTCSD Ordinance No. 93 as amended)*

1.07.020 Correspondence Received. All correspondence and mail to the District, to the departments or employees thereof, to the Board, and to the individual members of the Board, which is addressed to the official address of the District, shall be opened, and examined by the General Manager and shall be given immediate attention, to the end that all administrative business referred to in the correspondence and not necessarily requiring Board action may be acted upon between Board meetings. Correspondence to the Board shall be placed in a regular correspondence file available for review by members of the Board between Board meetings. If any member of the Board wishes any correspondence regarding a matter not scheduled for a Board agenda placed on the Board agenda, he shall notify the General Manager pursuant to [Chapter III, Paragraph 3.05 hereinabove. Correspondence to an individual Board member shall be placed in the official file of that Board member. *(BTCSD Ordinance No. 124)*

1.07.030 Correspondence from the District.

(a) The General Manager may originate and sign correspondence with regard to the following matters without reference to the Board: (1) Actions directed by the Board; (2) Accomplishment of items included in the annual budget as adopted and amended; (3) Ongoing activities that involve other agencies, persons, or businesses, and (4) To make factual corrections to known errors in the newspaper or other publicly circulated documents. As used herein, General Manager shall include personnel reporting to the General Manager when such personnel are serving in the capacity of Acting General Manager.

(b) Except as otherwise provided in (a) hereinabove, the General Manager shall advise the members of the Board of proposed correspondence with regard to the following matters prior to sending the correspondence in order to permit the Board members the opportunity to express opinions to the Manager on the matter or to request that the matter be reviewed at a public Board meeting: (a) Matters not historically a normal activity to the District; (b) Letters directed to the governing bodies of other agencies or the chairman thereof; (c) Letters which obligate the Board to future service or funding for which no adopted District policy exists.

(c) Members of the Board, including the President, shall not send correspondence on the District letterhead or otherwise purport to represent the District unless authorized to do so by the Board. *(BTCSD Ordinance No. 119)*

CHAPTER 8. PUBLIC RELATIONS

1.08.001 Amendment. Unless otherwise provided by State law, the provisions of this Chapter may be amended by a resolution of the Board of Directors. (*Resolution No. 2012-31*)

1.08.010 Objective of Policy. The objective of this policy is to:

(a) Establish a clear and concise framework for informing the community, individual members of the general public, the press, and other public entities about the Brooktrails Township.

(b) Improve internal and external communication systems with the specific goal of creating open, two-way communication between the District Board of Directors, Administration, staff, and the community. (*Resolution No. 2012-31*)

1.08.020 General Statement of Purpose. In establishing this policy, the Township Board of Directors recognizes that Public Relations involves every person who has connection with the District. The Board urges its own members, Township officers, and every Township employee to recognize that they represent the Township in every public contact. Good service supports good public relations. (*Resolution No. 2012-31*)

1.08.030 Public Relations Goals. Regarding the community, the general public, the press, and other public entities, the Township goals are to:

(a) Keep others regularly informed through all the channels of communication on all the policies, programs, and planning of the Township;

(b) Formally solicit the advice and assistance of residents in the development of policy regarding vital issues affecting the Township by encouraging participation at all public meetings of the Board of Directors and through advisory committees appointed by the Board of Directors;

(d) Create open, two-way communications between representatives of the Township and persons engaged in business transactions with the Township. (*Resolution No. 2012-31*)

1.08.040 Authority and Responsibility of the General Manager. The General Manager will implement and manage a program to achieve the Township public relations goals. The program will include ongoing training and support for staff, officers, and Directors in effective communication with the public through:

- Formal communications training sessions provided.
- Continuing communications training to supervisors as part of staff meetings.
- Focused short training sessions for staff on particular problems and issues as they arise.
- Public relations fact sheets and other easy-to-use communications tools as needed when issues arise.

Further, the program may establish procedures and programs that:

- Provide timely information on district issues by distributing information prior to and after meetings or other events to external media, citizens who have expressed interest, and internally to all officers and employees via email and website.

- Create a web presence for the Township that serves as an effective, cost-efficient communication tool.
- Encourage phone and personal interaction that (i) begins with actively listening in order to understand the message beyond the words and presents a friendly attitude and (ii) assures citizens are provided an answer to their concerns or questions even if the answers may not be exactly what they wanted to hear.
- Maintains a high level of visibility for the Township through participation by key officers and employees in various professional, governmental, and community organizations either through membership or by offering presentations. (*Resolution No. 2012-31*)

CHAPTER 9. INTERAGENCY RELATIONS

1.09.001 Amendment. Unless otherwise provided by State law, the provisions of this Chapter may be amended by a resolution of the Board of Directors.

1.09.010 Communications with Officials of Other Agencies. In a manner consistent with other policies of the District, the President of the Board of Directors and the General Manager shall develop and maintain effective systems of communications with elected and appointed officials of the State and the County to the end that the District serves as an effective conduit for the expression of District concerns and concerns of residents regarding matters which are related to the purposes and powers of the District as described in Section 1.04.030 hereinabove. *(Resolution No. 1989-16)*

1.09.020 Reporting System. The General Manager shall establish and maintain a system for communicating in writing to other public agencies reports by District residents of problems which, though within the scope of the purposes and powers of the District as described 1.04.030 hereinabove, are normally resolved through services provided by agencies of the State of California or the County of Mendocino. *(Resolution No. 1989-16)*

TITLE 2. BOARD OF DIRECTORS AND OFFICERS

CHAPTER 1. BOARD OF DIRECTORS

- 2.01.001 Amendment
- 2.01.005 Compensation
- 2.01.010 Board of Directors
- 2.01.100 Rules and Regulations of the Board of Directors
- 2.01.110 Powers of District
- 2.01.120 Board Authority
- 2.01.130 Officers of the Board
- 2.01.140 Election of Board Officers
- 2.01.150 Duties of the President
- 2.01.160 Duties of the Vice-President
- 2.01.170 President and Vice-President as Board Members
- 2.01.180 Limitations
- 2.01.200 Disqualification for Conflict of Interest
- 2.01.300 Regular Meetings
- 2.01.310 Special Meetings
- 2.01.320 State Law
- 2.01.330 Rules of Order
- 2.01.340 Order of Business
- 2.01.350 Rules of Debate
- 2.01.360 Voting
- 2.01.370 Abstentions
- 2.01.374 Reconsideration
- 2.01.380 Closed Sessions
- 2.01.390 Recess and Adjournment
- 2.01.400 Public Hearings
- 2.01.410 Conduct of Public Hearings
- 2.01.420 Conduct of Hearing for Adoption of Ordinance
- 2.01.430 Time Limits
- 2.01.500 Ordinances
- 2.01.600 Minutes of Board Meetings
- 2.01.700 Advisory Committees
- 2.01.710 Committees of the Board
- 2.01.720 Other Committees
- 2.01.800 Township Officers: Appointment and Removal

CHAPTER 2. GENERAL MANAGER

- 2.02.010 Community Services District Law
- 2.02.020 Powers and Duties
- 2.2.030 Board - Manager Relations

CHAPTER 3. GENERAL COUNSEL

2.30.110 Powers and Duties

2.30.120 Board - Counsel Relations

CHAPTER 4. AUDITOR

2.10.010 Community Services District Law

2.40.020 Auditor: Powers and Duties

CHAPTER 1. BOARD OF DIRECTORS

2.01.001 Amendment. Unless otherwise provided by State law, the provisions of this Chapter may be amended by a resolution of the Board of Directors, except Section 2.01.800 which may be amended only by a duly adopted ordinance.

2.01.005 Compensation. (a) District directors shall receive compensation at the rate of \$125.00 per meeting (regular or special meeting) with a maximum of 24 paid meetings per year. (*Ordinance 166*)

(b) District directors may receive compensation for their actual and necessary traveling and incidental expenses while on official business as provided in Section 4.05.160. (*Resolution No. 2012-10*)

2.01.010 Board of Directors. The following provisions of the Community Services District Law are incorporated herein:

61040. (a) A legislative body of five members known as the board of directors shall govern each district. The board of directors shall establish policies for the operation of the district. The board of directors shall provide for the implementation of those policies which is the responsibility of the district's general manager.

(b) No person shall be a candidate for the board of directors unless he or she is a voter of the district or the proposed district. No person shall be a candidate for the board of directors that is elected by divisions or from divisions unless he or she is a voter of that division or proposed division.

(c) All members of the board of directors shall exercise their independent judgment on behalf of the interests of the entire district, including the residents, property owners, and the public as a whole in furthering the purposes and intent of this division. Where the members of the board of directors have been elected by divisions or from divisions, they shall represent the interests of the entire district and not solely the interests of the residents and property owners in their divisions.

(d) Service on a municipal advisory council established pursuant to Section 31010 or service on an area planning commission established pursuant to Section 65101 shall not be considered an incompatible office with service as a member of a board of directors.

(e) A member of the board of directors shall not be the general manager, the district treasurer, or any other compensated employee of the district, except for volunteer firefighters as provided by Section 53227.

61042. (a) The term of office of each member of a board of directors is four years or until her or his successor qualifies and takes office. Directors shall take office at noon on the first Friday in December following their election.

(b) For districts formed before January 1, 2006, where the members of the board of directors are not serving staggered terms, at the first meeting after January 1, 2006, the members shall classify themselves by lot into two classes. One class shall have three

members and the other class shall have two members. For the class that has three members, the terms of the offices that begin after the next general district election shall be four years. For the class that has two members, the initial terms of the offices that begin after the next general district election shall be two years. Thereafter, the terms of all members shall be four years.

(c) Any vacancy in the office of a member elected to a board of directors shall be filled pursuant to Section 1780.

61043. (a) Within 45 days after the effective date of the formation of a district, the board of directors shall meet and elect its officers. Thereafter, within 45 days after each general district or unopposed election, the board of directors shall meet and elect the officers of the board of directors. A board of directors may elect the officers of the board of directors annually.

(b) The officers of a board of directors are a president and a vice-president. The president shall preside over meetings of the board of directors and the vice-president shall serve in the president's absence or inability to serve.

(c) A board of directors may create additional offices and elect members to those offices, provided that no member of a board of directors shall hold more than one office.

61044. A board of directors shall hold a regular meeting at least once every three months. Meetings of the board of directors are subject to the provisions of the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5.

61045. (a) A majority of the total membership of the board of directors shall constitute a quorum for the transaction of business.

(b) The board of directors shall act only by ordinance, resolution, or motion.

(c) Except as otherwise specifically provided by law, a majority vote of the total membership of the board of directors is required for the board of directors to take action.

(d) The minutes of the board of directors shall record the aye and nay votes taken by the members of the board of directors for the passage of all ordinances, resolutions, or motions.

(e) The board of directors shall keep a record of all its actions, including financial transactions.

(f) The board of directors shall adopt rules or bylaws for its proceedings.

(g) The board of directors shall adopt policies for the operation of the district, including, but not limited to, administrative policies, fiscal policies, personnel policies, and the purchasing policies required by this division.

61047. (a) The board of directors may provide, by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the board of directors shall not receive compensation for more than six days of service in a month.

(b) The board of directors, by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code, may increase the amount of compensation that may be received by members of the board of directors.

(c) The board of directors may provide, by ordinance or resolution, that its members may receive their actual and necessary traveling and incidental expenses incurred while on official business. Reimbursement for these expenses is subject to Section 53232.2 and 52232.3.

(d) A member of the board of directors may waive any or all of the payments permitted by this section.

(e) For the purposes of this section, a "day of service" means any of the following:

(1) A meeting conducted pursuant to the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5.

(2) Representation of the district at a public event, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and that the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the public event.

(3) Representation of the district at a public meeting or a public hearing conducted by another public agency, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and that the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the public meeting or public hearing.

(4) Representation of the district at a meeting of a public benefit nonprofit corporation on whose board the district has membership provided that the board of directors has previously approved the member's representation at a board of directors' meeting and the member delivers a written report to the board of directors regarding the member's representation at the next board of directors meeting following the corporation's meeting.

(5) Participation in a training program on a topic that is directly related to the district, that the board of directors has previously approved the member's participation at a board of directors' meeting and that the member delivers a written report to the board of directors regarding the member's participation at the next board of directors' meeting following the training program.

2.01.020 Candidate Statement.

(a) Each candidate for elective district office may file with the office of the Clerk a candidate's statement on an appropriate form provided by the Clerk. Such statement shall be limited to 200 words, and may describe the candidate's name, age, occupation, education, and qualification. Such statement shall be expressed in the words, of the candidate. Such statement shall be filed when nomination papers are returned for filing.

(b) The candidate shall be responsible for the actual prorated costs of printing and handling of such statement.

(c) These regulations shall apply equally to all candidates, including incumbents.
(Resolution No. 1977-14)

Annotations. Section 13307 of the Elections Code of the State of California provides as follows:

13307. (a)

(1) Each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate's statement on an appropriate form provided by the elections official. The statement may include the name, age, and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.

(2) The statement authorized by this subdivision shall be filed in the office of the elections official when the candidate's nomination papers are returned for filing, if it is for a primary election, or for an election for offices for which there is no primary. The statement shall be filed in the office of the elections official no later than the 88th day before the election, if it is for an election for which nomination papers are not required to be filed. If a runoff election or general election occurs within 88 days of the primary or first election, the statement shall be filed with the elections official by the third day following the governing body's declaration of the results from the primary or first election.

(3) Except as provided in Section 13309, the statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period.

(b) The elections official shall send to each voter, together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate that is prepared pursuant to this section. The statement of each candidate shall be printed in type of uniform size and darkness, and with uniform spacing. The elections official shall provide a Spanish translation to those candidates who wish to have one and shall select a person to provide that translation from the list of approved Spanish language translators and interpreters of the superior court of the county or from an institution accredited by the Western Association of Schools and Colleges.

(c) The local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended. The local agency may require each candidate filing a statement to pay in advance to the local agency her or his estimated pro rata share as a condition of having her or his statement included in the voter's pamphlet. In the event the estimated payment is required, the receipt for the payment shall include a written notice that the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the local agency is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the local agency may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the local agency which, or the elections official who, collected the estimated cost shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

(d) Nothing in this section shall be deemed to make any statement, or the authors thereof, free or exempt from any civil or criminal action or penalty because of any false, slanderous, or libelous statements offered for printing or contained in the voter's pamphlet.

(e) Before the nominating period opens, the local agency for that election shall determine whether a charge shall be levied against that candidate for the candidate's statement sent to each voter. This decision shall not be revoked or modified after the seventh day prior to the opening of the

nominating period. A written statement of the regulations with respect to charges for handling, packaging, and mailing shall be provided to each candidate or her or his representative at the time she or he picks up the nomination papers.

(f) For purposes of this section and Section 13310, the board of supervisors shall be deemed the governing body of judicial elections.

2.01.100 Rules and Regulations of the Board of Directors. The following rules and regulations regarding the Board of Directors, the conduct of the members thereof, the officers of the Board of Directors, and the conduct of the Board of Directors meetings are hereby established. *(BTCSD Ordinance No. 93 as amended)*

2.01.110 Powers of District. Except as otherwise provided by law or as lawfully delegated by the Board, the powers of the District shall be exercised by the Board in a manner consistent with law and the provisions of this ordinance. As used herein, "Board of Directors" or "Board" shall mean the whole Board of Directors, and not individual members thereof unless otherwise stated. *(BTCSD Ordinance No. 93 as amended)*

2.01.120 Board Authority. The power and authority of the Board may be exercised only at lawfully held meetings of the Board and only by ordinance, resolution, or motion approved by a vote of at least three (3) members of the Board. As elected representatives, the actions of the Board members with regard to District business are generally to be taken in public in order to allow the voters an opportunity to evaluate such actions. No individual member of the Board shall attempt to alter the conduct of the business of the District except during such meetings, unless otherwise directed by lawful action of the Board. *(BTCSD Ordinance No. 93 as amended)*

2.01.130 Officers of the Board. The officers of the Board of Directors of the District shall be a President and a Vice-President. *(BTCSD Ordinance No. 93 as amended)*

2.01.140 Election of Board Officers.

(a) The President and Vice-President shall be elected each December at the Organizational Meeting of the Board from the general membership of the Board and by the general membership of the Board.

(b) Upon a vacancy in the office of Vice-President, the Board of Directors shall elect a Vice-President. *(BTCSD Ordinance No. 93 as amended by Ordinance 99)*

2.01.150 Duties of the President.

(a) The President shall preside over all meetings of the Board and shall sign all ordinances and resolutions which were adopted in the President's presence.

(b) Following each Board election and at such other times as may be deemed necessary, the President shall establish the seating arrangement at the Board table for regular Board meetings; provided, however, that the Vice-President shall be seated at the immediate right of the President and the General Manager and General Counsel shall be seated at the immediate left of the Board President. *(BTCSD Ordinance No. 93 as amended)*

2.01.160 Duties of the Vice-President. The Vice-President shall preside at all meetings in the absence of the President and shall perform such other duties as may be related thereto. In the absence of both the President and Vice-President, the General Manager shall call the meeting to order, and the first act of business shall be for the Board to elect a temporary presiding officer who shall perform the duties of the President relating to that meeting. *(BTCSD Ordinance No. 93 as amended)*

2.01.170 President and Vice-President as Board Members. Nothing herein shall be construed to prevent the officers of the Board from performing their duties [as] members of the Board. They may move, second, debate and vote in all meetings of the Board unless otherwise provided by law. *(BTCSD Ordinance No. 93 as amended)*

2.01.180 Limitations. Except as otherwise provided by law or by action of the Board, the President and Vice-President shall have no authority to act on District business except as members of the Board. *(BTCSD Ordinance No. 93 as amended)*

2.01.200 Disqualification for Conflict of Interest.

(a) As used herein, "conflict of interest" shall mean a conflict of interest which disqualifies a Board member from participation in consideration of a matter before the Board as determined by state law, or a conflict due to a remote economic interest which results in a Board member voluntarily disqualifying himself from participation in consideration of the matter.

(b) Any Board member with a conflict of interest on a particular matter shall publicly state, or have the presiding officer state, the nature of the conflict prior to consideration of the matter by the Board.

(c) Board members with a conflict of interest may leave the Board table during consideration of the matter and shall not debate or vote on the matter.

(d) A Board member disqualified from voting pursuant to (c) hereinabove shall not be counted as a part of the quorum and shall be considered the same as absent for the purpose of determining the outcome of a vote on the matter.

(e) In the event that three or more members of the Board are disqualified from voting pursuant to (c) hereinabove, then disqualified members shall be reseated to vote pursuant to the following order:

(1) All members who have disqualified themselves for a remote interest shall be reseated;

(2) If a quorum is still lacking, a sufficient number of the remaining disqualified members to make a quorum shall be reseated in order based upon who received the highest number of votes when elected to her or his current term, and in case of a tie both shall be seated; and then, lastly, appointed members shall be seated in alphabetical order by last name.

The procedure for reseating herein is established in recognition of the fact that the voters elected members of the Board and that every effort should be made to not disenfranchise citizens by substituting "the luck of the draw" for election results.

(f) The presiding officer may alter the order of business on the agenda by placing a matter which results in a conflict of interest for a Board member as the last item so that the Board member may leave the meeting. No other item may be considered in the absence of a Board member who was present at the opening of the meeting and who left the room because of the conflict of interest, unless said member prior to leaving states for the record that business may be considered in her or his absence.

2.01.300 Regular Meetings.

(a) The Board of Directors shall hold regular meetings on the second and fourth Tuesdays of each month at the hour of 7:00 p.m. in the Brooktrails Community Center or in such other place within the District to which the meeting may be adjourned, except that no meeting shall be held on the second Tuesday in the month of August or on the fourth Tuesday in the months of November and December. If the meeting date falls on a holiday, the meeting shall be rescheduled as required by law. Holidays shall be those days designated as holidays by the Personnel Rules and Regulations of the District.

(b) A third regular meeting may be held each September in addition to the two Tuesday meetings. It may be scheduled for the third or fourth Saturday of September, depending on facility and staff availability. It shall be a "community forum" meeting to which the public will be invited and at which the standing committees of the District will present their annual reports. *(BTCSD Ordinance No. 124 as amended by adoption of Ordinance 146)*

2.01.310 Special Meetings. Special meetings may be called as prescribed by law. *(BTCSD Ordinance No. 93 as amended)*

2.01.320 State Law. All meetings of the Board shall be called, advertised, and conducted in the manner prescribed by the Ralph M. Brown Act and other Law. Where this ordinance conflicts with state law, state law shall prevail. *(BTCSD Ordinance No. 93 as amended)*

2.01.330 Rules of Order. The procedures of the Board shall be governed by state law and majority vote of the governing Board. Such rules are adopted to expedite the transaction of business of the board in an orderly fashion and are procedural only. The failure to strictly observe such rules or the provisions of this ordinance does not affect the jurisdiction of the Board nor invalidate action taken at a meeting that is otherwise held in conformity with law. *(BTCSD Ordinance No. 93 as amended)*

2.01.340 Order of Business. Except as from time to time may be otherwise provided, the order of business at regular meetings of the Board of Directors shall be as follows:

- a. Pledge of Allegiance
- b. Roll call
- c. Additions/Adjustments to the Agenda - Report on Closed Session
- d. Minutes of Previous Meetings
- e. Special Presentations

- f. Public Hearings
- g. Reports
 - From Directors:
 - From District Counsel:
 - From General Manager:
- h. Public Comments
- i. Directors Response to Public Comments
- j. Consent Calendar
- k. Action Agenda
- l. Adjournment

Closed Session may be held either prior to or after a regular meeting.

The order of business appearing on the posted agenda may not be changed except by majority vote of the Board. Agendas shall be prepared and posted as required by law by the General Manager. Board members desiring items on the agenda shall notify the General Manager prior to 12:00 Noon of the working day prior to the day on which the agenda must be posted. The General Manager and District Counsel may add items to the agenda prior to 12:00 noon on the day on which the agenda must be posted. *(BTCSD Ordinance No. 93 as amended by Ordinance 119)*

2.01.350 Rules of Debate.

(a) Getting the Floor. Every Board member desiring to speak shall first address the presiding officer, gain recognition, and shall confine remarks to the question under debate, avoiding personalities and indecorous language.

(b) Staff. Any Board member who has the floor may question the General Manager or General Counsel, who shall either answer the inquiry or designate another member of the staff for that purpose. Staff responses shall be limited to answering the inquiry. The General Manager or General Counsel may request the floor in the same manner as a member of the Board to participate in the discussion and, once having obtained the floor with the permission of the presiding officer, may have another member of the staff address the Board.

(c) Interruptions. A Board or staff member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer. Another Board member may raise a point of order or personal privilege on which the presiding officer may interrupt the person who has the floor. If interrupted by the presiding officer pursuant to these provisions, the speaker shall cease speaking until the question of order is determined.

(d) Points of Order or Personal Privilege. The presiding officer shall determine points of order or personal privilege. A member of the Board may appeal such determination to the whole Board, and the question shall be "Shall the decision of the presiding officer be sustained?" A majority vote of Board members present shall conclusively determine the question. A question of personal privilege shall be limited to cases in which a Board or staff member's integrity, character or motives are questioned or where the welfare of the Board is concerned.

(e) Limitation of Debate. No Board member shall be allowed to speak more than once upon a particular subject until every other Board member desiring to do so has spoken. Any Board member, including the presiding officer, may close the debate by calling for the question. Prior to taking the vote on a matter, the presiding officer shall restate the question and shall provide each member of the Board, including the presiding officer, with one final opportunity to speak which shall be limited to no more than three (3) minutes.

(f) Record of Statements. Unless requested by a member of the Board, the minutes need not reflect the opinions of individual members. A Board member may request the privilege of having a copy of a written statement provided by that Board member on any subject under consideration attached to the minutes. If the Board consents, the statement shall be attached. Any Board member shall have the right to have the reasons for a dissent from or protest against an action of the majority of the Board entered in the minutes in the following manner: "I would like the minutes to show that I am opposed to this action for the following reasons...." Following action of the Board, the presiding officer shall recognize any member of the Board who voted against the majority for this purpose.

(g) Public Participation. At the times that Public Comments are scheduled on the agenda, the presiding officer shall recognize members of the public who may address the Board. In addition, prior to the question being called, the presiding officer may, and at the request of a member of the Board who has obtained the floor shall, recognize a member of the audience in attendance at the meeting who wishes to address the Board on an agenda item. Remarks of members of the audience shall be limited by the presiding officer to five (5) minutes unless a majority of the Board otherwise directs. All remarks shall be addressed to the presiding officer and no question may be asked of Board members or staff without the permission of the presiding officer.

(h) Decorum. While the Board is in session, no member of the Board, the Staff, or the audience shall by conversation or otherwise delay or interrupt the proceedings or the peace of the meeting. Members of the Board and staff shall not leave their seats during a meeting without first obtaining the permission of the presiding officer. No person shall make impertinent, slanderous, or profane remarks. Any person who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, or similar distractions, which conduct disturbs the peace and good order of the meeting may be ordered by the presiding officer or a majority of the Board to leave the meeting room. Failure to comply with such and order shall be a misdemeanor.

(i) Discussion of Agenda Items. Except as provided for public hearings in Chapter 4, the President shall be guided by the following suggested order for discussion of agenda items:

1. Presentation of staff report.
2. Questions and clarification of staff report by Board Members. (Added by Ord. 101, 03/12/96)
3. Comments from the public.
4. Comments from Board Members.
5. Motion (when action is appropriate).
6. Further comments from Board Members.
7. Vote on the motion.

(BTCSD Ordinance No. 93 as amended)

2.01.360 Voting.

(a) All votes taken of the Board shall be by roll call. Upon being polled for a vote by the presiding officer, a Board member shall respond "Yes" for an affirmative vote or "Nay" for a negative vote.

(b) Tie votes shall be lost motions but may be reconsidered by motion of any member of the Board.

(c) The vote of a Board member may be changed by that member immediately following the taking of the vote and prior to the time that the next item in the order of business shall be taken up. A Board member who publicly announces an abstention from voting may not subsequently withdraw that abstention.

(d) A motion may be reconsidered on the day the action was taken only by motion of a member of the Board who voted with the prevailing side. A motion may be reconsidered at any future date by motion of any member of the Board. *(BTCSD Ordinance No. 93 as amended)*

2.01.370 Abstentions. All Board members shall vote on every question except as provided in 2.01.200 hereinabove. An announced abstention shall be counted as an affirmative vote for purposes of determining the outcome of the question, except as provided in 2.01.200 hereinabove. *(BTCSD Ordinance No. 124)*

2.01.374 Reconsideration. Any member of the Board who votes in the majority on a question, as well as any member who was absent, is eligible to make a motion to reconsider. A motion to reconsider shall be in order during the meeting at which the action to be reconsidered took place provided members of the public in attendance during the original action are still present in the Board chamber. In all other cases, motions for reconsideration must be placed on a future agenda for action. Unless a member was absent, a motion to reconsider must be placed on the agenda for the next regular Board meeting. A member who was absent must place a motion to reconsider on the agenda for the next regular Board meeting after the regular Board meeting at which that member is in attendance. A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be a second time reconsidered within twelve (12) months except by a 4/5th vote of the Board. *(BTCSD Resolution 2013-07)*

2.01.380 Closed Sessions. Closed sessions shall be held as prescribed by law. No person present during a closed session shall disclose to any person the content or substance of any discussion which took place during a closed session unless the Board has authorized the disclosure of information by majority vote. *(BTCSD Ordinance No. 93 as amended)*

2.01.390 Recess and Adjournment.

(a) At a regular meeting, the President may recess the meeting for up to 15 minutes one time after 9:00 P.M. By unanimous motion of the members present, a Board meeting can be recessed to a stated time on the same day.

(b) The President may adjourn a meeting of the Board following completion of discussion on all scheduled business. By motion of the Board prior to completion of consideration of all matters on the agenda, a meeting may be adjourned to a stated time and place. If consideration of all matters on the agenda is not complete by 10:30 P.M., the President shall adjourn a regular meeting to the next regular meeting at which time those matters shall be taken up for consideration first, except that upon motion of the Board the meeting may be extended beyond 10:30 P.M. to a stated time. *(BTCSD Ordinance No. 93 as amended)*

2.01.400 Public Hearings. These provisions are intended to apply to hearings advertised pursuant to the law or listed on the posted agenda in the order of business as a "public hearing". The presiding officer shall announce the opening of the hearing and shall then follow the procedures of conduct in 2.01.402 hereinbelow. Unless in conflict with specific provisions of 2.01.402, the provisions of 2.01.350 (l) shall apply. *(BTCSD Ordinance No. 93 as amended)*

2.01.410 Conduct of Public Hearings.

(a) Staff Reports. Staff reports shall first be heard on the matter before the Board. The President may summarize any written staff reports.

(b) Applicant or Appealing Party. The Applicant or Appealing Party, including a member of the Board who is the Appealing Party, shall then be given the opportunity to present statements amplifying the written appeal or proposal. Such person may appear on her or his own behalf or by representatives but shall be limited to ten (10) minutes.

(c) Supporters. Any member of the audience wishing to speak on behalf of the Applicant or Appealing Party shall be recognized and may speak for up to five (5) minutes.

(d) Correspondence. The General Manager shall then read all correspondence or other communications received by the District on the matter.

(e) Opponents. Any member of the audience wishing to speak in opposition to the Applicant or Appealing Party shall be recognized and may speak for up to five (5) minutes.

(f) Rebuttal. The Applicant or Appealing Party shall be recognized to present a rebuttal to the opponents, which shall be limited to five (5) minutes.

(g) Closing the Hearing. The presiding officer shall then close the hearing and no further audience participation shall be allowed.

(h) Identification. Any person speaking during the hearing shall first be asked to state her or his name and give her or his residence address for the record. *(BTCSD Ordinance No. 93 as amended by Ordinance No. 106)*

2.01.420 Conduct of Hearing for Adoption of Ordinance. This section shall apply to public hearings relating to the adoption of an ordinance which shall be conducted as follows:

(a) Staff reports shall first be heard on the matter before the Board. The President may summarize any written staff reports or request staff members to do so.

(b) Any member of the audience wishing to be heard shall be recognized for up to five (5) minutes.

(c) The President shall then close the public hearing and no further audience participation shall be allowed.

(d) Prior to the making of a motion, Board Members may ask questions and shall be permitted to comment upon the proposal. *(BTCSD Ordinance No. 106)*

2.01.430 Time Limits. Unless waived by the President or by the Board, time limits set forth in 2.01.410 shall be followed. *(BTCSD Ordinance No. 106)*

2.01.500 Ordinances.

(a) As required by the Community Services District Law, it is the intent of the Board to adopt ordinances in a manner consistent with Section 25120 et seq. of the Government Code, except when a "code" is being adopted pursuant to the procedures of Section 50022.1 et seq. of the Government Code.

(b) Drafting of ordinances. Ordinances to be introduced shall be drafted by the District General Counsel at the direction of the Board or the request of the General Manager.

(c) Introduction. Except for urgency ordinances, ordinances may be introduced by a reading of the title at any regular meeting, special meeting, or adjourned meeting. If amended subsequent to introduction, ordinances shall be reintroduced.

(d) Except for urgency ordinances, ordinances shall not be adopted within five days of their introduction or reintroduction nor at other than regular or adjourned regular meetings.

(e) When an ordinance is the next matter to come before the Board, the presiding officer shall read the title of the ordinance prior to any discussion or motions on the ordinance.

(f) Prior to taking a vote on the adoption of the ordinance, the presiding officer shall poll the members of the board on the question: "Shall the ordinance be read in full?" If no member votes "Yes," then the record shall show that a reading of the ordinance in full was waived by regular motion adopted unanimously by the members present. If an ordinance is to be read in full, it shall be read aloud by the Board or staff member directed by the presiding officer to do so.

(g) If an ordinance is adopted following a notice and public hearing required by state law, a reading in full shall not be required.

(h) Motions to amend an ordinance or table the question shall not be in order following a duly seconded motion to adopt an ordinance.

(i) Signatures. Every ordinance and resolution shall be signed by the Board member presiding at the meeting at which the ordinance was adopted and shall be attested by the General Manager.

(j) Ordinance Book. All ordinances shall be entered at length in an official ordinance book of the District and shall reflect the vote of the Board on the adoption of the ordinance.

(k) Effective Date and Posting. Except for urgency ordinances or as otherwise required by law, the following paragraph shall be the last section of every ordinance and posting shall be accomplished and ordinances shall become effective as stated therein:

"This ordinance shall become effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the General Manager shall post copies of this ordinance on the bulletin board in three places within the District as follows: District Office, Community Center, and the Golf Pro Shop."

Conformance to the above paragraph shall constitute conformance to the requirements of Section 25124 of the Government Code.

(l) Urgency Ordinances. Urgency ordinances which are adopted in a manner consistent with Section 25123 of the Government Code may take effect immediately upon their passage. *(BTCSD Ordinance No. 93 as amended)*

2.01.600 Minutes of Board Meetings.

(a) The General Manager shall have the responsibility for preparation of the minutes, and directions for change in the minutes shall be made only by majority action of the Board. Prior to the entry of minutes into the official minute record of the Board, the minutes shall be approved as submitted or as amended by a majority vote of the Board. Unless the reading of minutes of a Board meeting is ordered by a majority vote of the Board, the minutes may be approved without reading if each Board member is furnished with a copy. The General Manager may tape each meeting to assist with the preparation of the minutes, but such tape shall not become a permanent part of the record.

(b) Pursuant to law, the General Manager shall be the officer who shall attend each closed session of the Board to keep and to enter into a confidential minute book a recording of topics discussed, and decisions made in closed session. This minute book may consist of the audio tape recording of closed sessions. This minute book is not a public record subject to inspection pursuant to the California Public Records Act and at all times shall be kept confidential by the General Manager unless ordered by a court of competent jurisdiction to produce said minute book. Any employee appearing before the Board in closed session shall be advised by the board that minutes of the session are being taken as provided herein. Should a closed session be held for the purpose of discussing a personnel matter relative to the General Manager, or in the event of her or his absence, the General Counsel shall take and keep confidential the minutes of that session. Minutes of closed sessions shall be available to those persons permitted to have access by law. *(BTCSD Ordinance No. 93 as amended)*

2.01.700 Advisory Committees. The following provision of the Community Services District Law is incorporated herein:

61048. A board of directors may appoint one or more advisory committees to advise the board of directors about the district's finances, policies, programs, and operations.

2.01.710 Committees of the Board. The Board of Directors may, from time to time, create ad hoc committees of one or more members of the Board. The President of the Board shall appoint members thereto. Standing committees must be reappointed at the end of six months following appointment and may not be reappointed thereafter. *(BTCSD Ordinance No. 93 as amended)*

2.01.720 Other Committees. The appointment of persons to all boards, commissions, and committees whose members serve at the pleasure of, or are appointed by, the Board of Directors shall be made pursuant to Section 54970 et seq. of the Government Code. *(BTCSD Ordinance No. 93 as amended)*

2.01.800 Township Officers: Appointment and Removal.

(a) The Board of Directors shall employ by contract a General Manager, a District General Counsel, and an Auditor pursuant to the provisions of Section 53060 of the Government Code of the State of California.

(b) Said officers shall be appointed by the Board of Directors on the basis of the person's professional qualifications and ability.

(c) No person holding office as a Director shall hold office as General Manager, General Counsel, or Auditor until one year has elapsed after said person ceased holding office as a Director.

(d) The General Manager, General Counsel, and Auditor shall serve at the pleasure of the Board of Directors but may not be removed from office by the Board within ninety (90) days following the election or appointment of a member of the Board.

(e) The officers of the District may appoint such deputies to act on their behalf in their absence as may be necessary or convenient. *(BTCSD Ordinance No. 66)*

Annotations: Section 53060 of the Government Code provides as follows:

53060.

The legislative body of any public or municipal corporation or district may contract with and employ any persons for the furnishing to the corporation or district special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required.

The authority herein given to contract shall include the right of the legislative body of the corporation or district to contract for the issuance and preparation of payroll checks.

The legislative body of the corporation or district may pay from any available funds such compensation to such persons as it deems proper for the services rendered.

CHAPTER 2. GENERAL MANAGER

2.02.010 Community Services District Law. Provisions of the Community Services District Law are incorporated herein as follows:

61050.

(a) The board of directors shall appoint a general manager.

(b) The county treasurer of the principal county shall serve as the treasurer of the district. If the board of directors designates an alternative depository pursuant to Section 61053, the board of directors shall appoint a district treasurer who shall serve in place of the county treasurer.

(c) The board of directors may appoint the same person to be the general manager and the district treasurer.

(d) The general manager and the district treasurer, if any, shall serve at the pleasure of the board of directors.

(e) The board of directors shall set the compensation, if any, for the general manager and the district treasurer, if any.

(f) The board of directors may require the general manager to be bonded. The board of directors shall require the district treasurer, if any, to be bonded. The district shall pay the cost of the bonds.

61051. The general manager shall be responsible for all of the following:

(a) The implementation of the policies established by the board of directors for the operation of the district.

(b) The appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors.

(c) The supervision of the district's facilities and services.

(d) The supervision of the district's finances.

2.02.020 Powers and Duties. The General Manager shall be the chief executive officer of the district under the direction and control of the Board of Directors. The General Manager shall be responsible for the efficient administration of the affairs of the District. The General Manager shall also serve as Secretary to the Board of Directors and as District Treasurer. In addition to the general powers as chief executive officer of the District, and not as a limitation thereof, the General Manager shall have the following duties and powers:

(a) The General Manager shall see that all ordinances and other policies of the District are observed and enforced and that all franchises, licenses, and permits granted by the District and contracts entered into by the District are faithfully performed and observed.

(b) Pursuant to the personnel rules and regulations and the annual budget of the District, the General Manager shall hire, supervise, control, direct, and remove employees of the District. The General Manager shall recommend to the Board persons for consideration for providing professional services to the District.

(c) The General Manager shall recommend to the Board such reorganization of offices, positions, departments, or units as may be in the interest of efficient, effective, and economical conduct of the District's business.

(d) The General Manager shall recommend to the Board for adoption such resolutions and ordinances as deemed necessary or expedient.

(e) The General Manager shall attend all meetings of the Board of Directors, except when excused by the Board at the General Manager's request or when removal of the incumbent is under consideration. The General Manager may attend any meetings of any other commissions or committees of the District. The General Manager shall keep the members of the Board and commissions and committees informed on the status of any matter being considered and shall cooperate with them to the fullest extent possible consistent with the other duties and responsibilities of the General Manager.

(f) The General Manager shall keep the Board at all times fully advised with respect to the financial condition and needs of the District and each year shall prepare the proposed annual budget for consideration by the Board.

(g) The General Manager, as purchasing agent of the District, shall purchase all supplies and materials needed for the operation of the District.

(h) Pursuant to established policy the General Manager shall supervise and control the affairs of the District and all departments and divisions thereof, shall administer contracts to which the District is a party, and shall investigate all complaints relating to matters concerning the provision of service by the District.

(i) The General Manager shall exercise general supervision over all public buildings, parks, and all other public property which are owned or under the control and jurisdiction of the District.

(j) The General Manager shall implement policies of the Board and perform such other functions and exercise such other powers as may be assigned by ordinance, resolution, or other act of the Board of Directors. *(BTCSD Ordinance No. 66)*

2.2.030 Board - Manager Relations. The Board and its members shall deal with the administrative services of the District only through the General Manager. Neither the Board nor any member thereof shall give orders to any subordinates of the General Manager. The General Manager shall receive orders and instructions from the Board only during a duly held meeting of the Board and no individual member of the Board shall give orders or instructions to the General Manager. When seeking to inform themselves of District functions and responsibilities, members of the Board may meet with District employees at the convenience of the General Manager. The General Manager may regulate, but not prohibit such meetings. *(BTCSD Ordinance No. 66)*

CHAPTER 3. GENERAL COUNSEL

2.30.110 Powers and Duties. The District General Counsel shall provide legal guidance, assistance and advice to the Board of Directors and the General Manager with regard to the affairs of the District. Specifically, and not as a limitation thereof, the General Counsel shall have the following powers and duties:

(a) The General Counsel shall attend all meetings of the Board except when excused by the Board at the General Counsel's request or when removal of the incumbent is under consideration. The General Counsel may attend any meetings of any other commissions or Committees of the District. The General Counsel shall keep the members of the Board and commissions and committees informed on the status of any matter being considered and shall cooperate with them to the fullest extent possible consistent with the other duties and responsibilities of the General Counsel.

(b) The General Counsel shall recommend to the Board for adoption such resolutions and ordinances as deemed necessary or expedient and shall keep the Board and General Manager advised of relevant changes in law.

(c) The General Counsel shall prosecute and defend the District in litigation. Where appropriate and in the best interest of the District, the General Counsel shall recommend the employment of specific counsel for particular litigation or other matters.

(d) When requested by the General Manager or the Board of Directors, the General Counsel shall conduct investigations into the affairs of the District.

(e) The General Counsel shall perform such other functions and exercise such other powers as may be assigned by ordinance, resolution, or other act of the Board of Directors. *(BTCSD Ordinance No. 66)*

2.30.120 Board - Counsel Relations. The General Counsel shall receive orders and instructions from the Board only during a duly held meeting of the Board and no individual member of the Board shall give orders or instructions to the General Counsel. When seeking to inform themselves of District functions and responsibilities, members of the Board may request legal opinions on specific subjects, copies of which shall be given to the General Manager for dissemination to all other Board members. *(BTCSD Ordinance No. 66)*

CHAPTER 4. AUDITOR

2.10.010 Community Services District Law. Provisions of the Community Services District Law are incorporated herein as follows:

61118.

(a) The board of directors shall provide for regular audits of the district's accounts and records pursuant to Section 26909.

(b) The board of directors shall provide for the annual financial reports to the State Controller pursuant to Article 9 (commencing with Section 53890) of Chapter 4 of Part 1 of Division 2 of Title 5.

2.40.020 Auditor: Powers and Duties. The Board of Directors shall retain the services of a Certified Public Accountant to conduct an annual audit of the District's accounts according to generally accepted standards and to recommend methods to the General Manager on maintaining and improving internal controls. *(BTCSD Ordinance No. 66)*

TITLE 3. CONFLICT OF INTEREST CODE

CHAPTER 1. GENERAL PROVISIONS

3.01.001 Amendment

3.01.010 Adoption of Code by Reference

3.01.020 Filing of Statements of Economic Interest

3.01.030 Designated Officers, Employees and Consultants

CHAPTER 1. GENERAL PROVISIONS

3.01.001 Amendment. Unless otherwise provided by State law, the provisions of this Chapter may be amended by a resolution of the Board of Directors.

3.01.010 Adoption of Code by Reference. 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 (FPPC) has adopted a regulation, 2 Cal. Code of Regs. Sections 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby set forth in Appendix A, incorporated by reference and, along with the attached Appendix B in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Brooktrails Township Community Services District. (*Resolution 1992-25*)

3.01.020 Filing of Statements of Economic Interest. Pursuant to Section 4 of the standard code, designated employees shall file statements of economic interests with the Secretary to the Board. Upon receipt of the statements for the members of the Board and the General Manager, the Secretary to the Board shall make and retain a copy and forward the original of these statements to the Mendocino County Clerk's Office. Statements for all other designated employees and positions shall be retained by the agency. (*Resolution 1992-25*)

3.01.030 Designated Officers, Employees and Consultants.

(a) The following designated positions shall file forms as required by the FPPC for the indicated

Categories and positions:

Designated Position	Categories & Schedules
Members of the Board	All categories and schedules
General Manager	All categories and schedules
General Counsel	All categories and schedules
Fire Chief	All categories and schedules
Director of Emergency Services	All categories and schedules
Superintendent of Utilities	All categories and schedules
Deputy Finance Officer	All categories and schedules
District Architect	Schedules A-1, A-2, B, C
Members of: Recreation, Greenbelt & Conservation Committee	Schedules A-1, A-2, B, C

(b) Consultants. Consultants shall be included in the list of designated employees and shall disclose to the broadest disclosure category in the code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure requirements. The General Manager'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. (*Resolution 1992-25 as amended by Resolution 2004-22*)

TITLE 4. PERSONNEL

CHAPTER 1. GENERAL PROVISIONS

- 4.01.001 Employee Relations Merit System
- 4.02.002 Amendment
- 4.01.010 Community Services District Law
- 4.01.020 Purpose
- 4.01.030 Personnel Policy
- 4.01.040 Employment Constitutes Acceptance

CHAPTER 2. CLASSIFICATION PLAN

- 4.02.010 Purpose of Classification Plan
- 4.02.020 Composition of the Classification Plan
- 4.02.030 Use of Classes
- 4.02.040 Adoption and Amendment of Classification Plan

CHAPTER 3. EMPLOYMENT

- 4.03.010 Employment Policy
- 4.03.020 Citizenship
- 4.03.030 Recruitment
- 4.03.040 Application
- 4.03.050 Selection Process
- 4.03.060 Ineligibility or Disqualification
- 4.03.070 Categories for Appointment
- 4.03.080 Probationary Period
- 4.03.090 Objective of Probationary Period
- 4.03.100 Probationary Employee Performance Reports
- 4.03.110 Rejection of Probationary Employee
- 4.03.120 Reappointments
- 4.03.130 Continued Employment
- 4.03.150 Persons who Provide Voluntary Service

CHAPTER 4. TERMINATION OF EMPLOYMENT

- 4.04.010 Resignation or Retirement
- 4.04.020 Lack of Work or Funds

CHAPTER 5. COMPENSATION AND HOURS

- 4.05.001 Compensation Defined
- 4.05.010 Employee Compensation Plan
- 4.05.020 Administration of Employee Compensation Plan
- 4.05.030 Work Week
- 4.05.040 Normal Work Week

- 4.05.050 Attendance
- 4.05.060 Pay Periods
- 4.05.070 Computation of Salary
- 4.05.080 Overtime Policy
- 4.05.090 Overtime Compensation and Compensatory Time Off
- 4.05.100 Overtime Computation and Standby Assignment.
- 4.05.110 Overtime Approval
- 4.05.120 Overtime While on Duty Status
- 4.05.130 Overtime in Emergency Conditions
- 4.05.140 Administrative Employees
- 4.05.150 Deductions from Pay
- 4.05.160 Merit Advances Within the Salary Range
- 4.05.170 Travel Allowance
- 4.05.180 Termination Pay
- 4.05.190 Acting Capacity Pay
- 4.05.200 Education Incentive Pay
- 4.05.210 Clothing and Uniform Allowance

CHAPTER 6. SICK LEAVE

- 4.06.010 Statement of Policy
- 4.06.020 Eligibility
- 4.06.030 Accrual
- 4.06.040 Deductions
- 4.06.050 Sick Leave Pay upon Termination, Retirement or Death
- 4.06.060 Absence Due to Injury on the Job

CHAPTER 7. VACATION LEAVE

- 4.07.010 Statement of Policy
- 4.07.020 Vacation Accrual
- 4.07.030 Use of Vacation
- 4.07.040 Holidays Falling During Vacation
- 4.07.050 Vacation at Termination
- 4.07.060 Effect of Extended Military Leave

CHAPTER 8. HOLIDAYS

- 4.08.010 Statement of Policy
- 4.08.020 Compensation for Work on Paid Holidays

CHAPTER 9. OTHER LEAVES OF ABSENCE

- 4.09.010 Leaves of Absence Without Pay
- 4.09.020 Absence Without Leave
- 4.09.030 Leave for Death Within the Immediate Family
- 4.09.040 Leave for Death Outside the Immediate Family

- 4.09.050 Military Leave
- 4.09.060 Voting Leave
- 4.09.070 Jury Duty
- 4.09.080 Workers' Compensation Hearings
- 4.09.090 Maternity Leave

CHAPTER 10. DISCIPLINARY ACTION

- 4.10.010 Disciplinary Policy Statement
- 4.10.020 Causes for Disciplinary Action
- 4.10.030 Administration of Disciplinary Action
- 4.10.040 Effect of Certain Disciplinary Actions
- 4.10.050 Right of Appeal
- 4.10.060 Hearing
- 4.10.070 Representation
- 4.10.080 Notice to Witnesses
- 4.10.090 Failure of Employee to Appear at Hearing
- 4.10.100 Decisions
- 4.10.110 Confidential Information

CHAPTER 11. GRIEVANCE PROCEDURES

- 4.11.010 Purpose
- 4.11.020 Matters Subject to Grievance Procedures
- 4.11.030 Informal Grievance Procedures
- 4.11.040 Formal Grievance Procedures
- 4.11.050 Conduct of the Grievance Procedure

CHAPTER 12. SAFETY PROGRAM

- 4.12.010 Safety Policy
- 4.12.020 Responsibility for Safety
- 4.12.030 Accident Procedures
- 4.12.040 Safety Meeting
- 4.12.050 Safety Gear
- 4.12.060 Safety Committee
- 4.12.070 Drug and Alcohol Use Prohibitions and Testing
- 4.12.080 Safety Programs and Policies

CHAPTER 13. EMPLOYER-EMPLOYEE RELATIONS

- 4.13.010 Statement of Purpose
- 4.13.020 Meet and Confer Matters
- 4.13.030 Rules for the Establishment of Procedures
- 4.13.040 Individual Employees Compensation Plan
- 4.13.050 Amendment of Personnel Rules and Regulations

CHAPTER 14. REGULATIONS GOVERNING VOLUNTEER FIREFIGHTERS

- 4.14.010 Authorization
- 4.14.020 Membership
- 4.14.020 Workers' Compensation
- 4.14.030 Training Required
- 4.14.040 Continued Service
- 4.14.050 Participation Required
- 4.14.060 Responsibility for Equipment
- 4.14.070 Personal Gain
- 4.14.080 Disciplinary Action
- 4.14.090 Grievance Procedures
- 4.14.100 Residence
- 4.14.110 Leave of Absence
- 4.14.120 Alcoholic Beverages and Non-Prescription Drugs

CHAPTER 15. SEXUAL HARASSMENT POLICY

- 4.15.010 Sexual Harassment of and By Employees
- 4.15.020 Definition of Sexual Harassment
- 4.15.030 Examples of Unacceptable Conduct
- 4.15.040 Discipline/Consequences
- 4.15.050 Reporting Procedure/Investigation
- 4.15.060 Retaliation Prohibited
- 4.15.070 Enforcement
- 4.15.080 Notifications
- 4.15.090 Reporting to Outside Agencies

CHAPTER 16. COMMUNITY VOLUNTEERS

- 4.16.010 Purpose
- 4.16.020 Participation
- 4.16.030 Workers' Compensation
- 4.16.040 Restrictions
- 4.16.050 Example Projects
- 4.16.060 Project Proposals

CHAPTER 17. RESERVED

CHAPTER 18. RESERVED

CHAPTER 19. MISCELLANEOUS

- 4.19.010 Outside Employment
- 4.19.020 Gratuity
- 4.19.030 Conflicts of Interest
- 4.19.040 Records

- 4.19.050 Residence
- 4.19.060 In-Service Training
- 4.19.070 District Vehicles
- 4.19.080 Student Workers

CHAPTER 20. DEFINITIONS

- 4.20.010 Definitions

APPENDICES

- A-1. Classification Plan
- A-2. Compensation Plan
- B-1. Fire Department Volunteer Classification Plan
- B-2. Fire Department Volunteer Remuneration Plan

CHAPTER 1. GENERAL PROVISIONS

4.01.001 Employee Relations Merit System. Pursuant to the provisions of Section 13961 of the Health and Safety Code, the Board of Directors shall adopt by resolution personnel rules and regulations consistent with Sections 2.02.010 and 2.02.020 (b) hereinabove. Said resolution shall establish a system of employment with the District for all employees based upon merit to be administered by the General Manager. The rules and regulations shall not apply to the General Manager, the General Counsel, the Auditor, or the Board of Directors unless otherwise provided by contract pursuant to Section 22.01.800 (a) hereinabove. *(BTCSD Ordinance No. 66)*

4.02.002 Amendment. Unless otherwise provided by State law, the provisions of this Title may be amended by a resolution of the Board of Directors except Section 4.01.001 which may be amended only by a duly adopted ordinance.

4.01.010 Community Services District Law. The following provisions of the Community Services District Law are incorporated herein:

61051.

The general manager shall be responsible for all of the following: appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors.

61065.

(a) The Meyers-Milias-Brown Act, Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 applies to all districts.

(b) A board of directors may establish an employee relations system that may include, but is not limited to, a civil service system or a merit system.

4.01.020 Purpose. The purpose of these rules and regulations is to facilitate effective operation of the District and to provide for a fair and equitable system of personnel management. These rules set forth in detail, those procedures which ensure equal treatment for applicants and employees, and define the obligations, rights, privileges, benefits, and prohibitions placed upon all employees. They are intended to indicate the customary and the most reasonable methods whereby the aims of the personnel program of the District can be carried out in all departments under the direction of the General Manager. (*Resolution 1988-23*)

4.01.030 Personnel Policy. The following statements are hereby declared to be the personnel policy of the District and these rules and regulations shall be administered and interpreted in terms of this policy:

(a) It is the duty of the General Manager to supervise all personnel and administer these rules. Full authority over all District employees is granted to the General Manager except as provided herein.

(b) Since employment and promotion by the District shall be based on merit and fitness, these rules shall be administered in such a manner as to systematically work toward the elimination of discrimination by breaking down barriers of habit, attitude, and training which prevent the recognition of individual merit.

(c) The California Fair Employment Practices Act shall govern all employment practices of District.

(d) Tenure of employees covered by these rules shall be subject to good behavior, satisfactory work performance, necessity for the performance of work and the availability of funds.

(e) Members of the Board of Directors shall not as individuals direct the actions of any employee nor interfere with the responsibilities of the General Manager as provided herein. (*Resolution 1988-23*)

4.01.040 Employment Constitutes Acceptance. In accepting employment with District, each employee agrees to be governed by and to comply with these personnel rules and regulations, administrative rules and procedures established by the General Manager pursuant hereto, and regulations and directives of the department or program in which employee is employed. All employees holding a position with District on the effective date of these rules and regulations shall thereafter be subject in all respects to the provisions herein. (*Resolution 1988-23*)

CHAPTER 2. CLASSIFICATION PLAN

4.02.010 Purpose of Classification Plan. Every position of employment with the District shall be assigned an appropriate classification based on the duties and responsibilities of such position. The purpose of the classification plan is to standardize titles, each of which is indicative of a definite range of duties and responsibilities and has the same meaning throughout the organization. (*Resolution 1988-23*)

4.02.020 Composition of the Classification Plan. The classification plan shall consist of a grouping by classes of positions which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions. Each such class shall have a job description which will include: a concise, descriptive title; a general description of the duties and responsibilities of positions in the class; an itemization of the principal duties of positions in the class; a statement of desirable qualifications for someone in the position; and a statement of minimum required qualifications for filling such positions. (*Resolution 1988-23*)

4.02.030 Use of Classes. Class titles are to be used in all personnel, budget, appropriation, and financial records. No person will be appointed to or employed in a position under a title not included in the classification plan. Class job descriptions are to be interpreted in their entirety and in relation to others in the classification plan. Particular phrases or examples are not to be isolated. Job descriptions are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed. (*Resolution 1988-23*)

4.02.040 Adoption and Amendment of Classification Plan. The classification plan may be amended from time to time by action of the Board of Directors. The current classification plan is attached hereto in Appendix A. (*Resolution 1988-23, plan as amended by Resolutions 2007-15, 2018-6, 2021-04, 2021-05, and 2024-03*)

CHAPTER 3. EMPLOYMENT

4.03.010 Employment Policy. The stated employment policy of the District is to hire, promote, and retain the best qualified personnel available. The best qualified personnel shall mean those persons who can most effectively perform in the position. Applicants are to be evaluated only in terms of those factors which affect their ability to perform on the job. Employees are to be evaluated only in terms of their effectiveness in the position. (*Resolution 1988-23*)

4.03.020 Citizenship. Employment is open to qualified men and women who can establish eligibility for employment pursuant to federal law. (*Resolution 1988-23*)

4.03.030 Recruitment. Individuals shall be recruited from a geographic area as wide as is necessary to assure obtaining well-qualified candidates for vacant positions. Such various media of publicity shall be used in recruitment as might be sufficient to bring notice of vacancies to a reasonable number of qualified persons. (*Resolution 1988-23*)

4.03.040 Application. All candidates for employment shall file an application with the District Office on an application form prescribed by the General Manager. Such an application may have attached to it a resume prepared by the applicant. (*Resolution 1988-23*)

4.03.050 Selection Process. The selection process shall include personal interviews and may include such recognized techniques as achievement tests, aptitude tests, performance tests, evaluation of previous work performance, psychological evaluation, work samples, physical agility tests, review and investigation of personal background and references, and fingerprinting. Subsequent to appointment, but before beginning work, all applicants shall provide the District with the results of a pre-employment medical examination performed by a doctor of the employee's choice acceptable to the District, and which examination shall be paid for by the District. Upon recommendation of the examining physician, the employee may be refused employment. Selection techniques will be impartial and shall relate to those areas which will adequately and fairly indicate the relative ability and quality of candidates under consideration to execute the duties and responsibilities of the position to which they seek to be appointed. Upon completion of the selection process, the General Manager shall make appointments from those candidates who, on the basis of their performance in the selection process, appear most qualified for positions under consideration. The appointment shall become effective when the selected applicant has signed all papers required by the District, and those papers bear the appropriate signatures confirming the appointment. (*Resolution 1988-23*)

4.03.060 Ineligibility or Disqualification. The General Manager may withdraw anyone from consideration whose appointment would be deemed contrary to the best interests of the District. Reasons for disqualifications may include but shall not be limited to the following:

- A. Lack of any of the requirements established for the position for which application has been made.
- B. Physical or mental disabilities such as to render the applicant unfit to perform the duties of the position to which appointment is being sought.
- C. Use of intoxicating beverages to excess.
- D. Unlawful use of habit-forming drugs.
- E. Conviction of a felony or conviction of a misdemeanor involving moral turpitude.
- F. Infamous or notoriously disgraceful conduct.
- G. Dismissal from any position for any cause which would be cause for dismissal by the District.
- H. Resignation from any position to avoid dismissal.
- I. Deception or fraud in making the application.
- J. Request by applicant that her or his name be withdrawn from consideration.
- K. Failure to reply within reasonable time to communication concerning availability for employment.
- L. Failure to accept appointment within two days after notification or to report for duty within the time prescribed in the offer of employment.

Applicants disqualified shall be notified immediately. All records relating to disqualifications shall be maintained for a period of at least two years. (*Resolution 1988-23*)

4.03.070 Categories for Appointment. The following categories of appointment may be made by the general manager in conformity with the rules established:

- A. Regular Full-Time Employees. A regular full-time employee works full time on a continuing indefinite basis. Such employees are subject to all rules and regulations and receive all benefits and rights as provided by the rules and regulations.
- B. Regular Part-Time Employees. A regular part-time employee works less than 40 hours per week but works on a regularly scheduled basis. Such employees are subject to all rules and regulations and receive any benefits and rights as provided by the rules and permitted by law

or contract. Those rights or benefits shall be in proportion to their work hours where financial or other numerical calculations are involved.

C. Temporary/Seasonal Employees. As defined in Section 20305 of the Government Code, temporary employees are appointed in the same manner and are subject to the same procedures as regular employees, except that they will be laid off at the close of the job for which they have been employed and may not be eligible for all benefits.

D. Emergency Employees. In order to prevent stoppage of business, appointment of employees on a temporary basis may be authorized by the General Manager for not more than 60 days. Whenever the appointment of emergency employees will result in an expenditure of funds in excess of the annual budget, the General Manager shall submit such appointments to the Board of Directors for approval as soon as reasonably practical under the circumstances of the emergency, but in no case in less than two weeks following the appointments. (*Resolution 1988-23*)

4.03.080 Probationary Period. All appointments shall be tentative and subject to a probationary period fixed by the general manager at the time of appointment of not less than six (6) months nor more than twelve (12) months. The probationary period may not be extended beyond the length of time initially established. (*Resolution 1988-23*)

4.03.090 Objective of Probationary Period. The probationary period shall be regarded as part of the selection process. It shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to the position, and for rejecting a probationary employee whose performance does not meet acceptable standards of work. (*Resolution 1988-23*)

4.03.100 Probationary Employee Performance Reports. A performance report of each probationary employee shall be made by her or his supervisor according to the rules established by the General Manager. The employee performance evaluation report shall be filed by the supervisor with the General Manager upon the completion of the employee's first, third, and sixth month of employment. Thereafter, they shall be filed every three months until the end of the probationary period. (*Resolution 1988-23*)

4.03.110 Rejection of Probationary Employee. During the probationary period, an employee may be suspended, demoted, or terminated at any time by the supervisor without cause and without the right to appeal or to submit a grievance. The noticing requirements of 10.03 herein shall apply to the extent that the employee will be notified if the action is being taken for cause, and if so, what that cause is. Unless the employee responds pursuant to 10.03, said notice shall not become a permanent part of the employee's record. (*Resolution 1988-23*)

4.03.120 Reappointments. Reappointment of any former employee shall be considered new employment. *(Resolution 1988-23)*

4.03.130 Continued Employment. Continued employment with District shall be subject to good behavior, satisfactory work performance, and availability of funds. *(Resolution 1988-23)*

4.03.150 Persons who Provide Voluntary Service. Persons who perform voluntary service without pay for the District as designated and authorized by the Board of Directors or its designee shall be deemed to be an employee of the District while performing such service only for purposes of Division 4 of the California Labor Code entitled "Workers' Compensation and Insurance." *(Resolution 1986-43)*

CHAPTER 4. TERMINATION OF EMPLOYMENT

4.04.010 Resignation or Retirement. An employee wishing to leave the services of the District in good standing either by resignation or retirement shall give the General Manager at least two weeks of notice. (*Resolution 1988-23*)

4.04.020 Lack of Work or Funds. An employee's position may be terminated by the General Manager because of changes of duties or organization, abolishment of position, shortage of work or funds, or completion of work. In cases involving regular employees only, notice of such termination will be given to the employee at least four weeks prior to the effective date of termination, unless employee agrees to a different termination period. Such termination shall not be subject to appeal, but the employee shall be given first consideration for any other vacant position with District for which employee is qualified. (*Resolution 1988-23*)

CHAPTER 5. COMPENSATION AND HOURS

4.05.001 Compensation Defined. “Compensation” as used herein, shall mean wage and nonwage benefits provided to employees. The Bureau of Labor Statistics National Compensation Survey groups benefits into five categories: Paid leave (vacations, holidays, sick leave); supplementary pay (premium pay for overtime and work on holidays and weekends, shift differentials, nonproduction bonuses); retirement (defined benefit and defined contribution plans); insurance (life insurance, health benefits, short-term disability, and long-term disability insurance) and legally required benefits (Social Security and Medicare, Federal and State unemployment insurance taxes, and workers’ compensation). The current “compensation plan” for employees other than volunteers is included in Chapters 5, 6, 7, 8, 9, and Appendix A.

4.05.010 Employee Compensation Plan. An employee compensation plan shall be established by the Board of Directors. Each class in the classification plan shall be assigned a wage range or a rate in the compensation plans. All persons employed by District shall be compensated in accordance with the compensation plan then in effect. *(Resolution 1988-23)*

4.05.020 Administration of Employee Compensation Plan. Except for those employees otherwise affected by a contract, employment agreement, or memorandum of understanding, at least once each year the General Manager shall recommend to the Board of Directors an appropriate compensation plan pursuant to the provisions of Chapter 13 herein. *(Resolution 1988-23 as amended by Resolution 2000-46)*

4.05.030 Work Week. The work week shall begin at 12:01 A.M. on Saturday and end at 11:59 P.M. on the following Friday. Scheduling of working hours during each week shall be done by the supervisor for each employee. *(Resolution 1988-23)*

4.05.040 Normal Work Week. A normal work week for each employee will be established by the supervisor at the time of employment of the employee and may be modified from time to time at the supervisor's discretion. *(Resolution 1988-23)* A work period of 14 consecutive days or 96 hours is adopted in accordance with Section 7(k) of the Fair Labor Standards for all employees engaged in fire protection. *(Resolution 2018-5)*

4.05.050 Attendance. An employee shall be in attendance during scheduled working hours in accordance with these rules and general departmental or program regulations. All employees shall keep daily attendance records which shall be approved by the supervisor and submitted for payroll as specified by the General Manager. *(Resolution 1988-23)*

4.05.060 Pay Periods. The pay period for all employees shall be biweekly and salaries will be paid on the Friday following the last working day of each pay period. When the regular payday coincides with a holiday, salaries will be paid on the work day immediately preceding. Except for employees being terminated, salaries will be paid only on regular paydays. Employees leaving the job normally will be paid on the regular payday following the date of termination, or on such other earlier date as may be required by law, but only upon written clearance from the

supervisor that all the District's tools, clothing, keys, equipment, etc., have been returned.
(*Resolution 1988-23*)

4.05.070 Computation of Salary. The salary rates for all positions are as set forth in the compensation plan. (*Resolution 1988-23*) In the conversion of hourly rates to monthly salaries, the following formula shall be used:

$$\begin{array}{c} (40 \text{ hours per week} \times 52 \times \text{hourly rate}) \\ \text{divided by} \\ (12 \text{ months}) \end{array}$$

4.05.080 Overtime Policy. It is the policy of the District that overtime work is to be kept at a minimum consistent with the safe and efficient operation of the departments and programs, and that overtime be compensated as provided herein. Overtime work for all eligible employees shall be defined as any time worked beyond the normal work period as established pursuant to Section 5.04 herein. (*Resolution 1988-23*)

4.05.090 Overtime Compensation and Compensatory Time Off. For every hour of overtime worked by an employee as authorized by her or his supervisor, the employee shall be entitled to one-and-one-half hours of pay at her or his regular rate of pay to be paid at the end of the pay period. An employee may, with the approval of the District Manager, accumulate compensatory time off at a rate of one-and-one-half hours for each over-time hour worked in lieu of overtime pay, provided that such accumulation of compensatory time off does not exceed 80 hours. When such compensatory time off is accrued, the over-time compensation paid at the end of the pay period will be reduced accordingly. Use of compensatory time off shall be regulated as if it were accrued vacation time except that it may be "cashed in" for payment on the next regular pay day at the employee's option and may be carried forward through fiscal years. (*Resolution 1988-23*)

4.05.100 Overtime Computation and Standby Assignment. An employee who is released from duty and is assigned by the supervisor to be on-call shall be entitled to compensation equivalent to one hour pay rate for each day assigned. Hourly employees who are recalled to work after having completed their regular work day or called to work on their day off shall be compensated for a minimum of two hours regular time. Time shall commence from the point an employee reaches the place where they have been directed to report and shall continue until they are released or the work is completed, whichever comes earlier. In way of example of how the two hours of regular time minimum works, if an employee is called back and works less than 1.25 hours, they would qualify for the two hours regular time minimum. If they work longer, then the regular overtime rate would provide them with more than the minimum.
(*Resolution 1988-23 as amended by Resolution 1995-34*)

4.05.110 Overtime Approval. Overtime compensation provisions shall not apply unless such overtime work is specifically approved by the employee's supervisor in advance of the overtime

worked or unless the employee is on duty status as provided in 4.05.120 herein below.
(*Resolution 1988-23*)

4.05.120 Overtime While on Duty Status. Because of the nature of the District's business, the District must provide for an employee to be available during hours other than the employee's normal work week and during holidays to respond to emergency service calls. Such availability shall be referred to herein as "duty status". When on duty status, an employee shall answer any service requests that may come from the public or the Fire Chief regarding water and sewer service. An employee on duty status who becomes unable to perform the duties must inform her or his backup who shall assume the duties. All work performed while on duty status will be considered overtime worked. (*Resolution 1988-23*)

4.05.130 Overtime in Emergency Conditions. In the case of disaster, state of extreme emergency or local peril, the overtime procedures herein shall not be in effect and compensation procedures shall be determined at that time for such conditions. (*Resolution 1988-23*)

4.05.140 Administrative Employees. The Senior Account Clerk/Secretary shall accumulate an additional 2.0 hours of vacation per pay period. (*Resolution 2004-2 as amended by Resolution 2004-3 and Resolution 2008-2*)

4.05.150 Deductions from Pay. Deductions from employee's pay shall be made in accordance with prevailing laws, contracts, memorandums of understanding, and administrative rules and procedures established by the General Manager. (*Resolution 2004-2 as amended by Resolution 2004-3 and Resolution 2008-2*)

4.05.160 Merit Advances Within the Salary Range. Each year the Board of Directors will establish by resolution a wage range for each class of employee. Except for implementation of the results of a salary survey, an employee continues at the same step within their designated range as they are in on July 1 of the fiscal year.

A. Appointment to any position in any class shall normally be at Step 1 of the designated range and any advancement to rates greater than Step 1 shall be within the limits of the established range of that class. For individuals who possess special qualifications higher than the minimum qualifications prescribed for the particular class, the General Manager may authorize a higher starting step upon appointment.

B. Increases within the range shall not be automatic. They shall be based upon full compliance with the provisions of Section 3.13 above and shall be granted by written approval of the General Manager based upon the recommendation of the direct supervisor. The General Manager shall establish a performance review process to document such advancements.

C. Each new appointee shall be considered for an initial merit increase upon completion of probation, and thereafter on the annual anniversary date of the initial merit increase until Step 8 of the range is achieved. The General Manager is authorized to consider a merit increase not to exceed 5%.

D. Each employee who has been at Step 8 shall be considered for a 2% merit increase on her or his annual anniversary date of said year. For purposes of this subsection, the number of steps in the range shall be considered automatically increased to match the General Manager's action utilizing the 'a' through 'v' steps under Step 8. *(Added by Resolution 1995-34, Resolution 2018-6 and Resolution 2024-03)*

4.05.170 Travel Allowance.

(a) When Board members, employees, and volunteers are authorized by the General Manager to travel on business for the District, they shall be entitled to mileage reimbursement for the use of their personal vehicles at the rate per mile currently accepted by the Internal Revenue Service. Local travel will be considered any travel within a 40-mile radius of the District. Non-local travel will be considered any travel beyond a 40-mile radius of the District and must be pre-approved by the General Manager. Mileage reimbursement request forms for all travel shall be turned in monthly and reviewed and approved by the General Manager prior to reimbursement.

(b) Per diem allowance, non-local travel: When the required travel is to a destination more than 100 miles from the District, meals and lodging may be charged to the District's credit card whenever possible. In the event that the credit card is not available, a per diem allowance of One Hundred Sixty Dollars (\$160.00) for meals and lodging may be issued to the individual in the form of a warrant, which can be cashed by the individual. Board members, employees, and volunteers are expected to find suitable accommodations at the most reasonable prevailing rate, based upon the region.

(c) Meal allowances, travel within 100 miles: Reimbursement for breakfast will be issued when any approved travel within 100 miles of the District requires the individual to leave before 7:00 a.m., and reimbursement for dinner will be issued when the return time for the approved travel will be after 6:00 p.m. Meal allowances are as follows:

Breakfast	\$12.00
Lunch	\$17.00
Dinner	<u>\$37.00</u>
Total	\$60.00

(d) Upon return from any approved travel, the individual shall turn in receipts for all expenses paid, either cash or credit card, and the remainder of any per diem allowance not spent. If the individual paid for travel expense out-of-pocket receipts shall be submitted for reimbursement.

(e) In all cases where a District vehicle is used for approved travel, the District credit card may be used for all vehicle-related expenses.

(f) The Account Clerk/Secretary shall be allowed sufficient time per day for bank deposits and other District business, plus mileage reimbursement, and shall submit mileage reimbursement forms monthly.

(g) The General Manager shall have the authority to review special circumstances in advance, wherein it is obvious that the established limits are inadequate for the necessary travel. (*Resolution 1988-23 as amended by Resolutions 2000-46 and 2005-2*)

4.05.180 Termination Pay. At the time an employee terminates her or his employment with the District, she or he shall be compensated for all accumulated vacation up to the maximum 1,000 hour cap and any overtime. In addition, where it is deemed appropriate, the General Manager may provide for up to two weeks of severance pay at the employee's then current rate of pay. (*Resolution 1988-23 and Resolution 2021-04*)

4.05.190 Acting Capacity Pay. All employees who are designated by the General Manager in an acting capacity in a higher classification for longer than a two workday period shall receive 1.05 times their present range and step during the designated period. (*Resolution 2011-10*)

4.05.200 Education Incentive Pay. Employees who effective June 30, 1992 do accomplish the following achievement shall receive the indicated incentive:

<u>ACHIEVEMENT</u>	<u>INCENTIVE</u>
AA Degree	\$25 per month
Bachelor's Degree	\$25 per month

The indicated incentive shall continue until the employee is designated to a classification that has the indicated achievement as a minimum requirement. (*Resolution 2011-10*)

4.05.210 Uniform and Clothing Allowance. Full-time permanent employees assigned to work in the Utility Department or Fire Department shall receive a uniform and clothing allowance of up to \$350 per year. Eligible employees shall submit receipts to receive reimbursement for uniform expenses.

CHAPTER 6. SICK LEAVE

4.06.010 Statement of Policy. The purpose of sick leave is to provide an employee time off due to illness without loss of pay. It is provided in recognition of the fact that a sick employee is not fully productive and that time off to rest will allow such an employee to recuperate more rapidly. Also, sick leave is provided so that employees who have illnesses which may be contagious will not expose other employees, clients, or members of the public. Sick leave shall not be considered as a privilege which an employee may use at his own discretion but shall be granted only upon the recommendation of his supervisor. Sick leave shall be allowed and used only in the case of necessity and actual personal sickness or disability, medical or dental treatment, or in the case of any medical emergency in the immediate family. It is a self-insured disability insurance policy provided by the District to the employee. (*Resolution 1988-23*)

4.06.020 Eligibility. In order to receive compensation while absent on sick leave, the employee shall notify his supervisor during the first day of his absence. When an employee is absent due to illness or injury for more than three work days in three months, a physician's certificate or personal affidavit may be required prior to the payment of sick leave pay. Prior to the resumption of normal duties, the employee may be required by his supervisor to file a physician's certificate or personal affidavit stating the cause of the absence and attesting to the employee's ability to resume work safely and effectively. (*Resolution 1988-23*)

4.06.030 Accrual. Regular full-time employees shall accrue sick leave at the rate of 3.7 hours for each bi-weekly pay period in which employee has been in pay status 50% or more of the pay period. Any sick leave accrued but not used in any fiscal year shall be carried over in succeeding years. Effective July 1, 1994, the accumulation limit of 480 hours, except for prior service as established in 1979, is eliminated, except it shall form the basis for accumulation hereafter. For example, if an employee is at the previous maximum level of 480 hours on July 1, 1994, it shall be the starting point for the accumulation thereafter. (*Resolution 1988-23 as amended by Resolution 1994-31*) In accordance with California Code regular part-time and temporary full- or part-time employees, including interns shall be granted 24 hours of sick leave at the time of hire. Regular part-time employees shall be granted an additional 24 hours of sick leave upon their anniversary date of hire and each subsequent anniversary. Regular part-time employees who have accrued such leave but not used in any fiscal year shall have it carried over in succeeding years. (The "Healthy Workplaces, Healthy Families Act of 2014" (A.B. 1522))

4.06.040 Deductions. Sick leave shall be deducted hour-for-hour based on the absence of the employee. Upon termination, an employee will receive no compensation for unused sick leave except as provided in 4.06.050 herein below. If a regular employee is terminated for reasons that are not discreditable to him, and re-employed within 12 months, she or he shall be eligible for reinstatement of any unused sick leave existing at the time of his termination. (*Resolution 1988-23 as amended by Resolution 1994-31*)

4.06.050 Sick Leave Pay upon Termination, Retirement or Death. Sick leave is regarded as income protection or disability insurance, self-insured by the District, and not as a pay supplement to be vested to the employee. The following payments to the employee or survivors are to be viewed as additional benefits, payable under that income protection insurance. The District's existing agreement with PERS (Public Employment Retirement System) provides that all unused sick leave shall be a credit toward said retirement. Upon retirement or termination of employment after five, but less than ten years of continuous employment as a regular employee, final compensation shall include payment in cash of one-quarter (1/4) of all accumulated unused sick leave up to a maximum of 200 hours. In addition, upon retirement or termination of employment after 10 or more years of continuous employment as a regular employee, final compensation shall include payment in cash of one-half (1/2) of all accumulated unused sick leave up to a maximum of 500 hours. Temporary full- and part-time employees shall receive a cash payment for any un-used accumulated sick leave up to a maximum 24 hours. Upon the death of an employee, the employee's spouse, minor child(ren) or estate shall be paid for all accumulated unused sick leave. (*Resolution 1994-31 as amended by Resolution 2018-5*)

4.06.060 Absence Due to Injury on the Job. An employee who is absent from work by reason of an injury or illness covered by the District's Workers' Compensation insurance policy shall continue in pay status under the following provisions:

A. The difference between the amount granted pursuant to such Workers' Compensation insurance for lost pay due to injury and the employee's regular rate of pay shall be paid to the employee for a period of one week.

B. Beyond the initial one week, the amount granted pursuant to such Workers' Compensation insurance plus the amount granted as Social Security benefits plus the amount granted by State Disability insurance plus the amount granted by any employer-paid disability insurance plus the amount granted by the Public Employees Retirement System all shall be subtracted from the employee's rate of pay and the difference shall be paid to the employee from his accumulated sick leave, vacation, and compensatory time. Such difference paid shall be deducted from the employee's accumulated sick leave, vacation, and compensatory time until these accumulations have been depleted. During this time, the employee shall continue to accrue sick leave and vacation benefits as though he were not on leave of absence.

C. Any employee who depletes his accumulated sick leave, vacation, and compensatory time to maintain his pay status while absent from work by reason of an injury or illness covered by Workers' Compensation insurance shall be removed from pay status after one year as identified in Labor Code §4850. An employee may then be placed on an unpaid medical leave of absence for up to two months or exercise their eligibility to file for disability. No further leave may be granted. (*Resolution 1988-23*)

CHAPTER 7. VACATION LEAVE

4.07.010 Statement of Policy. The purpose of annual vacation leave is to enable each eligible employee to take a break from his work and return mentally refreshed. For this reason, it is the intention of the District that vacation leave be taken in periods of one week or more, insofar as possible. (*Resolution 1988-23*)

4.07.020 Vacation Accrual. Each eligible employee shall accrue vacation leave up to a maximum of 1,000 hours (*Resolution 2021-04*) at the following rate for continuous service performed while in pay status:

A. Regular full-time employees shall accrue vacation leave at the rate of 3.08 hours for each bi-weekly pay period in which employee has been in pay status 50% or more of the pay period.

B. Regular full-time employees who have completed five years employment with the District shall accrue vacation leave at the rate of 4.62 hours for each bi-weekly pay period in which employee has been in pay status 50% or more of the pay period.

C. Regular full-time employees who have completed 12 years employment with the District shall accrue vacation leave at the rate of 6.15 hours for each bi-weekly pay period in which employee has been in pay status 50% or more of the pay period.

D. Regular part-time employees shall accrue vacation leave at the rate of 1.00 hours for each bi-weekly pay period in which the employee has been in pay status 50% or more of the pay period.

E. Regular part-time employees who have completed five years employment with the District shall accrue vacation leave at the rate of 2.0 hours for each bi-weekly pay period in which employee has been in pay status 50% or more of the pay period.

C. Regular part-time employees who have completed 12 years employment with the District shall accrue vacation leave at the rate of 3.0 hours for each bi-weekly pay period in which employee has been in pay status 50% or more of the pay period. (*Resolution 1988-23 as revised by Resolution 2008-2; See also Section 4.05.014*)

4.07.030 Use of Vacation. The time in which an employee may use his accrued vacation leave and the amount to be taken at any one time shall be determined by the employee's supervisor with particular regards for the needs of the District, but also considering the wishes of the employee. Employees shall not work for the District during their vacation in order to earn double compensation. No vacation pay may be received by the employee unless vacation leave is taken, except upon termination or resignation. An employee, who has achieved his or

her third anniversary date of hire may, on an annual basis, convert a maximum of 160 hours of accrued vacation leave to wages provided that she or he maintains a balance of 20 hours subsequent to the conversion. (*Resolution 1988-23 as revised by Resolution 2008-2 and Resolution 2018-5*)

4.07.040 Holidays Falling During Vacation. Except for employees who receive holiday pay in lieu of holidays taken off, if a holiday falls within an employee's vacation leave, said holiday shall not be charged as a vacation day taken. (*Resolution 1988-23*)

4.07.050 Vacation at Termination. Employees leaving employment who have accumulated vacation leave shall be paid the amounts of vacation accrued to the date of their termination. Employees who are retiring from service with the District may opt to use all or part of their accumulated vacation prior to their actual date of retirement. (*Resolution 1988-23 as revised by Resolution 2008-2*)

4.07.060 Effect of Extended Military Leave. An employee who interrupts his employment because of extended military leave shall be compensated for accrued vacation at the time the leave becomes effective. (*Resolution 1988-23*)

CHAPTER 8. HOLIDAYS

4.08.010 Statement of Policy. The following holidays are recognized as holidays for pay purposes and all regular employees shall have these days off except as otherwise provided herein:

- A. January 1st (New Year's Day)
- B. The 3rd Monday in January (Martin Luther King Day)
- C. February 12 (Lincoln's Birthday)
- D. The 3rd Monday in February (President's Day)
- E. The last Monday in May (Memorial Day)
- F. June 19th (Juneteenth)
- G. July 4th (Independence Day)
- H. The 1st Monday in September (Labor Day)
- I. The 2nd Monday in October (Indigenous Peoples Day)
- J. Veterans Day (November 11th)
- K. The last Thursday in November (Thanksgiving Day) and the day after
- L. December 25th (Christmas Day)
- M. The day after December 25, unless December 25 falls on a Friday or Saturday in which case it shall be the preceding Thursday or unless December 25 falls on a Sunday or Monday in which case it shall be the following Tuesday.

If one of the above holidays falls upon a Saturday, the previous Friday shall be the holiday. If one of the above holidays falls upon a Sunday, the following Monday shall be the holiday. In addition, Saturdays, Sundays, and the days appointed by the President or Governor as a public fast or holiday shall be a holiday. (*Resolution 1988-23 as amended by Resolution 2018-5*)

4.08.020 Compensation for Work on Paid Holidays. Employees who are required to work on a holiday shall receive pay for the holiday, plus credit for one hour of overtime for each hour worked which shall be paid pursuant to the rules that apply to overtime (see 5.09).

CHAPTER 9. OTHER LEAVES OF ABSENCE

4.09.010 Leaves of Absence Without Pay. Leave of absence without pay may be granted in cases of emergency or where such absence would not be contrary to the best interests of the District. Such leave is not a right but a privilege. Employees on authorized leave of absence without pay may not extend such leave without the written approval of the General Manager. No vacation or sick leave shall be used during such leave nor shall any such benefits accrue. Leave of absence without pay for one week or less may be granted by a supervisor, depending upon the merit of the individual case. Leaves of absence without pay in excess of one week duration may be granted by the General Manager depending upon the merit of the case, but such leaves may not exceed six months. *(Resolution 1988-23)*

4.09.020 Absence Without Leave. Absence without leave shall be considered to be without pay, and reductions in the employee's pay shall be made accordingly. Absence without leave for more than three consecutive days may result in termination of employment. Such termination shall not be subject to appeal. *(Resolution 1988-23)*

4.09.030 Leave for Death Within the Immediate Family. Leave of absence with pay for a period not to exceed three days may be granted to a regular employee by the employee's supervisor in the event of a death of an immediate family member or grandparent of the employee. In addition, an employee may use accumulated sick leave with the prior approval of the supervisor. (See definitions herein below regarding the immediate family.) *(Resolution 1988-23)*

4.09.040 Leave for Death Outside the Immediate Family. Leave without pay may be granted to a regular employee by the supervisor in the event of death to family members other than one of the immediate family or close friends, such leave granted in accordance with Section 9.01 herein above. *(Resolution 1988-23)*

4.09.050 Military Leave. State and other applicable laws shall govern the granting of military leaves of absence and the rights of employees returning from such absence. *(Resolution 1988-23)*

4.09.060 Voting Leave. Time off with pay to vote at any general, direct primary, or presidential primary election shall be granted as provided in the State of California Elections Code, and provided that notice the employee desires such time off shall be given in accordance with the provisions of said code. *(Resolution 1988-23)*

4.09.070 Jury Duty. Employees required to report for jury duty shall be granted a leave of absence with pay from their assigned duties until released by the Court, provided the employee remits to the District within thirty days from the termination of her or his jury service all fees received for such duties, exclusive of expense reimbursements. *(Resolution 1988-23)*

4.09.080 Workers' Compensation Hearings. Employees who have been injured in the course and scope of their employment with the District and who are required as a result of such injury to be absent from duty to take physical examinations required by the District's Workers' Compensation insurer or the Industrial Accident Commission or to attend hearings of the Industrial Accident Commission may be granted leave with pay for such absences by the General Manager when she or he determines such absences are in the best interest of the District and only if the employee is in pay status at the time of the scheduled examination or hearing. *(Resolution 1988-23)*

4.09.090 Maternity Leave. Maternity leave may be granted to pregnant employees upon their request. Maternity leave shall begin no later than the end of the seventh month of pregnancy unless otherwise approved by the employee's physician. Within two months after the termination of the pregnancy, an employee on maternity leave must return to work. Requests for maternity leave must be submitted to the General Manager no later than the end of the sixth month of pregnancy. Pregnant employees who do not request maternity leave as provided herein shall be terminated at the end of the seventh month of pregnancy unless a written statement from a physician is provided indicating it is safe for the employee to continue in the job. An employee on maternity leave may use all accumulated vacation and sick leave if the employee requests. An employee on maternity leave shall continue to receive other benefits including sick leave, vacation, and seniority credit, and group insurance. *(Resolution 1988-23)*

CHAPTER 10. DISCIPLINARY ACTION

4.10.010 Disciplinary Policy Statement. Whenever an employee's performance, attitude, work habits, or personal conduct falls below a desirable level, supervisors are expected to inform employees promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action. In some instances, an incident may justify severe disciplinary action; the action to be taken depends on the seriousness of the incident and the whole pattern of the employee's past performance and conduct. Any instance of disciplinary action shall be documented in the employee's personnel file. As used in this chapter "disciplinary action" shall mean discharge, demotion, reduction in salary, reprimand, disciplinary probation, or suspension. (*Resolution 1988-23*)

4.10.020 Causes for Disciplinary Action. Causes for disciplinary action against any employee may include, but shall not be limited to, the following:

- A. Failure to meet prescribed standards of work, morality, and ethics to an extent that makes an employee unsuitable for employment.
- B. Theft or malicious destruction of the District's property or money or the property of customers of the District.
- C. Incompetency, inefficiency, or repeated negligence in the performance of duty.
- D. Insubordination.
- E. Conviction of a criminal offense.
- F. Notoriously disgraceful personal conduct.
- G. Unauthorized absences or abuse of leave privileges.
- H. Acceptance or receipt of any gift whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence the employee or could reasonably be expected to influence him, in the performance of job duties or could reasonably be regarded as a reward for any action on his part.
- I. Falsification of records or use of position for personal advantage.
- J. Drunkenness on duty.
- K. Unlawful use, sale or possession of narcotics or other proscribed drugs.

L. Violation of any provisions of these rules and regulations or departmental rules and regulations.

M. Other behavior during which is of such a nature that causes discredit to the District.
(Resolution 1988-23)

4.10.030 Administration of Disciplinary Action. The General Manager or a supervisor may take disciplinary action against an employee under his control for one or more of the causes for discipline specified in this chapter by notifying the employee in writing from two to 10 days prior to the proposed action of the following:

A. The nature of the proposed disciplinary action.

B. A statement of reasons for the proposed action.

C. A statement that all documents or materials upon which the proposed disciplinary action based are available for employee's review and, if requested, employee will be provided with a copy of said material.

D. A statement indicating the proposed effective date for the disciplinary action and that the employee may respond orally or in writing prior to that date. The General Manager or supervisor shall review any responses from the employee. If no response is received or the response is deemed inadequate to alter the proposed action, then the disciplinary action may be carried out. If the proposed action is to be suspension or discharge, the employee may be relieved of duty while continuing to receive pay and other benefits until the disciplinary action is effective.

Disciplinary action against regular employees is valid only if a written notice is served on the employee either personally or by Certified Mail and said written notice includes:

1. A statement of the nature of the disciplinary action.

2. The effective date of the penalty.

3. A statement of the causes therefore.

4. A statement in ordinary language of the admissions upon which the causes are based.

5. A statement advising the employee of his right of appeal from such action, if any. If the notice is from a supervisor, a copy shall be filed with the General Manager within two calendar days after it is served upon the employee. (*Resolution 1988-23*)

4.10.040 Effect of Certain Disciplinary Actions.

A. Oral Reprimand - Employees receiving an oral reprimand may have it noted in their departmental record by the supervisor.

B. Written Reprimand - Employees receiving a written reprimand shall have a copy of their reprimand filed in their personnel file.

C. Disciplinary Probation Period - Employees placed on disciplinary probation shall not accrue or use vacation leave or earn time for salary review while on such probation and the rules governing regular probationary periods shall govern.

D. Suspension - Employees suspended from employment shall forfeit all rights, privileges, and salary while on such suspension with the exception of group insurance benefits.

E. Discharge - Employees terminated for disciplinary reasons shall be paid salary accumulated to the effective date of termination only.
(*Resolution 1988-23*)

4.10.050 Right of Appeal. Unless otherwise specifically stated in these rules, any regular employee shall have the right of appeal to the Board of Directors for any disciplinary action taken pursuant to the provisions of this Chapter. Such appeal must be filed with the District's counsel within ten (10) working days after receipt of written notice of such disciplinary action; failure to file an appeal within such time constitutes the waiver of the right of appeal. The appeal must be in writing, must be verified before a Notary Public, must be made under penalty of perjury, and must state specifically the reasons upon which it is based. District counsel shall cause such an appeal to be investigated and shall submit a report to the Board of Directors. Neither the provisions of this section or this chapter shall apply to reductions in force or reductions in pay which are part of a general plan to reduce staffing levels or adjust salaries and wages. (*Resolution 1988-23*)

4.10.060 Hearing. The Board of Directors shall conduct a hearing on an appeal filed in accordance with this Chapter within 30 days after the appeal is filed with District counsel. The Board may continue the hearing either for the convenience of the District or upon written application of the appellant, for a period not to exceed an additional 30 days. Written notice of the time and place of the hearing and any continuance thereof shall be given the appellant and the General Manager. Such hearings shall be conducted in accordance with the provisions of

Section 11513 of the Government Code of the State of California, except that the appellant and other persons may be examined as provided in Section 19580 of the Government Code and the parties may submit all proper evidence against or in support of the causes of the disciplinary action but shall be as a rebuttable presumption that the statement cause is true. *(Resolution 1988-23)*

4.10.070 Representation. The appellant may appear person or be represented by a person of their choice. *(Resolution 1988-23)*

4.10.080 Notice to Witnesses. The Board of Directors shall issue notices for the appearances of witnesses for the appellant upon written request and at his cost, said cost to be prepaid. *(Resolution 1988-23)*

4.10.090 Failure of Employee to Appear at Hearing. Failure of the appellant or his representative to appear at the hearing shall be deemed a withdrawal of his appeal and the disciplinary action shall be final. *(Resolution 1988-23)*

4.10.100 Decisions. The Board of Directors shall render a written decision within fifteen days after concluding the hearing. The Board's decision shall be final and conclusive. A copy of such decision shall be forwarded to appellant. If a disciplinary action taken against the employee is reversed modified by the Board, the employee may be compensated whole or in part, for the time lost as determined by Board. *(Resolution 1988-23)*

4.10.110 Confidential Information. In the interest of preventing undue embarrassment subsequent loss of ability to perform work effectively, and the following policy will prevail regarding the release of information to the public on personnel actions:

- A. No information will be released without prior approval of the General Manager;
- B. No information will be released until final action has been determined and taken;
- C. Even after final disposition of the matter, no details will be released other than the exact nature of the action taken;
- D. If the employee or his representative makes detailed information available to the public, or represents information as being detailed information, then the General Manager may make such information on the employee available to the public as she deems to be in the best interest of the District. *(Resolution 1988-23)*

CHAPTER 11. GRIEVANCE PROCEDURES

4.11.010 Purpose. Grievance procedures serve to (1) promote improved employer-employee relations; (2) afford employees individually a systematic means of obtaining further considerations of problems after every other reasonable effort has failed to resolve them; (3) to provide that grievances shall be settled as near as possible to the point of origin; and (4) to provide that grievances shall be heard and settled as informally as possible. (*Resolution 1988-23*)

4.11.020 Matters Subject to Grievance Procedures. Any employee shall have the right to present a grievance regarding wages, hours, or working conditions except that matters subject to the provisions of Chapter 10 (disciplinary actions) and matters subject to negotiation pursuant to Chapter 13 (Employer-Employee Relations) shall not be subject to the grievance procedure. (*Resolution 1988-23*)

4.11.030 Informal Grievance Procedures. The employee should first attempt to resolve a grievance or complaint through discussion with his immediate supervisor without undue delay. If after such discussion the employee does not believe the problem has been satisfactorily resolved, he shall have the right to discuss it with his supervisor's immediate supervisor, if any. Every effort should be made to find an acceptable solution through informal means. If the employee is not in agreement with the decision reached through such discussion, he shall then have the right to file a formal grievance in writing. (*Resolution 1988-23*)

4.11.040 Formal Grievance Procedures. Formal grievance procedures after the exhaustion of the informal grievance procedure shall proceed as follows:

A. Department Review - Grievance shall be presented in writing to the employee's department or program head who shall discuss the grievance with the employee and with other appropriate persons. The department or program head shall render a decision in writing and return it to the employee within 15 calendar days after receiving the grievance. If the employee does not agree with the decision reached, or if no answer has been received within 15 calendar days, he may present the grievance in writing to the General Manager. Failure of the employee to take further action within ten calendar days after receipt of the supervisor's decision, or within a total of twenty-five calendar days if no decision is rendered, will constitute withdrawal of the grievance.

B. General Manager Review - Upon receiving the grievance, the General Manager shall discuss the grievance with the employee and with all other appropriate persons. The General Manager may designate a fact-finding committee or an officer not in the normal line of supervision to advise him concerning the grievance. The decision of the General Manager shall be rendered within 30 calendar days from receipt of the grievance.

C. Board Review - If the employee is dissatisfied with the General Manager's decision, he may appeal the decision to the Board of Directors. Such appeal shall be processed as if it were a "disciplinary action" appeal under the provisions of Section 10.05 et seq. herein. (*Resolution 1988-23*)

4.11.050 Conduct of the Grievance Procedure. The time limits specified herein above may be extended to a definite date by written mutual agreement of the employee and the reviewer concerned. The employee may request assistance of another person of his own choosing in preparing and presenting his grievance at any level of review in the "Formal Grievance Procedures." An employee shall be free from reprisal for using the grievance procedure. (*Resolution 1988-23*)

CHAPTER 12. SAFETY PROGRAM

4.12.010 Safety Policy. The District's safety program has one objective - to eliminate accidents. The following principles of safety are listed to place the District's objective of accident prevention in proper perspective: (1) accidents and injuries can and must be prevented; (2) the causes of accidents, unsafe acts by employees and hazardous working conditions, are aspects of the job which are under the direct control of department or program heads and all supervisory personnel; (3) prevention of accidents is an integral part of the operating responsibility as safety is not something extra or apart from the requirements of the job; (4) every employee must understand it is to his advantage to work safely, and to that end his cooperation is expected as no justification exists for willful disregard of known safety practices; and, (5) in the long run, following prescribed safety practices and procedures reduces the time and expense in getting the job done. (*Resolution 1988-23*)

4.12.020 Responsibility for Safety. Department or Program Heads - Every effort shall be made to resolve safety problems at the department or program level. Department or program heads shall have primary responsibility for providing an accident-free work environment. Each department or program head shall be responsible for the following:

- A. Develop and post in each departmental work area a set of safety standards for employees to follow in performing their duties;
- B. Enforce the maintenance of safe working conditions;
- C. Encourage the development of safe working habits;
- D. Ensure the completion and submission of any accident reports promptly as required; and
- E. Review every accident report and submit to the General Manager comments on how the accident could have been prevented.

Supervisors - Supervisors include any employee who directs and/or evaluates the work of another employee. Each supervisor shall be responsible for the following:

- A. Detect and correct unsafe working conditions and practices, or where they are beyond his control, report them in writing to his supervisor;
- B. Educate and motivate subordinates in the District's safety policies;
- C. Enforce safety rules using disciplinary actions when necessary;

- D. Encourage safety suggestions and discussions;
- E. Make certain that employees report in writing all accidents promptly and properly.

Employees - Each employee shall be responsible for the following:

- A. Observing all safety regulations and requirements given verbally or in writing;
- B. Guarding his own safety and, in addition, the safety of fellow workers, the District's property, and all other people and property affected by his work;
- C. Reporting immediately to his supervisor any injury or property damage accident on the job in which involved, in writing unless disabled because of the accident;
- D. Reporting to his supervisor any apparent unsafe working conditions.
(Resolution 1988-23)

4.12.030 Accident Procedures. The primary reason for specifying a precise procedure for handling accidents is to ensure that the employee receives all available benefits under the State Workers' Compensation Law. Failure to follow the prescribed accident re-ported procedures outlined in this section may result in the employee being required to pay medical expenses which otherwise would have been covered by Workers' Compensation insurance.

A. Employee Injury - When an employee is injured on the job, it shall be primarily his responsibility or, if the employee is disabled by the injury the responsibility of the first employee to become aware of the injury, to seek out adequate medical treatment as follows:

1. Injuries of a minor nature requiring first aid only shall be treated by the employee himself or by a fellow employee and reported to the employee's supervisor as soon as possible, but in no case re-ported to the supervisor later than on the day the accident occurs, and the supervisor shall determine whether the injury is serious enough to require medical attention;
2. Any employee involved in an accident resulting in a serious injury shall be referred immediately to the nearest hospital emergency room either by the employee himself, a fellow employee, or the supervisor, and the supervisor shall be immediately notified of the accident and the condition of the injured employee;
3. Employees who develop medical conditions that are believed to be caused by the job shall notify their supervisor immediately after receiving such a diagnosis from their physician. A

supervisor shall within 24 hours after notification of any injury or illness referred to herein above complete the accident report form required by the District's Workers' Compensation insurer and file it with the General Manager who shall mail it directly to the insurance carrier. As soon as possible, the supervisor shall require the employee to complete an accident report form as prescribed by the District.

B. Accidents Involving District Owned Vehicles - Accidents involving District owned vehicles should be reported to the appropriate police agency immediately regardless of the seriousness of the accident. The employee is to provide driver's license information and vehicle registration information to the owner of any other vehicle involved. The employee should not comment on the accident any further to anyone, though it is expected that the employee will answer questions of police officials. Under no circumstances should the employee state that the accident was his fault. The employee should then report the accident to his supervisor as soon as possible. The supervisor should obtain or prepare a written report of the accident within 24 hours and submit it to the General Manager who should then advise the District insurance agent. *(Resolution 1988-23)*

4.12.040 Safety Meeting. On a regular basis, the General Manager will schedule safety meetings for all employees. Attendance at those meetings is mandatory for all employees who are working on the day the meeting falls. During this period of time, the District Safety Officer will review safety matters. *(Resolution 1988-23)*

4.12.050 Safety Gear. The District shall provide safety gear and clothing as provided in departmental policy. The General Manager shall provide in the proposed budget sufficient funds to provide such gear. *(Resolution 1988-23)*

4.12.060 Safety Committee. In order to assist in the development and implementation of a comprehensive safety program throughout the District, encourage all staff and the general public to fully participate in such comprehensive safety program, and develop a program that will meet the safety criteria established and/or suggested by the Special District Risk Management Authority, a District Safety Committee is hereby established as follows:

(a) Purpose: To assist in the development and implementation of a safety and loss control program for the District.

(b) Membership: The Safety Committee shall consist of the District Fire Chief, who shall serve as the Chairman of the Committee; the Superintendent of Utilities, who shall serve as the Secretary of the Committee; one representative from the office personnel and one representative from the field personnel. The regular employee representatives shall be appointed by the general employees annually around December 1st.

(c) Scope of Activities: The Committee shall meet quarterly to review District facilities and written recommendations from employees and/or the public as to possible improvements that would reduce hazards. In addition, the Committee shall review all accident reports to

determine if improvements can be made to reduce hazards. The Committee shall forward all recommendations to the General Manager.

(d) Time and Place of Meetings: The Committee shall meet at 9:00 a.m. the first workday after December 1, March 1, June 1, and September 1 each year in the main fire Station Meeting Room. The Agenda for the regular meetings of the Safety Committee shall be as follows:

Safety Committee Agenda

1. Call to Order
2. Roll Call by the Secretary
3. Introduction of Visitors
4. Comments from the Public
5. Consideration of Minutes from Previous Meetings
6. Consideration of Matters Continued from the Last Meeting
7. Report from the District Safety Officer of Safety Training that occurred since the last meeting
8. Report on any Surveys of District Facilities or Procedures
9. Consideration of any Safety suggestions received
10. Review of Accidents and Statistics
11. Safety Education
12. Adjournment -Next Meeting Date

(Added by Resolutions 1993-33 and 1993-34)

4.12.070 Drug and Alcohol Use Prohibitions and Testing.

(a) In compliance with the federal Drug-Free Workplace Act, the District shall post and distribute to all employees the “Drug- and Alcohol-Free Workplace Policy” (Exhibit A of Resolution 2009-17) providing notice and awareness to all employees of the problems associated with drug and alcohol abuse in the workplace, the types of actions that are prohibited by the policy, and the nature of discipline to be imposed for violations of the policy.

(b) District personnel who must operate heavy vehicles with three-axes or who are required to possess California Class B drivers licenses must be in compliance with California Highway Patrol (CHP) Motor Carrier Safety Division regulations and must meet all required controlled substances and alcohol testing to comply with the regulations pursuant to California Vehicle Code Section 34501, and procedures set forth commonly referred to as Title 49, Code of Federal Regulations (49 CFR) and therefore must conform to and comply with the Brooktrails Township CSD Drug/Alcohol Policy (Controlled Substances & Alcohol Testing Policy) as attached to Resolution 2010-4. *(Resolutions 2009-17 and 2010-4)*

4.12.080 Safety Programs and Policies. Employees and officers of the Brooktrails Township shall comply with the provisions of the approved Injury and Illness Prevention Program and Safety Plan as they may be updated from time-to-time. *(See Resolution 1999-39)*

CHAPTER 13. EMPLOYER-EMPLOYEE RELATIONS

4.13.010 Statement of Purpose. This Chapter implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500 et seq.) captioned "Local Public Employee Organizations", by providing orderly procedures for the administration of employer-employee relations between the District and its employee organizations. However, nothing contained herein shall be deemed to supersede the provisions of State law, District ordinances, or other Chapters of these Rules and Regulations which establish and regulate the personnel system, or which provide for other methods of administering employer-employee relations. This chapter is, in-stead, to strengthen the merit system through the establishment of uniform and orderly methods of communications between employee organizations, employees, and the District. (*Resolution 1988-23*)

4.13.020 Meet and Confer Matters. It is the purpose of this Chapter to provide for the establishment of procedures for meeting and conferring in good faith with individual employees or recognized employee organizations regarding matters that directly affect and primarily involve wages, hours and other terms and conditions of employment of employees in appropriate units and that are not preempted by federal and state law. However, nothing herein shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy, which include among others: the exclusive right to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work, lack of funds, or for other legitimate reasons; maintain the efficiency of district operations; determine the methods, means, nature of contracts, and personnel by which District operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work. (*Resolution 1988-23*)

4.13.030 Rules for the Establishment of Procedures. The Board of Directors shall establish rules regarding the recognition of employee organizations, the determination of appropriate units, and meet-and-confer procedures upon receipt of a request for recognition from an organization re-questing to represent one or more District employees. (*Resolution 1988-23*)

4.13.040 Individual Employees Compensation Plan. Employees who are not represented by a recognized employee organization shall be entitled to represent themselves in a meet-and-confer process with regard to the preparation of the employee compensation plan as follows:

A. During the week following the last regular March meeting of the Board of Directors, the General Manager shall submit to the employees the recommended compensation plan previously submitted to the Board in closed session pursuant to Chapter 5 of these rules;

B. Employees shall submit requests for revisions in the proposed compensation plan in writing to the General Manager within 10 days after receipt of the recommended compensation plan;

C. The General Manager shall meet-and-confer with all employees not represented by a recognized employee organization regarding such requests;

D. At the last regular meeting of the Board of Directors in the month of April, the General Manager shall submit in closed session the results of the meet-and-confer process and in open session the Board shall discuss and adopt a compensation plan for the coming fiscal year.
(*Resolution 1988-23*)

4.13.050 Amendment of Personnel Rules and Regulations. Prior to the revision of these rules by the Board of Directors, the General Manager shall submit copies of proposed revisions previously reviewed by the Board of Directors in closed session to the employees not represented by an employee organization. Employees may submit suggested changes to the proposed revisions within 10 days after receipt thereof. The General Manager shall meet-and-confer with all of the employees not represented by an employee organization on the suggested changes and shall report to the Board of Directors in closed session on the results of the meet-and-confer process. (*Resolution 1988-23*)

CHAPTER 14. REGULATIONS GOVERNING VOLUNTEER FIREFIGHTERS

4.14.001 Authorization. Refer to the Board of Directors' Meeting Minutes for August 23, 1994 for authorization to add these Regulations to the Personnel Rules for District employees.

4.14.010 Membership. To become a member of the Brooktrails Township Fire Department each prospect shall:

- A. Complete a Brooktrails Township Application for Employment supplied by the District.
- B. Pass an oral interview.
- C. Pass a physical examination.
- D. Pass a background check.
- E. Pass a physical agility test

4.14.020 Workers' Compensation. Volunteer Fire Department members shall be deemed to be employees of the District while performing such service only for purposes of Division 4 of the California Labor Code entitled "Workers' Compensation and Insurance". (*Resolution 1986-43*)

4.14.030 Training Required. All new volunteer members are subject to attending a 20-hour basic Volunteer Fire Academy, also subject to 12 hours of drills before responding on an apparatus. This rule does not apply if the member has prior fire service experience equal to the required time.

4.14.040 Continued Service. All volunteer members shall serve at the pleasure of the Fire Chief.

4.14.050 Participation Required. All volunteer members shall attend a minimum of one (1) drill night per month (unless excused for good cause), in order to maintain a working knowledge of the Fire Department equipment. All members shall maintain a minimum participation level of 50% including drills, alarms, and weekend checks. The level of participation of each member will be determined by the point system outlined in Appendix B. Points will be calculated by the number of toned out alarms, drills and weekend checks attended by each member. Rescue Unit calls will not be included in this point system because they are paid on a separate schedule. Any member needing to be absent from an excessive number of drills, alarms or weekend checks must put the reason and amount of time to be absent in writing to the Chief.

4.14.060 Responsibility for Equipment. Each volunteer firefighter shall be responsible for the equipment issued to them. Members shall not loan, sell, give away or appropriate to their own use any District or public property, nor shall they pilfer or be guilty of theft at fires or elsewhere.

4.14.070 Personal Gain. No member shall use their uniform, badge, or prestige of the fire Department for the purpose of personal gain.

4.14.080 Disciplinary Action. Chapter 10 of this manual will be used for any disciplinary action needed.

4.14.090 Grievance Procedures. Grievance procedures shall be handled as outlined in Chapter 11.

4.14.100 Residence. All Fire Department volunteers shall reside within 10 minutes of a Brooktrails Fire Station.

4.14.110 Leave of Absence. Any volunteer member needing a leave of absence should put that request in writing.

4.14.120 Alcoholic Beverages and Non-Prescription Drugs.

(a) The use or possession of any non-prescription drugs or abuse of any substance considered illegal by any member shall be cause for immediate expulsion from the Fire Department. Legal drugs may be taken while on duty if it does not impair ability to function as a Fire Department member.

(b) Members of the Fire Department shall not respond to any alarms or participate in any drill or training periods while under the influence of alcohol.

(c) In the event a member is suspected of using non-prescription drugs or of being under the influence of alcohol while on duty:

1. The Fire Department reserves the right to conduct an internal investigation into any member suspected of being under the influence of alcohol or drugs. This investigation may also include a drug or sobriety test. If the member refuses such test, the refusal shall be cause for termination.

2. In the event any member is found to have a drug or alcohol problem, the member will be offered the opportunity to take rehabilitation. If the member refuses rehabilitation, the member will be subject to termination at the department's discretion.

CHAPTER 15. HARASSMENT AND SEXUAL HARASSMENT POLICY

4.15.010 Harassment and Sexual Harassment of and by Employees. The District prohibits harassment of any kind including sexual harassment of all employees, or applicants for employment by any employee or non-employee who conducts business with the District. This policy applies to conduct during and relating to work, District sponsored activities, and District business. The District considers harassment or sexual harassment in the work and environment to be inappropriate and offensive. Brooktrails Township Community Services District strictly prohibits workplace harassment. All employees, applicants, volunteers, and independent contractors (“workers”) working with BTCSD are to be treated with respect and dignity. BTCSD is committed to providing an atmosphere free of harassment and discrimination based on factors such as sex, sexual orientation, race, color, ancestry, religious creed, disability, pregnancy or related medical condition, medical condition, age, genetic characteristic, national origin or ancestry, military or veteran status, marital status, gender, gender identity, gender expression, or any other protected class under applicable law.

4.15.020 Definition of Harassment. Harassment may consist of offensive verbal, physical, or visual conduct when such conduct is based on or related to an individual’s sex and/or membership in one of the above-described protected classifications, and:

1. Submission to the offensive conduct is an explicit or implicit term or condition of employment;
2. Submission to or rejection of the offensive conduct forms the basis for an employment decision affecting the employee; or
3. The offensive conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive working environment.

4.15.025 Definition of Sexual Harassment. Prohibited sexual harassment includes, but is not limited to, sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature made by someone from or in the work setting when:

A. Submission to the conduct is made, either expressly or by implication, a term or condition of any individual's employment.

B. Submission to, or rejection of, such conduct by an individual is used as the basis for an employment decision affecting the individual.

C. The conduct has the purpose or effect of unreasonably interfering with an individual's work or of creating an intimidating, hostile, or offensive working environment or of adversely

affecting the employee's performance, advancement, assigned duties or any other condition of employment or career development.

D. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, assignments, programs, or activities available in the work environment.

4.15.030 Examples of Unacceptable Conduct. Examples of conduct which may constitute harassment include sexual harassment, whether committed by a supervisor, any other employee, or non-employee doing business with the District, are:

- a. Kidding or joking about sex or membership in one of the protected classifications;
- b. Hugs, pats, and similar physical contact;
- c. Assault, impeding or blocking movement, or any physical interference with normal work or movement;
- d. Cartoons, posters, and other materials referring to sex, or membership in one of the protected classifications;
- e. Threats intended to induce sexual favors;
- f. Continued suggestions or invitations to social events outside the workplace after being told such suggestions are unwelcome;
- g. Degrading words or offensive terms of a sexual nature or based on the individual's membership in one of the protected classifications;
- h. Prolonged staring or leering at a person;
- i. Similar conduct directed at an individual on the basis of ancestry, age (40 and above), color, disability (physical and mental, including HIV and AIDS), genetic information, gender, gender identity or gender expression, marital status, medical condition (including genetic characteristics, cancer or a record or history of cancer), military or veteran status, national origin, race, religion (including religious dress and grooming practices), sex (including pregnancy, breastfeeding and/or related medical conditions), sex or sexual orientation, or membership in any other protected classification under applicable law. or any other protected classification under applicable law;
- j. Other examples include threats of reprisals, implying or actually withholding support for appointments, promotion, or transfer, change of assignment; or suggesting that a poor performance report will be prepared if requests for sexual favors are not met.

4.15.040 Discipline/Consequences.

- A. Any employee who engages in the harassment or sexual harassment of anyone in the work setting may be subject to disciplinary action up to and including dismissal.
- B. The District's ability to discipline a non-employee will be limited by the degree of control the District has over the alleged harasser or employer of the alleged harasser.
- C. Any employee who retaliates against any individual who has made a complaint of harassment or sexual harassment or participated in an investigation of a complaint of harassment or sexual harassment will be subject to disciplinary action up to and including dismissal.
- D. Any non-employee doing business with the district who retaliates against any individual who has made a complaint of harassment or sexual harassment or participated in an investigation of a complaint of harassment or sexual harassment will be disciplined subject to the extent that the District has control over the non-employee or his or her employer.
(Resolution 1994-49)

4.15.050 Reporting Procedure/Investigation.

It is important that employees inform BTCSD as soon as possible about any prohibited harassment because nothing can be done to remedy the situation if BTCSD does not know that it exists.

- A. Any individual who feels comfortable doing so should let a fellow worker know when that worker's behavior or comments are offensive or unwelcome, even if the situation does not rise to the level of a violation of this Policy. However, individuals are not required to handle these situations on their own. If an individual is not comfortable handling a situation directly with another worker, the individual should immediately report the conduct to one of the persons listed below.
- B. Any employee who believes that he or she or any co-worker has been the victim of sexual or other prohibited harassment by coworkers, supervisors, clients or customers, visitors, vendors, or others must immediately notify his or her supervisor or, in the alternative, the General Manager or Board President, depending on which individual the employee feels most comfortable contacting.
- C. Additionally, supervisors who observe or otherwise become aware of harassment that violates this policy have a duty to take steps to report such conduct, to initiate the process for investigating and remedying such harassment and prevent its recurrence.
- D. Any supervisor who receives a report, verbally or in writing, from any employee regarding harassment or sexual harassment of that employee, by another employee or non-employee doing business with the District, must notify the General Manager within twenty-four (24) hours or within a reasonable extension of time thereafter for good

cause.

- E. District employees are directed to immediately report actual or suspected incidents of harassment or sexual harassment, suffered, or witnessed by the employee, to the employee's supervisor or the General Manager.
- F. No employee shall be required to report an allegation of harassment or sexual harassment to the individual who is the harasser.
- G. All complaints of harassment or sexual harassment will be investigated and promptly resolved.
- H. Upon receipt of an allegation of harassment or sexual harassment, the General Manager will designate an investigator who will initiate an investigation into the complaint within forty-eight (48) hours.
- I. Verbal reports of harassment or sexual harassment will be put in writing by the individual complaining or by the person who receives the complaint and may be signed by the person complaining.
- J. Each complaint of harassment or sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned to the extent permitted by law and to the extent practical and appropriate under the circumstances.
- K. The complaint investigator will put his/her findings in writing and will forward a copy to the General Manager within one week or a reasonable extension of time thereafter for good cause after concluding the investigation.
- L. The investigator will communicate his/her findings to the complainant and the alleged harasser as expeditiously as possible.
- M. Results may be indeterminate. If so, the matter will be recorded as unresolved, and the record of the investigation will be maintained by the General Manager separate and apart from any personnel file.

4.15.060 Retaliation Prohibited. The District prohibits retaliatory behavior against any complainant or any participant in the complaint process. The initiation of a complaint of harassment or sexual harassment will not reflect negatively on the employee who initiates the complaint, nor will it affect the employee's job assignment, status, rights, privileges, or benefits.

4.15.070 Enforcement. Each Department Head has the responsibility of maintaining a work environment free of harassment or sexual harassment. Department Heads shall take appropriate actions to reinforce the harassment and sexual harassment policy. These actions will include:

- A. Providing at least two hours of prescribed supervisory training and education concerning harassment and sexual harassment to all supervisory employees within six months of their assumption of such duties and once every year. Additionally, all employees shall be provided with training and education regarding harassment and sexual harassment including their rights and duties, upon their employment and annually thereafter. Such training shall include bystander intervention training, as required by California Code.
- B. Acquainting new employees with this policy.
- C. Taking prompt action to investigate complaints of harassment or sexual harassment.
- D. Taking appropriate disciplinary action as needed.
- E. In addition, all Department Heads shall instruct employees on the procedures for reporting harassment or sexual harassment within the work setting.

4.15.080 Notifications. A copy of this policy on harassment and sexual harassment of and by employees shall:

- A. Be displayed in a prominent location at each work site.
- B. Be provided to each employee within two weeks of the adoption of this policy, and whenever a new employee is hired, and once per year thereafter.
- C. All employees shall receive a copy of District information sheets that contain, at a minimum, components on: (1) the illegality of harassment and sexual harassment, (2) the definition of harassment and sexual harassment under applicable state and federal law, (3) a description of harassment and sexual harassment, with examples, (4) the District complaint process available to the employee, (5) the legal remedies and complaint process available through the Equal Employment Opportunity Commission (EEOC), and (6) directions on how to contact the applicable state regulatory agency.
- D. The General Manager will be available to answer all questions about this policy or its implementation.

4.15.090 Reporting to Outside Agencies.

A. Federal Equal Employment Opportunity Commission. Employees who have been sexually harassed may have the right to file complaints with Federal regulatory agencies. Time limits for filing complaints with Federal regulatory agencies vary. The employee should check directly with this agency to specific instructions for filing a complaint:

Equal Employment Opportunity Commission
901 Market Street -Room 500
San Francisco, CA 94103
(415) 744-6500

B. State Department of Fair Employment and Housing and State Department of Consumer Services Agency. Employees who have been sexually harassed may have the right to file complaints with state regulatory agencies. Time limits for filing complaints with the regulatory agency should be checked with the agency.

30 Van Ness Avenue Suite 3000
San Francisco, CA 94102
(415) 557-2006

or

1330 Broadway, #1326
Oakland, CA 94612-2512
(510) 286-4095

CHAPTER 16. COMMUNITY VOLUNTEERS

4.16.010 Purpose.

The purpose of this policy is to utilize motivated citizens and organizations to enhance and supplement the productive efforts of the Township and to improve the quality of life of the citizens of Brooktrails through the medium of volunteering. Brooktrails Township Community Services District believes that volunteers can make a positive difference to the community and to themselves. Volunteering is an activity where individuals decide, freely and by choice, to help achieve the organization's goals without expectations of financial or other rewards in kind.

Volunteers benefit by gaining a greater understanding and appreciation for their local government and simultaneously strengthening the community's bond. People volunteer for many reasons and their contribution, commitment and participation is highly valued by the Township. Their involvement compliments the work the Township undertakes, but it does not replace the work of staff members.

Further, it is the purpose of this policy is to provide overall guidance and direction to staff and volunteers engaged in volunteer projects and activities. Brooktrails Township CSD recognizes and supports the use of volunteers to assist the Township in providing services and programs. The Volunteer Program Policies will establish standards of volunteer service for a formal volunteer program.

Written policies and procedures will assure volunteers are suitably oriented and trained and job duties are developed. Supervision of volunteers is appropriate to assigned duties and discussion regarding safety, liability to the Township and accident and property damage coverage is conducted.

For volunteering to be successful, the needs of the organization, service users and volunteers must harmonize.

In an effort to match the Township with qualified pre-screened volunteers and people with specific strengths, volunteer organizations may be utilized in conjunction with the Township for opportunities to enhance and more rapidly complete certain projects.

This policy is intended for internal management guidance only, and does not constitute, either implicitly or explicitly, a binding contractual or personnel agreement. The Township may periodically amend this and other policies.

4.16.020 Participation. Any resident interested in volunteering to work on various projects to improve and maintain the District's facilities must complete a Volunteer Application form. Participation in any project is subject to the discretion of the General Manager. (Resolution 2002-25)

4.16.030 Workers' Compensation. Persons who perform voluntary services without pay for the Brooktrails Community Services District as designated and authorized by the Board of Directors or its designee shall be deemed to be an employee of the District while performing such service only for the purposes of Division 4 or the California Labor Code entitled "Workers' Compensation and Insurance." (*Resolution 1986-43*)

4.16.040 Limitations.

1. Volunteers use a variety of hand tools under the supervision of a crew leader. The use of power equipment by a crew leader is subject to the review and approval of the Superintendent of Utilities. Volunteers are expected to provide their own hand tools.
2. Participants may include anyone physically capable of performing the work: children (10 years and older) teens, adults, and seniors. Youth under 18 years of age must be accompanied by a parent or other parent-designated adult over 18 years of age to work with on the trail projects. If a project is undertaken by an organization that consists of youth under age 18, such as Boy or Girl Scouts, one adult supervisor per five youth is required.
3. Volunteers are expected to provide their own personal protective equipment such as gloves and goggles.
4. All projects are subject to the provisions of Township Ordinance No. 50, if applicable.

4.16.050 Example Projects. Projects may include, but not be limited to:

- (a) Inventory of conditions of District facilities
- (b) Minor repair and improvement projects of existing facilities.

All proposed work will be reviewed by the General Manager who will assign appropriate District staff to oversee the project. (*Resolution 2002-25*)

Park and Trail Projects

Typical tasks for volunteers include investigating the condition of parks and trails, erosion control measures pruning and vegetation removal, trail maintenance, and installation of special trail structures such as retaining walls, bridges, and causeways.

Volunteer Recruitment

People or groups interested in volunteering to work on maintenance and improvement of the District's parks and trail system must complete the appropriate application. All participants must attend safety orientation, demonstrating or learning relevant skills including basic first aid and the proper use of tools. Those who are volunteering to serve as crew leaders are expected to participate in training that includes operation of equipment, emphasizing the trail construction process, standards, working with volunteers, and current maintenance techniques utilized by the Township.

4.16.060 Project Proposals. Each project proposed will be outlined in writing on the “Volunteer Project Request” form. All volunteers must have a completed application and sign in for each project.

A project leader will be assigned by the group who will oversee the project and the workers.

Superintendent of Utilities will work with the project leader and/or crew leader(s) to review the scope of the project and appropriate equipment and tool list. The General Manager will review the proposed project, consult with the Superintendent of Utilities, and authorize the work.

CHAPTER 17. WORKPLACE VIOLENCE PREVENTION PLAN

CALIFORNIA WORKPLACE VIOLENCE PREVENTION PLAN FOR BTCSD



Prepared: June 2024
Adopted: July 2024

BTCSD WORKPLACE VIOLENCE PREVENTION PLAN

Date of Last Review: July 23, 2024

Date of Last Revision: July 23, 2024

Responsibility

The Administrator of the Workplace Violence Prevention Plan ("WVPP" or "Plan") is the General Manager, who has the authority and responsibility for implementing the provisions of this WVPP for Brooktrails Township Community Service District ("BTCSD").

All supervisors are responsible for implementing and maintaining the WVPP in their work areas and for answering employees' questions about the WVPP.

Employee Participation

All BTCSD employees are expected to assist in maintaining a safe, healthy, and secure work environment. Everyone is responsible for using safe work practices, following this WVPP, following applicable Injury and Illness Prevention Plan requirements, and acting in accordance with policies in the Township Policy Manual, as well as complying with all related directives, policies, and procedures from their supervisor. All employees and authorized employee representatives are invited to be actively involved in developing and implementing the WVPP by:

- Identifying, evaluating, and determining corrective measures to prevent workplace violence;
- Designing and implementing training as appropriate. Employees are encouraged to participate in developing and implementing training programs, and their suggestions should be incorporated into training materials; and,
- Reporting and investigating workplace violence incidents.

When appropriate, BTCSD will coordinate WVPP implementation with other employers to ensure those employers and employees understand their respective roles, as provided in the Plan. Employees from other agencies that work with BTCSD staff on projects or programs should attend workplace violence prevention training and report, investigate, and record workplace violence incidents at work.

Employee Compliance

Our system of ensuring that employees comply with the WVPP includes:

- Acknowledging employees who follow safe work practices that promote the WVPP in the workplace.
- Training and re-training employees, supervisors, and managers on the provisions of this WVPP and general workplace violence prevention principles.
- Taking disciplinary action against employees who fail to comply with safe and healthful work practices following training, refresher training, or instruction. BTCSD will not tolerate unsafe acts by its employees. If an employee violates workplace violence policies and rules or otherwise does not perform their job safely and healthfully, they may be subject to appropriate corrective action, up to and including

termination.

- Implementing effective procedures to ensure that employees, whatever their title, comply with the WVPP by conducting periodic assessments and training.

Prohibition on Retaliation

BTCSD will implement effective procedures for accepting and responding to reports of workplace violence. We prohibit retaliation for reporting workplace violence incidents, and for participating in any investigation of such incidents. This commitment means that we will not discipline, terminate, or otherwise take negative action against an employee for reporting a workplace violence incident, or assisting BTCSD in investigating such an incident. *If you believe someone has retaliated against you for engaging in such conduct, please notify the WVPP Administrator immediately.*

Communication with Employees

Open, two-way communication between staff and other employers about workplace violence is essential for creating a safe and productive workplace. Our communication system is designed to facilitate continuous flow of workplace violence prevention information in a form that is understandable by all employees, and consists of the following:

- New employee orientation that includes a discussion of workplace violence prevention policies and procedures;
- Workplace violence prevention training programs; and,
- Posted or distributed workplace violence prevention information.

Employees may report a violent incident, threat, or other workplace violence concern to BTCSD or law enforcement without fear of reprisal or adverse action.

Employees will not be prevented from accessing their mobile or other communication devices to seek emergency assistance, assess the safety of a situation, or communicate with a person to verify their safety.

Employee concerns will be investigated in a timely manner, and they will be informed of results of the investigation and any corrective actions to be taken. BTCSD also will provide updates to employees on the status of investigations and corrective actions through email, at safety meetings, or via other appropriate methods. These updates may include information about the progress of investigations, the results of investigations, and any corrective actions taken.

Reporting Workplace Violence Incidents, Threats, and Concerns

"**Workplace violence**" means any act of violence or threat of violence that occurs in a place of employment including, but not limited to, the following:

- The threat or use of physical force against an employee that results in, or has a high likelihood of resulting in injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.

- An incident involving a threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury.

There are four types of workplace violence:

- Type 1 Violence: Workplace violence committed by a person who has no legitimate business at the worksite and includes violent acts by anyone who enters the workplace or approaches workers with the intent to commit a crime.
- Type 2 Violence: Workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.
- Type 3 Violence: Workplace violence against an employee by a present or former employee, supervisor, or manager.
- Type 4 Violence: Workplace violence committed in the workplace by a person who does not work there but has or is known to have had a personal relationship with an employee.

Workplace violence does not include lawful acts of self-defense or defense of others.

"Threat of violence" means any verbal or written statement including, but not limited to, texts, electronic messages, social media messages or other online posts, or any behavioral or physical conduct, that conveys an intent or that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.

Reporting Procedures

Employees must report any violent incident, threat, hazard, or other workplace violence concern to a supervisor or manager, who immediately will inform the WVPP Administrator. If for any reason an employee does not feel comfortable or cannot inform a supervisor or manager, they must contact another office employee directly or immediately contact law enforcement.

BTCSD will promptly investigate all employee reports of violent incidents, threats, or concerns, and will notify the reporting employees of the results of the investigation and any actions taken to correct workplace violence hazards identified in the course of the investigation.

Responding to Workplace Violence Emergencies

A "workplace violence emergency" is any act of violence or threat of violence that occurs at work, including circumstances that can be life-threatening or pose a risk of significant injuries to employees or other persons. In case of a workplace violence emergency, BTCSD will:

- Alert all employees of the presence, location, and nature of the workplace violence emergency by announcements and/or use of emergency lights or sirens. When employees hear emergency lights or sirens at the office complex, in the building, or hear a safety message announced indicating that there is a safety issue in the front office area,

employees should either shelter in place or move to a secure area as the announcement directs.

- Where appropriate or necessary, implement the BTCSD building evacuation plans. Evacuation routes for the office and fire station are posted.
- In case of a workplace violence emergency, employees may contact the following entities for help:
 - Mendocino County Sherriff's Department at 9-1-1 or (707) 459-7833
 - Willits Police Department at 9-1-1 or (707) 459-6122
 - General Manager Tamara Alaniz at (707) 354-3388
 - Fire Chief Jon Noyer at (707) 841-7202
 - Superintendent Tom Jones at (707) 972-4933

If there is immediate danger, first call for emergency assistance by dialing 9-1-1 and then notify the WVPP Administrator.

Training

The BTCSD will develop and facilitate workplace violence prevention training for all employees. Attendance is mandatory at scheduled training.

The following topics will be covered in training:

- The BTCSD WVPP, including how to obtain a copy of the Plan;
- How to participate in the development and implementation of the WVPP;
- Workplace violence prevention definitions and requirements under California law;
- How to report workplace violence incidents and concerns to the BTCSD or law enforcement without fear of retaliation;
- Worksite and job-specific information, including:
 - Workplace violence hazards specific to employees' jobs;
 - Corrective measures the BTCSD has implemented;
 - How to seek assistance with strategies to prevent or respond to workplace violence to avoid physical harm;
 - *Workplace Violent Incident Logs* maintained by the BTCSD for each workplace violence incident;
 - How to obtain copies of the following records:
 - Workplace violence hazard identification, evaluation, and correction training records;
 - *Workplace Violent Incident Logs*; and,
 - Records of workplace violence investigations;
 - Opportunities for interactive questions and answers with a person knowledgeable about the BTCSD Plan; and,
 - Strategies to avoid and/or prevent workplace violence and physical harm, such as:
 - How to recognize workplace violence hazards including the risk factors associated with the four types of workplace violence; and,

- Ways to defuse hostile or threatening situations.

Employee training and instruction will be provided as follows:

- When the WVPP is implemented;
- To all employees with respect to workplace violence hazards specific to each employee's job assignments/work location;
- To all new employees and/or employees given new job assignments or a work location for which they have not previously received training;
- When new processes or procedures are introduced to the workplace and present a new workplace violence hazard;
- When the BTCSD is made aware of a new or previously unrecognized workplace violence hazard; and,
- When the BTCSD makes changes to the WVPP.

Workplace Violence Hazard Assessment

The WVPP will be in effect at all times and in all work areas and has specifics on the hazards and corrective measures for each work area and operation.

The BTCSD will implement and enforce procedures to identify and evaluate workplace violence hazards including, but not limited to, scheduled periodic inspections to identify unsafe conditions and work practices, and employee reports and concerns.

Periodic inspections to identify and evaluate workplace violence hazards will be performed by the BTCSD WVPP Administrator.

Periodic inspections will be performed according to the following schedule:

- When the WVPP is implemented;
- After a workplace violence incident; and,
- When the BTCSD is made aware of a new or previously unrecognized hazard.

Inspections will include an assessment of:

- The need for violence surveillance measures, such as mirrors and cameras;
- Procedures for reporting suspicious persons or activities;
- Effective location and functioning of emergency lights and alarms;
- Posting of emergency telephone numbers for law enforcement, fire, and medical services;
- Whether employees have access to a telephone with an outside line;
- Whether employees have effective escape routes from their work areas;
- Whether employees have a designated safe area where they retreat in an emergency;
- The adequacy of workplace security systems such as door locks, physical barriers, and restraint systems; and,
- The effectiveness of systems and procedures to warn others of actual or potential workplace violence danger or that summon assistance, such as alarms or panic buttons.

BTCSD will review all submitted or reported concerns of potential hazards and take appropriate steps to address them.

Employee Access to the WVPP

All employees, their designated representatives, and Cal/OSHA representatives have the right to examine and receive a copy of this WVPP. This will be accomplished by providing unobstructed electronic or paper access.

Recordkeeping

The BTCSD will:

- Create and maintain records of workplace violence hazard identification, evaluation, and correction for a minimum of five (5) years;
- Create and maintain training records for a minimum of one (1) year, including the following:
 - Training dates;
 - Contents or a summary of the training sessions;
 - Names and qualifications of persons conducting the training; and,
 - Names and job titles of people attending the training sessions.
- Maintain *Workplace Violent Incident Logs* for a minimum of five (5) years;
- Maintain records of workplace violence incident investigations for a minimum of five (5) years, which will not contain medical information (per California Civil Code Section 56.0SU); and,
- All records required by California Labor Code Section 6401.9(f) will be made available to Cal/OSHA upon request for examination and copying.

Correcting Workplace Violence Hazards

The BTCSD will correct workplace violence hazards in a timely manner when they are observed or discovered, and according to the following procedures:

- When an Imminent workplace violence hazard exists that cannot be immediately abated without endangering employee(s) and/or property, BTCSD will remove all employees from the area, except those necessary to correct the existing condition. Employees required to correct the hazardous condition will be provided with the necessary protection.
- All corrective actions taken will be documented and dated on the appropriate forms, including *Workplace Violent Incident Log* and *Workplace Violent Incident Investigation Report* forms.
- Corrective measures for workplace violence hazards will be specific to a given work area.
- Install security surveillance cameras in and around the workplace as appropriate.
- Provide workplace violence systems, such as door locks, physical barriers, and emergency alarms by:

- Ensuring the adequacy of workplace violence systems;
- Controlling access to, and freedom of movement within, the workplace by non-employees, include recently discharged employees or persons with whom one of our employees is having a dispute; and,
- Installing effective systems to warn others of a violence danger or to summon assistance, alarms, blue strobe lights, or intercom announcements.
- Provide employee training/re-training on the WVPP, which could include recognizing and handling threatening or hostile situations that may lead to violent acts by persons who are service recipients of our establishment.
- Ensure that all reports of violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace are handled effectively by management and that the person making the report is not subject to retaliation by the person making the threat.
- Improve how well our management and employees communicate with each other.
- Develop procedures for reporting suspicious persons, activities, and packages.
- When Board governance meetings take place at the worksite, Board members will be reminded of emergency procedures, including evacuation plans and the use of code words over the radio in case of a violent disturbance in the main office.
- Establish a policy for prohibited practices.

Post-Incident Response and Investigation

After a workplace violence incident, the WVPP Administrator or their designee will implement and enforce procedures for post-incident response and investigation including, but not limited to:

- Visiting the workplace violence incident scene as soon as it is safe and practicable;
- Interviewing employees and witnesses, and any other involved parties;
- Examining the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator, if any;
- Determining the cause of the incident;
- Taking corrective action to prevent the incident from re-occurring;
- Obtaining copies of any reports completed by law enforcement;
- Recording the findings and corrective actions taken in the *Workplace Violence Incident Log*, which will include at least the following information:
 - The date, time, and location of the incident
 - The workplace violence type(s) involved
 - A detailed description of the incident
 - A description of the relationship of the perpetrator to the workplace, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator
 - A description of the circumstances at the time of the incident, including, but not limited to, whether employees were completing their usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, or working in a community setting

- or in an unfamiliar or new location
- A description of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area
- The type of incident, including, but not limited to, whether it involved any of the following:
 - Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting
 - Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object
 - Threat of physical force or threat of the use of a weapon or other object
 - Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact
 - Animal attack
 - Other
- Consequences of the incident, including, but not limited to:
 - Whether security or law enforcement was contacted, and their response
 - Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident
 - Information about the person completing the log, including their name, job title, and the date completed
 - Reviewing all previous incidents
 - Ensuring that no additional personal or identifying information is recorded or documented in the *Workplace Violence Incident Log*. This prohibition includes information that would reveal identification of any person involved in a violent incident such as the person's name, address, electronic mail address, telephone number, social security number, or other information that alone or in combination with other publicly available information, reveals the person's identity

Review and Revision of the WVPP

BTCSD will implement and enforce procedures to review the effectiveness of this WVPP and revise it as needed, including obtaining the active involvement of employees in reviewing the Plan, as described above.

BTCSD will review the WVPP at least annually, when a deficiency is observed or becomes apparent, after a workplace violence incident, and as needed. All reviews will include, but not be limited to:

- Review of incident investigation and *Workplace Violence Incident Log*
- Assessment of the effectiveness of security systems, including alarms, emergency response, and security personnel availability, if applicable
- Ensure violence risks are being properly identified, evaluated, and corrected, and any necessary revisions are made promptly and communicated to all

employees; revisions may involve changes to procedures, updates to contact information, and additions to training materials.

BTCSD also will update the WVPP to include any procedures or other information determined by the Cal/OSHA Occupational Safety and Health Standards Board to be necessary and appropriate to protect the health and safety of employees.

District Reporting Responsibilities

As required by California Code of Regulations ("CCR"), Title 8, Section 342(a), "Reporting Work-Connected Fatalities and Serious Injuries", BTCSD will immediately report to Cal/OSHA any employee's serious injury or illness (as defined by CCR, Title 8, Section 330(h)), or death (including any injury, illness, or death due to workplace violence) occurring at work or related in any way to employment with the BTCSD.

ACKNOWLEDGEMENT OF WORKPLACE VIOLENCE PREVENTION PLAN ADMINISTRATOR

I, General Manager Tamara Alaniz, hereby authorize the establishment, implementation, and maintenance of this written workplace violence prevention plan and the documents/forms referred to within this written plan. I am committed to promoting a culture of safety and violence prevention in our workplace and believe that these policies and procedures will help our employees achieve that goal.

Signature_____

Date_____

Workplace Violence Incident Log

This log must be used for every workplace violence incident that occurs in our workplace. At a minimum, it will include the information required by LC section 6401.9(d).

The information that is recorded will be based on:

- Information provided by the employees who experienced the incident of violence.
- Witness statements.
- All other investigation findings.

All information that personally identifies the individual(s) involved will be omitted from this log, such as:

- Names
- Addresses – physical and electronic
- Telephone numbers
- Social security number

Enter the date the incident occurred (Day, Month, Year)

Enter the time (or approximate time) that the incident occurred

_____ am / pm

Location(s) of Incident Workplace Violence Type

Indicate which type(s) (Type 1, 2,3,4)

_____, _____, _____, _____

Check which of the following describes the type(s) of incident, and explain in detail:

It is important to note that “Workplace Violence Type” & “Type of Incident” have separate requirements. For this part of the log, “Type of Incident” specifically refers to the nature or characteristics of the incident being logged. It does not refer to the type of workplace violence.

- Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
- Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
- Threat of physical force or threat of the use of a weapon or other object.
- Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.

Were there any injuries? Yes or No. Please explain: [Indicate here if there were any injuries, if so, provide description of the injuries]

Were emergency medical responders other than law enforcement contacted, such as a Fire Department, Paramedics, On-site First-aid certified personnel? Yes or No. If yes, explain below:

Did the severity of the injuries require reporting to Cal/OSHA? If yes, document the date and time this was done, along with the name of the Cal/OSHA representative contacted.

A copy of this violent incident log needs to be provided to the employer. Indicate when it was provided and to whom.

This violent incident log was completed by:

Name and Job Title of person completing this log _____

Date this log was completed _____

Signature of person completing this log _____

CHAPTER 18. RESERVED

CHAPTER 19. MISCELLANEOUS

4.19.010 Outside Employment. Any full-time employee engaging in regular outside employment shall notify the General Manager. The employee shall submit a statement naming the employer, address and telephone number, and hours of work. *(Resolution 1988-23)*

4.19.020 Gratuity. No officer or employee of the District shall solicit or accept any gratuity for services rendered. *(Resolution 1988-23)*

4.19.030 Conflicts of Interest. No employee shall engage in any business transaction or shall have a financial interest, direct or indirect, which is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or reaction in the performance of those duties. *(Resolution 1988-23)*

4.19.040 Records. Personnel records shall not be public records open to public inspection except as otherwise required by law. *(Resolution 1988-23)*

4.19.050 Residence. District employees shall reside within 10 miles of the District boundaries so that they may respond to emergency situations in a timely manner. Any employee not residing as required herein at the time of employment shall establish such residence within 60 days of employment. *(Resolution 1988-23)*

4.19.060 In-Service Training. The General Manager may authorize the payment of costs for job related training courses for employees if the budget provides funds. The General Manager may establish rules for the use of said funds. *(Resolution 1988-23)*

4.19.070 District Vehicles. The General Manager may authorize an employee to maintain possession of a District vehicle when it is necessary or convenient to the District. Under no circumstances shall employees use District owned vehicles at any time solely for personal purposes. *(Resolution 1988-23)*

4.19.080 Student Workers. Minors 14 to 17 years of age may be employed by the District only if a "Permit to Employ and Work" is on file with the General Manager. Such employees shall not operate District motor vehicles, operate power equipment, or power tools of any kind, or be involved in any trenching or roofing activity. Such employees may participate in general maintenance, office work, or janitorial work. Supervisors shall instruct such employees on District safety practices and shall comply with the Minors' Work Regulations under the Fair Labor Standards Act. *(Resolution 1988-23)*

CHAPTER 20. DEFINITIONS

4.20.010 Definitions.

Administrative Personnel – The following positions are classified as administrative: Fire Chief, Supervisor of Operations and Maintenance (Utilities Superintendent), Administrative Assistant to the General Manager, Deputy Finance Officer. *(Resolution 1988-23 as amended by Resolution 1989-14)*

Allocation – The assignment of a position to its appropriate class in relation to the duties performed. *(Resolution 1988-23)*

Appeal – An application for review of an alleged grievance submitted or instituted by an employee to higher authority. *(Resolution 1988-23)*

Applicant – An individual who has completed and submitted an application for employment with the District. *(Resolution 1988-23)*

Appointment – The offer to and acceptance by a person of a position either on a regular or temporary basis. *(Resolution 1988-23)*

Appointing Authority – The General Manager or a subordinate to whom the authority to make an appointment has been delegated. *(Resolution 1988-23)*

Certification – Endorsement as being eligible for appointment to a vacant position. *(Resolution 1988-23)*

Chief Executive Officer – the General Manager. *(Resolution 1988-23)*

Class – A group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, class specifications, and pay rate. *(Resolution 1988-23)*

Classification – The act of grouping positions in classes with regard to (1) duties and responsibilities; (2) requirements for experience, ability, education, and knowledge; (3) tests of fitness; and (4) range of pay. *(Resolution 1988-23)*

Classification Plan – The District's system of grouping positions into appropriate classes consisting of the class specifications for each class. *(Resolution 1988-23)*

Compensatory Leave (Compensatory Time Off or Comp Time) – Time off from work in lieu of monetary payment for overtime work. *(Resolution 1988-23)*

Demotion – Assignment of an employee from one class to another which has a lower maximum rate of pay. *(Resolution 1988-23)*

Department - The primary organizational unit of District which is under the immediate charge of an employee who reports directly to the General Manager. *(Resolution 1988-23)*

Discharge – The ending of employment of an employee by the District for cause. *(Resolution 1988-23)*

Employee – An individual who is legally employed by the District and is compensated through the District's payroll for his service. Individuals or groups compensated on a fee basis are not included. *(Resolution 1988-23)*

Employer – The District and all its departments, programs, and subsidiaries which have employees. *(Resolution 1988-23)*

Examination – The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees. *(Resolution 1988-23)*

Executive Officer – See Chief Executive Officer. *(Resolution 1988-23)*

Exempt Service – Those positions not covered by these rules except as otherwise provided by contract including: General Manager, District Counsel. *(Resolution 1988-23)*

Immediate Family – Includes wife, husband, son, daughter, mother, father, brother, or sister of employee or the employee's spouse; and any person residing with the employee as may be determined by the General Manager. *(Resolution 1988-23)*

Job Description – A written description of a class consisting of a class title, a general statement of level or work, and of the distinguishing features of work, examples of duties, and the desirable qualifications for the class. *(Resolution 1988-23)*

Layoff – The involuntary non-disciplinary termination of an employee from a position. *(Resolution 1988-23)*

Leave – An approved type of absence from work as provided for by these rules. *(Resolution 1988-23)*

Longevity Pay – Additional pay granted an employee for having been employed by District in a class for a specific period of time. *(Resolution 1988-23)*

Merit Pay or Merit Bonus – Additional pay granted an employee for meritorious service. *(Resolution 1988-23)*

Overtime – Authorized time worked by a full-time employee in excess of his normal work period. *(Resolution 1988-23 and Resolution 2018-6)*

Probationary Period – The working test consisting of a trial period of employment beginning with the date of an employee's first appointment to class and ending as specified in these rules. *(Resolution 1988-23)*

Promotion – Assignment of an employee from one class to another which has a higher maximum rate of pay. *(Resolution 1988-23)*

Regular Appointment – An appointment without time limitation or special restrictions as to continued employment to a regular position authorized to be filled and made as prescribed by these rules. *(Resolution 1988-23)*

Regular Employee – An employee who has received and accepted a regular appointment. *(Resolution 1988-23)*

Supervisory Employees – Any employee who is regularly responsible for reviewing and directing the work of another employee. *(Resolution 1988-23)*

Suspension – An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee. *(Resolution 1988-23)*

Transfer – Assignment of an employee from one position to another position with District not involving a demotion or promotion. *(Resolution 1988-23)*

Wage Range – Specific dollar amounts, expressed as annual rates, monthly rates, biweekly rates, or hourly rates, as shown on the pay plan for a class. *(Resolutions 1988-23 & 2021-04)*

Work Day – Scheduled number of hours that an employee is required to work per day. *(Resolution 1988-23)*

APPENDIX A

A-1. Classification Plan

Job Descriptions

A-2. Compensation Plan

Salary Ranges

Assignment of Classifications to Salary Ranges

Retirement Benefit Program

Insurance Benefit Program

A-1. Classification Plan (*Resolution 2024-03*)

ACCOUNT CLERK/SECRETARY

Definition

Performs secretarial duties and limited bookkeeping related to District operations; assists with receivables, payables and purchasing; typing correspondence, forms, and reports.

Supervision Received and Exercised

Works under the supervision of the General Manager in the performance of assigned duties. Receives oversight from the Deputy Finance Officer with regard to utility billing and purchasing. Supervision is not a normal responsibility of this position.

Examples of Important Responsibilities and Duties

Serves as receptionist for the District office, answering the telephone and greeting visitors; answers routine inquiries of the public and gives out forms and documents; provides the general public with pertinent information concerning fire regulations, recreation facilities, and Site Development Standards; maintains a supply of forms for distribution to the public.

Receives, distributes, and dispatches mail.

Acts as cashier in receiving payments over the counter and by mail; prepares purchase orders; keeps outstanding purchase orders and invoices in order to prepare for accounts payable; balances cash receipts and prepares bank deposits; enters utility payments, meter readings, charges and other data into database; processes utility bills including delinquency notices, closing bills and turn-off notices; handles routine inquiries regarding utility bills; assists with processing of payables, purchase orders, time cards, leave slips, and checks; makes bank deposits; generates and reconciles varied reports using online billing and accounting systems data base; and collects money from borrowers whose accounts are in arrears.

Prepares agendas, correspondence, minutes and reports from dictation or general instruction; answers routine inquiries regarding District operations; files documents.

Researches and assembles information from a variety of sources for the completion of forms or the preparation of reports.

Performs related duties as required for the operation of the District Office.

Typical Physical Activities

Operates automobile in making bank deposits.

Communicates orally with District management, co-workers, and the public in face-to-face, one-on-one settings.

Regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, calculators, copiers, and FAX machines.

Sits for extended time periods; hearing and vision within normal ranges; occasionally lifts boxes of paper; bends to access files.

Qualifications

Knowledge of: Standard office practices, bookkeeping practices, business English, spelling, composition, and mathematics; correct English usage and standard formats for typed materials; basic business data processing; principles and use of word processing.

Ability to: Make decisions independently in accordance with established policy; use tact and judgment in dealing with the public; type accurately at 40 words per minute; make arithmetic calculations with speed and accuracy; organize research and maintain office files; maintain effective working relationships.

Experience and Training Guidelines: Three years of responsible experience in bookkeeping and secretarial work and graduation from high school with course work emphasis on business skills; or completion of community college or business school secretarial training; or any satisfactory combination of experience, training and skills. Desirable: Computer experience with word processing, spreadsheets and bookkeeping.

Possession of a California Class C driver's license or ability to obtain one within three (3) months of employment.

DEPUTY GENERAL MANAGER

Definition

Performs a variety of responsible, complex, and specialized and continuing administrative assignments of a responsible nature requiring the exercise of independent judgment; maintains official District files; and provides administrative assistance to the General Manager.

Examples of duties include: Coordinating work processes; developing various complex (often confidential) reports requiring extensive research and gathering of information and/or statistics; preparing and/or monitoring contracts and related documents; and assisting in developing policies, and procedures, resolutions, ordinances, and notices. Assist in preparation and editing of board agendas, packets, grants, analytical reports, insurance and government documents, and other special assignments assigned by General Manager.

Supervision Received

Works under the supervision of the General Manager who assigns duties and reviews work for effectiveness in conformance to established policy.

Examples of Important Responsibilities and Duties

Assists with special and ongoing administrative assignments and with the management of the District office; researches and assembles information from a variety of sources for the completion of forms and the preparation of reports including confidential information; performs general office support duties, handles routine matters personally; arranges for appointments; assists the general public in providing pertinent information concerning District activities.

Writes letters, reports, articles, and other materials of an important or confidential nature from general instructions, or personal knowledge and research, as directed; types correspondence, reports, forms and specialized documents from drafts, notes, or brief instructions, using a typewriter or computer; composes correspondence independently and/or from standardized formats; proofreads and checks typed and other materials for accuracy, completeness, and compliance with District policies and regulations; enters and retrieves data and prepares reports from a personal or online computer system; may operate and maintain database or other automated files and systems; reviews computer-produced reports for accuracy and makes corrections as required.

Assists General Manager in preparing Board agendas and packets; distributes packets, attends meetings, records official actions and significant parts of discussions; prepares minutes, resolutions, ordinances, and other official documents; research issues for packets including contracts with City, County, State agencies and outside firms and consultants including legal and insurance research.

Provides staff support for District Committees; prepares orientation procedures for new members and chairs; schedules and prepares agendas with input from Chair, Board and General Manager; posts notices and distributes agendas and packets; makes meeting place arrangements and setups and teardowns; arranges for video and audio taping and transcribes minutes; responds to Committee commentary, inquiries and requests; prepares actions of Committees for review by the Board if necessary.

Assists in the implementation of committee recommendations, including research, feasibility analysis, design and coordination with District Architect and other experts; consults with vendors and consultants; may monitor work of consultants; prepares project scope of work and cost estimates; compiles, prints, presents, and distributes special reports.

Organizes and maintains District records and files; searches out information in such records; compiles data for the use of others and creates report forms as requested by the General Manager; and prepares special tax and assessment rolls annually.

Works with the Mendocino County Clerk's office to assure the proper conduct of District elections and official conflict of interest reporting.

Processes annual proceedings for water and sewer standby charges, including scheduling hearings, mailing notices, and recording actions; assists General Manager with annual review and correction of county tax database for Brooktrails. Assists with surplus equipment sales.

Researches environmental issues as assigned including CEQA, NEPA and other EIR records and documents, including drafts Notices of Exemption, negative Declarations of Environmental Impact, Notices of Determination; prepares timelines and staff reports; assures that applicable processes and meetings are complied with.

Works with the General Manager and the webmaster on direct website update and maintenance.

Maintains District policy manual, and other government correspondence including Brown Act, Public Records Act, etc. for District and Board.

Participates in formulating and recommending the development and implementation of ordinances, resolutions, policies, rules, and practices subject to the review of the General Manager.

Researches available grant programs; writes grants; locates vendors and products; purchases and coordinates fixture installation; coordinates bid process for construction projects; documents costs for grant reimbursements and submits reimbursement requests.

As needed, acts as receptionist for District office answering routine inquiries of the public and receiving payments.

As needed, assists the Deputy Finance Officer.

Performs related duties as required.

Typical Physical Activities

Communicates orally with District management, co-workers, and the public in face-to-face, one-on-one settings.

Travels regularly by automobile on District business.

Regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, copier and FAX machines, and audio and video devices.

Sits for extended time periods; hearing, vision, and mobility within normal ranges.

May be required to work scheduled and emergency overtime.

Occasionally required to walk or hike up to 2 miles (level ground or not) as part of greenbelt research, site inspection, class, or tour.

Regularly lifts and carries equipment, boxes of supplies, papers and files.

Regularly drags, lifts, sets up multiple tables and chairs, carries, sets up and runs video/audio equipment; bends, walks, lifts, moves, measures, and crawls under desks or tables.

Regularly physically visits sites and walks/climbs over or around obstacles to assist in design and measurement of projects.

Qualifications

Knowledge of: Thorough knowledge of standard office practices; knowledge of business English, spelling, composition, and math; knowledge of notification and publication requirements; knowledge of and experience with word processing, databases and spreadsheets; including basic methods of graphic presentations; filing procedures and practices; principles of recordkeeping and customer service; procedures and forms associated with support responsibilities to committees and boards; methods and techniques used in researching, proofing, evaluating, gathering, organizing and arranging data; report writing;

application and use of basic statistics; and written and oral communication, including language mechanics, syntax and English composition.

Ability to: Research, compile, and summarize a variety of informational and statistical data and materials; work harmoniously with other employees; make decisions independently in accordance with established policy; use initiative, discretion and independent judgment in carrying out tasks and responsibilities with only general direction and guidance; use tact and judgment in dealing with the public and with executives and officials from other agencies; read and interpret rules, policies and procedures; organize and maintain office files; make arithmetic calculations with speed and accuracy; operate standard office equipment; establish priorities and work effectively on multiple duties; communicate effectively orally and in writing and present conclusions and recommendations before committees and boards; transcribe from video and audio recordings and prepare minutes from transcription; track projects over extended periods of time and monitor compliance with legal requirements and District procedures; use and understand databases, spreadsheets and word processing applications; type accurately with a speed of at least 50 words per minute; shorthand helpful.

Experience and Training Guidelines: Three years of progressively responsible experience in an office support position, preferably including some experience with a local governmental entity; graduation from high school supplemented by college, business school, or other related training in office administration; or any satisfactory combination of experience, training, and skills.

Possession of a California Class C driver's license or the ability to obtain one within three (3) months of employment.

DEPUTY FINANCE OFFICER

Definition

Performs a variety of specialized and continuing financial, accounting, and office support duties of a responsible nature, including maintenance of the budgetary accounting system, preparation of payroll, maintenance of accounts payable system, and management of District funds, including investments; as Deputy Finance Officer prepares financial documents; assists General Manager with budget preparation and financial reporting.

Supervision Received and Exercised

Works under the supervision of the General Manager who assigns duties and reviews work for effectiveness in conformance to established policy.

May exercise supervision over a small number of clerical employees in a variety of tasks.

Examples of Important Responsibilities and Duties

As Deputy Finance Officer, assists the General Manager in the performance of all financial duties assigned to the Finance Officer by law; prepares periodic financial reports and maintains the District's budgetary accounting system; supervises the receipt and disbursement of all monies; monitors District cash flow for investment purposes; balances all checking accounts.

Prepares bi-weekly payrolls; prepares monthly, quarterly, and annual payroll reports for federal and state agencies; maintains payroll records; prepares reports and remittance checks for retirement compensation, payroll taxes, and deferred compensation contributions.

Supervises the maintenance of the accounts receivable system including the water and sewer billing; oversees and assists in preparation of utility bills and maintenance of customer account records.

Prepares annual update for property and automobile liability insurance renewal. Process Worker's Compensation claims.

Assists the General Manager in the operation of the purchasing system; reviews purchase requests for conformity to budget, confers with vendors, and works with other staff on purchases; prepares purchase orders and may sign them in the absence of the General Manager; maintains equipment inventory.

Maintains the accounts payable system preparing checks for the disbursement of all funds; makes inquiries on statements from vendors and assures disbursements are for correct purchases; prepares bi-weekly spreadsheet report for board packets; reviews claims presented

for payment; date stamps and files copies of checks and invoices; manages cash flow between interest bearing accounts.

Oversees the operation of the Novell Network, accounting software, and backup software; troubleshoots network problems; contacts outside contractor if necessary.

Maintains special records and prepares reports for all special funds, such as grant funds, and special projects including allocating capital outlay and construction in progress. Assists in lot merger program.

Assists General Manager in the preparation of the annual budget; prepares special financial reports at the direction of the General Manager; calculates year-to-date actual expenses, projections and forecasts utilizing amortization schedule, existing contracts, and anticipated expenditures.

As needed, acts as receptionist for District office answering routine inquiries of the public and receiving payments.

As needed, assists the Administrative Assistant.

Performs related duties as required.

Typical Physical Activities

Communicates orally with District management, co-workers and the public in face-to-face, one-on-one settings.

Regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, calculators, copiers and FAX machines.

Sits for extended time periods; hearing and vision within normal ranges.

Qualifications

Knowledge of: Thorough knowledge of generally accepted accounting practices and methods, preferably including knowledge of fund accounting practices; knowledge of standard office practices and math; operation of computerized accounting and financial systems including spreadsheets; local area networks.

Ability to: Understand, interpret, and apply the fundamental principles of accounting, related policies and procedures; reconcile differences within the record keeping system requiring an understanding of the relationship among accounting records and documents; prepare financial reports and maintain ledgers and journals; analyze fiscal data and draw logical conclusions; communicate effectively both orally and in writing; prepare concise and accurate reports for

the General Manager and the Board of Directors; work harmoniously with other employees; make decisions independently in accordance with established policy; use initiative and judgment in carrying out tasks and responsibilities with only general direction and guidance; use tact and judgment in dealing with vendors, the public and officials from other agencies; type accurately.

Experience and Training Guidelines: Four years of responsible experience with a small governmental or business organization keeping financial records, including general ledger accounting, billing accounts receivable, preparing payroll, handling disbursements and receipts and an understanding of financial statements; and two years of college or business school bookkeeping training or related professional training; or any satisfactory combination of experience, training, and skills.

FINANCE ASSISTANT

Definition

Performs a variety of general financial, accounting, and office support duties in a support role, including tasks in the utility billing and financial accounting system, tasks associated with payroll, and reporting tasks for specific District funds; assists Deputy Finance Officer in preparation of financial documents.

Supervision Received and Exercised

Works under the supervision of the General Manager and Deputy Finance Officer who assigns duties and reviews work for effectiveness in conformance to established policy.

Examples of Important Responsibilities and Duties

As Finance Assistant, assists in financial and payroll duties; prepares periodic financial reports; may receive and disburse monies associated with utility billing, accounts receivable and accounts payable.

Assists in: the preparation of bi-weekly payrolls; monthly, quarterly, and annual payroll reports for federal and state agencies; processes payroll records; prepares information and payments for retirement compensation, payroll taxes, and deferred compensation contributions.

Contributes to the maintenance of the utility billing and financial accounting system; assists in preparation of utility bills and maintenance of customer account records. Participates in the preparation of property and liability insurance renewal. May participate in processing Worker's Compensation claims.

Assists in the preparation and provision of purchase orders for District business; may confer with vendors and work with other staff on purchases; and, maintains equipment inventory.

Prepares checks for the disbursement of funds; makes inquiries on statements from vendors and assures disbursements are for correct purchases; prepares bi-weekly accounts payable report for board agenda packets; reviews claims presented for payment; date stamps and files copies of checks and invoices.

Maintains appropriate special records and prepares reports for special funds, including grant funds, and special projects that require capital outlay.

Assists General Manager and Deputy Finance Officer in the preparation of the annual budget; prepares special financial reports upon direction; reports year-to-date actual expenses, projections and forecasts, existing contracts, and anticipated expenditures.

As needed, acts as receptionist for District office answering routine inquiries of the public and receiving payments.

As needed, assists the Administrative Assistant.

Performs related duties as required.

Typical Physical Activities

Communicates orally with District management, co-workers and the public in face-to-face, one-on-one settings.

Regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, calculators, copiers and FAX machines.

Sits for extended time periods; hearing and vision within normal ranges.

Qualifications

Knowledge of generally accepted accounting practices and methods, preferably including knowledge of fund accounting practices; knowledge of standard office practices and math; operation of computerized accounting and financial systems, including word processing and spreadsheet programs, and local area networks.

Ability to: Understand and apply the fundamental principles of bookkeeping and its related policies and procedures; understanding of the relationship among accounting records and documents; analyze accounting data and draw logical conclusions; communicate effectively both orally and in writing; prepare concise and accurate reports for the General Manager and Deputy Finance Officer; work harmoniously with other employees; make decisions in accordance with established policy; use integrity and sound judgment in carrying out tasks and responsibilities; use tact and attention to detail when dealing with vendors, the public and officials from other agencies; type accurately.

Experience and Training Guidelines: One to two years of responsible experience with a small government or business organization working with financial records, including any combination of the following: fund accounting, billing accounts receivable/payable, preparing payroll, handling disbursements, receipts, and financial statements. A vocational certificate in bookkeeping is desired; or, another satisfactory combination of experience, training, and skills.

SUPERINTENDENT OF UTILITIES

Definition

Responsible for and supervises the operation and maintenance of the District's water and wastewater utilities; organizes and supervises construction projects for the installation of mains, laterals, service lines, and related facilities; works with engineers on facilities design and inspection of contracted construction projects; supervises maintenance of district buildings and equipment; assists the General Manger in the development of the annual budget.

Distinguishing Characteristics

This is the senior position in the operation of the District's water and wastewater services.

Supervision Received and Exercised

Works under the general direction of the General Manager who reviews work for effectiveness in conference to established standards. Supervises all employees in the operation and maintenance of the District water and waste water utilities.

Examples of Important Responsibilities and Duties

Works with the General Manager in the development of policies, goals, and objectives related to the District water and wastewater utilities; reviews work plans with the General Manager; assists the General Manager in the development of the annual budget and in the preparation of operational reports.

Participates in the selection of new employees; conducts periodic performance reviews of subordinate employees; provides general and specific guidance, training, and discipline for subordinate employees.

Plans and supervises the installation and maintenance of water mains, pumps, valves, services and meters, and related distribution facilities and appurtenances.

Plans and supervises the installation and maintenance of wastewater mains, laterals, manholes, lift stations, and related collection facilities.

Trains other personnel on the methods and procedures for the operation of utility systems.

May operate equipment used in water and wastewater system construction, including backhoe, front-end loader, dump truck, tamper, jackhammer, etc.

Supervises the day-to-day operation of the water treatment plant; plans shift operations to meet required conditions of the utility system.

Specifies, installs, operates, and maintains the control and monitoring instrumentation and the SCADA system; uses computer programs to gather data for reports and for the purpose of monitoring water quality parameters.

Assures the effective operation and maintenance of the water treatment plant through the general supervision of a Water Operator III; ensures that chlorine feed adjustments are made and maintains chlorine residual at a level established by chlorine demands.

Meets with customers to identify service locations and resolve service problems

Supervises the maintenance and construction of district buildings, equipment, and other district facilities.

Oversees contracted construction projects; coordinates with the General Manager on payments to contractors.

Assists in responding to, investigating, and resolving inquiries and complaints from the State Water Resources Control Board, Public Health, Fish and Game, the public, and engineers and contractors.

Performs related duties as required.

Typical Physical Activities

Travels regularly by vehicle in inspecting District facilities and field operations; usually works in an outdoor environment; stoops, kneels, crouches, crawls and climbs during field maintenance and repair work; lifts up to 50 lbs. on a frequent basis.

Communicates orally with District Management, co-workers, and the public in face-to-face, one-on-one and group settings; regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, copiers, and FAX machines.

Sits for extended time periods; hearing and vision within normal ranges.

Works flexible hours, including weekends and holidays.

Qualifications

Knowledge of: Thorough knowledge of proper practices in the maintenance and operation of a water utility; familiarity with federal and state regulations regarding water quality control and

distribution of potable water; familiarity with the use of a variety of construction tools, equipment, and machinery; familiarity with pumps, telemetry, and other related water and wastewater system equipment; knowledge of methods and precautions for handling and storing potentially hazardous chemicals; automated SCADA system; safe work practices; relevant federal and state rules, regulations and policies.

Ability to: Identify water and wastewater system problems and determine corrective actions; select, supervise, train and evaluate staff; interpret and explain District and department policies and procedures; prepare clear and concise reports; keep accurate records and files; operate specialized computer equipment related to the operation of water utilities; oversee safety practices especially affecting work with toxic gases, heavy equipment, and electricity; ensure the proper chemical testing procedures followed by staff. Communicate clearly and concisely, both orally and in writing; work harmoniously with other employees; make decisions independently in accordance with established policy and to use initiative and judgment in planning, organizing, and supervising others in the completion of tasks and responsibilities with only general instruction and guidance; use tact and judgment when dealing with the public; lift heavy objects; work safely in confined spaces with harmful materials.

Experience and Training Guidelines – Any Combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Five years of experience in the operation and maintenance of a water utility, including two years of supervisory experience.

Training: Graduation from high school or GED equivalent.

Special Requirements: Possession of a current California Department of Health certificate for Water Treatment Operator Grade III; possession of a Grade III Water Distribution System Operator certificate; possession of a valid Class B California driver's license or the ability to obtain one within six (6) months of employment.

WATER OPERATOR III – D3

Definition

Performs skilled labor in the maintenance, repair and related service activities of the District's water and wastewater systems in the Utilities Department. Employees who possess the appropriate California certificate for Water Treatment Plant Operator may be assigned duties as Utility Water Operator III.

Distinguishing Characteristics

Employees within this class are distinguished from the Utility Operator I and II by the performance of the full range of utility maintenance duties including the operation of the full range of tools and mechanical and heavy equipment related to a specific assignment under general supervision. The Utility Water Operator III is the advanced journey level class in this series. Positions in this series are flexibly staffed and are normally filled by advancement from within the series, when the employee has acquired the requisite experience, or when filled from outside, require comparable prior experience in the construction and maintenance of water / wastewater related facilities.

Furthermore, this classification of the Water Operator series requires the appropriate California certificates for a Water Treatment Plant Operator and Water Distribution Operator. Employees assigned to the III classification work under general supervision and are required to perform the full range of duties required in a water treatment operation. The II and III classifications are flexibly staffed.

Supervision Received and Exercised

Receives supervision from the Superintendent of Utilities. The senior operator may exercise functional and technical supervision over other Utility Operators.

Examples of Important Responsibilities and Duties

Excavates trenches, lays pipe, backfills, compacts soil and lays asphalt.

Constructs, installs, and repairs District pipe lines, pump stations, services, valves, distribution and treatment infrastructure for both water and wastewater systems.

Performs scheduled maintenance of equipment.

Performs routine meter reading and equipment checks and calculate results; administers some testing on water samples to ensure compliance with regulations; compiles and submits periodic usage reports.

Pours concrete or asphalt in repairs to streets or sidewalk subsequent to repairing service lines; cleans wastewater manholes of grease and unplugs sewer pumps as needed.

Excavates, inspects, flushes, cleans, and repairs water mains, laterals; makes taps for new water utility services; measure water volume and pressure.

Installs, repairs, and replaces manholes, fire hydrants, valves, meters, meter vaults and boxes; exercise valves according to prescribed schedules; flushes water system from blow-offs or fire hydrants to maintain proper standards.

Locates and marks underground utilities for contractors, outside agencies and members of the public.

Operates construction equipment such as dump truck, backhoes, front loaders, trenchers, and other tools such as soil compactors, compressors, jackhammers, sand blasters and concrete saws.

Completes work requests for water operations, including installations, reading, lock-offs, investigations or customer complaints and utility service agreements.

Responds to requests and inquiries from customers of the water utilities and from the general public; and resolves inquiries and complaints.

Inspects and troubleshoots water and wastewater pumping stations in confined spaces; including motors, pumps, valves, and other hydraulic and electric equipment.

Maintains all District vehicles and fuel; changes oil, filter, and lubrication fluids; repacks bearing; replaces seals and gaskets; performs other vehicle maintenance requirements as needed.

Disassembles, cleans, overhauls, and rebuilds valves, pumps and filters and other pumping station and water treatment plant equipment; installs and replaces chlorine cylinder tanks.

Periodically checks records related to pumping stations operations and maintenance.

Identifies equipment needs for each assigned project; requisitions maintenance supplies, materials, and equipment.

In the water area more specifically as follows:

Monitors the operation of water treatment facilities, pumps, motors and other equipment; read gauges, dials and other instrumentation; maintain and update accurate logs of water treatment activities.

Inspects water treatment equipment and facilities to locate needed repairs; perform general plant maintenance and routine repairs as needed.

Inspects water tanks and monitor water system pressure; maintain and adjust control valves.

Maintains all water treatment facilities and grounds including weed control and landscape maintenance.

Repairs and services water pumping stations and pressure regulators as required; change fluids, lubricate, and adjust electric and hydraulic pumping equipment; test water volume and pressure.

Collects water samples for chlorine, physical and bacteriological tests; conducts routine laboratory tests; installs and replace chlorine cylinder tanks.

Removes and applies paint to the water facilities and equipment.

Responds to requests and inquiries from customers of the water utilities and from the general public.

Utilizes proper safety precautions related to all work performed.

Installs, maintains, and reads meters as required.

May assign work and help provide training to lower-level water staff.

Performs work in emergency situations as required.

Performs related duties and responsibilities as required.

Applies water treatment chemical in a controlled environment.

Typical Physical Activities

Operates District vehicles in field installation and maintenance work.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 50 lbs.

Stoops, kneels, crouches, crawls, walks on uneven and slippery surfaces and climbs during field maintenance and repair work; stands and walks for extended time periods; works in an environment with exposure to dust, dirt, chemical and significant temperature changes between cold and heat; climbs ladders; uses basic hand tools, testing equipment, and a variety

of power-driven equipment; drives and operates heavy equipment such as trucks, backhoes, and sewer cleaning machines; hearing and vision within normal ranges.

Communicates orally with District staff, co-Operators, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, copiers, and FAX machines.

Qualifications

In addition to the qualifications of Utility Operator I and II:

Knowledge of: Operational characteristics of mechanical and hydraulic equipment found in water and wastewater treatment and pumping facilities; repair and preventive maintenance techniques and procedures; tools and equipment used in the maintenance and repair of water and wastewater treatment, pumping and distribution facilities; methods and precautions for handling and storing potentially hazardous chemicals; relevant laws and regulations; safety codes and principles; recordkeeping methods.

Principles and practices of water treatment operations; operating principles of water treatment facilities and equipment such as valves, pumps, and motors; principles and methods of bacteriological, biological and chemical analyses; sampling methods and techniques; safe work practices; methods and precautions for handling and storing potentially hazardous chemicals.

Ability to: Perform maintenance and repair work related to water and wastewater treatment, pumping and distribution facilities; operate a variety of vehicular and stationary mechanical equipment in a safe and effective manner in routine situations; work independently in the absence of supervision; use and operate hand tools, mechanical equipment and power tools and equipment required for the work in a safe and efficient manner; read and interpret basic maps and blueprints; operate sewer inspection camera truck; estimate costs associated with capital improvement projects; keep work activity and supply usage records; prepare reports; regularly work under pressure meeting multiple and sometimes conflicting deadlines; constantly demonstrate cooperative behavior with other employees, supervisors, customers, and the public.

Operate and maintain water treatment facilities and equipment; read and interpret gauges and other recording devices reflecting water treatment operations; perform routine meter reading and equipment check and calculate results; administer test on water samples to ensure compliance with regulations; compile and submit periodic usage reports; take water samples and perform routine laboratory test; diagnose operating problems and take effective courses of actions; make independent technical decisions to maintain proper treatment processes; keep records and maintain complex reports; understand and carry out oral and written instructions; train and supervise assigned staff; work irregular work shifts.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Increased responsible experience as a Utility Operator, with at least two years of experience at the II level, or equivalent, performs maintenance duties involving water and wastewater treatment and pumping equipment and distribution and collection systems and/or Water Treatment Plant assignments. Also, increasingly responsible experience as a Water Operator, with at least two years of experience at the II level, or equivalent, performing water treatment operation duties, with a public agency or in the private sector.

Training: Formal or informal education or training which ensures the ability to read and write at a level necessary for successful job performance.

Special Requirements

Possession of a valid Class C California driver's license and the ability to obtain within six (6) months of employment, a valid Class B California driver's license.

Incumbents may be assigned to work extra hours, weekends, and holidays and may be assigned to routine after-hour standby duty as an emergency response employee.

Special Qualifications

All incumbents of Utility Worker III must possess the following: A valid California Grade D3 Water Distribution Operator Certificate within forty-two months from hire; a valid California Grade T3 Water Treatment Operator Certificate within forty-two months from hire [Note: Possession of a valid California Grade T3 Water Treatment Operator Certificate and a valid California Grade D3 Water Distribution Operator Certificate (required prior to assignment to duties at the water treatment plant)]. And any other certifications as defined by the District.

WATER / UTILITY OPERATOR II A

Definition

Performs semi-skilled and skilled labor in the maintenance, repair and related service activities of the District's water and wastewater systems in the Utilities Department. Employees who possess the appropriate California certificate for Water Treatment Plant Operator may be assigned duties as Water Operator II or III.

Distinguishing Characteristics

Employees within this class are distinguished from the Utility Operator I by the performance of the full range of utility maintenance duties including the operation of the full range of tools and mechanical and heavy equipment related to a specific assignment under general supervision. The Utility Operator II is the journey level class in this series. Positions in this series are flexibly staffed and are normally filled by advancement from within the series when the employee has acquired the requisite experience; or, when filled from outside, requires comparable prior experience in the construction and maintenance of water/wastewater-related facilities. Distinguishing factor between Water / Utility Operator II ½ and Water / Utility Operator II is the former has passed the California State Water Treatment Grade III test and Water Distribution Grade III test.

Supervision Received and Exercised

Receives supervision from a senior Operator in this series or from the Superintendent of Utilities. May exercise functional and technical supervision over lower-level maintenance staff.

Examples of Important Responsibilities and Duties

Excavates trenches, lays pipe, backfills, compacts soil and lays asphalt.

Constructs, installs, and repairs District pipelines, pump stations, services valves, distribution and treatment infrastructure for both water and wastewater.

Performs scheduled maintenance of equipment.

Performs routine meter reading and equipment checks and calculates results; administers some testing on water samples to ensure compliance with the regulations; compiles and submits periodic usage reports.

Pours concrete or asphalt in repairs to streets or sidewalks subsequent to repairing service lines; cleans wastewater manholes of grease and unplugs sewer pumps as needed.

Excavates, inspects, flushes, cleans, and repairs water mains, laterals; makes taps for new water utility services; measures water volume and pressure.

Installs, repairs, and replaces manholes, fire hydrants, valves, meter, meter vaults and boxes; exercises valves according to prescribed schedules; flushes water system from blow-offs or fire hydrants to maintain proper standards.

Locates and marks underground utilities for contractors, outside agencies and member of the public.

Operates construction equipment such as dump trucks, backhoes, front loaders, trenchers, and other tools such as soil compactors, compressors, jackhammers, sand blasters and concrete saws.

Completes work requests for water operations, including installations, reading, lock-offs, investigations or customer complaints and utility service agreements.

Responds to requests and inquiries from customers of the water utilities and from the general public; and resolves inquiries and complaints.

Inspects and troubleshoots water and wastewater pumping stations in confined spaces, including motors, pumps, valves, and other hydraulic and electric equipment.

Maintains all District vehicles and fuel; changes oil, filter, and lubrication fluids; repacks bearing; replaces seals and gaskets; performs other vehicle maintenance requirements as needed.

Disassembles, cleans, overhauls, and rebuilds valves, pumps and filters and other pumping station and water treatment plant equipment; installs and replaces chlorine cylinder tanks.

Periodically checks records related to pumping station operations and maintenance.

Identifies equipment needs for each assigned project; requisitions maintenance supplies, materials, and equipment.

Performs meter reader duties as required.

Utilizes proper safety precautions related to all work performed.

Performs work in emergency situations as required.

May be assigned as a Water Operator II if employee has the appropriate California certificate.

Performs related duties and responsibilities as required.

Typical Physical Activities

Operates District vehicles in field installation and maintenance work.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 50 lbs. Stoops, kneels, crouches, crawls, walks on uneven and slippery surfaces and climbs during field maintenance and repair work; stands and walks for extended time periods; works in an environment with exposure to dust, dirt, chemical and significant temperature changes between cold and heat; climbs ladders; uses basic hand tools, testing equipment, and a variety of power-driven equipment; drives and operates heavy equipment such as trucks, backhoes, and sewer cleaning machines; hearing and vision within normal ranges.

Communicates orally with District staff, co-Operators, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, copiers, and FAX machines.

Qualifications

In addition to the qualifications of Utility Operator I:

Knowledge of: Operational characteristics of mechanical and hydraulic equipment found in water and wastewater treatment and pumping facilities; repair and preventive maintenance techniques and procedures; tools and equipment used in the maintenance and repair of water and wastewater treatment, pumping and distribution facilities; knowledge of methods and precautions for handling and storing potentially hazardous chemicals; relevant laws and regulations; safety codes and principles; recordkeeping methods.

Ability to: Perform semi-skilled maintenance and repair work related to water and wastewater treatment, pumping and distribution facilities; operate a variety of vehicular and stationary mechanical equipment in a safe and effective manner in routine situations; work independently in the absence of supervision; use and operate hand tools, mechanical equipment and power tools and equipment required to work in a safe and efficient manner; read and interpret basic maps and blueprints; operate sewer inspection camera truck; have the ability to estimate costs associated with capital improvement projects; keep work activity and supply usage records; prepare reports; regularly work under pressure, meeting multiple and sometimes conflicting deadlines; constantly demonstrate cooperative behavior with other employees, supervisors, customers, and the public.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Two years of increasingly responsible experience as a Utility Operator I, or equivalent, performing maintenance duties involving water and wastewater treatment and pumping equipment and distribution and collection systems and/or Water Treatment Plant assignments.

Training: Formal or informal education or training which ensures the ability to read and write at a level necessary for successful job performance.

Special Requirements

Possession of a valid Class C California driver's license and the ability to obtain within six (6) months of employment, a valid Class B California driver's license.

Desirable: Possession of a California Department of Health certificate for Water Treatment Operator Grade 2 (required prior to assignment to duties at the Water Treatment Plant); passed the Treatment Operator Grade III test and Distribution Operator Grade III test.

NOTE: With appropriate training, experience and certification, other employees may move laterally or promote into this career class.

Incumbents may be assigned to work extra hours, weekends, and holidays and may be assigned to routine after-hour standby duty as an emergency response employee. Weekend duty includes morning and evening water plant monitoring and tank checks.

WATER / UTILITY OPERATOR II

Definition

Performs semi-skilled and skilled labor in the maintenance, repair and related service activities of the District's water and wastewater systems in the Utilities Department. Employees who possess the appropriate California certificate for Water Treatment Plant Operator may be assigned duties as Water Operator II or III.

Distinguishing Characteristics

Employees within this class are distinguished from the Utility Operator I by the performance of the full range of utility maintenance duties including the operation of the full range of tools and mechanical and heavy equipment related to a specific assignment under general supervision. The Utility Operator II is the journey level class in this series. Positions in this series are flexibly staffed and are normally filled by advancement from within the series when the employee has acquired the requisite experience; or, when filled from outside, requires comparable prior experience in the construction and maintenance of water/wastewater-related facilities.

Supervision Received and Exercised

Receives supervision from a senior Operator in this series or from the Superintendent of Utilities. May exercise functional and technical supervision over lower-level maintenance staff.

Examples of Important Responsibilities and Duties

Excavates trenches, lays pipe, backfills, compacts soil and lays asphalt.

Constructs, installs, and repairs District pipelines, pump stations, services valves, distribution and treatment infrastructure for both water and wastewater.

Performs scheduled maintenance of equipment.

Performs routine meter reading and equipment checks and calculates results; administers some testing on water samples to ensure compliance with the regulations; compiles and submits periodic usage reports.

Pours concrete or asphalt in repairs to streets or sidewalks subsequent to repairing service lines; cleans wastewater manholes of grease and unplugs sewer pumps as needed. Excavates, inspects, flushes, cleans, and repairs water mains, laterals; makes taps for new water utility services; measures water volume and pressure.

Installs, repairs, and replaces manholes, fire hydrants, valves, meter, meter vaults and boxes; exercises valves according to prescribed schedules; flushes water system from blow-offs or fire hydrants to maintain proper standards.

Locates and marks underground utilities for contractors, outside agencies and member of the public.

Operates construction equipment such as dump trucks, backhoes, front loaders, trenchers, and other tools such as soil compactors, compressors, jackhammers, sand blasters and concrete saws.

Completes work requests for water operations, including installations, reading, lock-offs, investigations or customer complaints and utility service agreements.

Responds to requests and inquiries from customers of the water utilities and from the general public; and resolves inquiries and complaints.

Inspects and troubleshoots water and wastewater pumping stations in confined spaces, including motors, pumps, valves, and other hydraulic and electric equipment.

Maintains all District vehicles and fuel; changes oil, filter, and lubrication fluids; repacks bearing; replaces seals and gaskets; performs other vehicle maintenance requirements as needed.

Disassembles, cleans, overhauls, and rebuilds valves, pumps and filters and other pumping station and water treatment plant equipment; installs and replaces chlorine cylinder tanks.

Periodically checks records related to pumping station operations and maintenance.

Identifies equipment needs for each assigned project; requisitions maintenance supplies, materials, and equipment.

Performs meter reader duties as required.

Utilizes proper safety precautions related to all work performed.

Performs work in emergency situations as required.

May be assigned as a Water Operator II if employee has the appropriate California certificate.

Performs related duties and responsibilities as required.

Typical Physical Activities

Operates District vehicles in field installation and maintenance work.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 50 lbs.

Stoops, kneels, crouches, crawls, walks on uneven and slippery surfaces and climbs during field maintenance and repair work; stands and walks for extended time periods; works in an environment with exposure to dust, dirt, chemical and significant temperature changes between cold and heat; climbs ladders; uses basic hand tools, testing equipment, and a variety of power-driven equipment; drives and operates heavy equipment such as trucks, backhoes, and sewer cleaning machines; hearing and vision within normal ranges.

Communicates orally with District staff, co-Operators, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, copiers, and FAX machines.

Qualifications

In addition to the qualifications of Utility Operator I:

Knowledge of: Operational characteristics of mechanical and hydraulic equipment found in water and wastewater treatment and pumping facilities; repair and preventive maintenance techniques and procedures; tools and equipment used in the maintenance and repair of water and wastewater treatment, pumping and distribution facilities; knowledge of methods and precautions for handling and storing potentially hazardous chemicals; relevant laws and regulations; safety codes and principles; recordkeeping methods.

Ability to: Perform semi-skilled maintenance and repair work related to water and wastewater treatment, pumping and distribution facilities; operate a variety of vehicular and stationary mechanical equipment in a safe and effective manner in routine situations; work independently in the absence of supervision; use and operate hand tools, mechanical equipment and power tools and equipment required to work in a safe and efficient manner; read and interpret basic maps and blueprints; operate sewer inspection camera truck; have the ability to estimate costs associated with capital improvement projects; keep work activity and supply usage records; prepare reports; regularly work under pressure, meeting multiple and sometimes conflicting deadlines; constantly demonstrate cooperative behavior with other employees, supervisors, customers, and the public.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Two years of increasingly responsible experience as a Utility Operator I, or equivalent, performing maintenance duties involving water and wastewater treatment and pumping equipment and distribution and collection systems and/or Water Treatment Plant assignments.

Training: Formal or informal education or training which ensures the ability to read and write at a level necessary for successful job performance.

Special Requirements: Possession of a valid Class C California driver's license and the ability to obtain within six (6) months of employment, a valid Class B California driver's license.

Desirable: Possession of a California Department of Health certificate for Water Treatment Operator Grade 2 (required prior to assignment to duties at the Water Treatment Plant).

NOTE: With appropriate training, experience and certification, other employees may move laterally or promote into this career class.

Incumbents may be assigned to work extra hours, weekends, and holidays and may be assigned to routine after-hour standby duty as an emergency response employee. Weekend duty includes morning and evening water plant monitoring and tank checks.

WATER / UTILITY OPERATOR I

Definition

Performs semi-skilled labor in the maintenance, repair and related service activities of the District's water and wastewater systems in the Utilities Department.

Distinguishing Characteristics

This is the entry level class in the Utility operator series. This class is distinguished from the other Utility Operator classes by the performance of more routine maintenance tasks and duties assigned to positions within the series. Since this class is typically used as a training class, employees may have only limited or no directly related work experience. Employees usually progress to the II level once they have acquired the requisite experience. Employees typically work under close supervision.

Supervision Received and Exercised

Receives close supervision from senior Operator or from the Superintendent of Utilities.

Examples of Important Responsibilities and Duties

Excavates trenches, lays pipe, backfills, compacts soil and lays asphalt.

Constructs, installs, and repairs District pipelines, pump stations, services, valves, distribution and treatment infrastructure for both water and wastewater.

Performs scheduled maintenance of equipment.

Performs routine meter readings and equipment checks and calculates results; administers some testing of water samples to ensure compliance with the regulations; compiles and submits periodic usage reports.

Pours concrete or asphalt in repairs to streets or sidewalks subsequent to repairing service lines, cleans wastewater manholes of grease and unplugs sewer pumps as needed.

Excavates, inspects, flushes, cleans, and repairs water mains, laterals; makes taps for new water utility services; measure water volume and pressure.

Installs, repairs, and replaces manholes, fire hydrants, valves, meters, meter vaults and boxes; exercises valves according to prescribed schedules; flushes water system from blow-offs or fire hydrants to maintain proper standards.

Locates and marks underground utilities for contractors, outside agencies and members of the public.

Operates construction equipment such as dump trucks, backhoes, front loaders, trenchers and other tools such as soil compactors, compressors, jackhammers, sand blasters and concrete saws.

Completes work requests for water operations, including installations, readings, lock-offs.

Responds to requests and inquiries from customers of the water utilities and from the general public; turns customer complaints over to the Superintendent of Utilities for investigation.

Maintains all District vehicles and fuel; changes oil, filter and lubrication fluids; performs other vehicle maintenance requirements as needed.

Performs meter reader duties as required.

Utilizes proper safety precautions related to all work performed.

Performs work in emergency situations as required.

Performs related duties and responsibilities as required.

Typical Physical Activities

Operates District vehicles in field installation and maintenance work.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 50 lbs.

Stoops, kneels, crouches, crawls, walks on uneven and slippery surfaces and climbs during field maintenance and repair work; stands and walks for extended time periods; works in an environment with exposure to dust, dirt, chemicals and significant temperature changes between cold and heat; climbs ladders; uses basic hand tools, testing equipment, and a variety of power-driven equipment; drives and operates heavy equipment such as trucks, backhoes, and sewer cleaning machines; hearing and vision within normal ranges.

Communicates orally with District staff, co-workers; regularly uses a telephone or radio for communication.

Qualifications

Knowledge of: Uses and purposes of general construction tools and equipment; safe work practices; basic principles of mathematics.

Ability to: Learn to perform unskilled and semi-skilled tasks in a variety of utility, facility and equipment maintenance activities; perform heavy manual labor; lift heavy objects; work safely in confined spaces with harmful materials; communicate clearly and concisely both orally and in writing; regularly work under pressure meeting multiple and sometimes conflicting deadlines; constantly demonstrate cooperative behavior with other employees, supervisors, customers, and the public.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Some utility construction and maintenance experience is desirable.

Training: Formal or informal education or training which ensures the ability to read and write at a level necessary for successful job performance. See Special Requirements below.

Special Requirements

Possession of a valid Class C California driver's license and the ability to obtain within six (6) months of employment, a valid Class B California driver's license.

NOTE: With appropriate training, experience and certification, other employees may move laterally or promote into this career class.

Incumbents may be assigned to work extra hours, weekends, and holidays and may be assigned to routine after-hour standby duty as an emergency response employee. Weekend duty includes morning and evening water plant monitoring and tank checks.

MAINTENANCE WORKER

Definition

Performs routine semi-skilled or unskilled work related to the maintenance of recreation facilities, roadways, water/sewer lines, pumping stations and related areas and equipment; maintains and operates hand tools, light trucks, and mowers.

Supervision Received and Exercised

Works under the direct supervision of a higher-level Utility Worker.

Supervision is not a normal responsibility of this class.

Examples of Important Responsibilities and Duties

Performs unskilled and semi-skilled work related to the maintenance and improvement of playing fields and other recreation facilities, as well as roadways, water/sewer lines, pumping stations and related areas and equipment.

Operates and maintains light equipment including light trucks, mowers, blowers, etc.

Assists with the maintenance and construction of District building, equipment, utilities, and other District facilities.

Performs related duties as required.

Typical Physical Activities

Operates District vehicles in field installations and maintenance work.

Must be able to carry, push, pull, reach, and lift equipment and parts weighting up to 50 lbs.

Stoops, kneels crouches, crawls, and climbs during field maintenance and repair work; stands and walks for extended time periods; works in an environment with exposure to dust, dirt and significant temperature changes between cold and heat; hearing and vision within normal ranges; may be exposed to controlled, irritation, and potentially hazardous chemicals; may be exposed to electric currents and high voltage.

Communicates orally with District staff and co-workers in face-to-face, one-on-one settings; regularly uses a telephone for communication; uses office equipment such as computer terminals copiers and FAX machines.

Qualifications

Knowledge of: The use of a variety of landscape and maintenance construction tools, equipment, and machinery, safety principles and codes applicable to work performed; operation and use of equipment used on the job.

Ability to: Work harmoniously with other employees; use tact and judgment when dealing with the public; lift heavy objects and perform sustained manual work; learn and perform a variety of skilled and semi-skilled work in the maintenance and repair of roads, water/sewer and wastewater equipment and systems; read, understand, and interpret codes, regulations and ordinances applicable to public utility operator, machine and repair work; use and care for hand and power tools and equipment necessary for work assignments.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Some experience in grounds or landscape maintenance, as well as unskilled and semi-skilled maintenance; possession of a valid California driver's license or ability to obtain one within three (3) months of employment.

Training: Graduation from high school or GED equivalent.

FIRE CHIEF

Definition

Plans, directs, supervises, and coordinates the activities of the Fire Department in the performance of its duties to provide fire prevention and suppression services, rescue services, emergency medical services, and other services relating to the protection of lives and property; serves as safety officer for the District.

Supervision Received and Exercised

Works under the general direction of the General Manager who reviews work for the effectiveness in conformance to established policy.

Supervises a small number of regular employees and a large number of volunteers. May assume command as Incident Commander under the Incident Command System.

Examples of Important Responsibilities and Duties

Develops policies, goals, and objectives related to the District Fire Department for approval by the General Manager or Board of Directors; reviews work plans with the General Manager and implements those plans; assists the General Manager in the development of the annual budget and in preparation of operational reports.

Participates in the selection of new employees and appoints volunteer fire fighters; conducts periodic performance reviews of subordinates; provides general and specific guidance, training, and discipline for subordinate employees; plans and supervises the activities of personnel in providing emergency services.

Responds to all fire and other emergency calls and assumes command of personnel, volunteers, and equipment at the scene; assures 24-hour on call command officer coverage in his absence from the District or time off.

Develops and implements a program of in-service training for all Fire Department personnel and volunteers; attends conferences, schools, and various meetings to keep abreast of new developments in firefighting, fire prevention, emergency medical services, rescue, training, and administration.

Confers with agents of other governmental jurisdictions, with the Insurance Services Office, and the Office of the State Fire Marshal; coordinates mutual aid with other fire agencies.

Coordinates compliance with federal, state, and local regulations.

Identify and apply for grants in aid from outside sources to expand services, test new methods, or meet unfunded high priority needs.

Provides information to citizens, community groups, and media organizations.

Directs the maintenance of records of fire calls and fire losses; directs investigations to determine cause and origin of fires and assists with prosecution as necessary; enforces fire codes and other laws, ordinances, and regulations.

Develops and implements a fire hazard abatement program; reviews printed plans for new construction to eliminate fire hazards.

Develops a fire evacuation plan for residents and visitors and integrates it into the area disaster operation plan.

Assures the proper maintenance and operation of all firefighting and other emergency equipment; recommends to the General Manager the replacement of existing equipment and the acquisition of new equipment as part of the budget process.

As District safety officer, prepares and implements a training and inspection program for all District personnel to assure the safety of the workplace.

May assume command as Incident Commander under the Incident Command System.

Represents the Township at public and multi-agency meetings.

Performs related duties as required.

Typical Physical Activities

Operates District emergency vehicles (fire trucks, Rescue Units, etc.) and other District vehicles.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 100 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended time periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with District staff, co-worker, volunteers, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication, uses office equipment such as computer terminals, copiers, and FAX machines.

Qualifications

Knowledge of: Thorough knowledge of the principles and practices of organization and management of fire departments and the demonstrated ability to implement them in a volunteer fire department setting; familiarity with advanced methods, practices, and techniques of fire suppression, fire prevention, emergency medical service, and code enforcement; familiarity with federal and state regulations regarding the fire service, emergency medical services, and safety in the workplace; familiarity with fire and building codes, fire insurance rating standards, fire and evacuation planning and water supply needs for fire protection.

Ability to: Work harmoniously with other employees; make decisions independently in accordance with established policy; use initiative and judgment in planning, organizing, and supervising others in the completion of tasks and responsibilities with only general instruction and guidance; use tact and judgment when dealing with the public; communicate effectively orally and in writing.

Experience and Training Guidelines – Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Eight years full-time experience in the fire service, including five years of supervisory experience at the rank of Fire Captain or higher.

Training: Possession of an associate degree from an accredited college in fire science or a related field.

Special Requirements: Possession of an Emergency Medical Technician D Certificate or the ability to obtain one within one (1) year of employment; possession of a valid Class B California driver's license or a valid California Special Driver's Certificate – Firefighter Endorsement, or ability to obtain it within six (6) months of employment; possession of a State Board of Fire Services Chief Certificate is highly desirable.

FIRE PREVENTION OFFICER

Definition

Performs a variety of duties related to the operation and maintenance of fire apparatus and Rescue Unit, firefighting and rescue equipment, and fire station; the prevention of fires and other life hazards through inspections and public education; and the prevention of fires and provision of emergency medical services; train volunteers in suppression of fires and other emergencies.

Supervision Received and Exercised

Works under the general direction of the Fire Chief who reviews work for effectiveness in conformance to established standards; at emergency incidents works under the direction of the duty officer.

Supervises volunteer firefighters; serves as duty officer during their scheduled period; if available, acts as officer-in-charge in the absence of chief officers.

Examples of Important Responsibilities and Duties

Maintains Fire Department vehicles and equipment; cleans inspects and maintains equipment and apparatus; performs lubrication and oil changes; makes minor adjustments and repairs; maintains fuel and oil supply and maintains records; cleans and test fire hose and maintain hose records; works with the Utility Department to inspect and test fire hydrants; cleans and maintains fire stations.

Implements the training program for fire personnel; conducts fire drills or has qualified instructors do so; becomes familiar with and keeps current on departmental, state, and national fire suppression and emergency medical services practices and all related district and county ordinances and state law; instructs fire personnel on Fire Department operations and procedures.

Performs fire prevention inspections, including enforcement of code standards related to wildfire hazards and building hazards; prepares related reports and documents necessary to accomplish hazard abatement; performs follow-up inspections to ensure compliance; issues citations where appropriate.

Operates fire apparatus and other emergency vehicles in response to emergency incidents in conformance to established standards; performs firefighting duties, including salvage and overhaul; performs emergency rescue duties, provides emergency medical treatment, and operates Rescue Unit for transporting patients to the hospital; operates firefighting, emergency medical, rescue, and communication equipment.

Inputs data and information into the Information Management System.

Serves as duty officer as assigned.

Makes purchases of materials, supplies, tools, and equipment in accordance with District policies with the approval of the Chief.

Performs related duties as required.

Typical Physical Activities

Operates District emergency vehicles (fire apparatus, Rescue Unit, etc.) and other District vehicles.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 100 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended time periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with District staff, co-workers, volunteers, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication, uses office equipment such as computer terminals, copiers, and FAX machines.

Qualifications

Knowledge of: Thorough knowledge of standard firefighting methods and techniques; thorough knowledge of operating and mechanical principles involved in the operation and maintenance of fire apparatus and equipment; knowledge of fire hydraulics; familiarity with the Uniform Fire Code and state fire laws; experience with county and District ordinances related to fire and life safety and construction, district streets and water system, departmental policies and procedures, and location of neighboring departments helpful.

Ability to: Use tact and judgment in dealing with the public; make decisions independently in accordance with established policy; work harmoniously with other employees and volunteers. Plan, assign, direct, review and evaluate the work of others. Train others in work procedures. Make appropriate plans and tactical decisions in response situations. Assess emergency incidents and develop, implement, and direct appropriate response strategies. Develop and conduct classroom and practical training courses and programs. Render emergency medical care at the first responder level. Maintain accurate records and prepare clear and concise

reports and other written materials. Operate a variety of tools, equipment and apparatus used in fire, medical and other emergency response.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: High School Diploma; one year of experience as a paid fire fighter or three years of experience as a volunteer firefighter, officer experience helpful; typing skills and computer experience helpful.

Training: Possession of Fire Fighter 1 Certificate, Driver/Operator 1 Certificate, and a Basic Incident Command 200 Certificate or equivalent completion of college or other courses in fire technology; certificates in Fire Service Supervision, Command, Management, Instructor Training, Fire Investigation, Fire Prevention and Hazardous Materials are desirable.

Special Requirements: Possession of an Emergency Medical Technician D Certificate or the ability to obtain one within one (1) year of employment; possession of a valid Class B California driver's license or a valid California Special Driver's Certificate – Firefighter Endorsement, or ability to obtain it within six (6) months of employment; certification as a CPR instructor helpful.

FIREFIGHTER – CAPTAIN

Definition

Performs a variety of duties related to the operation and maintenance and operation of fire apparatus and rescue unit, firefighting equipment and fire station; assists in the prevention of fires and other life hazards through inspections and public education; provides emergency medical services; participates and supervises other fire employees and volunteers in fire suppression and other emergencies.

Supervision Received and Exercised

Works under the general direction of the Department's Chain of Command who reviews work for effectiveness in conformance to established standards; at emergency incidents works under the direction of the Chief Officer in charge.

Supervises firefighters as directed; serves as duty officer during their scheduled period; if available, acts as officer-in-charge in the absence of chief officers.

Examples of Important Responsibilities and Duties

Maintains Fire Department vehicles and equipment; cleans inspects and maintains equipment and apparatus; performs lubrication and oil changes; makes minor adjustments and repairs; maintains fuel and oil supply and maintains records; cleans and test fire hose and maintain hose records; works with the Utility Department to inspect and test fire hydrants; cleans and maintains fire stations.

Develop a familiarity with current departmental, state, and national fire suppression and emergency medical services practices and all related district and county ordinances and state law; helps the development of Fire Department operations and procedures.

Prepares related reports and documents necessary to accomplish hazard abatement; performs inspections to ensure compliance; issues citations if appropriate.

Operates fire apparatus and other emergency vehicles in response to emergency incidents in conformance to established standards; performs firefighting duties, including salvage and overhaul; performs emergency rescue duties, provides emergency medical treatment, and operates rescue unit for transporting patients to the hospital; operates firefighting, emergency medical, rescue, and communication equipment.

Inputs data and information into the Information Management System.

Serves as duty officer when assigned.

Performs related duties as required.

Typical Physical Activities

Operate firefighting and rescuing equipment such as ladders, axes, fire hoses etc.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 100 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended time periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with District staff, co-workers, volunteers, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication, uses office equipment such as computer terminals, copiers, and FAX machines.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 100 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended time periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with District staff, co-workers, volunteers, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication, uses office equipment such as computer terminals, copiers, and FAX machines.

Qualifications

Knowledge of: Thorough knowledge of standard firefighting methods and techniques; thorough knowledge of operating and mechanical principles involved in the operation and maintenance of fire apparatus and equipment; knowledge of fire hydraulics; familiarity with the Uniform Fire Code and state fire laws; experience with county and District ordinances related to fire and life safety and construction, district streets and water system, departmental policies and procedures, and location of neighboring departments helpful.

Ability to: Be a responsible and brave, well-trained professional who deals with emergencies and difficult situations. Development of calmness and patience for dealing with adversity are the most important qualities. Have good communication skills and a compassionate personality in the field. Use tact and judgment in dealing with co-workers and the public.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: High School Diploma, one year of experience as a paid fire fighter or three years of experience as a volunteer firefighter, officer experience helpful; typing skills and computer experience helpful.

Training: Possession of Fire Fighter 1 Certificate, or in-house equivalent. Driver/Operator 1 Certificate or in-house equivalent, and a Basic Incident Command 200 Certificate ICS 700, 100 and/or completion of college or other courses in fire technology; certificates in Fire Service Supervision, Command, Management, Instructor Training, Fire Investigation, Fire Prevention and Hazardous Materials are desirable.

Special Requirements: Possession of a valid Class B California driver's license or a valid California Special Driver's Certificate – Firefighter Endorsement. Working knowledge of firefighting equipment and apparatus. Emergency Medical Technician (EMT-D) or have the ability to obtain within 1 year of employment. Willingness to always follow legal rules and guidelines and firefighting standards.

FIREFIGHTER – ENGINEER

Definition

Performs work with a team of professionals to suppress fires and respond to accidents and emergencies. The job is challenging and extremely rewarding by saving lives and protecting property in the community. Performs a variety of duties related to the operation and maintenance and operation of fire apparatus and rescue unit, firefighting equipment and fire station; assists in the prevention of fires and other life hazards through inspections and public education; provides emergency medical services; participates with other fire employees and volunteers in fire suppression and other emergencies.

Supervision Received and Exercised

Works under the general direction of the Department's Chain of Command who reviews work for effectiveness in conformance to established standards; at emergency incidents works under the direction of the officer in charge.

Supervises volunteer firefighters as directed.

Examples of Important Responsibilities and Duties

Maintains Fire Department vehicles and equipment; cleans inspects and maintains equipment and apparatus; performs lubrication and oil changes; makes minor adjustments and repairs; maintains fuel and oil supply and maintains records; cleans and test fire hose and maintain hose records; works with the Utility Department to inspect and test fire hydrants; cleans and maintains fire stations.

Develop a familiarity with current departmental, state, and national fire suppression and emergency medical services practices and all related district and county ordinances and state law; helps the development of Fire Department operations and procedures.

Prepares related reports and documents necessary to accomplish hazard abatement; performs inspections to ensure compliance; issues citations if appropriate.

Operates fire apparatus and other emergency vehicles in response to emergency incidents in conformance to established standards; performs firefighting duties, including salvage and overhaul; performs emergency rescue duties, provides emergency medical treatment, and operates rescue unit for transporting patients to the hospital; operates firefighting, emergency medical, rescue, and communication equipment.

Inputs data and information into the Information Management System.

Performs related duties as required.

Typical Physical Activities

Operate firefighting and rescuing equipment such as ladders, axes, fire hoses etc.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 100 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended time periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with District staff, co-workers, volunteers, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication, uses office equipment such as computer terminals, copiers, and FAX machines.

Qualifications

Knowledge of: Basic knowledge of standard firefighting methods and techniques, operating and maintaining fire apparatus.

Ability to: Be a responsible and brave, well-trained professional who deals with emergencies and difficult situations. Development of calmness and patience for dealing with adversity are the most important qualities. Have good communication skills and a compassionate personality in the field. Use tact and judgment in dealing with co-workers and the public.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: High School Diploma, one year of experience as a paid fire fighter or three years of experience as a volunteer firefighter, officer experience helpful; typing skills and computer experience helpful. Working knowledge of firefighting equipment and apparatus. Emergency Medical Responder (EMR) or higher certification. Willingness to follow legal rules and guidelines and firefighting standards at all times.

Training: Possession of Fire Fighter 1 Certificate, or in-house equivalent. Driver/Operator 1 Certificate or in-house equivalent, ICS 700, 100 and/or completion of college or other courses in fire technology

Special Requirements: Possession of an Emergency Medical Technician D Certificate or the ability to obtain one within one (1) year of employment; possession of a valid Class B California driver's license or a valid California Special Driver's Certificate – Firefighter Endorsement.

SEASONAL FIREFIGHTER OR EXTRA HELP

Definition

Performs work with a team of professionals that suppresses fires and attends to accidents and emergencies. The job is challenging yet extremely rewarding by saving lives and protecting property in the community.

Supervision Received and Exercised

Works under the general direction of the Department Chain of Command who reviews work for effectiveness in conformance to established standards.

At emergency incidents, works under the direction of the duty officer in charge.

Examples of Important Responsibilities and Duties

Maintains Fire Department vehicles and equipment; cleans inspects and maintains equipment and apparatus; performs lubrication and oil changes; makes minor adjustments and repairs; maintains fuel and oil supply and maintains records; cleans and test fire hose and maintain hose records; works with the Utility Department to inspect and test fire hydrants; cleans and maintains fire stations.

Develop a familiarity with current departmental, state, and national fire suppression and emergency medical services practices and all related district and county ordinances and state law; helps the development of Fire Department operations and procedures.

Prepares related reports and documents necessary to accomplish hazard abatement; performs inspections to ensure compliance; issues citations if appropriate.

Operates fire apparatus and other emergency vehicles in response to emergency incidents in conformance to established standards; performs firefighting duties, including salvage and overhaul; performs emergency rescue duties, provides emergency medical treatment, and operates rescue unit for transporting patients to the hospital; operates firefighting, emergency medical, rescue, and communication equipment.

Performs related duties as required.

Typical Physical Activities

Operate, maintain and clean firefighting and rescuing equipment such as ladders, axes, fire hoses etc.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 100 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended time periods; works in an environment with exposure to smoke, dust, dirt, and

significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with District staff, co-workers, volunteers, and the public in face-to-face, one-on-one settings; regularly uses a telephone or radio for communication, uses office equipment such as computer terminals, copiers, and FAX machines.

Knowledge of:

Working knowledge of firefighting equipment and apparatus

Knowledge of first aid/CPR methods Ability to obtain First Aid and CPR certification.

Willingness to follow legal rules and guidelines and firefighting standards at all times.

Ability to:

Respond to fire alarms quickly to regulate and extinguish forest or building fires.

Operate firefighting and rescuing equipment such as ladders, axes, fire hoses etc.

Provide emergency medical services with compliance to established standards.

Clean up fire scenes by removing debris and burned items.

Respond to other emergency situations and assist those in need.

Write accurate reports after incidents and submit them to superiors.

Clean and maintain personal equipment and keep it ready for use.

Participate in fire drills as a way to stay alert and up-to-date with job duties.

Assist in public educational programs to help prevent dangerous fire accidents.

Training

Possession of Fire Fighter 1 Certificate, or in-house equivalent; Driver/Operator 1 Certificate; and a Basic Incident Command 200 Certificate or equivalent completion of college or other courses in fire technology.

Special Requirements

Possession of a High School Diploma; an Emergency Medical Technician D Certificate or the ability to obtain one within one (1) year of employment; and possession of a valid Class B California driver's license or a valid California Special Driver's Certificate – Firefighter Endorsement, or ability to obtain it within six (6) months of employment.

OFFICE ASSISTANT

Definition

Performs limited bookkeeping and secretarial duties related to the Fire Department operations; assists with burn permits and hazard abatement program; typing correspondence, forms, and reports.

Supervision Received and Exercised

Works under the supervision of the General Manager or Fire Chief in the performance of assigned duties. Supervision is not a normal responsibility of this position.

Examples of Important Responsibilities and Duties

Serves as receptionist for the District in the Fire Department office, answering the telephone and greeting visitors; answers routine inquiries of the public and gives out forms and documents, provides the general public with pertinent information concerning fire regulations; maintains a supply of forms for distribution to the public.

Typing forms, letter, memos, and also hazard abatement notices to property owners; keeps computer records of parcels noticed and parcels contracted to contractors; posts completions.

Maintains and updates records and information retrieval systems; records and logs invoices, claims, and documents; updates and maintains computerized records and generates reports; may work on special reports, projects, and publications.

Prepares correspondence and reports; issues burn permits.

Performs related duties as required for the operation of the Department office, and for the District office, when required.

Typical Physical Activities

Communicates orally with District management, co-worker, and the public in face-to-face, one-on-one settings.

Regularly uses a telephone or radio for communication; uses office equipment such as computer terminals, calculators, copiers, and FAX machines.

Sits for extended time periods; hearing and vision within normal ranges. The working conditions are typically moderately quiet but may be loud at times.

Qualifications

Knowledge of: Standard office practices, bookkeeping practices, business English, spelling, composition, and mathematics; record keeping, report preparations, filing methods and record management techniques.

Ability to: Make decisions in accordance with established policy; use tact and judgment in dealing with the public; type accurately at 35 words per minute; use tact, discretion, initiative, and independent judgment within established guidelines; operate general office machines such as copiers, facsimile machines, telephone systems, and two-way radio base stations.

Experience and Training Guidelines: One year of responsible experience in office support and/or bookkeeping work and graduation from high school with course-work emphasis on business skills; or completion of community college or business school secretarial training; or any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job. Desirable: computer experience with work processing, spreadsheets, and bookkeeping.

A-2. Compensation Plan

- **Salary Ranges for Fiscal Year 2024-25 through 2026-27**
 - ~ Hourly
 - ~ Annual
- **Assignment of Classifications to Salary Ranges**
- **Retirement Benefit Program**
- **Insurance Benefit Program**

Assignment of Classifications to Wage and Salary Ranges

(Resolutions 2024-03)

<u>POSITION</u>	<u>RANGE</u>
Superintendent of Utilities	Range B Hourly
Water / Utility Operator III	Range D Hourly
Water / Utility Operator IIA	Range E Hourly
Water / Utility Operator II	Range G Hourly
Water / Utility Operator I	Range J Hourly
Maintenance Worker	Range O Hourly
General Manager	Contract (A)
Deputy Finance Officer	Range D Hourly
Deputy Manager	Range D Hourly
Finance Assistant	Range H Hourly
Account Clerk-Secretary	Range M Hourly
Office Assistant	Range N Hourly
Intern	Range O Hourly
Fire Chief	Range C Hourly*
Fire Prevention Officer	Range F Hourly*
Firefighter – Captain	Range I Hourly*
Firefighter – Engineer	Range K Hourly*
Firefighter	Range L Hourly*
Seasonal Firefighter/Extra Help	Range O Hourly*

*See Section 7 – Special Notes

Retirement Benefit Program

The Brooktrails Township Community Services District retirement benefit program for employees includes participation in the California Public Employees Retirement Program (CalPERS) Social Security Administration, and the ICMA Retirement Corporation Deferred Compensation Plan. Resolutions 2024-02, 2019-01, 2016-23, 2016-22, 2002-21, 2008-36, and 1994-37 implement these plans.

Insurance Benefit Program

Resolution 2011-10 provides as follows:

1. All regular, full-time employees of the District shall be entitled to:

(a) A \$10,000.00 life insurance policy for the employee only (currently through Association of California Water Agencies) and long-term disability insurance for the employee only (currently through Standard Life), both paid by the District.

(b) Health insurance Prudent Buyer Classic Plan and dental insurance, for themselves and dependents, as contracted for by the District through the Association of California Water Agencies Group Plan with the monthly premium paid jointly as follows:

Employees (single) - premiums fully paid by District.

Employees with Spouse - employees to contribute \$ 75.00 per month.

Employees with family - employees to contribute \$150.00 per month.

(c) A "Staywell" account of \$500.00 per fiscal year which will accumulate during the employee's employment. On July 1st of each year the employee's account shall be credited \$500.00. For new employees, the amount shall be prorated based upon the number of months employed during the first fiscal year of employment and shall be credited to them at the time of hire. The employee may draw on this account up to the maximum accumulated to date for the purpose of paying any deductible, co-payment, vision care or any non-covered medical or dental expenses that are incurred in the same fiscal year. Claims for non-covered medical and dental expenses, deductible and co-payment shall be documented by means of the Statement of Benefits from the insurance carrier. Claims for prescriptions, medical and dental expenses which are specifically excluded from coverage, such as orthodontics and vision care, shall be documented by means of a receipt from the provider indicating the type of service rendered and the amount charged to the patient for the service. The General Manager shall determine if proper documentation has been provided to substantiate the claim. Upon separation or retirement, one-half of the remaining principal in their account shall be disbursed to the employee. The remainder shall belong to the District.

2. Regular, full-time employees over 50 years of age and until age 65 who retire after July 1, 1999 with 15 or more consecutive years of District employment shall be entitled to health insurance and dental insurance for themselves, with 50% of the monthly premiums for the retiree only paid by the District subject to the following provisions:

(a) Dependent coverage shall be paid by the retiree.

(b) District employees shall be notified of the premium amount at the time of retirement.

(c) The amount paid shall be calculated based on the rates charged by the District's insurance carrier.

- (d) The employee shall be notified of any changes in the premium amount whenever premiums are revised by the insurance carrier.
- (e) Retirees shall make their payments on the first of each month after retirement.
- (f) Payments shall include the retiree's 50% share of premium plus 100% of the amount of any spouse/dependent premium cost.
- (g) Any retired employee who fails to make the required payment to the District shall have all benefits cancelled if not paid within 30 days of the due date.
- (h) All part-time employees of the District who become full-time at a future date shall have the part-time service years credited at one week for every 40 hours worked to determine their eligibility for this benefit.
- (l) Service years must be consecutive with no break in service.

3. The District Board of Directors retains the right to add, modify, change, or delete any provision of this policy from time to time without advance notice. However, such action shall not affect vested rights of an employee.

APPENDIX B

B-1. Fire Department Volunteer Classification Plan

B-2. Fire Department Volunteer Remuneration Plan

B-1. Fire Department Volunteer Classification Plan (*Resolution 2007-15*)

VOLUNTEER BATTALION CHIEF

Definition

Assists the Assistant Chief and Fire Chief in the planning, directing, supervising and coordination of the activities of the Fire Department; serves as duty officer as required.

Supervision Received and Exercised

Works under the general direction of the Assistant Chief who reviews work for effectiveness in conformance to established policy.

Examples of Important Responsibilities and Duties

In the absence of the Assistant Chief shall act in the Assistant Chief's place on matters that arise.

Shall assist with the planning, directing, supervising and coordination of the District Volunteer fire fighting force.

May assume command as Incident Commander under the Incident Command System.

Serves as Duty Officer for 21 days per year.

Performs related duties as required.

Typical Physical Activities

Operates District Emergency Vehicles (fire engines, squad, etc.).

Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 50 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; Stands and walks for extended periods of time; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between hot and cold; hearing and vision within normal range.

Communicates orally with other Chief Officers, Volunteers, and the public in face-to-face, one-on-one setting; regularly uses a telephone or radio for communication.

Qualifications

Knowledge of: Principles and practices of organization and management of a fire department and ability to implement them in a volunteer fire department; familiarity with methods,

practices, and techniques of fire suppression and emergency medical services; familiarity with federal and state regulations regarding the fire service, emergency medical service and fire scene safety; assist with the utilization of the evacuation plan.

Ability to: Work harmoniously with volunteer firefighters; make decisions independently in accordance with established policy; use tact and judgment when working with the public; communicate effectively orally and in writing.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying A typical way to obtain the knowledge and abilities would be:

Experience: Two years of experience as a paid firefighter or five years with a volunteer fire department, serving two years as a Fire Captain or higher.

Training: Possession of State certification in Fire Command IA, Command 2E, fire fighter 1A, Emergency Medical Technician 1 or the equivalent for any of the State certification.

Special Requirements: Possession of a current Emergency Medical Technician 1 certificate; possession of a valid Class B California driver's license.

VOLUNTEER FIRE CAPTAIN

Definition

Supervises activities of an engine company, and in Battalion Chief's absence may act in that capacity.

Supervision Received and Exercised

Works under the general direction of the Battalion Chief who reviews work for effectiveness in conformance to established policy. Also works under the Duty Officer during incidents. The Fire Captain relays orders received to his/her engine company.

Examples of Important Responsibilities and Duties

Responsible for the supervision of an engine company.

As Engine Company Captain assumes command as incident commander in the absence of the Duty Officer.

Participate in the training of Engineers and fire fighters.

After alarms and drills make sure that the apparatus is made ready for the next call.

Serves as Duty Officer 16 days per year. As Duty Officer serves as Incident Commander of the scene of any emergency during this time.

Performs related duties as required.

Typical Physical Activities

Operates District emergency vehicles (fire engines, Rescue Unit etc.).

Must be able to carry, push, pull, reach, and lift, equipment and parts weighing up to 50 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks during extended time periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with co-workers, other volunteers, and the public in face-to-face, one-on-one settings; regularly uses a radio or telephone for communications.

Qualifications

Knowledge of: Knowledge of standard firefighting methods and techniques; thorough knowledge of the operation of fire apparatus and equipment; knowledge of fire hydraulics; familiarity with federal, state and county regulations regarding the fire service, emergency medical service and fire scene safety.

Ability to: Work harmoniously with full time personnel as well as volunteers; make decisions independently in accordance with established policy, use tact and good judgment when dealing with the public, communicate effectively both orally and in writing.

Experience and Training Guidelines: Any combination of experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: One year experience as a paid fire fighter or three years as a volunteer fire fighter.

Training: State certification in Driver/Operator 1A « 18, Fire Command 1A or Certified Volunteer Fire Officer, firefighter 1, and a Class B driver's License.

Special Requirements: Possession of State certification in fire fighter 1 or Certified Volunteer fire fighter, Fire Command 1A or Certified Volunteer Fire Officer, Driver/Operator IA and 18, and a valid class B California Driver's License.

VOLUNTEER FIRE ENGINEER

Definition

To drive fire apparatus and operate the fire pump in a safe and effective manner.

Supervision Received and Exercised

Under the direction of a Fire Captain drives the fire engine, water tender or squad during drills and to alarms.

May supervise a small group of volunteers.

Examples of Important Responsibilities and Duties

Operates fire apparatus and other emergency vehicles in response to emergency incidents in conformance to established standards; performs firefighting duties as needed.

Maintains apparatus in serviceable and ready condition after each incident or drill. Complete an inventory check of all equipment before leaving the scene.

May be called upon to act as a firefighter.

May assume command as Incident Commander at the scene of an incident in the absence of a captain or chief.

Performs related duties as required.

Typical Physical Activities

Operates District emergency vehicles (fire engines, squad, water tender).

Must be able to carry, push, pull, reach, and lift, equipment and parts weighing up to 50 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended time periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat: hearing and vision within normal ranges.

Communicates orally with co-workers, volunteers, and the public; regularly uses a radio for communications.

Qualifications

Knowledge of: Thorough knowledge of operating and mechanical principles involved in the operation and maintenance of fire apparatus and equipment; knowledge of fire hydraulics.

Ability: Make decisions independently in accordance with established policy; work harmoniously with District Employees and volunteer staff.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: Two years as a volunteer firefighter with the Brooktrails Fire Department.

Training: Possession of a Fire Fighter 1 or certified Volunteer Fire Fighter certificate, Driver/Operator IA and IB certificates: a valid Class B driver's license and D.M.V. medical certificate.

Special Requirements: Able to maintain skills and to recertify annually.

VOLUNTEER FIREFIGHTER

Definition

Performs a variety of duties related to firefighting, medical aid calls and rescues, and Rescue Unit calls.

Supervision Received and Exercised

Works under the general direction of a Captain during drills and alarms, may be under the direct supervision of the Fire Chief, Assistant Fire Chief, and Battalion Chief routinely or during emergencies.

As a rule, does not supervise; however, as senior firefighter, may lead a group of other firefighters in the absence of an officer or engineer.

Examples of Important Responsibilities and Duties

Assist with the evacuation of buildings as needed to preserve life; performs firefighting duties, including extinguishment of fires, preservation of property using salvage and overhaul practices.

If certified as an EMT 1 may respond to the scene of a medical aid to render care to the patient under the direction of the duty officer.

May also medic on the Rescue Unit. If in possession of a current Special Drivers Certificate/Rescue Unit and a current O.M.V. medical may drive the Rescue Unit.

Performs related duties as assigned.

Typical Physical Activities

Pulls fire hose and extends it as needed to extinguish fire; sets up smoke detector, sets up lighting for night operations.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing 50 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended periods; works in an environment with exposure to smoke, dust, dirt and significant temperature changes between cold and heat; hearing and vision within normal ranges.

Communicates orally with co-workers and other volunteers and the public in a face-to-face, one-on-one setting.

Qualifications

Knowledge of: Standard firefighting methods and techniques; knowledge of tire hydrants capabilities and operation: knowledge of fire hose how to pull it and how to load it back on the apparatus.

Ability to: Work harmoniously with district employees and other volunteers.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: For entry level, no experience is required.

Training: Before one can respond to calls, they must go through a 20-hour basic operation course: work towards obtaining Certified Volunteer Fire Fighter or Fire Fighter 1 within their first year: CPR and First Aid training within one year of entry.

Special Requirements: Possession of current California driver's license.

VOLUNTEER AUXILIARY FIREFIGHTER

Definition

Performs firefighter duties the same as Volunteer Firefighters except they are classified as part time volunteers.

Supervision Received and Exercised

Works under the direct supervision of a Captain during drills and alarms: may be under the direct supervision of Fire Chief,

Assistant Fire Chief or Battalion Chief routinely or during emergencies.

Supervision is not a normal responsibility of this position.

Examples of Important Responsibilities and Duties

Assist with the evacuation of buildings during emergencies as needed to preserve life; perform firefighting duties including extinguishment of fires, and preservation of property by using salvage and overhaul practices.

Performs related duties as assigned.

Typical Physical Activities

Pulls fire hose and extends it as needed to extinguish fires; sets up smoke detector; sets up lighting for night operations.

Must be able to carry, push, pull, reach, and lift equipment and parts weighing 50 lbs.

Stoops, kneels, crouches, crawls, and climbs during emergency work; stands and walks for extended periods; works in an environment with exposure to smoke, dust, dirt, and significant temperature changes between cold and heat; hearing and vision within normal range.

Communicates orally with co-workers and other volunteers and the public in face-to-face, one-on-one setting.

Qualifications

Knowledge of: Standard firefighting methods and techniques; knowledge of fire hydrants capabilities and operation; knowledge of fire hose, how to pull it and how to reload it back on the apparatus.

Ability to: Work harmoniously with district employees and other volunteers.

Experience and Training Guidelines: Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience: For entry, no experience is required.

Training: Prior to responding to alarms must go through a 20-hour basic operations course; work towards obtaining Certified Volunteer Fire Fighter or Fire Fighter 1 within the first year; CPR and First Aid within one year.

Special Requirements: Possession of current California driver's license.

B-2. Fire Department Volunteer Remuneration Plan

Fire Fighter I Certification	10.00
Emergency Medical Technician Certification	25.00
Duty Officer (Week Nights)	25.00
Duty Officer (Week Ends)	50.00
Drill	6.00
Call response	6.00

BROOKTRAILS FIRE DEPARTMENT VOLUNTEER FIREFIGHTERS REMUNERATION TERMS AND SCHEDULE

Volunteers will be remunerated based on their level of participation in Fire Department activities, i.e., drill and alarm response. All annual stipends will be given at the Fire Chief's discretion. These will be based on performance of each volunteer.

OFFICERS

Whenever a Volunteer Fire Officer is designated as Duty Officer on Saturday, Sunday, or holidays, they shall be compensated at \$50.00 per day. Whenever they are designated Duty Officer on weekdays, they shall be compensated \$25.00 per day.

Officers shall receive \$6.00 per alarm response and per drill attendance. In addition, Officers shall receive annual remuneration for additional responsibilities as follows:

BATTALION CHIEF \$200 per year with significant participation in Department response while in good standing.

CAPTAINS \$100 per year with significant participation in Department response while in good standing.

ENGINEERS \$50 per year with significant participation in Department response while in good standing.

FIREFIGHTERS

All Firefighters shall receive \$6.00 per alarm response and per drill attendance.

SUPPLEMENTAL REMUNERATION

1. Each position that holds a Fire Fighter I Certification as a volunteer firefighter in their respective classification shall have \$10.00 added to their base.
2. Each EMT will receive \$25.00 per year.

GENERAL RULES

1. Drill and alarm responses for all volunteer firefighters, regardless of their titles (except for Fire Chief) will receive \$6.00 per alarm response and \$6.00 per drill training.

EXAMPLE: (For all classifications)

(Step 1)	Number of alarms	82
(Step 2)	multiply by \$6.00	<u>x 6.00</u>
	\$492.00	
(Step 3)	Number of drills attended	
(Step 4)	14 times by \$6.00	<u>x 6.00</u>
	\$84.00	
(Step 5)	Add totals	\$492.00
		<u>+\$ 84.00</u>
	GRAND TOTAL: of alarms & drills pay	\$576.00

2. Each member earning remuneration will be issued a check in late November or early December together with the form describing the amount earned.
3. DUTY COVERAGE: All officers must strive to complete their fair share of the duty coverage for the year.
4. All annual stipends will be prorated for time of service.

TITLE 5. FINANCE

CHAPTER 1. GENERAL PROVISIONS

- 5.01.001 Basic Accounting Principles of Community Services Districts
- 5.01.010 Community Services District Law
- 5.01.020 Annual Audit of Financial Statements
- 5.01.030 Record Keeping
- 5.01.040 Appropriations Limit
- 5.01.050 Capitalization of Assets

CHAPTER 2. RESERVES POLICY

- 5.02.001 Purpose of Policy
- 5.02.010 Operating Reserves
- 5.02.020 Capital Reserves
- 5.02.030 Debt Reserves
- 5.02.040 Monitoring Reserve Levels

CHAPTER 3. INVESTMENT POLICY

- 5.03.010 Purpose of Policy
- 5.03.020 Investment Priorities
- 5.03.030 Investment Guidelines

CHAPTER 4. DEBT MANAGEMENT POLICY

- 5.04.001 Policy Governance
- 5.04.010 Findings and Purpose
- 5.04.020 Debt Management Procedures

CHAPTER 1. GENERAL PROVISIONS

5.01.001 Basic Accounting Principles of Community Services Districts. Pursuant to Government Code section 53891, community services districts are required to adhere to financial reporting to the State Controller consistent with generally accepted accounting principles and California State laws relevant to public meetings, debt management, and record keeping.

5.01.010 Community Services District Law. The following provisions of the Community Services District Law are incorporated herein:

§61110. (a) On or before July 1 of each year or, for districts using two one-year budgets or a biennial budget cycle, every other year, the board of directors may adopt a preliminary budget that conforms to generally accepted accounting and budgeting procedures for special districts.

(b) The board of directors may divide the preliminary budget into categories, including, but not limited to, the following:

- (1) Maintenance and operation.
- (2) Services and supplies.
- (3) Employee compensation.
- (4) Capital outlay.
- (5) Interest and redemption for indebtedness.
- (6) Designated reserve for capital outlay.
- (7) Designated reserve for contingencies.

(c) On or before July 1 of each year or, for districts using two one-year budgets or a biennial budget, every other year, the board of directors shall publish a notice stating all of the following:

(1) Either that it has adopted a preliminary budget or that the general manager has prepared a proposed final budget which is available for inspection at a time and place within the district specified in the notice.

(2) The date, time, and place when the board of directors will meet to adopt the final budget and that any person may appear and be heard regarding any item in the budget or regarding the addition of other items.

(d) The board of directors shall publish the notice at least two weeks before the hearing in at least one newspaper of general circulation in the district pursuant to Section 6061.

(e) At the time and place specified for the hearing, any person may appear and be heard regarding any item in the budget or regarding the addition of other items. The hearing on the budget may be continued from time to time.

(f) On or before September 1 of each year or, for districts using two one-year budgets or a biennial budget, every other year, the board of directors shall adopt a final budget that conforms to generally accepted accounting and budgeting procedures for special districts. The General Manager shall forward a copy of the final budget to the auditor of each county in which the district is located.

§61111. (a) At any regular meeting or properly noticed special meeting after the adoption of its final budget, the board of directors may adopt a resolution amending the budget and ordering the transfer of funds between categories, other than transfers from the designated reserve for capital outlay and the designated reserve for contingencies.

(b) The board of directors may authorize the General Manager to transfer funds between budget categories, other than transfers from the designated reserve for capital outlay and the designated reserve for contingencies.

§61112. (a) In its budget, the board of directors may establish a designated reserve for capital outlay and a designated reserve for contingencies. When the board of directors establishes a designated reserve, it shall declare the exclusive purposes for which the funds in the reserve may be spent. The funds in the designated reserve shall be spent only for the exclusive purposes for which the board of directors established the designated reserve. The reserves shall be maintained according to generally accepted accounting principles.

(b) Any time after the establishment of a designated reserve, the board of directors may transfer any funds to that designated reserve.

(c) If the board of directors finds that the funds in a designated reserve are no longer required for the purpose for which it established the designated reserve, the board of directors may, by a four-fifths vote of the total membership of the board of directors, discontinue the designated reserve or transfer any funds that are no longer required from the designated reserve to the general fund.

(d) Notwithstanding any other provision of this section, in a state of emergency or in a local emergency, as defined in Section 8558, a board of directors may temporarily transfer funds from the designated reserve for capital outlay or the designated reserve for contingencies to the district's general fund. The board of directors shall restore these funds to the designated reserves when feasible.

(e) The board of directors of each district that has designated an alternative depository pursuant to Section 61053 and appointed a district treasurer shall adopt and annually review a policy for the management of reserves.

5.01.020 Annual Audit of Financial Statements. As identified previously in Section 2.01.800, the Board of Directors shall appoint an Auditor to conduct an annual audit of the accounts and records. The audited financial statements shall be presented at a Regular Meeting of the Board of Directors. (*BTCSD Ordinance No. 66*)

5.01.030 Record Keeping. Accounting records will be kept on file for a minimum of six years past their audited year unless record destruction is not permissible. Audits, payroll, and assessment district registers, adopted budgets, and general ledgers are permanent records that must not be destroyed in accordance with Government Code Sections 60200-60204.

5.01.040 Appropriations Limit. Article XIII B of the California Constitution places limits on the appropriation of property taxes collected by state and local governments. The appropriation

limit, also known as a GANN limit, is based on cost of living and population changes within the boundaries of each county. The appropriation limit for the district has historically been significantly higher than the amount of property taxes received from the County of Mendocino, with property tax collection falling well under the calculated statutory threshold. An appropriation analysis shall be calculated each year, using the most up-to-date information on cost of living and population changes within the county.

5.01.050 Capitalization and Depreciation of Assets. Assets include land, improvements to land, easements, buildings and improvements, vehicles, machinery, equipment, infrastructure, and all other tangible or intangible assets that are used in operations and have useful lives beyond a single reporting period. Infrastructure assets are long-lived capital assets that are normally stationary in nature and can be preserved for a significantly greater number of years than most capital assets. This includes water and sewer distribution and collection systems, dams and their appurtenances, and power or lighting systems.

The capitalization threshold for the district is \$5,000. Assets are capitalized when their individual cost exceeds the capitalization threshold, except in instances of grouped, similar equipment purchases like water meters or office equipment, where the combined cost exceeds \$5,000. The cost of equipment includes its purchase price or construction costs; freight or other carriage charges; sales, use or transportation taxes; and, installation costs.

Assets will be straight-line depreciated based on their useful life and the year placed into service. Depreciation of district assets will be reflected in the annual audit of financial statements. It will not be reflected in the annual budget or cash flow modeling.

CHAPTER 2. RESERVES POLICY

5.02.001 Purpose of Policy. The district shall account for reserves as required by Statement No. 54 of the Governmental Accounting Standards Board, by distinguishing reserves as: non-spendable; restricted; committed; assigned; or, unassigned. The reserves stated by this policy, unless amended or otherwise required by law or contract, shall be considered either assigned or non-spendable reserves.

5.02.100 Operating Reserves. The Board of Directors has established that Operating Reserves are to be maintained at levels equal to three months, and not to exceed six months, of operating and maintenance expenses for all departments. The purpose of the Operating Reserves is to provide liquidity with assigned funds dedicated to unanticipated operating and maintenance expenses in all departments. Operating Reserves include regular debt service payments as budgeted.

5.02.200 Capital Reserves. The Board will assign Capital Reserves annually by department during the budget process and dependent upon anticipated revenues for the fiscal year. Since establishing Capital Reserves based on fixed asset depreciation is insufficient to fully fund replacement of Township equipment, infrastructure, or facilities, this Reserves Policy establishes a process of assigning a budgetary contribution annually to offset fixed asset expenses.

The primary purpose of the Capital Reserves is to provide assigned funds for expenses including, but not limited to, repair, replacement, rehabilitation, and upgrading of capital facilities, infrastructure, and/or heavy equipment. A Capital Reserves savings account shall be maintained for assigned amounts; and, said funds will be deposited annually in accordance with the amounts in the fiscal year budget.

In such case that: revenues are generated above the policy-established reserve limits; operating and maintenance costs are on track with that fiscal year budget in effect at the time; no emergency projects are anticipated; and, bank account balances exceed whichever is greater of \$3,000,000 or 75% of that fiscal year expense budget, those revenues shall become additional capital reserves and may be incorporated into an amendment to that fiscal year budget by addition to the department line item and transferred into the Capital Reserves savings account.

5.02.300 Debt Reserves. The Board establishes that staff shall continue maintenance of any minimum, non-spendable reserve levels required in accordance with associated Township debt service agreements. Upon termination of the associated debt, remaining monies may be redistributed to the department funds from which they are paid.

5.02.400 Monitoring Reserve Levels. The General Manager will collaborate with the Deputy Finance Officer to assess and report to the Board on reserve levels annually during budget preparation. (BTCSD Resolution 2020-08)

CHAPTER 3. INVESTMENT POLICY

5.03.010 Purpose of Policy. This policy is designed to protect and manage District financial resources that are available for investment. The California Government Code does not contain any provisions specifying what must be included in the investment policy of a local agency.

5.03.020 Investment Priorities. The priorities of BTCSD investment decisions shall be:

1. Protect the principal investment.
2. Provide an adequate liquidity that meets operational needs.
3. Obtain an acceptable yield on investment monies.

(BTCSD Resolution 2011-20)

5.03.030 Investment Guidelines. The timing and amount of specific investments should closely match the duration of and projected cash flows of all budgeted funds, assets and liabilities.

Local agencies may invest only instruments specified as permissible in State law. See California Government Code Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53635, 53635.2, 53635.8, 53638, 53684, and 57603 for information on permissible investment instruments.

CHAPTER 4. DEBT MANAGEMENT

5.04.001 Policy Governance. The provisions of this Debt Policy may be amended or waived by the Board of Directors as deemed appropriate for prudent management of the debt and financing needs of the district.

5.04.100 Findings and Purpose. This Debt Policy is intended to comply with Government Code Section 8855(i), which became effective on January 1, 2017, and shall govern all debt undertaken by the district.

The Board of Directors recognizes that a fiscally prudent debt policy is required in order to: help maintain district financial health; ensure the district has the flexibility to meet its financial needs; protect district credit and creditworthiness; ensure that all debt is structured to benefit both current and future constituents of the district; and, ensure that district debt is consistent with district planning goals and objectives.

5.04.200 Debt Management Procedures.

A. Purposes for Which Debt May Be Issued

(1) Long-Term Debt. Long-term debt may be issued to finance the construction, acquisition, and/or rehabilitation of water rights, capital improvements and other facilities, property and assets, equipment and land to be owned and/or operated by the district or funded for other benefit of the district and/or its constituents.

(a) Long-term debt financings are appropriate when the following conditions exist:
When the project to be financed is necessary to provide basic services;
When the project to be financed will provide benefit to constituents over multiple years;
When total debt does not constitute an unreasonable burden to the district and its constituents; and/or,
When the debt is issued to refinance outstanding debt in order to produce savings or to realize other benefits of debt restructuring.

(b) Long-term debt financings will not generally be considered appropriate for recurring operating expenses and routine maintenance expenses.

(c) The district may use long-term debt financings subject to the following conditions:
The project and/or costs to be financed must be approved by the Board of Directors;
The weighted average maturity of the debt will generally not exceed the average useful life of the project being financed;
The district estimates that sufficient revenues will be available to service the debt through its maturity; and/or,
The district determines that the issuance of the debt will comply with all applicable state and federal laws.

(2) Short-term debt. Short-term debt may be issued to provide financing for district operational cash flows in order to maintain a steady and even cash flow balance. Short-term debt may also be used to finance short-lived capital projects; for example, the district may undertake lease-purchase financing for equipment.

B. Types of Debt

The following types of debt are allowable under this Debt Policy:

- Installment purchase agreements, loans and similar debt-financing contracts;
- Loans and contracts with State or Federal agencies, including the State Revolving Fund (SRF) program and any Department of the United States (e.g., USDA);
- Lines of credit;
- General obligation bonds (GO Bonds);
- Bond or grant anticipation notes (BANs);
- Lease revenue bonds and lease-purchase transactions;
- Other revenue bonds and Certificates of Participation (COPs);
- Tax and revenue anticipation notes (TRANS);
- Land-secured financings, such as special tax revenue bonds issued under the Mello-Roos Community Facilities Act of 1982, as amended, and limited obligation bonds issued under applicable assessment statutes; and/or,
- Refunding bonds, notes, loans, and other obligations.

The Board of Directors may from time to time find that other forms of debt would be beneficial to further its public purposes and may approve such debt with or without an amendment of this Debt Policy. Debt shall be issued as fixed rate debt unless the Township makes a specific determination as to why a variable rate issue would be beneficial in a specific circumstance.

C. Relationship of Debt to Capital Improvement Program and Budget

The Township is committed to long-term capital planning and intends to issue debt for the purposes stated in this Debt Policy and to implement policy decisions incorporated in the annual budget and/or the capital improvement plan. Items outside the capital budget or capital improvement plan may also be financed.

The district shall strive to fund the upkeep and maintenance of its infrastructure and facilities due to normal wear and tear through the expenditure of available operating revenues. It shall integrate its debt issuances with goals of its capital improvement program by timing debt issuance to ensure funding is available for capital and non-capital projects when needed. The Township shall seek to issue debt in a timely manner to avoid having to make unplanned expenditures from its general fund.

D. Policy Goals Related to Planning Goals and Objectives

The Township is committed to long-term financial planning, maintaining appropriate reserves levels and employing prudent governance, management and budget administration practices.

The Board of Directors intends to issue debt only for the purposes stated in this Debt Policy and to implement policy decisions incorporated in its annual operations budget. Debt issuance decisions will be made to protect constituents by utilizing conservative financing methods and techniques so as to obtain the highest practical credit ratings (if applicable) and the lowest practical borrowing costs.

The district will comply with applicable state and federal law as it pertains to the maximum term of debt and the procedures for levying and imposing any related taxes, assessments, rates and charges. When refinancing debt, it shall be the policy goal to realize and subject to any overriding non-financial policy considerations, when possible, minimum net present value debt service savings equal to at least 3.0% of the refunded principal amount.

E. Internal Control Procedures

When issuing debt, in addition to complying with the terms of this Debt Policy, the district shall comply with any other applicable policies regarding initial bond disclosure, continuing disclosure, post-issuance compliance, and investment of bond proceeds.

Without limiting the foregoing, staff will periodically review the requirements of and will remain in compliance with the following:

- Any continuing disclosure undertakings entered into by the Township in accordance with Securities and Exchange Commission (SEC) Rule 15c2-12.
- Any reporting obligations to the California Debt and Investment Advisory Commission (CDIAC).
- Any federal tax compliance requirements, including, without limitation, arbitrage, and rebate compliance.
- Internal investment policies as they relate to the use and investment of bond proceeds.

Proceeds of debt will be held either (a) by a third-party trustee or fiscal agent, which will disburse such proceeds to or, upon the submission of one or more written requisitions by the General Manager (or his or her designee), or (b) by the Township, to be held and accounted for in a separate fund or account, the expenditure of which will be carefully documented and tracked through the term of the debt.