

Policy Manual



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SECTION 100 DISTRICT POLICIES AND ACTIONS.....	5
101 District Policies.....	5
102 Conflict of Interest Code.....	5
103 Complaints	10
104 Claims Against the District	11
105 Indemnifications of District Employees and Board Members by District	13
SECTION 200 BOARD OF DIRECTORS POLICIES	15
201 General Rules	15
202 Basis of Authority	15
203 Board Structure	17
204 Board Meeting Procedures.....	18
205 Board Meeting Agenda.....	23
206 Board Meeting Conduct.....	26
207 Parliamentary Procedure	29
208 Minutes of Board Meetings.....	33
209 Conflicts of Policies & Procedures with Statutes or Regulations	34
210 Board Actions and Decisions	35
211 Attendance at Meetings.....	41
212 Remuneration and Reimbursement.....	42
213 Members of the Board of Directors	44
214 Training, Education and Conferences/Offsite Non-District Meetings	45
215 Ethics and Harassment Training	47
EXHIBIT A – Board Member Relationship Capacity and Process Norms	48
EXHIBIT B – Board Meeting and Director Protocol	49
SECTION 300 PUBLIC RECORDS POLICY	56
302 Records Retention	62
SECTION 400 PERSONNEL POLICY DOCUMENTS	65
401 Employment	65
402 Employment Status and Records	75

403 Employee Benefit Program.....	82
404 Time Keeping and Payroll	101
405 Work Conditions and Hours	104
406 Leaves of Absence	119
407 Employee Conduct & Disciplinary Action	125
408 Miscellaneous	144
SECTION 500 FINANCIAL POLICIES.....	155
501 Purposes	155
502 Accounting System	155
503 Budget Policies	160
504 Reserve Policy	162
505 Debt Management Policy	166
506 Disposition of Surplus District Property	170
507 Gifts and Gratuities	171
508 Expense and Use of Public Resources Policy	173
509 Purchasing, Contracting and Procurement.....	187
510 Investment of District Funds	193
511 Water & Sewer Leak Adjustment Request	197
512 Disconnection of Water Service for Delinquent Account	198
SECTION 600 ACCEPTANCE OF DEEDS	205
601 Purpose.....	205
602 Easements	206
603 Right-Of-Way and Entry Agreement	210
604 Encroachment Permits	211
SECTION 700 DISTRICT INTENT OF DEVELOPMENT	213
701 District Intent of Development Policy	213
702 Small Residential & Commercial Development	216
703 Subdivision & Large Commercial Development Process	221
704 Environmental Review Guidelines	231

705 Annexation	234
706 Development Agreements	235
707 Development Improvement Standards	241
708 Project Approval	242
SECTION 800 ENVIRONMENTAL HEALTH AND SAFETY PROGRAMS	248
802 Safety Policy	249
803 Emergency Management	253
804 Computer Security	254
805 Identity Theft Prevention Program	260
806 Security of District Buildings and Facilities	261
SECTION 900 GENERAL PROVISIONS	262
902 Park Definitions	264
903 Reservations of Park Facilities	266
904 Parks and Recreation Fees	270
905 Regulated Activities	275
906 General Nuisance	282
907 Vehicles	284
908 Natural & Cultural Resources Protection	285
909 Skateboard/In-Line Skate/Roller Stake/Scooter Use	286
910 Leon Rose Ball Field	288
911 Groveland Dog Park	289
SECTION 1000 MISCELLANEOUS POLICIES & PROCEDURES	290
1001 Water Conservation & Drought Management Policies	290
1002 Strict Safety Program	290
1003 Electronic Signature Use Policy	290
1004 Legislative Advocacy Policy	291
1005 District Social Media Policy	296
SCHEDULE OF FEES FOR SERVICES	299

SECTION 100 DISTRICT POLICIES AND ACTIONS

101 District Policies

Purpose of District Policies

It is the intent of the Board of Directors of the District to maintain a District Policies Manual. Contained in the Manual shall be a comprehensive listing and description of the Board's current policies, which constitute the rules and regulations enacted by the Board from time to time to govern the operations of the District. The District's Policy Manual is intended to serve as a resource for Directors, staff and members of the public in determining the manner in which the District's business is to be conducted. The District's Policies consist of the following sections: 1) District Policies; 2) Board Policies; 3) Public Records Management; 4) Personnel Policies; 5) Financial Policies; 6) Deeds, Easements, and Encroachments; 7) Facility Development; 8) Safety and Security Policies; 9) Administrative Policies for the District's Park System, and 10) Miscellaneous Policies. These policies can be amended by the Board at any time.

102 Conflict of Interest Code

Amended: December 11, 2018, by Resolution 40-18

Amended: September 16, 2020, by Resolution 40-2020

102.1 Policy

GROVELAND COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE

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 California Code of Regulations Section 18730, hereinafter "CCR 18730"*) which contains the terms of a standard conflict of interest code and which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of CCR 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendices in which members and employees are designated and disclosure categories are set, shall constitute the conflict of interest code of the Groveland Community Services District.

Individuals holding designated positions shall file their statements of economic interests with the Clerk of the Groveland Community Services District. The Clerk will (1) make and retain a copy of each statement filed and forward the original to the Tuolumne County Board of Supervisors; and (2) make the statements available for public inspection and reproduction.

(Gov. Code Sec. 81008). Original statements for all designated positions of the Groveland Community Services District will be retained by the Clerk of the Groveland Community Services District.

APPENDIX A

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

DESIGNATED EMPLOYEES' FUNCTION	DISCLOSURE CATEGORIES TITLE OR
Members of the Board	ALL
Secretary of the Board	ALL
Attorney	ALL
Consultants ¹	ALL
General Manager	ALL

¹ Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The President of the Board 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 a 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 President’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.

APPENDIX B

All investments and business positions in business entities, and all sources of income and interests in real property as set forth below. This category is known as full disclosure.

1. Investments in or income from persons or businesses engaged in the business of providing services or supplies, including, but not limited to, equipment, machinery, or office supplies, to the Groveland Community Services District, or could foreseeably provide services or supplies to the Groveland Community Services District.

2. Interest in real property located in whole or in part within the boundaries of the Groveland Community Services District, or within a two-mile radius of the Groveland Community Services District, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property if the fair market value of the interests is greater than \$2,000.00.
3. Business positions, including but not limited to, status as a director, officer, sole owner, partner, trustee, employee, or holder of a position of management in any business entity which, in the prior two years has contracted with, or in the future may contract with Groveland Community Services District to provide services or supplies to the Groveland Community Services District.

102.2 Limits on Honoraria

A. **Definition of Honoraria**

An honorarium is a payment made in consideration for any speech given, article published, or attendance at a public or private conference, convention, meeting, social event, meal, or similar gathering.

B. **Limits on Honoraria**

They Act prohibits receipt of an honorarium by any elected member of the Board of the District or by any designated employee of the District.

C. **Return or Donation of Honoraria**

The limitations on an honorarium do not apply if within 30 days of the receipt of the honorarium, the honorarium is returned unused, is donated to the general fund of the District, or is donated to a charity and not claimed as a tax deduction.

102.3 Economic Disclosure Provisions

In addition to the requirements that members of the Board and designated employees of the District disqualify themselves from conflicts of interest situations, these individuals whose participation in District decision making could affect their economic interests are required under the Act to file economic interest statements (Form 700) annually which are public records. Disclosure serves a two-fold purpose of making assets and income of members of the Board and designated employees of the District a matter of public record, and by making the public aware of what constitutes economic interests subject to conflicts of interest. Disclosure enables Board members and employees of the District to be able to identify conflict of interest situations when they arise and disqualify themselves from participating in discussions when appropriate.

A. Conflict of Interest Code

The District's Conflict of Interest Code lists the categories of Board members and designated employees of the District who are required to file a Statement of Economic Interest (Form 700) and describes the economic interests which are subject to reporting. The Conflict of Interest Code also specifies when Board members and designated employees of the District must file their Form 700s and with whom. All Form 700s are available for public inspection during regular business hours pursuant to the District's public record policy.

102.4 Mass Mailing Restrictions

The Act prohibits incumbent elected directors of the District from authorizing the use of District funds to produce mass mailings to residents and customers of the District which feature the elected Board member and increase the Board member's exposure to the public.

A. Basic Prohibition

The Act prohibits the District from mailing more than 200 substantially similar tangible items in one month, by any means, to recipients of the District if such mass mailing is prepared and mailed at District expense and featured an elected member of the Board, including the name, office, photograph or other reference to an elected Board member.

B. Exceptions

The Act specifies the following exceptions to the general prohibition:

1. Any item in which the elected Board member's name appears only in the letterhead, or a roster listing containing the names of all members of the Board, or a listing of a member of the Board on the envelope of the District;
2. A press release sent to members of the media;
3. Any intra-District communication to staff during the normal course of business;
4. Any item sent by the District in connection with the payment or collection of rates, fees, charges or assessments;
5. Any District or telephone directory, organizational chart, or similar listing or roster;
6. An announcement sent to an elected Board member's constituents concerning a public meeting which is directly related to the elected Board member's duties on behalf of the District which is held by the elected Board member and which the elected Board member attends.

102.5 Conflicts of Interest in Contract

A Board member or designated employee of the District may not participate in the making of a contract or influence the negotiation of a contract in which he or she is financially interested. A Board member is conclusively presumed to have participated in the making of any contract executed by the Board or the District, even if the Board member has disqualified himself or herself from any and all participation in the making of the contract. Any Board member or designated employee of the District who participates in the process by which a contract is developed, negotiated and executed and in which such Board member or employee is financially interested is a violation of *Government Code Section 1090*. Any contract made in violation of *Government Code Section 1090* is void and cannot be enforced.

A. Persons Covered

All Board members are covered because they are conclusively presumed to be involved in the making of all contracts by the District. All employees and consultants of the District also come within the prohibitions of *Government Code Section 1090*.

B. Nature of Financial Interest in a Contract

The following economic relationships generally constitute a financial interest in a contract prohibited by *Government Code Section 1090*: (1) employee of a contracting party; (2) attorney, agent or broker of a contracting party; (3) supplier of services or goods to a contracting party; (3) landlord or tenant of a contracting party; (4) officer or employee of a nonprofit corporation which is a contracting party with the District.

C. Remote Interest

Government Code Section 1091 enumerates specific financial interests of Board members and employees of the District in contracts of the District which trigger abstention for Board members, but which do not prevent the Board from making the contract. Members of the Board and the designated employees of the District should consult *Government Code Section 1091* for the definition of the specific interests which constitute a remote interest.

D. Non-Interest

Government Code Section 1091.5 enumerates the specific financial interests in contracts of the District which do not prevent a Board member or employee from participating in the making of a contract, and do not require abstention or disqualification, which interests are referred to as “non- interests.” Again, Board members and District staff are urged to consult *Government Code Section 1091.5* for the specific types of interests which constitute “non-interest.”

102.6 Incompatible Offices

The legal restrictions on incompatible offices deals with the potential clash of two public offices held by a single individual, as opposed to a conflict of interest which involves a clash between an individual's private interests and his or her public duties.

The law prohibits a public official from holding two public offices simultaneously, except as specifically authorized and permitted by law, where there is a potential conflict or overlap in the functions or responsibilities of the two offices.

103 Complaints

103.1 Purpose

The Board of Directors desires that public and policy complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical, systematic, and timely. This policy is not intended to prohibit or deter a member of the community or staff member from appearing before the Board to verbally present a statement in regard to actions of the Board, issues regarding District programs and services, or issues pending before the Board.

103.2 Definitions

- A. Complaint: A complaint is an allegation by a member of the public that he or she has been adversely affected by the misinterpretation or misapplication of a District ordinance, policy, or other District action.

103.3 Method of Resolution

The method of resolving complaints shall be as follows:

- A. The Admin/Finance Manager or General Manager will direct the individual with a complaint to the appropriate staff person for discussion.
- B. If the individual registering the complaint is not satisfied with the disposition of the complaint by staff, the complaint will be forwarded to the General Manager. Within a reasonable time, the General Manager shall meet with the person filing the complaint to resolve the matter. At the option of the General Manager, he/she may conduct interviews and/or review written documentation in reviewing the allegations of the complaint. The General Manager shall record his or her decision in writing, providing a copy to the individual registering the complaint.
- C. If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, a written complaint may be filed with the Board of Directors within ten (10) days of receiving the General Manager's decision. The Board may consider the matter at

the next regular meeting or call a special meeting. In making the final decision, the Board may request oral testimony and/or review written documentation. The Board's decision shall be memorialized in writing with a copy provided to the individual registering the complaint. All decisions of the Board of Directors are final.

104 Claims Against the District

Amended: December 11, 2018, by Resolution 41-18

Amended: April 11, 2023, by Resolution 17-2023

104.1 Purpose

The Groveland Community Services District (District) is a political subdivision of the State of California and thus subject to the Government Claims Act located in *Government Code Sections 810 et. Seq.* This policy provides the procedures for the District to follow from when an accident occurs, to receipt of a claim and through the District's reply.

104.2 When an Accident or Incident Occurs

When an accident or incident occurs, employees shall:

- A. Only discuss details of the accident/incident with his/her supervisor, the police, the District's insurance provider and District Legal Counsel.
- B. Not assign or admit any responsibility or liability for any actions or on behalf of the District or make any related promises.

104.3 Inquiries Regarding How to File a Claim

During or immediately following an accident or incident, employees may be approached regarding the possibility of filing a claim against the District. All submissions of a claim must be made in writing.

Employees are to offer two ways to make a claim if someone believes the District is responsible for their injury or loss; by submitting a District Claim Form or by letter from the Claimant as detailed below.

104.4 How to File a Claim

(one of the two methods must be followed):

1. Claimant may submit a claim using a completed District Claim Form (attached). NOTE: Form may also be used by District Employees for accidents or injuries.
2. The person wishing to submit a claim ("Claimant") can send a letter addressed to the District that includes the same information contained in the District Claim Form.

104.5 Processing a Submitted Written Claim

When accepting a claim letter or form, employees are not to: comment on or evaluate the information provided; agree to or promise anything (except that the District will investigate their claim and they will be notified); or speculate on the possible outcome. The employee accepting the claim letter or form shall write the day's date, their own name, and submit it to the General Manager's office the same day.

Once a claim letter or form is received, and depending on the situation, the District may respond to the claimant with a letter stating that the District has received the claim and that the District is investigating it.

104.6 Gathering Information

Claims will be investigated by assigned District staff, in conjunction with the District's Risk Administrator, the General Manager, and/or the District's Legal Counsel. Information to be collected may include, but is not limited to: Accident/Incident Reports; photographs; observations; District records and reports; police reports; and, written statements from witnesses and other relevant parties.

104.7 Forwarding Potential Claim Information

Assigned staff will forward any accident or incident information to the District's insurance provider and the District's Legal Counsel. This is should be done as soon as possible.

104.8 Determining the Course of Action

The General Manager, in consultation with the District's insurance provider and/or the District's Legal Counsel, may determine the course of action, on claims of \$50,000 or less. For claims over \$50,000, the Board of Directors, in consultation with the General Manager, the District's Legal Counsel, and the District's insurance provider, may determine the course of action during a closed session Board Meeting.

After the initial investigation of a claim, the claim may be:

1. Accepted by the General Manager if the claim is \$50,000 or less or by the Board of Directors for claims of more than \$50,000
2. Deemed denied by operation of law after 45 days
3. Denied by the General Manager if the claim is \$50,000 or less or by the Board of Directors for claims greater than \$50,000
4. Submitted to the District's insurance provider or Legal Counsel for further discussions and resolution of the matter with the claimant

104.9 Notifying the Claimant

The claimant, or a party representing the claimant, will be notified in writing by the General Manager if a claim is denied or “deemed denied”, via the U.S. Postal Service. If a claim is accepted, the District’s insurance provider or their Third Party Administrator will contact the claimant and negotiate a settlement.

104.10 Third Party Representation of the Claimant

All Claimants who are represented by a third-party (e.g. an attorney) must provide an authorization letter indicating that the third party is authorized to represent the claimant and that the third-party is authorized to act on behalf of claimant and receive information related to the claim. No information should be provided to any third party without an authorization letter from the claimant.

104.11 Time for Filing Claims

CLAIMS FOR DEATH, INJURY TO PERSON OR TO PERSONAL PROPERTY MUST BE FILED NOT LATER THAN 6 MONTHS AFTER THE OCCURRENCE. (*GOVERNMENT CODE SECTION 911.2*)

ALL OTHER CLAIMS FOR DAMAGES MUST BE FILED NOT LATER THAN ONE YEAR AFTER THE OCCURRENCE. (*GOVERNMENT CODE SECTION 911.2*)

If a claim is determined to have been filed after the deadline to file a claim, the General Manager shall contact promptly District Legal Counsel for instructions for how to respond to the Claimant.

105 Indemnifications of District Employees and Board Members by District

105.1 Purpose of the Policy

The law requires the District to defend and indemnify either an employee or a Board member in a civil court proceeding arising out of personal injury or property damage caused by a negligent or wrongful act or omission occurring within the employee’s or Board member’s scope of duties, and to indemnify the employee or Board member for the amount of any settlement or judgment resulting from such claims. The purpose of these statutory indemnification provisions is to eliminate the concern of District employees and Board members that they might be forced to finance their own defense and pay any damages resulting from claims by third parties arising out of the good faith performance of their duties for the District.

105.2 Defense of Employee or Board Member

Generally the District will provide defense for an employee or Board member against the claim unless the District determines that the act or omission of the employee or Board member is not

within the scope of employment or their duties, or if the employee or Board member acted or failed to act because of fraud, corruption or actual malice. In these situations the District will deny any request of an employee or Board member to have the District defend their interest with respect to the claim.

The District's obligation to provide a defense applies to civil actions only, and does not apply to disciplinary proceedings, administrative proceedings, or criminal proceedings.

A. Method of Providing Defense

The District may provide the employee or Board member with a defense through the District's own counsel, by employing other counsel, or by asking its liability insurance coverage provider to provide a defense through counsel of the insurance coverage provider's choice. The District shall respond in writing to the request of an employee or Board member that the District provide for their defense to a claim.

105.3 Indemnification of Employees or Board Member by District

In those circumstances in which the District assumes the defense of an employee or Board member, the District is required by law to pay any judgment issued by a court against the employee or Board member, or pay any settlement on behalf of the employee or Board member to which the District has agreed.

A. Exceptions

The District's duty to indemnify an employee or Board member with respect to a claim applies only to civil proceedings arising out of personal injury or property damage caused by an act or omission of the employee or Board member in the scope of their respective duties on behalf of the District. The duty for the District to indemnify does not extend to any damage claim arising out of an act or omission of an employee or Board member which action is not within the course and scope of the duties of that employee or Board member. In addition, the District has no duty to indemnify an employee or Board member against a claim which arises out of the fraud, corruption, or actual malice of an employee or Board member.

B. Defense and Indemnification Pursuant to Reservation of Rights

Under certain circumstances, the District may assume the defense of an employee or Board member with respect to a claim and reserve its rights to refuse to pay a judgment or to settle a claim against the employee or Board member on the ground that the injury or alleged damage claimed arose out of an act or omission of the employee or Board member that was not within the scope of their respective duties on behalf of the District. If the District reserves its rights on this ground, and the employee or Board member fails to establish that he or she acted within the course and scope of their duties on behalf of

the District, then the District will not be liable to indemnify the employee or to pay damages to the claimant.

C. Consultation with Legal Counsel

Due to the complexities in the law regarding the District's duty to defend and indemnify employees and Board members with respect to certain claims, in most circumstances District staff will consult District legal counsel with respect to the District's duty to defend or indemnify an employee or Board member with respect to any particular alleged claim against the District.

SECTION 200 BOARD OF DIRECTORS POLICIES

201 General Rules

201.1 Purpose

The purpose of this policy manual is to provide rules and guidelines for the conduct of the Board of Directors of the Groveland Community Services District.

It shall supersede all prior resolutions or past practices regarding district policies covered in this document.

201.2 Suspension of Rules

Any of the rules or guidelines contained in this Manual that are not required by law may be suspended by a majority of the Board.

201.3 Alteration, Amendment or Repeal

Any rule or guideline may be altered, amended or repealed at a duly noticed meeting by a majority vote of the Board.

202 Basis of Authority

202.1 Governing Laws and Director Liability

The Board of Directors shall comply with and be guided by applicable state laws and regulations, including the enabling act of the District and applicable federal laws and regulations. A Director can be held personally liable for damages arising from any actions taken by that Director that can be construed to be outside the course and scope of his/her duties, responsibilities, and authority as a Director. If Directors do attempt to act individually on behalf of the District and without the full authority of the Board, those Directors are subjecting themselves to potential personal liability, and also subjecting the District to potential liability.

Director immunity from liability for his/her discretionary actions is not applicable with respect to actions that exceed the scope of a Director's authority, for example, disclosing information that is either confidential and/or discussed during closed session or directing District staff in the performance of their job duties.

202.2 Authority of the Board

The Board of Directors is the unit of authority within the District. Apart from her/his normal function as a part of this unit, individual Directors may not commit the District to any policy, act or expenditure. It is important to remember that the Board's role is to establish the policies for the District. A Director who becomes too involved with the day to day operations of the District exceeds the scope of authority granted by his/her office. The role of a Director is expressly stated in the California Community Services District Law ("CSD Law"), *Government Code Section 61000, et seq*, as follows:

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.

[Section 61040(a)]

Thus, while the role of the Board is to establish policy for the District, the General Manager is responsible for implementing that policy. If a Director receives information that there may be a problem at the District or there may have been some wrongdoing, the Director needs to discuss the issue with the President and the General Manager. The General Manager will schedule the issue for discussion by the full Board promptly.

202.3 Responsibilities of the Board

Groveland Community Services District (CSD) Board of Directors, has five elected members, and governs the district by:

Setting Policies: Establish rules for services like water, parks, or fire protection.

Managing Leadership: Hire and oversee the General Manager.

Overseeing Finances: Approve budgets, set rates, ensure fiscal health.

Directing Services: Plan and maintain infrastructure and service delivery.

Strategic Planning: Set long-term goals for community needs.

Engaging Public: Represent residents, ensure transparency via open meetings.

Ensuring Compliance: Adhere to laws, manage risks, and maintain ethical standards.

Boards focus on oversight, delegating operations to the General Manager, and must comply with state laws (e.g., California's Brown Act).

202.4 Representation

The Board of Directors as a whole should not represent any factional segment of the community, but rather represent and act for the community as a whole.

203 Board Structure

203.1 Officers

Annually, at the regular December Board Meeting, the Board shall select a President and Vice President for the next calendar year. The General Manager or designee shall perform the duties of Treasurer and the District's Executive shall be Board Secretary.

203.1.1 President

The President shall perform the duties of presiding officer at all meetings of the Board of Directors and shall carry out the resolution and orders of the Board of Directors and perform such other duties as the Board of Directors prescribes, including appointment of Directors to serve on committees of the Board and designation of committee chairs.

203.1.2 Vice President

When the president resigns or is absent or disabled, the Vice President shall perform the President's duties. When the President disqualifies herself/himself from participating in an agenda item or declares herself/himself partisan in the debate on any such item, the Vice President shall perform the duties of the President.

203.2 Committees

The Board may create standing or ad hoc committees at its discretion.

203.2.1 Committee Authorities

Unless authority to perform a duty is expressly delegated by the Board to a Committee, committee motions and recommendations shall be advisory to the Board.

Committees shall not commit the District to any policy, act or expenditure nor may any committee direct staff to perform specific duties unless authorized by the Board. The Committee Chair is authorized to schedule committee meetings as deemed necessary and to preside at any such meeting.

203.2.2 Ad hoc Committees

The President shall appoint such ad hoc committees as may be deemed necessary or advisable by herself/himself and/or the Board. Ad hoc committees are formed for a specific, singular purpose and/or to reach a specific goal within a finite time period. The duties of ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

203.2.3 Standing Committees

The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified at the time that the standing committee is formed. The standing committee's purpose may be amended from time to time at the Board's discretion. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

203.2.4 Standing Committee Meetings

All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

203.2.5 Standing Committee Members

The Board President shall appoint and publicly announce the members of the standing committees at the time of their initial formation and thereafter for the ensuing year no later than the Board's regular meeting in January.

203.2.6 Non-District Committees

Where the Board has agreed to designate a Director or Directors to serve on a non-District committee, the President shall nominate said Directors for Board ratification.

204 Board Meeting Procedures

204.1 Purpose of Meeting

The purpose of meetings of the Board of Directors is to conduct the business of the Board. In order to conduct the meetings as expeditiously as possible, general questions from the public regarding District policy or operations should first be directed to staff during normal business hours, before being raised at Board meetings.

Board meetings may include Public hearings as required for specific purposes. Such Public Hearings will be clearly identified in the agenda for that meeting. At all other times, the focus of the meeting will be for the Board to gather information, deliberate and take necessary actions.

204.2 AB 2449 Teleconference Meeting Requirements

Board members who must participate in meetings remotely:

The Board member has “just cause” or faces “emergency circumstances” that require them to attend remotely.

- “Just cause” is defined as any of the following: (1) childcare or caregiving of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely, (2) a contagious illness that prevents them from attending in person, (3) a need related to a disability not otherwise accommodated, or (4) travel while on official business of the Board or another state or local agency.
- The member must notify and provide a general description of the circumstances relating to their need to appear remotely as soon as possible to the Board through the District Secretary
- “Just cause” cannot be used by an official for more than 2 meetings per calendar year.
- “Emergency circumstances” are defined as a physical or family medical emergency that prevents a member from attending in person.
- The Board member must request the Board allow them to participate remotely due to emergency circumstances as soon as possible and the Board must take action to approve that request. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the Board may take action by majority vote on the emergency circumstances request at the beginning of the meeting.
- The Board shall request a general description of the circumstances to be placed on the meeting agenda relating to the member’s need to appear remotely at the given meeting. This description need not exceed 20 words and must not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law.

- If a Board member of a Board attends a public meeting remotely, they must participate through both audio and visual technology, and, when action is being taken on an item, they must publicly disclose if someone over the age of 18 is in the room with them and their general relationship to that person.
- Board members are limited in how often they can remotely participate in public meetings. They cannot participate remotely for a period of more than three consecutive months or 20% of the regular meetings within a calendar year.

The following apply during a meeting when board member(s) attend remotely:

- At least a quorum of the members of the Board must participate in person at a single physical location within the Board's jurisdiction.
- The Board must provide the public a means to observe and participate in the meeting through either a two-way audio-visual platform (like Zoom) or a two-way telephonic service and a live webcasting of the meeting (the classic remote option).
- Whenever notice of the meeting or agenda is posted, it must include information on how to access the meeting and make public comment, whether that be through the in-person or remote option.
- The Board may not require public comments to be submitted before the meeting. The public must have an opportunity to address the Board in real time.
- If there is a disruption that prevents the District from broadcasting the meeting or prevents members of the public from offering public comment, the Board cannot take further action on the agenda items until remote public access is restored.

204.3 Regular Meetings

Regular meetings of the Board of Directors shall be held on the second Wednesday of each calendar month at 9:00AM. Board meetings shall be held in the, Groveland Community Resilience Center, Zone 4 Classroom, 18986 Ferretti Road, Groveland. The date, time and place may be changed by the Board President or majority vote by the Board prior to public notice of the meeting in order to accommodate compelling circumstances.

204.4 Special Meeting (non-emergency)

Special meetings (non-emergency) of the Board of Directors may be called by the Board President or the Vice President in the absence of the President.

204.4.1 Notice

All Directors, the General Manager, District Counsel and other desired staff shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, delivered to them at least twenty-four (24) hours prior to the meeting.

204.4.2 Notification

Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54962) shall be notified by email or US Mail unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by telephone during business hours as soon after the meeting is scheduled as practicable.

204.4.3 Agenda

An agenda shall be prepared as specified for regular Board meetings and shall be delivered with the notice of the special meeting to those specified above.

204.4.4 New Business

Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

204.4.5 Special Meetings (emergency)

In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the twenty-four (24) hour notice required above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the General Manager, Board President, or Vice President in the President's absence.

204.5.1 Notification

Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54962) shall be notified by at least one (1) hour prior to the emergency special meeting. In the event that telephone services are not

functioning, the notice requirement of one hour is waived, but the General Manager, or her/his designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.

204.5.2 New Business

No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the twenty-four (24) hour notice. The minutes of the emergency special meeting, a list of persons the General Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the District office as soon after the meeting as possible.

204.6 Adjourned Meetings

A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the Secretary may declare there is no quorum.

204.7 Annual Organizational Meeting

The Board of Directors shall hold an annual organizational meeting at the first regular meeting in December. At this meeting the Board will elect a President and Vice President from among its members to serve during the coming calendar year, and will appoint the General Manager, or his designee, as the Board's Treasurer and the Executive Assistant to the General Manager as the Board's Secretary.

204.8 Order of Agenda

The Chairperson (Presiding Officer) of the meetings described herein may deviate from the published order of agenda and in such cases shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

204.9 Board Agenda Actions

No action shall be taken on any item not appearing on the posted agenda unless:

- a) A majority of the Board of Directors determine that an urgent or emergency situation, as defined by Government Code §54956.5, exists;
- b) The Board of Directors determines by a two-thirds vote, or by a unanimous vote if less than two-thirds of the Board members are present, that the need to take action on the item arose subsequent to the posting of the agenda;

- c) The item was included in a properly posted agenda for a prior meeting occurring not more than five days prior to the meeting at which the action is taken and was continued to the meeting at which the action was taken.

204.10 Non-Posted Agenda Items

Any item not on the posted agenda requiring action by the Board which are raised by Board members, staff, or by members of the public shall be automatically referred to staff and considered for placement on the agenda for an upcoming meeting.

204.11 Questions

Directors shall defer to the Presiding Officer for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be confined to the matter being discussed by the Board.

204.12 Inclusion in the Minutes

Directors may request for inclusion in the minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

204.13 Conflict of Interest

Directors shall abstain from participating in consideration on any item involving a legally prohibited conflict of interest and shall declare the nature of the conflict to the Board.

204.14 Meeting Room Preparation

The Board Secretary shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

205 Board Meeting Agenda

The General Manager (or designated representative(s)) shall cooperate with the Board President to the necessary resources to prepare an agenda as well as supporting documentation as appropriate for each agenda item, for each regular and special meeting of the Board of Directors. All agenda items shall be submitted for approval per this policy.

205.1 Board Meeting Agenda

All agenda items and supporting information shall be submitted in writing, available in both standard electronic and paper forms. This information shall be delivered to Board members at least 72 hours prior to a regular Board meeting, and at least 24 hours prior to a special Board

meeting. All open session information shall be made available to the public on the same timeline. This requirement is applicable to all open session and closed session agenda items for the Board. The General Manager is responsible for all staff originated agenda items, and as well, for providing for, in a timely manner, all GCSD specific information requested to complete the agenda items submitted by others.

205.2 Public Address to Board Members

A portion of each agenda for each regular or regular adjourned meeting shall provide an opportunity for members of the public to directly address the Board members on items of interest to the public that are within the subject matter jurisdiction of the Board of Directors. The public is asked to follow the Guidelines for Public Comment at Board Meetings in addressing the Board.

205.3 Agenda Items for Directors

Any Director may call the General Manager, or in the absence of a General Manager the Board President, and request that any item be placed on the draft agenda no later than 4:00 o'clock p.m. ten (10) calendar days prior the next scheduled Board meeting. All agenda requests are subject to approval per this policy.

205.3.1 Written Request

The request must be in writing or any other form of written electronic correspondence, and include supporting documents and information, if applicable. All materials relating to the request must be delivered by the deadline specified per this policy.

205.3.2 Agenda Request Acceptance

The Board President in consultation with the General Manager, shall be the sole judge of whether an agenda item request is or is not a “matter directly related to District business.” This decision may be appealed to the Board at the next regularly scheduled meeting.

205.4 Agenda Items (from members of the public)

Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

205.4.1 Written Request

The request must be in writing or any other form of written electronic correspondence and be submitted to the General Manager (or other responsible employees designated by the Board to accept agenda items from the public) together with supporting documents and information, if

any. All materials relating to the request must be delivered by the deadline specified per this policy.

205.4.2 Agenizing Public Request

The Board President in consultation with the General Manager, shall be the sole judge of whether the public request is or is not a "matter directly related to District business."

205.4.3 Agenda Request for Closed Session Items

No matter (or item) which is legally a proper subject for consideration by the Board in open session will be accepted for closed session.

Note: The idea here (above) is to minimize the amount of closed session items

205.4.4 Time Limit to Consider Agenda Item

The Board President on his or her own authority, or after considering requests from Board Members, may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

205.4.5 Correspondence to the Board

To a requested response to correspondence, any Board member or staff may agendize the item and/or propose a written response to be presented to the Board of Directors for consideration at the next regularly scheduled meeting- subject to the scheduling constraints per this policy. A response must be provided.

205.5.1 Response Copies to Board

Where a response to correspondence is requested or where the General Manager, or other responsible employee designated by the Board believes a response is needed, the General Manager, or other responsible and designated employee will cause a response to be transmitted to the author with copies to the Board as soon as workloads allow.

205.6 Non-agendized Request (from the public)

This policy does not prevent the Board from taking testimony at regular meetings of the Board on matters that are not on the agenda that a member of the public may wish to bring before the Board, in the Public Comment section of the Agenda. However, the Board shall not discuss or take action on such matters at that meeting. The Board may ask clarifying questions of the member of the public providing the public comment, or refer the issue to staff for future investigation.

205.7 Conspicuous Agenda Posting

At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review to include the following places:

- (a) On the front door of the District office.
- (b) On the District Website.

205.7.1 Conspicuous Agenda Posting (special meetings)

The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same manner and at the same locations noted per this policy.

206 Board Meeting Conduct

The Chairperson shall conduct meetings of the Board of Directors in an orderly and respectful manner, as prescribed within these policies in a manner that is consistent with the policies of the District. The Board of Directors shall adopt and regularly update a slate of “Director Norms and Protocol” which outline their collective expectation of the manner in which the Board will treat each other, staff and the public in the conduct of Board business and its meetings.

206.1 Conduct Objective

The conduct of meetings shall, to the fullest possible extent, enable Directors to consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and to receive, consider and take any needed action with respect to reports of accomplishment of District operations.

206.2 Respect for Schedule

All Board meetings shall commence at the time stated on the agenda and shall be guided by the desire to complete the Board’s business within a reasonable period of time either by intent or by time allotted. Meeting agenda items may be listed with a start time and the Board President will arrange other agenda items and time allotments to ensure timed items are considered as close to their schedule as possible.

206.2.1 Recess

Schedule notwithstanding, the chair-person may declare a short recess during any meeting.

206.3 Meeting Table

Only Directors, the District’s legal Counsel, and authorized staff members shall be seated at the meeting table.

206.4 Public Input

Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a regular or special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors.

206.4.1 Time Limits

The Presiding Officer, unless a majority of the Board objects, may allot a maximum amount of time for each speaker and a maximum amount of time to each subject matter. If no such time limit was or is specified prior to the commencement of a speaker's presentation or the discussion of an agenda item, the Presiding Officer may intervene at any time to impose a reasonable time limit for concluding the presentation or discussion.

206.4.2 Actions Taken

No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized per this policy. Board Agenda Actions or by §54954.2 of the Government Code.

206.4.3 Boisterous Conduct

Boisterous conduct that disrupts the meeting or the ability of the Board or public to effectively hear and participate in decision making, shall not be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for termination, of that person's privilege of address to the Board by the Board President, and who may recess the meeting to gain control.

206.4.4 Charges or Complaints Against District Employees

The Board of Directors desires that public complaints be resolved through administrative processes, and that the method for resolution of complaints be logical and systematic. Public complaints covered by this policy are allegations by a member of the public of a violation or misrepresentation of a District policy, state or federal statute, or regulation of which the individual has been adversely affected.

206.4.4.1 Right to Redirect Oral Charges or Complaints

The public is asked not to make oral presentation that include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify. All charges or complaints against employees should be submitted to the Board of Directors under provisions contained in the District's policy on Public Complaints.

This policy is not intended to limit the public from presenting charges or complaints related to the performance of Directors and employees in relation to their duties as public service providers.

206.5 Decorum

The Chairperson shall take whatever actions are necessary and appropriate to preserve order and decorum during board meetings, including public hearings. The chairperson may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a lawful request from the chairperson, or otherwise disrupting the meeting or hearing.

206.5.1 Willful Disruption, Disturbance or Interruptions

Willful disruption, disturbances or interruptions (hereafter disruption) of any of the meetings of the Board of Directors shall not be permitted. If the Chairperson finds that there is in fact willful disruption of any meeting of the Board, he/she may recess the meeting for a period of time to regain decorum or adjourn the meeting to a specified date and time.

206.5.2 Use of Law Enforcement at Meetings

The Board by majority opinion may direct the use of law enforcement to ensure the safety and well being of all present at Board meetings. Use of law enforcement at Board of Director meetings will be considered appropriate by majority opinion of the Board members if repeated orders by the Chairperson to clear the room are not adhered to or if, in the opinion of the Board, one or more individuals attending the meeting are physically threatening others, are threatened or abused.

206.6 Quorum and Majority

Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a minimum quorum is present, therefore require all three (3) votes to be effective.

206.7 Abstentions

When a Director abstains in a vote with respect to a potential conflict of interest, the Director shall be considered to be absent. When a Director abstains in a vote for any other reason than a potential conflict of interest, the abstention will be recorded as an abstention, which has the same effect as a “NO” vote. Thus, if only three Directors are present and one abstains, then no action can be taken on the item because a “Majority of the Board” did not vote “YES”.

206.8 Staff Direction

The Board may give directions to the General Manager that are not formal action and do not exceed the scope of their authority as stipulated in this policy. Such directions include the Board's directives and instructions to the General Manager (or their acting counterparts). The Presiding Officer shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Presiding Officer, a voice vote may be requested. A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as to refer the matter to the General Manager or his/her designee, for review and recommendation, etc.).

207 Parliamentary Procedure

Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules – i.e., Robert's Rules of Order.

207.1 Parliamentary Determinations

The Presiding Officer (Chairperson) shall preserve order and decorum and shall decide questions of order subject to appeal to the Board.

If a Director believes order is not being maintained or procedures are not adequate, then he/she may raise a point of order - not requiring a second - to the Chairperson. If the ruling of the Chair-person is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.

207.2 Authority of Presiding Officer

The Presiding Officer may make motions or second motions, and he/she may debate and vote on any matter under consideration. Where the Presiding Officer wishes to make or second a motion that he or she may have a personal interest in, he/she should vacate the role of Presiding Officer until that item is resolved. Where the Presiding Officer has vacated the role of Presiding Officer for a particular agenda item, the Vice President (or another director) shall become the presiding officer until all action on that agenda item is completed.

207.3 Obtaining the Floor

Any Director desiring to speak should address the Chairperson and, upon recognition by the Chairperson, may address the subject under discussion.

207.4 Motions

Any Director, including the Chairperson, may make or second a motion. A motion shall be brought and considered as follows:

- (1) A Director makes a motion
- (2) Another Director seconds the motion
- (3) The Chairperson states the motion

207.5 Call for the Vote

Once the Chairperson has stated the motion, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the Chairperson will call for the vote.

207.5.1 Motion to Close Debate

If the public in attendance has had an opportunity to comment on the proposed action, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion to bring the question being debated to a vote must be made, seconded, and approved by a majority vote of the Board.

207.6 Amendments to Motions (substitute motions)

A main motion may only be amended with the consent of the maker and seconder. Without this approval, no amendment to a motion shall be in order without a vote on the principal motion. A “substitute motion” shall be construed as an amendment to the main motion, and shall follow the process described in this rule.

207.6.1 Motion to Amend

A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

207.6.2 Motion to Table

Any Director may move that an item be tabled for an indefinite time even if a main motion is pending consideration. If such a motion is seconded and passed all consideration on the item is halted until a Director requests consideration on a subsequent agenda.

207.6.3 Motion to Continue

Any Director may move that an item be continued (or postponed) to a specific future Board Meeting even if a main motion is pending consideration. If such a motion is seconded and

passed all consideration on that item is halted until agendaized and heard at a subsequent meeting.

207.6.4 Motion to Refer to Committee

A main motion may be referred to a board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

207.6.5 Motion to Close Debate and Vote Immediately

As provided above, any Director may move to close debate and immediately vote on a main motion.

207.6.6 Motion to Adjourn

A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

207.7 Reconsideration

Any Director that voted for an approved motion on an agenda item may move to reconsider that item at a subsequent meeting. If seconded by any other Director and passed by a majority vote, the effect of the motion is to nullify the earlier motion such that a new motion may be debated at the subsequent meeting. Under no circumstances can such an item be reconsidered at the same meeting. If the matter is to be reconsidered at a subsequent meeting, notice of that fact must be stated in the agenda for the subsequent meeting.

207.8 Reconsideration (subsequent to meeting)

Any two Directors may request that an item resolved at an earlier meeting be added to the agenda of a subsequent meeting. The Presiding Officer may reject this request if no new information is presented in his/her opinion to warrant further debate. At the meeting where the item rejected by the Presiding Officer could have been considered, a majority of the Board may place an item on a subsequent meeting's agenda.

207.9 Order of Debate (legislative matter)

The Presiding Officer shall follow the current Board meeting conduct Protocol, as detailed in Exhibit A of this policy.

207.8 Order of Debate (quasi judicial)

The Presiding Officer shall follow the following order of debate in the consideration of quasi-judicial matters:

207.9.1 Presentation

Staff or a committee representative shall present the issue with any recommendations.

207.9.2 Questions of Staff by Board

The Board may ask questions of staff or of the committee to clarify the issue or the recommendation.

207.9.3 Public Hearing

The Presiding Officer shall open the public hearing, call upon the applicant to make a statement, and then receive any and all input from the public. Any person wishing to address the Board, shall, when recognized by the Presiding Officer, step to the rostrum, and give their name to the Board Secretary. All questions of staff or to the committee from the public shall be addressed through the Presiding Officer. Following receipt of public comments, the applicant shall be given the opportunity to respond to comments received. The Presiding Officer may limit the amount of time each person can speak or the number of times a speaker can speak and close public comment restricting further discussion to the Board level unless a majority of the Board wishes to hear other testimony. The Presiding Officer shall close the public hearing.

207.9.4 Board Discussion and Resolution

Following closure of public input, the Board shall debate the item, taking the action it deems desirable by motion. Individual Directors may ask questions of members of the audience through the Presiding Officer but such questions and answers should not become a debate. All other audience input shall be deemed “out of order” by the Presiding Officer unless the Board determines, by majority vote, that additional input is desirable.

207.10 Ex Parte Contact and Disclosure

If a Director talks to or is otherwise contacted by a party in a quasi-judicial matter pending before the Board, that Director must disclose to the Board of Directors that he or she was contacted and disclose the name of the person who contacted them.

207.11 Amendment of Parliamentary Procedure

By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting:

- a) Temporarily suspend these rules in whole or in part,
- b) Amend these rules in whole or in part, or
- c) Both.

208 Minutes of Board Meetings

The Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

208.1 Copies and Storage of Minutes

Copies of said minutes shall be made for distribution to Directors with the agenda for the next regular Board meeting. The official minutes of the regular and special meetings of the Board shall be kept as a permanent record electronically and in a fireproof vault or in fire-resistant, locked cabinets.

208.2 Recording of Meetings

A video and/or audio recording of any meeting of the Board of Directors shall be made and kept as an official record of the District for a period of one year.

208.2.1 Recording Closed Session

Recordings made during closed sessions of the Board are deemed not to be public records.

208.2.2 Storage of Recording Media

The recordings, and other electronic data/information storage shall be stored electronically in appropriate, secure media.

208.3 Motions, Resolutions or Ordinances

Motions, resolutions or ordinances shall be recorded as having passed or failed, and individual votes will be recorded unless the action was unanimous.

208.3.1 Numbering of Resolutions and Ordinances

All resolutions and ordinances adopted by the Board shall be numbered consecutively starting new at the beginning of each calendar year.

208.4 Content of Minutes

The minutes of Board meetings shall be maintained as hereinafter outlined.

208.4.1 Procedural Practice

The following procedural practices shall be maintained:

- a) Date, place and type of each meeting;
- b) Directors present and absent by name;
- c) Call to order;

- d) Arrival of tardy Directors by name;
- e) Pre-adjournment departure of Directors by name, or if absence takes place when any agenda items are acted upon;
- f) Adjournment of the meeting;
- g) Record of written notice of special meetings; and,
- h) Record of items to be considered at special meetings.

208.4.2 Board Actions

The following Board actions shall be maintained:

- a) Approval or amended approval of the minutes of preceding meetings;
- b) Staff reports and other documents presented to the Board regarding information as to each subject of the Board's deliberation;
- c) Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;
- d) All Board resolutions and ordinances in complete context, numbered serially for each calendar year, with any agreements attached as approved;
- e) A record of all contracts entered into which shall be approved by Resolution;
- f) A record of all bid procedures, including calls for bids authorized, bids received, and other action taken;
- g) A record by number of all warrants approved for payment;
- h) Adoption of the annual budget which shall be by Resolution;
- i) Financial reports, including collections received and deposited, payables to be paid, and sales of District property, shall be presented to the Board every quarter;
- j) A record of all important correspondence;
- k) A record of any written staff reports to the Board;
- l) Approval of all policies and Board-adopted regulations; and,
- m) A record of all visitors and delegations appearing before the Board.
- n) A record of all formal written presentation.

209 Conflicts of Policies & Procedures with Statutes or Regulations

If any policy or portion of a policy contained within the District's Policy Manual is in any conflict with the provisions of the Community Services District Law at *Government Code Section 6100 et seq.*, or any other statutes applicable to community services districts, or regulations, then said statutes and/or regulations shall prevail over the policies specified herein.

209.1 Adoption & Amendment of Policies

209.2 Initiating a Policy

The Board of Directors may consider adopting a new policy or amending an existing policy at any regular or special meetings of the Board of Directors. Any Director or General Manager may initiate this action. The proposed new policy or amended policy is initiated by submitting a written draft of the proposed new policy or amended policy to each Director and the General Manager through the District Secretary and requesting that said item be included for consideration on the agenda of a regular or special meeting of the Board of Directors of the District.

209.3 Adopting a Policy

Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require the affirmative vote of three members of the Board of Directors, constituting a majority of the authorized number of members of the Board of Directors of the District.

Copies of the proposed new or amended policy shall be included in the Board agenda packet for any regular or special meetings at which such policy is scheduled to be considered. A copy of the new or amended policy shall be made available to each director for review at the time the entire agenda packet is made available for review, which is no later than 72 hours prior to the regular meeting at which such policies are to be considered for adoption and/or amendment.

210 Board Actions and Decisions

Amended: March 10, 2020

210.1 Board Action

The Board of Directors of the District may take action to adopt a new policy or amend an existing policy at a regular or special meeting of the Board. The Board may take action by minute action, resolution or ordinance. The following procedure will govern the adoption and distribution of resolutions and ordinances. Actions which may be taken by the Board of Directors include but are not limited to the following:

- A. Adoption, amendment, or revision of District policies, procedures or regulations within the subject matter jurisdiction of the District or within the powers and purposes of the District as specified in the Community Services District Law at *Government Code Section 61000 et seq.*, (the “Act”). This includes, but is not limited to, regulations regarding the use of District facilities and delivery of District services to the full extent authorized by the Act;

- B. Adoption of fees, rates, charges, assessments and/or taxes as authorized by the Act;
- C. Approval and/or revision of the District's annual budget;
- D. Approval and/or revision of District expenditures;
- E. Approval, revision and/or rejection of any contracts to be entered into by the District;
- F. Approval and/or rejection of any action which permits the use of District facilities or property including, but not limited to permits, easements, annexation agreements or any other form of entitlement to utilize District property or facilities;
- G. Approve or reject any claim for monetary damages against the District.

210.2 Methods by Which Board Takes Action

The Board may take action by minute action, resolution or ordinance to make a new policy or amend an existing policy. The following procedures will govern the adoption and distribution of minute actions, resolutions and ordinances.

- A. The Board may take action at any properly agenzized meeting of the District Board of Directors pursuant to the Brown Act (*Government Code Section 54956 et seq.*) by utilizing any of the following procedures: (a) by minute action, upon motion of one Board member, seconded by an additional Board member, and duly adopted by a majority vote of the total authorized number of the Board of Directors of the District and recorded in the official Minutes of the Meeting of the Board of Directors of the District; (b) by resolution, after motion, seconded, and a majority vote of the total authorized number of members of the Board, such resolution to constitute a separate document recording the actions taken by the Board and the reasons for such actions, which includes the votes of individual members of the Board on the issue of adoption of the resolution, which is signed by the President of the Board of Directors, and attested and certified by the Secretary of the Board; or (c) by Ordinance, pursuant to the procedures set forth per this policy.
- B. A majority of the members of the Board of Directors may give directions to staff to perform certain action that do not constitute formal action of the Board and do not require the adoption of a formal resolution or ordinance. In such cases the Minutes shall reflect the directions given to staff by a consensus of the majority of the members of the Board. Such direction will usually include a Board directive and instructions to the General Manager.
 - 1. Through discussion with Board members the President of the Board shall determine whether a consensus exist for a particular Board direction to be given to staff. Should there be a dispute among Board members, a voice vote may be

requested and taken among members of the Board regarding the proposed Board Directive to staff.

2. No individual member of the Board of Directors shall have the power to direct staff with respect to any issue.

210.3 Minute Actions

Normally, the Board of Directors of the District conducts its business by minute action. If a Board action requires special documentation, such as setting rates, then the Board uses resolutions and ordinances to document the Board action. To conduct Board business by minute action, the following procedure is used: upon motion of one Board member, seconded by an additional Board member, and duly adopted by a majority vote of the total authorized number of the Board of Directors of the District and recorded in the official Minutes of Meetings of the Board of Directors of the District.

210.4 Board Resolutions

Amended: March 10, 2020, by Resolution 07-2020

- A. The Board will act by Resolution for the adoption of District policies and when entering into contracts which commit the District to a particular course of action or expenditure; for adoption of budgets, budget amendments; conveying or accepting grants of real property or granting easements with respect to District property; placing or releasing liens against real property for delinquent District fees, charges, taxes and/or assessments; granting, revising, or terminating any lease of subject property; granting concession, right of entry, right of use, access permits, or encroachment permits to members of the public with respect to use or access to District real property; adopting rates and charges; and as required by law.
- B. The Board may act by resolution for approval of items determined by the board or General Manager that factual findings in a resolution can improve District transparency and accountability in important actions.
- C. Resolutions may be adopted by the Board of Directors at the meeting in which they are introduced on the agenda. Resolutions which are adopted by the Board of Directors are effective immediately unless otherwise specified.
- D. Any District resolution may be amended or repealed after being properly agendaized.
- E. Resolutions adopted by the Board shall have attached as exhibits and included in the District's Resolution Book any and all agreements, easements, liens, licenses, permits, leases, policy, contract, or document, any and all such items referred to in such resolution which are the subject matter of that particular resolution.

1. All original resolutions shall be signed by the President of the Board of Directors, attested by the Board Secretary, and filed in consecutive, numbered order by year, in the District's Resolution Book.
- F. Any District resolution may be amended or repealed after being properly amended pursuant to the provisions of the Brown Act and after compliance with the same procedure for adopting the resolutions specified in this policy.
- G. Resolutions affecting Real Property
1. Resolutions affecting real property are those Board resolutions documenting action by the Board of Directors conveying or accepting grants of real property with respect to non-District property or granting easements with respect to District property; placing or releasing liens against real property for delinquent District fees, charges, taxes and/or assessments; granting, revising, or terminating any lease of subject property; granting concession, right of entry, right of use, access permits, or encroachment permits to members of the public with respect to use or access to District real property.
 2. Resolutions affecting real property and adopted by the Board shall have attached as exhibits any and all agreements, easements, liens, licenses, permits, leases, which are the subject matter of that particular resolution.
- H. Resolutions Regarding General District Business
- These resolutions may document all other actions taken by the Board of Directors regarding issues within the subject matter jurisdiction of the District that do not involve real property but for which the District desires to provide written, certified evidence of the formal adoption of specified actions by the Board on behalf of the District upon which third parties may rely, such as banks, lessors, finance companies, vendors, contractors, consultants, etc.
1. If such a resolution acts to authorize a specific District policy, contract, or document, any and all such items referred to in such resolution shall be attached to said resolution as an exhibit and retained in the District's Resolution Book.

210.5 Board Ordinances

Any action which the Board of Directors may wish to take which will have the full effect of law and be judicially enforceable as to members of the public such as customers and residents of the District shall be adopted by ordinance. If any Board action will potentially and directly affect members of the public within the District's jurisdiction, then the Board should take such actions by ordinance; otherwise, the Board may take such action by minute action or resolution. Examples of Board actions requiring action by ordinance are the following: (a) the levying and collection of rates, fees and charges with respect to water service including standby

connection fees and standby charges; (b) the levying and collection of rates, fees and charges for sewer service including connection fees and standby charges; (c) the levying and collection of any special taxes; (d) the levying and collection of any assessments, including the Landscaping and Lighting Assessment for park and recreational purposes and/or a fire suppression assessment for fire suppression services; (e) the levying and collection of special taxes pursuant to the Mello-Roos Community Facilities District Act (the “Mello-Roos Act”).

210.6 Procedures for Adoption of Ordinances

The District shall follow the procedures for ordinance passage specified for counties set forth in *Government Code Sections 25120 through 25132* as required by *Section 61060(a)* of the Act. These requirements and procedures include specific timeframes that must be followed for public notice, specific requirements for passage, publication, and recordation of the ordinance; and specific language for the ordinance itself.

A. Title

Each ordinance should have a title for ease of reference and to allow the reading of the entire ordinance to be weighed at the Board meeting at which the ordinance is first introduced.

B. Enacting Clause

All ordinances passed by the Board must use the following enacting clause: “The Board of Directors of the Groveland Community Services District hereby ordains as follows.”

C. Reading of the Ordinance for the Record

All ordinances must be read in full at the time of introduction, which introduction must be by means of being properly agendized pursuant to the Brown Act at a regular meeting of the Board of Directors. Upon the introduction of any ordinance, the Board may, by majority vote, waive the reading of the entire text of the ordinance as introduced, and simply introduce the ordinance by reading the title of the ordinance. Except for an urgency ordinance, no ordinance may be passed at the time of its introduction, nor within five (5) days of its introduction.

D. Adoption of the Ordinance

After introduction at a regular meeting of the Board of Directors, any ordinance may only be adopted at a regular meeting of the Board of Directors in accordance with the following procedures:

1. Publication and Posting Requirements

The District must cause publication and posting of each ordinance at least five (5) days prior to the meeting of the Board at which the proposed ordinance is to be

voted on, which publication shall be in a newspaper of general circulation throughout the District.

- a. Publication of an ordinance may be accomplished by the publication of the entire text of the ordinance, or it may be accomplished with the publication of a summary of the provisions of the ordinance prepared by an official designated by the Board, which summary is approved by the Board prior to certification. In addition a certified copy of the full text of the proposed ordinance must be posted in the District's office at least five (5) days prior to the Board meeting at which the proposed ordinance is to be voted on.
- b. If it is not feasible to prepare a fair and adequate summary of the proposed ordinance, if the Board so orders and approves, a display advertisement of at least one quarter (1/4) page in a newspaper of general circulation within the District shall be published at least five (5) days prior to the Board meeting at which the proposed ordinance is to be voted on, which advertisement shall provide the general nature of and provide information about the ordinance and where to obtain copies.

E. Alteration of the Proposed Ordinance

If an ordinance is altered after its introduction, the ordinance may be passed only after the passage of at least five (5) days from the date of the alteration at either a regular Board meeting or an adjourned regular meeting of the Board. Simple corrections of typographical or clerical errors which do not affect the substance of the ordinance are not considered alterations and are not subject to the 5-day alteration requirement.

F. Votes

All ordinances require at least a majority vote of the total membership of the Board except urgency ordinances which require a four-fifths (4/5) vote of the Board.

G. Recordation of Votes on Ordinances

Upon passage of any ordinance, the votes of the Board members voting for, against, abstaining, or having been absent, shall be entered on the ordinance itself.

H. Effective Date of Ordinance

Ordinances generally become effective on the thirty-first (31st) day after adoption, provided that, before the expiration of fifteen (15) days after passage of an ordinance, the full text or a summary of the ordinance must be published a second time in the format in which it was adopted, in a newspaper of general circulation published throughout the District, with the names of the members of the Board of Directors voting for, against, abstaining, or absent.

If the Board fails to publish the summary or full text of the ordinance as adopted within fifteen (15) days after the date of the adoption, the ordinance will not become effective until thirty (30) days after the eventual date of publication.

I. Urgency Ordinances

Urgency ordinances take effect immediately. However, urgent ordinances must still be published within fifteen (15) days after adoption. The following ordinances take effect immediately.

- a. Ordinances calling or otherwise relating to an election, whether general or special.
- b. Ordinances specifically required by the government code or by any other law to take immediate effect.
- c. Ordinances fixing the amount of money to be raised through special taxes, or the rate of special taxes to be levied.
- d. Ordinances for the immediate preservation of public peace, health or safety, which shall contain a declaration of the facts constituting the urgency and shall be passed by a four-fifths (4/5) vote of the Board.

J. Post Adoption Posting Requirements

Beginning with the date the ordinance is adopted and for at least fifteen (15) days after the passage of the ordinance it must be continuously posted in the form in which it was adopted by the Board in the District's office. Both posting and publication of the ordinance after adoption are necessary for the ordinance to become effective.

K. Record Keeping for Ordinances

After adoption of an ordinance, the original text of the ordinance signed by the President of the Board of Directors and attested by the Board Secretary shall be filed in the District's Ordinance Book together with two (2) proofs of publication evidencing the fact that said ordinance was published both before and after adoption as required by the provisions of this policy.

211 Attendance at Meetings

Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence. A vacancy shall occur if any member ceases to discharge the duty of her/his office for the period of three (3) consecutive months pursuant to Government Code 1770(g), except as authorized by the Board of Directors.

212 Remuneration and Reimbursement

The purpose of this policy is to prescribe the manner in which members of the Board may be reimbursed for expenditures related to District business, and how Directors may be compensated for their service. The District shall adhere to *Government Code Sections 53232 through 53232.4* when dealing with issues of Director remuneration and reimbursement.

212.1 Scope

This policy applies to all members of the Board of Directors, and its provisions regarding expense reimbursement are intended to result in no personal gain or loss to Director.

212.2 Implementation

Whenever District Directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to District business, they shall submit their requests on a reimbursement form approved by the General Manager. Included on the reimbursement form will be an explanation of the District-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

The Finance Officer or the General Manager will review and approve reimbursement requests. Reimbursement requests by the Finance Officer will be reviewed and approved by the General Manager. Reimbursement requests by the General Manager will be reviewed and approved by the Finance Officer.

212.3 Director Compensation

Members of the Board of Directors shall receive a Director's Fee for each "meeting day", with a maximum of six meeting days per month. The fee shall be annually established by the Board concurrent with the adoption of the final budget for the ensuing fiscal year. The Director's Fee shall conform to the accounting and budgeting procedures for special districts as prescribed by applicable law.

In addition to Board meetings, Directors may be compensated for the following: (1) Regular Board meetings; (2) Special Board meetings; (3) advisory or committee body meetings; (4) training and educational seminars or conferences; (5) negotiation sessions; (6) depositions; (7) meetings with District consultants, engineers, or other professionals for the purpose of conducting District business or potential business, (8) meetings of a Joint Powers Authority, Local Agency Formation Commission (LAFCO) or other government body of which the District is a member and the Director has been appointed by the Board as the District representative or alternate; (9) non-District meetings, hearings, legislative processes and similar events related to District business that may occur on a sporadic, unscheduled basis and attendance at which

is requested of the Board member(s) by the General Manager; (10) Any other activity the Board requests in writing that a member attend in advance of attendance. Several meetings may be attended on the same day, but will be considered as only one meeting day.

On the General Manager's request for Board member(s) attendance at non-District meetings, hearings, legislative processes and similar events, the Board President can appoint themselves, a board member or members to attend such meetings and their compensation is to be ratified by the Board at its next meeting. Staff will not reimburse Board members for ceremonial events such as annual festivals where no business is conducted, even if such meeting is noticed.

212.4 Board Members Expenses

Members of the Board of Directors shall be reimbursed for travel, meals, lodging and other reasonable and necessary expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with this Policy and the District's policy on Board Member Training, Education and Conferences/Offsite Non-District Meetings.

Any and all expenses that do not fall within the adopted reimbursement policy or the IRS reimbursable rates are required to be approved by the Board of Directors of the District in a public meeting prior to the expense(s) being incurred. Expenses that do not adhere to the adopted reimbursement policy or the IRS reimbursable rates, and that do not receive prior approval from the Board of Directors of District in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

If travel and lodging is in connection with Item 4 above, or other prior approved event, government or group rates offered by the provider of transportation or lodging shall be used when available. If the published group rate is unavailable, Directors shall be reimbursed for comparable lodging at government or IRS rates.

212.5 Expense Reimbursement Forms

The District shall provide expense reimbursement report forms to Directors who incur reimbursable expenses on behalf of the District to document that their expenses adhere to this policy.

212.5.1 Receipts Required

Receipts are required to be submitted in conjunction with all items listed on the expense report form. Expenses without receipts will not be reimbursed.

Expense reports shall be submitted within a reasonable time, but not more than sixty (60) days, after incurring the expense.

Directors attending functions consistent with Item 4 above, or other prior approved event shall submit reports to District on the meeting(s), in conjunction with the District's Policy on Board member Training, Education, and Conferences/Off Site Non-District Meetings.

212.6 Reimbursement

It is against the law to falsify expense reports. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following: (a) the loss of reimbursement privileges; (b) restitution to the District; (c) civil penalties for misuse of public resources pursuant to *Government Code Section 8314*; and (d) prosecution for misuse of public resources, pursuant to *Section 424* of the Penal Code.

213 Members of the Board of Directors

Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from the General Manager or his/her designee.

213.1 Exchanging Information

Information that is exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

213.2 Courteous Conducts

Directors shall at all times conduct themselves with courtesy and respect to each other, to staff and to members of the audience present at Board meetings. Just as is expected of all employees, Directors need to at all times conduct themselves ethically, with scrupulous regard for the highest standards of conduct and personal integrity. Directors need to conduct business in accordance with the letter, spirit, and intent of all relevant laws, and refrain from any illegal, dishonest, or unethical conduct.

213.3 Discussions

Directors shall defer to the Chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda during the meeting. All comments should be brief and confined to the matter being discussed by the Board.

213.4 Brief Comments into Minutes

Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

213.5 Conflict of Interest

Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities. Potential conflict of interest must be declared by the Director prior to the Board's initiation of discussion on the item. Thereafter, the conflicted Director may not participate in any way, directly or indirectly, in the ensuing discussion and vote.

213.6 Request for Information

Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

213.7 Prohibition against Disclosure of Information Obtained in Closed Session

All documents prepared for and distributed in closed session, and all discussions among Board members and with authorized staff during closed sessions remain confidential pursuant to the terms of the Brown Act. [Cal. Gov. Code 54963]

Likewise, what occurs in a closed session is confidential, and Board members who have participated in such a closed session may not disclose the content of any of the matters discussed. As part of their oath, all Board members have an obligation to protect the confidentiality of information received during a closed session. A disclosure of such information would exceed the scope of his/her respective authority and potentially subject him or her to personal liability, as well as possible criminal penalties.

214 Training, Education and Conferences/Offsite Non-District Meetings

Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Attendance at such educational conferences and professional meetings are considered part of an official's performance of their official duties for the District. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

214.1 "Junkets" are Disallowed

"Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

214.2 Expense Reimbursement

It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training,

educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted. All reimbursements of actual and necessary expenses shall be pursuant to the requirements of this Manual.

214.3 Agreements – Manager’s Approval

The General Manager, or his designee, is responsible for making arrangements for Directors for conference and registration expenses, and for compensation and reimbursement pursuant this Manual.

214.3.1 Per Diem and Expenses

Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the General Manager on a District expense form with all validated receipts attached.

214.4 Approval

Prior to incurring any reimbursable costs related to attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences, the Director shall review and ensure that such event is included in the preauthorized list of available functions as detailed in Exhibit B of this policy.

214.5 Keeping Expenses Minimal

Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the General Manager and by:

- a) Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.
- b) Directors traveling together when-ever feasible and economically beneficial.
- c) Requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.
- d) Utilizing government or group rates when available.

214.6 Prohibitions

A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending re-signation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

214.7 Reports

Upon returning from seminars, work-shops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use by other Directors and staff.

215 Ethics and Harassment Training

All Directors of the District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the Board of Directors and at least once every two years thereafter, pursuant to *Government Code Sections 53234 through 53235.2*. This policy shall also apply to all staff members that the Board of Directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

215.1 Curriculum

All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission.

215.2 Proof of participation

Directors shall obtain proof of participation after completing the ethics training. District staff shall maintain records indicating both the dates that Directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after Directors receive the training, and are public records subject to disclosure under the California Public Records Act.

215.3 Available Training

District staff shall provide the Board of Directors with information on available training that meets the requirements of this policy at least once every year. Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

215.4 Training Required by Board Member Serving on Another Board

Any member of the Board that serves on the Board of another agency is only required to take the training once every two years.

EXHIBIT A – Board Member Relationship Capacity and Process Norms

Objectives

The Board of Directors of GCSD is committed to providing excellence in legislative leadership that results in the provision of the highest quality services and representation to the District's constituents. In order to assist in the government of the behavior between and among members of the Board of Directors, the following guidelines shall be observed:

Board Norms

Adopted: January 8, 2019

Ratified or Updated: December 8, 2020

Capacity Norms

- Hire sufficiently qualified personnel to meet the needs of the District
- Expand education for the Board and staff
- Expect creative decision making
- Maintain a high level of service and responsiveness by adhering to a policy of updating technology and resources
- Ensure a cooperative and open work and Board meeting environment

Process Norms

- Be committed to the mission of the District
- Monitor and respond to the changing needs of the community
- Address and resolve policy issues, and set priorities
- Maintain confidentiality (builds trust)
- Work toward the future - learning from the past

Communication Norms

- Request information through the General Manager
- Be respectful of staff time and priorities when requesting information
- Paraphrase for understanding
- Be accurate and brief
- Actively listen
- Not guess if we aren't certain of the answer
- Understand that we will not know every aspect of daily District operations

EXHIBIT B – Board Meeting and Director Protocol

Adopted January 8, 2019

Ratified December 8, 2020

Placing staff generated items on the agenda

- a) The District’s General Manager places these items on the draft agenda, and the agenda is reviewed by the GM and Board President for final approval.

Placing a Board member item on the agenda

- a) The Board President and GM ultimately decides if the item is appropriate to be placed on the agenda and if so, when. If it is decided that the item is not appropriate to be placed on the agenda, the Director may take the issue up with the full Board wherein the Board by consensus may direct the GM to place the item on a future agenda for discussion.

Placing a public item on the agenda

- a) The Board President and GM ultimately decides if the item is appropriate to be placed on the agenda and if so, when. If it is decided that the item is not appropriate to be placed on the agenda, the public member may take the issue up with the full Board in Public Comment wherein the Board by consensus may direct the GM to place the item on a future agenda for discussion.

Standard Agenda Action Item Wording

- a) The Board agreed to add a “Discussion and Action Items” section to the agenda with clear wording provided on the anticipated action to be taken by the Board.

Structure and order of agenda

- a) The Board agreed to the following:
 - i) Approve the Order of the Agenda
 - ii) Public Comment
 - iii) Information Items/Staff Reports
 - iv) Consent Calendar
 - v) Old Business/Continued Business
 - vi) Discussion and Action Items
 - vii) Adjournment
- b) The Board also agreed to provide for “fixed time” agenda items to allow for items to be considered at a specific time under certain circumstances. The Board recommends that interested members of the public show up at the beginning of

the meeting as the exact time an item will be heard on the agenda cannot be guaranteed.

Use of Consent Calendar

- a) The Board agreed to use the Consent Calendar to approve minutes, payables, waive reading of Ordinances and Resolutions except by title and other non- controversial items as determined appropriate for effective meeting time management by the GM and Board President.

Board agenda packet content, preparation and distribution

- a) The Board agreed that the goal is to receive the agenda packet by the Friday before the meeting at the latest. The Board would further like to retain receiving the agenda and packet via paper and email copy for the time being with the potential of going fully paperless in the future.

Getting questions answered about agenda items prior to meeting

- a) The Board agreed to continue to seek answers to questions from the GM or Board Secretary as appropriate and needed; in advance of Board meetings.

Scheduling Board workshops or study sessions

- a) The Board agreed to scheduling special/workshop meetings for items that will garner public interest and/or require broad public input, taking into account best day, time, and location appropriate when scheduling.

Agenda items heard in committee prior to placement on agenda

- a) Board agreed that normally agenda items do not need to be reviewed by a committee prior to being placed on a meeting agenda.

Detail and content of Board meeting minutes

- a) The Board agreed that the practice of having the District Secretary transcribe portions of the meeting minutes to include a summary of what was said, in addition to the actions taken put the District at risk of liability by permanently maintaining potentially inaccurate and irrelevant information. Preparing summary Minutes further put the Secretary in the position of determining what statements or portions thereof were important and unimportant to include; and to understand and frame the issues from the perspective of the speaker.
 - i) The Board agreed to follow the existing policy and to have the minutes reflect only the actions taken by the Board.

Board Meeting Conduct

Board room layout

- a) The Board agreed to rearrange the Board table to move the president to the middle, in an L shape.

Board meeting length

- a) The Board agreed to try and keep the Board meetings to a 3 hour maximum.

Board meeting date and time

- a) The Board agreed to change the Board meeting date and time to the second Wednesday of the month at 9:00am.

Role of the president

- The Board agreed that the President presides over meetings, works with the GM in establishing the final agenda, and has no more authority than other Directors, beside chairing responsibility/duty.

Public Input at Board Meetings and Board expectation of response to public comments

- a) The Board developed the following procedure regarding all public comment:

PUBLIC COMMENT (NON-AGENDA ITEMS)

Three Minutes Per Speaker

- Board President will open Public Comment and explain its purpose
- The Board cannot have discussion or debate with those commenting or asking questions (except for clarification)
- Public Comments that require lengthy discussion or where answers are requested:
 - Simple “Yes or No” type factual answers may be given by the President or General Manager
 - The issue may be referred to Board President and GM to discuss for future agenda
- The Board President will formally close public comment

**The GM may briefly address questions from public comment in the (informational) staff report agenda item later in the meeting.

INFORMATIONAL REPORTS

(General Manager, Fire, Operations and Administration)

Provided for transparency purposes; to inform the Board and public with updates on critical projects, timely issues, legislation and other matters not requiring immediate Board action

- Board and Public Comments are taken on Reports at the conclusion of each staff report
- Staff may respond to questions with brief clarification
- No Board discussion or deliberation will be conducted for items discussed in reports
 - Report topics are not specifically listed on the agenda with enough detail for Board discussion

BOARD PRESIDENT STATEMENT PRIOR TO AGENDA ACTION ITEMS

- The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment will be received on each individual agenda item listed below, prior to Board action.
- At the conclusion of a public comment on an agenda item, the President may ask a speaker a question for clarification if necessary, and may ask staff to respond to issues or questions raised. Responses will be polite, respectful, and factual.
- If Board members want to respond to public comments or questions on agenda action items, I ask that you wait until after staff has provided the factual responses, and do so in the course of deliberation on the decision.

ITEMS LISTED ON THE AGENDA

- Board President Introduces the Agenda Item
- Staff Report is Provided
- Board President may seek Initial Board Input or Thoughts to Ensure Clarity
- Board initial deliberation; motion/second
- Open and Receive Public Comment or questions on the Agenda Item and Motion
- Board President will Close Public Comment
- Staff will Provide Answers to Public Questions Raised if Directed by the Board President
- Board final Deliberation and Vote

Board member reports during meetings

- a) The Board agreed to potentially amend the Board Policy and agenda format to include a section regarding Board member reports, with the understanding that there will be established time limits and that there shall be no criticism of other Board members or staff members during such reports.

Staff reports to the Board at meetings

- a) The Board agreed that brief reports on staff actions and activities was important and should be provided in writing for the Board meeting when possible.

Rules of Order of Board meetings

- a) The Board agreed that it will continue to use a flexible rule of order at this time.

Tabling agenda items

- a) The Board agreed that Board meetings take much preparation time and time/effort for public attendance. Considering this, the Board will strive to act on all agenda items and try to avoid tabling items if at all possible; but to use when needed as determined by a vote of the Board.

COMMITTEES OF THE BOARD

The Board ultimately decided to eliminate all standing committees until such time as formation was deemed needed and appropriate, and that each committee would have a clear task/goal and time frame at the time of formation. The Board agreed that the following will be determined at the time a committee is formed:

- Role and authority of the committee formed
- Committee procedure - recommendations versus voting
- Preparation and distribution of committee agendas
- Verbal committee reports to the Board in meeting, or (Written) committee meeting report, preparation, dissemination

BOARD MEMBER CONDUCT AND RELATIONS IN WITH COMMUNITY

Board would like to potentially create policy regarding the election of Board officers annually.

Expectations of Board member representation of the District in public/meetings

- a) The Board agreed that Directors will not make comments that tend to discredit the District or its employees
- b) The Board agreed and possible policy implementation “that Board members make it clear what is their personal opinion, and what the opinion of the Board as a whole. It was also agreed that Board member’s will make statements that although they may not have voted a particular way on an issue, that they support the Board’s decision.

Communication with the media – contact person/training

- a) The Board agreed that this communication will be left as sole responsibility of the GM, and that Board members may only confirm facts or statements they made are accurate. Possible policy creation in the future if needed.

Board member attendance at local functions and other agency meetings

- a) The Board agreed that there was no concern with Board member attendance and participation, knowing that they must state that they are attending as a non-Board member, unless approved otherwise by the Board.

Board member attendance of industry conferences

- a) The Board agreed to strongly encourage Board member attendance to include the CSDA Leadership Academy and Annual Conference, with a goal of sending 1 to 2 directors annually.

Board training expectations

- a) The Board agreed that Ethics and Harassment training are mandatory and must be kept current, and that attendance at industry training and conferences is encouraged and supported. The District will budget for Director attendance at training functions.

District recognition for good governance

- a) The Board agreed that it would like to achieve the CSDA District of Distinction Designation and Transparency Certifications

COMMUNICATION EXPECTATIONS

Management and content of district website

- a) The Board agreed that it would like to see more frequent updates to add new relevant items and to remove older non-relevant items.

Information to public related to budgets, policies, projects

- a) The Board requested that such current information be available on the website with simple descriptions and links for more information

How much does the Board want to know and how should it be distributed?

- a) Legislation
 - i) Through signing up on CSDA or in a GM report if needed
- b) Other Board member requests for info

- i) The Board would like to be provided information that is requested and provided to an individual director
- c) Awards, certifications, accomplishments, cost savings, start and end of projects, milestones, etc
 - i) To be presented in reports at Board meetings

How ideas are brought up

- a) Ideas are to be presented to the General Manager, who can present them in meeting reports as appropriate

Handling complaints or comments from the public outside of meetings

- a) The Board agreed that public complaints or concerns should be routed through the GM, who will bring to the Board as needed.

Handling complaints from staff

- a) The Board agreed these would be handled by the GM or through the use of outside consultants if related to the GM.

Individual director requests for action during meeting - Clear direction to staff

- a) The Board agreed that it would clarify the request and seek consensus of the Board prior to providing the GM direction

GM to Board communication

- a) The Board agreed that meeting reports and agenda items should be adequate communication from the GM to the Board. The GM may generate memos or emails to communicate items of critical, immediate importance to the Board, with the understanding that there shall be no Board reply unless at a meeting

Board member to staff communication outside of meetings

- a) The Board acknowledged that direct communication with staff members below the GM can be misconstrued, but is certainly not prohibited

Arranging and conducting Board member site visits

- a) The Board agreed that site visits are a beneficial component of the orientation process and should be arranged by the GM for each new director or directors. Site visits by individual Board members are to be coordinated through the GM.

Document management, confidential

- a) The Board agreed that it would return all confidential documentation to the GM or Board Secretary for handling. The Board further agreed that no confidential information will ever be disclosed in any manner.

SECTION 300 PUBLIC RECORDS POLICY

301.1 Purpose and Scope of Policy

This policy sets forth the guidelines for requesting access to inspect and/or obtain copies of public records maintained by the District.

Generally, the Public Records Act (the “Act”) found at *Government Code Section 7921 et seq.*, requires that the records the District generates in its work be open to public inspection and that copies be made at cost and on request. The Act is based upon state policy that access to government information is a fundamental and necessary right of every person in this state. The Act provides that certain information must be withheld from public inspection in order to protect personal privacy, allow local governments to negotiate effectively, and to obtain confidential legal advice. Accordingly, the Act specifies exemptions to the duty of the District to make public records available for inspection and copying by the public.

This policy recognizes that determinations regarding disclosure and nondisclosure of District records must be made with care since both failure to disclose public records in accordance with the Act and improper disclosure of records in violation of constitutional privacy rights may both be a basis for District liability. The purpose of this policy is to provide guidelines to District staff to determine whether the disclosure or nondisclosure of requested District records is appropriate under the Act and the proper procedure for responding to such requests from the public. In general, compliance with the Act requires the District to balance the public’s right to know how its local government is operating and the protection of individual privacy rights.

301.2 Definition of “Public Record”

A District public record consists of any writing containing information relating to the conduct of the public’s business, whether handwritten, printed, photocopied, photographed, electronic mail, facsimile, video, film, audio tapes, and any other form of communication or representation, prepared, owned, used or retained by the District in the ordinary course of its business.

The Act only requires disclosure of existing, reasonably identifiable records. The District does not have a duty under the Act to comply with requests that prospectively seek records that do

not yet exist, or to compile new information, data, or create new reports or records in order to respond to information requests from members of the public.

301.3 Duties of District in Responding to Request for Public Records

A. Determination of Records Available for Inspection

District records which must be disclosed under the Act are available for public inspection by members of the public at any time during business hours. Any request for public records to the District must be made in writing and submitted in person, or by mail or e-mail. Persons interested in reviewing or obtaining copies of District records are encouraged to make a file review appointment in advance.

Appointments are not mandatory, but they will help the District facilitate production of the records requested. At the time of the appointment those records which the District has identified as responsive to the request will be made available for review by the requester in the file review area of the office.

Since it is a crime to steal, remove, destroy, mutilate, deface, alter, or falsify District records, in some cases District staff may be assigned to observe the file review process in order to protect the integrity of District records.

The Act provides that the District may, upon a request for inspection of District records, investigate whether the request, in whole or in part, seeks copies of disclosable public records in possession of the District that are exempt from public disclosure pursuant to the terms of the Act. The Act provides the District a period of ten (10) calendar days from the date of the written request to inspect the records to make this determination. The District will respond in writing within ten (10) calendar days of receiving the request whether and to what extent it will provide access to the records requested and, if not, the exemptions under the Act which preclude the District from disclosing the requested records.

If a portion of a District record is exempt from disclosure under the Act, the District will “redact” or edit the document to protect the confidential material, while making any reasonably segregable portion of the document which is not exempt from disclosure available to the requester.

1. Assistance to Requester

The District will assist members of the public in obtaining access to District records by helping requesters identify records which are responsive to their request, including providing the location in which records are stored, or providing suggestions such as how to narrow a request to make it possible for the District to meet the request without undue burden on the requester. As an alternative to such assistance, the District may provide an index of its records to the requester to assist the requester.

B. Responding to Requests for Copies of District Records

The District will provide copies of District records on request and will charge its direct costs of duplication, which costs do not include staff time to locate or retrieve records or to make copies. Requests to receive a record electronically will only be granted if the requested record exists in an electronic format at the time the request is made and will be limited to two (2) pages. Subsequent record pages must be obtained via paper hard copy and will be subject to duplication costs.

A request for copies of District records will be satisfied promptly, but in some cases the District may reserve its rights to determine the extent to which it is in possession of records responsive to the request and the extent to which such records may be exempt from disclosure to the public under the Act. The District will make this determination within ten (10) calendar days of receiving a written request for copies of District records. In unusual circumstances the District may, by written notice to the requester, extend its time to respond to the request and specify any applicable exemptions from disclosure for up to fourteen (14) additional calendar days under the following circumstances:

1. The need to search for and collect the requested records from facilities separate from the District's office;
2. The need to search for, collect and examine a voluminous amount of separate and distinct records that are demanded in a single request;
3. The need for consultation with District Legal Counsel as to whether the Act permits disclosure of the records requested.

Such written notice will set forth the reasons for the extension and the date on which the determination is expected to be finalized and the date when those records which are determined to be disclosable will be made available.

If any District records are found to be exempt from disclosure, the District will notify the requester in writing within the timeframes specified herein of those requested records which are deemed to be exempt from disclosure, and the basis of such exemption. This notice shall contain the names and titles of those persons responsible for the denial.

In those cases involving requests for voluminous records, the District retains the option to send its records to a copy service for copying, rather than copying them in the District office. The District will require the requester to pay the copy service's charges to the District before receiving copies of the requested documents from the District. The District will also permit members of the public to arrange for a bonded copy service to come to the District office to make copies of requested documents on their behalf. The District encourages requesters to make advance arrangements with the District in retaining copy service companies to come to the District office to make copies on their behalf.

301.4 Providing Copies of Board Agenda Documents

Copies of agendas as supporting materials for regular and special meetings of the Board distributed to a majority of the Board of Directors shall be made available to the public at the same time as such documents are made available to members of the Board of Directors. However, certain documents contained within the agenda supporting documentation that are confidential and privileged as a result of the attorney-client privilege, or other applicable privileges, will not be distributed to the public as those documents are exempt from disclosure under the Act. A limited quantity of agendas together with non-privileged supporting documentation will be copied in advance of each meeting and made available to the public in attendance at the meeting at no charge. Individuals requesting copies of the agenda and supporting documentation for any regular or special board meeting prior to the board meeting will be charged the then current copying charge. Copies of agendas and supporting documentation for Board meetings, upon payment of the applicable copying charge, will be available to the requester no earlier than seventy-two (72) hours before any regular meeting of the Board, and twenty-four (24) hours before any special meeting of the Board.

301.5 Copying Charges

Individuals requesting copies of District documents that are not privileged or otherwise exempt under the Act will be charged at the then current copying charge as indicated in the Fee Schedule for Copying of Public Documents. Said fees shall be paid to the District prior to the District's delivery of the requested records to the requester.

301.6 District Records Exempt from Disclosure Under the Act

The Act provides that certain information must be withheld from public inspection in order to protect personal privacy, to allow the District to negotiate effectively with respect to labor negotiations and real estate negotiations, or to obtain confidential legal advice. Therefore, the Act specifies various categories of exempt records which the District is not obligated to make available to the public. The Act lists many such exemptions which may be applicable to a

specific request for District records which are too numerous to specify in this policy but are listed at *Government Code Section 7930.105 through 7930.215*.

In addition to these specific exemptions in the Act, the Act also provides that the District shall not disclose any District record when the facts of the particular case demonstrate that the privacy interests served by not disclosing the record clearly outweigh the public interest served by disclosure of the record.

Examples of the exemptions commonly applicable to District records are as follows:

- A. Preliminary drafts, notes, or inter-agency or intra-agency memos that are not retained by the District in the ordinary course of business.
- B. Records pertaining to pending litigation involving the District or to claims filed against the District for monetary damages.
- C. Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.
- D. Any record which is privileged under any other law including attorney-client communications, attorney work-product, and patient-physician communications.
- E. Additional privileged information includes the official information privilege which makes confidential information acquired in confidence by any District employee in the course of his or her duties performed on behalf of the District.
- F. The deliberative process privilege which protects communications between agency decision makers before decisions are made to protect information the disclosure of which could reveal the thought processes of government officials and discourage candid discussion within the District and thereby undermine its ability to perform its functions.
- G. Real estate appraisals and engineering or feasibility estimates and evaluations relative to the acquisition of property, or to prospective public supply and construction contracts.
- H. Security assessments that assess the District's vulnerability to terrorist attack or other criminal attacks intended to disrupt the District's operations and that is for distribution or consideration in a closed session.
- I. Utility customer data including the name, credit history, utility usage data, home address, telephone, or any other private information regarding utility customers of the District, except as authorized by the customer, required by another governmental agency or court order, or if determined necessary by the District because the customer has violated the District's utility usage policies in his or her use of utility services.
- J. Financial data filed with the District by a contractor, developer, or any other person which is required to establish that that person is qualified for the contract, license, permit, or entitlement being sought.

301.7 E-mail as a Public Record

The District recognizes that e-mail generates correspondence and other documentation which may be recognized as official District records in need of protection and/or retention in accordance with the Act. The e-mail system is intended as a medium of communication, and should not be used for electronic storage or maintenance of documentation including, but not limited to, official District records.

Three types of e-mail messages constitute District records as follows:

- A. E- mail between the District and the public created or received in connection with official District business;
- B. E-mail that documents the formulation and implementation of policies and decisions; and
- C. Messages that initiate, authorize or complete a transaction of official District business. If an e-mail message including any attachments thereto falls into any of these three categories, such e- mails constitute official District records which should be printed as a hard copy and filed and retained in accordance with the District's records retention policies. Generally, the District employee or official who is the sender of the e-mail should be the person responsible for printing and filing it, but persons responsible for a particular program or project file shall be responsible for retaining all e-mail which constitutes District documents that are sent or received related to that program or project. Any e-mail communication that does not fall within one of the three enumerated categories shall be deleted once they are no longer needed. Individual employees are responsible for deleting e-mails in their respective mailboxes which do not constitute District records as specified in this policy.

It is the responsibility of individual District employees and their department heads to determine if an e- mail is an official District record that must be retained in accordance with the District's record retention policy. The Board Secretary will assist staff in making such a determination. District staff should keep in mind, however, that preliminary drafts, notes, or inter-agency or intra-agency memoranda in the form of e-mail that are not retained by the District in the ordinary course of District business are not considered to be official District records subject to disclosure. Employees are encouraged to delete e- mail documents that are not otherwise required to be kept by law or whose preservation is not necessary or convenient to the discharge of their duties or the conduct of District business.

Periodically the District receives requests for inspection of production of documents pursuant to the Act, as well as demand by subpoena or court order for such documents. In the event such a request or demand is made for e-mail, the employees having control over such e-mail, once they become aware of the request or demand, shall use their best efforts, by any reasonable means available, to temporarily preserve any e-mail that is in existence until it is determined whether such e-mail is subject to preservation, public inspection or disclosure. The General Manager shall be contacted regarding any such e-mails within a District employee's control.

302 Records Retention

302.1 Purpose

The purpose of this policy is to: 1) provide guidelines to staff regarding the retention or disposal of public records of the District; 2) provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; 3) ensure prompt and accurate retrieval of records; and 4) ensure compliance with legal and regulatory requirements. This section also provides the District's intent as to document management, storage, and backup.

The District's records management system is designed to apply efficient and economical management methods to the creation, utilization, maintenance, retention, preservation and disposal of District records with the goal of ensuring that records are kept only as long as they have some administrative, fiscal, historic, or legal value to the District. Records of the District should not be retained "just in case" if they have no administrative, fiscal, historic, or legal utility to the District. When records of the District no longer fulfill the value for which they were created, they should be destroyed unless they also have some historic or research significance. If that is the case, the records should be preserved by an appropriate historical agency.

302.2 Scope of Retention Policy

This policy shall apply to all public records of the District. "Public Records" are defined as any writing containing information relating to conduct of the public's business prepared, owned, used, or retained by the District in the course of its business, regardless of physical form or characteristics. Therefore, Public Records include any handwriting, typewriting, printing, facsimiles, photographs, photocopies, electronic mail, film, audio tape, and any other means of recording containing information including words, pictures, sounds, symbols, or combinations thereof. A listing of records deemed to be official by the District is contained in this policy—Categories of District Records and Record Retention Schedule.

302.3 Authorization

The General Manager is authorized by the Board of Directors to interpret and implement this policy, including but not limited to determining which Public Records should be included in each category of records under this policy; appraising the utility to the District of various categories of Public Records; identifying vital and/or confidential records; and establishing reasonable retention periods for various categories of Public Records.

302.4 Records Retention Schedule Principles

Pursuant to the provisions of *California Government Code Sections 60200 through 60203*, *California Government Code § 61061(c)*, and the Local Government Records Management Guidelines prepared by the Secretary of State, the following principles will govern the retention, management and disposal of Public Records of the District.

A. Inventory of Records

The General Manager shall cause a records inventory of the District's records to be conducted. The inventory shall describe the type of records, volume of each type of records, where the records are kept, and how the records are used. The following information should be obtained during any inventory of District records:

1. Prepare a list of categories of records with each category consisting of a group of similar records kept together as a unit either because they deal with a particular subject (budget, personnel, etc.) or result from the same activity (property assessments, utility bills, etc.) or have a special form (maps, blueprints, etc.);
2. Determine the period of years covered by each category of records;
3. Determine the activity level for each category of records in order to determine whether the records need to be stored in the office or at a remote location; and
4. Note the volume of records in each category. The list of categories of records utilized by the District is within District Records and Record Retention Schedule.

B. Appraisal of Utility Records

After completion of the records inventory, each category of records shall be appraised for their utility and value to the District. The records appraisal will:

1. Identify vital records that are permanent and may not be destroyed or disposed of pursuant to law;
2. Identify records with historic and/or research value;
3. Identify records that can be destroyed immediately because they have no administrative, fiscal, historic or legal utility to the District; and
4. Identify records that should be transferred to low-cost storage.

C. Establishment of Retention Period

Establish reasonable retention periods for each category of records based upon the immediate and future usefulness of each category of records to the District. Retention periods should be assigned to records based on the principle that records should be retained only as long as they serve the immediate administrative, fiscal, historic and/or legal purpose for which they were created, and that such categories of records should be disposed of when they no longer serve such purposes. The Records Retention Schedule listing the Categories of District Records and the retention periods assigned to each such Category of District Records is within the Categories of District Records and Record Retention Schedule.

D. Disposal of Records

The General Manager shall ensure that records are disposed of as soon as possible after fulfilling their respective administrative, fiscal, historic or legal function in accordance with the retention period for each Category of Records specified in the District's Record Retention Schedule. Such disposition of records shall occur periodically at the discretion of the General Manager. Disposition may include recycling or destroying unneeded records, or sending appropriate records of historical or research value to an archival facility.

The District's Record Retention Schedule, consisting of the Categories of Records and the retention periods assigned to each Category of Records, is within the Categories of District Records and Record Retention Schedule. The Records Retention Schedule shall be periodically evaluated by the General Manager.

302.5 Permanent Records

Pursuant to the provisions of *Government Code Section 60201*, the District may not destroy or dispose of any record that is any of the following:

- A. Any document relating to formation, change of organization, including annexations and/or detachments, or reorganization of the District;
- B. An ordinance adopted by the District. However, an ordinance that has been repealed or is otherwise invalid or unenforceable may be destroyed or disposed of five (5) years after it was repealed or became invalid or unenforceable;
- C. Minutes of any meeting of the Board of Directors of District;
- D. Any record relating to any pending claim or litigation, including any settlement, judgment, arbitration award or other disposition of litigation within the past two (2) years;
- E. Any record which is the subject of any pending Public Records Act request made pursuant to the California Public Records Act at Government Code § 7921 *et seq.*, until

either: 1) request for production has been granted; or 2) two years have elapsed since the District provided written notice to the requester that his or her request has been denied;

- F. Any record relating to any pending construction that the District has not accepted, or as to which a stop notice claim legally may be presented;
- G. Any document relating to any non-discharged debt of the District;
- H. Any document relating to the title for real property in which the District may have an interest, including but not limited to deeds, easements, right of entry agreements and leases;
- I. Any document relating to any non-discharged contract to which the District is a party;
- J. Any document that constitutes an unaccepted bid or proposal for the construction of installation of any building, structure or public work which is less than two years old;
- K. Any document which specifies the following:
 - 1. The amount of compensation paid to District employees, or members of the Board of Directors or independent contractors providing personal and professional services to the District;
 - 2. Relates to expense reimbursement to District employees or members of the Board of Directors, or to the use of District paid credit cards, or to any travel compensation mechanism utilized by the District;
 - 3. Notwithstanding the foregoing, Government Code § 60201 provides that any record described in Paragraphs (1) and (2) above may be destroyed or disposed of no earlier than seven (7) years after the date of payment to which the record relates.

SECTION 400 PERSONNEL POLICY DOCUMENTS

401 Employment

401.1 Nature of Employment

This Handbook is intended to provide employees with a general understanding of our personnel policies. Employees are required to familiarize themselves with the contents of this Handbook, for it will answer many common questions concerning employment with GCSD and it sets forth workplace rules and expectations applicable to all employees.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create a guarantee or expectation of continued employment, the establishment of any additional rights, nor contractual obligations of any kind. Neither the employee nor GCSD, after following legally prescribed due process procedures or the procedures set forth in the applicable Memorandum

of Understanding, is bound to continue the employment relationship if either chooses to end the relationship at any time.

401.2 Management's Rights

The District retains the sole and exclusive right to manage its business and its operation, to direct and evaluate its workforce as it sees fit, and it retains all rights and authority which ordinarily vest in, and have been exercised by the District, subject to the provisions of the Memorandum of Understanding (MOU) and/or applicable law. The District's exclusive rights, which are not subject to meet and confer include, but are not limited to:

- Determine the District's mission, vision, values, strategic and capital improvement plans
- Set standards and level of service, as well as the types and extent of services provided
- Establish, modify, and enforce rules of conduct
- Determine standards and procedures for hiring employees
- Determine size and composition of the workforce
- Alter, combine, or eliminate any job, operation, service, or department
- Administer employee training
- Determine standards and procedures for promotion of employees and promoting employees
- Direct employees and assign work on a day-to-day basis, direct the work force, and schedule work
- Create efficiency in District operations
- Determine the means and methods to be used to achieve standards and levels of service
- Determine the numbers, skill-types, and organization of the District's workforce
- Determine job classifications and descriptions
- Determine means and methods to finance District operations
- Determine facilities, technology, and equipment used by the District
- Establish performance standards, evaluations, and improvement plans
- Transfer employees
- Lay off employees
- Discharge and discipline employees and enforce workplace rules and standards
- Determine whether an employee passes their probationary periods
- Take all lawful necessary actions to fulfill its mission during an emergency
- All other powers inherent to employers unless explicitly abridged.

401.3 Employee Relations

GCSD believes that the working conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. GCSD has an open-door management policy and employees are strongly encouraged to address any concerns they may have about working conditions or compensation openly and directly with their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes remain positive. We believe that GCSD amply demonstrates its commitment to employees by responding effectively to employee concerns.

As some employees in GCSD have already chosen third party representation, we affirm our commitment to retaining positive relationships with all existing bargaining units.

401.4 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at GCSD will be based on merit, qualifications, and abilities. GCSD does not discriminate in employment opportunities or practices on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding or related medical conditions), gender, gender identify, gender expression, age, sexual orientation, military status, veteran status, or any other status protected by local, state, or federal laws.

Consistent with the law, GCSD will make reasonable accommodations for qualified individuals with known disabilities, for pregnant employees who request an accommodation for pregnancy, childbirth, or related medical conditions, for employees who are victims of domestic violence, sexual assault, or stalking; and for applicants and employees based on their religious beliefs and practices, unless doing so would result in an undue hardship under the applicable laws. Employees needing accommodation (such as modified work duties, a modified schedule, modified practices or policies, etc.) should contact Personnel Services per this policy.

GCSD prohibits retaliation against a person who reports or assists in reporting suspected violations of this policy, cooperates in investigations or proceedings arising from a violation of this policy, or engages in other activities protected under this policy.

This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or Personnel Services. Employees can raise concerns and make reports without fear of reprisal.

Any employee found to be engaging in any type of unlawful discrimination, retaliation, or harassment will be subject to disciplinary action, up to and including termination of employment.

For information about conduct that constitutes impermissible harassment, discrimination, or retaliation, or for information about GCSD's internal procedures for addressing complaints, or for information concerning the appropriate state and federal agencies' complaint procedures and contact information, please refer to the "Policy Against Harassment, Discrimination, and Retaliation" in this Handbook.

401.5 Disability Accommodation

GCSD is committed to complying fully with the Americans with Disabilities Act (ADA) and California's Fair Employment and Housing Act (FEHA) and ensuring equal opportunity in employment for qualified persons with disabilities as required by such laws. All employment practices and activities are conducted on a non-discriminatory basis.

GCSD hiring procedures are intended to provide persons with disabilities meaningful employment opportunities and accommodation in the application process is available upon request. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential functions of the job, with or without reasonable accommodation, as permitted by law.

Post-offer medical examinations and drug screen are required for all new employees. For persons with disabilities, these medical examinations are required only for those positions in which there is a bona fide job-related physical requirement as permitted by law. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

GCSD is committed to satisfying its legal obligations to provide reasonable accommodation for applicants and employees. Employees who are not eligible for Medical Leave or who have exhausted their Medical Leave may request an unpaid leave of absence as a possible reasonable accommodation.

GCSD is also committed to avoiding discrimination against any qualified employee or applicant because he/she is related to or associated with a person with a disability. An applicant or employee who believes he or she may require a reasonable accommodation should direct the request to Personnel Services.

This policy is neither exhaustive nor exclusive. GCSD is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA, FEHA, and all other applicable federal, state, and local laws.

401.6 Business Ethics and Conduct

The successful business operation and reputation of GCSD is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of GCSD is dependent upon our customers' trust, and we are dedicated to preserving that trust. Employees owe a duty to GCSD and its customers to act in a way that will merit the continued trust and confidence of the public.

GCSD will comply with all applicable laws and regulations and expects its directors, managers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, then the matter should be discussed openly with your immediate supervisor and, if necessary, with the General Manager for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every GCSD employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

401.7 Internal Conflicts of Interest

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism or perceived favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships and negatively affect GCSD's business operations.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Employees may not occupy a position that will be working directly for their relative nor may they supervise their relative. Employees who are in a romantic or dating relationship are strictly prohibited from being in a direct supervisory relationship with one another. This includes situations where one partner has the authority to influence the other's terms and conditions of

employment, such as hiring, performance evaluations, promotions, or disciplinary actions.

The District reserves the right to take prompt and appropriate action, up to and including reassignment or separation of employment, if such a relationship is discovered or disclosed, in order to prevent actual or perceived conflicts of interest and maintain a professional work environment.

If a relative or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position (if available). If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment. Employees must notify their supervisors if they are supervising a family member or being supervised by a family member, or if they believe an actual or potential conflict has developed.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees or because of the relationship between an employee, competitor, supplier, or customer, even if there is no line of authority or reporting involved, the employee(s) may be separated from such (potential) conflict by reassignment or termination from employment. Employees in a close personal relationship shall refrain from public workplace displays of affection or excessive personal conversation.

Employees who are in a dating relationship will be required to sign a Consensual Relationship Agreement.

401.8 External Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which GCSD wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact Personnel Services or the General Manager for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when the employee's loyalties or actions are divided between GCSD's interests and those of another, such as a competitor, supplier, or customer. For example, a conflict would exist when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of GCSD's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Both the fact and the appearance of a conflict of interest should be avoided. Employees who are unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with their immediate supervisor or the General Manager for clarification.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the General Manager as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which GCSD does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving GCSD. While it is not feasible to describe all possible conflicts of interest that could develop, some of the more common conflicts that employees should avoid include the following:

1. Accepting personal gifts or entertainment from competitors, customers, suppliers, or potential suppliers;
2. Working for a competitor, supplier or customer (See policy on "Outside Employment");
3. Engaging in self-employment in competition with GCSD;
4. Using proprietary or confidential GCSD information, such as trade secrets, for personal gain or to GCSD's detriment;
5. Having a direct or indirect financial interest in or relationship with a competitor, customer, or supplier;
6. Using GCSD property or labor for personal use;
7. Acquiring any interest in property or assets of any kind for the purpose of selling or leasing it to GCSD;
8. Committing or purporting to commit GCSD to give its financial or other support to any outside activity or organization;
9. Developing a personal relationship with a subordinate employee of GCSD or with an employee of a competitor, supplier, or customer that might interfere with the exercise of impartial judgment in decisions affecting GCSD or any of its employees per this policy.

401.9 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required.

After an offer has been made to an applicant entering a designated job category and prior to the commencement of employment duties, a medical examination that is job-related and consistent with business necessity will be performed at GCSD's expense by a health professional of GCSD's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be scheduled at reasonable times and performed at GCSD's expense.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know or when legally required.

401.10 Immigration Law Compliance

GCSD is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present unexpired documentation establishing identity and employment eligibility on their first day of employment. Former employees who are rehired must also complete the form if they have not completed an I-9 with GCSD within the past three years or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Personnel Services. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

401.11 Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their job with GCSD. All employees will be judged by the same performance standards and will be subject to GCSD's scheduling demands, regardless of any existing outside work requirements.

If GCSD determines that an employee's outside work interferes with performance or the ability to meet the requirements of GCSD as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with GCSD.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals or entities outside GCSD for materials produced or services rendered while performing their jobs at GCSD.

401.12 Confidential Information/Non-Disclosure

The protection of confidential information is vital to the security of GCSD's facilities. The term “confidential information” means all information, not publicly known, belonging to, or otherwise relating to the business of GCSD or its clients, customers, suppliers, vendors, affiliates or partners, regardless of the media or manner in which it is stored or conveyed, that GCSD has taken reasonable steps to protect from unauthorized use or disclosure. Such confidential information includes, but is not limited to, the following examples:

- Detailed information regarding treatment processes and delivery methods for water and wastewater infrastructure,
- Personnel records,
- Customer account and contact records,
- Items deemed by legal counsel to be privileged and confidential,
- Fire & Rescue incident reports or any portion thereof considered to be confidential

Avoiding loss or theft of confidential information is an important part of each employee’s job. Accordingly employees must observe good security practices. Employees are expected to keep confidential information secure from outside visitors and all other persons who do not have a legitimate reason to see or use such information. Employees are not to remove confidential information or other GCSD property without authorization.

Employees who improperly use or disclose this confidential information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information. Any question about this policy should be discussed directly with the General Manager. Only the General Manager or Administrative Services Manager are authorized to represent GCSD in response to employment inquiries from others related to current or former GCSD employees.

Upon termination of employment, whether voluntary or involuntary, all GCSD documents, computer records, and other tangible GCSD property in the employee’s possession or control must be returned to GCSD immediately.

Nothing in this Policy should be construed as preventing employees from discussing matters related to the terms and conditions of their employment or from otherwise engaging in protected/ concerted activity to the extent protected by law. Similarly, nothing in the Policy should be construed to restrict employees from participating in administrative hearings or investigations to the extent protected by law.

401.13 Employee Recruitment & Selection

Authorization of Positions

On the professional recommendation of the General Manager in accordance with strategic and staffing plans, the Board of Directors shall authorize the number of positions in each department, generally during the annual budgeting process. Should the need arise, the General Manager may request the Board of Directors to authorize a new position during the fiscal year. Authorized position vacancies are filled by the General Manager.

Announcement

The General Manager shall recruit for vacant Groveland Community Services District positions by open, public announcement, such as posting on the District website, advertising in professional trade journals, and advertising in other mass media. From time to time, at the General Manager's discretion, a position may be filled by a promotion-only.

Announcements will generally provide information relative to the vacant position, such as: the title and pay range of a position; the nature of the work to be performed; qualifications necessary and/or desirable for successful job performance of the work; whether the position is at-will or regular; the dates, time, place, and manner of receiving applications and administering examinations; the closing date for the application, if one is established; and other pertinent information.

Employment Standards

Applicants for employment shall meet such standards of education, experience, skills, abilities, and performance, and aptitude as are required for successful performance of the position's duties. The District may use application reviews, written tests, oral tests, and individual interviews to assess the degree to which an applicant meets these employment standards. Applicants may be ranked for consideration of employment, even though more than one candidate may possess the requisite qualifications.

A successful candidate shall meet the following conditions:

- A. Depending on the position, pass a medical examination administered by a licensed medical doctor, selected and paid by the District, to determine physical and mental fitness for the position to which an appointment is to be made.
- B. Be physically and mentally able to perform the essential functions of the position, with or without reasonable accommodation.
- C. Be eligible under appropriate federal regulations to work in the United States. It is the policy of the Groveland Community Services District to hire only citizens of the United States or persons authorized to work in the United States. Documentation of eligibility to work in the United States will be required as a condition of employment.

- D. Possess or have the ability to obtain within a reasonable timeframe a valid California motor vehicle driver's license, if driving is required to fulfill the duties of a position. The District may also require a DMV printout of the applicant's driving record.
- E. Possess any other appropriate certification to perform the duties of a position, such as Water/Wastewater Operator, as required by the State of California or District rules.
- F. Be free of any conflicts of interest, in accordance with District policy.

The District also may reject any applicant if in the District's judgment, the applicant is unsuitable for the position, including, but not limited to the following grounds: a prior separation from the District, any termination with cause from employment, a significant disciplinary history, and fraud or misconduct with the employment application.

Once applications for a position are compiled, the District may elect to hold interviews with some or all applicants prior to selection.

401.14 Restrictions on Political Activity

The District recognizes and respects the right of an employee to participate in political activity. However, employees should not represent, or give the appearance, that they are acting or speaking on behalf of GCSD. Therefore, employees may not participate in any political activity of any kind while in uniform, during work hours, occupying a District vehicle, or while on the District's premises.

402 Employment Status and Records

402.1 Employment Categories

It is the intent of GCSD to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either NONEXEMPT or EXEMPT under federal overtime laws. NONEXEMPT employees are entitled to overtime pay under the applicable laws and EXEMPT employees are not entitled to overtime under such laws. An employee's EXEMPT or NONEXEMPT classification will be changed upon written notification to the employee and/or his/her recognized representative.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who have passed their introductory period and are not in a temporary, casual, acting or emergency status and who are regularly scheduled to work GCSD's full-time schedule. Generally, they are eligible for GCSD's benefit package, subject to

the terms, conditions and limitations of any applicable Memorandum of Understanding and the benefit program itself.

FULL-TIME INTRODUCTORY employees are those who have not passed their introductory period but who otherwise fit the specifications for Regular Full-Time employees.

Management positions are REGULAR FULL-TIME employees.

REGULAR PART-TIME employees are those who are not in a temporary, casual, acting or emergency status and who are regularly scheduled to work an assigned part-time, less than forty hour per week schedule. Regular Part-Time employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security) but are ineligible for all of GCSD's other benefit programs. They are also subject to the same introductory period as full-time employees.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of GCSD's other benefit programs.

CASUAL employees are those who have established an employment relationship with GCSD but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of GCSD's other benefit programs. Volunteer Firefighters and Groveland CERT members are considered by GCSD to be CASUAL employees.

ACTING appointments apply to employees who have been assigned, by written approval of the General Manager or Board of Directors (if the appointment is for the General Manager) the job duties of a higher-level job classification for thirty (30) consecutive days or longer. Acting appointments shall be compensated for the higher job classification until such time that they are reassigned the job duties of their prior classification.

The General Manager or his/her designee may assign a consenting employee additional temporary responsibility or duties associated with a higher classification that accounts for less than fifty percent (50%) of the employee's workday. Such employee shall receive between a one percent (1%) and twenty percent (20%) increase to his/her base salary depending on the time associated with the additional responsibility/ duty and the complexity of the requisite associated tasks. The additional compensation shall begin on the first day the additional responsibilities and/or duties are performed and shall end on the day they are no longer performed. The General Manager or designee may terminate this arrangement at any time and

such decision is not subject to appeal.

EMERGENCY appointments are used in the case of emergencies involving danger to life or property or to protect the District's interests. In cases of emergency, the General Manager or the Board of Directors (if the appointment is for the General Manager) may appoint any person available to alleviate the danger. Emergency appointments shall be terminated as soon as the danger is alleviated. While they receive all legally mandated benefits (such as workers' compensation insurance and Social Security), Emergency appointments are ineligible for all of GCSD's other benefit programs.

402.2 Access to Personnel Files

GCSD maintains personnel files on each employee. Separate files are maintained for personnel records, worker's compensation records, and medical records. The personnel records may include such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records. GCSD will maintain personnel records for four years before they are subject to destruction.

Personnel files are the property of GCSD, and access to the information they contain is restricted. Generally, only supervisors and management personnel of GCSD who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own files should contact Personnel Services and submit their request in writing. With reasonable advance notice, employees may review their own personnel files in GCSD's offices and in the presence of an individual appointed by GCSD to maintain the files. Employee representatives may review an employee's personnel file with the employee's written consent. GCSD reserves the right to withhold records relating to the investigation of a possible criminal offense, letters of reference, and certain ratings, reports, or records involving other parties' confidentiality or privacy.

402.3 Employment Reference Checks

To ensure that individuals who join GCSD are well qualified and have a strong potential to be productive and successful, it is the policy of GCSD to check the employment references of all applicants. In addition, the District will conduct a background check on the potential employee, including but not limited to criminal and court records, professional or trade licenses, degrees, professional association memberships, and credit files. All background checks will be performed in accordance with any applicable laws relating to the use and disclosure of criminal conviction history and other personal information.

All employees must immediately forward any request for reference relative to any employee or former employee and any request for personnel information from third parties to Personnel Services, which is the sole entity authorized to respond to such requests. Responses to such inquiries will confirm only dates of employment, eligibility for re-employment, and position(s)

held. No other employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

402.4 Personnel Data Changes

It is the responsibility of each employee to promptly notify GCSD of any changes in personnel data. Personal mailing addresses, telephone numbers, dependent names and contact numbers, emergency contacts, educational accomplishments, changes in status of professional licenses or licenses required or being compensated for under the employee's job classification, and other such status reports should be accurate and current at all times. If any of an employee's personnel data has changed, the employee must notify Personnel Services.

Employees must notify Personnel Services of any change to their license or certification status within thirty days of the status change if the employee's job requires such license or certification or if the employee receives additional compensation/ incentive pay due to the license or certification. An employee's failure to notify Personnel Services of such change within thirty days will be a separate cause for disciplinary action up to and including termination.

402.5 Introductory Period

The introductory period (previously known as a "probationary" period) is intended to give new, promoted, and transferred employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. GCSD uses this period to evaluate employee capabilities, work habits, and overall performance. Employees are considered at-will employees during their introductory period, meaning GCSD may terminate the employment relationship at any time during the introductory period, with or without cause, and without advance notice. Nothing in this Section is intended to confer any legal protection, contractual right, or due process right upon any employee.

All new and rehired employees have an introductory period of 365 calendar days from their date of hire. Employees who are promoted or transferred within GCSD must complete a secondary introductory period of 180 calendar days for each transfer or promotion.

Any significant absence will automatically extend an introductory period by the length of the absence. If GCSD determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period. To extend the introductory period, the employee's supervisor and Department Head, with the concurrence of the General Manager, must complete a performance evaluation and discuss the evaluation and the extension with the employee.

Any Part-Time, Temporary, or Casual employment shall not count toward a Full-Time employee's 365 calendar day introductory period.

In cases of promotions or transfers within GCSD, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary (180 day) introductory period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and GCSD's needs. If the employee's former position is no longer available, the employee may be subject to termination. Nothing in this paragraph is intended to limit GCSD's ability to terminate employees for cause without right of reversion to any former positions held.

Upon satisfactory completion of the initial introductory period, employees enter the "regular" full-time employment classification.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Public Employees Retirement System (PERS). They may also be eligible for other GCSD-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

Employee benefits are not changed during the secondary introductory period that results from a promotion or transfer within GCSD.

402.6 Employment Applications

GCSD relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. GCSD reserves the right to verify any information an applicant for employment or promotion provides. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

402.7 Performance Evaluation

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations may be conducted at the end of an employee's introductory period in any new position (either 365 or 180 calendar days, as applicable). This initial evaluation allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted on an as-needed basis to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

GCSD generally evaluates employee performance according to an ongoing 12-month cycle, beginning approximately two months prior to the fiscal year end. When an employee does not meet job expectations, his or her supervisor, with direction and approval from Personnel

Services, may implement a performance improvement plan, if appropriate in the circumstances.

Merit-based pay adjustments are awarded by GCSD to recognize truly superior employee performance. The decision to award such an adjustment is made by the employee's supervisor, subject to the discretion of the General Manager, and is dependent upon numerous factors, including the information documented in the formal performance evaluation process. Merit-based pay adjustments, if awarded, are made at the beginning of the fiscal year (first pay period in July) following the performance evaluation.

402.8 Job Descriptions

GCSD makes every effort to create and maintain accurate job descriptions for all positions within the District. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a supervisory responsibilities section, a qualifications section (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required), a physical demands section, and a work environment section. The job descriptions and supporting information is contained in the District's Classification and Compensation Plan (C&C Plan).

GCSD maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities and in potentially assessing employees' fitness for duty.

Personnel Services, the General Manager, and the applicable Department Head(s) prepare job descriptions when new positions are created. Existing job descriptions are also periodically reviewed and revised to ensure they are compliant with the law and GCSD policies, plans, and strategies. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. It is also customary and expected at GCSD that employees will step up and assume higher levels of responsibility, cover tasks or projects for their coworkers or supervisor during absences or to show initiative, even if this work is not specifically contained in their job description. Contact Personnel Services, the General Manager, or the Department Head if you have any questions or concerns about your job description.

402.9 Salary Administration

The salary administration program at GCSD was created to achieve consistent pay practices, comply with federal and state laws, mirror the District's commitment to Equal Employment Opportunity, and offer competitive total compensation within our labor market. Because recruiting and retaining talented employees is critical to our success, GCSD is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the total compensation received by similarly situated employees in other comparable local government entities in the area.

In a stable employment and cost of living market, total compensation for every position is typically evaluated by a professional consultant hired by the District every five years or as needed. The consultant identifies the range of total compensation, which is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, a salary survey and benefits evaluation, as well as non-pay employment practices of other comparable, competitor public agencies. GCSD periodically reviews its salary administration program and restructures it as necessary. Merit-based pay adjustments may be awarded for superior employee performance documented by the performance evaluation process.

Certification incentive pay is offered to employees who excel in their position, achieve higher levels of certification than required in their job description, and assume new responsibilities that put those advanced certifications into practice on the job.

Employees should bring their compensation-related questions or concerns to the attention of their immediate supervisors, who are responsible for the fair administration of departmental pay practices. The General Manager and Personnel Services are also available to answer specific questions about the salary administration program.

402.10 Promotions

Promotions are strongly encouraged at GCSD, to provide incentive for constant employee improvement and providing excellent services to our customers. Promotions occur when an employee is moved from one job classification to another job classification with a higher maximum wage range. For example, employees may move from a level 1, to level 2, to level 3 within the same classification.

Promotions shall be awarded based on documented positive job performance, assuming and proving competence in higher levels of responsibility, exhibited job skills and qualifications, not merely upon seniority. Department Heads may recommend an employee for promotion to the next higher class without advertising the position to non-District applicants when the position is within an approved sequence of related classifications with objective advancement criteria.

GCSD expects its employees to attain the requisite knowledge and performance standards to advance through an approved sequence of similar job classifications in a reasonable amount of time. Promotional advancements will be considered and documented in employee performance evaluations, and those not advancing may be requested to improve performance.

Promotions shall be approved by the General Manager or their designee upon the recommendation of the employee's direct supervisor. An employee promoted to a new job classification shall serve a new introductory period of 180 days for the higher job classification in accordance per this policy. Promoted employees rejected during a probationary period may be reinstated to their prior position, if the position is still available, unless they are dismissed for cause. If the employee's former position is not available, the employee may be subject to termination.

403 Employee Benefit Program

403.1 Employee Benefits

Eligible employees at GCSD are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor or Personnel Services can identify the benefit programs for which you are eligible. Details of many of these programs can be found elsewhere in the Employee Handbook.

The following benefit programs may be available to eligible employees:

- Private Auto Mileage Reimbursement
- Paid Bereavement Leave
- Deferred Compensation Plans
- Paid Dental Insurance
- Drug or Alcohol Rehabilitation Program
- Paid Family Leave
- Paid Health Insurance
- Paid Holidays
- Paid Jury Duty Leave
- Licensure/Certification Assistance
- Paid Life Insurance
- Long-Term Disability Insurance
- Paid Membership Dues and Certification Costs
- Pension Plan
- Paid Sick Leave Benefits
- Life Insurance

- Reimbursement of Work-Related Travel Expenses
- Paid Uniform and Uniform Maintenance Expenses
- Paid Vacation Benefits
- Paid Vision Care Insurance

Some benefit programs require contributions from the employee, but most are fully paid by GCSD.

Employees covered by a Memorandum of Understanding should consult that document for the benefits and terms and conditions applicable to them.

403.2 Vacation Benefits

A. Vacation Eligibility

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full-time employees
- Introductory (probationary) employees

B. Vacation Accrual

Employees subject to a Memorandum of Understanding (“MOU”), should consult the MOU for the vacation terms applicable to them.

Employees currently accrue vacation at the following rate, based on continuous years of GCSD service:

- Year 1 = 80 hours (2 weeks)
- Year 2 = 88 hours
- Year 3 = 96 hours
- Year 4 = 104 hours
- Year 5 = 112 hours
- Year 6 = 120 hours (3 weeks)
- Year 7 = 128 hours
- Year 8 = 136 hours
- Year 9 = 144 hours
- Year 10 = 152 hours
- Year 11 = 160 hours (4 weeks)
- Year 12 = 168 hours

- Year 13 = 176 hours
- Year 14 = 184 hours
- Year 15 = 192 hours
- Years 16 plus = 200 hours. Employees reach their maximum accrual rate of 200 hours (5 weeks) of vacation time per year in their sixteenth continuous year of GCSD employment.

The accrual rate shown above is subject to change based on the labor market and GCSD's business needs. The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the applicable schedule.

C. Maximum Vacation Accrual/ Cap

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. If available vacation is not used by the end of the benefit year, employees may carry unused time forward to the next benefit year. However, employees are subject to a maximum vacation accrual cap of up to two (2) times their annual rate of accrual. Once an employee has reached their maximum accrual/ cap, he or she will not accrue additional vacation time until his/her accrued vacation hours fall below the cap. For example, an employee with sixteen (16) continuous years of service will stop accruing vacation time when she reaches four hundred (400) hours (twice the yearly accrual rate) and she will not accrue more vacation time until she uses vacation and falls back below the four hundred (400) hour cap.

D. Vacation Use

However, before vacation time can be used, a waiting period of 180 calendar days must be completed. After that time, employees can request use of earned vacation time, including that accrued during the waiting period.

Paid vacation time can be used in minimum increments of one hour at the discretion of the supervisor. To take vacation, employees must request approval from their supervisors at least two (2) weeks in advance. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Unless workload and designated responsibilities permit, only one person from any group working under a single supervisor shall be permitted to use his/her vacation credit at any particular time. Unless workload and staffing permit, Monday and/or Friday vacation leave may not be granted. Positive performance evaluations and employee seniority will be used to resolve conflicting vacation leave requests, unless special circumstances exist.

An employee may not use sick leave in lieu of vacation leave unless documentation is provided satisfactory to the District of illness, injury, or other qualifying circumstance that would entitle the employee to utilize sick leave use during, immediately before or after, or instead of planned vacation usage. Holidays falling within an employee's authorized vacation leave will not be charged as vacation days used.

Vacation time off is paid at the employee's base pay rate, and if applicable, plus special duties pay, at the time of vacation. It does not include overtime or any other special forms of compensation.

Employees must attempt to use vacation time, but may be eligible to cash out accrued vacation twice a year at the discretion of the General Manager or his/her designee, so long as they maintain a minimum of 40 accrued hours.

In the event that an employee is off work due to a work related injury, disability or illness, for which they are receiving workers compensation benefits, either short-term or long-term, FMLA leave or some other leave approved by the District, the District will coordinate the benefits of such leave with other benefits covered in this Handbook, such as accumulated vacation time or sick leave, to achieve full normal pay, at the employee's request.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work at the employee's pay rate at the time of termination.

403.3 Holidays

GCSD will grant holiday time off to all employees on the holidays listed below:

- New Year's Eve (December 31)
- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veterans Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Eve (December 24)
- Christmas (December 25)
- Personal Holiday (1)

GCSD will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification, as set forth below. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular full-time employees
- Introductory (probationary) employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. In some cases, the General Manager may elect to modify this schedule.

Employees are granted one (1) Personal Holiday at the beginning of each fiscal year. The Personal Holiday must be used within the same fiscal year in which it is granted. Unused Personal Holiday time does not accrue, carry over, or receive payout, and will be forfeited at the end of the fiscal year.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. Employees on unpaid leave shall not be entitled to holiday pay unless required by law.

If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate (double time) for the hours worked on the holiday, unless otherwise stipulated by union contract.

The District will recognize and observe Presidential Proclamations for national observances for which employees may receive holiday pay. The District also reserves the right to declare a District holiday in which employees shall receive holiday pay at the direction of the Board.

Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed during the pay. Employees who are not employed at the time the holiday is observed will not receive holiday pay for that holiday.

403.4 Workers' Compensation Insurance and Work-Related Injuries

GCSD provides a comprehensive workers' compensation insurance program at no cost to employees pursuant to California Law.

Employees who sustain work-related injuries or illnesses shall inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. Supervisors must immediately inform Personnel Services about any reported injuries.

Neither GCSD nor its insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur that are not "work-related." For example, GCSD is not responsible for injuries employees sustain while engaged in outside employment or during an employee's voluntary participation in any off-duty recreational, social, or athletic activity, whether sponsored by GCSD or others.

In the event that an employee is off work due to a workers compensation injury or disability, either short term or long term, FMLA leave or some other leave approved by the District, the District will coordinate the benefits of such leave from benefits covered in this Handbook, at the employee's request.

On occasion, employees might suffer an injury or illness that precludes them from performing their regular duties. Moreover, such instances may impose a financial hardship upon the employee and/or a hardship upon the employee's department. Consequently, it will be the policy of the District to offer light and/or modified duty in accordance with injured/ill employees' work restrictions whenever it is feasible and safe to do so. GCSD may seek clarification from medical professionals regarding the employee's work restrictions and/or his or her ability to perform job-related tasks. Light/modified duty assignments shall not be limited to any department, rather, employees may be assigned to any department based upon GCSD's business needs and the employee's work restrictions. The District may provide a list of open light duty assignments/work available to an injured/ ill employee so that the employee may seek his or her physician's approval.

Physician approved light/modified duty assignments are required for employees recovering from a work-related injury or illness, and an employee's denial of such assignments can affect their eligibility for Workers Compensation benefits. This policy shall be made available to employees with work-related injuries or illnesses and subject to Workers' Compensation and it shall be available to employees with non-work related illnesses or injuries.

While it is the policy of GCSD to provide employees temporary light duty assignments when feasible and safe to do so, it does not intend to create any new permanent positions by offering such assignments.

403.5 Sick Leave Benefits

GCSD provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries.

The following provisions apply to Full-Time employees (both Regular and Introductory) and other employees covered by California's Sick Leave laws.

Regular Full-Time employees and Full-Time employees in their introductory period will accrue sick leave benefits at the rate of 3.69 hours per pay period. Sick leave benefits are calculated on

the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Employees who are not Regular-full time or full-time/Introductory will receive paid sick leave in accordance with state law. Generally, those employees become eligible once they have worked for GCSD for 30 days. Upon becoming eligible, they will receive the greater of five (5) workdays or forty (40) hours of paid sick leave each benefit year (with no carry over) which can be used beginning on their ninetieth (90th) day of employment. Unused sick leave provided under state law to non-full-time employees is not paid out at termination.

Paid sick leave can be used in minimum increments of one hour. An eligible employee may use sick leave benefits for the diagnosis, care (including preventive care), or treatment of an existing health condition of an employee and certain family members of the employee.

A family member includes a child, parent, spouse, domestic partner, grandparent, grandchild, or sibling. For purposes of this policy, a "child" means a biological or adopted child, a foster child, a step-child, a legal ward, or a child to whom the employee stands in loco parentis. Similarly, a "parent" under this policy means a biological or adoptive parent, a foster parent, a step-parent, an employee's legal guardian, a legal guardian of an employee's spouse or domestic partner, or a person who stood in loco parentis when the employee was a minor child.

Employees who are victims of domestic violence, sexual assault, or stalking also may use paid sick leave for treatment, assistance, and other purposes authorized by law.

All employees must notify their immediate supervisor or the General Manager of their need for sick leave time within one-half (1/2) hour of the normal time for reporting to work whenever it is possible to do so. A sick or disabled employee is expected to notify personally, if reasonably possible, or have another person make the proper notification. A reason for not making personal notification shall be given immediately upon return to work. Employees are expected to reasonably communicate with their supervisors regarding their sick-leave usage to avoid being deemed absent from work without leave.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any other special forms of compensation.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or GCSD-provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

An employee may be required to provide proper medical certification for any absences that exceed five (5) consecutive days, including an estimated return to work date and/or medical release to return to full duty. For any medical leave lasting longer than a week, medical certification may be required on a weekly basis.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury (or as otherwise required by law), and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed (except as provided above). Upon termination of employment, Regular Full-Time employees not subject to an MOU will be paid out up to 150 hours of their accrued sick leave. The applicable MOU will set forth the sick leave payout amount, if any, and the sick leave payout criteria for all employees covered by the MOU. Upon an employee's retirement, unused sick leave can be converted into days to report to CalPERS for the purposes of enhancing the retirement benefit, subject to CalPERS' current rules and regulations.

Suspected Sick Leave Abuse/ Reporting Requirement

If a supervisor/manager has reason to believe that an employee is not using their sick leave appropriately, e.g., unusual pattern of sick leave use, excessive use of incidental sick leave, etc., the employer may place the employee on a sick leave reporting requirement. Employees placed on Sick Leave Reporting will be required to bring a doctor's note for all absences until they are released from this requirement. The steps for this process shall be as follows:

- The supervisor/manager will meet with the employee and provide a list of problem absences. Absences subject to FMLA or workplace injury (workers' compensation) shall not be included in the list of problem absences.
- The supervisor/manager will provide the employee with written documentation that specifically outlines the employer's concerns and expectations. The Employee will be notified in writing of the timelines and the goals they are expected to achieve.
- The Employee and the supervisor/manager will meet at least quarterly to discuss this issue until the employee is removed from the sick leave reporting requirement.

Nothing herein shall preclude the District from taking disciplinary action for abuse of sick leave in accordance with existing MOU and/or policy provisions in addition to following the procedures outlined above.

To ensure District-wide consistency in application, the General Manager or his/her designee will oversee the sick leave reporting requirement process.

Donation of Sick Time

The District allows employees to donate their sick time to fellow employees who have themselves, or an immediate family member of theirs, incurred an unforeseen significant illness or injury and do not have sufficient time on the books to carry them through the waiting period for long term disability payments, or to achieve pay at 100% of their normal working levels. Such cases must be approved by the General Manager. The decision of the General Manager shall be final and binding and not subject to the grievance procedure.

403.6 Time Off to Vote

GCSD encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, GCSD will grant up to 2 hours of paid time off to vote.

Employees shall request time off to vote from their supervisor at least two working days prior to Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

403.7 Bereavement Leave

Unless otherwise specified by an applicable collective bargaining agreement, up to 2 days of paid bereavement leave for the death of an immediate family member will be provided to eligible employees who have been employed by GCSD at least thirty (30) days prior to starting the leave in the following classification(s):

- Regular Full-Time employees
- Introductory Full-Time employees

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation.

Regular and Introductory Full-Time employees may take up to three additional unpaid days off, though they may use their accrued leave balances available to them.

Non-Full-Time employees who have been employed by GCSD at least thirty days prior to starting the leave may take up to five (5) unpaid days of bereavement leave for the death of an immediate family member, employees may use any accrued leave balances available to them.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary.

Employees who wish to take time off due to the death of an immediate family member shall notify their supervisor immediately.

GCSD reserves the right to require documentation to support the leave, which may include a death certificate, a published obituary, or other verification of death. GCSD shall maintain any documentation pursuant to this paragraph as confidential and it shall not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

"Immediate family" is defined as the employee's spouse, domestic partner, parent, child, sibling; the employee's spouse's (or domestic partner's) parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

403.8 Jury Duty

Employees subject to a Memorandum of Understanding must refer to that document for the jury duty terms applicable to them.

GCSD encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request up to ten (10) working days of paid jury duty leave over any one-year period. Jury duty pay will apply to eligible employees' regular workday only.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Introductory full-time employees

If employees in the above classifications are required to serve jury duty beyond the period of paid jury duty leave, they may request additional jury duty pay on a daily basis through the end of the trial. Alternatively, employees may use their accrued and available vacation or personal leave balances for jury duty leave.

The employee must submit the summons from the court to his or her supervisor immediately when it is reasonable to do so. The employee must submit proof of service given by the court to receive district paid jury duty leave pay.

If dismissed from jury duty before the end of the workday, the employee must contact their supervisor for instructions on whether to return to work for the rest of the workday.

Either GCSD or the employee may request an excuse or postponement from jury duty if, in GCSD's judgment, the employee's absence would create serious operational difficulties.

Hours paid for jury duty will be counted as hours worked for the purpose of calculating overtime. GCSD will continue to provide health insurance benefits for the full term of the jury duty absence. Any jury duty pay received from the court by the employee also receiving jury duty pay from the District, shall be paid to the District.

Vacation, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

Employees may not use a District vehicle to attend jury duty.

Non-Full-Time employees will be permitted to take unpaid time off from work to serve on a jury.

403.9 Witness Duty

GCSD encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by GCSD, they will receive paid time off for what would have been their regular work schedule, for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than GCSD. Employees are free to use any available vacation or personal leave to receive compensation for the period of this absence.

The subpoena shall be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

403.10 Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under GCSD's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at GCSD's group rates plus an administration fee. GCSD provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under GCSD's health insurance plan. The notice contains important information about the employee's rights and obligations.

403.11 Health Insurance

Employees covered by a Memorandum of Understanding should refer to that document for applicable health insurance terms.

The District provides medical insurance to eligible employees as follows:

The District currently pays 100% of the premium, including for dependent coverage, of the District's chosen health plan for the calendar year.

Employees in the following employment classifications are eligible to participate in the medical insurance plan:

- Regular full-time employees
- Introductory full-time employees

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between GCSD and its current insurance carrier, which is subject to change.

For the purposes of this policy, dependents are defined as spouse, domestic partner, and unmarried children living at home under the age of 19, or unmarried children up to the age of 23. Dependents may remain on the District's health insurance plan after the age of 23 up until the age of 26 at the expense of the employee. Heterosexual domestic partners must register with the State of California by submitting a notarized Declaration of Domestic Partnership to the Secretary of the State and provide copy of declaration and proof of registration to the District.

Employees must notify Personnel Services immediately following a change in eligible dependent coverage, i.e. domestic partnership terminated.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

An employee will continue to receive health benefits for up to 6 months while on unpaid leave status.

Details of the health insurance plan can be obtained from Personnel Services.

403.12 Medical Plan Opt Out Incentive

In an effort to control costs, employees covered under a spouse or parent plan, that is not a Covered California Plan, may opt out of the District's health plan and receive a cash benefit in

lieu. The District will offer 50% of the employee's eligible plan's monthly premium, i.e. employee only, employee plus 1, or family. This money is taxable income, and an insurance waiver must be completed each year that also certifies employee is covered by an alternative plan.

403.13 Life Insurance

Life insurance offers you and your family important financial protection. GCSD offers a basic life insurance plan for eligible employees.

Employees in the following employment classifications are eligible to participate in the life insurance plan:

- Regular full-time employees
- Introductory full time employees

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between GCSD and the insurance carrier. Supplemental life insurance may be denied to the requesting employee by the life insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact Personnel Services for more information about life insurance benefits.

403.14 Long-Term Disability

GCSD provides a long-term disability (LTD) benefits plan to help eligible employees cope with an illness or injury that results in a long-term absence from employment. LTD is designed to ensure a continuing income for employees who are disabled and unable to work.

Employees in the following employment classifications are eligible to participate in the LTD plan:

- Regular full-time employees
- Introductory full time employees

Eligible employees may participate in the LTD plan subject to all terms and conditions of the agreement between GCSD and the insurance carrier.

Details of the LTD benefits plan including benefit amounts, and limitations and restrictions are described in the Summary Plan Description provided to eligible employees. Contact Personnel Services for more information about LTD benefits.

403.15 Parental Leave for School Visits

GCSD recognizes the value of parental involvement in children's education. For this reason, GCSD provides employees who are parents, guardians, custodians, stepparents, foster parents, grandparents, or who stand in loco parentis (in the place of a parent) of children in licensed day care facilities or kindergarten through grade 12 unpaid time off for the purpose of school visits. Parental leave for school visits allows employees to participate in activities sponsored, approved, or supervised by the school or daycare such as parent/teacher conferences or field trips. Activities covered by this policy also include:

- Participation in the activities of schools or licensed child daycare facilities attended by their children;
- Finding, enrolling, or reenrolling their children in a school or with a licensed childcare provider; or
- Addressing a child care provider or school emergency (i.e., the school or child care provider requested that the child be picked up, there is a behavioral or discipline problem with the child that needs to be addressed with the school or child-care provider, there is a closure or unexpected unavailability of the school or child-care provider, or that there is a natural disaster, such as an earthquake or fire, requiring that the child be kept home or picked up from the school or child-care provider).

Employees may request up to 40 hours of parental leave for school visits within any calendar year, not to exceed 8 hours in any calendar month for any of the reasons listed above.

Employees must give their immediate supervisor reasonable advance notice for any parental leave taken.

If both parents of a child are employed by GCSD, the request for time off under this policy will be granted to the first parent to provide notice of the need for time off. The request from the second parent will be accommodated if possible.

Any available paid leave, except sick leave, may be substituted for unpaid leave for school visits.

Employees may be required to provide documentation to their department head from the school verifying the date and time of the visit substantiating the child-related activities attended to by the employee. Contact Personnel Services or department head for more information or questions about and requests for parental leave for school visits.

403.16 Deferred Compensation Program

GCSD has established a 457(b) deferred compensation savings plan to provide employees the potential for future financial security for retirement.

To be eligible to join one of the 457(b) savings plans, employee must be a regular full-time or

introductory full-time classification. Eligible employees may participate in the 457(b)-plan subject to all terms and conditions of the plan.

The 457(b) savings plans allow you to elect how much salary you want to contribute and direct the investment of your plan account, so you can tailor your own retirement package to meet your individual needs.

Because your contribution to a 457(b) plan is automatically deducted from your pay before federal and state tax withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted generally will be taxed when they are finally distributed, favorable tax rules typically apply to 457(b) distributions.

Complete details of the 457(b) savings plans are described in the Summary Plan Description provided to eligible employees. Contact Personnel Services for more information about the 457(b) plans.

403.17 Compensatory Time Off

In lieu of overtime compensation, a non-exempt, non-represented employee may request to accrue compensatory time-off (CTO) in lieu of overtime pay by submitting a request in writing stating he/she would like to receive CTO in lieu of overtime pay before performing the overtime work. CTO must be approved in writing by supervisory personnel. Compensatory time-off shall be earned at the rate of 1 1/2 hours for each hour worked in excess of forty (40) hours in a designated workweek (or the applicable overtime rate).

Employees may request to use their accumulated CTO by submitting their request to their supervisor seven (7) days in advance of the date(s) in writing. Supervisors should honor an employee's request to use CTO unless it would unduly disrupt business operations. CTO may be used in a minimum of one-hour increments.

Employees can earn up to a maximum of eighty (80) hours of CTO. If an employee reaches the "cap" of eighty (80) hours, then their compensatory time is automatically paid down to forty (40) hours, unless otherwise authorized by the General Manager.

All compensatory time not used by the end of the fiscal year will be cashed out and added to the employee's paycheck in the last payroll period ending in June.

Represented employees must refer to their Memorandum of Understanding for any CTO eligibility and terms.

403.18 Employee Uniform & Clothing Allowance

The nature of GCSD's business requires special clothing and/or uniforms, as well as clothing designed to provide safety. GCSD provides an allowance to employees for the clothing required by each department, as stipulated in the current MOU.

403.19 Employee Retirement Medical Benefit

Employees hired on or after July 1, 2016, shall not be eligible for Retirement Medical Benefits nor shall any non-full-time employee be eligible for the benefit, regardless of date of hire. Employees hired prior to July 1, 2013, in a full-time capacity will be considered vested in the retirement medical benefit after ten (10) years of continuous full-time employment, subject to the provisions below. For employees hired between July 1, 2013, and July 1, 2016, in a full time capacity, the vesting schedule related to Employee Retirement Medical Benefits is also subject to the provisions below and is dependent upon the number of continuous full-time years of service to the District as of July 1, 2013, and as follows:

Length of Employment Vesting Time

0 to 5 years	20 years
6 to 8 years	15 years
8+ years	10 years

Employees hired before July 1, 2016, are eligible for this benefit if, after vesting in the plan as described above, they have retired from the District and immediately applied for pension benefits under the California Public Employees' Retirement System (CalPERS). Vested employees who terminate their employment with the District and who either work for another CalPERS employer (other than as a retired annuitant) or who are not of CalPERS retirement age or who otherwise do not immediately retire in terms of the Public Employees' Retirement Law and CalPERS rules and regulations, lose their vested interest in the GCSD Retirement Medical Plan.

Retired employees receive the same medical insurance benefit, including the contribution rate, as regular full-time employees, which may change from time-to-time at the discretion of GCSD. Employees shall have the same medical benefit status (i.e., single or family) in retirement as they had at the time of retirement.

The HSA benefit (if applicable) stays active for a qualifying employee until the employee reaches the age of 65, after which, the employee and spouse (if married at the time of retirement) shall receive the Medicare Supplement insurance coverage (Blue Cross Prudent Buyer Plan F plus Rx Plan D or equivalent).

If a retired employee has family medical benefits at the time of retirement and that employee dies with a surviving spouse, then the spouse shall continue to receive medical benefits, but at the reduced single benefit level. Retired employees over age 65, who are eligible for District paid coverage, are enrolled in a Medicare Supplement Blue Cross Classic Plan F and Rx Plan D.

A retired employee who is taking advantage of retirement medical programs shall contact the District within 90 days of a change of status from family to single. Failure to notify the District within 90 days of this change in status may subject the employee to a loss of all retirement benefits.

A retired employee may choose to opt out of the plan. Retirees who opt out may re-enroll in the plan during a future open enrollment period or if they lose other coverage. Re-enrollment will be subject to the rules of the medical plan in effect at that time.

Any retirement medical benefits applicable to represented employees are set forth in the applicable Memorandum of Understanding (“MOU”), which should be read in conjunction with this Section. Where the MOU language conflicts with the language herein, the MOU shall control. Where the MOU is silent, the provisions herein shall govern and supplement.

403.20 Retirement-Social Security & Medicare

All District employees contribute to Federal Social Security and Medicare at an annual set rate and maximum wage limit (no wage limit on Medicare deduction). Employer contributes for each employee according to same annual set rate.

403.21 Retirement Income Benefits (CalPERS)

All Regular Full-Time District employees are covered by the California Public Employees' Retirement System (CalPERS). Employees hired prior to January 1, 2013, are considered “classic” members and have a retirement formula of 2.7% @55. Employees hired after January 1, 2013, who have never been a member of CalPERS are classified as a Public Employee Pension Reform Act (PEPRA) employees. Employees hired after January 1, 2013 who were classic members at another agency, but have had six (6) months or longer separation from a CalPERS employer, will lose their “classic” member designation and be reclassified as a PEPRA employee. Employees who were employed by agencies with non-CalPERS retirement systems prior to January 1, 2013, must consult CalPERS to determine reciprocity between CalPERS and their former system.

Employees hired on or after January 1, 2013 (“new” members under the CalPERS system) shall be enrolled in the statutory retirement formula and shall contribute the statutory employee contribution set forth by the Government Code.

Employee contributions are deducted prior to deferral and state withholding, which lowers taxable income (tax deferred income). PERS is supplemented by FEDERAL SOCIAL SECURITY and MEDICARE coverage, with these costs split between employer and employee (50% each).

403.22 Long-Term Care (PERS)

GCSD offers three basic employee-paid Long-Term Care plan options to eligible employees: PERS Comprehensive Plan, PERS Nursing Home/Assisted-Living Facility Care, and PERS Partnership Plan. A summary of each plan is as follows:

PERS Comprehensive Plan: Includes provision for care at home, in assisted-living facilities, in an adult day-care center or nursing home. The plan provides up to \$120 per day for nursing home care and \$1,800 per month for home care; there is a one-time, 90-day deductible. Optional inflation protection is available.

PERS Nursing Home/Assisted-Living Facility Care Only Plan: This is a more affordable plan option, providing protection from the catastrophic cost of nursing home stays and assisted living facilities. This plan provides up to \$120 per day for nursing home care, \$60 per day for assisted-living facility care, with a one-time 90-day deductible. Optional inflation protection is available.

PERS Partnership Plan: This offers moderate-income members special protection from MediCal "spend-down" rules. The plan provides up to \$100 per day for nursing home care and \$1,500 per month for home care, with a one-time 30-day deductible and built-in inflation protection.

403.23 Unforeseen Emergency Withdrawals from 457 Plan

Employees may participate in the District sponsored, tax-deferred retirement savings vehicle pursuant to *Internal Revenue Code Section 457(b)* ("457 Plan") that is similar to a 401(k) plan a private employer may offer. Participating employees can divert a portion of their pay to their account. The advantage of such a plan is that employees' contributions are tax-deferred, as are the earnings on retirement money in the account. When the 457 Plan participant withdraws money from the account upon retirement the distributions will be taxed as income.

Over the years that the District has offered the Plan, we have received very few requests for emergency withdrawals from it. However, we encourage employees to participate in the 457 Plan because it can be an effective savings vehicle for retirement.

The District's 457 Plan receives tax-deferred treatment from the IRS because the funds are meant to be used for retirement only. Thus, the funds are not intended to be readily available for withdrawal prior to retirement or upon leaving the District. Employees should be aware that the plan can make these distributions only upon the occurrence of a genuine unforeseeable emergency causing a severe financial hardship to the participant that cannot be relieved by any other means available to the participant, as defined by the Internal Revenue Service and the Plan document.

If the District does not comply with the strict definition of a severe financial hardship, as defined in Section 457 of the IRS Code, the entire plan could be deemed an ineligible plan. In that event, all plan participants could be taxed immediately.

As a general rule, if the hardship can be relieved by stopping deferrals into the plan, insurance reimbursement, cash in savings accounts, cash value of life insurance, loans from a financial institution, liquidation of other assets, or any other means available to the participant, a distribution will not be allowed. Except in extraordinary circumstances, the following are examples of situations that are not considered eligible for distribution from the plan:

- Divorce or payment of child support
- Purchase of real-estate
- Payment of college tuition
- Unpaid rent or mortgage payments (except in the event of imminent foreclosure or eviction)
- Personal bankruptcy (except when resulting beyond the participant's control)
- Payment of income taxes, interest or penalties

As part of the evaluation, employees requesting an emergency distribution shall be asked to furnish documentation that demonstrates that only a monetary withdrawal from the plan will alleviate the hardship. The guidelines and request forms can be obtained from the Human Resources Department.

The District recognizes that emergencies do occur and wishes to help alleviate a critical need as rapidly as possible. However, IRS guidelines must be followed when evaluating the need for an emergency withdrawal as the consequence for non-compliance would severely affect all employee-participants. Each situation will be carefully reviewed for compliance with the IRS Code to protect the tax-deferred status of the assets of all participants in the 457 Plan.

403.24 Wage Adjustments

Wage adjustments may be provided to employees at various intervals, depending on circumstances. The District's Classification and Compensation Plan outlines how an employee may become eligible for pay increases based on performance and how employees may achieve goals that elevate them from one wage range to the next.

Represented employees should refer to the salary schedule set forth in the applicable Memorandum of Understanding for terms and conditions of employment related to wages.

403.25 Certifications and Licenses

GCSD recognizes that the skills and knowledge of its employees are critical to regulatory compliance, efficiency of services and the health and safety of our community. For this reason, the District requires employees to seek certifications that are necessary for their jobs and for subsequent promotions. The District will purchase study materials and may provide study programs to assist employees with passing certification exams.

Employees shall obtain job-required certifications within the required period of time, which shall then be maintained in good standing for continued employment. It is the responsibility of the employee to monitor their certification expiration dates and maintain current certifications and continuing education hours. An employee's failure to maintain job-required certification may lead to disciplinary action up to and including termination. Employees must notify their supervisors within thirty (30) days of any change to their certification status if their job requires it or if they receive additional pay because of it. The failure of an employee to notify his/her supervisor will be separate grounds for disciplinary action up to and including termination.

The District will issue payment directly to the vendor for approved certification exam and for renewal fees provided that employee submits a completed and supervisor approved Purchase Request at least thirty (30) days prior to the due date. Otherwise, the employee will have to pay the associated expense and submit paperwork for reimbursement. The District will not pay or reimburse employees for late fees incurred as a result of their late submissions. All payments and reimbursements are contingent upon the employee entering into a repayment agreement consistent with the terms below.

The District will pay for up to three (3) attempts for an employee's required or approved exam and certification fees. If an employee voluntarily leaves the District within twelve (12) months of receipt of a certification for which the District paid, all costs associated with the certification (classes, test fees, etc.) will be reimbursed to the District and deducted from the employee's final paycheck.

404 Time Keeping and Payroll

404.1 Timekeeping

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require GCSD to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Accurate allocation of time among tasks and between departments by both exempt and nonexempt employees is important so that accurate budgeting and tracking of time and resources can be monitored by GCSD management. Employees shall not work "off the clock."

Nonexempt employees shall accurately record the time they begin and end their work. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work that is planned in advance must always be approved by the employee's supervisor before it is performed.

Employees are prohibited from submitting a time record on behalf of another employee unless authorized by management to do so (such as in the case of a supervisor). Altering, falsifying, tampering with, or destroying or removing time records, or recording time on another

employee's time record may result in disciplinary action, up to and including termination of employment.

Nonexempt employees shall report to work no more than 30 minutes prior to their scheduled starting time nor stay more than 30 minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then sign the time record before submitting it for payroll for processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record if they agree the change is accurate.

404.2 Paydays

All employees are paid bi-weekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to GCSD. Employees will receive an itemized statement of wages when GCSD makes direct deposits.

404.3 Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation: voluntary employment termination initiated by an employee.
- Discharge: involuntary employment termination initiated by the District.
- Layoff: involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement: voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Under some circumstances, the District may need to restructure its workforce. If it becomes necessary to restructure operations, advance notice will be provided, if possible, so as to minimize the impact on those affected. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff.

In determining which employees will be subject to layoff, the District will take into account business operational needs and requirements, the skill, productivity, ability and past performance of those involved.

GCSD will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to GCSD (e.g., credit card balances, loans, advances, etc.), and return of GCSD-owned property. Suggestions, complaints, and questions can also be voiced

Employee benefits will be affected by employment termination in accordance with the terms and conditions of the applicable benefit. All accrued, vested benefits that are due, owing, and payable at termination will be paid.

404.5 Administrative Pay Corrections

GCSD takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of Personnel Services so that corrections can be made as quickly as possible.

404.6 Pay Deductions and Setoffs

The law requires that GCSD make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. GCSD also must deduct for Public Employees' Retirement System (PERS) on each employee's earnings up to a specified limit, as specified by PERS. GCSD matches a portion of the amount of PERS deductions paid by each employee.

GCSD offers programs and benefits beyond those required by law. Eligible employees must voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by GCSD, usually to help pay off a debt or obligation to GCSD or others if permitted or required by law.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, Personnel Services can assist in having your questions answered.

405 Work Conditions and Hours

405.1 Safety

GCSD is committed to a strong safety program that protects its employees and the public from accidents. An injury and accident-free workplace is our goal. All employees are responsible and accountable for GCSD's safety initiatives. GCSD expects the active participation of all employees, in every job, always. All employees are responsible for following all procedures, working safely, and, whenever possible, helping GCSD improve safety measures.

To assist in providing a safe and healthful work environment for employees, customers, and visitors, GCSD has established a workplace safety program, which is articulated in the District's Injury & Illness Prevention Policy (IIPP). This program is a top priority for GCSD. The designated Safety Officer has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

GCSD provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. A labor-management safety committee, composed of representatives from throughout the District, has been established to help monitor GCSD's safety program and to facilitate effective communication between employees and management about workplace safety and health issues.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager, or bring them to the attention of the Safety Officer. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees may be subject to disciplinary action, up to and including termination of employment for the following:

- Violation of safety standards
- Causing hazardous or dangerous situations
- Failing to report or, where appropriate, remedying such situations

Pursuant to the IIPP, GCSD will conduct periodic inspections and cover the Emergency Action Plan. GCSD will promptly correct unsafe or unhealthy conditions.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees shall immediately notify their supervisor. The supervisor, in conjunction with Personnel Services and the Safety Officer, will investigate the cause of any injuries and determine whether any corrective action may prevent such an injury in the future. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

405.2 Workplace Violence Prevention

Groveland Community Services District (GCSD) is committed to providing a work environment that is free of disruptive, threatening, or violent behavior involving any employee, appointed or elected official, volunteer, contractor, client, and/or visitor. Our policy is to establish, implement, and maintain an effective plan as required by state law. The regulations require us to establish, implement, and maintain, at all times in all our facilities, a workplace violence prevention plan for the purposes of protecting employees and other personnel from aggressive and violent behavior at the workplace.

Our Workplace Violence Prevention (WVP) Plan is available upon request for examination and copying to our employees, their representatives, and the Chief of Cal/OSHA or his or her designee.

GCSD intends for the WVP Plan to be an evolving and continuously improving document. In addition to attending mandatory WPV training, employees are encouraged to participate in the Plan's improvement. For instance, employees can help GCSD identify potential threats, correct workplace violence hazards, design and implementing training (including real-world scenarios), and report any workplace violence incidents

505.3 Work Schedules

9/80 Work Schedule

The District recognizes the benefits of a work schedule that assists staff in balancing work, family, and personal responsibilities while supporting the operational needs of the District and its customers. It is the policy of the District to offer flexible work hours and schedules to employees while continuing to maintain operating efficiency, productivity, and effective service to the public and other agencies.

Represented employees should refer to the applicable Memorandum of Understanding for the work schedule terms applicable to them.

Regular full-time and full-time Introductory employees work a 9/80 work schedule.

District Management may change the schedule if it concludes, in its sole discretion, that the 9/80 work schedule is not conducive to District operations. Thirty days' notice will be provided to employees prior to the termination of a 9/80 work schedule.

In a standard 9/80 alternative work schedule, employees work nine (9) hours per day Monday through Thursday. On alternating Fridays, employees either work eight (8) hours or are scheduled off which results in 80 hours worked over nine (9) work days versus the customary ten (10) workdays. The alternating Friday off is referred to as the employee's flex day.

Supervisors and managers will determine which employees are assigned to Shift "A" and which are assigned to Shift "B" to ensure appropriate coverage. Once employees are assigned to a Shift, it is expected to be followed. Permanent changes between Shift "A" and Shift "B" during the fiscal year will be considered at the discretion of the General Manager and/or Department Managers.

Temporary trading between flex days may be allowed after proper approval is obtained by the employees' immediate supervisor. Additionally, overtime compensation resulting from a schedule change due to an approved temporary trade, is to be avoided if at all possible. Furthermore, the trade must occur within the same pay period.

9/80 Work Period

The work week period will begin for Office Staff at 11:30 a.m. and will begin for Field Staff at 10:30 a.m. each Friday. The work week period will end the following Friday at 11:30 a.m. and 10:30 a.m., respectively. With a 9/80 work schedule, an employee shall work the following two week-cycle:

Week One: Monday - Thursday (9 hours each day); Friday (8 hours)

Week Two: Monday - Thursday (9 hours each day); Friday (0 hours)

For purposes of calculating overtime, four hours of the Friday worked in week one will be credited as hours worked in week one; the second four (4) hours of the Friday worked in week one will be credited as hours worked in week two. As a result, employees will have forty hours scheduled in each work period.

9/80 Work Hours

Employee work hours shall be established by the District and are subject to change based upon the needs of the District and upon a minimum of two (2) weeks notification to employees. To ensure quality service levels to the District's operations, the following working schedules have been established for staff in the office and field:

Office Staff:

Monday through Thursday: 7:30 a.m.-5:00 p.m.

Alternating Friday 7:30 a.m.-4:00 p.m.

(Thirty minute lunch)

Field Staff:

Monday through Thursday 6:30 a.m.- 4:00 p.m.

Alternating Friday 6:30 a.m.- 3:00 p.m.

(Thirty minute lunch)

To ensure that a field staff employee is able to respond to field calls during office hours, and in the effort to minimize overtime impacts, the on call employee scheduled will work the same hours the as the office staff during their on call period.

Upon election by employees and the General Manager's approval, a department head may implement a schedule of ten (10) hours per day, four (4) days per week on a temporary basis. Employees electing such as schedule will be subject to FLSA overtime laws based on a 40 hour workweek.

405.4 Smoking and Vaping

In keeping with GCSD's intent to provide a safe and healthful work environment, smoking and/or vaping is prohibited within indoor working areas, in all enclosed spaces (including covered parking lots, lounges, waiting areas, elevators, stairwells, and restrooms), and in District vehicles. Employees may smoke or vape as long as they are at least 25 feet away from buildings.

This policy applies equally to all employees, directors, customers, and visitors.

405.5 Meal Periods and Breaks

All employees are provided with one uninterrupted meal period of 30 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements, but they should generally be taken after the first four hours of work. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Employees shall also receive two 15-minute breaks roughly in the middle of each 4 or 4.5 hour segment of work. Breaks may not be added to meal periods, nor may they be used to come in early/late to work or leave early/late from work, unless otherwise approved by the employee's supervisor.

405.6 Overtime

Due to the nature of the services we provide, occasional work outside the normal work schedule is a requirement of every job and position within the District. The District occasionally requires employees to be available during emergencies or utility failures (Emergency Overtime).

When the District determines that operating requirements, service emergencies, or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. When there are insufficient volunteers for overtime assignments, supervisors may order employees to fill the assignments.

Overtime compensation is paid to all non-exempt employees in accordance with law. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, holidays or any leave of absence will be considered hours worked for purposes of performing overtime calculations.

The failure of employees to work Emergency Overtime, scheduled overtime, or any overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment. When an employee is assigned to be on-call outside the normal work shift, overtime is considered pre-authorized to respond to emergency calls.

The District will provide a meal stipend of \$25 for an employee who is authorized or ordered to work and works three (3) hours or more of overtime as an extension of their regularly assigned work shift. The two (2) hours of minimum overtime as a result of being called back to the worksite will be counted towards the three (3) hours for the meal stipend so long as the entire two (2) hours of call back time is actually worked.

405.7 Use of Equipment and Vehicles

The District may provide some employees with District-owned equipment and/or vehicles to use essential in accomplishing job-duties and the District's mission.

District owned equipment and vehicles are expensive and may be difficult to replace. District vehicles and equipment are to be used for official District purposes and limited incidental use while traveling to and from home or the worksite only. When using District property and vehicles, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, legal requirements, such as speed limits, and applicable guidelines. Employees should never use a District vehicle to transport alcohol or illegal drugs.

Employee shall notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, in need of repair, or missing. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job, or traveling to and from the job.

The improper, careless, negligent, destructive, or unsafe use, operation, or storage of District equipment or vehicles, violations of these rules, and excessive or avoidable traffic or parking violations, will result in disciplinary action, up to and including termination of employment.

Loss of Driving Privileges

If an employee's driving privileges are revoked or are in the process of being revoked, the employee must notify their supervisor immediately upon notification of license suspension or probability of the suspension of driving privileges.

If an employee's driver's license is suspended or revoked it will be presumed that the employee is not qualified to perform the duties and functions of their job, unless determined otherwise by the General Manager. In such cases, and based on the resulting business impact, the District reserves the right to place employee on a leave of absence without pay for a period of ninety (90) workdays or until the employee has their driving privileges reinstated, whichever occurs sooner. If at the end of ninety (90) workdays from the date of license suspension/revocation, the employee is unable to obtain the required classification of driver license, or if it appears at any time the employee will lose his/her driving privileges for an extended period, the employee may be terminated from their existing job classification. The ninety (90) day period may be extended where continuation of employment is required by application of disability discrimination laws or at the discretion of management. Variations from this policy based on management's assessment of the impact to operations will not be deemed as setting a precedent and not subject to the District's grievance procedures.

405.8 Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt District operations. In extreme cases, these circumstances may require the closing of a work facility upon the authority and direction of the General Manager.

When operations are officially closed due to emergency conditions, employees' involuntary time off from scheduled work will be paid.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request time off during the emergency, but based on the emergency conditions and the nature of GCSD's business, it may require its employees to be at work. Should time off be granted, the employee may use available paid

leave time such as unused vacation benefits.

Employees in essential operations may be required to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

If an employee is required to work during an emergency, he or she shall be encouraged and allowed, depending on the nature of the emergency and other circumstances, reasonable paid time away from the jobsite to ensure his or her family members and loved ones are safe and cared for. Employees working during emergencies should communicate with their supervisor at the earliest possible time to apprise the supervisor of any time needed away from the job to secure family.

405.9 Business Travel Expenses

GCSD will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the General Manager and/or the Department Head.

By the end of the month during which the travel occurred, the employee must complete a District Expense Form, and have it authorized by their supervisor and the General Manager so that the District can reimburse the employee. The employee seeking reimbursement must attach the original receipts and a complete description of the expense to the Expense Form. Meal receipts must include the itemized food items as well as proof of payment. Non-itemized receipts will not be eligible for reimbursement.

Employees whose travel plans have been approved are responsible for making their own travel arrangements, for logging reimbursable expenses, and for maintaining and presenting the requisite receipts.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by GCSD. Employees may not seek reimbursement for any other party's travel expenses, including meals, unless such an arrangement is approved in advance by the supervisor. Employees are expected to limit expenses to reasonable amounts. Event room block rates and economy travel shall be used when available.

Expenses that are deemed by management to be outside of a reasonable amount or not directly related to District business, will not be reimbursed. Examples of these expenses include:

- Flight upgrades
- Hotel upgrades
- Valet parking
- Transportation expense not directly related to District business
- Meals costing in excess of amounts customary for the event or venue

- Meals purchased when that same meal (breakfast, lunch, dinner) was included with the event registration
- Travel expenses of any kind for non-District employees

Travel time to and from the business destination, as well as time spent in attendance at an employer required/approved travel assignment is compensable time and will be counted towards hours worked for the purposes of calculating overtime.

Employees who are involved in an accident or who are injured while traveling on business must promptly report the incident or injury to their immediate supervisor. Where feasible, employees are encouraged to use District vehicles for business travel. Vehicles owned, leased, or rented by GCSD shall not be used for personal use while traveling for District business.

Generally, when using their personal vehicle pursuant per this policy. below (Use of Personal Vehicles), employees are also permitted to combine personal travel with business travel, as long as time away from work is approved and the objectives of the business travel have been fully met. Additional expenses arising from such non-business travel are the responsibility of the employee. Personal vehicle mileage for such personal travel, above the distance to and from the work event, shall be documented separately and are not to be included in the mileage reimbursement request.

With prior approval of their supervisor, employees on business travel and using their personal vehicle may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful completion of business objectives. Employees must keep traveling companion's expenses, which are not reimbursable, separate and not included on receipts submitted for the employee's travel reimbursement.

Abuse of this business travel expenses policy, including personal or non-District expenses being included in expense reports/reimbursement requests, or failure to appropriately document reimbursable expenses will be grounds for disciplinary action, up to and including termination of employment.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, GCSD and personal vehicle use guidelines, reimbursable expenses, or any other business travel issues.

405.10 Electronic Devices and Email Usage

Computers, cellular/ smart phones, tablets, laptops, ("electronic devices") computer files, the email system and all software furnished to employees by GCSD are GCSD property and shall only be used for conducting the business of GCSD. They are not for personal use, though employees may occasionally use electronic devices for incidental personal use, however, employees have no expectation of privacy in such use and abuse of the privilege could lead to disciplinary action.

Employees should not use a password, access a file, or retrieve any stored communication without authorization. Employees are only authorized to access GCSD devices and data while employed and while expressly authorized to do so. Such authorization is immediately revoked upon termination of employment and GCSD may revoke an employee's authorization at any time. Employees do not have a reasonable expectation of privacy while using GCSD property. To ensure compliance with this policy, computer, email and social media usage may be monitored.

To ensure that the District has access to each employee's computer, each time an employee changes his/her computer password, he/she must report the new password to Personnel Services.

GCSD strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, GCSD prohibits the use of computers and the email system in ways that are disruptive, disparaging of employees, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

Employees should be mindful that data stored on their GCSD issued electronic devices may be subject to public disclosure under the California Public Records Act and that GCSD management may view any GCSD electronic devices, any data stored on them or generated by them, and all network activity, at any time and without notice to the employee. Employees should regard all communications (such as emails, text messages, and voice messages) to and from GCSD devices, including any personal communications, as postcards (viewable by all) rather than (private) sealed letters.

GCSD purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, GCSD or its employees do not have the right to reproduce such software for use on more than one computer or any other computer not licensed or owned by GCSD.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. GCSD prohibits the illegal duplication of software and its related documentation. To avoid the introduction of computer viruses into the District's computer systems, employees may not download unauthorized software or other digital data. Under no circumstance may an employee install personal or unlicensed software on any GCSD system, phone or computer.

Employees should notify their immediate supervisor, the General Manager or any member of management with any questions on this policy, or upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

405.11 Cell Phone Usage

District Issued

The Electronic Devices and Email policy (above) is reiterated herein.

GCSD provides cellular telephones to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, District customers, vendors, and others with whom they may conduct business. Cell phone use is primarily intended for business-related calls. However, occasional, brief, and incidental personal use that does not interfere with the employee's work responsibilities is permitted within a reasonable limit. However, employees have no expectation of privacy in their cell phones or usage, and cellphones are subject to monitoring (see above).

Employees should generally limit any personal communications and other phone usage for personal purposes to their rest or lunch breaks. Employees who abuse this occasional/incidental personal-use policy may lose their GCSD phone and/or be subject to disciplinary action.

Employees have no privacy interest in GCSD provided phones and GCSD may order an employee to return a phone and its contents at any time. Employees must also remember that the contents of GCSD-issued phones and any information on them, including emails and text messages, could be considered a public record(s) and subject to public disclosure pursuant to California's Public Records Act. Cell phone invoices may be regularly monitored by GCSD management and designees.

As a representative of GCSD, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

For safety reasons, employees shall not use cell phones while driving, except when they can be used in a fully automated fashion where you do not look at or touch the phone in compliance with the California Vehicle Code. If a cell phone call must be made while driving a car, the employee should pull off the road in a safe location to avoid distracted driving and make the call. GCSD takes the safety of its employees and the public very seriously. Employees who violate the hands-free-only policy, or who are otherwise unsafe while driving, will be subject to disciplinary action up to and including termination.

Use of cell phones equipped with data network connectivity, such as Internet services or storage and transmission of graphic material, such as photographs, or capable of being programmed through software, are subject to the policies contained in Section 405.10, Internet and Digital Network Usage, of this Handbook.

Personal

It is the District's expectation that personal cell phones will be off or on silent during normal business hours so normal workflow remains undisturbed. It is expected that employees will only use their personal cell phones for emergencies or while taking an unpaid break. Failure to follow this policy will result in disciplinary action, up to and including termination of employment. Employees shall not use their personal cell phones for GCSD business unless such use is explicitly authorized by the employee's supervisor.

Personal cell phones used for District business, if allowed, are subject to the same policies as if the employee was using a District owned electronic device. If employees use their personal cell phones for GCSD business, information contained on those devices could be considered public records and subject to disclosure.

405.12 Internet and Digital Network Usage

Access to global electronic information resources on the Internet, including the World Wide Web, is provided by GCSD to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits during the employee's break or lunch time, however employees have no privacy right with respect to any personal emails, searches, etc. when performed on a GCSD device. Personal use of the Internet is not permitted during work time and at no time will employees be allowed to use a GCSD computer to conduct personal business on the Internet or through any other network or communications computer connection.

All Internet data that is composed, transmitted, or received via the District's computer communications systems is considered to be part of the official records of GCSD and, as such, is subject to disclosure to law enforcement or other third parties under the California Public Records Act. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, lawful and electronic records, including email and text messages are maintained pursuant to District policy.

The equipment, services, and technology provided to access the Internet or remote connection remain at all times the property of GCSD. As such, GCSD reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our electronic systems.

Data that is composed, transmitted, accessed, or received via the Internet or other telecommunications connections must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law. Unsolicited information or data found on GCSD computer or telecommunications equipment shall be immediately reported to GCSD management.

Internet, email and cell phone and other electronic device users should take necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by GCSD in violation of law or GCSD policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Sending, receiving, or posting confidential material, trade secrets, or proprietary information outside of the organization without written consent authorizing such disclosures
- Violating copyright law
- Failing to observe licensing agreements
- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the organization
- Engaging in any other illegal activities

Social Media

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's website or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with GCSD, as well as any other form of electronic communication.

Employees shall not access social media sites with GCSD electronic devices, and, other than incidental use, they should refrain from accessing social media sites during their working hours.

The same principles and guidelines found in GCSD's conduct policies apply to employees' activities online. Ultimately, employees are solely responsible for what they post online. Before creating online content, employees should consider some of the risks and rewards that are involved, and they should be mindful that any information they post to the internet may be difficult or impossible to truly delete. Employees should also be mindful that they represent GCSD in the community we serve, even when off duty.

Employee conduct must not adversely affect job performance or the job performance of fellow employees, nor should it otherwise adversely affect customers, suppliers, and people who work on behalf of GCSD or GCSD's legitimate business interests.

This policy is in furtherance of GCSD's business interests and the protection of its employees and work associates. Nothing in this policy should be construed as limiting employees' right to discuss their terms and conditions of employment/ working conditions during non-work time and while in non-work areas, nor is it intended to affect employees' ability to engage in activity protected by state or federal law. The prohibited conduct in this policy relates to statements about persons, not to GCSD, unless GCSD is specifically referenced.

Violation of this policy may lead to disciplinary action up to and including termination from employment.

A. ***Know and follow the rules.*** Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject employees to disciplinary action up to and including termination. Employees should not have an expectation of privacy with respect to information or communications that they post using GCSD's computers or networks. GCSD has the right to monitor all activity on its equipment and systems.

B. ***Exercise best judgment and discretion.*** Employees should always be fair to fellow employees and people who work on behalf of GCSD. Also, employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with co-workers or

by utilizing any of GCSD's procedures for raising concerns or complaints (i.e., the Problem Resolution policy, or for concerns involving suspected harassment, discrimination or retaliation, by using the complaint reporting procedure described in the Policy Against Harassment, Discrimination, and Retaliation). Nevertheless, if employees decide to post complaints or criticism about other employees or work-related persons, they should avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, or that constitutes harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, national origin, sex, disability, religion or any other status protected by law or District policy. Employees are personally responsible for what they post, and the District will not assume any liability for those statements.

C. ***Be honest, accurate and transparent.*** Employees should strive to remain honest and accurate when posting information or news, and if they make a mistake, they should be open about it and correct it quickly. This includes being open about any previous posts they have altered. The Internet archives almost everything; therefore, even removed or deleted postings can be searched. Employees should never post any information or rumors that they know to be maliciously false about GCSD, fellow employees or people working on behalf of the District. When using social media, employees should comply with the site's terms of service, acceptable use policy and any other posted guidelines.

D. ***Post only appropriate, respectful, legal, and non-proprietary content.***

- Employees must maintain the privacy of the District's non-public, proprietary information. Employees are prohibited from posting confidential or proprietary communications.
- Employees should not create a link from their blog, website or other social networking site to the GCSD website without identifying themselves as a GCSD employee. In addition, they must use their best judgment and exercise discretion when linking to people on social media sites. Co-workers and members of the public may see employee connections and make judgments about them or their work.
- Employees must not violate copyright, trade secret, fair use, privacy, libel and defamation, federal securities and financial disclosure laws.
- Employees should express only their personal opinions. They should never represent themselves as a spokesperson for GCSD and they should never infer that they are. Employees are not authorized to speak on behalf of GCSD unless given specific prior written approval from GCSD. Employees are prohibited from using GCSD's name or logo for personal purposes. If GCSD is a subject of the content employees are creating, employees should be clear and open about the fact that they are an employee and make it clear that their views do not represent those of GCSD, fellow

employees or people working on behalf of GCSD. If employees do publish a blog or post online related to the work they do or subjects associated with GCSD, they should make it clear that they are not speaking on behalf of GCSD. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of the District.” Employees may not promote any of the District’s products or services without fully disclosing their relationship with the District.

- Employees should respect others in the online community, and they should abide by the social media platforms’ terms of service. They should not use ethnic or racial slurs, or obscenity, and avoid personal attacks or threats.

405.13 Workplace Monitoring

Workplace monitoring may be conducted by GCSD to ensure quality control, employee safety, security, and customer satisfaction.

Computers, tablets and cell phones furnished to employees are the property of GCSD. As such, computer usage and files may be monitored or accessed.

Because GCSD is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner. Although GCSD does not wish to examine personal information of its employees, on occasion, GCSD may need to access its technology resources including computer files, email, texts and voicemail messages. Employees should understand that they have no reasonable expectation of privacy with respect to any messages or information created, collected, or maintained on GCSD’s technology resources.

405.14 On-Call Duty and Pay

The purpose of on-call duty is to ensure that the District can respond to any emergency. At least one Collections and Distribution employee and one Treatment Operations employee will be available twenty-four (24) hours a day by pager, cell phone, telephone, and/or radio as an on-call duty operator.

At all times while on call, the on-call duty operator must have a District pager and/or cell phone in his/her possession and must keep a District vehicle at his/her residence. With the exception of any emergency situation where time is of the essence, the on-call duty operator must respond to all calls and be on site at the incident within, from the time of dispatch, thirty (30) minutes for Collections and Distribution Operators and one (1) hour for Treatment Operators. Failure to respond within these timeframes shall deem the employee ineligible for on-call duty. Failure to respond to a call back will result in disciplinary action, up to and including termination of employment.

An employee on medical leave and/or sick leave shall be ineligible for on-call duty, except if leave is specific to routine doctors, dentist, etc. appointments. On-call operators are expected to arrive at a call out in the same physical and mental conditions that are required for normal work duty.

Call Back Defined

Onsite

After completing their normal work shift and leaving the workstation, an employee who responds to an authorized order to return to work to perform unscheduled emergency or non-scheduled work shall be paid at the overtime rate for a two (2) hour minimum or the time actually worked, whichever is greater. Call back shall begin at the time the employee responds to the call to the time employee returns home (Portal-to-Portal). Time worked for additional calls received during the initial two-hour minimum call back period, prior to an employee returning home from their initial call back, shall be considered part of the initial call back. Continuous hours of overtime worked without rest that cross into the next day will be considered same day overtime and will not be applicable as actual hours worked for the next day.

Remote

When responding to an alarm via SCADA where an appropriate response can be made via electronic means, such as performing monitoring of systems, or corresponding with the answering service or customers from home (place of contact), employees shall receive compensation in 30-minute increments as follows:

- Up to 30 minutes= 30 minutes of pay
- 31-60 minutes= 60 minutes of pay
- 61-90 minutes= 90 minutes of pay
- 91-120 minutes= 120 minutes of pay

An employee who is assigned on-call duty shall receive a per diem as stipulated in the current MOU.

406 Leaves of Absence

406.1 Medical Leave

GCSD provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability pursuant to state and federal law. Such leave is generally permitted for the serious health condition of an employee or an employee's family member and for prenatal care, bonding with a newborn, and birth or placement for adoption or foster care of a child. Such leave is also permitted to attend to a "qualifying exigency" or to care for a covered military servicemember with a serious illness or injury. The statutes covering family medical leave are complex. Employees who need a leave of

absence related to one of the categories set forth above are encouraged to contact Personnel Services to determine if they are eligible. Leave for temporary disabilities associated with pregnancy, childbirth, and related medical conditions are covered under “Pregnancy-Related Absences” (see below).

Employees in the following employment classifications are eligible to request medical leave as described in this policy:

- Regular full-time employees (completed Introductory Period)
- Employees that have been employed for at least twelve (12) and have been employed for at least 1,250 hours of actual work (or “hours worked”) during the twelve (12) month period immediately preceding the commencement of the leave.

Exceptions to the service requirement will be considered as a possible reasonable accommodation of a disability. Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to GCSD. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted leave for the period of the disability, up to a maximum of 12 weeks within any 12-month period. Any combination of medical leave and family leave may not exceed this maximum limit. Employees will be required to first use any accrued paid leave time before taking unpaid medical leave.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Subject to the terms, conditions, and limitations of the applicable plans, GCSD will continue to provide health insurance benefits for the full period of the approved medical leave.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide GCSD with at least two weeks' advance notice of the date the employee intends to return to work. When medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, GCSD will assume that the employee has resigned.

406.2 Personal Leave

At its discretion, GCSD may grant personal leaves of absence without pay to eligible employees when other forms of recognized leave do not apply. Personal leave is unpaid unless the employee has eligible accrued vacation time. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

- Regular full-time employees

Eligible employees may request personal leave only after having completed 365 calendar days of service. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor.

Personal leave may be granted for a period of up to 10 calendar days every year. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 10 calendar days. With the supervisor's approval, an employee may take any available sick leave or vacation leave as part of the approved period of leave.

The granting or denying of a request for personal leave is within the discretion of the District. Requests will be evaluated on a case-by-case basis and the District will take into account factors like anticipated workload requirements and staffing considerations during the requested period of leave.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by GCSD until the end of the month in which the approved personal leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from personal leave, benefits will again be provided by GCSD according to the applicable plans. The employee is encouraged to contact Personnel Services regarding these issues.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, GCSD cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, GCSD will assume the employee has resigned.

406.3 Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the United States military services in accordance with applicable federal and state law. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by the Uniformed Services Employment and Re-employment Rights Act (USERRA) of 1994, based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the General Manager for more information or questions about military leave.

406.4 Pregnancy-Related Absences / New Parent Leave

GCSD will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated according to policy provisions outlined below and all applicable federal and state laws.

Pursuant to state law, any employee who is disabled by pregnancy, childbirth, or other legally recognized pregnancy-related condition(s), as determined by the employee's health care provider, may take up to four (4) months (or 17 and 1/3 weeks) of unpaid Pregnancy-Related

Disability leave(s) for the period(s) of actual disability. For employees who work less than forty (4) hours, the number of working days shall be calculated on a pro-rata basis or proportional basis. Pregnancy-Related Disability Leaves may be taken intermittently, or on a reduced-hours schedule, as medically necessary.

Moreover, an employee is entitled to a reasonable accommodation for pregnancy, childbirth, or related medical conditions if she so requests and provides GCSD with medical certification from her health care provider, even if her pregnancy leave has expired. In addition to other forms of reasonable accommodation, a pregnant employee is entitled to transfer temporarily to a less strenuous or hazardous position or to less hazardous or strenuous duties if she so requests, the transfer request is supported by proper medical certification, and the transfer can be reasonably accommodated.

An employee taking Pregnancy-Related Disability Leave must use any accrued paid sick leave. The employee may, at her option, also use any accrued vacation time to receive compensation during her pregnancy leave. The substitution of paid leave for Pregnancy-Related Disability Leave does not extend the total duration of the leave to which an employee is entitled (4 months).

During a Pregnancy-Related Disability Leave, GCSD will continue to pay for the employee's participation in GCSD's group health plans, to the same extent and under the same terms and conditions as would apply had the employee continued in employment continuously for the leave period. Thus, the employee must continue to pay her share of the health plan premiums during the leave. If paid sick leave is substituted for any portion of the leave that is unpaid leave, such payments will continue to be deducted from the employee's pay through the regular payroll deductions. Otherwise, the employee must make arrangements with GCSD for the payment of such premiums.

Under certain circumstances GCSD may recover from the employee the premiums that it paid to maintain coverage for the employee under the group health plan if the employee fails to return from leave after the period of leave has expired.

Consistent with GCSD's practice for other employees returning from a medical leave for reasons other than pregnancy, GCSD requires that an employee returning from Pregnancy-Related Disability Leave provide a release to return to work from her healthcare provider stating she is able to resume her original job or duties.

Employees returning from Pregnancy-Related Disability Leave are entitled to be reinstated in the same position or to a comparable position and consistent with applicable law. Employees on pregnancy disability leave shall continue to accrue seniority and participate in employee benefit plans to the same extent and under the same conditions as would apply to any other unpaid disability leave but, in no event shall the employee return to work with less seniority than when the leave commenced.

Requests for time off associated with pregnancy and/or childbirth that are not due to disability, such as bonding and childcare, will be considered in the same manner as other requests for unpaid family or personal leave.

406.5 Lactation Policy

The District recognizes the importance of breastmilk in the growth and development of infants and supports breastfeeding employees by accommodating the employee who wishes to express breastmilk during their workday when separated from a newborn child.

The District shall provide lactating employees with the use of a lactation room or location and a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has a need to express milk.

Break time for expressing milk will, if possible, run concurrently with any rest or meal break time already provided to the employee. Break time to express milk that does not run concurrently with the regular rest or meal break time authorized for the employee shall be unpaid. Employees may use accrued vacation or compensatory time to compensate for any unpaid time that occurs.

The District may comply with this policy by designating a lactation room or location that is temporary, due to operational, financial, or space limitation. Temporary spaces will not be a bathroom, will be in close proximity to the employee's work area, shielded from view, free from intrusion while employee is expressing milk, and will comply with this policy, and all applicable legal requirements.

The District will not discharge, or in any other manner harass, discriminate or retaliate against an employee for exercising or attempting to exercise any right protected under this policy or the law.

406.6 Time Off for Victims of Violent Crimes, Domestic Violence, Sexual Assault or Stalking

An employee who has been a victim of crime, domestic violence, sexual assault, stalking, a crime that resulted in physical injury, or a crime that resulted in a mental injury and a threat of physical injury (crime or abuse), may take time off for related legal proceedings, including, but not limited to: 1) appearing in court to comply with a subpoena or other court order as a witness in any judicial proceeding; 2) seeking medical or psychological or mental health assistance or services; 3) participating in safety planning or training to protect against further assaults; 4) seeking a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child; seeking medical attention for injuries caused by the crime or abuse, and; seeking services from a shelter.

Employees may also take time off for proceedings involving victim's rights if the employee or the employee's spouse, parent, child sibling or guardian was the victim of a crime defined in *Labor Code Section 230.5(a)(2)*, and such other time off as prescribed by law.

An affected employee must give the District reasonable notice that he or she is required to be absent for a purpose stated above. In cases of unscheduled or emergency court appearances or other emergency circumstances, the affected employee must, within a reasonable time after the appearance, provide the District with written proof that the absence was required for any of the above reasons, such as a police report, court order or other relevant evidence from the court demonstrating the employee's attendance, or documentation regarding medical treatment, if applicable. Leave under this section is unpaid unless the employee uses accrued sick, vacation or other leave.

407 Employee Conduct & Disciplinary Action

407.1 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, GCSD expects employees to follow rules of conduct that will protect the interests and safety of all employees and the District.

It is not possible to list all the forms of behavior that are considered unacceptable in the GCSD workplace. The following is a list of examples of the conduct that can result in discipline, up to and including termination. It is intended to be illustrative, not exhaustive, and the District shall not be limited to the specific matters listed as bases for imposing discipline.

- Theft or inappropriate removal or possession of GCSD property
- Falsification of timekeeping records or other business records
- Violation of dress or appearance standards
- Working under the influence of alcohol or illegal drugs
- Fighting, horseplay, or threatening violence in the workplace
- Violation of safety or health rules, including the failure to report injuries
- Sexual or other unlawful or unwelcome harassment, discrimination, or retaliation
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Insubordination, including refusal to execute a superior's orders, unless that order violates District safety protocols or if the order violates the law
- Rude or discourteous treatment of the public or fellow employees
- Abusive language
- Lying or any form of dishonesty in work related matters
- Conduct unbecoming a District employee
- Any violation of these Handbook policies or other rules of the District
- Conduct that brings discredit to the District

- Failure to perform job duties, whether such failure is intentional or unintentional
- Intoxication at work or possession of drugs or alcohol
- Willfully damaging District or co-worker's property
- Poor work quality, insufficient productivity, or failing to meet District standards
- Refusal to submit to a drug/alcohol test under the Drug and Alcohol Use Policy below
- Any other misconduct that has been described to the employee as unacceptable and a possible basis for discipline
- Collaboration with or supporting acts of terrorism or damage to GCSD assets or to those on GCSD property and surrounding communities

Employees are expected to work well under pressure and meet multiple and sometimes competing deadlines. In doing so, the employee shall at all times demonstrate cooperative and civil behavior with the public, colleagues and supervisors.

GCSD's discipline procedures are described in Section 406.9 "Progressive Discipline."

406.2 Drug and Alcohol Use

It is GCSD's desire to provide a drug- and alcohol-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on GCSD owned or managed premises, driving a District vehicle or driving a personal vehicle for work purposes, and while conducting business-related activities off GCSD premises, no employee may use, possess, distribute, buy, sell, transfer, manufacture, or be under the influence of alcohol or illegal drugs/ controlled substances. Note that marijuana is classified as an "illegal drug" under federal law and this policy. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

If a supervisor reasonably suspects that an employee is under the influence of drugs, alcohol, marijuana or any other controlled-substance while performing job duties or operating District equipment, the supervisor may refer the situation to the General Manager (or designee) who may require the employee to submit to an immediate drug test. An employee's refusal to submit to a drug test is cause for termination. Examples of indicators which can form a reasonable suspicion that an employee is under the influence of illegal drugs, alcohol, or any other controlled-substance include, but are not limited to, the following:

- slurred speech;
- glassy or bloodshot eyes;
- odor of alcohol;
- inability to walk straight;

- an accident involving District property, employee, customer or other person;
- a near accident or other safety violation;
- physical altercation;
- possession of alcohol, illegal drugs, or drug paraphernalia related to illegal drugs; and
- sleeping on the job.

If the General Manager determines there is a reasonable belief based on objective evidence that the employee is under the influence of drugs or alcohol at work, he or she may require the employee to submit to a medical examination and/or test to determine the employee's compliance with this policy. The General Manager may meet with the employee to address the situation and give the employee an opportunity to explain. Any employee who refuses to submit to a medical examination and/or test may be disciplined.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

GCSD strongly encourages employees with a drug or alcohol problem to seek assistance. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the General Manager to receive assistance or referrals to appropriate resources in the community.

Employees may request approval to take unpaid time off to participate in a rehabilitation or treatment program through GCSD's health insurance benefit coverage, however, the use of alcohol or illegal drugs on the job will still constitute grounds for disciplinary action. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all GCSD policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause GCSD any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a state or federal government contract or grant must notify GCSD of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

It is the responsibility of employees taking prescription medications to consult with their prescribing physician to ensure that the medication, when taken in the proper dosage, will not present an immediate threat of harm to themselves or others.

In addition to this policy, the District follows the Department of Transportation (DOT) regulations for employees who are subject to these regulations by virtue of their job duties, including policies associated with commercial driver's licenses. Details of this policy are provided in Section 406.15 of this Employee Handbook.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the General Manager without fear of reprisal.

406.3 Policy Against Harassment, Discrimination, and Retaliation

It is the policy of this District to treat all individuals with respect and dignity. Each person has the right to work in a professional environment which promotes equal opportunity and is free from discriminatory practices, workplace harassment, and retaliation. The District will not tolerate any form of harassment, retaliation, or other prohibited discrimination based on race, religion/religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding or related medical conditions), gender, gender identify, gender expression, age, sexual orientation, military status, veteran status, or any other characteristic protected by local, state or federal law. Any person who engages in harassment, retaliation, prohibited discrimination or any related inappropriate conduct may be subject to discipline, including but not limited to termination of employment. In addition to the behavior described above, GCSD prohibits unprofessional, disrespectful, and/or offensive conduct even if it does not necessarily violate the law and it may take disciplinary action up to and including termination against employees engaging in such conduct.

Individuals Covered Under this Policy

This policy covers employees (including managers and supervisors), volunteers, interns, apprentices, Board members, independent contractors, vendors, and any other third-parties with whom an employee comes into contact. The District requires reporting of all incidents of harassment, discrimination, or retaliation, regardless of the offender's identity. Supervisors who receive any complaint of harassment, discrimination, or retaliation must promptly report such complaints to Personnel Services.

Definitions

Harassment Defined: Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance, and that is based on a protected status. Such conduct constitutes harassment when (i) submission to the conduct is made either an explicit or implicit condition of employment; (ii) submission or rejection of the conduct is used as the basis for an employment decision; or (iii) the harassment interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Harassing conduct can take many forms and may include, but is not limited to, the following (when based upon an employee's protected status as noted above): slurs, jokes, statements, gestures, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, drawings, or cartoons, violating someone's "personal space," foul

or obscene language, leering, stalking, staring, unwanted or offensive letters or poems, offensive email or voicemail messages. Harassment can be a pattern of behavior or a single incident.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and other unwelcome sexual advances. For example, sexual harassment can be:

- **Verbal:** sexual innuendoes, sexually suggestive or degrading comments, text messages, sexual jokes, graphic commentaries about a person's body, or repeated sexual advances or invitations.
- **Nonverbal:** displaying sexually suggestive objects, pictures, cartoons, magazines, calendars or posters, or making suggestive or insulting sounds, leering, whistling, or obscene gestures.
- **Physical:** offensive touching, brushing against a person's body, unwanted hugging or kissing, or impeding or blocking a person's normal movement.

Sexually harassing conduct can be by a person of either the same or opposite sex. Sexually harassing conduct need not be motivated by sexual desire to violate this policy.

Discrimination Defined: Discrimination (when based on the employee's protected status as noted above) includes refusing to hire or employ a person or to refuse to select the person for a training program leading to employment or to bar or discharge a person from employment or from a training program leading to employment or to discriminate against the person in compensation or in terms, conditions, or privileges of employment (i.e. benefits, promotions, transfers, disciplinary action, etc.). Employees should not be treated differently because they belong to a protected class such as age, gender, race, etc. as set forth above.

Retaliation Defined: Retaliation includes the discharge, expulsion, or other adverse employment action or other discrimination against any person because he or she has opposed any practices prohibited by federal, state, or local law (including the California Fair Employment and Housing Act (FEHA) that further the enforcement of employment discrimination laws (or the person reasonably believed the practice was illegal) or because the person has participated in the investigation of related proceedings.

By way of example only, participating in such an investigation includes, but is not limited to:

- Filing a complaint with, or seeking advice from, a federal or state enforcement or administrative agency;
- Participating in or cooperating with a federal or state enforcement agency that is conducting an investigation of the District regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;

- Assisting another employee who is engaged in any of these activities;
- Making or filing an internal complaint with the District regarding alleged unlawful activity;
- Providing notice to the District regarding alleged unlawful activity.

If you have any questions about what constitutes harassing, discriminatory or retaliatory behavior, ask your supervisor, or the General Manager.

Reporting, Investigating, and Remedial Action

A. Reporting Harassment, Discrimination, or Retaliation

Employees are encouraged, and have the right to, complain about harassment, discrimination, or retaliation and they will not be retaliated against for lodging a complaint or participating in any investigation. GCSD wants to facilitate the prompt reporting of conduct that violates the above policy. Anyone who believes he/she has been subjected to harassing, discriminatory, inappropriate, unprofessional, or retaliatory conduct, or who observes another employee endure such behavior, should promptly report the facts of the incident(s) and all relevant information, including the names of the individuals involved, to his or her supervisor or to Personnel Services, if appropriate. Any supervisor fielding a report/complaint shall immediately report it to Personnel Services. If the supervisor is the offending party, or if the employee does not feel comfortable reporting to his/her supervisor, the employee is encouraged to report the incident(s) to Personnel Services or to the General Manager. If the General Manager is the offending party, the employee should report the conduct to the President of the Board of Directors. An employee's initial report/complaint may take the form of a written complaint, as described below, or it can be an oral advisement to the appropriate authority, email, or whatever form the employee chooses, however, the employee should ensure the intended recipient received the report.

Complaints of harassment, discrimination, or retaliation should be made in writing and signed by the complainant. If necessary, the person receiving the initial report should assist the employee in submitting a written complaint. The complaint should provide as much detail about the objectionable behavior or conduct as possible to assist the investigator.

The report/ complaint will be treated discretely and kept confidential to the extent possible, however, reports/ complaints cannot be made completely confidential and they will need to be disclosed to some individuals, including the accused, in order to properly investigate and to afford all parties due process.

B. Investigation

Consistent with GCSD's duty to investigate and take remedial action, it will promptly investigate allegations of harassment, discrimination, and retaliation.

For complaints not alleging misconduct by the General Manager or a member of the Board, the General Manager or his/her designee will ensure a fair, thorough, timely, and impartial investigation by a qualified investigator consistent with the practice/ procedure set forth below. GCSD may handle the investigation internally or it may retain an impartial third-party investigator, as warranted by the circumstances.

If the complaint alleges the General Manager or a member of the Board engaged in conduct prohibited by this Section, the General Manager or the President of the Board of Directors shall report the circumstances at issue to the Board of Directors, which shall designate a third party professional consultant/ investigator to investigate such claim and recommend appropriate action to the Board of Directors. Any third-party consultant/ investigator shall conduct the investigation in a fair, thorough, timely, and impartial manner consistent with the practice/ procedure set forth below.

Any investigation pursuant to this Section shall be tracked and documented by GCSD. GCSD shall ensure that all parties are afforded due process, and it shall reach reasonable conclusions based on the evidence collected.

Nothing in this harassment, discrimination, and retaliation policy supersedes or replaces the District's grievance procedure or the grievance procedure contained in a Memorandum of Understanding.

C. Investigative Procedure

Complaints of harassment, discrimination, or retaliation should be investigated pursuant to the following practices and procedures when feasible, however, rigid adherence is not prescribed in all circumstances. GCSD recognizes the investigator(s) may have to adapt the investigatory process to the circumstances at issue. In any event, the investigator shall prioritize fairness, thoroughness, timeliness, and impartiality.

- 1. Limited Confidentiality.** Confidentiality will be maintained throughout the investigative process to the extent practical and appropriate in the circumstances. Typically, the incident(s) at issue, the circumstances at issue, and the identities of the complainant, the victim (if different than complainant), the alleged perpetrator, and any witnesses will only be disclosed to those employees who have a need to know. GCSD anticipates that personnel including the alleged, the victim (if different from the complainant), witnesses (if any), the alleged perpetrator, and the District personnel responsible for investigating and/or making decisions regarding the complaint will need to be advised of the circumstances at issue and the identity of all persons involved.

- 2. Witness Advisement.** All persons contacted during an investigation shall be advised that all parties involved in an allegation and investigation are entitled to respect and dignity and that any information they learn about the investigation, or the parties involved in it, should be held confidentially/ discretely while the investigation is open. Witnesses and other parties should be reminded that they are obligated to be truthful in their answers and that they should not omit any information. Witnesses and other parties shall further be informed that discrimination or retaliation against a complainant, a witness, or anyone who has provided evidence in connection with a complaint or an investigation is subject to disciplinary action including termination. Witnesses and parties shall also be advised that they should report any retaliation or discrimination related to their participation immediately.
- 3. Process.** Investigator(s) will give due regard to the complainant and victim's wishes (if the victim is not the complainant), ("complainant/victim") and the investigator(s) shall conduct the investigation in a fair, thorough, timely, and impartial manner that prioritizes the due process rights of all parties. The investigator(s) will keep the complainant reasonably informed as to the status of the investigation.

The investigator(s) may take the following steps in the course of the investigation, among others:

- Confirm name and position of the complainant/victim.
- Identify the accused.
- Obtain all relevant information about any incident(s) and the circumstances. Questions should be asked in a non-judgmental manner.
- Determine frequency/type of the alleged incident(s) and the dates and locations where they are alleged to have occurred.
- Determine if there were witnesses who observed the incident(s).
- Determine if there are any documents or other records supporting the allegations.
- Ask the individual how the conduct affected him/her and how he/she responded to the incident(s).
- Determine whether the alleged victim consulted anyone else about the alleged incident(s) and take note of who else knows and their response to the disclosure.
- Develop a thorough understanding of the professional relationship, degree of control, and amount of interaction between the accused harasser and

complainant/victim? Did the accused control compensation, terms of employment, or promotions? Do these individuals work in close proximity to one another and/or on the same projects?)

- Determine whether the accused harasser has made and/or carried out any threats or promises directed at the complainant/victim.
- Inquire whether there are other similar incidents involving the accused.
- Determine whether the complainant/victim has informed a supervisor or other District official of the situation. What response, if any, did complainant/victim receive from these individuals?
- Ask complainant/victim what action he/she would like the District to take.
- A consideration of a modified work environment may be offered
- Collect and review any documents or records related to the allegations.
- Interview the accused and any witnesses.
- Remind all parties, including the accused, of the District's policy against harassment, discrimination, and retaliation.

Failure to cooperate with a District investigation of a harassment, discrimination, or retaliation charge may itself lead to disciplinary action up to and including termination of employment. GCSD will not tolerate retaliation against any employee for making a good faith complaint of harassment, discrimination, or retaliation, or for cooperating in an investigation.

D. Remedial Action

If discrimination, harassment, or retaliation is established, GCSD will take appropriate corrective action. Corrective action may include, for example: training, referral to counseling, disciplinary action ranging from a verbal or written warning to termination of employment, or separation of employees from offending third parties, depending on the circumstances. With regard to acts of harassment by customers or vendors, corrective action will be taken after consultation with the appropriate management personnel.

Anti-Harassment, Discrimination, and Retaliation Training

Every GCSD employee is required to undergo training regarding the prohibition on harassment, discrimination, and retaliation within the first six months of his/her appointment to a position or with six (6) months of his/her promotion to a supervisory position and at least once every two years thereafter. Supervisory employees are required to undergo 2-hours of harassment

prevention training, and all other employees are required to undergo 1-hour of training. Seasonal and temporary employees or employees hired to work less than six (6) months must receive training within thirty (3) calendar days or within one hundred (100) hours worked, whichever is earlier.

Harassment prevention training will include information and practical guidance about federal and state harassment laws, including harassment prevention and correction and remedies that are available to victims. The training will also include a component of the prevention of abusive conduct (bullying) as well as a component on harassment based on gender identity, gender expression, and sexual orientation.

An employee who fails to attend the training required by this Section may be subject to disciplinary action, up to and including termination of employment

406.4 Attendance and Punctuality

To maintain a safe and productive work environment, GCSD expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism (when not the result of lawfully taken leave) and unauthorized tardiness place a burden on other employees and on GCSD. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence so the supervisor can mitigate disruption to workflow.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

406.5 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image GCSD presents to customers and visitors.

During business hours or when representing GCSD, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and the attendant safety concerns. Employees who interact with customers or visitors in person are expected to wear appropriate business attire in keeping with GCSD's culture.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to employees with a disability or to employees with a religious creed that affects their dress standards, physical appearance, or grooming.

406.6 Return of Property

Employees are responsible for all GCSD property, materials, or written information issued to them or in their possession or control.

By accepting employment, all employees agree to return all GCSD property on or before their last day of work or immediately upon request. GCSD will require that employees repay the cost of any items that are not returned when required. GCSD may take all appropriate legal action to protect and recover its property or to recover the monetary value of its property.

406.7 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with GCSD. Although advance notice is not required, GCSD requests at least 2 weeks' written resignation notice from all employees.

If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire, absent extenuating circumstances.

An employee absent without authorization or notification to the District for 10 consecutive working days shall be deemed to have resigned without notification/ abandoned his/her job. Employees have no right to appeal or file a grievance if deemed to have resigned as a result of job abandonment.

406.8 Drug Testing

GCSD is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of illegal drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, job applicants may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Employees may be asked to submit to illegal drug and/or alcohol testing pursuant to the reasonable suspicion testing standard set forth above unless the DOT standards apply.

Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment.

Employees subject to DOT testing should reference Section 406.15 below and the DOT testing handbook.

The District's drug testing policy is outlined in Section 406.2, Drug and Alcohol Use, of this Handbook. Employees will be asked to sign an acknowledgement form indicating that they have received a copy of the drug testing policy. Questions concerning this policy or its administration should be directed to Personnel Services.

406.9 Progressive Discipline

The purpose of this policy is to state GCSD's position on administering equitable and consistent discipline for unsatisfactory conduct or work performance in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership, fair supervision at all employment levels, setting expectations, and employee counseling, when appropriate.

GCSD's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. GCSD must also ensure the protection of its employees, its customers, the public, and its own reputation in the community.

When GCSD determines that behavior is subject to correction, disciplinary action may consist of any of the following: verbal warning, written warning, suspension without pay, reduction in pay, demotion or termination of employment. The particular level of discipline to be imposed will depend on the severity of the problem, employment history, likelihood of recurrence, any mitigation, and such other matters as the District may consider. The steps outlined below are not prescriptive and there are circumstances where lesser levels of discipline will be bypassed in favor of more severe disciplinary action, when appropriate. In some cases, depending on the nature of the conduct at issue, GCSD may elect to proceed directly with termination.

Nothing in this Policy is intended to affect the nature of at-will employment arrangements nor shall it affect GCSD's ability to terminate employment relationships with probationary employees with or without cause at any time.

The General Manager, at his or her discretion, may elect to place an employee potentially subject to disciplinary action on paid administrative leave pending an investigation and/or pre-disciplinary determination, as warranted by the circumstances.

The levels of discipline are summarized as follows:

Verbal Warning: Employees receiving a verbal warning may have it noted in their departmental record by their department head.

Written Warning: Employees receiving a written warning shall have a copy of the warning filed in their permanent record for future reference. Each employee's permanent record is his/her confidential, personnel file kept in the District office.

Suspension: Employees suspended from District service shall forfeit all rights, privileges, and salary while on such suspension with the exception of group health and life insurance benefits.

Reduction in pay: Employees may have their pay reduced for a specified period of time.

Demotion: Employees may be reduced in rank to a lower paying position or to a lower step in the salary structure for a definite or indefinite period.

Termination: Employees may be dismissed from employment following the completion of all legally required pre-disciplinary steps. Under certain circumstances based on the nature of the violation and where a termination is warranted in employees who have exhibited positive work performance with no prior disciplinary action, the General Manager may develop a “last-Chance” Agreement with the employee. This Agreement shall include reinstatement of the One-Year Probationary Period and strict adherence to a performance improvement plan, and may include suspension, demotion and/or reduction in pay in exchange for conditional continued employment.

406.10 Problem Resolution

GCSD is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from GCSD supervisors and management.

GCSD strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism regarding any aspect of District business. GCSD seeks to maintain an open-door policy and employees should feel free to bring questions and concerns to their supervisors.

If an employee disagrees with established rules of conduct, policies or practices, they can express their concerns through this Problem Resolution procedure; provided, however, employees shall not be able to challenge actions taken by the District which are expressly identified as being within the discretion of the District (e.g. rejections during probation, granting or denying personal leave, etc). No employee will be penalized, formally or informally, for voicing a complaint with GCSD in a reasonable, business-like manner or for using the Problem Resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are required to utilize this Procedure. The employee may choose not to pursue the matter after completion of any of the following steps, but any employee failure to proceed to the next step in a timely way shall be deemed an abandonment of the matter.

1. Employee may informally discuss their concerns with the appropriate supervisor and/or Department Manager. If the employee chooses not to have such an informal discussion, or if such informal discussions do not satisfactorily resolve the matter, the employee shall put their concerns in writing on a form acceptable to the District and submit such form to the General Manager. Such written description shall include a description of the problem, other employees with knowledge or involvement, and the desired remedy. The problem must be brought to the attention of the General Manager within 30 calendar days after the employee is reasonably aware of the circumstances, giving rise to the problem. The Department Manager may meet with the employee to discuss the problem or decide the issue based on the employee's written submission.
2. The Department Manager will respond to the problem based upon the employee's written submission and/or based upon his/her conversation with the employee and/or after consulting with appropriate management, when necessary. The Department Manager will document the discussion and his/her determination and notify the employee.
3. Within 10 calendar days of receiving the response from the Department Manager, the employee shall present a written summary to the General Manager if the problem is unresolved. The written summary shall include the step 1 written description and desired remedy and any determination from the Department Manager.
4. The General Manager may meet with the employee and attempt to resolve the matter. The General Manager may conduct such investigation, as he or she deems appropriate. If the matter is not resolved during the meeting between the employee and the General Manager, the General Manager shall issue a written decision on the matter.

Employees represented by the union may, at any time in this process, request the assistance of the union representative.

GCSD recognizes that not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure everyone's job security.

Concerns related to reports or complaints of unlawful harassment, discrimination, and retaliation should be reported using the procedures described in the "Policy Against Harassment, Discrimination, and Retaliation."

406.11 Workplace Etiquette

GCSD strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace, while not rising to the level of a policy violation, may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a

co-worker to bring the perceived problem to their attention. In most cases, common sense will dictate an appropriate resolution. GCSD encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to work as part of a team, concentrate and be productive.

All District employees are expected to be able to work well under pressure and meet multiple and sometimes competing deadlines. Employees shall at all times demonstrate cooperative and civil behavior with the public, colleagues and supervisors.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply examples of appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact your Department Manager if you have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- A. Support each other. Pick someone up who is having a hard time, help them out and you will hope they return the favor someday.
- B. Return tools and equipment to their proper storage location after completing tasks.
- C. Avoid public accusations or criticisms of other employees or the District. Address such issues privately with those involved or your supervisor or use one of the problem resolution processes detailed in this handbook.
- D. Try to minimize unscheduled interruptions of other employees while they are working.
- E. Be conscious of how your voice travels and try to lower the volume of your voice when talking on the phone or to others in open areas.
- F. Refrain from using inappropriate language (swearing) that others may overhear.
- G. Clean up after yourself and do not leave behind messy vehicles, waste or discarded papers.
- H. Follow through on commitments made to others, or discuss alternatives before commitments are due.
- I. Be aware of condition, cleanliness, and the overall perception the public may have of District buildings, property, facilities, vehicles and equipment. For example, when you notice trash or a mess on GCSD property, something left open, something not working, a light out, a potentially unsafe situation; take pride in GCSD, stop and fix it or if it can wait, report to your supervisor.

406.12 Motor Vehicle Driving Record Inspection

All employees required to drive as part of their job duties must possess a valid California motor vehicle driver's license and possess a good driving record commensurate with the District's ability to protect its insurability under its automobile liability policies and pursuant to the law. As a condition of employment, the District may, from time to time, request individual driving records from the Department of Motor Vehicle to verify the employee's eligibility to drive on behalf of the District when a driver's license is required for the job. Failure to maintain a good driving record may render the employee ineligible for the position.

406.13 Permitted Use of Private Vehicles on District Business

Unless specifically authorized by the General Manager, an employee shall not use their personal vehicle to conduct District business. Any employee authorized by the General Manager to use his or her own vehicle for District business shall provide evidence of insurance coverage that meets the requirements of state law. Also, the District shall be named as an additional insured in the policy. In special circumstances, when use of a private vehicle is authorized for long-range travel, the employee shall be reimbursed at the business mileage rate allowed by the Internal Revenue Service.

406.14 Department of Transportation (DOT) Drug & Alcohol Testing

Employees who hold a commercial driver's license and operate commercial motor vehicles, (26,001 GVW or greater) are considered safety-sensitive employees and are subject to DOT testing, pursuant to Federal Motor Carrier Safety Administration (FMCSA), Regulation 49 CFR Part 382.

Safety sensitive employees shall be subject to random testing, post-accident testing, return to duty testing, follow-up testing, and reasonable suspicion testing in accordance with the requirements and procedures set forth in federal Regulations. Once notified to report to random testing, the safety-sensitive employee must immediately report to the testing location. A delayed arrival may be considered a refusal to test and subject the employee to disciplinary action up to and including termination.

A safety-sensitive employee involved in an accident in which there is any of the following is directed to contact Personnel Services immediately so that a drug and alcohol test can be arranged:

- Loss or life, or
- The employee receives a citation for a moving traffic violation arising from the accident if the accident involved 1) bodily injury with immediate medical treatment away from the scene of the accident, or 2) disabling damage to any motor vehicle requiring tow away.

The safety sensitive employee subject to post-accident testing shall follow the directions of the responding supervisor, manager, or Personnel Services representative or designee. Testing will be administered as soon as feasible but in no case will alcohol tests be performed more than eight hours after the accident and the drug test must occur within 32 hours of the accident.

Employees who fail to immediately report an accident or who refuse any testing required by DOT or GCSD Policy may be subject to additional disciplinary action up to and including termination. Each safety-sensitive employee will receive a handbook about the DOT testing regulations, and they are expected to be familiar with all DOT testing requirements. Employees should consult Personnel Services with questions or concerns about drug and alcohol testing requirements applicable to them.

406.15 District Fraud Policy

PURPOSE

The purpose of this Policy is to notify employees and those doing business with the District that the District has zero tolerance for fraud and other forms of misappropriation and to notify them of the types of workplace conduct the District considers fraudulent. The Policy further expressly directs and authorizes the General Manager to establish and maintain a system of internal controls and procedures to prevent, detect, report, investigate, and sanction such dishonest conduct.

DEFINITIONS

Bribe: Offering, giving, soliciting (asking for), or receiving any item of value as a means of influencing the actions of an individual.

Forgery: Falsely or fraudulently altering a document.

Fraud: An intentional deception or misrepresentation that results in an unauthorized benefit or financial or personal gain.

Fraudulent activity: Any act that constitutes fraud, as defined above.

Misappropriation: The intentional and non-authorized use of property or funds (belonging to the District) for one's own use or other unauthorized purposes.

POLICY

The District will maintain a zero-tolerance climate for fraud and other forms of misappropriation. The District expects that all Directors, officers, employees, agents, vendors, volunteers or other persons connected to the District will adhere to the strictest standards of honest conduct and integrity and will treat District property with the same respect required for all public property. It is the District's express policy is that all allegations of fraud or misappropriation connected to the District will be promptly and fully investigated and, if such conduct is established, it will take all appropriate action, including imposing discipline and pursuing civil and criminal legal remedies. To ensure the District's property is safeguarded against dishonest conduct, the District will establish and maintain appropriate procedures and internal controls to promptly detect fraud in the workplace and other misappropriation of District property or resources.

POLICY GUIDELINES

Dishonesty, fraud, corruption, and other deceitful acts prohibited under this policy include:

1. Claiming reimbursement of expenses that are not job-related or authorized by the District.
2. Committing forgery or altering any District document without authorization (for example: invoices, receipts, checks, wire and Automated Clearing House (ACH) transfers, time sheets, independent contractor agreements, purchase orders, invoices, receipts, petty cash documents or budgets).
3. Misappropriate District assets (for example: money, District-issued credit cards, securities, supplies, furniture, tools, vehicles, equipment or labor, or using District resources for substantial personal business).
4. Committing improprieties in the handling or reporting of money, material, labor or accounting transactions.
5. Authorizing or receiving payment for goods not received by or services not performed for the District.
6. Using a computer for unauthorized alteration, destruction, forgery or manipulation of District data or misappropriation of District-owned software.
7. Misrepresenting information on District-related documents or communications.
8. Falsifying time records or expense reports or conducting substantial personal business on District time.
9. Violating federal, state, or local laws related to any form or type of dishonest conduct or activities.
10. Seeking or accepting bribes, gratuities or other consideration of material value from those doing business with the District including customers, vendors, consultants, contractors, lessees, applicants and grantees, or from those seeking to do business with the District, or from those seeking non-authorized services from the District. Materiality is determined by the Political Reform Act of 1974 (*Gov't Code sections 87000 et seq.*) regulations of the Fair Political Practices Commission (*2 Cal. Admin. Code Sections 18100 et seq.*) and any amendments to the Act or regulations.
11. Any other type of dishonest, fraudulent, corrupt, or deceitful conduct in violation of any District policy or of any federal, state or local law or regulation.

Monitoring

Fraud against the District negatively affects us all and it negatively affects the community we serve. The District expects all Directors, officers, employees, agents, vendors, volunteers and other persons connected to the District to remain vigilant and to help the District detect fraudulent or other dishonest activity by keeping their eyes and ears open.

Reporting Fraud

Directors, officers, employees, agents, vendors, volunteers or other persons connected to the District must immediately report any suspicion or evidence of dishonest, fraudulent, corrupt, or other deceitful acts, including those set forth above, to their immediate supervisor, Personnel Services, the General Manager, and/or law enforcement. Employees who know or should have known about fraudulent activity and fail to report it will be subject to disciplinary action, up to and including termination.

Investigation of Fraud

The District will fully investigate all allegations of fraudulent or other dishonest conduct prohibited by this Policy. When such activity is suspected or reported, the District will thoroughly investigate any Director, officer, employee, agent, vendor, volunteer, or other person who might be involved in the activity, or who becomes the subject of such investigation, regardless of the party's or parties' position, title, tenure, or relationship with the District.

The General Manager, with appropriate assistance from management staff and District Legal Counsel, will apply appropriate procedures for investigating all allegations of conduct prohibited by this Policy. Typically, the General Manager will assign the Department Manager or an outside investigator to conduct an investigation once the subject matter of the investigation and the nature of the alleged dishonest conduct have been determined. At the General Managers' discretion, potential criminal conduct may be referred to the appropriate prosecutorial or law enforcement officials for investigation.

Employees found engaging in fraudulent activities under a preponderance of the evidence standard will be subject to disciplinary action, up to and including termination. The District will additionally pursue every legal remedy, including court-ordered restitution, to recover any losses suffered by the District due to dishonest conduct prohibited by this Policy.

408 Miscellaneous

408.1 Suggestion Program

As employees of GCSD, you have the opportunity to contribute to the District's success by submitting suggestions for practical work-improvement or cost-savings ideas. All employees are eligible to participate in the suggestion program.

A suggestion is an idea that will benefit GCSD by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making GCSD a better or safer place to work. Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are not appropriate for the Suggestions Program, though they may be addressed with employees' supervisors.

All suggestions should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help. Please submit your suggestions to your Department Manager.

408.2 Personnel Representation by Labor Union

Most District employees are organized and represented by Operating Engineers Local 3 (OE3). Fire Department personnel are represented by OE3 as the Safety Unit. The Operations and Maintenance Department personnel are represented by OE3 as the Maintenance and Operations Unit. Management staff (General Manager, District Engineer, Administrative Services Manager, Finance Officer, Executive Assistant and Fire Chief) and the Administrative Services Technician employees are not represented by a labor union.

408.3 District organizational Structure

The organizational structure of GCSD is shown on Figure 1. The District has three departments: Fire, Operations & Maintenance, and Administration/Finance. The heads of the three departments answer to the General Manager. The General Manager works under the policy direction the Board of Directors. The Operations and Maintenance Department is divided into three groups: Water and Wastewater Treatment, Wastewater Collections and Water Distribution, and Maintenance Mechanical. The remaining District employees answer to their respective department heads. Supporting this structure are District Counsel, who answers to the Board of Directors, and the Safety Officer, who answers to the General Manager.

408.4 Family Medical Leave Act Policy

Adopted: April 14, 2020, by Resolution 15-2020

The Federal Government has made revisions to the Family Medical Leave Act (FMLA) in response to the COVID-19 pandemic; and the District has been directed by legal counsel that a formal policy is not required to be adopted, but rather a declaration that the District will implement any and all changes made to the FMLA by the Federal Government.

408.5 Telework Policy

Adopted: April 14, 2020, by Resolution 14-2020

A. General

Groveland Community Services District is committed to providing policies and provisions designed to help employees balance their work, personal, and family responsibilities. In keeping with our goal of being a workplace of choice, this policy will assist in meeting both business and sustainable development objectives while satisfying the growing needs of employees to improve their overall quality of life.

Changes are occurring in the labor market with the shift towards more knowledge workers, as well as changes to traditional family structures, employees' expectations of work, and the definition of career aspirations and job satisfaction.

Flexibility in the workplace to accommodate work, personal and family needs can result in benefits to organizations such as:

- A competitive edge for attracting and retaining highly skilled individuals
- Reduce levels of employee stress and conflict
- Higher levels of productivity and reduce absenteeism
- Higher levels of employee satisfaction and motivation
- A more satisfying work environment
- Ability to accommodate employment related needs for employment equity designed group members

The impact of flexible work arrangements can also reach beyond the benefits derived by the District and contribute to the development of a sustainable society. For example, opportunities for reducing traffic congestion and air pollution and for supporting regional economic development can be realized at the same time the employers are met.

Both managers and employees are responsible to ensure that operational needs of the District are met and that neither productivity nor cost are negatively impacted by the application of this policy.

B. Policy Objective

- a. To allow employees to work at alternative locations, thereby achieving a better balance between their work and personal lives, while continuing to contribute to the attainment of the District goals.
- b. To allow employees to work remotely due to State or National emergency situations, environmental health risks, employee social distancing illness, while continuing to contribute to the attainment of the District goals.

C. Policy Statement

GCSD recognizes the opportunities that flexible working arrangement such as telework option can present and encourage departments to implement telework arrangements where it is economically and operationally feasible to do so, and in fair, equitable and transparent manner.

D. Definitions

- a. **Telework:** A flexible work arrangement whereby employees have approval to carry out same or all of their work duties from a telework place;
- b. **Designated workplace:** The employees designated workplace or business where the employee would work if there were no telework situation;
- c. **Telework Place:** the alternative location where the employee is permitted to carry out the work otherwise preformed at or from their designated workplace.
- d. **Eligibility:** Individuals requesting formal telework arrangements must be employed with GCSD for a minimum of 12 months of continuous regular employment and must have a satisfactory performance record. Before entering into any teleworking agreement, the employee and manager, with the assistance of human resource department, will evaluate the suitability of such an arraignment, reviewing the following area:
- e. **Employee suitability:** The employee and manager will asses the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful teleworkers.
- f. **Job responsibilities:** The employee and manager will discuss the job responsibilities and determine if the job is appropriate for teleworking arraignment. Equipment needs, workspace design consideration and scheduling issues. The employee and manager will review the physical workspace, equipment needs and the schedule of the appropriate location of the workspace.
- g. **Employee reimbursement (CA Labor Code 2802)**
The District is required to reimburse employees "for all necessary expenditures or losses incurred by the employee in direct consequence of the discharge of his or her

duties, or of his or her obedience to the directions of the employer." The District will provide a \$100 monthly stipend for employees working remotely to cover work related expenses for personal cell phone and home internet use.

h. *Teleworking Agreement*

If the employee and manager agree and the human resource department concurs, a draft teleworking agreement will be prepared and signed by all parties.

408.6 Vehicle Use Policy

Adopted: September 16, 2020, by Resolution 44-2020

The District may provide some employees with District-owned equipment and/or vehicles to use essential in accomplishing job-duties and the District's mission.

District owned equipment and vehicles are expensive and may be difficult to replace. District vehicles and equipment are to be used for official District purposes and limited incidental use while traveling to and from home or the worksite only. When using District property and vehicles, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, legal requirements, such as speed limits, and applicable guidelines. Employees should never use a District vehicle to transport alcohol or illegal drugs.

Employee shall notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, in need of repair, or missing. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job, or traveling to and from the job.

The improper, careless, negligent, destructive, or unsafe use, operation, or storage of District equipment or vehicles, violations of these rules, and excessive or avoidable traffic or parking violations, will result in disciplinary action, up to and including termination of employment.

Loss of Driving Privileges

If an employee's driving privileges are revoked or are in the process of being revoked, the employee must notify their supervisor immediately upon notification of license suspension or probability of the suspension of driving privileges.

If an employee's driver's license is suspended or revoked it will be presumed that the employee is not qualified to perform the duties and functions of their job, unless determined otherwise by the General Manager. In such cases, and based on the resulting business impact, the District

reserves the right to place employee on a leave of absence without pay for a period of ninety (90) workdays or until the employee has their driving privileges reinstated, whichever occurs sooner. If at the end of ninety (90) workdays from the date of license suspension/revocation, the employee is unable to obtain the required classification of driver license, or if it appears at any time the employee will lose his/her driving privileges for an extended period, the employee may be terminated from their existing job classification. The ninety (90) day period may be extended where continuation of employment is required by application of disability discrimination laws or at the discretion of management. Variations from this policy based on management's assessment of the impact to operations will not be deemed as setting a precedent and not subject to the District's grievance procedures. District employee's designated to work during a District Designated Emergency may use a District vehicle for travel to and from their place of living during an emergency. The employee assigned a District vehicle during an emergency also has the ability to use the vehicle for the limited personal purposes needed to maintain readiness to respond to District needs during the situation. This includes the ability to provide limited, necessary transportation to family members when needed to ensure employee and family safety maintain service readiness for the District.

408.7 Employee Housing Rental Policy

Adopted: December 10, 2024, by Resolution 34-2024

PURPOSE

The purpose of this policy is to establish a uniform policy and related guidelines for the administration of the Employee Housing Rental Program ("Program") for District-owned rental housing. The rental housing is intended to provide temporary housing near the Groveland-Big Oak Flat area to assist the District in recruiting and retaining employees. The Program was established because the District values its workforce and the community it serves. The Program is designed to promote and support recruitment, retention, and living in or near the Groveland-Big Oak Flat area by making rental housing available to the District workforce.

A. DISTRICT-OWNED RENTAL HOUSING

To operate this Program, the District may purchase housing units in order to offer safe and convenient rental housing to eligible employees.

B. PROGRAM ADMINISTRATION

1. The General Manager or his or her designee shall oversee and administer the Program ("Program Administrator").
2. The total number of rental units in the District's inventory will be reviewed at least annually by the Program Administrator.

3. The Program Administrator shall provide an annual report of the Program to the Board of Directors. The annual report shall address details including, but not limited to, the inventory of units, number of occupied units, employee interest in the Program, the costs of operating the Program, and identification of issues and recommendations.
4. Eligible individuals must file a written application with the Program Administrator to be considered for participation in the Program.
5. Eligible individuals will be placed on a waitlist in order of when their application is received.
6. When a unit is available, the Program Administrator will evaluate the waitlist in accordance with this Policy and will notify the selected employee. In the event there are no employees on the waitlist, a notice of availability may be issued to all District employees.
7. If no District employees are interested in the available housing unit, the Program Administrator may notify other public agencies in the Groveland-Big Oak Flat area of the availability of the unit.
8. Tenancy is voluntary and shall not be a condition of employment under any circumstance, though employment is a condition of tenancy.
9. The District reserves the right to conduct periodic inspections of the property.

C. PROGRAM ELIGIBILITY

1. The following criteria shall apply to eligibility for a District-owned rental unit:
 - a. The employee must be a permanent employee of the District (referring to regular, full-time employees of the District).
2. The employee does not own a home within thirty (30) minutes of travel time to the District's main office.
3. Employees with special circumstances who do not meet these criteria may request a review of their eligibility by the Program Administrator. The employee shall provide a written explanation of the special circumstances supporting an exception to the criteria above.
4. In certain circumstances as provided in this Policy, permanent employees working for other public agencies in the Groveland-Big Oak Flat area may also be eligible.

D. SELECTION OF EMPLOYEES

1. Available rental units will be offered to employees on the waitlist based on criteria that prioritize the overall operational needs of the District. The Program Administrator will evaluate the operational needs of the District before offering the unit to an eligible employee on the waitlist.

2. The Program Administrator in his/her discretion may assemble an internal committee of no fewer than three (3) people to determine the employee selection for the available unit. The committee shall include at least one (1) department manager selected by the Program Administrator.
3. The selection criteria for an available unit includes, but is not limited to, the following factors:
 - Job responsibilities.
 - Urgency of housing need.
 - Frequency of required stand-by assignments.
 - Required weekend duties.
 - Response time to operational or maintenance emergencies.
 - Current housing situation.
 - Order in which the employee requested to be placed on the waitlist.
 - Input from the employee's department manager.
4. If none of the criteria differentiate one employee from the others on the waitlist, employees will be offered the unit in the order in which they requested to be placed on the waitlist.
5. Selection of an employee for the available unit will not change the original order of the waitlist for units that become available in the future.

E. TENANCY REQUIREMENTS

1. Individuals selected to be tenants must enter into a rental agreement with the District, as may be updated from time-to-time, and comply with all requirements in the rental agreement.
2. Only an employee's spouse and minor children will be allowed to occupy the unit. Special requests for other family members to occupy the unit shall be subject to the written approval of the Program Administrator.
3. Tenants must vacate the rental unit within thirty (30) days after separating from employment with the District.
4. All tenants must provide a security deposit equivalent to one (1) month's rent as a condition of renting a unit. Upon request, a tenant may be allowed to pay the security deposit in monthly installments, subject to the approval of the Program Administrator.
5. Pets shall be subject to the written approval of the Program Administrator. The District reserves the right in all cases to prohibit the keeping of any pets in a unit or to determine that certain types of pets may be excluded. If pets are allowed in the unit, tenants with pets must pay a pet deposit of \$500.00. The Program Administrator shall have the discretion to impose reasonable rules and conditions on the keeping of pets at the unit.

If a rental unit is subject to a homeowners' association (HOA), the keeping of pets shall be subject to the rules and regulations of the HOA.

F. PROGRAM RENTAL RATE

1. The Fair Market Rent determined for Tuolumne County by the United States Department of Housing and Urban Development (HUD) will be the primary consideration used by the District in determining the rent charged for a unit. However, if the Tuolumne County Fair Market Rent is insufficient to cover the District's costs of the Program, monthly rental rates may be adjusted accordingly.
2. The District will evaluate the monthly rental rate annually as part of the budget preparation process. This evaluation is conducted to ensure that a minimum level of rent is charged to recover all District costs associated with the Program (e.g., loan payments on the property, maintenance and repair, refurbishment between tenant occupancies, HOA fees, taxes, insurance, etc.). District costs to administer the Program are deemed not to be reimbursable costs and are excluded from the calculation.
3. If an increase to the rental amount is required, the District will provide notice of no less than thirty (30) days to the tenant. The increase to the rental amount shall be effective for the next lease payment occurring at least thirty (30) after the notice is provided.

408.8 Employee Relocation Stipend

PURPOSE

The purpose of this policy is to authorize the District to provide a one-time relocation stipend to assist eligible newly hired employees with relocation and transition costs when relocation assistance is necessary or beneficial to the employee's acceptance of employment with the District.

This policy is intended to improve the District's ability to recruit qualified candidates for hard-to-fill, specialized, management, technical, or operationally critical positions while maintaining appropriate fiscal, administrative, and legal safeguards.

POLICY

The District may provide a one-time relocation stipend to a newly hired employee when the General Manager determines that relocation assistance is in the best interest of the District.

A relocation stipend is discretionary and is not an entitlement, vested benefit, or automatic benefit of employment. Approval shall be based on the needs of the District, the nature of the position, recruitment conditions, availability of qualified candidates, budget availability, and any other relevant factors determined by the General Manager.

ELIGIBILITY

A relocation stipend may be considered when all of the following conditions are met:

1. The employee is newly hired into a regular full-time position;
2. The position is determined by the General Manager to be difficult to fill, specialized, management-level, technical, or otherwise critical to District operations;
3. The employee must relocate in order to accept employment with the District;
4. The stipend is approved in writing before payment is made;
5. The employee executes a written Relocation Stipend Agreement approved by the District; and
6. Sufficient funds are available in the approved budget or are otherwise authorized.

AMOUNT AND PAYMENT

The amount of the relocation stipend shall be determined by the General Manager in an amount up to the maximum per-new employee stipend contained in the annual budget, and based on the circumstances of the recruitment, the position being filled, the distance and nature of the relocation, budget availability, and the benefit to the District.

The stipend shall be paid as a fixed, one-time amount through payroll and shall be subject to applicable payroll taxes, withholdings, and reporting requirements. The stipend is intended to assist with relocation-related costs, including but not limited to moving expenses, transportation, temporary lodging, rental deposits, utility connection fees, and other transition costs associated with accepting employment with the District.

Unless otherwise required by the General Manager, receipts or documentation of actual expenses shall not be required because the stipend is paid as taxable compensation rather than as reimbursement for specific expenses.

RELOCATION STIPEND AGREEMENT REQUIRED

Before receiving any relocation stipend, the employee must execute a written Relocation Stipend Agreement in a form approved by the District.

The Relocation Stipend Agreement shall be separate from the employee's offer letter, employment agreement, or appointment document unless otherwise approved by legal counsel.

The agreement shall include, at a minimum:

1. The amount of the relocation stipend;
2. The date of payment or anticipated date of payment;
3. The employee's acknowledgment that the stipend is taxable compensation and subject to applicable withholdings and reporting;
4. The employee's acknowledgment that the Relocation Stipend Agreement does not alter the employee's at-will, probationary, or other employment status; does not create a

contract for continued employment; does not guarantee employment for any period of time; and does not limit the District's right to discipline, release from probation, or terminate the employee at any time, with or without cause, subject to applicable law, District policy, and any applicable memorandum of understanding or employment agreement;

5. The employee's acknowledgment and agreement that reimbursement will be required only if, within twelve (12) months of the employee's first day of employment, separation from employment occurs at the sole election of the employee or at the election of the District for misconduct, as defined below;
6. A definition of misconduct sufficient to determine when reimbursement may be required;
7. A prorated reimbursement schedule based solely on the uncompleted portion of the twelve-month period, with reimbursement limited to the applicable prorated amount and without interest, fees, penalties, liquidated damages, or any other additional charges ;
8. The employee's acknowledgment that the employee has the option to defer receipt of the relocation stipend until completion of the full retention period, in which case the stipend shall be paid at the end of the retention period and shall not be subject to any repayment obligation;
9. A notification that the employee has a reasonable opportunity, of not less than five (5) business days, to review the Agreement before signing it, including the opportunity to seek independent legal advice or other advice of the employee's choosing at the employee's own expense;
10. Any available option for the employee to defer receipt of the stipend until completion of the twelve-month period if required by applicable law or determined appropriate by the District;
11. The process for providing written notice of any reimbursement obligation; and
12. Repayment terms consistent with applicable law.

NO CHANGE TO EMPLOYMENT STATUS

Nothing in this policy or in any Relocation Stipend Agreement shall be interpreted to create a contract of continued employment, a guaranteed term of employment, or a limitation on the District's ability to evaluate, discipline, release from probation, lay off, or terminate an employee.

The relocation stipend is a recruitment and relocation assistance tool only. It does not affect the employee's at-will, probationary, regular, represented, unrepresented, or contractual employment status, as applicable.

REIMBURSEMENT REQUIREMENT

If an employee receives a relocation stipend at the beginning of the twelve (12) month retention period and separation from employment occurs, within twelve (12) months of the employee's first day of employment, at the sole election of the employee or at the election of the District for defined misconduct within twelve months of the employee's first day of employment, the employee shall reimburse the District for the prorated, unearned portion of the relocation stipend.

Reimbursement shall not be required solely because the employee is released from probation, laid off, terminated without cause, separated due to lack of work or funding, or otherwise separated for reasons other than at the employee's sole election or for defined misconduct, unless otherwise permitted by applicable law and approved by District legal counsel.

For purposes of this policy, "defined misconduct" may include, but is not limited to, dishonesty, fraud, theft, workplace violence, harassment, discrimination, retaliation, insubordination, serious violation of District policy, misuse of District property or funds, falsification of records, job abandonment, or other willful or serious misconduct that results in termination. The specific definition of misconduct shall be included in the Relocation Stipend Agreement.

PRORATION

Any reimbursement obligation shall be prorated over the twelve-month period beginning on the employee's first day of employment.

Unless otherwise stated in the Relocation Stipend Agreement, the reimbursable amount shall be calculated by multiplying the gross relocation stipend amount by a fraction, the numerator of which is the number of full months remaining in the twelve-month period at the time of separation, and the denominator of which is twelve.

For example, if the employee separates after completing six full months of employment and reimbursement is required under this policy, the employee would reimburse six-twelfths of the relocation stipend. If the employee completes twelve months of employment, no reimbursement shall be required.

The General Manager may approve a more precise daily proration method if determined to be administratively appropriate and legally compliant.

Any reimbursement obligation shall be limited to the applicable prorated amount and shall not be subject to interest, penalties, fees, liquidated damages, or any other additional charges.

PROCEDURAL REQUIREMENTS

Before requiring reimbursement, the District shall provide the employee or former employee with written notice of the basis for reimbursement, the amount claimed, the proration calculation, and the proposed repayment process.

The employee or former employee shall be provided a reasonable opportunity to respond to the reimbursement determination before collection action is initiated.

Any payroll deduction, offset, repayment plan, or collection action shall comply with applicable federal and state wage and employment laws. The District shall not make any deduction from wages or final pay unless authorized by applicable law and any required written authorization has been obtained.

The General Manager may establish reasonable repayment terms when immediate full repayment is not practical, provided that such terms are documented in writing and are in the best interest of the District.

DOCUMENTATION

Approval of a relocation stipend and the executed Relocation Stipend Agreement shall be maintained in the employee's personnel file or other appropriate District administrative records.

AUTHORITY

The General Manager is authorized to administer this policy, approve relocation stipends, establish the amount of individual stipends, execute Relocation Stipend Agreements on behalf of the District, and implement procedures necessary to carry out this policy, subject to applicable law and legal counsel review where appropriate.

SECTION 500 FINANCIAL POLICIES

501 Purposes

These Financial Policies are designed to accomplish the following purposes:

- A. Provide an effective planning tool for District revenues, expenditures and investments;
- B. Facilitate the preparation of annual budgets which will accurately estimate District revenues, expenses and fund balances in each of the accounting funds maintained by the District;
- C. Guide the District's investment activities;
- D. Provide transparency to the public with respect to District financial transactions.

502 Accounting System

Amended: August 9, 2022, by Resolution 34-2022

502.1 Purpose

These Accounting System Policies and Procedures are designed to provide for accurate financial reports regarding the assets, liabilities, revenues, expenses, and fund balances of the various accounting funds maintained by the District in conformity with generally accepted accounting principles.

502.2 Establishment of Accounting Funds

Amended: August 9, 2022, by Resolution 34-2022

A. Lease Asset

The Admin/Finance Manager shall conduct a review of all contracts, agreements and leases (hereby noted as ‘agreements’) on an annual basis to determine if such agreements have a “right to use” component as defined by Governmental Accounting Standard Board (GASB) issued Statement No. 87, Leases (GASB 87). If agreement is determined to be applicable to GASB 87, determine proper accounting treatment.

The Board adopted a capitalization threshold policy for lease assets of \$25,000. If the lease asset is below \$25,000, no further analysis will need to be performed as the lease asset falls below the established threshold and is deemed not significant. If the lease asset is above the threshold of \$25,000, the Admin/Finance Manager will prepare the necessary accounting entries in accordance with GASB 87 for annual financial reporting purposes.

The Admin/Finance Manager shall maintain permanent lease asset records of agreements analyzed in either paper or electronic format, to be updated whenever new agreements or change in agreements occur annually.

502.3 Duties of the Admin/Finance Manager

A. Act as District Treasurer

The Admin/Finance Manager of the District shall act as the District Treasurer pursuant to *Government Code Section 61050 et seq.* and shall be responsible, under the direction of the General Manager, for the supervision of the District’s finances. The Admin/Finance Manager, as the Treasurer of the District, shall have all of the powers and privileges of the County Treasurer of Tuolumne County pursuant to *Government Code Section 61053(b)*. The duties of the Admin/Finance Manager include, but are not limited to the following:

1. The Admin/Finance Manager shall install and maintain a system of accounting and auditing that shall completely and at all times show the District’s financial condition in accordance with generally accepted accounting principles.

2. Pursuant to a Resolution of the District's Board of Directors, designate a bank, a savings and loan association, or a credit union, as the depository of the District's money. A bank, savings and loan association or credit union may act as a depository, paying agent or fiscal agent for the holding or handling of the District's funds notwithstanding the fact that a member of the Board of Directors, whose funds are on deposit in that bank, or savings and loan association or credit union is an officer, employee, or stockholder of that bank, or savings and loan association, or credit union, or of a holding company of any of the foregoing.

- a. Financial Reporting**

- The Admin/Finance Manager shall develop financial reports not less than quarterly directed to the Board of Directors detailing revenues and expenditures in each Governmental Fund and Enterprise Fund of the District.

- b. Financial Projections**

- At periodic intervals throughout the fiscal year, or on request by the General Manager or the Board of Directors, the Admin/Finance Manager shall report to the Board of Directors regarding financial projections of the revenues and expenditures expected by the District in each Governmental Fund and Enterprise Fund maintained by the District by the end of each fiscal year. The purpose of such projections is to assure that the District operations remain financially solvent in each Fund.

- c. Assessment District Accounting**

- The District has established a Fire Suppression Assessment District pursuant to *Government Code Section 50078 et seq.* The Admin/Finance Manager shall prepare an annual budget for the Assessment District utilizing the same criteria as the budgets prepared for the other Governmental and Enterprise Funds maintained by the District. Said Assessment District budget shall be included in the annual Engineer's Report for the Assessment District prepared pursuant to *Government Code Section 50078.4.*

- d. Accounting of Fixed Assets**

- The Admin/Finance Manager shall conduct an accounting or inventory of all fixed assets on an annual basis. At the conclusion of such inventory the Finance Manager shall report the results thereof to the Board of Directors and certify the completeness of the inventory. Such inventory of fixed assets shall include the following: (a) all equipment, tools, supplies and vehicles that individually have an original total cost of more than \$5,000;

(b) all land and buildings regardless of value; (c) the value of any additions or major improvements or renovations to the District's water, wastewater, fire protection and/or park and recreation service infrastructure. The Admin/Finance Manager shall maintain permanent inventory records in either paper or electronic format, to be updated whenever a change in the status of the particular fixed asset occurs, such as purchase, sale, destruction, loss, theft, etc. Information to be maintained in the inventory records shall include at least the following: (a) asset identification number; (b) description of asset; (c) manufacturer's serial number; (d) storage location; (e) original cost; (f) acquisition date; (g) life expectancy; (h) classification code as office equipment, vehicle, etc.

502.4 Cash Disbursements and Receipts Policies

The Admin/Finance Manager shall be responsible for managing the accounts of the District. The Admin/Finance Manager shall adopt a procedure for drawing and signing checks that adhere to generally accepted accounting principles. Payment of bond principal and interest shall be made when due. Checks to pay claims of vendors, contractors, consultants, and other third parties need not be approved by the Board of Directors before payment if the General Manager and department managers determine that such claims for payment conform to the District's approved budget. Board approval will be required for payment of any claim or expenditure which exceeds the District's approved budget.

A. Checking Accounts

All checks in payment of claims or demands for money against the District shall be drawn by Admin/Finance staff under the direction of the Admin/Finance Manager and signed by a minimum of two of the following: General Manager, Admin/Finance Manager, Fire Chief, member of the Board of Directors. All checks shall require two signatures. Checks over Fifty Thousand Dollars (\$50,000.00) shall require the signature of at least one Board member.

The person with physical control of the checks will be accountable for all check numbers and will not have signature authority on the account. Should a check be found to be unaccounted for, the person having control of the checks will notify the Admin/Finance Manager, the General Manager, and the Bank of the lost check. Persons who are signatory to the account will not have access to blank checks, including keys or the combination to the locked repository of the checks.

1. Accounts Payable Report

The Admin/Finance Manager shall make available a report to the Board for each month of Accounts Payable, upon request.

2. Account Reconciliation

The Admin/Finance Manager shall be responsible for the reconciliation of the account statements each month. The reconciliation shall be kept on file for inspection by the auditor when performing the annual audit of the District's books.

B. Payroll Policy

All payroll payments shall be paid when due and do not require prior approval of the Board of Directors.

C. Receipts Other than Taxes

Receipts of the District including but not limited to water rates, participation fees and standby charges; sewer/wastewater rates, participation fees and/or standby charges; fees and charges for recreational programs, facility and building rental fees; fees and charges for emergency rescue services; fees and charges for development review services; grants and contributions received from other governmental agencies or private individuals; and special assessments levied by the Fire Protection Assessment District formed and operated by the District shall be deposited by the Admin/Finance Manager into the District's designated depository as soon as practicable.

D. Fees and Charges

Fees and charges related to the District's water service are specified in the District's Water Ordinance. Fees and charges levied by the District in connection with its sewer/wastewater/ recycled water services are specified in the District's Sewer Ordinance.

The District has adopted fees as part of the Water, Sewer, Parks and Fire. Ordinances, which summarize the fees and charges charged by the District for development review services, use of District facilities and buildings, for receipt of recreational services, and any other user fees. The purpose of the fee schedule is to establish fees, charges and rental rates which fully cover the cost incurred by the District of any services it provides, or the cost of enforcing any regulations for which such fee is charged. The District attempts to accept fees and charges and rental rates at rates which are commensurate with market research regarding comparable rates and charges for other similar services provided in Tuolumne County. In no event shall any fee or charge levied by the District exceed the actual cost incurred by the District in providing any service or enforcing any regulation for which such a fee is charged.

The District may charge residents or taxpayers of the District a fee which is less than the fee which it charges to non-residents or non-taxpayers of the District. The Fee

Ordinance authorizes the Board of Directors to direct District staff to waive the payment, in whole or in part, of a fee or charge when the Board determines that such waiver would be in the public interest. The Fee Ordinance specifies the policies and procedures governing such fee waivers.

502.5 Annual Audit

The Admin/Finance Manager shall arrange to have an audit done each year of the District's accounts and accounting procedures. The Board of Directors shall select the Auditor and shall periodically review the performance of the Auditor and the cost of auditing services. The Auditor, as part of the annual audit, will report as to whether these procedures and safeguards are being properly maintained by the Board and staff of the District and shall so comment in the management letter if said procedures are not being adhered to as part of each annual audit report prepared for the District.

502.6 Petty Cash

A "Petty Cash" fund shall be maintained in the District office and have a balance-on-hand maximum of two hundred fifty dollars (\$200.00).

- A. Petty Cash may be advanced to District staff upon their request and the execution of a receipt for same, for the purpose of procuring item(s) or service(s) appropriately relating to District business. After said item(s) or service(s) have been obtained, a receipt for same shall be submitted to the Finance Department, and any remaining advanced funds shall be returned. The maximum Petty Cash advance shall be One Hundred Dollars (\$100.00), unless approved in advance by the General Manager.
- B. No personal checks shall be cashed in the petty cash fund.
- C. The petty cash fund shall be included in the District's annual independent accounting audit.

503 Budget Policies

Amended: March 10, 2020, by Resolution 08-2020

503.1 District Governmental Fund and Enterprise Fund Budgets

The District shall establish a separate budget for each fiscal year for each of its authorized services.

503.2 Preliminary and Final Budget

Pursuant to Government Code § 61110, the Board of Directors shall adopt a preliminary or final budget on or before July 1 of each fiscal year that shall conform to the accounting and

budgeting procedures for special districts contained in a Title II of the *California Code of Regulations Section 1031.1 et seq. and Section 1121 et seq.*

In addition to the budget Public Hearing notice publication requirements contained in California law, the Notice of Hearing of the Board of Directors on the proposed final budget shall be published prominently on the District's website.

Although Government Code § 61110 requires that the District's final budget be adopted on or before September 1 of each fiscal year, the goal of the Board of Directors is to review a preliminary budget at the regular meeting in May and adopt the final budget by the end of the fiscal year (June 30th).

503.3 Budget Documents

The budget shall include a memorandum of transmittal describing the linkage between the recommended budget and accomplishments of the Board's goals and objectives, and highlighting the important aspects of changes in the budgets for each of the Funds for each fiscal year. The budget memorandum shall explain any areas where the recommended or final budget falls short of supporting the Board Goals.

The form of the budget document for both the preliminary budget and the final budget for each fund shall be summarized by activity areas for which budgeted funds are to be allocated. The budget shall include detailed expense information for each Fund maintained by the District and shall include a separate Capital Improvement/Equipment Replacement Schedule.

Administration expense estimations and budgeted amounts are projected for each fiscal year for the purpose of budget/expense transparency, but not as a separate fund requiring the balancing of revenue and expenses. The expense of District administration is to be funded proportionally by each service fund based on benefit received.

503.4 Long-Term Financial Planning

Management shall develop a forecast of anticipated expenditures and revenues in each Fund for a relevant period of time into the future for the purpose of determining the adequacy of enterprise fund rates and charges to cover operating expenses, debt service and capital improvements/replacements. The General Manager shall propose to the Board the engagement of the professionals necessary to optimize the efficiency of long term expenses and ensure the adequacy of revenue, including the performance of technical studies such as master plans, rate studies, detailed financial analysis and compensation studies. Linkage between the professional studies and annual budgets shall be detailed in the budget memorandum.

503.5 Amendment of Budget

The General Manager is authorized to make expenditures and transfer funds between budget categories within each fund and within the amount of the total approved fund expense budget. At any regular or special meeting of the Board of Directors after the adoption of the final budget, the Board of Directors may take action by Resolution to amend the budget, and to reflect the intra-fund transfers made by the General Manager and to adopt a modified Capital Improvement/Replacement schedule.

503.6 Budgeted Reserve Funds

The annual fiscal year budget shall separately identify and include approved reserve deposits and expenditures for each fund in accordance with current District policy and approved financial plans.

503.7 Quarterly Report of Revenues and Expenses in Comparison to Budget

The Board of Directors shall review on a quarterly basis a financial report which details the revenues and expenditures of the District for each Governmental Fund and Enterprise Fund during each quarter of the fiscal year and comparing those revenues and expenses to projected revenues and expenses set forth in the adopted final budget for each fund. Such report shall include an estimate of the percentage of the total allocated budget amount received in revenues or disbursed as expenditures in each fund in each quarter of the fiscal year. Explanation shall be provided in the report for variances from the approved budget.

504 Reserve Policy

504.1 Definition of Reserves

A. Water Fund Reserves

Water rates, connection fees, standby charges and other fees collected by the District for providing water service to its residents should be established at a sufficient level to pay the expenses of day-to-day operations for providing water service as well as the anticipated repair and replacement of the District's water utility infrastructure. The excess of the amount collected in water fees and other water revenues during the fiscal year over the amount expended during the same period for water fund expenses are referred to as "retained earnings" in the Water Fund.

B. Sewer Fund Reserves

Sewer rates, connection fees, standby charges and other fees collected by the District for providing wastewater services to its residents should be established at a sufficient level to pay the expenses of day-to-day sewer and wastewater operations as well as the anticipated repair and replacement of the District's sewer and wastewater utility

infrastructure. The excess of the amount collected in sewer and wastewater fees and other revenues during the fiscal year over the amount expended during the same period for sewer and wastewater expenses are referred to as “retained earnings” in the Sewer Fund.

C. Fire Fund Reserves

The District’s share of general ad valorem real property taxes apportioned by the District’s Board of Directors to fund fire protection facilities and operations and other fees collected by the District for providing fire suppression services to its residents are budgeted at a sufficient level to pay the expenses of day-to-day fire protection services as well the anticipated repair and replacement of the District’s fire safety facilities and equipment. The excess of the amount collected in such fire protection revenues during the fiscal year over the amount expended during the same period for fire protection expenses are referred to as “retained earnings” in the Fire Fund.

D. Park Fund Reserves

The District’s share of general ad valorem real property taxes apportioned by the District’s Board of Directors to fund park, recreation and community facilities and operations and other fees collected by the District for providing park, recreation and community facilities services to its residents are budgeted at a sufficient level to pay the expenses of day-to-day park, recreation and community facilities services as well the anticipated repair and replacement of the District’s park, recreation and community facilities and equipment. The excess of the amount collected in such park, recreation and community facilities revenues during the fiscal year over the amount expended during the same period for park, recreation and community facilities purposes are referred to as “retained earnings” in the Park Fund.

504.2 Establishment of Reserves

In its annual preliminary and final budget, the Board of Directors may allocate any retained earnings in each of its Governmental Funds and Enterprise Funds to one or more established reserves in each such fund. There are two different types of reserves in each of the District’s funds as follows: 1) designated reserves; and 2) restricted reserves.

A. Designated Reserves

Designated reserves are net funds that are set aside based on Board policy or tentative plans for financial resource utilization in a future period, such as for general contingencies, Operating shortages, or for equipment or infrastructure replacement. Such designated reserves reflect tentative managerial plans or intent which are subject to change and which funds may never be legally authorized or result in expenditures. Examples of such designated reserves are the designated reserve for capital

improvements, and the designated reserve for Operating shortages and other contingencies in each of the District's funds.

B. Restricted Reserves

Restricted reserves are defined as that portion of retained earnings in any of the Governmental Funds or Enterprise Funds maintained by the District, or bond proceeds received by the District, which are set aside in a separate reserve in such fund, the expenditure of which are limited by legal or contractual requirements. The District also maintains restricted debt service reserves funded by a component of the District's sewer rates and water rates as specified per this policy.

504.3 Categories of Reserves

Designated reserves and restricted reserves established by the Board of Directors in each Governmental Fund and Enterprise Fund of the District shall be defined as follows:

A. Designated Reserve for Capital Improvements

Funds allocated to this reserve in each Governmental Fund or Enterprise Fund of the District represent funds available to finance planned future expenditures for construction of improvements, purchase of supplies and equipment, and repair or replacement of all or a portion of the District's water, wastewater, fire protection and park and recreation infrastructure, including but not limited to water distribution and treatment facilities and equipment, sewer collection, treatment and disposal equipment or facilities, fire suppression equipment, parks, open space and other recreational improvements and facilities, and any other District owned buildings and other structures. Appropriate expenditures of the designated reserve for capital improvements in each fund includes the costs of site acquisition, site development, including CEQA compliance, architectural services, inspection services, engineering services, construction, reconstruction, alterations, repair and replacement, and related legal services.

B. Designated Reserve for Operating and Other Contingencies

Funds allocated to this reserve in each Governmental Fund or Enterprise Fund of the District represent funds allocated for the purpose of paying the costs and expenses associated with unanticipated events including but not limited to temporary cash flow shortages in each fund, repair and/or replacement of facilities, equipment, supplies or infrastructure in each fund resulting from a catastrophic event, or expenditures in each fund required to respond to an emergency which threatens public health and safety. Funds allocated to the designated contingency reserve in each fund may also be used to pay damage claims against the District which are not covered by insurance provided by that fund. The Board of Directors may authorize expenditure of the funds allocated to

the designated reserve for Operating and other contingencies in each fund on any expenses that may be incurred during the fiscal year in each such fund for which no specific appropriation has previously been made.

C. Restricted Debt Service Reserve

The debt service charge component of the District's sewer rates and the debt service charge component of the District's water rates, as established by the Board of Directors from time to time, shall be deposited into the restricted debt service reserve established in the Water Fund and the Sewer Fund. The purpose of the reserve in each such Fund is to provide sufficient revenue to pay annual debt service on any and all bonds, including certificates of participation, or other forms of indebtedness issued by the District in each such fund to finance the construction, rehabilitation and/or improvement of the District's water, wastewater and sewer capital facilities; to provide upgraded, safe and dependable water and sewer management and to remain in compliance with existing and future state and federal regulations. This restricted debt service reserve in the Water Fund and the Sewer Fund may be divided into sub-accounts representing the annual debt service to be paid on each individual issuance of bonds, certificates of participation, or other forms of indebtedness issued by the District to finance such capital improvements in each such fund. The Board of Directors may at any time deposit any sources of retained earnings in each fund into the restricted debt service reserve for that fund.

D. Funding of Reserves

At any time after the establishment of a designated reserve or restricted reserve in any Governmental Fund or Enterprise Fund of the District, the Board of Directors may transfer any retained earnings in any such fund to such designated or restricted reserve in such fund. The Board of Directors shall declare the exclusive purposes for which the funds in each reserve in each fund may be spent on establishing such reserves in such fund. The funds deposited into each designated reserve and/or restricted reserve in each fund shall only be spent for the exclusive purposes for which the Board has established such a designated reserve or restricted reserve in each fund. The Board of Directors may transfer any revenue in any Governmental or Enterprise Fund to any restricted or designated reserve in such fund at any time after establishment of that reserve. All such reserves shall be maintained according to generally accepted accounting principles.

E. Discontinuance of Reserves

If the Board of Directors finds that the funds in a designated reserve or a restricted reserve in any Governmental Fund or Enterprise Fund of the District are no longer required for the purposes for which such designated or restricted reserve in such fund

was established, the Board of Directors may, by a 4/5 vote of the total membership of the Board of Directors, discontinue a designated or restricted reserve in any such fund of the District and transfer any funds that are no longer required from a designated reserve or restricted reserve in any fund of the District to any other reserve in such fund, or to the District's operating account.

F. Use of Reserves in an Emergency

In a state of emergency or in a local emergency as defined by *Government Code Section 8558*, the Board of Directors may temporarily transfer funds from a designated reserve for capital improvements, or a designated reserve for Operating or other contingencies in any Governmental Fund or Enterprise Fund of the District to the District's general fund to fund those costs necessary to respond to such emergencies. The Board of Directors shall restore any such funds to the designated reserve from which such funds were drawn as soon as feasible pursuant to the requirements of *Government Code Section 61112*.

505 Debt Management Policy

Amended: February 12, 2019, by Resolution 2019-3

This Debt Policy is intended to comply with *Government Code Section 8855(i)*, and shall govern all debt undertaken by the District. The District hereby recognizes that a fiscally prudent debt policy is required in order to:

- Maintain the District's sound financial position.
- Ensure the District has the flexibility to respond to changes in future service priorities, revenue levels, and operating expenses.
- Protect the District's credit-worthiness.
- Ensure that all debt is structured in order to protect both current and future taxpayers, ratepayers and constituents of the District.
- Ensure that the District's debt is consistent with the District's planning goals and objectives and capital improvement program or budget, as applicable.

505.1 Purpose For Which Debt May Be Used

505.1.1

Long-Term Debt. Long-term debt may be issued to finance the construction, acquisition, and rehabilitation of capital improvements and facilities, equipment and land to be owned and operated by the District. 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 taxpayers and/or ratepayers, as applicable.
- When the debt is used to refinance outstanding debt in order to produce debt service savings or to realize the benefits of a debt restructuring.

505.1.2

Long-term debt financings will not generally be considered appropriate for current operating expenses and routine maintenance expenses. The District may use long-term debt financings subject to the following conditions:

- The project to be financed must be approved by the District Board.
- The weighted average maturity of the debt (or the portion of the debt allocated to the project) will not exceed the average useful life of the project to be financed by more than 20%.
- The District estimates that sufficient revenues will be available to service the debt through its maturity.
- The District determines that the issuance of the debt will comply with the applicable state and federal law.

505.1.3

Short-term debt. Short-term debt may be issued to provide financing for the District's 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.

505.1.4

Financings on Behalf of Other Entities. The District may also find it beneficial to issue debt on behalf of other governmental agencies or private third parties in order to further the public purposes of District. In such cases, the District shall take reasonable steps to confirm the financial feasibility of the project to be financed and the financial solvency of any borrower and that the issuance of such debt is consistent with the policies set forth herein.

505.2 Types of Debt

The following types of debt are allowable under this Debt Policy:

- General obligation bonds (GO Bonds)
- Bond or grant anticipation notes (BANs)

- Lease revenue bonds, certificates of participation (COPs) and lease-purchase transactions
- Other revenue bonds and 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
- Tax increment financing to the extent permitted under State law
- Refunding Obligations
- State Revolving Loan Funds
- Lines of Credit

505.2.1

The District Board may from time to time find that other forms of debt would be beneficial to further its public purposes and may approve such debt without an amendment of this Debt Policy. Debt shall be issued as fixed rate debt unless the District makes a specific determination as to why a variable rate issue would be beneficial to the District in a specific circumstance.

505.3 Relationship of Debt to Capital Improvement Program and Budget

505.3.1

The District is committed to long-term capital planning. The District intends to issue debt for the purposes stated in this Debt Policy and to implement policy decisions incorporated in the District's capital budget and the capital improvement plan.

505.3.2

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. The District shall seek to avoid the use of debt to fund infrastructure and facilities improvements that are the result of normal wear and tear.

505.3.3

The District shall integrate its debt issuances with the goals of its capital improvement program by timing the issuance of debt to ensure that projects are available when needed in furtherance of the District's public purposes.

505.3.4

The District shall seek to avoid the use of debt to fund infrastructure and facilities improvements in circumstances when the sole purpose of such debt financing is to reduce annual budgetary expenditures.

505.3.5

The District shall seek to issue debt in a timely manner to avoid having to make unplanned expenditures for capital improvements or equipment from its general fund.

505.4 Policy Goals Related to Planning Goals and Objective

505.4.1

The District is committed to long-term financial planning, maintaining appropriate reserves levels and employing prudent practices in governance, management and budget administration. The District intends to issue debt for the purposes stated in this Debt Policy and to implement policy decisions incorporated in the District's annual operations budget.

505.4.2

It is a policy goal of the District to protect taxpayers, ratepayers (if applicable) and 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.

505.4.3

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.

505.4.4

When refinancing debt, it shall be the policy goal of the District to realize, whenever possible, and subject to any overriding non-financial policy considerations, (i) minimum net present value debt service savings approximately 3.0% of the refunded principal amount, and (ii) present value debt service savings equal to or greater than 100% of any escrow fund negative arbitrage. The cost of refinancing will always be less than the savings.

505.5 Internal Control Procedures

505.5.1

All issuances of debt must be approved by the Groveland Community Services District Board of Directors.

- The District General Manager is charged with oversight over all of the District's debt issuance and management activities.
- The District shall ensure that internal controls exist that ensure the proceeds of any debt issuance shall be directed to the use intended for that debt.
- The District shall establish internal control procedures to ensure that debt service payments are properly made.

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, the District will periodically review the requirements of and will remain in compliance with the following:

- Any continuing disclosure undertakings entered into by the District in accordance with SEC Rule 15c2-12.
- Any federal tax compliance requirements, including, without limitation, arbitrage and rebate compliance.
- The District's investment policies as they relate to the use and investment of bond proceeds.
- Any federal tax compliance requirements, including, without limitation, arbitrage and rebate compliance.
- The District's investment policies as they relate to the use and investment of bond proceeds.

505.5.2

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 order of the District upon the submission of one or more written requisitions by the Finance Director of the District (or his or her written designee), or (b) by the District, to be held and accounted for in a separate fund or account, the expenditure of which will be carefully documented by the District.

506 Disposition of Surplus District Property

District property, such as vehicles, equipment, supplies, or real property, may become "surplus" when such assets have become unnecessary or unsuitable for District purposes. Prior to disposing of any District assets, whether personal (non-real) property or real property, that asset must be declared "surplus" by minute action or resolution of the Board of Directors. Such minute action or resolution shall include a description of the item of personal and/or real

property, any inventory number assigned by the District to that property, and the approximate original cost of that item of property.

506.1 Personal Property Under \$1,000.00 in Value

When personal property or other equipment of the District has been determined to no longer be of use to the District and does not exceed the value of \$1,000.00, the General Manager may solicit and accept trade-in allowances on the replacement equipment or personal property without advertising for offers. As an alternative, the General Manager may sell the personal property at private sale without advertising upon approval by the Board. Any proceeds received by the District from the sale of equipment or personal property shall be deposited into one or more of the District's operational funds.

506.2 Personal Property in Excess of \$1,000.00 in Value

The Board of Directors may sell at public auction any personal property or equipment with a value in excess of \$1,000.00 to the highest bidder for cash if it is surplus personal property belonging to the District and not required for any District purpose. Declaring such items as surplus shall require a four-fifths (4/5) vote by the Board of Directors. Notice of the sale shall be given at least five (5) days prior to the date of sale by publication in a newspaper published within the jurisdiction of the District. If there are no bidders, the District may proceed to sell such personal property at private sale upon approval by the Board. Proceeds of the sale shall be paid into one or more of the District's operational funds.

506.3 Sale of Surplus Real Property

Should the District determine that real property owned by the District is surplus to the needs of the District, prior to disposing of the real property by lease or sale, the District shall send a written offer to sell or lease the property to those public entities specified in *Government Code Section 54220 et seq.*

507 Gifts and Gratuities

507.1 Acceptance of Donations of Property by District

All donations of equipment, supplies, facilities, or any other personal or real property to the District must have prior approval of the Board of Directors. The Board of Directors must also approve the design, type, and model of any equipment or supplies, the method of installation of any such equipment, and the location of any real property or facility. Upon acceptance of the equipment or supplies, of personal or real property, or a facility by the Board of Directors then such property immediately becomes the property of the District and is subject to the full control and jurisdiction of the Board of Directors and its operating policies and procedures.

Acceptance of such donations may be delegated to the General Manager by the Board of Directors.

507.2 Acceptance of Gifts

Under this policy a “gift” is defined as any gift of money, property, rebate, discount, ticket, travel expense advance and/or reimbursement or any other property of value. Employees of the District are prohibited from accepting any gift, directly or indirectly, from any person, company, firm, corporation, or other business to which any purchase order or contract for property or services is or might be awarded by the District. Board members are prohibited from accepting any gift, directly or indirectly, from any single source in a calendar year with a value in excess of the maximum prescribed by *Government Code Section 89503*. Board members may not participate in any way in the discussions, negotiations, resolution, or decision that affects an entity or individual that has been a source of gift to that Board member of the amount prescribed by Government Code 89503 or more in the past twelve (12) months. This maximum gift limitation changes annually and can be found in the Form 700 Reference Pamphlet published by the Fair Political Practices Commission in January of each year.

Travel expenses of Board members including costs of transportation, accommodations and meals provided by any private business or corporation, a private interest group or organization and certain nonprofit organizations are generally considered gift to that Board member and must annually be reported on that Board member’s FPPC Statement of Economic Interest Form 700 filed pursuant to the District’s Conflict of Interest Code (Exhibit A).

507.3 Gifts and Conflict of Interest

Members of the Board of Directors and “designated employees” are required to annually file a Statement of Economic Interest (Form 700) under the provisions of the Fair Political Practices Commission pursuant to the District’s Conflict of Interest Code. Further, members of the Board of Directors and/or designated employees are prohibited from making, participating in making, or using their official positions to influence the making of any District decision which will affect either the business, organization or individual that makes the gift to that District officer or employee, or which impacts the amount or value of such a gift. Under certain circumstances receipt of travel expenses by a Board member or employee of the District less performed work or services benefiting the District in exchange for such travel expenses, such travel expenses may be considered reportable income, rather than a gift, to that public official pursuant to the District’s Conflict of Interest Code (Form 700 Schedule F).

508 Expense and Use of Public Resources Policy

508.1 Purpose

The purpose of this Expense and Use of Public Resources Policy is to ensure that District resources are only used when there is substantial benefit to the District. Such benefits include the following: (a) the opportunity to discuss the District's concern with local, state, and federal officials; (b) participating in regional, state and national organizations whose activities affect the District; (c) attending educational seminars and training sessions designed to improve skill and information levels of District Board members and employees; and (d) promoting public service and morale by recognizing such public service.

The purpose of this policy is to provide guidance to District Board members and employees on the use and expenditure of District resources, as well as the standards against which those expenditures will be measured.

This policy is intended to supplement the definition of "actual and necessary expenses" for purposes of state law relating to permissible uses of public resources, and to supplement the definition of "necessary and reasonable expenses" for purposes of federal and state income tax laws.

508.2 Authorized Expenses

District funds, equipment (including computers and fax machines), supplies (including letterhead), titles and staff time must only be used for authorized District business. The following types of expenses generally constitute authorized expenses provided the other requirements in this Policy are satisfied:

- A. Communicating with Representatives of Regional, State and National Government on District Issues;
- B. Attending educational seminars, including statutorily required ethics training designed to improve skill and information levels for Board members and employees of the District;
- C. Participating in regional, state and national organizations whose activities affect the District's operations and facilities;
- D. Recognizing public service to the District (for example, thanking a long-time employee with a retirement gift or celebration of nominal value and cost);
- E. Attending District and/or county events that affect District services and/or facilities;
- F. Travel expenses of those District Board members and employees authorized to attend and/or participate in any of the foregoing;

- G. Supporting service and community organizations and schools in activities of community service (for example, use of digital projector or public address system at a local service organization event);
- H. Any questions regarding the propriety of a particular type of expense should be resolved by the Board of Directors before the expense is incurred. Examples of personal expenses that the District will not reimburse include but are not limited to the following.
 - 1. The personal portion of any trip;
 - 2. Political or charitable contributions or events;
 - 3. Family expenses, including a spouse's expenses when accompanying a Board member or employee on District related business including expenses related to children or pets;
 - 4. Entertainment expenses, including theater, movies (either in room or at the theater), sporting events (including gym, massage and/or golf related expenses), or the expenses of other cultural events; alcoholic beverages; personal automobile expenses other than on a mileage basis, including but not limited to repairs, traffic citations, insurance, gasoline, or maintenance expenses; and
 - 5. Personal losses incurred while on District business.
- I. All other expenditures require approval by the District's Board of Directors prior to being incurred;

508.3 Expense Reimbursement

The purpose of this policy is to prescribe the manner in which District employees and Board members may be reimbursed for expenditures related to District business.

Whenever employees or Board members of the District incur "out-of-pocket" expenses for item(s) or service(s) appropriately relating to District business as verified by valid receipts, said expended cash shall be reimbursed after the employee or Board member has submitted an authorized Employee Expense Form with the receipts attached thereto. The employee's supervisor and the General Manager shall sign each Employee's Expense Forms. The President of the Board shall sign the Expense Form of the General Manager and other Board members. Expense Forms submitted by the President of the Board shall be signed by the Vice President of the Board and the General Manager. All Expense Forms submitted by District employee or Board member shall include an explanation of the District-related purpose for the expenditures. All employees and Board members requesting expense reimbursement from the District shall only use the District provided form of Expense Form. All such Expense Forms must be submitted within a reasonable time after the expense which is the subject of the reimbursement request has been incurred, but in any event not more than thirty (30) days after

incurring the expense. Any expenses specified on an Expense Form for which no receipts are submitted will not be reimbursed.

508.4 Travel Expense Reimbursement

District employees and Board members are eligible to receive reimbursements from the District for travel, meals, lodging and other reasonable and necessary expenses for attending any of the activities described in this policy on behalf of the District.

A. Rates of Reimbursement

Reimbursement rates for travel, meals and other reasonable and necessary travel expenses shall coincide with the rates set by the Internal Revenue Service in IRS Publication No. 463 or its successor publications.

1. If lodging is in connection with a conference, seminar, or other organized educational activity, such reimbursable lodging cost will not exceed the maximum group rate published by the conference or activity sponsored. If the published group rate is unavailable, directors and employees shall be reimbursed for comparable lodging at either the government rate offered by the lodging provider, or IRS rate, whichever is less.
2. If government or group rates are offered by the provider of transportation, those rates shall be used for reimbursement when available.
3. Reimbursement of any and all travel expenses for purposes other than those specified per this policy, or at a rate other than the applicable IRS, government, or maximum group rate must be approved by the Board of Directors in a public meeting prior to the expenses being incurred. Any such expenses that do not receive prior approval from the Board of Directors in a public meeting prior to the expense being incurred shall not be eligible for reimbursement.

B. Reports to Board of Directors

All Board members who attend meetings, conferences, educational seminars, or events for which travel expenses are reimbursed by the District shall provide a report to the Board of Directors on the substance of such meetings, conferences, educational seminars and events at the next regular board meeting scheduled after the conclusion of the meeting, conference, seminar or event attended.

C. Expense Documents as Public Records

All documents related to reimbursement by the District of travel and other expenses for Board members and employees are public record and subject to inspection and/or copying at the request of the public pursuant to the provisions of the California Public Records Act (Gov. Code § 6250 et seq.).

D. Transportation Expenses

The most economical mode and class of transportation reasonably consistent with scheduling needs must be used, using the most direct and time efficient route. In the event that a more expensive transportation form or route is used, the cost borne by the District will be limited to the cost of the most economical, direct, efficient and reasonable transportation form. Automobile miles are reimbursable at current IRS rates presently in effect on the date of travel. These rates are designed to compensate the driver for gasoline, insurance, maintenance and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.

E. Lodging Expenses

Lodging expenses are only reimbursed when travel on District business reasonably requires an overnight stay. The lodging in connection with activities other than a conference, for which lodging costs should not exceed the group rate published by the conference sponsor, lodging costs will be reimbursed at the government rate offered by the lodging provider, or the IRS per diem rates for lodging, whichever is less.

F. Meals

Meal expenses and associated gratuity should be moderate, taking into account community standards and the prevailing restaurant cost of the area. The District will reimburse no more than the IRS per diem rates for meals and incidental expenses, which include adjustments to higher cost locations. Employees may not charge alcoholic beverages to the District.

G. Telephone/Fax/Cellular Phones

Board members and employees will be reimbursed for actual telephone and fax expenses incurred on District business. Telephone bills should identify which calls were made on District business. For cellular calls when the Board member or employee has a particular number of minutes included in his or her plan, the Board member or employee can identify the percentage of calls made on District business.

H. Airport Parking

Long-term parking should be used for travel exceeding twenty-four (24) hours, and parking reimbursement will be limited to long-term parking rates if travel exceeds twenty-four (24) hours.

508.5 Cash Advance Policy

From time to time it may be necessary for a Board member or employee to request a cash advance to cover anticipated expenses while traveling and doing business on the District's

behalf. Such request for an advance should be submitted to the General Manager at least ten (10) business days prior to the need for the advance with the following information:

- A. The purpose for the expenditures;
- B. The benefit of such expenditures to the District;
- C. The anticipated amounts of the expenditures; and
- D. The dates of the expenditures.

In no event will the amount of the cash amount exceed the amount of the recommended Internal Revenue Service per diem for the area being traveled to. Any unused cash advance must be returned to the District within two (2) business days of the return of the Board member or employee, along with a District Expense Report and receipts documenting how the advance was spent in compliance with this policy.

508.6 Credit Card Use Policy

Amended April 12, 2019, by Resolution 11-2019

The purpose of this policy is to establish the policies and procedures for the issuance and usage of District Credit Cards.

508.7 Purpose of District Credit Cards

District credit cards will be issued for the sole purpose of conducting the official business of the District. Credit cards will be provided to select employees for the purpose of making purchases, securing reservations, paying travel expenses, placing orders, and doing District business in the most efficient manner. The District credit card is intended to replace the use of petty cash and open purchase orders.

508.8 Issuance of District Credit Cards

When a District credit card is issued, the employee receiving it must sign a form acknowledging his/her understanding of the policies and procedures for the use of the District credit card and acknowledging the receipt of the credit card.

408.9 Restricted Use of the Credit Card

The following restrictions are placed on all District credit cards:

508.10

Credit cards are issued to District employees for the sole purpose of conducting official business of the District. Improper use of a District credit card will be treated as misuse of public funds and will subject the Cardholder to disciplinary action.

508.11

The District credit card is for the cardholder's use only.

508.12

Cardholders must ensure that budgeted funds are available prior to making purchases. The General Manager or Accountant can assist the cardholder with any needed budget information.

508.13

The District credit card shall not be used for any of the following:

- Cash advances, wire transfers, money orders, etc.
- Betting, casino gaming, or related activities.
- Political or religious organizations.
- Personal court costs, fines, bail or bonds.
- Purchases of items for which the District has purchase discount agreements, unless for an emergency situation.
- Any personal items and personal services.
- Purchases such as meals for Non-District persons
- The purchase of alcohol or any other unauthorized item or service

508.14 Safekeeping of the Credit Card

The Cardholder is responsible for the security of the District credit card. If the District credit card is used infrequently, the Accountant will store the credit card while it is not in use, and maintain a sign in/out sheet for stored credit cards.

508.15 Credit Card Purchase Procedures

Cardholders will complete the following steps with each purchase:

- Require the vendor to provide a receipt of the purchase.
- Submit all receipts, printed, to the Accountant on a monthly basis in conjunction with the credit card billing cycle.

508.16 Payment of Credit Card Account

The District's Accountant shall complete the following steps upon receipt of the credit card statement:

- Balance all receipts to the statement, which will show all transactions made during the billing cycle. All items must be accounted for on the statement with a supporting sales draft, receipt/invoice, log entry, or order form.

- Indicate the account number to be charged for each item by writing it on the statement, or statement recap.
- As quickly as possible following receipt of the monthly statement, the statement will be verified, reconciled, and prepared for payment. The payment will be mailed in a timely manner to avoid finance charges.

508.17 Lost or Stolen Credit Card

Should a cardholder lose or have his/her District credit card stolen, it is his/her responsibility to contact the bank immediately, and notify the General Manager or Accountant as well. The Accountant will record the following: cardholder's complete name; District credit card number; date reported to police, if stolen; date the bank was notified, and; any purchase(s) made on the day the card was lost or stolen. A new District credit card will be provided to the cardholder as soon as possible from the time the loss or theft is reported to the bank.

508.18 Return of the Credit Card

The accountant is responsible for retrieving the credit card when an employee separates from the District. Use of the credit card for any purpose after its surrender is prohibited.

508.19 Responsibility Assignments Cardholders

- Purchase supplies and services on behalf of the District in accordance with these guidelines
- Notify both the bank and the accountant if the card is lost or stolen
- Return card to the accountant if it is not to be used for an extended period
- Provide order confirmation and verification of order receipt as quickly as possible, along with phone order log

Accountant:

- Review of the monthly credit card charge summary provided by the bank
- Ensure each transaction is fully documented, and ensure that the correct budget is charged for each purchase
- Prompt payment of the monthly credit card statement

General Manager:

- Ensure that the credit card is surrendered upon separation from the District
- Review credit card program administration for compliance with this policy

508.20 Audits of Expense Reports

All expenses are subject to verification and audit in order to ensure compliance with this policy.

508.21 Compliance with Laws

District Board members and designated employees should be aware that receipt of reimbursement of some travel expenditures from the District may be subject to reporting to the Fair Political Practices Commission under the Political Reform Act and other laws on FPPC Form 700. The Political Reform Act generally requires travel expense reimbursement on District business to be reported as either income or as a gift on the official's Form 700.

508.22 Fraud Policy

The purpose of this policy is to provide employees and those doing business with the District notice of the types of workplace conduct that are considered dishonest, to direct the General Manager to establish and maintain a system of internal controls to prevent and detect dishonest conduct, to authorize the General Manager to establish appropriate procedures for reporting and investigating alleged dishonesty in the workplace or connected to the District, and to provide for appropriate sanctions in cases where dishonest conduct or activities are established.

The District expects that all Directors, officers, employees, agents, vendors, volunteers or other persons connected to the District will adhere to the strictest standards of honest conduct and will treat District property with the same respect required for all public property. It is the District's express policy that all allegations of workplace or other District-related dishonesty will be promptly and fully investigated and if dishonest conduct is established, to take action as appropriate to discipline the dishonest person or persons and to pursue appropriate civil and criminal legal remedies. To ensure that the District's property is safeguarded against dishonest conduct, the District will establish and maintain appropriate procedures and internal controls to promptly detect workplace or other District-related dishonesty and take appropriate disciplinary action against any individuals so involved.

POLICY GUIDELINES

Dishonesty, fraud, corruption, and other deceitful acts prohibited under this policy include:

1. Claiming reimbursement of expenses that are not job-related or authorized by the District.
2. Committing forgery or unauthorized alteration of any District document (for example: invoices, receipts, checks, wire and Automated Clearing House (ACH)

- transfers, time sheets, independent contractor agreements, purchase orders, invoices, receipts, petty cash documents or budgets).
3. Misappropriate District assets (for example: money, District-issued credit cards, securities, supplies, furniture, equipment or labor).
 4. Committing improprieties in the handling or reporting of money, material, labor or accounting transactions.
 5. Authorizing or receiving payment for goods not received by or services not performed for the District.
 6. Using a computer for unauthorized alteration, destruction, forgery or manipulation of District data or misappropriation of District-owned software.
 7. Misrepresenting information on District-related documents.
 8. Falsifying time records or expense reports or conducting substantial personal business on District time.
 9. Violating federal, state, or local laws related to any form or type of dishonest conduct or activities.
 10. Seeking or accepting bribes, gratuities or other consideration of material value from those doing business with the District including customers, vendors, consultants, contractors, lessees, applicants and grantees. Materiality is determined by the Political Reform Act of 1974 (*Gov't Code sections 87000 et seq.*) regulations of the Fair Political Practices Commission (*2 Cal. Admin. Code Sections 18100 et seq.*) and any amendments to the Act or regulations.
 11. Any other type of dishonest, fraudulent, corrupt, or deceitful conduct in violation of any District policy or of any federal, state or local law or regulation.

Investigation of Fraud

The District will fully investigate all allegations of dishonest conduct. A thorough and objective investigation will be conducted regardless of the position, title, tenure or relationship with the District of any Director, officer, employee, agent, vendor, volunteer or other person who might be involved in or becomes the subject of such investigation.

The General Manager, with appropriate assistance from management staff and District Legal Counsel, will apply appropriate procedures for investigating all allegations of dishonest conduct by any Director, officer, employee, agent, vendor, volunteer or other party connected to the District. Typically, the Department Manager or an outside investigator, will be assigned to conduct an investigation once the subject matter of the investigation and the nature of the alleged dishonest conduct have been determined. At the General Managers' discretion, investigations of criminal conduct may be referred to the appropriate prosecutorial or law enforcement officials for investigation.

The District will pursue every reasonable effort, including court-ordered restitution, to obtain recovery of any losses suffered by the District that are caused by or connected to dishonest conduct prohibited by this Policy.

Establishment of Internal Controls

The General Manager, or his/her designee, is directed to establish and maintain a system of internal controls to prevent and detect fraud, misappropriation of District resources and other dishonest conduct affecting the District, and to institute systems that help the District to promptly identify any indications of such misconduct.

508.23 Violations of this Policy

Misuse of public resources or falsifying expense reports in violation of this policy may result in any or all of the following:

- A. Loss of reimbursement privileges;
- B. Restitution to the District;
- C. The District reporting of the expenses as income to the Board member or employee to state and federal tax authorities;
- D. Civil penalties for misuse of public resources at \$1,000 per day for the duration of the infraction plus three times the value of the unlawful use (Government Code § 8314);
- E. Criminal prosecution for misuse of public resources, the penalties for which include incarceration and disqualification from holding office in California.

508.24 Compensation of Board Members

Misuse of public resources or falsifying expense reports in violation of this policy may result in any or all of the following:

- A. Consistent with *Government Code Section 61000 et seq.*, each District Board member receives a daily meeting stipend as detailed in the District Salary Schedule in an amount per day for each day's attendance at meetings as defined in this policy, not to exceed six (6) days of service and/or meetings per month. Such compensation is in addition to any reimbursement for meals, lodging, travel and expenses consistent with this policy. If two (2) or more meetings are attended by a Board member on any one day, then the Board member may only receive a stipend for one (1) meeting. The Board may increase compensation by resolution annually up to a maximum of 5% of the prior year.
- B. Meetings and Service Subject to Daily Stipend

To be entitled to a daily stipend under this policy, the event in question must constitute one of the following:

1. A meeting of the District Board within the meaning of *Government Code Section 54952.2(a)*;
2. A meeting of an advisory District committee, whether a standing committee or an ad hoc committee, within the meaning of *Government Code Section 54952.2(b)*;
3. A conference within the meaning of *Government Code Section 54952.2(c)* of the following organizations:

California Special Districts Association;

- Association of California Water Agencies;
 - California Association of Sanitation Agencies;
 - California Association of Recreation and Park Districts;
 - Fire District Association of California;
 - California Parks and Recreation Society.
4. A meeting of any multi-jurisdictional governmental body on which the District director services as the District's designated representative;
 5. An organized educational activity conducted in accordance with *Government Code Section 54952.2(c)*, including but not limited to ethics training required by *Government Code Section 53234*;
 6. Any meeting attended or service provided on a given day at the formal request of the District's Board of Directors and for which the District Board approves payment of a daily meeting stipend prior to the date of the meeting or provided service.

C. Ethics Training

As a condition to receiving either a daily meeting stipend or expense reimbursement, all Board members shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the Board of Directors, and thereafter at least once every two years pursuant to *Government Code Sections 53234 and 53235.2*. This policy also applies to all staff members that the Board of Directors designates.

1. All ethics training shall be provided by entities who have consulted with the California Attorney General and the Fair Political Practices Commission.
2. Board members shall obtain certification after completing the ethics training. District staff shall maintain records indicating both the dates the Board member completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five (5) years after Board members receive the training, and are public records subject to disclosure under the California Public Records Act.

3. District staff shall provide the Board of Directors with information on available training that meets the ethics training requirements of this policy at least once every year.
4. Ethics training may consist of either material offered by the Fair Political Practices Commission or other ethics training programs approved by the California Attorney General and the Fair Political Practices Commission. Ethics training may be taken at home, in person or online.

508.25 Policy Regarding Training, Education and Conferences

Members of the Board of Directors and designated employees are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operations. Attendance at such educational conferences or professional meetings is considered a part of an official's performance of their official duties for the District. Therefore, there is no limit as to the number of Board members attending a particular conference or seminar when their attendance is beneficial to the District.

- A. It is the policy of the District to encourage both development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation in professional organizations, and attendance at local, state and national conferences associated with the interests of the District. All reimbursement of actual and necessary expenses, including travel expenses, shall be pursuant to the policies set forth per this policy. Attendance by Board members at seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs. Attendance by designated employees at seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Department Manager prior to incurring any reimbursable costs. If an employee does not pass a given test after three (3) attempts, the employee shall pay for all subsequent expenses associated with taking the test, including fees, travel expenses, and training/study sessions.
- B. A Board member shall not attend a conference or training event for which there is an expense to be reimbursed by the District if such conference or event occurs after said Board member has announced his or her pending resignation, or if such conference or event occurs after an election in which it has been determined that such Board member will not return to his or her seat on the Board of Directors. A Board member shall not attend a conference or training event when it is felt that there is no significant benefit to the District.

- C. Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Board members will be required to either prepare a written report for distribution to the Board, or make a verbal report during the next regular Board meeting of the Board of Directors after the conclusion of the seminar, workshop, or conference attended. Said report shall detail what was learned at the session that will be of benefit to the District. Material from these sessions and the report of the attending Board members shall be retained in the District's office to be included in the District's library for the future use of other Board members and staff.

508.26 Guidelines Regarding legislation and Ballot Measures

A. Information, Not Advocacy; Explanation Not Promotion

1. The District is prohibited from spending money to support or oppose ballot measures placed before the electorate. It is permissible, however, for the District to expend District funds for informational purposes to provide the public with a "fair presentation" of the facts relating to a ballot measure which directly concerns the District. It is also permissible for the District to formally adopt a position on a ballot measure or legislation and educate the public on the measure, its impact on the District, and the basis for the District's position.
2. If public funds or District equipment or facilities are used to provide information regarding a proposed ballot measure or legislation, the information provided by the District must be accurate and balanced and represent supporting as well as opposing views. It is permissible for the District to formally adopt a position on proposed legislation or a ballot measure. When the District has formally adopted a position on proposed legislation or a ballot measure, the District may respond to a request from the public, the media or some other source to explain the District's position without being obligated to present all possible views on the issue.
3. Board members and employees of the District retain their free speech guarantees to express their personal viewpoints on any proposed legislation or ballot measure. The right of free speech is not forfeited because of any association with the District. Therefore, District employees and Board members may express their personal opinion on ballot measures and proposed legislation and urge the support or opposition to proposed legislation or a ballot measure in a public forum, so long as no District funds are expended, including no District reimbursement of Board member or employee expenses incurred making such a presentation. Whenever District funds or facilities are involved in any way in the activity of an employee or Board member with respect to proposed legislation or

a ballot measure, that employee or Board member will be deemed to be acting as a representative of the District and will be required to limit his or her comments to a balanced, factual presentation containing supporting as well as opposing views.

B. Permissible Activities

1. Expend public funds for the purpose of formulating and drafting proposed legislation or a proposed initiative, and securing appropriate sponsors;
2. Adopt a formal position in support of or in opposition to proposed legislation or a ballot measure at a meeting of the Board of Directors of the District.
3. The District may initiate a presentation or information piece regarding proposed legislation or a ballot measure, and may notify the public, the media and others of the District's position through news releases, bulletins or other vehicles at District expense that are informational and balanced but do not advocate a yes or no vote, or contain language which indicates that the District is "taking sides" with respect to the proposed legislation or ballot measure.
4. The District may expend District funds, without taking a formal position on any proposed legislation or ballot measure, to initiate, prepare, or distribute factual, balanced information on a proposed legislation or a ballot measure to the public and other organizations, which material should represent both pro and con viewpoints in a fair manner.
5. District Board members and employees may respond to inquiries from the media, the public or other organizations about the impact of a measure on the District as long as such response is factual and does not advocate a position.
6. District Board members and employees may participate or sponsor forums or debates on proposed legislation or a ballot measure at District expense if all views are represented at such forum or debate.
7. Upon request, District Board members and employees are free to explain their personal views on proposed legislation or a proposed ballot measure.
8. The District may expend District funds to meet with its elected representatives regarding pending legislation impacting the operations of the District, or to appear before the State Legislature or Congress for the purpose of making legislators aware of the impact of pending legislation on District operations and facilities.

C. Prohibited Activities

1. The District in no event can expend District funds to purchase such items as bumper stickers, posters, advertising, or television or radio "spots" as well as the dissemination and public expense of campaign literature prepared by private

- proponents or opponents of legislation or a ballot measure, or otherwise spend District money to clearly advocate a yes or no vote on any ballot measure.
2. The District may not use District funds to contribute to a campaign supporting or opposing any ballot measure.
 3. The District may not expend District funds or utilize any District facilities or equipment such as photocopy machines, facsimile machines, computer e-mail, or office supplies or staff time in connection with any activity designed to support or oppose a ballot measure, or attempt to influence voters to qualify a ballot measure, including utilizing District funds to gather signatures for a ballot measure.

509 Purchasing, Contracting and Procurement

Amended: February 12, 2019, by Resolution 2019-5

Amended: December 10, 2024, by Resolution 34-2024

509.1 Purpose

The Board of Directors of the District will be responsible for the awarding of all contracts. Final approval of all purchases of materials, supplies, equipment, and goods as well as construction, maintenance, repair and alteration services shall comply with the provisions of this policy.

Under the direction of the Board of Directors, the General Manager shall act as the purchasing agent for the Board in the procurement of goods and services in accordance with these District policies and applicable provisions of law.

509.2 Purchasing of Materials, Supplies and Equipment Not Related to New Construction

All purchases of items consisting of materials, supplies and equipment will require written approval from the appropriate department supervisor/manager prior to purchase. If the purchase exceeds the spending limit of the purchasers, approval must be obtained from the appropriate higher authority prior to purchase. After the proper approval has been obtained, a District printed purchase order may be issued. The following guidelines will be observed when purchasing such materials, supplies and equipment:

- A. When procuring maintenance services, materials, supplies and equipment costing less than Three Thousand Dollars (\$3,000.00), price competition is not required. However, every attempt should be made to secure the most reasonable price for the goods to be obtained.
- B. When procuring maintenance services, materials, supplies and equipment costing over Three Thousand Dollars (\$3,000.00) the purchase shall be based, wherever possible, on

at least three (3) bids/quotes. The bid/quote shall be awarded to the lowest responsible and qualified bidder.

- C. When the District requires supplies, materials or equipment which are produced by only one manufacturer, such lists shall also include the phrase “or approved equivalent” to permit bidders to bid on alternative or additional makes, brands or types which are proved to be the equivalent to the manufacturer’s make or brand specified. If the manufacturer or his representative is the sole responsible bidder or sole source of supply, the General Manager may negotiate an open market order or contract with the manufacturer or his representative at prices and on terms most advantageous to the District.
- D. When the District requires supplies, materials or equipment which are patented or proprietary, and which are obtainable in two (2) or more equally satisfactory and competitive makes, brands or types, the District may list such acceptable and competitive makes, brands or types in the invitation to bid. Such lists shall also include the phrase "or approved equivalent" to permit bidders to bid on alternative or additional makes, brands or types. It shall be incumbent on each bidder to prove to the satisfaction of the General Manager that the alternate or additional make, brand or type which he offers is actually equal in quality or performance to those listed in the invitation to bid.
- E. As an alternative, the District may request the purchasing agent of Tuolumne County to make purchases of materials, equipment, or supplies not related to new construction on its behalf if this method of purchase reduces the cost of acquisition to the District.

509.3 Purchase Orders

Purchase Orders shall be used as authorization for purchasing materials, supplies and equipment not related to new construction, maintenance or repairs that are procured pursuant to these policies. Exceptions include items such as hotel and airline reservations or professional services contracts and other vendor contracts.

Completed purchase order forms must be approved and signed by the appropriate department manager and signed by the General Manager in all cases in which the purchase exceeds the spending limit of the department manager. The department manager may be delegated project specific purchasing authority by the General Manager to provide for efficient project management.

509.4 Approval Limits for Purchase Orders

Amended: May 3, 2012

The General Manager has signing authority for all budgeted items and any unbudgeted items up to Ten Thousand Dollars (\$10,000). All unbudgeted items over Ten Thousand Dollars (\$10,000) must be approved by the Board of Directors. The General Manager may delegate limited signing and authorization responsibilities for budgeted items to department managers and supervisors. Department managers and supervisors have signing authority for up to Three Thousand Dollars (\$3,000).

509.5 Contracting for Projects for New Construction, Alterations and Repairs; Contracting for Purchase of Materials, Supplies and Equipment Related to New Construction, Alterations, Maintenance or Repairs

The District has adopted the Uniform Public Construction Cost Accounting Act (hereinafter “UPCCAA”) and its contracting policies for projects consisting of: 1) new construction, or completion of any building, structure, or improvement and 2) the purchasing of materials, supplies and equipment related to new construction, or completion of any building, structure, or improvement.

When contracting for projects consisting of new construction, maintenance, alteration or repairs, or the purchasing of materials, supplies and equipment related to such construction, when the cost of materials, supplies and labor will not exceed the bid limits established in the UPCCAA and Public Contract Code as amended from time to time, price competition is not required and the project or purchase may be performed by negotiated contract, by purchase order, or by the employees of the District by force account.

- A. When contracting for projects consisting of the construction, or completion of any building, structure or improvement or the purchasing of materials, supplies and equipment related to such new construction, when the cost of materials, supplies and labor for the project is less than the bid limits established in the UPCCAA and Public Contract Code as amended from time to time, the project or purchase may be let to contract by informal bidding procedures specified in the District’s informal bidding ordinance adopted pursuant to the provisions of Public Contract Code 22034.
- B. When the cost of materials, supplies and labor on the project, or the cost of purchase of materials, supplies and equipment related to such construction exceeds the bid limits established in the UPCCAA and Public Contract Code as amended from time to time, that project or purchase shall be let to contract by the formal bidding procedure specified in *Public Contract Code Sections 22037, 22038 and 22039*.
- C. Notice of inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be published at least fourteen (14) calendar days before the date of opening the bids in a newspaper

of general circulation in the jurisdiction of the District. It shall also be sent to all construction trade journals specified in *Public Contract Code Section 22036* at least thirty (30) calendar days before the date for opening the bids.

- D. Upon receiving such bids for projects for new construction, alterations and repairs, the District Board of Directors may:
 - 1. Accept the bid of the lowest responsible bidder;
 - 2. Reject all bids and re-advertise; or
 - 3. By four-fifths (4/5) vote declare that the project can be performed more economically by the employees of the District and elect to have the project done by force account.
- E. Upon receiving such bids for purchasing of materials, supplies and equipment related to such new construction, alterations or repairs, the District Board of Directors may:
 - 1. Accept the bid of the lowest responsible bidder;
 - 2. Reject all bids and re-advertise; or
 - 3. By four-fifths (4/5) vote elect to purchase the materials, supplies or equipment in the open market.
- F. If two or more bids are the same and the lowest, the District may accept the one it chooses. If no bids are received through the formal or informal procedure, the project may be performed by the employees of the District by force account, or by negotiated contract.

509.6 Emergency Purchases, Repairs and/or Replacements

In the case of an emergency, the District may, pursuant to a 4/5th vote of its Board of Directors, repair or replace a public facility or improvement, take any related and immediate action required by that emergency, and procure the necessary equipment, services, supplies, and materials for those purposes, without giving notice for bids to let contracts, without adopting plans, specifications and/or working details for the project. The emergency work may be done by day labor under the direction of the General Manager, or his designee.

- A. Before the Board of Directors takes any action to repair or replace a public facility or to procure necessary materials, supplies, equipment, or services for emergency purposes, the Board of Directors shall make a finding based on substantial evidence set forth in the minutes of its meeting that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the actions authorized by the Board to repair, replace, or purchase materials and supplies are necessary to respond to the designated emergency.

- B. The Board shall periodically review any action taken in response to such an emergency at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter pursuant to the requirements of *Public Contract Code Section 22050*.
- C. For the purposes of this section, the term “Emergency” shall mean any event that immediately impacts the health and safety of the public or environment and that by delaying action will result in substantial harm or damage to individuals, property, or the environment.

509.7 Bid Policies

A. Conflicts of Interest

The purchasing agent and the employees of the District are expressly prohibited from accepting, directly or indirectly, from any person, company, firm, or corporation, to which a purchase order or contract is, or might be awarded, any rebate, gift, money, or anything of value whatsoever.

B. Consideration of Bids

After bids have been opened and read, they may be checked for accuracy and compliance with the requirements of the bidding documents including any Notice to Bidders, Instructions to Bidders as well as any plans and specifications for the project to be bid or the specifications of any equipment, materials or supplies to be purchased pursuant to bid.

It is the intent of the District to award a contract to the lowest responsible bidder provided the bid has been submitted in accordance with the requirements of the bidding documents and does not exceed funds available. With respect to projects consisting of new construction, maintenance, alterations or repairs, it is the intention of the District to award a contract only to a responsible bidder who has furnished satisfactory evidence that it has the requisite experience and ability and sufficient capital, facilities and plant to enable it to prosecute the work successfully and promptly, and to complete it within the time stated in the contract documents. With respect to the purchasing of equipment, materials, and supplies related to new construction, maintenance, or repairs, it is the intention of the District to award a contract only to a responsible bidder who has furnished satisfactory evidence that it has the requisite experience and ability to provide materials, supplies and equipment which meets specifications of the District.

C. Bid Security

Each bid shall be accompanied by bid security in a form and amount required herein to be specified by the District pledging that the bidder will enter into a contract with the

District on the terms stated in the bid and will, if required, furnish bonds covering the faithful performance of the contract and payment of all obligations arising thereunder. Bid security shall be in the amount of not less than ten percent (10%) of the amount of the bid being submitted by the bidder, and may be in the form of a certified check, cashier's check or surety bond. Should the bidder refuse to enter into such a contract or fail to furnish the bonds required, then the bidder shall forfeit the amount of bid security to the District as liquidated damages, and not as a penalty.

All surety bonds shall be issued by a surety admitted to do business in the State of California and accompanied by a Certificate of Fact issued by the County of Tuolumne County Clerk pursuant to CCP § 995.640(a) or a Certificate of Authority with respect to such surety issued by the State of California Department of Insurance.

D. Acceptance and Award of Bid

1. Contract Award. The award of the contract will be to the lowest responsible bidder as set forth above.
2. Waive Irregularities. The District shall have the right to waive informalities or irregularities in a bid received and to accept a bid which, in the District's judgment, is in the District's best interest.
3. Alternatives. The District shall have the right to accept alternates in any order or combination unless otherwise specifically provided in the bidding documents, and to determine the low bidder on the basis of the sum of the base bid and alternates accepted.
4. Rejection of Incomplete Bids. Until an award of bid is made, the purchasing agent reserves the right to reject any and all bids, reject a bid not accompanied by any other information required by the bidding documents, or reject a bid which is in any way incomplete or irregular.
5. Rejection of Bid for Technical Defects. Until an award of bid is made, the purchasing agent reserves the right to reject any and all bids and to waive technical defects, if to do so best serves the interests of the District.
6. Notice and Solicitation of Bid for Purchase of Supplies, Equipment and Property. The purchasing agent shall give notice inviting bids to all suppliers, persons and firms who file written requests with the District office for such notice. In addition, the purchasing agent shall send notice inviting bids to such other firms or persons as in his opinion may be necessary to inform the trade.

509.8 Bidder Pre-Qualifications

The purchasing agent may require pre-qualifications of bidders and may require bidders to provide information for the purpose of preparing and maintaining lists of qualified bidders. Pre-qualification shall be based on any available information, including but not limited to information provided by the bidder. A bidder's name may be removed from the list of qualified bidders for any of the following reasons:

1. Failure to respond or providing misleading statements to questionnaires issued by the purchasing agent or to provide a financial statement or other information as may be requested.
2. Failure to respond to three (3) consecutive invitations or requests for bids or quotations on services or an item offered by the bidder.
3. Failure to satisfactorily perform under a previous purchase order or contract.
4. Failure to respond to any inquiry from the purchasing agent regarding whether the bidder continues to be interested in doing business with the District.
5. Submission to the purchasing agent by the bidder of a written request to be removed from the list of qualified bidders.
6. Change in qualifications of a bidder to the extent that he/she no longer meets the minimum requirements applicable to bidders offering the services or item offered by the bidder.

510 Investment of District Funds

Amended: March 12, 2018, by Resolution 8-18

510.1 Purpose

The Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (*California Government Code (CGC) §53600.6 and §53630.1*). The purpose of this policy is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy and to organize and formalize investment-related activities.

Government Code Sections 5921 and 53601, et seq., allow the legislative body of a local agency to invest surplus monies not required for the immediate necessities of the local agency. The investment policies and practices of the District are based on state law and prudent money management. All funds will be invested in accordance with the District's Investment Policy, and *California Government Code Sections 53601, 53601.1, 53601.5 and 53635.5*. When the District issues bonds, the investment of bond proceeds will be further restricted by the provision of relevant bond documents.

The Treasurer or fiscal officer of a local agency is required to annually prepare and submit a statement of investment policy and such policy, and any changes thereto, is to be considered by the local agency's legislative body at a public meeting (CGC §53646(a)). For Groveland Community Services District, Treasurer shall be responsible for preparing and submitting such policy for adoption by minute action or by resolution of the District Board. The adopted Investment Policy shall be reviewed on an annual basis and the District Board shall approve any modifications to such policy by minute action or by resolution. The investment policy, as adopted by the District Board, shall be used to guide District staff in investment decisions and transactions.

For these reasons, and to ensure prudent and responsible management of the public's funds, it is the policy of Groveland Community Services District to invest funds not required for immediate needs of the District in a manner which will provide the highest investment return with the maximum safety while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of Groveland Community Services District funds.

510.2 Scope

This investment policy shall apply to the investment of all funds of Groveland Community Services District except retirement funds and debt service funds held by Trustees for payment of bond redemption and interest.

510.3 Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by District staff shall be the "prudent person" standard as found in §53600.3 of the Government Code of the State of California, and shall be applied in the context of managing an overall portfolio. The Treasurer, acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations for expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

510.4 Objectives

As specified in California Government Code §53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives of the investment activities, in priority order, shall be:

A. Legality and Safety

Legality and safety of principal are the foremost objectives of the investment program. Investments of Groveland Community Services District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

B. Liquidity

The investment portfolio will remain sufficiently liquid to enable Groveland Community Services District to meet all projected, as well as expected and unexpected cash needs.

C. Return on Investments

The District shall seek to attain market average rates of return on all investments within the constraints imposed by State law, by the avoidance of capital losses and by cash flow considerations. The District's investment portfolio shall be diversified to eliminate the risk of loss resulting from over- concentration of asset in a specific issuer or class of securities and shall contain investments of varying lengths of maturity of five (5) years or less.

510.5 Delegation of Authority

Authority to manage the investment program is derived from California Government Code §53600, et seq. Management responsibility for the investment program is hereby delegated by the Board to the Treasurer.

The Treasurer shall render a quarterly report to the Board specifying the type of investment, institution, date of maturity, amount of deposit, current market value for all securities with a maturity of more than twelve (12) months, and a rate of interest. Under the provisions of California Government Code §53600.3, the Treasurer is a trustee and a fiduciary subject to the prudent investor standard.

510.6 Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

510.7 Authorized Financial Institutions and Dealers

The Treasurer will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness that are authorized to provide investment and

financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the Treasurer shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the Treasurer shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for Groveland Community Services District's account with the firm has reviewed Groveland Community Services District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to Groveland Community Services District that are appropriate under the terms and conditions of the Investment Policy.

510.8 Permitted Investment Instruments

Permitted investment instruments for the District's assets are the following:

- A. Government obligations for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- B. Obligations issued by Banks for Cooperatives, Federal Land Banks, Federal Intermediate Credit Banks, Federal Farm Credit Banks, Federal Home Loan Banks, the Federal Home Loan Bank Board, the Federal Home Loan Mortgage Corporation, the Resolution Funding Corporation, or in obligations, participations, or other instruments of, or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association; or in guaranteed portions of Small Business Administration notes; or in obligations, participations or other instruments of, or issued by, a federal agency or a United States government-sponsored enterprise, or such agencies or enterprises which may be created.
- C. FDIC insured or fully collateralized time certificates of deposit in financial institutions located in California. Preference may be given to local banks.
- D. Negotiable certificates of deposit or deposit notes issued by a nationally or state-chartered bank or a state or federal savings and loan association or by a state-licensed branch of a foreign bank; provided that the senior debt obligations of the issuing institution are rated "AA" or better by Moody's or Standard & Poor's.
Purchase of negotiable certificates of deposit may not exceed 30 percent of the District's investment portfolio.

- E. State of California's Local Agency Investment Fund. The LAIF portfolio should be reviewed periodically.
- F. Investment Trust of California (CalTRUST). CalTRUST is a joint powers authority of California public agencies that serves as an investment alternative to LAIF.
- G. Insured savings account or money market account.
- H. California Cooperative Liquid Assets Securities System (California CLASS)

510.9 Prohibited Investments

Under the provisions of California Government Code §53601.6 and §53631.5, Groveland Community Services District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest- only strips derived from mortgage pools or any investment that may result in a zero (0) interest accrual if held to maturity. Additional investments which are not permitted include repurchase agreements, banker's acceptances, commercial paper, and medium-term corporate notes.

510.10 Maximum Maturity

Investment maturities shall be based on a review of cash flow forecasts. Maturities will be scheduled so as to permit the District to meet all projected obligations. The maximum maturity will be no more than five years from purchase date to maturity date.

510.11 Reporting

The Treasurer shall submit to the District Board a quarterly investment report, which shall consist of a cover report over the reports generated by the investment fund and the Local Agency Investment Fund. The cover report shall include a certification that:

- A. All investment actions executed since the last report have been made in full compliance with this Investment Policy, and
- B. Groveland Community Services District will meet its cash flow requirements for the next six (6) months.

510.12 Investment Policy Review

This Investment Policy shall be reviewed, modified as needed, and approved on an annual basis by the Board of Directors. This should be done during the annual budgeting process.

511 Water & Sewer Leak Adjustment Request

Amended: January 8, 2019, by Resolution 01-2019

Amended: April 11, 2023, by Resolution 18-2023

The General Manager and/or their designee, are authorized to adjust a customer's water or sewer service account when their bill reflects usage that is significantly greater than normal, due to accidental loss of water through broken pipes or other failures in the property's indoor plumbing system, subject to the following conditions:

1. The account shows no record of being delinquent for more than 60 days during the past 24 Months
2. One (1) adjustment will be granted within a 24-month period
3. The customer certifies in writing that the problem causing the usage could not have been foreseen, is not related to negligence in property maintenance and has been repaired and/or resolved within fourteen (14) calendar days of being notified or when the leak was discovered
4. Leak adjustments must be applied for in writing within 30 days of receipt of billing
5. No leak adjustments will be granted for loss of water due to irrigation failures
6. No leak adjustments will be granted for properties operated or used as vacation rentals
7. No leak adjustments will be granted during District declared drought status
8. Upon approval of the adjustment, the District will bill each gallon of water used in excess of the normal water consumption on the property, calculated based on the same billing period from the prior year, at the District's Base Usage Rate.

512 Disconnection of Water Service for Delinquent Account

Amended: August 9, 2022, by Resolution 33-2022

512.1 Policy Explanation

This policy details Groveland Community Services District's (GCSD's, The District) administrative actions regarding delinquent accounts and the discontinuance of residential water service. This includes notifications, payment arrangements, account appeals, fees, service discontinuance, and service reconnection. This policy shall comply with all aspects of the Water Shutoff Protection Act (SB 998), effective February 1, 2020.

District staff can be contacted in person at the main office (18966 Ferretti Rd., Groveland, CA 95321) or by phone (209-962-7161) to discuss options for avoiding discontinuation of residential water service for non-payment under the terms of this policy.

A copy of this policy is available to the public on the District website and in writing upon request. This policy is available in English, Spanish, Vietnamese, Korean, Chinese, and Tagalog.

512.2 Definitions

- a) **Account Owner (Customer):** The individual(s) who is financially responsible for the retail water service utility payment at a location.
- b) **Alternative Payment Agreement:** A written agreement between the Account Owner and the District providing for the payment of current or delinquent charges on an alternative schedule. All alternative payment agreements must be requested by the account owner and approved by the District. See specific details in Alternative Payment Agreements, #3-a)1.
- c) **Appeals Process:** Written request by the account owner to the General Manager for a review, discussion, and possible adjustment of the bill and/or balance on the retail water utility account. See specific details in Appeals Process, #4.
- d) **General Manager:** The District's General Manager and/or his/her designee.
- e) **Non-Payment:** Failure of the account owner to pay all charges (including penalties) by the due date, subjecting the retail water utility account to potential service discontinuance.
- f) **Delinquent Account:** Any account that is not paid, in full, by midnight on the last day of the month.
- g) **Primary Care Provider:** Any of the following: any internist, general practitioner, obstetrician- gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or any primary care clinic, rural health clinic, community clinic or hospital outpatient clinic currently enrolled in the Medi-Cal program, which agrees to provide case management to Medi-Cal
- h) **Service Discontinuance (Lock-Off):** The discontinuance of service at an address by turning off and locking a meter, or the removal of a meter due to non-payment.

512.3 Alternative Payment Agreements

Any and all alternative payment agreements must be requested by the account owner prior to the scheduled date of service discontinuance (lock-off). Alternative Payment Agreements include: 1) Alternate Payment Arrangements/Temporary Deferral of Payment; 2) Payment Amortization; 3) Partial or Full Reduction of Unpaid Balance.

1. **Alternative Payment Arrangement/Temporary Deferral of Payment:** An account owner who is unable to pay for retail water service within the normal payment period may request an alternative payment arrangement or a temporary deferral of payment to avoid late fees or disruption of service. The General Manager will consider all circumstances surrounding the request and make a determination as to whether the payment arrangement is warranted.

2. **Payment Amortization:** Payment arrangements that extend into multiple months are considered an amortization plan. An amortization plan will amortize the unpaid balance over an extended period agreed to by the District, not to exceed 12 months from the original date of the bill (unless approved by the General Manager). Amortization Plans must be in writing and signed by the account owner. The amortized payment amount and the current payment must be received by the District by midnight on the last day of each month. The account owner must comply with the terms of the amortization plan and remain current as charges accrue in each subsequent billing period.
3. **Partial Reduction of Unpaid Balance:** Request of partial reduction of the unpaid account balance must be presented in writing to the District Main Office (18966 Ferretti Rd., Groveland, CA 95321), and will be forwarded to the General Manager. Only requests that have an identified and repaired leak as a result of failure of a home's plumbing system will be considered and subject to the District's Leak Adjustment Policy. One request per Account Owner may be presented within a twenty four month period. Decisions by the General Manager are final. Only one active alternative payment agreement may exist on an account at any given time. An account owner will not be eligible to participate in any alternative payment agreement if he or she has failed to comply with the terms of a prior alternative payment arrangement within the previous twelve (12) month period.

Failure to comply with the terms of any alternate payment agreement listed above will result in the account being subject to service discontinuance. Service may be discontinued (shut-off) if either of the following occurs: (1) the customer fails to comply with the terms of an alternative payment agreement and the breach remains uncured for a period of 60 days or (2) if the customer does not pay his or her current residential service charges for 60 days or more while participating in an alternative payment agreement.

The District retains the ability to select which of the payment arrangement options are available to the account owner, and may set the said parameters for such. (SB 998, Chapter 6, §116910, article (b)2).

It is the account owner's obligation to ensure the timely submission of complete and satisfactory documentation demonstrating eligibility to participate in an alternative payment agreement. If the information is not submitted by 4:00pm on the 60th day of delinquency or if the information is incomplete, the District will proceed with discontinuation of water service the following day. In such a circumstance, the only way to resume water service will be to pay entire balance due on account.

512.4 Appeals Process

If the account owner wishes to appeal all or part of the account balance, a written request for such must be presented to the District Main Office and will be forwarded to the General Manager. While an account appeal is pending, no additional Past-Due/Late Charges will be applied to the account balance. The District will also not discontinue (shut-off) water service for non-payment while the appeal is pending. (SB 998, 116908, §2b)

- A. The written request for appeal may be dropped off in person or mailed to the main office (18966 Ferretti Rd., Groveland, CA 95321).
- B. The written request must include the account owner's contact information, the amount requested for appeal, and the explanation/justification for the request.
- C. This request must be received within 60 days of the issuance of the bill the customer wishes to appeal and prior to the scheduled date of service discontinuance (shut-off).
- D. For purposes of the appeal, disputed water charges are presumed valid. The burden rests with the account owner to demonstrate an inaccuracy by a preponderance of the evidence.

512.5 Past-Due Charges/Late Fees

- A. Past-Due Charges/Late Fees (if applicable) are assessed on the 1st of the month, following the month in which they are due.
- B. An outstanding balance that carries over multiple months will be assessed a .5% penalty.
- C. Past-due charges/late fees will not be assessed on unpaid charges that are the subject of an alternative payment agreement or on unpaid charges that were the subject of an unsuccessful appeal.
- D. The account owner may request a waiver of past-due/late fee charges once within a 12-month period. Approval of a waiver is at the discretion of the District.

512.6 Services Discontinuation Notification

A. INITIAL NOTICE

- 1. An initial notice of delinquency will be printed and show up in red on the utility bill following the month of delinquency, notifying account owner of delinquency and potential discontinuation of water service if past due amount remains unpaid.
- 2. The District assumes no responsibility for phone or other contact information that has not been kept up-to-date by the customer.

B. 45-DAY SERVICE DISCONTINUATION NOTICE

1. As a courtesy, the District will again make a reasonable, good faith effort to notify the account owner that the account remains past due approximately 45 days after bill issuance.
 - a. The account owner will be advised of the amount past due, the service disconnection (shut-off) date, instructions on how to contact the District to make payment arrangements or appeal the bill, and the availability of the District's Policy on Discontinuation of Residential Service for Non-Payment in writing.
2. The District assumes no responsibility for phone or other contact information that has not been kept up-to-date by the customer.
3. If the account owner's mailing address on file with the District and the address of the property to which water service is provided are different, a notice will be mailed to the account owner's address and to the service address; addressed to "Occupant". (SB 998, 116908, §a1C)
4. If the written disconnection notice is returned through the mail as undeliverable, the District will make a reasonable, good faith effort to post the "Final Notice" in a conspicuous place at the service address subject to discontinuation of water service. (SB 998, 116908, §a2)

C. OTHER SERVICE TYPES

1. For services other than to account owner-occupied detached single family residences, including commercial, master meter, multi-unit residential structure, or mobile home park, where the off- site owner/manager/employer is the account owner (customer), at least ten (10) days before water service disconnection, the District shall also attempt to notify the occupant(s) of the premises where service is provided of the pending service termination.
2. In a tenant/landlord situation, the District will make a reasonable, good faith effort to inform the occupants, by means of written notice, when the water service account is in arrears and subject to disconnection at least ten (10) days before water service disconnection.
3. The written notice will advise the tenant/occupant that they have the right to become the account owner without being required to pay the amount due on the delinquent account, as long as they are willing to assume financial responsibility for subsequent charges for water service at that address.
4. In order for the amount due on the delinquent account to be waived, the tenant/occupant must provide verification of tenancy in the form of a rental agreement or proof of rent payments.

512.7 Water Services Discontinuation

- A. All delinquent water service payments must be received by the District by 4:00pm on the day specified in the 45-Day Service Discontinuation Notice. Any customer's account which remains unpaid and without an alternative payment agreement beyond the due date of the notice will be subject to water service discontinuation (shut-off).
- B. All alternative payment agreement requests or requests for appeal must be received by the District Main Office (18966 Ferretti Rd., Groveland, CA 95321) by 4:00pm on the day specified in the written 45-Day Service Discontinuation Notice.
- C. The District will discontinue (shut-off) water service by turning off and locking off the water meter on the date provided on the 45-Day Service Discontinuation Notice. The account owner (customer) will be charged a "Reconnection Fee." See District Miscellaneous Fee Schedule for Reconnection Fee amount.
- D. District Field Staff are unable to make payment arrangements or accept payments.
- E. Water services shall not be shut-off to a residence if ALL of the following conditions are met:
 - 1. Receipt and verification by the District Main Office of "Certification of Medical Necessity" provided by the Primary Care Provider stating the "discontinuance of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided." (SB998 §116910, a1)
 - 2. An account owner (customer) has demonstrated they are financially unable to pay for residential service within the District's normal billing cycle. The account owner (customer) "shall be deemed financially unable to pay for residential service within the ...normal billing cycle if any member of the customers household is a current recipient of CalWORKS, CalFresh, General Assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the households annual income is less than 200 percent of the federal poverty level." (SB998 §116910, a2)
 - 3. The account owner (customer) is willing to enter into an amortization agreement, alternate payment schedule, or a plan for deferred or reduced payment, consistent with the written policies of the District. (SB998 §116910, a3)
 - 4. It is the account owner's obligation to ensure the timely submission of complete and satisfactory documentation. If the information is not submitted in a timely manner or if the information is incomplete, the District will proceed with discontinuation of water service on the date listed in 45-day notice.

512.8 Water Service Reconnection (Resume Service)

- A. In order to re-establish or resume water service that has been disconnected for non-payment, the account owner (customer) must pay all past-due bill amounts, all past-due charges/late fees, current charges and the reconnection fee attributable to the service discontinuation.
- B. Payment plans and payment amortization plans are not available to the account owner while the water service is discontinued.
- C. The District will endeavor to reconnect service as soon as possible between the hours of 8:30am – 4:00pm on normal business days. At a minimum, the District will reconnect service before the end of the next regular working day following receipt of payment.
- D. There may not be District personnel available to complete an after-hours reconnection. If available, service restored after 4:00pm Monday-Friday, weekends, or holidays will be charged an after-hours reconnection fee. See District Miscellaneous Fee Schedule for Reconnection Fee amount.
- E. Water meters, curb cocks, and locks are District property, and shall only be operated by qualified District staff.
- F. Retail water service that is reconnected or resumed by any individual other than District staff will be subject to a “Tampering Fee” and a “Lock Replacement Fee”. If applicable, these fees will be added to the account owner’s (customer’s) water utility account, and will be subject to the same policies of water utility services and if left unpaid, may result in the discontinuance of water service.
- G. See District Miscellaneous Fee Schedule for Tampering Fees and Lock Replacement Fees.
- H. Any damages that occur as a result of unauthorized restoration of service are the responsibility of the account owner (customer). Any damage to District property (lock, meter, curb cock, etc.) requiring replacement of equipment will be billed to the account owner’s water utility account. Charges to the account owner will include all costs for replacement and installation of the damaged property.
- I. Any damages that occur as a result of unauthorized restoration of service are the responsibility of the account owner (customer). Any damage to District property (lock, meter, curb cock, etc.) requiring replacement of equipment will be billed to the account owner’s water utility account. Charges to the account owner will include all costs for replacement and installation of the damaged property.

512.9 Returned Payments

When a payment of any kind is not honored by a customer’s bank (returned payment), the retail water account shall be considered unpaid and subject to possible disconnection. The District

will make a reasonable, good faith effort to notify the customer by phone or mail of the returned payment.

- A. If the account is delinquent, water service will be discontinued (shut-off) if the amount of the returned payment and the returned payment charge (if applicable) are not paid on or before the date specified in the Service Discontinuation Notice(s). Only payment in the form of cash or cashier's check will be accepted to pay for the returned payment and returned payment fee (if applicable).
- B. If it is determined that a payment was made in person or online on the disconnection deadline date in order to avoid service interruption and/or a reconnection fee, and that payment is subsequently returned by the bank, a seven (7) day Final Notice of Discontinuance of Service will be issued, advising the customer that payment for the returned payment and the returned payment charge (if applicable), must be made by the date specified on the Final Notice to avoid water service discontinuation and the reconnection fee. Payment must be made by cash or cashier's check only.
- C. In the event a customer's check or online payment is returned by the bank unpaid three (3) times within a twelve (12) month timeframe, a letter will be mailed to the customer notifying them that only cash or cashier's check will be accepted as payment for a period of twelve (12) months from the most recent returned payment.
- D. Returned Checks & Payments for Previously Discontinued Water Service

In the event an account owner (customer) tenders a non-negotiable payment to restore retail water service previously disconnected for non-payment and, in good faith, the District restores retail water service to the location; the District will consider the delinquent account unpaid and may promptly discontinue water service without providing additional notice.

Any account owner issuing a non-negotiable payment to restore retail water service discontinued for non-payment will be required to pay cash or cashier's check to restore any future water service discontinuations for a period of 12 months from the date of the returned payment.

SECTION 600 ACCEPTANCE OF DEEDS

Amended: August 13, 2024, by Resolution 20-2024

601 Purpose

The District Board of Directors may agree by resolution to accept a deed conveying fee simple title to real property or some interest in real property to the District. The Board of Directors may

also authorize by resolution the execution of a Grant Deed by which the District conveys all or a portion of its interest in real property to a third party, by sale or exchange of said real property.

601.1 Procedure

For any acceptance of a Grant Deed of real property from a third party to the District, action to approve acceptance of the conveyance in such property by Grant Deed must be authorized by action of the Board of Directors at a public meeting properly agendized pursuant to the provisions of the Brown Act.

The Board shall act to accept a Grant Deed by resolution approved by a majority of the Board. Attached to the resolution shall be a Certificate of the Secretary of the Board certifying the fact that said resolution was duly adopted by the Board of Directors at a meeting called and held pursuant to the Brown Act on a specified date by the specified vote, and certifying that said resolution is valid and in full force and effect and has not been revised by the Board since the date of its adoption.

This resolution and the attached Certificate of Secretary shall be recorded with the Grant Deed in the Office of the County Recorder in Tuolumne County.

602 Easements

Amended: August 13, 2024, by Resolution 20-2024

602.1 Purpose

The Groveland Community Services District (GCSD) recognizes the need to acquire and manage easements for various purposes, including water and sewer infrastructure, fire suppression services, recreation and park facilities, and community center facilities. The District's policies aim to ensure that all easements are used appropriately to support these functions while maintaining the ability to inspect, maintain, and repair District-owned infrastructure.

Key Purposes Include:

1. **Water and Sewer Infrastructure:** Acquiring easements to access, operate, maintain, repair, replace, construct, and improve water and sewer infrastructure located on private property.
2. **Fire Suppression Services:** Ensuring access to necessary infrastructure and areas to support effective firefighting operations.
3. **Recreation and Park Facilities:** Developing and maintaining recreational and park facilities to provide public enjoyment and community services.

4. Community Center Facilities: Enhancing the quality of life for residents by providing accessible community spaces.

602.2 Procedure for Easement Creation, or Easement Abandonment Requested by Property Owner

Property Owner:

A. Submission of Request:

Property owners must submit a written request to the District, including a legal description of the proposed requested easement or easement abandonment by metes and bounds, a legal description of the Tuolumne County Assessor's Parcel Number upon which the proposed easement is located, and a plat map demonstrating the location of the easement upon the parcel. These documents must be prepared by a licensed engineer or surveyor.

B. Review of Legal Descriptions:

District staff will check the accuracy of the legal descriptions of both the easement and the property parcel.

C. Title Report:

The property owner dedicating an easement to the District must provide a preliminary title report covering the property. The requesting party shall arrange for the title company to forward a copy of the preliminary title report to the District for review. The District Engineer will review the preliminary title report and inform the requester of any liens or other encumbrances on the property. All such liens and encumbrances must either be subordinated to the proposed easement or determined by the District not to conflict with its easement rights.

D. Easement Agreement:

Easements granted to the District must be documented in the District's standard Easement Agreement and executed by all parties holding title to the property. This agreement must be notarized and, if applicable, bear the corporate seal.

E. Board Approval for Acceptance:

The acceptance of easements must be approved by the Board of Directors. The request for acceptance must include a detailed rationale and documentation of how the easement will benefit the District's operations. The District may require the dedication of additional easement rights if deemed necessary for existing or future District needs.

F. Board Approval for Abandonment:

Easement abandonments require approval by the Board of Directors. The request for abandonment must include a detailed rationale and documentation of how the abandonment will affect the District's operations. For the approval of an easement

abandonment, the District may require the dedication of an alternative easement to meet existing or future District needs. If it is determined that an alternative easement is needed, all policies per this policy will apply.

G. Recordation and Title Insurance:

Following Board approval for easement dedication, or acceptance, the District will record the Easement Agreement with the Tuolumne County Recorder's Office. The property owner requesting an easement will be responsible for all title and recording fees, as well as the cost of issuing a policy of title insurance, ensuring its easement rights in the property. Title insurance is not required for easement abandonments.

602.3 Procedure for Easement Requested by District:

A. Offer Submission:

The District will submit a written offer to the owner of the real property upon which the District desires to locate an easement. This offer shall include a legal description of the parcel upon which the proposed easement is located, a legal description of the easement by metes and bounds, and a plat map demonstrating the location of the easement upon the parcel. These documents must be prepared by a licensed engineer or surveyor.

B. Title Report and Review:

The District will order a preliminary title report covering the parcel of real property upon which the easement is located as well as the proposed easement location. The District will review the preliminary title report and provide a copy to the property owner.

C. Subordination of Liens and Encumbrances:

The District will require any liens or encumbrances on the parcel of real property upon which the proposed easement is located that conflict with the District's easement rights to be subordinated to the easement rights of the District. If subordination is not possible, the District must determine that the liens or encumbrances do not conflict with its easement rights.

D. Easement Agreement Execution:

Easements offered by property owners for public utility, park and recreation, fire suppression, or community facilities purposes will be documented using the District's standard Easement Agreement. All such Easement Agreements must be executed by all parties holding title to the property upon which the easement will be located. All documents must be notarized, and if applicable, bear the corporate seal of the executing party.

E. Board Approval:

Easements requested by the District for public utility, park and recreation, fire suppression, or community facilities purposes must be approved by the Board of Directors. The request for approval must include a detailed rationale and documentation of how the easement will benefit the District's operations.

F. Recordation and Title Insurance:

Following Board approval, the District will record the Easement Agreement with the Tuolumne County Recorder's Office. The District will be responsible for all title and recording fees, as well as the cost of issuing a policy of title insurance naming the District as insured, ensuring its easement rights in the property.

G. Notification and Documentation:

Upon execution, a copy of the Easement Agreement and any associated documents will be provided to the property owner. The original documents will be retained in the District's records.

602.4 Easement Maintenance and Use

A. Property Owner Responsibilities:

Property owners must keep District easements clear of encroachments and non-native vegetation to ensure routine inspection, maintenance, and repair of infrastructure can be carried out without hindrance. They must also prevent water runoff from eroding District easements.

B. District Responsibilities:

The District will proactively inspect, survey, field mark with monuments, and map its easements. The District shall maintain its easements in a way that allows vehicle and equipment access wherever reasonably possible. This may require native vegetation management, benching, grading, and applying road base.

C. Use Restrictions:

The District does not have the authority to grant private individuals or businesses access to District easements unless they are directly working for the District in a manner that is in accordance with the purpose of the easement.

602.5 Encroachments

A. Restrictions:

1. Non-temporary encroachments require a variance approved by a majority of the Board of Directors at a regularly agendized public meeting of the Board of Directors.

2. Property owners wanting to access the lake shore via steps or structures, and must cross a District easement to do so, must terminate or begin the steps or structures outside of the easement boundaries. If the easement is not acceptable for normal foot traffic due to grade or surface type, the District will allow the property owner to bench, grade, and apply road base to it. Before performing any work, such as that listed herein, written approval must be obtained from the District.

B. General Requirements:

1. No person or entity shall do or cause to be done any work on District Property without first having obtained an Encroachment Permit and paid the applicable fee.
2. Any construction work performed in connection with the permitted encroachment shall be in accordance with the plans and specifications reviewed by the District and the conditions specified in the Encroachment Permit.
3. Such Encroachment Permits only permit limited access to District Property for such purposes and uses as will not interfere with the District's customary use of such property for the provision of public services.
4. All such Encroachment Permits shall comply in all respects with the District's Encroachment Ordinance, which requires, among other things, that the applicant agree to defend and indemnify the District against any and all claims, liability, damages, and expenses arising out of the construction, installation, or maintenance of the encroachment, including any dangerous or defective conditions created as a result of such encroachment.

C. Forms and Appendices: Included in the Administrative Procedure Manual

603 Right-Of-Way and Entry Agreement

Amended: August 13, 2024, by Resolution 20-2024

603.1 Purpose

The District utilizes Right-of-Way and Entry Agreements to memorialize District agreements to license the use of District-owned property to third parties for temporary periods of time and for purposes specified in the agreement. Such contemplated uses of District-owned property may restrict District access to and use of such property. A Right-of-Way and Entry Agreement restricts a third party's use of District-owned property to specified purposes and times and may require payment of compensation to the District by the applicant for the value of the applicant's temporary use of District-owned property. The license to use District-owned property granted in

such a Right- of-Way and Entry Agreement shall be limited in duration to specified periods of time.

603.2 Procedure

A. Submission of Request:

The person requesting the right to temporarily use District-owned property for specified purposes must submit a written request to the District requesting a Right-of-Way and Entry Agreement together with a legal description of the parcel of real property upon which the right-of-way or entry shall be located, including a legal description of the right-of-way by metes and bounds prepared by a licensed engineer or licensed surveyor.

B. Evaluation of Request:

The District shall evaluate the request and determine whether the proposed temporary use of District Property will conflict with any other existing or planned uses of District-owned property during the proposed duration of the proposed right-of-entry.

C. Compensation Determination:

The District shall also determine whether the proposed nature and extent of use of District- owned property by the applicant and the duration of the proposed use merits the requirement that the applicant pay compensation to the District for the use of District- owned property. Compensation may be waived when the applicant's use of District-owned property pursuant to the Right-of-Way and Entry Agreement promotes a public interest served by the District, such as allowing the contractor to utilize a portion of District-owned property for storage of construction materials pending construction of a District public works project.

If the proposed use of District-owned property will preclude the District from utilizing such property due to the nature and extent of the applicant's proposed activities on District- owned property, the District shall establish a rental value for such District-owned property to be paid by the applicant for the use of District-owned property and include that amount in the proposed Right-of-Way and Entry Agreement.

- D.** Any Right-of-Way and Entry Agreement must be approved by a majority of the Board of Directors at a regularly agendized public meeting of the Board of Directors. Following approval by the Board of Directors by minute action or by resolution, District staff will provide a copy of the fully executed Right-of-Way and Entry Agreement to the applicant and retain the original in the District office file. This authority may be delegated to the General Manager by the Board of Directors.

604 Encroachment Permits

Amended: August 13, 2024

604.1 Purpose

To establish the requirements and procedures for obtaining Encroachment Permits from the District for any work or structures placed within District easements or property.

604.2 Encroachment Access

- A. The District does not have the authority to grant private individuals or businesses access to District easements unless they are directly working for the District in a manner that is in accordance with the purpose of the easement.
- B. Permanent encroachments within District easements require a variance approved by the Board of Directors.

604.3 General Requirements

- A. No person or entity shall do or cause to be done any work on District Property without first having obtained an Encroachment Permit and paid the applicable fee.
- B. Any construction work performed in connection with the permitted encroachment shall be in accordance with the plans and specifications reviewed by the District and the conditions specified in the Encroachment Permit.
- C. Such Encroachment Permits only permit limited access to District Property for such purposes and uses as will not interfere with the District's customary use of such property for the provision of public services.
- D. All such Encroachment Permits shall comply in all respects with the District's Encroachment Ordinance, which requires, among other things, that the applicant agree to defend and indemnify the District against any and all claims, liability, damages, and expenses arising out of the construction, installation, or maintenance of the encroachment, including any dangerous or defective conditions created as a result of such encroachment.

604.4 Easement Maintenance and Use

- A. The District shall keep its easements clear of encroachments and open for routine inspection, maintenance, and repair of District-owned infrastructure.
- B. Property owners must bench or flatten out the easement in locations where they desire to install steps or structures, ensuring such structures terminate outside the easement.
- C. The District will proactively inspect, survey, field mark with monuments, and map its easements, making them passable by for District purposes, including passage of vehicles and equipment whenever reasonably possible.

604.5 Forms and Appendices

- A. Included in the Administrative Procedures Manual.

SECTION 700 DISTRICT INTENT OF DEVELOPMENT

Amended: March 8, 2022, by Resolution 07-2022

701 District Intent of Development Policy

701.1 Introduction

Residential and commercial development is an on-going process in the District. The intent of this section is to establish the policies that the Board of Directors deems appropriate to assure that development proceeds in a consistent manner under rules that are both fair to the developer and protective of the District's existing customers, both in the short term and long term. The following are the intents of the District Board of Directors ("Board") when considering developments:

1. Developers shall maintain money on account with the District that will be used to pay District staff time and expenses during the review and inspection of the proposed development.
2. When the District is weighing the short-term cost of infrastructure against the long-term cost of operating and maintaining that infrastructure, reducing the long-term infrastructure costs will be deemed more important than saving up-front capital costs by the developer. Important long-term costs to be considered during development planning shall include labor intensity of operating and maintaining the infrastructure and the energy cost of operating the infrastructure.
3. All improvements to the District's existing infrastructure required by the development shall be compatible with the District's existing infrastructure or that which the District knows will be required by regulatory agencies in the future.

4. All infrastructures shall meet existing District standards, design criteria, codes and regulations at the time of construction.
5. The capacities of water, wastewater, and reclaimed water systems recommended for the proposed development shall be validated by the District in relation to the capacities and reliabilities of existing and planned District water and wastewater systems. The validation shall be done for the expected build-out of Pine Mountain Lake and other expected developments previously approved by Tuolumne County, in combination with the flows expected from the proposed development.
6. The developer shall mitigate any negative impacts on District infrastructure or services caused by the addition of the proposed project into the existing infrastructure, and pay all then current connection, capacity and development impact fees.
7. For commercial and residential developments, an instrument of insurance shall be provided to the District to assure that once the development is under construction, any improvements or connections to the existing District infrastructure associated with the project will be completed as detailed in plans approved by the District.
8. For large commercial and residential developments, the developer shall demonstrate its ability to properly complete the project by showing past experience successfully completing projects similar to that proposed and has the financial depth to complete the project.
9. For large commercial and residential developments, the proposed development shall be connected to the District's wastewater collections and treatment systems or a District-approved alternative.
10. For large commercial and residential developments, if fire flows do not currently meet the requirements of the proposed development, then the developer will be required to expand the capacities of the existing system to meet his development's fire flow requirements as established by the District.
11. Open area and green belts in the proposed development that may be irrigated shall be plumbed to receive recycled water. The District reserves the right to deliver recycled water and/or apply other water conservation measures to conserve potable water to the development at the developer's expense.
12. The proposed development shall conform with all aspects of the Tuolumne County General Plan and any applicable Area Plan Amendments to the General Plan. The District will entertain incentive programs proposed by the developer to assist the developer to conform to these plans.
13. If the proposed project must be annexed into the service area of the District, and LAFCO requires the developer to modify his project in a way that changes the design of District-related infrastructure, then the District will require the developer to suspend the

annexation proceedings until the District infrastructure issues have been resolved to the District's satisfaction.

- B. If a proposed development is to be annexed into the service area of the District, the capacities in the District's existing infrastructures that are reserved for existing parcels within the service area shall not be used by the proposed development. In addition, it is the District's policy to allocate water supply availability and wastewater treatment capacity to undeveloped parcels within its existing service area before identifying additional water supply capacity or wastewater treatment capacity to serve development which is outside the District's existing boundaries but which may be annexed into the District. The developer will be obligated to expand existing capacities in ways that do not induce additional long-term operation and maintenance expenses on existing customers beyond that which might have been expected had the development not been served by the District. In addition, the developer of a project that requires annexation may be required to expand the infrastructure capacity beyond the needs for his proposed development if the additional capacity is required for the long-term infrastructure needs of the District. The District uses Reimbursement Agreements, as contained in the Administrative Procedures Manual, to reimburse developers for the additional costs associated with the extensions beyond their development needs.
14. If on-going costs of operating and maintaining the infrastructure within a development are higher than the costs associated with the existing infrastructure, then the District shall cover these additional costs by implementing a cost mitigation plan, such as forming an improvement district for the new development so that the existing District customers do not subsidize services provided to the new development.
15. The District shall require the developer of large residential and large commercial projects, as those are further defined in this policy, to prepare a detailed financial impact analysis as part of the Sub-Area Master Plan. The analysis shall evaluate long-term financial impacts on existing District equipment, facilities and services by providing water, wastewater, parks and fire services to the proposed development. The analysis shall also disclose any anticipated additional costs (including the re-allocation of government fund taxes) or reduction in service to existing customers and future customers moving into the new development caused by the development of the proposed project. The District will require the Developer to form a Community Facilities District, created in accordance with District policies to offset the fiscal impacts identified in the impact analysis.
16. The developer shall cover the operation and maintenance costs of the project associated with water, wastewater, parks and fire service between the time of the District's acceptance of the project and full build-out of the project, less that portion of

the operation and maintenance costs paid by customers who have moved into the new project.

17. If the District Board of Directors is to consider a reduction in service for existing customers to accommodate a new development, then the Board shall hold public hearing(s) to disclose to the public the nature of the reduction in service and to receive input from the public regarding the reduction in service.

701.2 Development Types and Their Associated Processes

For purposes of this policy, the District considers several types of developments and they may be treated differently. The least restrictive development type is the construction of a single residential unit. Development of multifamily residential buildings containing up to four living units, and single family residential of up to four parcels created (via parcel map) is treated by the District as a single residential unit development. Residential development of multifamily residential buildings containing more than four living units, and single family residential creating more than four parcels is considered a subdivision (via subdivision map) by the District and has special requirements by the District.

Commercial development of less than or equal to 7,200 square feet in floor space and having a normal demand for District services is evaluated by the District as though it was a small residential unit development. Commercial development of more than 7,200 square feet of floor space is evaluated by the District as though it was a large subdivision development.

701.3 Variance to Development Policies

Any policy stated in Section 700 may be appealed to the District Board of Directors as a variance.

702 Small Residential & Commercial Development

702.1 Introduction

The following section lays out the process for developing small residential (four or less lots) and small commercial (less than or equal to 7,200 square feet of floor space) development. Applicants should also review Articles V—Application for Water Service, No Main and VI—Application for Water Service Main Extension of the District’s current Water Ordinance and Articles IV—Private Sewers To Existing Service Stubs, Classification Of Users, Connection Fees And Charges and V—Sewer Main Extensions Including New Sewer Service Stubs of the District’s current Sewer Ordinance prior to submitting the application for development.

Determination:

After receipt of any application for GCSD services, the General Manager shall determine whether a main extension is necessary to provide service. A main extension shall be installed in the manner provided in this section whenever the District determines that such main extension is necessary to provide regular water and/or sewer service to property described in such

702.2 Applicability

Unless a water or sewer main extension is part of a District Capital Improvement Project, the Board, in most cases, expects the applicant for water and/or sewer main extension to complete all design and construction work at his expense. The applicant, or his duly authorized agent, must provide the required application and acceptable plans and specifications, which must be approved by the District prior to commencement of work.

702.3 Water/Sewer Main Extension Application

The applicant must complete the Application for GCSD Service as contained in the Administrative Procedures Manual prior to initiating work. The application is the initial step a small residential or commercial developer will take. The information provided by the applicant will allow the District to determine if water and/or sewer service is feasible. The District will write a letter to the applicant to indicate if water and/or sewer service to the proposed development project is feasible. At this point, if the applicant wishes to continue the project, he/she will execute the Agreement for Water/Sewer System Improvements (Small Developments) and pay all applicable fees.

702.4 Agreement for Water/Sewer System Improvements (Small Developments)

Agreement for Water/Sewer System Improvements (Small Developments) will assure that the District is reimbursed for all its incurred costs in reviewing the applications, plans and specifications for the improvements, including all administrative, engineering, design and associated legal costs; inspection of the construction; all required environmental documentation for the improvements; together with security, bonding and warranty provisions. The template for the Agreement for Water/Sewer System Improvements as contained in the Administrative Procedures Manual.

The Agreement for Water/Sewer System Improvements (Small Developments) provides that the applicant shall advance an amount equal to the estimated costs to be incurred by the District in processing the application, reviewing the plans and specifications, and inspecting the construction of the improvements. If the amount of funds advanced by the Developer exceeds the District's actual costs of engineering, design, legal, inspection and other charges attributable to the extension, the balance shall be refunded to the applicant upon completion

of the improvements. If the amount of the deposit is insufficient to pay all of the District's costs incurred with respect to the project with respect to engineering, design, legal, inspection and other costs attributable to the extension, the applicant shall replenish the funds advanced to the level specified in the Agreement to cover such additional costs, and the District shall have no obligation to continue its processing of the application or its acceptance of the project until such additional deposits have been received.

702.5 Fees, Deposits and Warranties

The applicant must provide security at four levels of the project in the form of an Irrevocable Letter of Credit, Performance Bond or a Deposit with the District, in a form suitable to the District.

A. Application Fees

Application fees are charged for the District Engineer to perform a feasibility level evaluation of the project and for the District to open a file for the applicant. The amount of the application fee for water service extension is shown in Exhibit A—Water Rates, Charges & Fees, of the District's current Water Ordinance. The amount of the application fee for sewer service extension is shown in Exhibit A— Sewer Rates of the District's current Sewer Ordinance. These fees are non-refundable.

B. Administration Fee and Engineering Deposit

Once the District Engineer has evaluated the feasibility of the proposed project and finds it feasible, the applicant must sign an Agreement for Water/Sewer System Improvements (Small Developments) which outlines the fees and charges, as well as contains an indemnification for the District. Once this agreement is signed, the applicant must pay the water and/or sewer administrative fee and engineering deposit to initiate work on the project. The fees and deposits will be made in cash, check or warrant (which must clear the bank before further work is done). The administrative fee is non- refundable and is used for administrative and legal costs associated with the project. The engineering deposit is used for engineering and inspection costs and any funds remaining in the deposit will be returned to the applicant after the project is completed.

C. Participation and Meter Fees

The developer shall pay all water and/or sewer participation (connection) fees and meter fees. These fees are paid by the developer at the time they are ready to connect to the water and/or sewer mains. The amount of the participation and meter fees for water service extension is shown in Exhibit A—Water Rates, Charges & Fees, of the District's current Water Ordinance. The water participation fee is dependent on the size of the water meter required to serve the property. The amount of the participation fee sewer

service extension is shown in Exhibit A—Sewer Rates of the District’s current Sewer Ordinance. These fees are non-refundable.

D. Construction Performance Bond

The Construction Performance Bond is used to assure the District that the project is constructed and completed as planned. The form of the bond can be either an irrevocable letter of credit or a performance bond and a payment bond.

E. Construction Warranty

After the project is completed, but prior to District acceptance of the project, the applicant shall furnish to the District, the actual cost of constructing the project and a maintenance bond or warranty in the amount of 25% of the actual cost. This bond shall remain in effect for one year after final acceptance (Notice of Completion) by the District as a warranty for the construction of the water and/or sewer main extensions by the developer. Either an irrevocable letter of credit or a surety bond will be required for warranty purposes.

702.6 Provisions for Water and Sewer Main Extensions

The check list contained in the Administrative Procedures Manual will be used for processing an application for GCSD services. The following rules are established for water and sewer service main extension:

- A. **Application.** Any owner of a land parcel where, in the opinion of the District, water and/or sewer main extensions are required, shall submit a written application for such service to the District. Said application shall contain the legal description of the property to be served and Assessors Parcel Number thereof, any additional information which may be required by the District and be accompanied by a map or plot plan showing the location of the proposed connections. The application form for this type of development shall be made available to customers at the District office. The District may modify forms from time to time without modification to the policies contained herein.
- B. **Investigation.** Upon receipt of the application, the District Engineer shall make an investigation of the proposed water and/or sewer extensions and submit his opinion and the estimated cost thereof to the General Manager.
- C. **Plans and Specifications.** Design and construction shall be as required by this ordinance, District Standard Specifications and Details, and as may be required by statutes and ordinances of governing bodies other than the District. The most stringent requirements shall take precedence. Features not covered by any of the above ordinances, specifications, details or statutes shall be established by a California Registered Civil Engineer and be submitted to the District for review and approval.

- D. **Ruling.** The General Manager shall thereupon consider such application and report and, after such consideration, shall reject, amend, or approve the application.
- E. **Variances.** Should the applicant request a variance from the provisions set forth in the standard application, then the General Manager shall bring such request to the Board and, after such consideration, shall reject, amend or approve the application.
- F. **District Lines.** All extensions thus provided for in accordance with these policies and regulations shall be and remain the property of the District. All such lines shall be installed in easements or rights-of-way accepted by the District and recorded by the County.
- G. **Dead-End Water Lines.** No dead-end water lines shall be permitted except as approved by the General Manager. In cases where subsequent to the approval of a dead-end water line by the General Manager, another water dead-end line is planned in sufficient proximity to make connection feasible and such connection is recommended by the District Engineer, and approved by the General Manager, the dead-end water lines shall be connected. In cases where circulation lines are necessary, they shall be designed and installed by the District as a part of the cost of the extension.
- H. **Extent and Design.** All main extensions shall extend to the far property line of the developed property. If additional property is developed adjoining the same lot after installation of a main extension, the main extension shall be extended to the far property line of the additionally developed property. All standard main extensions shall be subject to design approval by the District Engineer and General Manager. Any variation to the standard main extension agreement shall be referred to the Board by the General Manager for approval, rejection or amendment.
- I. **Water Service Connection.** Water service connections and meters will be installed in accordance with applicable provisions as provided in Article IV—Meters and Metered Service Connections of the then-current Water Ordinance. All new water meters shall be of the automatic reading type.
- J. **Project Acceptance.** Prior to final acceptance of the project by the District, the District shall perform a final inspection and complete an Inspection Report. The template for the Inspection Report for Water/Sewer Extensions is contained in the Administrative Procedures Manual.
- K. **Facilities Reimbursement Agreement.** If the applicant extends the water and/or sewer mains past parcels or properties that are not currently connected to the District's water and/or sewer service, then the applicant for main extension may request entering into a Facilities Reimbursement Agreement as contained in the Administrative Procedures Manual —Standard Reimbursement Agreement) with the District. This agreement allows the District to collect a pro-rata share of the cost for the main extension as new parcels

and properties accept water service and reimburse the applicant a proportionate amount of the original cost of the extension. The District may modify the Standard Reimbursement Agreement from time to time without modification to the policies contained herein.

702.7 Water and Sewer Main Extensions by the District for Applicant

The Board and applicant may agree, under special circumstances, to have the District design and construct the water and/or sewer main extension. The terms and conditions of such agreement shall be determined at the time of application by the applicant. The applicant shall advance the amount estimated by the District that the water and/or sewer main extension will cost, after which, the District shall install the line(s). If the amount of the advance deposit exceeds the actual cost of engineering, design, legal, construction, inspection, and other charges attributable to the extension, the balance shall be refunded to the applicant. If the amount of the deposit is insufficient to pay all the costs of engineering, design, legal, construction, inspection and other charges attributable to the extension, the applicant shall pay in advance all such costs to the District prior to the acceptance of the extension by the District.

703 Subdivision & Large Commercial Development Process

703.1 Introduction

The following section lays out the process for developing residential subdivisions (more than four lots) or large commercial development (more than 7,200 square feet of floor space). Applicants should also review Article VII—Subdivision of the District’s current Water Ordinance prior to submitting the application for development. The process is divided into the following four major steps:

- A. Preliminary Information Exchange & Indemnification
- B. Feasibility Study (Sub-Area Master Plan) and Environmental Documentation
- C. Final Design and Construction
- D. Performance Guarantee Period

Each of these steps will also require interface with the Tuolumne County Community Development Department. The following outlines the process in each step of the overall development process.

703.2 Step 1: Preliminary Information Exchange & Indemnification

703.2.1 Intent of this Step

The intent of this step is to provide an opportunity for the developer to discuss the general process of development with the District and for the District to provide copies of detailed maps, models, and reports that will assist the Developer in preparing his application with the District. The developer will also be required to sign agreements that indemnify the District and agree to pay for all District costs in processing the developer's application. At this step, no formal Board action is required by the District, unless the development requires annexation.

703.2.2 Step 1 Process

A. Developer Application for GCSD Service and Advanced Funding Agreement

The first action of the developer is to prepare an Application for GCSD Service that outlines the scope and location of the proposed development and to execute an Advanced Funding Agreement, both of which are contained in the Administrative Procedures Manual. The Advance Funding Agreement between the developer and the District must be executed by both parties before the District reviews the developer's application. The Advance Funding Agreement will:

1. Provide for the scope of work to be provided by District personnel and consultants in reviewing the application;
2. Estimate the amount of administrative, engineering and legal costs to be incurred by the District in reviewing the application;
3. Provide for a cash deposit to cover those estimated costs with the provision that once the cash deposit is reduced to a specified level, that future work on processing the application by District personnel will not continue until the account balance specified in the Advance Funding Agreement has been restored to the original amount required by the agreement; and
4. Indemnify the District against any action taken by the developer or by any third party against the developer and/or the District for the proposed project.

With this application for service, the developer will pay a non-refundable \$500 administrative fee and

\$200 application fee and a \$1,500 engineering review deposit. These fees and deposits may periodically be changed when the Board of Directors amends the Water and Sewer Ordinances. For a complex project, the developer may be required to add to the initial deposit to cover District labor and expense costs needed to complete the activities in this step. If so, the District will provide a cost estimate to complete this phase of work. Any funds left in the deposit at the end of this step will be refunded to developer or credited to the fees required in the next step of

the process. Staff shall stop work on the Application for GCSD Service process if the developer does not pay the initial fees and deposits or does not maintain the engineering review deposit funds in a positive balance.

The Application for GCSD Services prepared by the developer shall be posted on the District's website and a copy will be available in the District office for review.

B. District Indemnification

The Developer shall assume all legal and litigation liabilities regarding the development, indemnifying the District. As part of the Application for GCSD Services process and as contained in the Advanced Funding Agreement, the developer shall indemnify and hold the District harmless for activities done by the District in Steps 1 and 2 of the development process. The developer shall indemnify the District against any legal action taken by any third party against the developer and/or the District for the proposed project. Indemnification for activities after Step 2 shall be contained in the formal Development Agreement that takes effect in Step 3.

C. Guarantee of Service

Activities conducted by the District at this stage of the process for the developer shall not be construed as a guarantee of any service empowered by the District to provide. Guaranteeing service shall be agreed to with the execution of the Development Agreement by both parties at the beginning of Step 3 of this process.

D. District Engineering Report on Application for GCSD Services

The District Engineer shall evaluate the developer's Application for GCSD Services and then produce a report which contains applicable maps, models, and reports that will assist the developer in preparing the Sub Area Master Plan (SAMP) and environmental documentation in Step 2 of the process. The information provided by the District will include water and sewer capacities, fire, and park services (and other latent power services that might be provided by the District), future planning by the District, which may impact the developer, and estimated cost of the SAMP and environmental documentation. Further, the report will contain concerns and issues that the District may have regarding District services, capabilities, capacities and future plans related to new development. These concerns will be discussed and revised as needed at least once each year in November or December by the District Board of Directors. Finally, the report will contain a statement that Board policy is that the District will fully expect the County to enforce the County General Plan and associated Area Plan Amendments thereto when they process the developer's application to the County. Furthermore, the District will consider preparing a "Service Availability" letter that will be used by the

developer as he initiates the development process with the County. The template for the Service Availability letter is contained in the Administrative Procedures Manual.

E. Board Review of Development Proposal if Development Entails Annexation

If the proposed development entails annexation of the development into the District service area, District staff shall bring the Application for GCSD Services and District Engineer's Report to the Board for their review, deliberation, and input. Prior to approval for the developer to continue the project, the Board of Directors shall hold a public hearing to receive and review comments. Then, the Board of Directors may approve the project to go on to the next step in the process or send the application back to the developer for modification and subsequent reevaluation by the Board of Directors.

703.3 Step 2: Preparation of Sub-Area Master Plan & Environmental Documentation

703.1 Intent of this Step

The intent of this step is for the developer to prepare the Sub-Area Master Plan (SAMP) and appropriate environmental documentation for the proposed project. Guidelines for preparing the Sub-Area Master Plan are contained in the Administrative Procedures Manual. Guidelines for preparing the Environmental Review are contained in the Administrative Procedures Manual. These two tasks are done in collaboration with District staff and District consultants hired to assist with technical review. When the SAMP is completed, it will be presented to the District Board of Directors. The Board will also have an opportunity to review and comment on the environmental analyses. The Sub-Area Master Plan is prepared in conjunction with county approval of the developer's entitlement to develop. The agency responsible for reviewing the SAMP will be the District. The developer may group the District's facilities with other elements of the project when completing the California Environmental Quality Act (CEQA) review and documentation for County consideration.

Environmental documentation for the subdivision will be prepared under the authority of the County Community Development Department, with input from the District. Final approval of environmental documentation of the subdivision will be provided by the County Board of Supervisors. Environmental Review Guidelines are contained in the Administrative Procedures Manual.

703.3.2 Step 2 Process

A. Written Request for District Services to Subdivision

After approval of the Application for GCSD Services and the execution of the Advanced Funding Agreement, the developer shall make written request of the District to move to Step 2 of the process. The request shall state the legal description of the property to be

served, the Assessors Parcel number(s), the name of the proposed subdivision, and its location. The request shall be accompanied by a copy of the proposed map and which District services the developer is requesting. Accompanying the application, the developer will provide the completed Developer Information Form as contained in the Administrative Procedures Manual—Developer Information Form and a check, money order, or other warrant that will be used to fund the Development Account .

B. Developer Information Form

On a case-by-case basis, the Board of Directors may request the developer to complete the Developer Information Form that is contained in the Administrative Procedures Manual and submitted it with the written Request of District Services to Subdivision. The information requested consists of the makeup of the development partnership/corporation, their individual and collective development history with similar types of projects, and demonstration of their financial depth to complete the proposed project. The District may perform further due diligence using the information provided by the developer. The financial information provided to the District will be kept confidential by the District and is exempt from disclosure to the public under a specific exemption of the Public Records Act.

- C.** If during the course of the project, the information contained in the Developer Information Form is found to be incomplete or inaccurate, the work by the District may be suspended until such irregularities are resolved to the District's satisfaction.

D. Funding a Development Account

With the request for District Services to Subdivision, the Advance Funding Agreement shall be amended to provide that the developer shall provide funds to a development account controlled by the District for use by the District to review the SAMP and environmental documentation prepared in this step. Unless otherwise agreed to by the District Board of Directors and developer, the amount funded to the development account shall be the total estimated costs of the District providing the administrative, engineering, legal and inspection services required, as outlined in per this policy. The District shall prepare a monthly account status report for the Board of Directors and the developer. If the District anticipates that the costs for its review will exceed the initial estimate then the District shall notify the developer. If the account balance is not brought up to the new estimated amount needed within thirty (30) days of District's notice, then all work by the District shall cease. At the completion of the subdivision and upon final approval by the Board, any funds remaining in the account shall be returned to the developer within sixty (60) days of said Board approval.

E. Cost Estimate and Developer Funding Assurance

The District Engineer shall prepare a cost estimate for the SAMP and subsequent environmental documentation which will serve as the basis for the amount of funds required to fund the development account. This cost estimate will also be used to determine the amount of assurance that the developer will provide to insure that this phase of the project is completed without any financial impact on the District. The developer must provide separate security in the amount of the District Engineer's cost estimate and security must be in the form of an Irrevocable Letter of Credit or a cash deposit with the District.

F. List of Recommended Consultants

Tuolumne County maintains a list of CEQA and other specialty consultants that they consider are qualified to perform work for the County. The District will provide this list to the developer as he plans the work to be conducted in this step. By providing this list, the District does not guarantee the work by any of the consultants listed. However, the District will insist that consultants selected by the developer for the work to be performed in this step have experience and a good track record in performing the work.

G. Public Access to Development Information

The District shall maintain public access to the final SAMP and draft and final environmental documentation by posting these documents on the District's web site and in the District office. Non- confidential information provided from the Developer Information Form shall also be posted on the web site and in the District office. The District shall also post on the web site the formal reviews of the SAMP by the District and/or its consultants.

H. Developer Prepares Sub-Area Master Plan (SAMP)

The developer, with the assistance of an engineer with recent experience with this type of work, shall prepare the Sub-Area Master Plan (SAMP) for the proposed project. The typical scope of work for the SAMP is contained in the Administrative Procedures Manual. The District will provide input to the developer during the preparation of the SAMP. The water and/or sewer infrastructure, and/or parks and/or fire services shall be evaluated in the SAMP in terms of determining present capacities, future capacities with planned build-out of existing communities and developments within the District, other on-going development applications, and the impact on present and future capacities caused by the proposed development. These evaluations shall be done by modeling approved by the District. The SAMP will provide alternative infrastructure improvement methods for the proposed development. If approved alternatives are available, then each alternative will be evaluated for capital and annualized long-term operations and

maintenance costs, as well as an analysis of the advantages and disadvantage to the District for each alternative.

The SAMP will also evaluate the impacts on fire and rescue services provided by the District. The SAMP will require an appendix containing a letter from the County Fire Marshal which contains fire flow rates and durations for the proposed project.

The District shall require the developer to prepare a detailed financial impact analysis as part of the Sub-Area Master Plan. The analysis shall evaluate long-term financial impacts on existing District customers for providing water, wastewater, parks and fire services to the proposed development. The analysis shall also disclose any anticipated additional costs (including the re-allocation of government fund taxes) or reduction in service(s) to existing customers and future customers moving into the new development caused by the development of the proposed project. If the development is found to cause potential additional short- and/or long-term financial impacts on the existing customer base, then the financial analysis shall include alternative financial impact mitigations for consideration by the District. With these mitigations, the proposed development shall not impose any additional short- or long-term financial impacts on the District's existing customer base, as well as fire service requirements, such as alarm systems, inspections, and periodic operational verifications, which the District may be expected to provide.

I. Review of SAMP by District Board of Directors

The draft SAMP will be evaluated by the District and its consultant. Once the draft SAMP has been approved by District staff, the developer will present his findings to the District Board of Directors in a Public Hearing, scheduled with at least two weeks notice to the public to allow the public time to review and consider the SAMP. The Board may request additional work to complete the SAMP based on public input and its review. If substantial additional work is requested by the Board of Directors, then the draft SAMP will be revised and brought back to the Board for final review. With no additional revisions requested by the Board, the developer will finalized the SAMP, which will include the preferred alternatives based on input from District staff and Board. The final SAMP will then be brought back to the Board of Directors, who will receive and file the document. Only after the environmental documentation has been properly reviewed and approved by the controlling agencies, including the County and the District, will the SAMP be considered for approval by the District Board of Directors.

J. Perform Environmental Analyses and Prepare Environmental Documentation

The environmental documentation is usually done at the same time as the preparation of the SAMP. With the county as lead agency, the developer will perform environmental analysis of infrastructure alternatives, as well as the impacts of providing water, wastewater, fire and park services on the community and the District. This step may be conducted by the developer under the direction of the Tuolumne County Community Development Department with input from the District during the environmental review process or it may be conducted as a separate step with the District acting as lead agency. Guidelines for completing the environmental evaluation and documentation process are provided per this policy. Guidelines for Preparing Sub-Area Master Plan. This part of the process is completed with the approval by the County Board of Supervisors and the issuance of the Conditions of Approval. Once the environmental process has been completed and approved by the County, then the District and developer will move on to Step 3.

K. Funding the Environmental Review Process for the SAMP

The developer will be entirely responsible for completing CEQA at their own expense. Should the District need to retain a CEQA consultant to review the CEQA document, the developer shall be responsible for these expenses.

L. The Environmental Documentation Process for the SAMP

The final SAMP will not be approved by the District Board of Directors until all CEQA documentation has been completed by the developer and approved by the county. All improvements recommended in the SAMP shall be included in the CEQA analysis. As applicable, the terms and conditions of the SAMP and the CEQA documentation of the SAMP shall be included in the county's conditions of approval for the subdivision development project.

M. Annexation

If the developer is requesting annexation into the District for one or more services, then all of the environmental impacts, including the appropriate elements of the County General Plan and associated Area Plan Amendments, of such an annexation must be considered during the environmental documentation and costs estimates/funding assurances process performed in this Step 2 of the project in connection with approval of the SAMP.

703.4 Step 3: Project Design and Construction

703.4.1 Intent of this Step

The intent of this step is to move the project into the design and construction phase. The first task is for the District and developer to prepare and execute a Development Agreement. This step may also require the developer to request annexation to the District by the Local Agency

Formation Commission (LAFCO) if the proposed project lies outside the District's service area. Once the project area is annexed into the District by LAFCO, then the developer will prepare the final designs for all improvements to the District. The final task prior to commencing construction is for the developer to prepare the final design of the selected alternatives to the infrastructure improvements.

703.4.2 Step 3 Process

This final step in the subdivision process has several steps, including executing the development agreement, supporting annexation if the property is outside the District's service area, preparing final designs, construction, and project acceptance.

A. Develop and Execute Development Agreement

The Development Agreement contains the terms and conditions under which the developer may construct extensions to District infrastructure and for the District to provide services to the proposed project. The District uses its own standard Development Agreement Form. Once the Board of Directors has accepted the Development Agreement and it has been executed by both parties, then the developer can move on to the next step in this process, either annexation or project design. The Development Agreement will contain several important clauses.

1. The Development Agreement, either with or without annexation provisions, will not be considered for approval by the District's Board of Directors until all of the CEQA documentation with respect to the SAMP and the implications of annexation have been completed, circulated for public comment, and refined into a final EIR that is approved by the District's Board of Directors.
2. The developer agrees to build the project per District conditions and schedule.
3. Should the Board of Directors determine that supplemental environmental documentation is necessary, then the Development Agreement shall not be considered by the Board until such supplemental documentation is completed and approved.
4. For those projects in which annexation is being requested, the development agreement shall include any and all provisions relative to the annexation process between the developer and the District so that the development agreement acts, in essence, as an annexation agreement as well in those cases in which all or a portion of the development needs to be annexed into the District for one or more services.
5. To insure that once the project moves into the construction phase, the developer will provide an irrevocable letter of credit to be used to complete construction if

the developer should stop work for any reason. The amount of this letter of credit shall be one-hundred and twenty-five percent (125%) of the estimated District capital improvement costs for the project as developed in the SAMP.

6. The Development Agreement will contain an indemnification clause which will hold the District harmless for any part of the design and construction process from actions taken by the developer or any third party relative to the development.
7. The District agrees to provide all agreed-upon services to the development. These services may include water, wastewater, fire, parks, and other services that the District may have the power to deliver. If the development is to be annexed into the District, then the power to determine which services will be provided lies with LAFCO after they have determined that adequate CEQA has been done for providing these services and that adequate short- and long-term funding is provided by the developer for them.
8. The development shall not impose any additional short- or long-term financial impacts on the District's existing customer base.

B. Developer Request for Annexation

If the project lies outside the District's service area, then it must be annexed into the District by LAFCO in order to receive services from the District. Prior to considering support for annexation, the developer shall sign an Annexation Agreement with the District. A sample Annexation Agreement is contained in the Administrative Procedures Manual.

Requests for annexation will be considered by the Board on the basis of (a) the County General Plan and Area Plan Amendment, (b) input from existing customers and property owners adjacent to the land to be annexed, (c) District workload and technical capacity to fulfill annexation obligations, and (d) any other mitigating circumstances associated with expansion of the District's service area.

If support for annexation is agreed to by the Board of Directors in the Annexation Agreement, such support shall expire with the expiration of the approved CEQA documentation. Details on the annexation process are provided in this policy.

Developer Prepares Project Designs

With the Development Agreement executed by all parties and the annexation process completed, then the developer will move into the project design phase. Project designs

will conform to the District's Development Improvement Standards, which are described in more detail in this policy. The District and/or its consultants will review and approve all plans submitted by the developer before any construction can commence.

C. Construction Oversight

- D. During construction, the District will oversee all construction to insure that construction meets District's standards. The cost of oversight will be paid by the developer.

E. Final Project Approval

Once the extensions to the District's infrastructure has been completed and approved by the District Engineer, District staff will bring the project to the Board of Directors for final acceptance and approval. At this point, the District will release the construction securities (performance bond or letter of credit). The District will then require a new warranty security in the amount of twenty-five percent (25%) of the actual infrastructure construction cost to provide a guarantee of construction performance of the extended infrastructure. This security shall be in the form of a surety or warranty bond, irrevocable letter of credit, cash or other insurance instrument acceptable to the District. The term of this security will be two (2) years, unless otherwise approved by the District's Board of Directors.

703.5 Step 4: Performance Guarantee Period

After the project is completed and has been accepted by the District, the developer shall provide a performance warranty in an amount stipulated in the Development Agreement. Such warranty shall guarantee performance of all facilities constructed by or for the developer for the project for a period of at least one (1) year from the time of District approval, or other term, as specified in the Development Agreement. The performance warranty shall be in the form of a bond, irrevocable letter of credit, cash or other warrant acceptable to the District.

704 Environmental Review Guidelines

704.1 General

The District shall comply with all state (and federal, where required) environmental regulations and guidelines. A complete set of Environmental Review Guidelines is contained in the Administrative Procedures Manual. The regulations contained in Title 14, Division 6, Chapter 3 of the California Administrative Code are incorporated by reference as if set out in full and shall be applicable, except as modified herein, to these procedures (*14 Code of California Regulations Section 5022*).

704.2 Relationship to Environmental Review

The District has established a preliminary review process to determine whether projects are subject to the California Environmental Quality Act (CEQA) in accordance with Article 5 of the State CEQA Guidelines. Where the District determines that the project is subject to CEQA, the environmental review process is completed as part of the overall project review process of the District. As part of the environmental review process the District may request more information. Under *Section 15060 of the State CEQA Guidelines*, requiring such information after the application is deemed complete does not change the status of the application.

Once the District has determined that an activity qualifies as a “project” subject to CEQA, it must then determine whether an exemption applies. If after determining that a project is exempt under *Section 15061(b)* of the State CEQA Guidelines, a Notice of Exemption is prepared by the District. The project may then proceed through discretionary reviews, plan checks, and approval of the project.

If the project is not exempt from CEQA, the District will ensure the completion of an Initial Study to determine whether the project may have a significant effect on the environment. Given the findings of the Initial Study, one of the following is prepared for the project:

- A. A Negative Declaration (finding of no significant impacts),
- B. A Mitigated Negative Declaration (finding of potentially significant effects for which the project’s proponent has made or agrees to make project revisions that clearly mitigate the effects), or
- C. An Environmental Impact Report (EIR).

Where the District determines that the project is not likely to result in significant impacts that cannot be mitigated to below the level of significance, the District will complete the Negative Declaration [or Mitigated

Negative Declaration] in accordance with Article 6 of the State CEQA Guidelines prior to rendering a decision on the project. Under *Section 15075* of the CEQA Guidelines, after deciding to carry out or approve a project for which a Negative Declaration of Mitigated Negative Declaration has been approved, the District shall file a Notice of Determination with the County after deciding to carry out or approve each phase. If the project requires discretionary approval by any state agency, the District shall also file with the Governor’s Office of Planning and Research (OPR). The project may then proceed with plan checks and approval of the project.

Where the District determines that a project has the potential to result in significant impacts that may not be able to be mitigated to below the level of significance, the District will

complete, at the Developer's expense, the EIR process in accordance with Article 7 of the State CEQA Guidelines. The District must certify the technical and procedural adequacy of the EIR prior to rendering a decision on the project. The EIR is certified by the District.

704.3 Summary of Time Limits for Permit Review

Section 15022(a)(13) of the State CEQA Guidelines requires the District to provide time limits for performing functions under CEQA. These time limits are established in Article 8 of the State CEQA Guidelines, and are summarized in these guidelines in Table – Summary of Time Limits for Permit Review.

704.4 Process for Posting & Approving Negative or Mitigated Negative Declaration

The following is a review of the CEQA process that the District must follow in preparing a Negative Declaration or Mitigated Negative Declaration are contained in the Administrative Procedures Manual. Prior to any Board consideration, an Initial Study of the environmental impact of the project must be undertaken. The first documents that will be presented and considered by the Board are the Initial Study (Environmental Checklist) and the Notice of Intention to Adopt a Negative Declaration. The Board must review and consider the Initial Study prior to the adoption of the form of Negative Declaration. The California Environmental Quality Act requires consideration of impacts on the environment as a result of a "project", prior to approval of that "project."

Once the Initial Study has been adopted and the Board has decided to prepare the Negative Declaration or Mitigated Negative Declaration, the Notice of Intention to Adopt a Negative Declaration or Mitigated Negative Declaration ("Notice of Intention") must be published once in a newspaper of general circulation in Tuolumne County. The Notice of Intention, proposed Negative Declaration or Mitigated Negative Declaration, and Initial Study must be sent to any other public agencies that are affected by the project being undertaken, as well as any persons who have requested notice. Finally, the Notice, with the proposed Negative Declaration or Mitigated Negative Declaration and Initial Study attached, should be filed with the County Clerk who will also post the Notice for a period of at least thirty (30) days.

A copy of the proposed Negative Declaration must be available at the District's office for review. The Notice of Intention to Adopt a Negative Declaration (or Mitigated Negative Declaration) should be posted at the District's offices and the copy of the Negative Declaration (or Mitigated Negative Declaration) and Initial Study can be attached.

The District must provide at least a thirty-day (30-day) public review period with respect to a proposed Negative Declaration or Mitigated Negative Declaration where there are no state agencies affected. The Notice of Intention must state the date of the public hearing when the

District will discuss the Negative Declaration (or Mitigated Negative Declaration) and provide for an ending date of the public review period.

If no substantial revisions are made to the Negative Declaration or Mitigated Negative Declaration after the public comment period has expired, the District may consider and approve the Negative Declaration or Mitigated Negative Declaration at its scheduled Board Meeting stated in the Notice of Intention. The Board should listen to anyone interested in providing public comment at that meeting prior to the adoption of the Negative Declaration or Mitigated Negative Declaration.

Within five (5) days of the Negative Declaration being approved, a Notice of Determination must be filed with the County Clerk in Tuolumne County. The County Clerk must file the document within twenty-four (24) hours of receipt and post it for thirty (30) days. Upon the filing of the Notice, the statute of limitations with respect to challenging the Negative Declaration will begin to accrue.

705 Annexation

705.1 Purpose

The purpose of this article is to set forth the policy by which Persons desiring annexations to the Groveland Community Services District, and desiring to have the District initiate the process of annexation by resolution of application to the Tuolumne County Local Agency Formation Commission (the Tuolumne LAFCO), shall proceed:

1. Development property which is property to which the District will provide services if annexed to the District. Development property must have a contiguous border with the existing District boundary.
2. Disposal property which is property that will be used to store and/or dispose of treated Wastewater from development property.

To initiate the annexation process, the Applicant for annexation shall pay all associated annexation costs and shall submit to the District a Petition for Annexation ("Petition for Annexation"). The Petition for Annexation shall consist of the following:

1. A non-refundable processing fee established by Board Resolution.
2. A copy of the Tuolumne County Assessor's parcel maps highlighting the boundaries of the development property and/or disposal property parcel or parcels proposed for annexation.

3. A letter to the Board of Directors (the Board) of the District from the owner or owners of the properties proposed for annexation formally requesting annexation and listing each parcel by assessor's parcel number.
4. A letter to the Board describing the proposed land use plan for the development property, and including:
 - A. The expected Water demand and seasonal Wastewater flows from the development property at build out.
 - B. The expected demand for Park, Fire and Emergency Services.
 - C. The storage and disposal of proposed development Wastewater Effluent on the disposal property.

The District shall impose such conditions and restrictions as it shall determine necessary or appropriate in approving a Petition for Annexation including, but not limited to, the following:

1. Indemnification and hold harmless of the District against any action, claim, injury or damage arising from the annexation.
2. Payment of all expenses incurred by the District relating to the request for annexation including a deposit to secure payment of expenses.
3. Payment of an Annexation Fee to the District and payment of all costs for the LAFCO annexation application.
4. Providing the District easements and disposal property as determined necessary by the District for the delivery of services.
5. Funding studies to determine the effect on existing facilities and services.
6. Construction and or modification of new or existing collection, treatment, transmission, distribution, storage and disposal facilities.

The Board will consider the Petition for Annexation, and if it approves the initiation of the annexation process, the Applicant(s) will be required to enter into an annexation agreement.

706 Development Agreements

706.1 Purpose

Prior to the Board of Directors considering a private development project for approval, a Development Agreement is contained in the Administrative Procedures Manual specifying the terms and conditions of said approval, prepared by the General Manager and/or Legal Counsel, shall be executed by the District Board of Directors and the project's developer(s) and/or property owner(s).

706.2 Content of Agreement

The development agreement shall contain the following information:

- A. Name(s) of developer and/or project sponsor(s), and owner(s) of subject property;
- B. Assessor's parcel number of subject property;
- C. Type and purpose of project (e.g., residential, commercial, industrial, etc.);
- D. A graphic description of the project attached to the agreement as "Exhibit A;"
- E. Services required by development from GCSD;
- F. Agreement to provide and pay for agreed upon facilities as specified in the SAMP;
- G. Agreement to provide mitigations identified in the CEQA documentation and county conditions of approval; and,
- H. Agreement to pay to mitigate all short- and long-term financial impacts caused by the development, as identified in the SAMP, which would otherwise become a financial burden on the District's existing customer base.

706.3 Terms and Conditions of Agreement

A. Standards For Water and/or Sanitary Sewer Service System

Plans have been or will be, at no cost to District, designed and prepared for the on-site and off-site water and/or sanitary sewer service systems, which include Developer's obligation to accomplish the following:

- 1. Construct the water and/or sanitary sewer service system in conformance with the approved plans and specifications therefore; and,
- 2. Obtain an encroachment permit, if required, from the Pine Mountain Lake Association, County Public Works Department, and/or the State of California Transportation Department (CalTrans) and comply with all requirements thereof, including trench restoration and street resurfacing requirements for any portion of the project situated within existing or proposed future county right-of-way.

B. Acceptance of Plans and Specifications

The completed plans as described above for the water and/or sanitary sewer service system have been or will be prepared in conformance with District Standard Design Specifications and the requirements of the District Engineer or General Manager, and are in a form acceptable to same.

C. Revision of Plans

Any changes in such accepted plans shall require written approval of developer and the District Engineer or General Manager.

D. Rights- of-Way

Owners will provide to District, at no cost to District and in a form acceptable to the District Engineer or General Manager, appropriate easements and rights-of-way for the maintenance, repair, and replacement of all water and sanitary sewer service system

facilities not within existing public rights- of-way, public utility easements, and/or water or sewer easements.

E. Construction

Developer shall, without expense to District, construct the water and/or sanitary sewer service system pursuant to the accepted plans or any approved modification thereof. The developer shall provide in any contract for construction of the water and/or sanitary sewer service system that any contractor's materials, supplier's guarantees thereunder, including a two-year warranty on the completed improvements, shall inure to the benefit of District after the works constructed thereunder have been conveyed to District as provided for in this policy., below. Developer shall also provide in any contract for construction of the water and/or sanitary sewer service system that the contractor's public liability and property damage insurance shall be extended to cover Developer and District and their agents, officers and employees as additional insured with liability and bodily injury limits of not less than three million dollars (\$3,000,000), and property damage coverage of not less than five hundred thousand dollars (\$500,000).

F. Inspection of Construction

The District Engineer or General Manager or his/her agent(s) shall inspect the construction of the water and/or sanitary sewer service system to assure that the works are installed in accordance with the accepted plans and specifications. An inspection fee paid by developer as specified in District's Rate Schedule shall fund said inspection. Construction of the water and/or sanitary sewer service system shall not commence until said inspection fee is paid. The District Engineer or General Manager shall notify developer as to any deviation or failure to construct pursuant to the accepted plans as soon as such deviation or failure is brought to his/her attention, and developer shall correct such deviation or failure.

G. Hold Harmless

District is not, by inspection of the construction or installation of the water and/or sanitary sewer service system, representing developer or providing a substitute for inspection and control of the work by developer. Any inspections and observations of the work by District are for the sole purpose of providing notice of stage and character of the work. Any failure of District to note variances in the work from the plans does not excuse or exempt developer from complying with all terms of the plans. The fact that District inspects the construction of work and notifies developer of deviations or failures to construct them pursuant to the accepted plans shall not be deemed to constitute a guarantee by District that the works have been built in accordance with the accepted plans. During construction and prior to conveyance thereof to and acceptance thereof by District, developer shall hold District harmless against any and all claims, demands

and charges by third parties arising out of alleged deviations or failures to construct pursuant to the accepted plans. The developer shall also indemnify the District against any third party claims for personal injury or property damage arising out of the developer's design or construction of the infrastructure.

H. Delinquent Payment of District Fees and Expenses

Should the developer fail to stay current in paying District expenses associated with the project, including all administrative, legal, engineering and other necessary consultants' costs and expenses, including legal costs of collection of the unpaid charges, the District shall charge penalties and fees to recover these costs. Such charges shall serve as the basis for a penalty charge in the amount of ten percent (10%) of those amounts together with monthly interest until paid at a rate of interest not to exceed one percent (1%) per month, per *Government Code Section 61115*. Until such delinquent payments are paid, all work by the District shall stop. If payment is not received by the District within three (3) months of delinquency, the District shall seek payment from the developer's surety (performance bond or irrevocable letter of credit).

I. Conveyance

Within ninety (90) days after completion of construction of the water and/or sanitary sewer service system in accordance with the accepted plans therefore and District's Standards Design Specifications:

Within ninety (90) days after completion of construction of the water and/or sanitary sewer service system in accordance with the accepted plans therefore and **District's Standards Design Specifications:**

1. The developer and owners shall convey title of the completed works to District without cost and free and clear of all liens and encumbrances, by appropriate conveying documents, acceptable in form to the District Engineer or General Manager;
2. The developer shall provide District with one (1) set of 24"x 36" reproducible "record" drawings of the completed project on matte Mylar (5 mil minimum). The developer shall also provide "record" drawings in digital format acceptable to the District;
3. The owner shall provide easements as specified in 606.3(D), above;
4. The Developer shall furnish to District a surety bond, irrevocable letter of credit, cash deposit, or other form of surety meeting District's approval in the amount of twenty-five percent (25%) of the actual District infrastructure construction costs. This surety shall protect District against any failure of the work due to natural phenomenon or catastrophe, faulty materials, poor workmanship, or defective equipment within a period of two (2) years after acceptance of the water and/or

- sanitary sewer service system by the District. Said surety bond or irrevocable letter of credit shall name developer as principal and District as obligee; and,
5. The District shall accept conveyance of title of the completed water and/or sanitary sewer service system and shall include it as part of the District's system(s), and shall thereafter operate and maintain said system(s) after developer has fulfilled all community impacts and funding commitments per the Development Agreement, and other related commitments to the District.

706.4 Environmental Review

Prior to approval of a Development Agreement by the District Board of Directors, the developer shall have completed all environmental reviews required by the county and such reviews shall be approved by the County Board of Supervisors.

706.5 Developer's Responsibilities after Conveyance

After District's acceptance of the water and/or sanitary sewer service system, the developer and owners shall have no obligation for the operation, maintenance, repair or replacement thereof, except that to the extent that the developer and/or owners retain ownership of any parcel to which service from such works is available, they shall pay the same rates and charges levied by the District from time to time as any other property owner, unless otherwise agreed to by District and developer and/or owner. In addition, the developer shall be obligated to pay water and/or sewer connection fees for each parcel in the subdivision in the amount necessary for the parcels to participate in the District's infrastructure that existed prior to development.

A. Application for GCSD Services

The water and/or sanitary sewer service system shall not be operated, other than for testing purposes, until the said system is conveyed to District and formally accepted by District as specified in this policy, above, and proper applications for service having been filed with District accepted.

B. Obligation for Pipeline and/or Facilities

District shall be under no obligation to provide additional facilities in order to serve the Project. Upon acceptance of the facilities by District, it shall become the sole property of District and shall be used and operated as District's sole discretion.

C. Rates And Charges for Service

All service made available by District to users within the Project shall be at the established rates and charges as fixed by District's Board of Directors from time to time. Some developments and/or the buyers of the homes in the developments may pay additional costs, such as through an improvement district charge, to mitigate against any financial burden on the District's existing customer base.

D. Notices

Notices or requests from any party to this Agreement to the remaining parties thereof shall be in writing and delivered or mailed, postage prepaid, to the following addresses:

Groveland Community Services District
P.O. Box 350
Groveland, CA 95321-0350 Attention: District Engineer

[DEVELOPER'S NAME] [ADDRESS]
[CITY, STATE ZIP]

E. Successors and Assigns

The development agreement shall be binding upon and inure to the benefit of the successors and assigns of all parties. Developer and owners shall not assign any of their rights, duties or obligations under this agreement without the prior written consent of District, which consent shall not be unreasonably withheld.

F. District Powers

Nothing herein contained shall be deemed to limit, restrict, or modify any right, duty, or obligation given, granted, or imposed upon District by the laws of the State of California now in effect, or hereafter adopted, not to limit or restrict the power or authority of District, including the enactment of any rules, regulations, policies, resolutions or ordinances, and in the event that any part of provisions herein contained in this agreement or incorporated herein, be found to be illegal or unconstitutional by a court of competent jurisdiction, such findings shall not affect the remaining parts, portions, or provisions hereof.

G. Attorney Fees

Should any party deem it necessary to institute legal action to either compel performance of this Agreement or recover damages for nonperformance, the prevailing party(s) shall be entitled to reasonable attorney's fees, cost of suit, and all other expenses of litigation incurred in connection therewith.

H. Termination

The Development Agreement shall terminate and be of no further force and effect at District's discretion if District determines that construction of the water, sanitary sewer, parks, fire and/or other District-provided services has not commenced within twenty-four (24) months from the date of the Development Agreement, and developer has not submitted the plans and specifications for reacceptance, as provided for in 606.3(B), above. Termination may also occur if the developer has not mitigated impacts identified

in the SAMP, CEQA documents, county Conditions of Approval, or other obligations required by the agreement or amendments thereto.

706.6 Variances to the Agreement

Any inapplicable portions of the foregoing standard terms and conditions may be deleted by, or upon approval of the General Manager, to accommodate project-specific situations. When warranted, additional conditions and requirements may be added to the standard terms and conditions by, or upon approval of, the General Manager, to accommodate project-specific situations. The project developer and/or property owner may appeal to the Board of Directors any agreement terms or conditions or requirements proposed by District staff.

707 Development Improvement Standards

707.1 General

To provide a uniform and consistent method of regulating and guiding the design and preparation of plans for construction of water and sewer facilities and to insure proper installation of all private works involving water and sewer, Standard Design Specifications, including Standard Details, shall be maintained by the District.

707.2 Purpose

The purpose of the Improvement Standards is to provide standards to be applied to water and sewer improvements and private works to be dedicated to the public and accepted by the District for operation and maintenance. This is necessary in order to provide for coordinated development of required facilities to be used by the public.

707.3 Departure from District Standards

The District recognizes that it is not possible to anticipate all situations that may arise or to prescribe standards applicable to every situation. Therefore, any items or situations not included in the Standard Design Specifications shall be designed and/or constructed in accordance with accepted engineering practice, the State of California "Standard Specifications" or other approved designed standard (e.g., American Water Works Association) and as required by the District Engineer or General Manager.

707.4 Amending Standards

From time to time, changes need to be made to the Standard Design Specifications. These changes may be driven by changes in regulations or by improvements in design practices. The District Engineer shall present the proposed changes to the Standard Design Specifications to the General Manager for his/her review and consideration.

707.5 Availability of Standards

Copies of the current Standard Design Specifications shall be available at the District office and shall be available to interested parties upon request and payment of the cost of producing the requested copy.

707.6 Commercial & Industrial Fire Systems

Commercial and industrial development projects by Tuolumne County Ordinance are required to have public water supply service. If an industrial or commercial project gets service from GCSD, then they will also be required to have a public fire system. The public fire system shall meet District standards. For public supply water tanks or pump stations, the developer shall dedicate to the District a parcel of property in fee title.

Easements as defined in the GCSD water ordinance shall be granted for water pump stations and pipelines.

708 Project Approval

708.1 Board to Approve Plans

Whenever an extension of the public water or sewer system is proposed to provide water or sanitary sewer service to one or more lots, parcels, or units (consisting of 4 or less lot units or less than 7,200 sq. ft. for commercial development of this document]) within the Groveland Community Services District, the plans and specifications for said proposed water and/or sanitary sewerage facilities shall be approved by the General Manager or District Engineer. Whenever an extension of the public water or sewer is proposed to provide water, sanitary sewer, fire or park service to areas proposed to be annexed to the District, the plans and specifications shall not be approved until the proceedings for annexation have been completed and the annexation has been ordered by the District.

For a subdivision or large commercial development, that does not require annexation, the Board of Directors shall approve all major milestones within the development process, as defined in this policy, including the SAMP and environmental documentation. The Board shall also approve annexation of subdivisions into the District, as allowed by law.

708.2 Application of Standard Design Specifications

The provisions of the District's Standard Design Specifications shall be applicable to the construction of any and all extensions of the public water or sewer system and appurtenances thereto. Every improvement plan for water or sanitary sewerage facilities for a new home or within a subdivision and every improvement plan for a water or sewer mainline extension filed

with the District pursuant to these Specifications shall have clearly stated on said plan the following endorsement:

- A. Water or sanitary sewer systems and appurtenances thereto shall be constructed in accordance with the provisions of the Groveland Community Services District Standard Design Specifications at the time of acceptance and the general provisions and specifications therein set forth which are incorporated herein by reference.
- B. Water and/or sewer facilities as shown on these plans were approved by the District Engineer of the Groveland Community Services District on the ____ day of _____, 202__ . By _____ GCSD District Engineer.

708.3 Access to Public Water and/or Sewer

In any request for approval of an extension of the public water and/or sewer system, the District, in reviewing the plans, shall take into consideration the possibility of future extensions of the public water or sewer system to serve properties located beyond the property or properties then under review. An extension of the public water or sewer system must be designed with a pipe diameter and at a depth to adequately provide for future extensions if the possibility of future extensions is deemed to exist. This shall not be interpreted to mean that the public water or sewer system must be extended to allow a point of connection for a building for the next adjoining property; the applicant shall only be required to extend the public water and/or sewer as far as necessary to provide a point of connection for the building water and/or sewer system then being proposed. Where the proposed extension of the public water or sewer system will be located within an easement and the possibility of future extensions exists, the easement offered for dedication must extend across the entire lot or lots so as to provide access to the public water and sewer system for future extensions.

708.4 Tentative Plans to be Submitted

Whenever approval is sought for plans and specifications for a water or sewer mainline extension or for ancillary facilities thereto for a home or subdivision, the property owner or his agent shall first submit two (2) complete sets of preliminary plans, profiles, and specifications for the proposed work, together with a copy of the tentative tract map in the case of subdivisions, or a copy of the tentative parcel map in the case of mainline extensions which will provide service to areas within a parcel map. The submittals shall be checked for conformity to the Groveland Community Services District Code and the District's Standard Design Specifications and any changes or corrections required shall be incorporated into the final plans.

708.5 Environmental Review

Prior to approval of any tentative plans and specifications for proposed water and sanitary sewer facilities, the developer shall undertake any environmental review as required by the county and such review shall be approved by the Board of Supervisors.

708.6 Easements

Whenever a proposed extension of the public water or sewer system will be located across private property, within a public utility easement, or within a road not dedicated to and maintained by the County of Tuolumne or the Community of Pine Mountain Lake, a non-exclusive, perpetual easement for water and/or sanitary sewer purposes shall be dedicated to the District. No plans or specifications for the extension of the public water or sewer system shall be approved prior to acceptance by the Board of such required easements.

- A. Easements shall be dedicated with an Easement Agreement—Public Utility Easement provided by the District. It shall be the responsibility of the person or persons proposing the extension of the public water or sewer system to prepare a legal description of the easement. The minimum width of any easement dedicated to the District shall be determined by provisions set forth in the Groveland Community Services District Standard Design Specifications and, shall be no less than fifteen (15) feet.
- B. Even where the easements within subdivisions are shown on the recorded subdivision map, a Grant of Easement document shall be required for the dedication of such easements. However, all in-tract easements may be dedicated by a single Grant of Easement document and the easement or easements may be described by reference to the recorded subdivision map rather than a legal description.
- C. In every instance where easements are proposed to be dedicated to the District, a preliminary title report covering the affected property or properties shall first be submitted to the District for review. Easements dedicated to the District shall have prior right over any security interest created by a mortgage, lease, or other forms of property conveyance. Should review of the preliminary title report indicate any such lien upon the affected property or properties, grantor shall request the lien holder to subordinate his security interest to the priority of the easement dedicated to the District.
- D. Upon acceptance by the Board, Grant of Easement documents shall be recorded in the Office of the County Recorder. A policy of title insurance, in an amount to be determined by the District, shall be issued insuring the District's easement interest.
- E. All expense incurred in dedication of an easement to the District, including attorney fees and title fees, shall be borne by the person or persons proposing the extension of the public water or sewer system.

708.7 Approval of Final Plans

At such time as the applicant requests District approval of plans and specifications for an extension of the public water or sewer system, the following requirements shall be met:

A. Subdivisions

1. Two (2) sets of final plans, profiles, specifications, and the record map, including certificate sheets, shall be filed with the District Engineer. In addition to the two (2) paper copies of official plans, profiles, specifications and record map, the developer shall submit these documents in a digital format acceptable to the District.
2. At the time of filing the plans for approval, fees shall be paid in the amount set forth in the current water and sewer rate ordinances. Said fees shall cover the costs of checking the plans, administrative expense, and inspection of the installation of the public water and sanitary sewerage facilities.
3. In addition to the above-mentioned fees, there shall also be paid, at the time of filing plans for approval, any other fees or charges required to be paid by any other District rules and regulations or any applicable resolution or ordinances of the Board setting terms and conditions of annexation or establishing a benefit district.

B. Mainline Extension Within Parcel Maps

1. Two (2) sets of final plans, profiles, specifications, and the final parcel map shall be filed with the District Engineer for review and approval. In addition to the two (2) paper copies of official plans, profiles, specifications and final parcel map, the developer shall submit these documents in a digital format acceptable to the District.
2. At the time of filing the plans for approval, fees shall be paid in the amount set forth in the current water and sewer rate ordinances. Said fee shall cover the costs of checking the plans, administrative expense, and inspection of the installation of the public water and sanitary sewerage facilities.
3. In addition to the above-mentioned fees, there shall also be paid, at the time of filing plans for approval, and based upon the number of dwelling units proposed for the parcel map, any other fees or charges required to be paid by any other District rules and regulations or any applicable resolution or ordinances of the Board setting terms and conditions of annexation or establishing a benefit district. Permits shall be issued for each dwelling unit proposed for the parcel

map and the number of building water meters and sewers stubbed into the property line shall not exceed the number of permits issued.

C. Mainline Extension to Serve Individual Lots

1. Two (2) sets of final plans, profiles, and specifications shall be filed with the District Engineer for review and approval.
2. At the time of filing the plans for approval, the fees set forth in paragraph 603.7(B) shall be paid by the person or persons proposing the extension of the public water or sewer line extension.
3. In addition to the above-mentioned fees, each owner or other person desiring a connection to the proposed water or sewer mainline extension shall make application for a permit for such connection and shall pay the fees or charges required to be paid by any District Code rules and regulations or any applicable resolution or ordinances of the Board setting terms and conditions of annexation or establishing a benefit district.

708.8 Special Requirements for Multiple-Unit Developments

A. Condominium Projects

In condominium projects (subdivisions where only air space is deeded to homeowners) where water and sanitary sewer service will be provided by either:

1. Individual connections to a public water or sewer system by means of separate side connections from each unit or building when said separate side connections will be installed within the commonly owned areas of the project, or
2. A single connection to public sewer service from a private collection system, the sanitary sewer facilities shall be maintained by the homeowners association through assessments collected from the homeowners for that purpose. The Covenants, Conditions, and Restrictions for the condominium project shall contain a provision specifically providing for such maintenance of the sanitary sewer facilities through association assessments and shall further state that such provisions for maintenance of the sanitary sewer facilities shall not be amended without the prior written consent of the Groveland Community Services District. The District recommends, however, that each unit of the complex have its own water meter. Plans shall not be approved or permits issued until such provisions have been included within the Covenants, Conditions, and Restrictions and have been reviewed and approved by the District. The District shall receive a copy of the recorded Covenants, Conditions, and Restrictions with recording data thereon, and no water or sanitary sewer facilities within such condominium

project shall be accepted for use or permits finalized until such copy has been received.

B. Townhouse Projects

The same requirements set forth above shall also apply to townhouse projects or other similar types of multiple-unit developments (subdivisions where individual lots are deeded to homeowners) when each unit therein does not have a separate connection to a public water and sewer system.

C. Other Zero-Lot-Line Projects

In addition to the above requirements, whenever more than one (1) building will be served by a single connection to the public sewer, the owner shall request, in writing, a variance from the District. Such variance, if approved, shall be granted by motion of the District Board at a regular or special Board meeting. For the purpose of determining whether a variance is required for multiple-unit developments, a “building” is defined as any number of units that share a common roof or foundation.

708.9 Reimbursement Agreement

If the Developer or Owner is extending water or sewer line past vacant property that may be developed in the future, the Owner or Developer may request that the District enter into a Reimbursement Agreement between Owner/Developer and the District. In such case, the District shall use its standard Reimbursement Agreement contained in the Administrative Procedures Manual that allows collection of connection fees and refunding of pro-rata share of installation expenses to the Owner/Developer under the terms set forth in the Reimbursement Agreement.

SECTION 800 ENVIRONMENTAL HEALTH AND SAFETY PROGRAMS

801.1 Purpose of Policy

The Board of Directors recognizes the importance of effective environmental, health, and safety compliance programs for the protection of each District employee, the District's customers, the public at large, the environment, and the productivity and efficiency of District operations. Therefore, it is the firm and continuing policy of the Board of Directors that health and safety regulatory compliance, accident prevention, and environmental protection shall be considered of primary importance in all phases of the District's operations and administration. The Board of Directors finds that by maintaining effective environmental protection, health and safety compliance and accident protection programs, the risks of District liability, personal injury and/or property damage, operational interruptions and inefficiencies, and regulatory fines are reduced or eliminated, and the efficiency of District operations and services is enhanced.

801.2 Creation and Implementation

The General Manager is authorized to approve programs, standards, rules and regulations, and procedures to protect and promote the safety and health of District employees, customers, the public, the environment, and the efficiency and productivity of District operations. The General Manager or his or her designee shall review compliance issues and recommend new or revised environmental, health and/or safety programs, standards, rules, and operational policies for approval by the Board of Directors and implementation throughout the District.

- A. Each Department Manager and Supervisor shall make the District's environmental, health and safety compliance policies and procedures an integral part of the regular duties of those employees they supervise, including the provision of proper training, materials and equipment so that work by all employees of the District can be performed safely in compliance with all regulations and applicable standards.
- B. It is also the duty of each employee of the District to at all times act in compliance with all District environmental, health and safety and accident prevention programs, standards, rules, policies and procedures as well as instructions and directives from their supervisor with respect to the efficient performance of their duties. Adequate training shall be provided to all employees. Employees are charged with the duty of requesting assistance from their supervisors if they have any doubt as to how to perform a job safely and correctly. All employees are responsible for keeping the workplace safe and clean at all times. Any employee who is found to have performed actions which do not comply with the terms and conditions of the District's environmental, health and

safety programs and policies, shall be subject to personnel action, up to and including termination.

- C. The District's environmental, health and safety and accident prevention programs, policies and procedures shall be periodically reviewed by the General Manager or his or her designee to ensure compliance with all regulations and directives promulgated by the San Francisco Public Utilities Commission, the State Water Resources Control Board, the Regional Water Quality Control Board, California Fish and Game Department, U.S. and California Environmental Protection Agencies, California Occupational Safety and Health Administration, the California Department of Public Health and any other state or federal agency that exercises regulatory control over one or more aspects of the District's service delivery.

802 Safety Policy

802.1 Purpose of Policy

It is the policy of GCSD to create and maintain a written Safety Policy which covers: (1) operational safety; (2) preventative safety; (3) public safety. The objectives of the Safety Policy are as follows:

- A. To prevent accidents and promote efficiency, service, morale, and public relations;
- B. To conduct programs of safety and health inspections to find and eliminate unsafe working conditions or practices, to control accident hazards, and to comply fully with the safety and health programs and other policies of the District and all applicable local and state laws;
- C. To promote personnel safety by providing proper personal protective equipment, and instructions for use and care of such equipment;
- D. To provide training to all employees in good safety and health practices;
- E. To fulfill the need for employee training and safety awareness as most accidents are caused by human error;
- F. To appoint and empower a safety officer of the District to have full support and encouragement of the Board of Directors and management to accomplish specified safety goals;
- G. To require all supervisors to set specific safety objectives for their departments;
- H. To develop and enforce safety and health rules that require employees to cooperate with such rules as a condition of employment;
- I. To investigate promptly and thoroughly every accident to determine its cause and to cure and correct any causes determined for each accident;

- J. To provide mechanical and physical safety safeguards to all employees to the maximum extent possible;
- K. To develop a system of recognition for outstanding safety service and/or performance to create a culture of safety;
- L. To emphasize the need for off-the-job-safety;
- M. To require all employees to participate in the Safety Program and accept the responsibility for conducting safe District operations.

802.2 Elements of District Safety Program

The District's written Safety Program consists of the following elements:

- A. Specifies the persons with authority and responsibility for implementing the Safety Program;
- B. Provides assistance for insuring that employees comply with safe and healthy work practices, including but not limited to employee incentives, training and re-training programs, and/or disciplinary measures for failure to follow safe work practices;
- C. Provides a system of communication with affected employees on occupational safety and health matters, including meetings, training programs, postings, written communications, a system of anonymous notification concerning hazards, and health and safety committees;
- D. Provides a communication system designed to encourage employees to inform the District of hazards at the work site without fear of reprisal;
- E. Establishes assistance in identifying and evaluating workplace hazards whenever new substances, processes, procedures or equipment are introduced to the workplace and whenever the District receives notification of a new or previously unrecognized hazard;
- F. Identification of workplace hazards and periodic inspections for potential safety and health hazards; the Safety Officer, or his designee, shall conduct and record periodic inspections of District facilities.
- G. Record-keeping of inspections made to identify unsafe conditions and work practices;
- H. Investigation procedure for accidents and near misses;
- I. Correction of unsafe or unhealthy conditions in work practices in an expeditious manner, with the most hazardous exposures given correction priority;
- J. Protection of employees from serious or imminent hazards until they are corrected;
- K. Provision of employee training in general safe and healthy work practices and the safety and health hazards specific to particular job assignments;
- L. Workplace hazard training provided to all new employees and all employees given a new job assignment;

- M. Training needs of employees are re-evaluated whenever new substances, processes, procedures or equipment are introduced to the workplace and whenever the District receives notification of a new or previously unrecognized hazard;
- N. Record-keeping regarding documentation of safety and health training provided to each employee, including dates, subjects of training and training providers.

802.3 Injury and Illness Prevention Program for Employees

The District has established, implemented and maintains a written Injury and Illness Prevention Program (IIPP) as required by law (*8 Cal. Code Regs § 3203 et seq.*) which incorporates all of the elements of the District's Safety Program specified in this policy. This IIPP consists of the following eight components: (1) responsibility for enforcement of the policy; (2) compliance; (3) communication; (4) hazard assessment; (5) accident/exposure investigation; (6) hazard correction; (7) training and instruction; (8) record keeping. The IIPP adopted by the District complies with the requirements of this policy and is made part of this Policies Manual by reference.

802.4 Injury and Illness Prevention Program for Workplace Security

A. Purpose of Policy

The District is firmly committed to providing a workplace that is free from acts or threats of violence. In keeping with this commitment the District has established this policy that provides for "zero tolerance" for actual or threatened violence against employees, visitors, customers, or other persons who are either on District premises or who have contact with District employees in the course of their duties. Since preventing violence in the workplace is every employee's responsibility, it is essential that every employee understands the importance of workplace safety and security.

B. Workplace Violence Prevention Policy

1. Provide violence prevention training to employees and documentation of such training;
2. Periodic assessment and evaluation of workplace risk factors which may contribute to the possibility of violence in the workplace, and documentation of such assessments and corrective actions taken;
3. Provide threat assessment for when a violent act is anticipated;
4. Provide trauma response when a violent act occurs. The District's policy prohibits violent acts or threats of violence or intimidation against employees, customers, visitors, consultants, and other persons on District premises or in contact with District employees in the course of their duties. Prohibited conduct includes threatening or committing acts of violence in the workplace while on duty, while on District related business, or while operating any vehicle or equipment owned

or leased by the District. Prohibited conduct includes but is not limited to violence, direct or indirect threats of violence, intimidation, physical fighting, physical altercations, or unauthorized use or possession of weapons.

C. What Constitutes Workplace Violence

During the preparation of the IIPP, the District performed an initial assessment to identify potential workplace violence and security issues. There are a number of factors that have been shown to contribute to the risk of violence in the workplace. Among those factors which have been demonstrated to contribute to the risk of violence in the workplace that exist in the work environment at the District are the following: (1) performing public safety functions in the community, most notably fire suppression, emergency medical response, hazardous materials response; (2) provision of public utility services to the public in exchange for an established fee or charge which is collected directly by the District.

The District has elected to establish an IIPP for workplace safety addressing the hazards known to be associated with the three major types of workplace violence as identified by Cal/OSHA. Those types of workplace violence which are potentially applicable to the District's operations are the following:

- a. Type I – assault involving a person entering District premises for the purpose of committing a robbery;
- b. Type II – these incidents involve a violent act or threat of violence by a recipient of public safety services, or a customer receiving public utility services provided by the District, such as a customer, patient, passenger or victim; and
- c. Type III – episodes involving a violent act or threat of violence by a current or former worker, or another person who has some employment related dispute with the District or a personal dispute with an employee of the District.

The District has established a separate and independent Injury and Illness Prevention Program (IIPP) for Workplace Security in conformance with the model program recommended by Cal/OSHA. The IIPP is attached to this Policy Manual by reference.

D. Employee Reporting Requirements

All employees, including supervisors and department heads, must report all threats or acts of violence, intimidation, physical altercations or unauthorized use or possession of weapons which occur on District work sites to their immediate supervisor, manager and/or department head. Such reportable threats or acts of violence or intimidation may be actually witnessed or experienced by an employee, or they may be acts or threats that the employee becomes aware of through other means. Employees must also report all

threats or acts of violence, intimidation, or weapons possession which they experience while acting in the scope of their employment off District premises, or which relate to the legitimate business interests of the District. Employees must also report any threats or acts of violence or intimidation occurring off of District premises if they are a target of such threat and if there is a reasonable basis to believe that there is threat of violence or intimidation that may follow them to the workplace.

In cases of emergency, employees must contact local law enforcement immediately through the 9-1-1 notification procedure.

In situations where an employee becomes aware of an imminent act of threatened violence or intimidation, emergency assistance must be sought immediately as well as reporting to the District through the employee's supervisor or manager.

No employee will be disciplined, retaliated against or discharged for reporting any legitimate threat or act of violence, intimidation, or weapons possession. However, intentionally false and/or misleading reports are unacceptable and violate the terms and conditions of this policy. Employees found to have made intentionally false or misleading reports will be subject to disciplinary action up to and including termination.

803 Emergency Management

803.1 Definition of "Emergency"

"Emergency" means the actual or threatened existence of conditions of disaster, or extreme peril to the provision of critical district services, or to the health and safety of staff or the public. Typical causes of an emergency include but are not limited to conditions such as fire, storm, flood, riot, releases of hazardous materials, earthquake, power outages, dam failures, freezes, water supply contamination, communications failure, power outage, explosion, act of terrorism, civil disturbance, serious medical emergencies, major violent episode, and other conditions which may threaten the capability of District services, personnel, equipment, or facilities.

803.2 District Emergency Declaration

When an emergency condition arises, the General Manager may, in consultation with the Board President, declare a "District Emergency." The Board of Directors must ratify any such declaration of an emergency within fourteen (14) days at a regular, special or emergency Board meeting.

803.3 Contract Authority During District Emergencies

The General Manager's Declaration of a District Emergency is a public acknowledgement of an emergency condition confronting the District and/or that the District's resources may not be adequate to respond to the emergency. The Board of Directors, in consultation with the General Manager, may delegate to the General Manager the authority to suspend competitive bidding and enter into an emergency contract of up to \$250,000 as authorized by *Public Contract Code Section 20567 and 22050*.

803.4 Mutual Aid

The California Master Mutual Aid Agreement (Gov. Code §§ 8561, 8615 and 8617) allows for the implementation of mutual aid during threatened, actual or declared emergencies. The Fire Chief may request mutual aid assistance from other local government and public agencies or commit resources to other agencies requesting aid. The Fire Chief may sign appropriate documents to effectuate mutual aid in other emergency response agreements with other public and private emergency responders.

803.5 Multi-Jurisdictional Hazard Mitigation Plan

The District participates with other agencies within the county regarding the response to hazards and emergencies. How the District responds to these emergencies is documented in the Multi-Jurisdictional Hazard Mitigation Plan. This Plan and any subsequent updates are made a part of this policy manual by reference.

804 Computer Security

804.1 Purpose of Policy

The District seeks to ensure that detailed or sensitive information regarding its water, wastewater and fire suppression systems and facilities are not released to unauthorized persons who may use such information to threaten the effective delivery of public services by the District. This Security Policy is designed to address computer security procedures for District personnel who have access to District computers or who are issued laptop computers.

804.2 Scope of Computers Security Policy

This program applies to all employees who have access to District computers or personal computer devices on District premises or who are authorized to use laptop computers outside District premises.

804.3 Responsibilities

A. Training

1. Each department head is responsible for effective training of all personnel in that department in the operation and management of the District's computer system as it applies to each employee's job description.
2. Such training shall include requirements of the District Record Retention Program.

B. Enforcement

Each department head shall periodically monitor the computer usage practices of those employees under his or her supervision to ensure compliance with all aspects of the District's computer security policy.

804.4 Definition of "Sensitive Information"

Sensitive Information is that which may leave the District and its facilities vulnerable to unlawful activities, including but not limited to vandalism or terrorism. For the purposes of this policy, "Sensitive Information" includes, but is not limited to the following:

- A. All plans and specifications, including electrical, civil and mechanical schematics and drawings, that show details of the District's water, wastewater and fire suppression systems and facilities;
- B. All District maintenance records regarding its water, wastewater and fire suppression systems and facilities including any photos and schedules associated with such maintenance records;
- C. All information and/or documents prepared by or for the District regarding threats to the security of District buildings or the provision by the District of essential public services, such as water, wastewater treatment and/or fire suppression and protection, including a threat to the public's right of access to such District services and facilities. Such information and documents include security plans developed by the District to protect the security of District buildings and public facilities.
- D. Any document or information prepared by or for the District that assesses the District's vulnerability to a terrorist attack or other criminal acts which could disrupt the District's operations.
- E. Any and all personal consumer information maintained by the District with respect to its utility customers, including consumer identity information and consumer utility usage data.

801.5 Elements of Computer Security Policy

The District's Computer Security Policy consists of the following elements:

- A. A password will be issued to each designated employee by the systems administrator. Passwords will be required for designated employees to start the individual computers assigned to those employees for those employees' use, including laptop computers issued to employees for their temporary usage.
- B. All such passwords are confidential and may not be disclosed by any employee to any other person without the written consent of that employee's supervisor.
- C. Any software installed on District computers or on District laptop computers must be approved by the General Manager or his designee before installation.
- D. Internet access is only allowed through District computers for information necessary for an employee to perform his or her job duties. Employees are not authorized to utilize District computers or laptop computers to access personal e-mail or other personal internet accounts during work hours.
- E. Laptop computers may be transported between the main District office and any field location at which an employee is assigned to work via District vehicle. If a District vehicle is left unattended, the laptop computer must be stored out of sight or in a locked compartment.
- F. All plans and specifications of District water, wastewater, and fire suppression facilities and systems, including all electrical, civil and mechanical schematics, drawings, photos and database records, shall be stored in electronic format on the District's network computer. Only those schematics, drawings, photos or maintenance database records necessary for the field work being conducted may be downloaded and temporarily stored on a laptop computer's hard drive. Upon completion of any such field assignment, all such files contained in such plans, specifications, schematics, drawings, photos, or maintenance database records shall be uploaded as revised onto the District's network computer and all temporary restored files shall be deleted from the network computer's hard drive.
- G. No laptop computer may be removed from the District's service area without prior approval of the department head or General Manager.

804.6 Compliance with Computer Security Policy

The General Manager or his/her designee will periodically check all computers and laptop computers to ensure that no critical infrastructure information or other sensitive data has been transmitted without authority or is being stored on a laptop computer's hard drive without authorization. Any personnel found to be in violation of this computer security policy will be subject to disciplinary proceedings, up to and including termination.

If the systems administrator is a District contractor, then the contractor shall maintain errors and omission and liability insurance.

804.7 Internet and E-mail Usage and Security

- A. The District has established this usage and security policy to ensure that all District employees use District computer resources, such as the Internet and e-mail, in a legal and appropriate manner. This policy defines acceptable and unacceptable use of the District's computer system for e-mail and other electronic communications. This policy also establishes the disciplinary steps the District may take against District employees for inappropriate use of the Internet and e-mail in violation of this policy. All employees must read and adhere to the guidelines and policies established herein. Failure to follow this policy may lead to discipline up to and including immediate termination.
- B. Inappropriate use of the District's computer system for Internet and e-mail includes, but is not limited to the following:
 - 1. Internet access on the District's computer system is to be used for District business purposes only. The District's computer system may not be used for personal use of the Internet, or personal e- mails. The exception to this policy is that an employee may have limited access to the Internet during their break periods. Abuse of this benefit will result in loss of the benefit. Under no circumstances may an employee download any material from the Internet when it is being accessed for this limited personal use.
 - 2. Employees may use personal computer devices such as laptops and cell phones with e-mail capability only during authorized work breaks and lunch periods. Such personal computing devices shall not be used by employees during work hours.
 - 3. Employees are prohibited from using the District's computer system or personal computer devices to access Internet sites that contain pornography, exploit children, or sites that would generally be regarded in the community as offensive, or for which there is no legitimate, official business purpose.
 - 4. Neither the District's computer system nor an employee's personal computer device may be used to participate in any profane, defamatory, harassing, illegal, discriminatory, or offensive activity while an employee is at work, including any activity that violates the District's policies against harassment, including sexual harassment.
 - 5. Employees are prohibited from using the District's computer system to exploit security weaknesses of the District's computer resources or other networks or computers outside the District.

6. The District's computer system may not be used to distribute copyrighted materials by use of electronic mail or Internet communications.
7. Use of electronic mail or the Internet for inappropriate or unauthorized advertising and promotion of the District is prohibited.
8. Since computer viruses can become attached to executable files and program files, receiving and/or downloading executable files and programs via e-mail or the Internet without express permission from the District's computer system administrator is prohibited. This includes but is not limited to software programs and software upgrades. All downloaded files must be scanned for viruses.
9. Use of another user's name, account, or password, without express permission of the District's computer system administrator, to access the Internet is strictly prohibited.
10. Personal use of the District's computer system for personal commercial activity is prohibited.
11. District employees shall not access any personal e-mail account or any Internet access for personal purposes by using the District's network system, telephone system, modem, or server.
12. Employees will only be allowed to access the Internet for District approved purposes using the approved Internet browser. Any other browser being used on a workstation will be promptly removed.
13. Employees may only download information and/or publications for official District business purposes. All such downloaded materials must be scanned for viruses before an employee opens them on their computers.
14. All list subscriptions shall be for District business purposes only.

C. No Right of Privacy

Employees do not have any right to privacy in any District computer resources including information downloaded from Internet sites and e-mail messages produced, sent, or received by District computers or transmitted via the District's servers and network. Employee access to the Internet and e-mail is controlled by use of a password. The existence of the password does not mean an employee should have any expectation of privacy in usage of the District's computer system. Employees must register their passwords with the District and the District will maintain a file of passwords currently in use.

D. Monitoring of Communications

The District may randomly monitor the content of all e-mail messages and all content downloaded from an Internet access site and stored on the District's computer system in order to promote use of District computer resources for the administration of the

District's business and policies. If an employee is found to have violated the terms of this policy through such monitoring, such violation of policy may lead to discipline, up to and including immediate termination. Disciplinary action may include the removal of Internet and e-mail access from an employee's computer.

E. Internet and E-mail Communications as District Records

The Internet and e-mail provide means by which the employees of the District may communicate with the District's customers, other government agencies, and District consultants. Messages and other communications to or from customers, other government agencies, or the District's consultants, to the District's e-mail system are considered part of the District's business records. Such communications also qualify as disclosable public records under the California Public Records Act under certain situations. Care must be taken in deleting an e-mail message, since such deletion may constitute destruction of a public record. Therefore, all e-mail messages and other Internet communications, the content of which qualify as a public record under the California Public Records Act, shall be copied and retained as a paper document to ensure that all such public records are properly retained this policy.

Unencrypted Communications

Currently all District e-mail transmitted over the District's computer system is not encrypted. Unencrypted electronic mail is not a secure way of exchanging information or files. Due to the way Internet data is routed, all messages are subject to eavesdropping. Messages may be stolen as they temporarily reside on host machines waiting to be routed to their destination, or they may be purposefully intercepted from the Internet during transfer to the recipient. It is possible for someone other than the intended recipient to capture, store, read, alter or redistribute your e-mail messages. Therefore, employees shall not transmit information in an electronic e-mail message that would not be appropriate in a written letter, memorandum, or document available to the public. In addition, no District Sensitive Information shall be contained in or used as an attachment to an e-mail communication. E-mail, once transmitted, can be printed, forwarded, and disclosed by the receiving party without the consent of the sender. Therefore, employees should advise the recipient in the e-mail if disclosure to any third party of the contents of such e-mail communication is prohibited.

F. Transmitting Confidential Communications

Every employee shall take the necessary steps to prevent unauthorized disclosure of confidential or privileged information when transmitting information utilizing e-mail. This is especially important for communications between the District and its legal counsel, its accountants, and other consultants. All employees shall remind the recipients of e-mail communications, whether customers, legal counsel, accountants or other

consultants, or contractors, of the confidentiality of the information being transmitted by e-mail and the requirement that the recipient not share any of the contents of such e-mail communication with any third party in order to maintain the confidentiality of the information being transmitted. If necessary, such recipients of e-mail communications should be reminded to implement this security policy and make sure that their employees understand the ramifications of receiving privileged and confidential information from the District via e-mail. Such confidential information to be transmitted via e-mail shall only be made available to those District employees who have a clear business related reason to know the information contained in the communication. Such information will not be released to any other person or employee without the consent of the District or by court order. Such confidential e-mails shall be kept separate from regular e-mails and accessible only by those employees authorized to access such confidential communications.

805 Identity Theft Prevention Program

The Federal Trade Commission (FTC) has issued regulations (the “Red Flags Rule”) requiring creditors, including private and public organizations which provide utility services, to develop and implement written Identity Theft Prevention Programs. The purpose of such Identity Theft Prevention Programs is to provide for the identification, detection, and response to patterns, practices or specific activities, known as “Red Flags,” that could indicate identity theft. Since the District provides utility services in the form of water and sewer service and extends credit to its customers by deferring payment for such utility services until after such services have been rendered, the District is subject to these federal regulations. This Identity Theft Prevention Program has been developed to comply with the FTC Red Flags Rule.

A. Purpose of Policy

The purpose of the Identity Theft Prevention Program is to specify policies and procedures for detecting, protecting and mitigating identity theft. The Program consists of methods to detect Red Flags when accounts exhibit suspicious activity; establishment of procedures to prevent the creation of false accounts; specification of procedures to ensure existing accounts are not being manipulated; and an itemization of procedures to respond to and mitigate against identity theft. This policy also incorporates good management practices to protect personal consumer data and prevent unauthorized access to that data as an additional measure to prevent identity theft. The District’s Identity Theft Prevention Program contains a list of security procedures the District has implemented to protect the consumer information in its possession and to prevent unauthorized access to that information.

B. Development of Program

The District has taken the following steps in developing its Identity Theft Prevention Program: (1) conduct a risk assessment of new and existing accounts to assess the identity theft risk with respect to such accounts; (2) use the risk assessment to select Red Flags that may be used to detect attempts to establish fraudulent accounts with the District; (3) respond to any identified Red Flags by identifying procedures for employees to utilize to both prevent the establishment of false accounts and to prevent the manipulation of existing accounts; (4) train all District employees with respect to the policies and procedures required by the Program; and (5) update the Program annually including an annual report to the Board of Directors addressing the effectiveness of the adopted policies and procedures, a summary of any identity theft incidents and responses to those incidents, and recommendations for any significant changes to the Program. The District's Identity Theft Prevention Program is contained in the Administrative Procedures Manual.

806 Security of District Buildings and Facilities

806.1

The General Manager shall be responsible for developing security plans for District buildings and facilities which plans shall itemize steps to ensure the security of District buildings, the security of the water, wastewater and fire suppression services provided by the District to the public, and threats to the public's right of access to water, wastewater and fire suppression services provided by the District. This security plan may include input from local law enforcement and/or a security consultant retained by District. The District Board of Directors may meet in closed session pursuant to *Government Code Section 54957* to discuss the design, content, administration, and implementation of such a security plan. The written security plan and any other documents prepared by or for the District that assess the vulnerability of District buildings and facilities to various security threats including terrorist attack or other criminal acts which may disrupt the District's operations are confidential records which are exempt from disclosure to the public under the Public Records Act (Gov. Code § 6254(aa)).

SECTION 900 GENERAL PROVISIONS

In order that residents of the Groveland Community Services District may use and receive maximum benefit from District facilities, parklands and programs, the Board of Directors of the Groveland Community Services District hereby establishes the following rules and regulations concerning use of District facilities and parklands.

900.1 Authority and Application

- A. Authority: The policies stated herein will constitute the content of an ordinance, adopted pursuant to *Section 5780, et seq.*, of the Public Resources Code of the State of California and apply to all District facilities and parklands. A title, where used, does not limit the language of a section.
- B. All persons entering upon District facilities or parklands shall abide by these rules and regulations of the District, the laws of the State of California and all applicable county and/or municipal laws or ordinances that pertain. In District facilities and parklands, these District rules and regulations will supersede all other local ordinances when they are in conflict, as per *section 5786.1(j)* of the Public Resources Code.
- C. Parents shall be held responsible for the acts of their minor children. Damage to property of the District shall be imputed to parents having custody or control of the minor (as set forth in the Civil Code 1714.1).
- D. The District or its authorized representatives shall diligently enforce the provisions of these regulations and may withdraw or revoke the privilege of access to District parklands or the use of any District facility for reasons of safety, security or resource protection, or from any person or group violating any provision of these regulations or any other applicable law or ordinance.

900.2 Exceptions

The following regulations shall apply to all persons except:

- A. They shall not apply to employees of the District, District volunteers, or to District concessionaires or their employees engaged in and acting within the scope of their authorized duties and concession activities. However, District employees, District volunteers and District concessionaires and their employees shall abide by the laws of the State of California and all applicable county and/or District ordinances.
- B. They shall not apply to persons possessing special permission from or contract with the District specifically suspending a section or sections of the regulations providing said persons are in compliance with all conditions of the contract and all other regulations.

- C. They shall not apply to lessees if such use is expressly provided for in the terms and conditions of their leases, and complies with all other applicable county and state regulations.
- D. They shall not apply to public safety employees of Federal, State, County, or City, special district governments acting within the scope of their authorized duties and with the knowledge and explicit permission of the District.

900.3 Violations of Regulations-Sanctions

A. General Provisions

1. A violation of any of the provisions of this ordinance is an infraction subject to the procedures described in *Sections 19(c) and 19(d)* of the California Penal Code
2. The General Manager shall have the authority to revoke use privileges upon a finding of violation of any regulation contained in this Chapter or any other applicable county ordinance or state law.
3. The General Manager or his or her designee shall have the authority to eject from any District parkland or facility any person acting in violation of the regulations contained in this Chapter.

B. Penalties

Except as provided herein, an infraction is punishable by (i) a fine not exceeding \$50 for a first violation; (ii) a fine not exceeding \$100 for a second violation of the same ordinance provisions within one year; (iii) a fine not exceeding \$250 for each additional violation of the same ordinance provision within one year.

1. Every violation of this Chapter constituting a misdemeanor is punishable by a fine not in excess of
2. \$500 or by imprisonment in the County Jail for not more than six months, or by both.
3. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Chapter is committed, continued, or permitted by any such person, and shall be punished accordingly. Malicious injury or destruction of any real or personal property, which constitutes vandalism under the provisions of *Section 594* of the Penal Code of the State of California, shall be prosecuted as a violation of *Penal Code Section 594* and shall be punishable as either a misdemeanor or a felony, as provided in *Penal Code Section 594*. Under *Penal Code Section 594*, if vandalism results in damage of \$1,000 or more, the vandalism may constitute a felony punishable by a fine of \$1,000 or up to a year in state prison, or both.

C. Closure of Facilities

The General Manager shall have the authority to close any District parkland or facility or portion thereof and require the exit of all persons therein when he determines that conditions exist in said facility or portion hereof which present a hazard to the facility or to public safety. (SCC 36 § 2 (part), 1971)

- D.** Any judge or commissioner of a judicial District lying wholly or in part within the District shall have jurisdiction over all prosecutions under this article for violations adopted by the Board of Directors.

902 Park Definitions

The definitions hereinafter set forth shall govern the construction of this ordinance.

Alcoholic Beverage - Includes any liquid intended to be ingested by a person which contains ethyl alcohol, including but not limited to, alcoholic beverages as defined in *Section 23004* of the Business and Professions Code.

Artifact Objects – Objects used or modified by humans, including but not limited to, arrow points, projectile points, dart points, stone, bone, wood or shell implements, utensils, tools, pottery, cloth, agricultural implements or any other prehistoric or historic objects.

All Terrain Vehicle (ATV) - See “Motor Vehicle”

Authorized Personnel - The General Manager of the District, any peace officer, or designated persons and/or employees of the District acting under the authority of the General Manager.

Board - The Board of Directors of the Groveland Community Services District.

Concessionaire - Any person who through contract, lease, or other written agreement with the District is authorized to operate recreational facilities or programs or sell a product in District facilities or parklands.

Cultural Feature - Any item that is linked in some way to human history. This includes but is not limited to: buildings (entire or partial), foundation remnants, walls, mortar rocks, caves, hieroglyphics, art work, carvings, signs, letters, and plantings such as trees and landscaping.

District - The Groveland Community Services District (GCSD), an independent special District. Includes all lands, waters and facilities owned, controlled, operated, or managed by GCSD, which shall hereinafter be referred to as Facilities or Parklands.

1. They run at large in leash-required areas or enter dog-prohibited areas.
2. They threaten, harass or harm other animals or wildlife.

3. They display threatening behavior. This includes but is not limited to growling, barking, chasing, lunging, or jumping.
4. They physically harm people or property directly or indirectly by their actions.
5. They touch or jump on other park users who have not invited or engaged in interaction with the dog.
6. They do not return promptly when called while in an approved dog off leash area.
7. They are out of sight of the owner or handler.
8. They are not handled by a person that is physically capable of restraining the dog.

Facility - Any building, structure, plant, pipelines, ponds, spray fields, parking areas, or picnic areas, owned, controlled, managed or leased by the District for the benefit of the general public or necessary for its operational needs.

Fee Area - An entire facility, park or part thereof, where access is limited to persons who have paid a fee established by the District for the use of such area.

Graffiti - Any unauthorized inscription, word, figure, mark or other design that is written, marked, etched, scratched, carved, drawn or painted on real or personal property owned or managed by District.

Grinding (Skates and Scooters) - To ride or slide along an edge (such as a curb, bench, rail, coping etc.) using any surface of the skate that is not a wheel.

Littering - The discarding, dropping or scattering of rubbish, including but not limited to, beverage containers and closures, wrappers, wastepaper, tissue, newspapers or magazines, charcoal, cigarettes, cigars, matches or any flaming or glowing material or any rubbish anywhere other than a proper disposal container thereof. This includes any matter which escapes or is allowed to escape from a container, receptacle, package, vehicle or clothing pocket.

Open Space - Shall mean all lands under the ownership, management or control of the Groveland Community Services District that are left in a natural vegetative state with management emphasis on wildlife and habitat protection.

Parkland - Any lands or waters, including but not limited to Mary Laveroni Community Park, Leon Rose Ball Field, Groveland Skate Park, Groveland Dog Park, open space, preserves, trails, streams, creeks, wetlands or ponds which are owned, controlled, or managed by the District for the benefit of the general public or necessary for its operational needs.

Person - Any natural person, partnership, association, corporation, club, organization, or public agency.

Sound Amplifying - Any machine or device for the amplification of the sound of the human voice, music, or any other sound. This shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the radio is installed, or small personal/portable devices for playing music cassettes, compact discs or radio receiving e.g. “boom box,” so long as they do meet sound amplification standards.

Trail - All designated hiking, biking, and equestrian paths, lanes, staging areas and related trail system facilities.

Vandalism - Any action that:

1. Defaces District property with graffiti or other inscribed material.
2. Damages or destroys any real or personal property owned by District.

Vicious Animal - Any animal that demonstrates any of the following behaviors is presumed vicious:

1. Any unprovoked attack which requires a defensive action by a person to prevent bodily injury or property damage when such person is conducting himself or herself peacefully and lawfully.
2. Any unprovoked attack which results in property damage or in an injury to a person when such person is conducting himself or herself peacefully and lawfully.
3. Any unprovoked threat of attack on another animal.
4. Any unprovoked attack on another animal.
5. Any aggressive behavior which constitutes a threat of bodily harm to a person when such person is conducting himself or herself peacefully and lawfully. This includes but is not limited to growling, barking, chasing, lunging, or jumping.

903 Reservations of Park Facilities

Amended: May 14, 2018, by Resolution 11-18

The District owned facilities at Mary Laveroni Community Park and Leon Rose Ball field may be reserved for special events by members of the public, given the provisions contained within this chapter are met. All applications are subject to approval by the General Manager or his/her appointed representative.

803.1 Park Use Application

In order to reserve a park facility, all applicants must submit a Park Use Application to District staff stating:

- A. The name, address, and telephone number of the applicant;
- B. The beneficiary of any funds raised at the proposed event and/or the name and address of the person, group, organization or corporation sponsoring the activity;
- C. The nature of the proposed activity;
- D. The dates, hours, and park facility desired;
- E. An estimate of attendance; and any other information which the General Manager may find reasonably necessary to make a fair determination as to whether to grant use.

903.2 Required Insurance Coverage

No permit shall be issued until the applicant has supplied the District with a copy of a valid Certificate of Liability Insurance evidencing public liability and property damage insurance coverage for the event with liability limits of not less than \$300,000.00 per person and \$1,000,000.00 per occurrence, and property damage limits of not less than \$100,000.00 per occurrence with an aggregate coverage of \$200,000.00. If alcoholic beverages are to be served or sold by applicants, the liability limit per person shall be \$500,000.00.

803.3 Standards for Approval of Application

The General Manager approves an Application for Park Use when he finds all of the following:

- A. That the proposed activity or use will not unreasonably interfere or detract from the promotion of public health, welfare, safety, and recreation;
- B. That all conditions including, where applicable, the payment of fees, approval of the Board of Directors, and insurance coverage, are met;
- C. That the proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- D. That the proposed activity or use will not entail unusual, extraordinary, or burdensome expense or security operation by the District; and
- E. That the facilities requested for the proposed activities have not been reserved for other use.

903.4 Park Use

- A. It shall be unlawful for any person, group, commercial entity, or agency, to use, occupy, or otherwise remain in any District Facility, Open Space or Parkland for any event or activity for which the District charges a fee or requires application unless that person

has paid the required fee and/or has received application approval, unless approved by the General Manager.

- B. No person, group, commercial entity, or agency, whether public or private shall hold, conduct, organize, take part in, address any meeting, organized gathering, celebration, parade, service, exercise, organized sporting event or any other group activity in or on District Facilities, Open Space or Parklands without approval when the activity or event includes any of the following:
 - 1. Is advertised or noticed in any newspaper or other publication, poster or flyer; or
 - 2. Fees are collected, required or admission charged for participation; or
 - 3. Is an activity that is commercial or for profit; or
 - 4. Involves an activity or use that is normally prohibited for the requested Facility, Parkland or Open Space.
- C. All persons for whom a Park Use Application has been approved shall abide by all conditions set forth in this Ordinance as well as all District rules and regulations. Failure to do so will result in revocation of use privileges, and may result in citation.

903.5 Park Use for Large Events

In addition to meeting all other the requirements of this Ordinance, applicants wishing to reserve a park facility for a special event with expected attendance of greater than 1,000 people, hereafter called a large event, must do the following:

- A. Initial Meeting with GCSD: A special meeting shall be held with GCSD staff at least 45 days prior to the event to review the event information and park use requirements.
- B. Agencies to Contact: The event organizer must contact the following agencies, as appropriate to the event, for review and approval of the application.
 - 1. Sheriff's Office for law enforcement
 - 2. CHP for external event traffic control
 - 3. Community Sheriff's Unit (CSU) for internal and external event traffic control
 - 4. GCSD Fire Department
 - 5. Caltrans for traffic controls, signage, barricades, cones, etc.
 - 6. Groveland/Big Oak Flat Unified School District
 - 7. County Health & Human Services for medical tent and ambulance service
 - 8. ABC for alcohol sales permit
 - 9. County Environmental Health for food services
- C. **Traffic Plan:** The event organizer must provide a sketch of venue and surrounding area with traffic pattern, location of officers, flaggers, detours, shuttle bus routes, parking, etc.

- D. Sanitation:** The event organizer must submit a plan for garbage clean-up during and after the event, which may include the delivery and removal of trash containers. The plan must arrange for the delivery, periodic cleaning, and removal of public toilets, including handicap units of sufficient number to accommodate anticipated attendance, and for the periodic cleaning of permanent Park or Ball Field restroom facilities during and after the event.
- E. Parking:** The event organizer must make arrangement for additional parking including handicap spaces, and sufficient attendants.
- F. Communications:** A system for two-way communications may be needed to provide for traffic and crowd control.
- G. Insurance:** The certificate of liability insurance shall name the District as an additional insured.

903.6 Priority of Use

Any person using a park facility or portion thereof which may be reserved, but who has not obtained approval shall vacate said area when those who have reserved the facility through application present themselves.

903.7 Advertisement Banner

The District offers a public location next to the Fire Department where approved advertising banners may be hung to assist with the promotion of events organized by non-profit organizations. Non-profit groups wishing to hang an advertisement banner shall do the following:

- A. Submit the Advertisement Banner Application for District approval.
- B. Deliver approved banner to the District Administration Office. Banners shall be a maximum of 3 feet high x 14 feet long, fixed with wind cuts and grommets. The banner only will be accepted; any bag, box, etc. the banner is stored in must be taken with the person dropping the banner off.
- C. The banner must be picked up during business hours within two (2) weeks after the banner has been taken down. Unclaimed banners will be discarded.

Banners are hung on Mondays only and must be dropped off before 3:00pm the Friday before. If a holiday falls on the Monday the banner is to be hung, banner will be hung the Friday before if banner is delivered before noon.

Banners/Signs shall not consist of and shall be prohibited from containing information concerning the following:

- a. Non-commercial speech, issue advocacy, etc., regardless of viewpoint;

- b. Promoting hostility, disorder, violence, or attacks on any person or group of persons;
- c. Promoting discrimination including but not limited to, demeaning, harassing, or ridiculing any person or group based on race, color, national origin, religion, sex, age, disability, ancestry or creed;
- d. Political advertisements, including but not limited to any banner/sign promoting, favoring or opposing the candidacy of any candidate for election or political issue/question;
- e. Being obscene or pornographic as defined by the prevailing community;
- f. Promoting the use or sale of alcohol, tobacco, or firearms or weapons of any kind; and/or
- g. Religious advertising in which the primary message is one promoting or opposing religion, particular religions, religious issues, or religious doctrines.

Banners will be hung for no longer than fourteen (14) consecutive days. Banner requests will be granted on a “first come” basis. Banners shall be hung and taken down by District staff. The District is not responsible for any damage caused to banner by weather, graffiti, and/or vandalism of any kind.

Banner Advertisement Fees

Non-Profit Organizations	\$100
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The General Manager is granted the authority to waive the Banner Advertisement Fee for those organizations who have made a significant alternate contribution to district services, facilities or revenues.

904 Parks and Recreation Fees

904.1 Purpose

Section 61115 of the Government Code of the State of California provides that the District may charge for park and recreational services and facilities provided by the District so long as the charges do not exceed the cost of providing the service. The purpose of this Section is to provide for park and recreation fees to be charged by the District for various park and recreational services and facilities in amounts reasonably necessary to recover the cost of operating the District parks and providing various park and recreational services and facilities.

904.2 Establishment of Park and Recreation Fees

By resolution duly adopted by the Board of Directors of the District, the Board of Directors may enact a schedule of fees to be charged for usage of park and recreational services and facilities provided by the District and amend such schedule of fees at any time.

904.3 Criteria

User fees for park and recreational services and facilities provided by the District within District facilities shall comply with the following criteria:

- A. User fees for park and recreational facilities and services provided by the District shall be charged in amounts reasonably necessary to recover the cost of providing the facilities and services. Examples of the types of facilities and services for which fees may be charged include, but are not limited to, the following: parking; reservation of buildings and other facilities for exclusive use; participation in organized athletic programs and other recreational programs.

904.4 Violations

- A. It is unlawful for any person to enter or remain in any District facility for which fees may be charged without having paid the required fee, unless previously approved by the General Manager.
- B. Whenever the General Manager or his or her designee determines that parking or standing of vehicles in District open space or park and recreational facilities would be disruptive to users or create a dangerous condition, then the General Manager or such designee shall provide for the erection and posting of signs indicating that the parking or standing of vehicles is prohibited, limited or restricted. It is unlawful for any person to park a vehicle or allow a vehicle to stand in a District open space, park, or recreational facility in violation of the prohibitions of any such sign authorized by this Section.

904.5 Schedule of Fees

The Schedule of Fees may be established and periodically amended by duly adopted resolution of the Board of Directors of the District and shall be applicable to all District open space, park and recreational facilities during the hours of operation of those facilities. The current Schedule of Fees is contained in the Administrative Procedures Manual—Schedule of Fees for Parks Department Facilities. The General Manager shall determine the hours of operation of District open space, park and recreational facilities based on the following criteria:

- A. Weather conditions;

- B. Seasonal recreation activities scheduled or expected to occur at the parks or recreation facilities;
- C. Nature and extent of public use of the open space, park or recreational facilities;
- D. Cost effectiveness of operation of the parks or recreation facilities.

904.6 District Sponsorship/Donor Policy

Adopted: October 8, 2019, by Resolution 40-19

GUIDELINES FOR SPONSORSHIP/DONATIONS FOR FACILITY, SITE AMENITY, EQUIPMENT OR COMMUNITY EVENTS

904.6 Policy

It is the Policy of the Groveland Community Services District to accept sponsors/donations for facilities, site amenities, equipment, community events and to recognize sponsors or donors who make such contributions.

904.7 Purpose and Need

The purpose of this Policy is to set forth guidelines for the solicitation of new sponsorship and donation opportunities within the District. These guidelines are necessary for the following reasons:

- A. To establish a consistent procedure for solicitation of sponsors and donors by the District;
- B. To encourage solicitation of sponsors and donor opportunities such as facility or site amenity sponsorship;
- C. To empower District staff to raise funds for facilities, site amenities, and community events;
- D. To ensure conformance and compliance with existing District policies and procedures.
- E. Sponsorship means funds provided by a company or individual to the District, in consideration of the opportunity for the company or individual to promote its name, product or service, or to recognize an individual in conjunction with a District facility, site amenity, or community event.
- F. Donor means a company or individual who provides the District with funds, and wants nothing in return.
- G. Sponsorship Agreement means that agreement between the District and the Sponsor that details the agreement, type and duration of any sponsor recognition.
- H. District means Groveland Community Services District.
- I. District General Manager means District General Manager or his/her designee.

- J. Volunteer means a person who freely offers to take part in an enterprise or undertake a task.

904.8 General Principles

- A. The District acknowledges that sponsors and donors may assist the District in the development of facilities, site amenities, equipment or community events where such sponsorships are mutually beneficial opportunities and consistent with all applicable policies and ordinances set by the District. Under the conditions of this policy, District staff may solicit such sponsors and donor opportunities for the District.
- B. Sponsors and Donor opportunities will assist in meeting the cost of community events initiated by the District.
- C. Sponsor and Donor opportunities will completely cover all costs associated with discretionary community events. This shall include any design, permitting equipment and supplies or administrative costs associated with the donation.
- D. District staff may volunteer to help coordinate, staff and assist in community events.
- E. At all times, recognition for sponsors and donors must be evaluated to ensure the District is not faced with undue commercialism and is consistent with the scale of each partner's contribution meets the agreement.
- F. Sponsorship and Donations in excess of twenty five thousand dollars (\$25,000) shall require approval from the Board of Directors.

904.8 Restrictions on Sponsors and Donors

- A. In general, the following organizations, individuals and products are not eligible for sponsorships or donations with the District:
- B. Adult book and retail stores
- C. Companies whose business is substantially derived from the sale or manufacture of tobacco products.
- D. Alcoholic beverages when the targeted beneficiaries of the marketing partnership are youth under the legal drinking age.
- E. Parties involved in a law suit with the District.
- F. Parties in arrears on monies owed to the District exceeding ninety days.
- G. Parties involved in any stage of negotiations for a District contract unless the contract is directly linked to a partnership opportunity.
- H. The District may elect to enter into partnerships with restricted partners when it is deemed appropriate for the community event.

904.9 Sponsorship Recognition

- A. The following are examples of available opportunities and are for example only. All of the following are subject to negotiation and are to be viewed in the context of District standards established for each particular use:
- B. Recognition rights at a specific facility, site amenity, or community event (style, format and duration as per sponsor agreement).
- C. Sponsor signs and logo (quantity, size, design, location and duration as per sponsor agreement).
- D. Based on the sponsorship level that the sponsor has selected the District will provide acknowledgement of sponsorship at the community event including but not limited to the following; business logo or sponsors name on District website, social media recognition, posters and flyers as well as lawn signs at the community event.
- E. Other opportunities shall be considered on a case-by-case basis.
- F. The form, type and duration of any sponsor recognition, and the required sponsor for said recognition, shall be clearly detailed in the Sponsorship Agreement.

904.10 Selection of the Appropriate Sponsor and Donor

- A. District staff may solicit potential sponsors and donors for facilities, site amenities, equipment or community events.
- B. Priority for sponsors and donor opportunities will be assigned, in order, to lessees of the District, businesses and individuals in Groveland and Big Oak Flat, businesses and individuals outside the above described area.
- C. If a sponsor or donation is unsolicited, the General Manager will approve the contribution, deny the contribution, or approve the contribution with conditions. If the contribution is denied or approved with conditions by the General Manager and the sponsor or donor does not agree with the General Manager's decision, the sponsor or donor can appeal the General Manager's decision to the GCSD Board of Directors. The Board of Directors decision is final.
- D. The sponsor or donor selection shall be impartial.
- E. No sponsor or donor participating in the sponsorship donation program will receive any preferential treatment for the contribution other than recognition, as detailed in the sponsorship Agreement, from the District as a result of the participation in the sponsorship program.

904.11 Reports

- A. In January of each year, the District shall report to the Board of Directors on the status of any and all Sponsorship Agreements and Donations.

- B. Each report shall include sponsor or donor name; contribution amount; facility, site amenity, equipment or community event to which the contribution was made; and term of the sponsor or donor recognition.

905 Regulated Activities

905.1 Recklessness

It shall be unlawful to engage in any activity in a negligent, unsafe or reckless manner or in a way that endangers the life, health or property of any person in any District Facility or Parkland.

905.2 Weapons

- A. It shall be unlawful for any person to possess within any District Facility, Parkland or open space, or to fire or discharge, or cause to be discharged, across, within, or into any portion of a District Facility or Parkland, any firearm, gun, rifle, shotgun, bow and arrow, cross bow, sling shot, paintball gun, blowgun, BB gun, pellet gun, air or gas weapon, or any other projectile weapon.
- B. It shall be unlawful for any person to use or possess in any District Facility, Parkland or open space any hatchet, ax, machete, knife with a blade over 3 inches, spear or any other edged weapon.
- C. It shall be unlawful to use or have in any District Facility, Parkland or open space any weapon or instrument likely to, or capable of, producing great bodily injury by any means of force.
- D. It shall be unlawful to use or have any plastic, wood or metal object intended to mimic a weapon of any kind or description in any District Facility, Parkland or open space without a Permit.
- E. The provisions of this section shall not apply to any of the following cases:
 - 1. The possession of firearms or dangerous weapons at a place of residence or business located within the District by a person in the lawful possession of the residence or business.
 - 2. The discharge of firearms designated by the General Manager specifically for the purposes of Wildlife management, pest control and the destruction of domestic animals presenting a danger to the public or Wildlife.
 - 3. Peace officers and authorized staff in the discharge of their duties.

905.3 Fire

- A. Upon the finding of an Extreme Fire Hazard by a local fire officer or District staff, no person shall smoke or build fires of any kind in any District Facility, Parkland or open space.

- B. Upon the finding of an Extreme Fire Hazard by a local fire officer or District staff, any District Facility, Parkland or open space may be closed to public use and/or evacuated.
- C. It shall be unlawful to fail to obey, in a prompt manner, an evacuation order after a finding of Extreme Fire Hazard has been rendered.
- D. It shall be unlawful to enter, use or travel through areas of any District Facility, Parkland or open space that have been closed by a local fire officer or District staff, upon finding an Extreme Fire Hazard exists.
- E. It shall be unlawful to build, light, or maintain any open outdoor flame or fire or barbecue in any District Facility, Parkland or open space, except in those devices provided and specifically designated for that purpose, without express permission from the General Manager.
- F. It shall be unlawful to use any personal cooking appliances, including but not limited to, a gas or propane stove, portable barbecue, hibachi or tow-behind barbecue, in any District Facility, Parkland or open space without express permission from the General Manager.
- G. It shall be unlawful to leave a fire unattended in any District Facility, Parkland or open space at any time.
- H. It shall be unlawful to leave burning fuel such as wood or charcoal in an existing fireplace, fire pit or barbecue grill in any District Facility, Parkland or open space.
- I. It shall be unlawful to dispose of coals in garbage cans or refuse bins. Fuels must be completely out before being disposed of. If no disposal facility is available extinguished coals shall be left in the barbecue device.
- J. It shall be unlawful to dispose of lighted cigarettes, cigars, matches or any flaming or glowing material until completely extinguished and then only in a place or container for the proper disposal thereof.

905.4 Fireworks

GCSD supports County of Tuolumne on the use of fireworks within GCSD jurisdiction.

905.5 Malicious Mischief

It shall be unlawful for any person to vandalize any object in any District Facility, Parkland or open space. It shall be unlawful for any person to purposefully rock or tip over any portable restroom in any District Facility or Parkland.

905.6 Use of District Property

With respect to District property, no person shall:

- A. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof;
- B. Cut, break, injure, deface, or disturb any building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof, or
- C. Without express permission from the General Manager, make or place on any tree, plant, shrub, bloom, flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof, any rope, wire, mark, writing, printing, sign, card, display, or similar inscription or device.

905.7 Refuse

No person shall dump, deposit, or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash in or on any District Facility, Parkland or open space, except that refuse which is incidental to the use of the facility may be deposited in the receptacles provided therefore. For purposes of this section, an incinerator, stove, fire ring, barbecue, or other device used to contain fires or for cooking is not a proper receptacle for refuse or other waste material.

905.8 Water Pollution

While within the boundaries of any District park or open space facility, no person shall throw, discharge, or otherwise place or cause to be placed in the waters of any pond, lake, stream, bay, or other body of water or in any tributary, stream, or drain flowing into such waters, any substance, matter, or thing, liquid or solid, including, but without limitation to, particles or objects made of paper, metal, glass, garbage, rubbish, rubber, fuel, food matter, wood, fiber, and plastics.

905.9 Restrooms

The District maintains restrooms for the convenience and hygiene of the public at its park and ball field. The following are rules and regulations associated with the use of these restroom facilities:

- A. It shall be unlawful for any person to use a restroom or locker room facility intended for the opposite sex. This shall not apply to children aged 5 (five) and under accompanied by a competent Adult or care-giver authorized by the parent or guardian. Further, no person shall remain in or about such facilities nor shall any persons use such facilities for purposes other than those intended.
- B. It shall be unlawful to operate any photographic device of any kind in any District restroom or locker room Facility.
- C. It shall be unlawful to deface restroom facilities.

905.10 Smoking

No person shall smoke any substance in any area designated as a nature trail or nature area or in or on any other District Facility where smoking is prohibited.

905.11 Alcohol

- A. It shall be unlawful for any person under twenty-one years of age to be in possession of an alcoholic beverage while such person is in or upon any District Facility, Parkland or open space. Violation of the provisions of this section shall constitute an infraction.
- B. The Board of Directors of District may, by resolution, designate or authorize the General Manager to designate certain District Facilities, including park and open space facilities, to be designated as areas within which alcohol possession is prohibited on a case by case basis.

905.12 Skateboard/In-line Skate/Roller Skate/Scooter Use

- A. It shall be unlawful for any person under 18 (eighteen) years of age to operate any wheeled device, including but not limited to Roller Skates, In-Line Skates, Skateboards or Scooters in any District Facility or Parkland without a properly fitted and fastened helmet, knee pads and elbow pads.
- B. It shall be unlawful to Grind or Slide any Skateboard, In-Line Skate, Roller Skate or Scooter across any object, including but not limited to, curbs, plant containers, concrete walls, rock walls, benches, picnic tables, stairway rails or any other object not intended specifically for this use, in any District Facility or Parkland.
- C. It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter to ride off of or jump onto or off of any object in any District Facility or Parkland not specifically intended for that use, including but not limited to stairways, curbs, sidewalks, benches, car stops, bike racks, planters, picnic tables or retaining walls.
- D. It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter within 25 feet of any public entrance to any District Building.

905.13 Climbing

It shall be unlawful to walk, stand, sit or climb upon monuments, buildings, railings, fences, gates or any structure not designated for such use in any District Facility or Parkland.

905.14 Camping

It shall be unlawful for any person or persons to camp or otherwise stay overnight in any District Facility, Parkland or open space without a Permit.

905.15 Animals

No person shall:

- A. Hunt, molest, harm, provide a noxious substance to, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal within the boundaries of any District building, park or open space facility, nor remove nor have in his possession the young, eggs, or nest of any such creature;
- B. Abandon any animal, dead or alive, within any District building, park or open space facility;
- C. Bring into, maintain or allow in or upon any District building, park or open space facility any dog, cat, or other animal unless such animal at all times is in full control of the handler and is kept on a leash of sufficient strength and durability that it cannot be broken by the animal so leashed (electronic leashes may be used outside of the District parks). Dogs may be kept off leash while within the Groveland Dog Park. However, the General Manager may designate areas and time in which persons may sell, demonstrate or train unleashed animals within District facilities so long as such animals remain under the full control of their owners' custody.
- D. Animal owners are liable for any damage to GCSD property or injury caused by their animals
- E. Permit cattle, sheep, goats, horses, or other animals owned by him or in his possession to graze within the boundaries of any District park or open space facility without express approval of the Board of Directors;
- F. Ride a horse, pony, mule, burro, or any other animal upon, over or across any District park or open space facility, except at times and upon roads or trails designated for the riding of such animals as may be provided by the District by Permit;
- G. Permit any animal owned by him, or in his possession, to be brought onto or remain upon the premises of any District building, park or open space facility, if the General Manager or his or her designee has given oral or written notice to remove that animal from such premises. The General Manager may give such notice if such animal is known to the General Manager to have caused any injury or damage to any person or property while on District property
- H. Permit or suffer any animal owned by him, or in his possession, custody, or control, to defecate upon District property without immediately removing such animal feces, placing said feces in a sealed bag or other sealed container, and placing such bag or container with feces in a proper refuse receptacle. Persons with horses in their possession, custody, or control, at times and upon roads or trails designated for the

riding of such animal, and, persons while relying on a guide dog, are exempt from the provisions of this subsection;

- I. A violation of any of the provisions of this section shall be punishable as follows:
 1. A first violation of any of the provisions of this section is punishable as an infraction; and
 2. A second or subsequent violation of the same provisions of *Section 518* committed within thirty days of the previous violation shall be prosecuted as a misdemeanor.

905.16 Real Property – Appropriation or Encumbrance

No person shall deposit any earth, sand, rock, stone, or other substance within or upon any District property, nor shall he dig or remove any such material from within any District property, nor shall he erect or attempt to erect any building, wharf, or structure of any kind by driving or setting up posts or piles, nor in any manner appropriate or encumber any portion of the real property owned, operated, controlled, or managed by the District, without permission from the General Manager.

905.17 Motorized Vehicles

- A. While within the boundaries of any District property, park or open space, no person shall drive or operate any automobile, motorcycle, motor scooter, trail bike, dune buggy, truck, or other motorized vehicle on roads or trails other than those designated for that purpose without permission from the General Manager.
- B. While within the boundaries of any District property, park or open space, no person shall drive any automobile, motorcycle, motor scooter, truck, or other motorized conveyance, except an authorized emergency vehicle, at a rate of speed exceeding twenty-five miles per hour, except as may be otherwise posted by the General Manager, or in any case at speeds exceeding safe conditions dictated by prevailing circumstances.
- C. No person shall park any automobile or other motorized vehicle within any District property, park or open space facility except in areas specifically designated as parking areas. In no case shall any person park a motorized vehicle in a manner that presents a hazard to the public.
- D. No person shall park or otherwise allow automobiles and other conveyances to remain within the boundaries of any District property, park or open space during the hours the property is closed without permission from the General Manager.

- E. No person shall abandon any motorized vehicle within the boundaries of District property, park or open space.
- F. No unauthorized person shall wash or repair any automobile or other motorized vehicle within the boundaries of any District property, park or open space.
- G. All motorized vehicles within the boundaries of any District property, park or open space shall be equipped with a properly installed muffler device which is in constant operation and which prevents excessive or unusual noise. No such muffler device or exhaust system shall be equipped with a cutout, bypass, or similar device.

905.18 Sound Amplification Equipment

Within any District property, facility, park or open space, no person shall use sound amplification equipment which produces noise in excess of the noise levels provided by these regulations without permission from the General Manager.

905.19 Radios, Tape Players on District Property

It is unlawful for any person to permit or cause any noise, sound, music or program to be emitted from any radio, tape player, tape recorder, record player or television outdoors on or in any District owned property, park or open space when such noise, sound, music or program is audible to a person of normal hearing sensitivity one hundred feet from said radio, tape player, tape recorder, record player or television.

- A. As used herein, “a person or normal hearing sensitivity” means a person who has a hearing threshold level of between zero (0) decibels and twenty-five (25) decibels HL averaged over the frequencies 500, 1,000 and 2,000 Hertz.
- B. This section shall not apply to the use of sound systems, radios, tape players, tape recorders, record players or televisions in the course of an assembly or festival for which application approval has been granted by the District pursuant to these regulations, or a parade for which a permit has been issued
- C. Any violation of the provisions of this section constitutes a public nuisance.

905.20 Hours of Use

The General Manager is authorized to promulgate reasonable hours for opening and closing for District Facilities, Parklands and Open Space. No person shall enter or remain in or on any District Facility, Parkland or Open Space after it is closed for public use without permission from the General Manager.

If gates are locked or secured it shall be unlawful to climb over, under or through the gate or fence or enter or exit any District Facility, Open Space or Parkland. It shall also be unlawful for any person to cut any fence, chain or lock, or add a lock to any District gate or fence.

905.21 Locks and Keys

No person other than one acting under the direction of the General Manager shall duplicate or cause to be duplicated a key used by the District for a padlock or door or gate lock of any type or description, nor shall any person divulge the combination of any lock so equipped to any unauthorized person.

905.22 Public Nuisance

Any violation of the provisions of this chapter constitutes a public nuisance. (SCC 414 §2, 1980)

906 General Nuisance

906.1 Noise

- A. It shall be unlawful for any unauthorized person or persons to use or operate any radio receiving set, musical instrument, phonograph, CD player, television set, karaoke machine, or other device in such a manner as to disturb the peace, quiet, and comfort of any park user or any reasonable person of normal sensitivity in the area. The use of any such device or machine, such that the sound produced is audible at a distance in excess of 100 feet, shall be deemed a prima facie violation of this section.
- B. It shall be unlawful for any unauthorized person or persons to use or operate any radio receiving set, musical instrument, phonograph, CD player, television set, karaoke machine, or other device at a volume greater than 80 decibels at the device or speaker at any time.
- C. It shall be unlawful for any unauthorized person or persons to willfully make or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet or which causes discomfort or annoyance to any reasonable person of normal sensitivity utilizing any District Facility or Parkland or on adjacent private property.

906.2 Posting and Decorations

- A. It shall be unlawful for any person to cut, carve, paint, mark, paste or fasten on any tree, fence, wall, building, monument, or other property in any District Facility or Parkland, any bill, advertisement, directional or informational signs, or inscription whatsoever without prior authorization from the General Manager.

- B. It shall be unlawful in any District Facility or Parkland for any person to attach or place any materials, devices, or equipment for the purpose of decorating or for any other purpose without first having obtained prior authorization from the General Manager.
- C. It shall be unlawful for any person to place in or upon any Vehicle, left standing or parked, on any District Facility or Parkland any written materials, including but not limited to, advertisements, handouts, handbills, circulars, leaflets, pamphlets, paper, booklets or other printed or written material regardless of whether the content is commercial or non-commercial, without prior authorization from the General Manager. Each deposit of any written or printed material shall be deemed a separate violation.

906.3 Unauthorized Storage

- A. No person or group shall store, leave, or otherwise allow to remain on, at or in any District Facility or Parkland any materials, supplies, equipment, or other physical accessories without prior authorization from the General Manager.
- B. Any materials, supplies, equipment or other personal property left more than 24 (twenty-four) hours, without authorization, may be moved or towed and stored at owner's expense.
- C. Any materials, supplies, equipment or other personal property that have been moved or towed and stored as noted in §703(b), that remains unclaimed after 45 (forty-five) calendar days from date of notification or attempted notification of owner, shall become GCSD property and will be disposed of or sold, whichever is determined most appropriate, by the District.

906.4 Disturbing the Peace

- A. It shall be unlawful for any person to engage in any course of conduct in any District Facility or Parkland after being advised by a District employee, Law Enforcement Officer, agent or Concessionaire having authority to regulate or manage the area, that such conduct does or could unreasonably or unnecessarily interfere with or obstruct the lawful use and enjoyment of such Facility or Parkland by other persons or impairs the ability of any Park District employee, agent or Concessionaire to perform his or her authorized duties and activities.
- B. It shall be unlawful to use any threatening, abusive, boisterous, loud, insulting, or indecent language or gesture that impairs or could impair the lawful use and enjoyment of District Facilities or Parklands by other persons.

906.5 Failure to Obey

It shall be unlawful to refuse to leave the premises of any District Facility or Parkland when given a lawful order to do so by a District employee or a Law Enforcement Officer.

906.6 Nudity

It shall be unlawful for any person to appear, swim, bathe, wade, sunbathe, walk or be in any District Facility or Parkland in such a manner of dress as is deemed inappropriate, lewd, or indecent by the General Manager or any other District Employee. This section shall not apply to children under the age of 5 (five) years or a woman in the process of breast feeding an infant.

907 Vehicles

907.1 Parking

- A. Any Vehicle parked or left standing in violation of this section may be removed in accordance with the California Vehicle code.
- B. It shall be unlawful for any person to park a Motor Vehicle in any District Facility or Parkland, except an authorized emergency Vehicle or when in compliance with the directions of a peace officer, in any of the following places:
 - 1. Where prohibited by "No Parking" signs.
 - 2. Where prohibited by "No Stopping" signs.
 - 3. Adjacent to any curb painted red.
 - 4. Adjacent to any curb beyond the time indicated by paint or signs.
 - 5. Within 15 ft. of a fire hydrant.
 - 6. Blocking or obstructing any fire Trail or fire lane.
 - 7. Blocking or obstructing any Trail, sidewalk or pedestrian walkway.
 - 8. Blocking or obstructing any gate, entrance, or exit.
 - 9. On any lawn, turf, or landscaped area.
 - 10. On any area where grass and other vegetation is taller than 4 (four) inches in height.
 - 11. In any picnic area.
 - 12. In such a manner as to take up more than one designated parking place in any authorized area.
 - 13. In such a manner as to block or partially block the roadway of the parking area ie. Vehicle not pulled fully into parking space.
 - 14. Where a fee is charged and the fee is not paid.

- 15. In any District parking area where a fee is charged, a Permit is issued as a receipt, and the Permit or receipt is not displayed in a conspicuous place upon the Vehicle as to be easily observed by a peace officer.
- 16. In any District parking area for the purpose of commute parking.
- 17. In any District parking area for the purpose of advertising or attempting to sell a Vehicle.
- 18. In any area not intended by the District to be used for parking.
- C. It shall be unlawful for any person to park, abandon, or otherwise allow to remain any automobile or other conveyance in any District Facility or Parkland between the hours of 8:00 p.m. of one day and 6:00 a.m. of the following day, or hours otherwise posted.
- D. It shall be unlawful for any person to park a Vehicle in any District parking area if such person is not utilizing a District Facility or Parkland associated with said parking area.

908 Natural & Cultural Resources Protection

908.1 Wildlife Protection

- A. It shall be unlawful for any person to hunt, molest, disturb, injure, trap, take, fish, net, poison, harm, capture or kill any kind of Wildlife in any District Facility or Parkland.
- B. It shall be unlawful for any person to remove, destroy or in any manner disturb the natural habitat of any animal in any District Facility or Parkland.
- C. It shall be unlawful to allow a dog or other animal to chase or injure Wildlife in any District Facility or Parkland.
- D. It shall be unlawful to allow a dog or other animal to dig up burrows or disturb nests or dens of any Wildlife in any District Facility or Parkland.
- E. It shall be unlawful for any person to feed Wildlife at any time in any District Facility or Parkland.
- F. It shall be unlawful for any person to leave, release or abandon any Wildlife, whether dead or alive, in any District Facility or Parkland.
- G. It shall be unlawful for any person to collect or remove from any District Facility or Parkland any scat, bones, teeth, fur, feathers, nest, egg (whether hatched or un-hatched) or any other part of any Wildlife.

908.2 Flora Protection

- A. It shall be unlawful for any person to damage, destroy, injure, collect, dig up, pick, mutilate, cut, carve upon or remove any Flora in any District Facility or Parkland.
- B. It shall be unlawful for any person to bring into any District Facility or Parkland any Flora for the purposes of planting, dispersal or disposal without a Permit.

- C. It shall be unlawful for any person to collect any seeds or cuttings in any District Facility or Parkland without a Permit.
- D. It shall be unlawful for any person to tie any rope or other item to or attach any swing, rope or otherwise, to any tree in any District Facility or Parkland.

908.3 Geological Feature Protection

- A. It shall be unlawful for any person to damage, carve, dig up, collect or remove earth, rocks, sand, gravel, fossils, minerals, caves, or any geological article or feature in any District Facility or Parkland.
- B. It shall be unlawful for any person to collect or remove any water from any stream, creek, river, channel, canal, slough, pond, lake, permanent or ephemeral pool or puddle, wetland, bay, lagoon, or other stream or body of water in any District Facility or Parkland.

908.4 Archaeological/Cultural/Artifact Protection

It shall be unlawful for any person to damage, injure, dig up, mutilate, cut, collect, relocate, remove or in any way disturb any paleontological, archaeological or Cultural Artifact or Feature in any District Facility or Parkland.

908.5 Permission for Research or Collecting

Special Permission may be granted to remove, treat, disturb, or otherwise affect Wildlife or Flora or geological, cultural, archaeological, or paleontological materials for research, interpretive, educational, or park operational purposes. Permission for any collection activity must be in writing and obtained in advance.

909 Skateboard/In-Line Skate/Roller Skate/Scooter Use

909.1 General Provisions

- A. It shall be unlawful to Grind or Slide any Skateboard, In-Line Skate, Roller Skate or Scooter across any object, including but not limited to, curbs, plant containers, concrete walls, rock walls, benches, picnic tables, stairway rails or any other object not intended specifically for this use, in any District Facility or Parkland.
- B. It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter to ride off of or jump onto or off of any object in any District Facility or Parkland not specifically intended for that use, including but not limited to stairways, curbs, sidewalks, benches, car stops, bike racks, planters, picnic tables or retaining walls.
- C. It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter within 25 feet of any public entrance to any District Building.

909.2 Skate Park Rules and Regulations

- A. Groveland Community Services District (“GCSD”) owns, operates, and maintains the Skate Park in Mary Laveroni Community Park. It is provided for the enjoyment of those who visit the Park. This Skate Park is a community facility, the design of which is attached hereto, marked Exhibit “A,” and incorporated herein by this reference. The Skate Park is a facility subject to all of the provisions of the GCSD Park Ordinance.
- B. The Skate Park is unsupervised. The use of coasting devices, such as skateboards, inline skates, roller skates, bicycles and scooters are considered hazardous activities that may result in death or serious injury. All users of the Skate Park voluntarily assume the risk of death or serious injury in use of the Skate Park facilities.
- C. It shall be unlawful for any person to operate any wheeled device, including but not limited to Roller Skates, In-Line Skates, Skateboards or Scooters on or in the Skate Park without a properly fitted and fastened helmet, knee pads and elbow pads. Failure to do so may result in the issuance of a citation under this ordinance.
- D. Use of skateboards, roller skates and inline skates at the same time as bicycles and scooters is prohibited. Users of skateboards, roller skates and inline skates shall have priority in the usage of the Skate Park over users of other permitted coasting devices, such as bicycles and scooters.
- E. The use of motorized vehicles within the Skate Park is prohibited.
- F. Children under 14 years of age are welcome to use the Skate Park, but must be accompanied by an adult at least 18 years of age to supervise them.
- G. It is unlawful for any person who is operating any coasting device on public sidewalks and parking areas on GCSD property to fail to yield the right-of-way to all pedestrians within or approaching the area or to use said device in such a manner which endangers the safety of any other person or property.
- H. It is unlawful for any person to use or operate a coasting device on any public park, playground or recreation area or other public property in which there are posted signs prohibiting the use of said coasting devices.
- I. It is unlawful for any person to operate or use or occupy the Skate Park before 7:00 a.m. or after dusk.
- J. It is unlawful to use alcoholic beverages and tobacco products while within the Skate Park facility or within fifty (50) feet of the Skate Park facility.
- K. No glass containers or food are permitted within the Skate Park facility.
- L. Additional ramps, jumps, obstacles, or any other equipment may not be brought into the Skate Park.
- M. No spectators are allowed within the Skate Park facility. Benches are provided outside the Skate Park facility for spectators.

- N. Use of the Skate Park is prohibited when conditions are unsafe. Examples of unsafe conditions include wet and/or icy surfaces or ramps, jumps, obstacles or rails that are unsecured. Unsafe conditions or damage to facility should immediately be reported to GCSD at (209) 962-7161. In an emergency, call 911.
- O. Persons using permitted coasting devices are considered pedestrians under the California Vehicle Code and are subject to all restrictions as outlined in said Vehicle Code when traveling on a road or sidewalk.
- P. Any damage, graffiti and/or littering, or other abuse to the Skate Park facilities may result in the closure of the Skate Park. Parents may be held financially responsible for damages caused by the inappropriate actions or activities of their children in or around the Skate Park.
- Q. Violation of these rules may result in the closure of the Skate Park. Individuals not abiding by these rules may be cited and fined pursuant to the provisions of *Government Code Section 61064*. Violation of these rules may also result in restriction from further use of the Skate Park facility after an administrative hearing.
- R. It shall be unlawful and a violation of this ordinance for any individual to damage, deface, destroy or alter any such sign posted within the Skate Park facility. GCSD reserves the right to revoke the use of the Skate Park and to amend the rules as needed from time to time.

910 Leon Rose Ball Field

910.1 Rules and Regulations

- A. It shall be unlawful to consume alcoholic beverages of any kind in dugouts or on the Ball Field.
- B. No food or beverages shall be brought onto the premises when concession stand operation is scheduled.
- C. No horses, dogs, or other animals shall be allowed on the ball field.
- D. All children under the age of 18 years shall be supervised by an adult at all times.
- E. Use of metal cleats on the field is strictly prohibited
- F. Field Lights shall be turned off by 10:30 p.m. and the premises shall be secured and vacated by 11:00 p.m.

911 Groveland Dog Park

911.1 Rules and Regulations

- A. All users are required to obtain a Dog Park Permit from the GCSD Administration Office prior to entry.
- B. Owners must cleanup their dog's waste and dispose it in the provided trash receptacles.
- C. Dogs must be leashed when entering and exiting the Dog Park
- D. Owners must carry a leash and leash their dog at the first sign of aggression.
- E. Dogs must wear collars which display their current rabies tag and dog license.
- F. Owners must keep their dog in view and under control at all times. Owners are responsible for any injury or damage to property, other dogs, or the public.
- G. Owners must leave unhealthy dogs and those in heat at home.
- H. Owners are recommended to not let puppies under six months of age use the Dog Park.
- I. Children under the age of 12 must be accompanied by an adult when using the Dog Park.
- J. Dog treats are permitted; please refrain from bringing other food items into the Dog Park.
- K. All state, county, and GCSD ordinances will be enforced.

911.2 Dog Park Permit Fees

The Board of Directors has established a fee to use the Groveland Dog Park. These fees are used to off-set the costs associated with operating and maintaining the Dog Park facilities. Dog Park access is by permit, which can be obtained from the District Administration Office. Dog Park permit fees are contained in the Administrative Procedures Manual— Schedule of Fees for Parks Department Facilities. The following is required to obtain a Dog Park permit:

- A. A current rabies certificate and dog license from the county in which the dog is registered.
- B. The name, address, phone number and email address of the dog's registered owner.
- C. Payment of the appropriate annual permit fee, per the current Schedule of Fees. The permit shall be issued on annual basis that covers the period from January 1st through December 31st.
- D. The permit must be worn by owner (or person supervising the dog in the absence of the owner).

SECTION 1000 MISCELLANEOUS POLICIES & PROCEDURES

1001 Water Conservation & Drought Management Policies

The District is committed to promoting water conservation. This policy is presented in the District's Urban Water Management Plan, which is maintained under separate cover. The Urban Water Management Plan is made part of the District's Policy Manual by reference.

1002 Strict Safety Program

1002.1 Strict Safety Program

The District is committed to strict safety programs. This policy is presented in the District's Injury and Illness Prevention Program (IIPP). This policy has been developed in consultation with the California Occupational Safety and Health Administration and the District's insurance carrier. The IIPP is made part of the District's Policy Manual by reference.

1003 Electronic Signature Use Policy

Adopted: July 14, 2020, by Resolution 33-2020

1003.1 Policy and Purpose

This eSignature Policy shall be used by the Groveland Community Services District ("District") to increase productivity and ensure convenient, timely, and appropriate access to District information by using electronic signature technology to collect and preserve signatures on documents quickly, securely, and efficiently.

This Policy applies to documents requiring a signature of any person where the signature is intended to show authorship, approval, authorization, or certification, as allowed by law. It is the policy of the District to encourage the use of electronic signatures in all internal and external activities, documents, and transactions where it is operationally feasible to do so, where existing technology permits, and where it is otherwise appropriate based on District preferences. In such situations, affixing an electronic signature to a document in a manner consistent with this Policy shall satisfy the District's requirements for signing a document.

While the use of electronic signatures is suggested and encouraged, this Policy does not require the use electronic signatures, nor can the District mandate that any third party signing a document use electronic signatures.

Requirements of eSignature

The use of electronic signatures is permitted and shall have the same force and effect as the use of a “wet” or manual signature if all the following criteria are met:

1. The electronic signature is unique to the person using it.
2. The electronic signature is capable of verification.
3. The electronic signature is under the sole control of the person using it.
4. The electronic signature is linked to the data in such a manner that if the data is changed after the electronic signature is affixed, the electronic signature is invalidated.

Electronic Signature is the broad umbrella category under which all electronic signatures fall. The legality and use of Electronic Signatures are governed by federal and state law. (See 15 U.S.C. §§ 7001, et seq. [U.S. Federal Electronic Signatures in Global and National Commerce Act]; California Government Code §16.5; California Civil Code §§ 1633.1, et seq.

1004 Legislative Advocacy Policy

Adopted: April 12, 2019, by Resolution 26-2019

1004.1 Purpose

The purpose of the policy is to guide Groveland Community Services District officials and staff in considering legislative or regulatory proposals that are likely to have an impact on GCSD, and to allow for a timely response to important legislative issues. Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited,(1) the expenditure of public funds is allowed to advocate for or against proposed legislation or regulatory actions which will affect the public agency expending the funds. (2)

1. Cal. Gov. Code § 54964.
2. Cal. Gov. Code § 53060.5; *Stanson v. Mott* (1976) 17 Cal. 3d 206.

The purpose for identifying Legislative Advocacy Procedures is to provide clear direction to GCSD staff with regard to monitoring and acting upon bills during state and federal legislative sessions.

Adherence to Legislative Advocacy Procedures will ensure that legislative inquiries and responses will be administered consistently with “one voice” as to the identified Advocacy Priorities adopted by the Board of Directors. The Legislative Advocacy Procedures and Advocacy Priorities will provide the GCSD General Manager, or other designee, discretion to advocate in GCSD best interests in a manner consistent with the goals and priorities adopted

by the Board of Directors. This policy is intended to be manageable, consistent, and tailored to the specific needs and culture of GCSD.

Policy Goals

- Advocate the District's legislative interests at the State, County, and Federal levels.
- Inform and provide information to the Board of Directors and district staff on the legislative process and key issues and legislation that could have a potential impact on the district.
- Serve as an active participant with other local governments, the California Special Districts Association, and local government associations on legislative and regulatory issues that are important to the district and the region.
- Seek grant and funding assistance for Groveland Community Services District projects, services, and programs to enhance services for the community.

Policy Principles

The Board of Directors recognizes the need to protect GCSD's interests and local control, and to identify various avenues to implement its strategic and long-term goals. It is the policy of Groveland Community Services District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Directors.

This policy provides Groveland Community Services District General Manager, or other designee, the flexibility to adopt positions on legislation in a timely manner, while allowing the Board of Directors to set Advocacy Priorities to provide policy guidance. The Board of Directors shall establish various Advocacy Priorities and, so long as the position fits within the Advocacy Priorities, staff is authorized to take a position without board approval. Whenever an applicable Advocacy Priority does not exist pertaining to legislation affecting the Groveland Community Services District, the matter shall be brought before the Board of Directors at a regularly scheduled board meeting for formal direction from the Board of Directors. The Board of Directors may choose to establish a standing committee of two Directors, known as the "Legislative Advocacy Committee", with the authority to adopt a position when consideration by the full Board of Directors is not feasible within the time-constraints of the legislative process.

Generally, the Groveland Community Services District will not address matters that are not pertinent to the district's local government services, such as social issues or international relations issues.

Legislative Advocacy Procedures

It is the policy of Groveland Community Services District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Directors. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by the Groveland Community Services District.

Monitoring legislation is a shared function of the Board of Directors and General Manager or designated staff. The Legislative Advocacy Procedures are the process by which staff will track and respond to legislative issues in a timely and consistent manner. The General Manager, or other designee, will act on legislation utilizing the following procedures:

1. The General Manager or other designee shall review requests that the Groveland Community Services District take a position on legislative issues to determine if the legislation aligns with the district's current approved Advocacy Priorities
2. The General Manager or other designee will conduct a review of positions and analysis completed by the California Special Districts Association and other local government associations when formulating positions.
3. If the matter aligns with the approved priorities, Groveland Community Services District response shall be supplied in the form of a letter to the legislative body reviewing the bill or measure. Advocacy methods utilized on behalf of the district, including but not limited to letters, phone calls, emails, and prepared forms, will be communicated through the General Manager or designee. The General Manager or designee shall advise staff to administer the form of advocacy, typically via letters signed by the General Manager, or designee, on behalf of the Board of Directors.
4. All draft legislative position letters initiated by the General Manager or designee shall state whether the district is requesting "support", "support if amended", "oppose", or "oppose unless amended" action on the issue, and shall include adequate justification for the recommended action. If possible, the letter should include examples of how a bill would specifically affect the district, e.g. "the funding the district will lose due to this bill could pay for X capital improvements."
 - a. Support – legislation in this area advances the district's goals and priorities.
 - b. Oppose – legislation in this area could potentially harm, negatively impact or undo positive momentum for the district, or does not advance the district's goals and priorities.

5. The General Manager may also provide a letter of concern or interest regarding a legislative issue without taking a formal position on a piece of legislation. Letters of concern or interest are to be administered through the General Manager or designee.
6. When a letter is sent to a state or federal legislative body, the appropriate federal or state legislators representing the [DISTRICT] shall be included as a copy or “cc” on the letter. The appropriate contacts at the California Special Districts Association and other local government associations, if applicable, shall be included as a cc on legislative letters
7. A position may be adopted by the General Manager or designee if any of the following criteria is met:
 - i) The position is consistent with the adopted Advocacy Priorities
 - ii) The position is consistent with that of organizations to which the district is a member, such as the California Special Districts Association; or
 - iii) The position is approved by the Board of Directors [or the Legislative Advocacy Committee].
8. All legislative positions adopted via a process outside of a regularly scheduled Board Meeting shall be communicated to the Board of Directors at the next regularly scheduled Board Meeting. When appropriate, the General Manager or other designee will submit a report (either written or verbal) summarizing activity on legislative measures to the Board of Directors.

Advocacy Priorities

Revenue, Finances, and Taxation

Ensure adequate funding for special districts’ safe and reliable core local service delivery. Protect special districts’ resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies. Protect and preserve special districts’ property tax allocations and local flexibility with revenue and diversify local revenue sources.

Support opportunities that allow the district to compete for its fair share of regional, state, and federal funding, and that maintain funding streams. Opportunities may include competitive grant and funding programs. Opportunities may also include dedicated funding streams at the regional, state, or federal levels that allow the district to maximize local revenues, offset and leverage capital expenditures, and maintain district goals and standards.

Governance and Accountability

Enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits all approaches. Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preferences of each community.

Oppose additional public meeting and records requirements that unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government agencies.

Promote local-level solutions, decision-making, and management concerning service delivery and governance structures while upholding voter control and maintaining LAFCO authority over local government jurisdictional reorganizations and/or consolidations.

Human Resources and Personnel

Promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees.

Maintain special districts' ability to exercise local flexibility by minimizing state mandated contract requirements. Oppose any measure that would hinder the ability of special districts to maximize local resources and efficiencies through the use of contracted services.

Infrastructure, Innovation, and Investment

Encourage prudent planning for investment and maintenance of innovative long-term infrastructure. Support the contracting flexibility and fiscal tools and incentives needed to help special districts meet California's changing demands. Promote the efficient, effective, and sustainable delivery of core local services. Prevent restrictive one-size-fits-all public works requirements that increase costs to taxpayers and reduce local flexibility.

As public agency employers, support policies that foster productive relationships between management and employees. Maintain special districts' ability to exercise local flexibility by minimizing state mandated contract requirements. Oppose any measure that would hinder the ability of special districts to maximize local resources and efficiencies through the use of contracted services.

1005 District Social Media Policy

Adopted: April 11, 2023, by Resolution 15-2023

1005.1 Purpose

The purpose of this Policy is to establish the goals of the District for social media use, provide criteria for choosing social media outlets, identify employees who will represent the District through these outlets, and the type of information that will be conveyed via social media.

The District's presence on social media is not intended to be the primary source of communication with the public and is intended to serve as an extension of the District's communications and outreach efforts, jointly overseen by the General Manager and Administrative Services Manager or their designees. Social media includes any internet-based networking site, including, but not limited to, blogs, Facebook, Twitter, YouTube, LinkedIn, Instagram, and NextDoor.

There are two main purposes for GCSD to have a presence on social media:

1. To disseminate time-sensitive information as quickly as possible, such as in the event of an emergency;
2. To increase awareness and understanding of the services provided by the District by increasing the ability to broadcast its message to the widest possible audience.

Social media is, by nature, interactive. It is inherently less controllable than traditional media and should be undertaken with full awareness that not all comments and conversations will show the District in a positive light. In addition, by creating a presence on social media, the District is potentially creating a community of users who can talk to each other about the District. However, it is an important opportunity to engage the community in a dynamic conversation, quickly convey information, and to address any comments about District programs and services through conversations that are taking place on social media. It affords two-way communication opportunities that are difficult to create through more traditional communication mediums.

1005.2 Policy

1. All District social media sites shall be (1) approved for content by the General Manager or their designee; and (2) approved for safe and responsible use by the Information-Instrumentation Systems Manager.

2. District Administration, Operations and Maintenance departments will work together to use social media proficiently, effectively, and safely to communicate District messages and have meaningful dialogue with the public on relevant topics.
3. Any users of GCSD's social media channels must comply with applicable federal, state, and local laws, and the District's Computer Use Policy. This includes adherence to established laws and policies regarding copyright, records retention, California Public Records Act, e-discovery laws, First Amendment, privacy laws, and information security policies established by the District, and therefore must be able to be managed, stored, and retrieved to comply with these laws.
4. The District reserves the right to restrict or remove any content that is deemed in violation of this policy
5. Each District social media site shall include an introductory statement which clearly states the purpose of the site as an informational outlet. All social media sites shall include an entry that clearly indicates that content posted or submitted for posting are subject to public disclosure.
6. All District social media sites shall clearly indicate that they are maintained by the District and shall have the District contact information prominently displayed.
7. The General Manager shall name a designee to monitor content on social media to ensure adherence to this policy, appropriate messaging, consistent branding, and consistency with the Districts goals.
8. Social media pages will be monitored regularly but not continuously.
9. The District will attempt to reply to comments where appropriate, necessary and possible considering staff time constraints.
10. Comments that are offensive, contain profanity, are from vendors, or spam, will be removed immediately.
11. Any employee who discovers negative comments about the District on the District's, or other, social media sites should notify the General Manager or their designee immediately in order to correct misinformation.

POSTING GUIDELINES:

One of the main goals of social media is to create a voice for the District. As such, it is important that content be posted in a similar context or tone across District social media outlets. The General Manager or their designee will work with authorized users to identify the tone and review posts to ensure they align with the voice the District is working to convey.

Authorized users are to follow these guidelines when interacting on District social media sites:

- Double check the facts before posting to a site;
- Maintain professionalism, honesty, and respect;
- The tone of social media content is often informal, however staff is encouraged to adhere to the District's more formal writing style whenever possible;
- Some questions cannot and should not be answered on social media. It may be more appropriate to ask the poster (person) to contact the District directly.

TRANSPARENCY:

GCSD is committed to using social media to enhance transparency and open communications with customers and the general public. In doing such, the General Manager or their designee will not remove any comments from the public that are negative or disparaging to the District unless the post:

- Contains profane, obscene, or pornographic content and/or language;
- Promotes, fosters, or perpetuates discrimination;
- Makes threats to any person or organization, is defamatory, or is a personal attack;
- Is irrelevant to the topic being discussed.

SOCIAL MEDIA SITES (as of 2023)

Facebook Instagram NextDoor

SCHEDULE OF FEES FOR SERVICES

The District Board of Directors may establish and periodically amend fees for using the various park facilities managed by the District. These facilities include Mary Laveroni Community Park, Leon Rose Ball Field, and the Groveland Dog Park.

Use of the Park for special events is on a first-come-first-served basis. Large events are defined as those in which more than 500 people are in attendance. Use Fees and Deposit Fees must be separate checks.

GROVELAND COMMUNITY SERVICES DISTRICT

Fee Schedule for Fiscal Year 2025-2026

WATER AND SEWER MONTHLY CHARGES

Water Monthly Fixed Rate Service Charges		
Meter Size	EMU Ratio	Monthly Charge
5/8-3/4-inch	1.0	\$45.56
1.0 inch	1.6	\$70.26
1.5 inch	2.6	\$132.03
2.0 inch	3.5	\$206.15
3.0 inch	5.5	\$403.81
4.0 inch	7.8	\$626.17

Water Usage Variable Rate Charges		
Gallons Used per Month	Usage Charge per Gallon	Usage Rate Category
0 to 3300	\$.01247	Baseline Usage Rate
>3300	\$.02420	Peak Demand Usage Rate

Sewer Monthly Fixed Rate Service Charges	
Residential	Commercial
146.97	\$88.68

Sewer Usage Variable Rate Charges per Gallon	
	Commercial
	\$.01872

ADMINISTRATIVE SERVICE FEES

Establishment of Tenant Account	Charged to account per tenant agreement. Property owner must sign agreement with District to send bills to tenant of property. Owner is ultimately responsible for payment of water and/or sewer service to property.	\$43
Reestablishing Account in Owner's Name	Transfer of account back into owner's name once tenant vacates property	\$43
Overpayment Refund Request	Charged to account for each overpayment refund request. This charge is deducted from the credit for the fees associated with processing the refund check.	\$32

Customer Payment Processing Error	Processing fee for transfer of payment to correct account.	\$12
Administrative Fee	Administrative Correspondence	\$111
Inspection Labor Rate	Inspection Labor Rate Charged to a customer for District Staff to perform an inspection	\$111
Meter re-read/Re-inspection Fee	Charged to account for customer generated re-read of meter at service address. This charge is per service address. If at any time a re-read is a District error, the account will not be charged a re-read fee.	\$32
Meter Test Fee	Charged to account for customer generated meter test. If meter is found to be reading inaccurately, the account will not be charged a test fee.	\$32
Meter Final/Closing Read Fee	Charged to account for request of a final/closing read of meter at service address.	\$32
Meter Shut Off Fee	Charged to account when customer requests District turn meter off due to maintenance or other reasons	\$37
Meter Turn On Fee	Charged to account when customer requests meter be turned back on after maintenance complete or other reasons	\$37
New Water/Sewer Service Application	Charge for processing application to establish new water and/or sewer service connection	\$43
Engineering Request Processing Fee	Charge for processing engineering request documents	\$43
Copies	Public Records Requests	.25 per page or
Agenda Mailing Fee (Annual)	Required if requested, includes postage and envelope, assumes 12 monthly mailings	Actual Costs (Envelope and Postage)

COLLECTIONS PROCESSING FEES

Payment Returns/Chargebacks	Charged to account for each returned payment from the bank reasons such as process errors, invalid account number, closed account, fraudulent transactions, or non-sufficient funds (NSF).	\$37
Reconnection Fee during normal business hours	Charged to account for processing each service connection reconnection after shut off.	\$53
After Hours Service Fee	Charge to accounts for non-emergency services requested by customer after normal business hours. (ie. non lock-off meter turn-on/off)	\$159
Cut Lock/Removal Fee	Charged to account for each cut lock/removal	\$159
Denial Access Fee	Charged to account when access is intentionally denied to perform proper operation and maintenance to system, to enforce disconnection of service for non-payment and for the protection of public health. This includes locked gates, placement of vicious animals, placement of objects obstructing access, etc.	\$212

Placement of Lien Fee	Charged to account for processing each Notice of Lien on service connection property for non-payment	\$68
Satisfaction of Lien Fee	Charged to account for processing each Satisfaction of Lien on service connection property	\$68
Release of Lien	County pass-through fee for filing the satisfaction of lien	\$20
Late Payment Interest Penalty Fee	Charged on past due account balances not paid by due date	10%
Continued Interest on Past Due Balances	Charged on account balances over two billing cycles past due	1%
Removal of County Tax Roll Fee	Paid to the County when customer is placed on Tax Roll and pays the District directly	\$75

FIELD SERVICE WORK BY DISTRICT STAFF

Labor Rates	Per Man Per Hour
Construction and Hot Tap Labor Rate	\$ 106 Per Man Hour
Engineering Labor Rate	\$ 152 Per Man Hour
Inspection Labor Rate	\$111 Per man Hour

*Total fees will be based on a minimum of two (2) hours compensation.

DISTRICT EQUIPMENT RATES

Vehicle Type	Hourly Rate
Flush Truck	\$61 Per Hour +\$ 106 Per Man Hour
Vac Truck	\$61 Per Hour +\$ 106 Per Man Hour
Boom Truck	\$61 Per Hour +\$ 106 Per Man Hour
Service Truck	\$46 Per Hour + \$ 106 Per Man Hour
Bobcat Skid Steer	\$61 Per Hour + \$ 106 Per Man Hour
Backhoe	\$123 Per Hour +\$106 Per Man Hour
Excavator	\$112 Per Hour +\$106Per Man Hour
Sole Air Compressor	\$36 Per Hour + \$104 Per Man Hour
Vac-Con Truck	\$118 Per Hour + \$106 Per Man Hour

FIRE HYDRANT TEMPORARY US

Non-Refundable Service Charge for Flow Meter	\$106
Daily Hydrant Use Charge	\$5
Rental Deposit	Current Meter Replacement Cost
Charge per 100 Gallons	\$1.98
Flow Meter Relocation Charge	\$66

UNAUTHORIZED USE OF DISTRICT FIRE HYDRANT

Charge for Unauthorized Use of District Fire Hydrants (per occurrence, includes estimated water usage fees)	\$ 1,059
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DAMAGE TO DISTRICT FACILITIES (INCLUDING VANDALISM)

Facility/Infrastructure Repair, Replacement, Restoration or Clean Up Cost (Contracted or District labor)	Actual Cost + 15% Admin Fee
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CROSS CONNECTION CONTROL BACKFLOW PREVENTION FEES

Installation of Backflow Device	Charged for the installation of backflow prevention device	Actual device cost and labor charges
Annual Inspection Fee	Charged for annual backflow device inspection	\$171
Repair/Replace Backflow Device	Charge for the repair or replacement of failed backflow device	Actual material/device cost and labor charges
Annual Backflow Administration Fee	Charged to monitor, report, notify customers of testing needed, and associated recordkeeping	\$45

NEW METER CHARGES AND WATER SYSTEM PARTICIPATION FEES

Meter Size	EMU Multiplier	Participation Fees	Meter Install Charge
5/8-inch	1.0	\$1,827	Actual Device and Labor Charges
¾ inch	1.0	\$1,827	Actual Device and Labor Charges
1.0 inch	1.7	\$3,106	Actual Device and Labor Charges
1.5 inch	3.3	\$6,029	Actual Device and Labor Charges
2.0 inch	5.3	\$9,684	Actual Device and Labor Charges
3.0 inch	11.7	\$21,377	Actual Device and Labor Charges
4.0 inch	20.0	\$36,542	Actual Device and Labor Charges

SEWER SERVICE PARTICIPATION FEES

Participation/Connection Fee	\$7,000
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WATER/SEWER MAIN EXTENSION FEES

Subject to Development Agreement (Contracted Cost or District labor)	Actual cost + 15% Admin Fee
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ENGINEERING FEES

District Engineer Fee (Applicant/Customer requests requiring engineering review; contract hourly rate +15%)		\$152/hr
Easement Abandonment Requests (site inspection, records research, documentation)	Non-Refundable Application Fee	\$254
	Actual District Engineer Fees	At District Engineer Hourly Rate (Deducted from \$575 Refundable Deposit)
Easement Acceptance Requests (as a Condition of PUE Abandonment)	Application Fee	\$106
	Title Report and County Recording Fees	Actual Cost
Encroachment Permit Encroachment Permit Continued	Non-Refundable Application Fee	\$254
	Non-Refundable Administration Fee	\$111
	County Recording Fees	Actual Recording Cost
	Actual District Engineer Fees	At District Engineer Hourly Rate (Deducted from \$575 Refundable Deposit)
Service Application for New Development Projects	Non-Refundable Application Fee	\$212
	Non-Refundable Administration Fee	\$529
	Actual District Engineer Fees	At District Engineer Hourly Rate (Deducted from \$2500 Refundable Deposit)
Special District Construction Application	Non-Refundable Application Fee	\$130
	Additional time – as needed	\$87/hr
	Inspection Fee – as needed	\$111

PARK FEES

PARK DAY USE FEES	
0-100 People	\$35/day
101-300 People	\$50/day
301-500 People	\$150/day
500 or more “Large Event or PSPS Community Resource Center Fee”	\$500/day
Picnic Area	\$50.00/day
Food Vendor	\$50/weekday, \$75 / weekend day \$275/week \$500/month

JANITORIAL SERVICES	
0-100 Janitorial Services (minimum two (2) hours)	\$110
101-300 Janitorial Services (minimum three (3) hours)	\$140
301-500 Janitorial Services (minimum three (3) hours)	\$170
500 or more Janitorial Services "Large Event" (Required)	\$250
LEON ROSE BALL FIELD USE FEES (NON-REFUNDABLE)	
Ball Field	\$50 /day
Field Lights	\$40/night
Janitorial Services	\$55/visit
Baseball Field - Season	\$1,000.00
District Staff Time During Event	\$41/hour per person
Leon Rose Deposit Fee (REFUNDABLE)	
Small Event Security Deposit	\$100.00 per event
Large Event Security Deposit	\$500.00 per event
DISTRICT PROPERTY USE FEES	
District Chairs	\$35/day
District Tables	\$35/day
Concession Stand	\$50/day
Lost Key Fee	\$25 each
Damaged/Lost Chair Fee	\$50
Damage/Lost Table Fee	\$205
CONCESSION STAND EQUIPMENT USE FEE	
Popcorn Machine	\$75 Day Rate/ Deposit \$500
Nacho Cheese Machine	\$115 Day Rate/ Deposit \$500
Chili Machine	\$115 Day Rate Deposit \$500
Cotton Candy Machine	\$115 Day Rate/ Deposit \$500
DOG PARK USE FEES	
1-2 Dogs	\$26 Per 2 Dogs Per Calendar Year + \$10 Per Additional Dog

