

**LA HABRA HEIGHTS COUNTY
WATER DISTRICT**

BOARD MEETING

AUGUST 27, 2024

**AGENDA FOR REGULAR MEETING
BOARD OF DIRECTORS
LA HABRA HEIGHTS COUNTY WATER DISTRICT
August 27, 2024 @ 4:00PM**

- 1. Roll call of Directors by Secretary**
- 2. Notation of staff members and others present**
- 3. Public Communications** (Comments will be limited to 3 minutes)
- 4. Directors Report – Individual, Subcommittees and/or Attended Events**
- 5. Consent Items:** It is recommended these items be acted upon simultaneously unless separate discussion or action is requested by a member of the public or a Director.
 - a. Minutes of Regular Board Meeting for July 23, 2024 (approve)
 - b. Financial Reports – July 2024 (approve)
- 6. Approval of warrants and authorize signatures per warrant list**
- 7. Report of Superintendent**
- 8. Report and recommendations of General Manager:**
 - a. Discuss and Approve – GK Consulting services budget increase proposal for EPA grant application assistance
 - b. Discuss and Adopt – Resolution 24-09 Employee Policies and Procedures Manual Revisions
 - c. Discuss and Adopt- Resolution 24-10 Request for L. A. County. Board of Supervisors appointment of LHHCWD Directors in lieu of an election.

- d. Discuss and Approve – Public Employee Appointment

Title: General Manager/Secretary

9. Closed Session

a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code section 54956.8

Property: Real property subject to license no. 516436, dated June 1, 1918, between BNSF Railway Company and La Habra Heights County Water District, covering a site for a thirty-inch water line from Railway Company's Mile Post 153.11 to 153.42 in Los Nietos, Los Angeles County, California.

Agency negotiator: Joe Matthews, General Manager and Michael Silander, General Counsel

b. PUBLIC EMPLOYEE APPOINTMENT

Government Code section 54957

Title: General Manager/Secretary

10. Adjournment

Any documents that are provided to the Board of Directors regarding items on this agenda less than 72 hours prior to this meeting will be available for public inspection at the front counter of the District office located at 1271 N. Hacienda Road, La Habra Heights, California 90631

MINUTES

MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS
LA HABRA HEIGHTS COUNTY WATER DISTRICT
July 23, 2024

A regular meeting of the Board of Directors of La Habra Heights County Water District was held on July 23, 2024, at 4:00 p.m., at the office of the District, located at 1271 North Hacienda Road, La Habra Heights.

Item 1. Roll call of Directors by Secretary/General Manager, Joe Matthews.

PRESENT: Directors Baroldi, Cooke, Crabb, Perumean and McVicar

ABSENT: None

Item 2. Staff members and others present. Staff: Joe Matthews, Secretary/General Manager, Tammy Wagstaff, Treasurer, and Ivan Ramirez, Superintendent. Others present; Michael Silander, Attorney at Law, Yvette Stevenson-Rodriguez, President of the Board of Directors for Orchard Dale Water District, David Byrum, Civiltec Engineering Inc., Mike Parra and Mike Hill, Highroad IT, and Michael Gualtieri.

Item 3. Public Communications – None

Item 4. Directors Report – Individual, Subcommittees, and/or Attended Events. –

Director McVicar will not be able to attend Investment committee meeting and board meeting in September 2024. She discussed Wells Fargo issue and request to update Directors who are absent at a meeting if an item is added to agenda after as emergency items.

Director Crabb stated he filed his candidate statement for the upcoming election.

Item 5.a. Minutes of Regular Meeting for June 25, 2024. After discussion, there was a motion by Director McVicar and seconded by Director Baroldi to approve minutes:

AYES: Directors Baroldi, Cooke, Crabb, and Perumean

NOES: None

ABSTAINED: Director McVicar

ABSENT: None

Item 5.b. & C. Financial Reports- June 2024 and Status of Investments June 2024. After discussion, there was a motion by Director Perumean and seconded by Director Crabb to approve the financial report and status of investments. The vote was as follows:

AYES: Directors Baroldi, Cooke, Crabb, McVicar and Perumean

NOES: None

ABSENT: None

Item 6.a. Discuss and Approve – Managed IT Services Statement of Work proposal for FY 24-25 from Highroad Information Technology. After discussion, there was a motion by Director McVicar and seconded by Director Baroldi to approve work proposal for FY 24-25. The vote was as follows:

AYES: Directors Baroldi, Cooke, Crabb, McVicar and Perumean

NOES: None

ABSENT: None

Item 6.b. Discuss and Approve – Civiltec Engineering PFAS Treatment Plant Engineering Proposal. After discussion, there was a motion by Director McVicar and seconded by Director Baroldi to approve PFAS treatment plant engineering proposal. The vote was as follows:

AYES: Directors Baroldi, Cooke, Crabb, McVicar and Perumean

NOES: None

ABSENT: None

Items 6.c. Discuss and Approve – Civiltec Engineering request to increase budget for Reservoir 10A Rehab. After discussion, there was a motion by Director Cooke and seconded by Director Perumean to approve request to increase budget for Reservoir 10A Rehab. The vote was as follows:

AYES: Directors Baroldi, Cooke, Crabb, McVicar and Perumean

NOES: None

ABSENT: None

6.d. Discuss and Approve – LAFCO Joint Resolution. After discussion, there was a motion by Director Cooke and seconded by Director McVicar to approve LAFCO Joint Resolution. The vote was as follows:

AYES: Directors Baroldi, Cooke, Crabb, McVicar and Perumean

NOES: None

ABSENT: None

Item 7. Approval of warrants and authorized signatures per warrant list. After discussion, there was a motion made by Director McVicar and seconded by Director Baroldi that the warrant numbers 47017 through 47089 in the amount of \$550,445.35 and EFT transfers in the amount of \$13,614.26 be approved and signatures be authorized. Warrants number 47023 and 47037 were voided. The vote was as follows:

AYES: Directors Baroldi, Cooke, Crabb, McVicar and Perumean

NOES: None

ABSENT: None

Item 8. Report of Superintendent. Ivan Ramirez informed two service leaks and one main leak was repaired. Repaired mainline leak on Greenview. Replaced our galvanized shop water line; asphalt and concrete are the only items left for completion. Sand blasting of the inside of tank 10A continues, and the welding of staircase and railings on top of the tank have begun. Tank piping replacement is set to start after the welders are finished.

(Director Perumean left the meeting at 6:10 p.m.)

(The closed session began at 6:34 p.m. and ended at 6:42 p.m.)

Item 9.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:
In re: Aqueous Film-Forming Foams Products Liability. Case No. 2:18-mn-2873-RMG, pending in the United States District Court for the District of South Carolina, Charleston Division. Discussion of existing litigation pursuant to Government Code section 54956.9, paragraph (1) of subdivision (d). No reportable action was taken.

Item 9.b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code section 54956.8

Property: Real property subject to license no. 516436, dated June 1, 1918, between BNSF Railway Company and La Habra Heights County Water District, covering a site for a thirty-inch water line from Railway Company's Mile Post 153.11 to 153.42 in Los Nietos, Los Angeles County, California.

Agency negotiator: Joe Matthews, General Manager, and Michael Silander, General Counsel. No reportable action was taken.

Item 9.c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code section 54956.8

AT & T cell tower lease offer on a portion of Reservoir 10A property, APN parcel(s) 8239-031-900, 8239-031-902, 8239-031-901, and 8239-031-903.

Agency negotiators: Joe Matthews, General Manager, and Michael Silander, District Counsel.

Negotiating parties: La Habra Heights County Water District and AT&T. No reportable action was taken.

Item 10. There being no further business to come before the Board, a motion was made by Director Cooke and seconded by Director McVicar that the meeting be adjourned at 6:42 p.m. The vote was as follows:

AYES: Directors Baroldi, Cooke, Crabb, and McVicar

NOES: None

ABSENT: Director Perumean

Dated: August 27, 2024

Brad Cooke, President

(SEAL)

Joe Matthews, Secretary

FINANCIAL REPORT

LA HABRA HEIGHTS COUNTY WATER DISTRICT

STATEMENTS OF NET POSITION

July 31, 2023 and July 31, 2024

	2023	2024
<u>ASSETS:</u>		
<u>Current Assets:</u>		
CASH-PETTY	300.00	300.00
CASH-CHECKING	1,200,108.31	784,050.28
CASH-SWEEP	-	409.71
INVESTMENT-LAIF	4,942,811.51	5,112,910.71
INVESTMENT-TREASURY BILLS	-	1,026,170.36
ACCOUNTS RECEIVABLE-WATER	457,249.24	521,566.22
ACCOUNTS RECEIVABLE-OTHER	314,795.56	311,206.42
TAXES RECEIVABLE	35,975.00	-
LEASE RECEIVABLE	-	127,183.86
ACCRUED INTEREST RECEIVABLE	13,821.00	19,312.00
INVENTORY	186,674.71	237,828.76
PREPAID EXPENSES	69,498.17	83,312.02
Total Current Assets	7,221,233.50	8,224,250.34
<u>Noncurrent Assets:</u>		
<u>Capital Assets:</u>		
LAND	532,743.65	532,743.65
WATER RIGHTS	1,640,490.80	1,640,490.80
SOURCE OF SUPPLY	2,271,079.60	2,278,699.92
PUMPING PLANT	1,637,877.77	1,668,932.77
TRANSMISSION & DISTRIBUTION	26,531,206.99	26,552,921.13
GENERAL PLANT	1,648,500.03	1,656,096.36
CONSTRUCTION IN PROGRESS	117,728.50	800,796.43
Total Capital Assets	34,379,627.34	35,130,681.06
Accumulated Depreciation	(19,211,818.28)	(19,729,105.08)
Net Capital Assets	15,167,809.06	15,401,575.98
<u>Other Noncurrent Assets:</u>		
CONSTRUCTION ADVANCE RECEIVABLE	9,960.19	-
INVESTMENTS-CAL DOMESTIC WATER CO	591.00	591.00
LEASE RECEIVABLE	2,417,140.11	2,166,958.76
Total Other Noncurrent Assets	2,427,691.30	2,167,549.76
Total Assets	24,816,733.86	25,793,376.08
DEFERRED OUTFLOWS OF RESOURCES- Deferred amount from pension plan	771,900.00	853,967.00
DEFERRED OUTFLOWS OF RESOURCES- Deferred amount from OPEB	225,139.00	185,895.00
Total Deferred Outflows of Resources	997,039.00	1,039,862.00

LA HABRA HEIGHTS COUNTY WATER DISTRICT

STATEMENTS OF NET POSITION

July 31, 2023 and July 31, 2024

	2023	2024
LIABILITIES		
Current Liabilities:		
ACCOUNTS PAYABLE	481,890.31	845,331.45
CURR PORTION-LONG TERM DEBT	61,359.75	-
ACCRUED INTEREST-CONTRACT PAYABLE-D/G	122.45	-
DEPOSITS-CUSTOMERS	1,167.50	2,649.50
DEPOSITS-CONSTRUCTION	4,500.00	13,500.00
ACCRUED PROPERTY TAXES	-	-
ACCRUED PAYROLL	-	-
ACCRUED EMPLOYEE BENEFITS	157,407.33	121,805.03
DEFERRED RENTAL INCOME	-	-
ACCRUED RETIREMENT CONTRIBUTIONS	-	-
NET OPEB OBLIGATION	1,038,484.00	1,076,358.00
NET PENSION LIABILITY	1,248,389.00	1,431,442.00
Total Current Liabilities	2,993,320.34	3,491,085.98
Total Liabilities	2,993,320.34	3,491,085.98
 DEFERRED INFLOWS OF RESOURCES- Deferred amounts from pension plan	25,928.00	176,276.00
DEFERRED INFLOWS OF RESOURCES- Deferred amounts from OPEB	1,014,037.00	914,390.00
DEFERRED INFLOWS OF RESOURCES- Deferred amounts from Leases	2,407,071.85	2,285,211.37
Total Deferred Inflows of Resources	3,447,036.85	3,375,877.37
 Net Position:		
INVESTED IN CAPITAL ASSETS, NET RELATED DEBT	15,106,449.31	15,401,575.98
UNRESTRICTED	4,257,006.17	4,564,698.75
RESTRICTED	9,960.19	-
Total Net Position	19,373,415.67	19,966,274.73

LA HABRA HEIGHTS COUNTY WATER DISTRICT
STATEMENTS OF REVENUE, EXPENSES AND CHANGES IN NET POSITION
For One Month Ending July 31, 2023 and July 31, 2024

	Last Year Current Month Actual	Current Month Actual	Last Year YTD Actual	Current YTD Actual	Current Budget	Actual 7/31/2024 % of budget 2024/25
Operating Revenue:	483,257.71	547,014.68	483,257.71	547,014.68	5,871,412.00	9%
Operating Expenses:						
Source of Supply	182,354.58	201,288.89	182,354.58	201,288.89	2,145,853.00	9%
Pumping	1,918.63	5,920.48	1,918.63	5,920.48	133,523.00	4%
Treatment	4,427.44	6,346.76	4,427.44	6,346.76	77,146.00	8%
Transmission & Distribution	101,860.02	14,345.30	101,860.02	14,345.30	723,007.00	2%
Customer Accounts	5,210.69	6,799.82	5,210.69	6,799.82	199,040.00	3%
Administrative and General	177,747.14	214,499.26	177,747.14	214,499.26	1,851,365.00	12%
Capital Improvements	126,340.58	154,511.75	126,340.58	154,511.75	1,854,141.00	8%
Other	7,484.87	7,411.62	7,484.87	7,411.62	94,089.00	8%
TOTAL OPERATING EXPENSES	607,343.95	611,123.88	607,343.95	611,123.88	7,078,164.00	9%
OPERATING INCOME (LOSS)	(124,086.24)	(64,109.20)	(124,086.24)	(64,109.20)	(1,206,752.00)	5%
Non-Operating Revenues	26,654.63	31,413.50	26,654.63	31,413.50	1,351,095.00	2%
Non-Operating Expenses	122.45	-	122.45	-	14,424.00	0%
NET NON-OPERATING REVENUES (EXPENSES)	26,532.18	31,413.50	26,532.18	31,413.50	1,336,671.00	2%
NET INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS	(97,554.06)	(32,695.70)	(97,554.06)	(32,695.70)	129,919.00	-25%
SYSTEM BUY IN FEE			-	12,055.00		
CAPITAL CONTRIBUTIONS			-	-		
NET INCOME (LOSS) IN NET POSITION			(97,554.06)	(20,640.70)		
NET POSITION-BEGINNING OF YEAR			19,470,969.73	19,986,915.43		
NET POSITION-END OF PERIOD			19,373,415.67	19,966,274.73		

LA HABRA HEIGHTS COUNTY WATER DISTRICT

STATEMENTS OF REVENUE AND EXPENSES

For One Month Ending July 31, 2023 and July 31, 2024

	Last Year Current Month Actual 7/31/2023	Current Month Actual 7/31/2024	Last Year YTD Actual 7/31/2023	Current YTD Actual 7/31/2024	Current Budget 2024/25	Actual 7/31/2024 % of budget 2024/25 8%
OPERATING REVENUES						
SALES-WATER	278,454.38	327,077.52	278,454.38	327,077.52	3,238,075.00	10%
SALES-READINESS TO SERVE	202,169.76	215,162.05	202,169.76	215,162.05	2,564,254.00	8%
SALES-MISCELLANEOUS	2,633.57	4,775.11	2,633.57	4,775.11	34,462.00	14%
LEASE-WATER RIGHTS	-	-	-	-	34,621.00	0%
TOTAL OPERATING REVENUES	483,257.71	547,014.68	483,257.71	547,014.68	5,871,412.00	9%
OPERATING EXPENSES						
PURCHASED WATER	3,964.35	4,141.00	3,964.35	4,141.00	273,803.00	2%
GROUND WATER REPLENISHMENT ASSMT	121,824.00	122,325.04	121,824.00	122,325.04	1,105,821.00	11%
POWER	56,566.23	74,822.85	56,566.23	74,822.85	766,229.00	10%
TOTAL SOURCE OF SUPPLY	182,354.58	201,288.89	182,354.58	201,288.89	2,145,853.00	9%
LABOR-PUMPING	1,870.39	2,557.01	1,870.39	2,557.01	63,706.00	4%
MAINTENANCE-PUMPING	48.24	3,363.47	48.24	3,363.47	69,817.00	5%
TOTAL PUMPING	1,918.63	5,920.48	1,918.63	5,920.48	133,523.00	4%
MAINT & LABOR-TREATMENT	4,427.44	6,346.76	4,427.44	6,346.76	77,146.00	8%
TOTAL TREATMENT	4,427.44	6,346.76	4,427.44	6,346.76	77,146.00	8%
LABOR-TRANS & DISTRIBUTION	12,375.04	7,435.70	12,375.04	7,435.70	254,222.00	3%
MAINT-TRANS & DISTRIBUTION	59,928.06	11,322.27	59,928.06	11,322.27	270,102.00	4%
JOINT FACILITIES-WELL, LM CONDUIT&RES	45,070.58	11,420.09	45,070.58	11,420.09	403,284.00	3%
ORCHARD DALE PORTION	(15,513.66)	(15,832.76)	(15,513.66)	(15,832.76)	(204,601.00)	8%
TOTAL TRANSMISSION&DISTRIBUTION	101,860.02	14,345.30	101,860.02	14,345.30	723,007.00	2%
LABOR&MAINT-CUSTOMER ACCOUNTS	5,210.69	6,799.82	5,210.69	6,799.82	195,103.00	4%
UNCOLLECTIBLE ACCOUNTS	-	-	-	-	3,937.00	0%
TOTAL CUSTOMER ACCOUNTS	5,210.69	6,799.82	5,210.69	6,799.82	199,040.00	3%
TOTAL OTHER OPERATING EXPENSES	113,416.78	33,412.36	113,416.78	33,412.36	1,132,716.00	3%
TOTAL SOURCE OF SUPPLY & OPERATING EXPENSES	295,771.36	234,701.25	295,771.36	234,701.25	3,278,569.00	7%
ADMINISTRATIVE & GENERAL EXPENSES						
LABOR-FIELD-SICK,VAC,HOLIDAY	4,880.03	3,794.02	4,880.03	3,794.02	75,125.00	5%
WAGES-MANAGEMENT	5,799.26	5,978.77	5,799.26	5,978.77	158,194.00	4%
WAGES-OFFICE	11,010.67	11,672.85	11,010.67	11,672.85	296,395.00	4%
WAGES-MGMT&OFFICE-SICK,VAC,HOLIDAY	4,382.28	2,134.91	4,382.28	2,134.91	98,527.00	2%
OFFICE SUPPLIES	1,163.94	2,674.93	1,163.94	2,674.93	45,080.00	6%
AUTO SERVICE	3,633.00	4,924.82	3,633.00	4,924.82	52,853.00	9%
BANK SERVICE CHARGE	26.70	113.85	26.70	113.85	10,527.00	1%
DUES & SUBSCRIPTIONS	3,211.98	4,908.39	3,211.98	4,908.39	29,953.00	16%
BUILDING SERVICE	4,514.05	1,275.74	4,514.05	1,275.74	22,671.00	6%
OFFICE EQUIPMENT MAINT	4,820.41	3,179.79	4,820.41	3,179.79	39,519.00	8%
PROFESSIONAL SERVICES	8,484.90	11,378.00	8,484.90	11,378.00	114,604.00	10%
EDUCATION & MEETINGS	3,670.14	727.00	3,670.14	727.00	17,495.00	4%

LA HABRA HEIGHTS COUNTY WATER DISTRICT

STATEMENTS OF REVENUE AND EXPENSES

For One Month Ending July 31, 2023 and July 31, 2024

	Last Year Current Month Actual 7/31/2023	Current Month Actual 7/31/2024	Last Year YTD Actual 7/31/2023	Current YTD Actual 7/31/2024	Current Budget 2024/25	Actual 7/31/2024 % of budget 2024/25 8%
LEGAL	5,212.50	875.00	5,212.50	875.00	61,594.00	1%
UTILITIES	3,153.81	8,659.12	3,153.81	8,659.12	43,622.00	20%
ENGINEERING	504.00	260.00	504.00	260.00	37,995.00	1%
INSUR-AUTO, LIABILITY & PROPERTY	7,017.21	11,209.88	7,017.21	11,209.88	115,065.00	10%
INSUR-GROUP HEALTH & LIFE	15,223.23	16,866.23	15,223.23	16,866.23	223,968.00	8%
EMPLOYEE WORKERS COMPENSATION	156.72	548.24	156.72	548.24	31,273.00	2%
DENTAL	1,796.00	573.12	1,796.00	573.12	10,180.00	6%
RETIREMENT-CALPERS	3,361.77	4,969.55	3,361.77	4,969.55	160,053.00	3%
RETIREMENT-DEFERRED COMP	1,637.01	2,459.01	1,637.01	2,459.01	22,088.00	11%
RETIREMENT-CALPERS UNFUND ACCR LIAB	80,813.00	108,463.00	80,813.00	108,463.00	112,090.00	97%
MAINTENANCE-GENERAL PLANT	3,274.53	6,853.04	3,274.53	6,853.04	72,494.00	10%
CAPITAL IMPROVEMENTS	126,340.58	154,511.75	126,340.58	154,511.75	1,854,141.00	8%
PROPERTY TAXES	444.07	444.74	444.07	444.74	5,547.00	8%
PAYROLL TAXES	7,040.80	6,966.88	7,040.80	6,966.88	88,542.00	8%
TOTAL ADMIN & GENERAL EXP	311,572.59	376,422.63	311,572.59	376,422.63	3,799,595.00	10%
TOTAL OPERATING EXPENSES	607,343.95	611,123.88	607,343.95	611,123.88	7,078,164.00	9%
OPERATING INCOME (LOSS)	(124,086.24)	(64,109.20)	(124,086.24)	(64,109.20)	(1,206,752.00)	5%
NONOPERATING REVENUES						
INTEREST INCOME	13,821.00	20,021.05	13,821.00	20,021.05	202,727.00	10%
PROPERTY TAX INCOME	-	-	-	-	1,004,509.00	0%
RENT INCOME	11,303.32	10,556.92	11,303.32	10,556.92	126,683.00	8%
OIL ROYALTIES	980.31	835.53	980.31	835.53	12,982.00	6%
MISCELLANEOUS INCOME	550.00	-	550.00	-	4,194.00	0%
GAIN ON ASSET SOLD	-	-	-	-	-	0%
TOTAL NONOPERATING REVENUES	26,654.63	31,413.50	26,654.63	31,413.50	1,351,095.00	2%
NONOPERATING EXPENSES						
INTEREST EXPENSE-D/G LOAN	122.45	-	122.45	-	-	
LOSS ON INVESTMENT	-	-	-	-	-	0%
DIRECTORS FEES	-	-	-	-	9,900.00	0%
DIRECTORS EXPENSES	-	-	-	-	4,524.00	0%
ELECTION	-	-	-	-	-	0%
TOTAL NONOPERATING EXPENSES	122.45	-	122.45	-	14,424.00	0%
NET NONOPER REVENUES(EXPENSES)	26,532.18	31,413.50	26,532.18	31,413.50	1,336,671.00	2%
NET INCOME (LOSS) IN NET POSTION	(97,554.06)	(32,695.70)	(97,554.06)	(32,695.70)	129,919.00	-25%

WARRANTS

La Habra Heights County Water District
AP Check Register (Current by Bank)

8:44:36 AM

Check Dates: Greater than 7/3/2024

Check No.	Date	Status*	Vendor ID	Payee Name	Amount
BANK ID: 13100 - EFT TRANSFERS					13110

1002688955	07/18/24	M	0130	CALPERS	\$4,955.04
1002688956	07/18/24	M	0130	CALPERS	\$1,889.51
1002693471	07/24/24	M	0130	CALPERS	\$107,975.00
1002693475	07/24/24	M	0130	CALPERS	\$488.00
1002700229	08/01/24	M	0130	CALPERS	\$4,955.04
1002700230	08/01/24	M	0130	CALPERS	\$1,889.51
1002709727	08/14/24	M	0130	CALPERS	\$4,955.04
1002709728	08/14/24	M	0130	CALPERS	\$1,889.51
1002711311	08/16/24	M	0130	CALPERS	\$700.00
BANK 13100 REGISTER TOTAL:					\$129,696.65

BANK ID: 13110 - CHECKING- WELLS FARGO	13110
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47090	07/23/24	P	0139	ACWA/JPIA	\$1,539.59
47091	07/23/24	P	0385	ADMIRAL PEST CONTROL	\$93.00
47092	07/23/24	P	0176	AIR RESOURCES BOARD	\$2,205.00
47093	07/23/24	P	0011	BADGER METER, INC	\$828.93
47094	07/23/24	P	0013	CANNINGS HARDWARE	\$123.33
47095	07/23/24	P	0570	CAPIO	\$30.00
47096	07/23/24	P	0014	CENTRAL BASIN MWD	\$4,141.00
47097	07/23/24	P	0160	CENTRAL BASIN WATER ASSOC	\$1,464.04
47098	07/23/24	P	0432	CHARTER COMMUNICATIONS	\$599.00
47099	07/23/24	P	0441	CINTAS CORPORATION	\$107.20
47100	07/23/24	P	0145	CIVILTEC ENGINEERING INC	\$33,288.75
47101	07/23/24	P	0558	CONEXWEST	\$230.42
47102	07/23/24	P	0283	CONTINENTAL UTILITY SOLUTIONS	\$42.30
47103	07/23/24	P	ONETIM	CRAIG FIRE PREVENTION, INC.	\$46.75
47104	07/23/24	P	0464	ENVIROKLEEN USA	\$650.00
47105	07/23/24	P	0389	FRONTIER COMMUNICATIONS	\$838.95
47106	07/23/24	P	0124	G M SAGER CONSTRUCTION CO	\$20,682.60
47107	07/23/24	P	0569	GOTO COMMUNICATIONS, INC.	\$542.78
47108	07/23/24	P	0070	HARRINGTON INDUSTRIAL PLASTICS	\$322.43
47109	07/23/24	P	ONETIM	HIBA KHALIL	\$806.63
47110	07/23/24	P	0252	INFOSEND, INC	\$1,785.11
47111	07/23/24	P	0044	JIM BAUCHER	\$90.00
47112	07/23/24	P	0133	KONICA MINOLTA	\$277.58
47113	07/23/24	P	0127	LA HABRA HEIGHTS IMPROV ASSOC	\$35.00
47114	07/23/24	P	0051	LINCOLN FINANCIAL GROUP	\$3,385.45
47115	07/23/24	P	0453	MATTHEW CERDA	\$181.40
47116	07/23/24	P	0503	MICHELLE SAVAGE	\$187.20
47117	07/23/24	P	0534	ODP BUSINESS SOLUTIONS, LLC.	\$237.33
47118	07/23/24	P	0245	PASO ROBLES TANK, INC	\$117,395.30
47119	07/23/24	P	0431	POWER PLUS	\$2,200.49
47120	07/23/24	P	0495	PUBLIC WATER AGENCIES GROUP	\$875.00
47121	07/23/24	P	0175	QUINN COMPANY	\$13.60
47122	07/23/24	P	0258	S&J SUPPLY CO, INC	\$2,757.74
47123	07/23/24	P	0147	SAN GABRIEL VALLEY WATER CO	\$61.07
47124	07/23/24	P	0567	SOL CONSTRUCTION, INC.	\$23,943.80
47124	07/23/24	V	45496	SOL CONSTRUCTION, INC.	(\$23,943.80)
47125	07/23/24	P	0268	UNIVAR USA, INC	\$1,965.07
47126	07/23/24	P	0386	VERIZON WIRELESS	\$225.91
47127	07/23/24	P	0094	WECK LABORATORIES, INC	\$2,230.00
47128	08/01/24	P	0237	CALIFORNIA SCHOOL BOARDS ASSOC	\$1,500.00
47129	08/01/24	P	0013	CANNINGS HARDWARE	\$102.42
47130	08/01/24	P	0441	CINTAS CORPORATION	\$85.00
47131	08/01/24	P	ONETIM	CRAFTSMAN SEWERS	\$272.49
47132	08/01/24	P	0282	D&H WATER SYSTEMS	\$310.38
47133	08/01/24	P	ONETIM	DANA NAVARRO	\$16.50
47134	08/01/24	P	ONETIM	DBA MS CONSULTING ENGINEERING	\$45.37

La Habra Heights County Water District
AP Check Register (Current by Bank)

8:44:36 AM

Check Dates: Greater than 7/3/2024

47135	08/01/24	P	0124	G M SAGER CONSTRUCTION CO	\$4,500.00
47136	08/01/24	P	0070	HARRINGTON INDUSTRIAL PLASTICS	\$417.70
47137	08/01/24	P	0369	HIGHROAD INFO TECHNOLOGY	\$11,911.50
47138	08/01/24	P	ONETIM	JOHN LASCARI	\$16.50
47139	08/01/24	P	0572	LADYBUGS TERMITE& PEST CONTROL	\$790.00
47140	08/01/24	P	0051	LINCOLN FINANCIAL GROUP	\$3,385.45
47141	08/01/24	P	0430	MICHAEL SILANDER	\$5,150.00
47142	08/01/24	P	0174	MICHELLE PEREZ	\$100.80
47143	08/01/24	P	0534	ODP BUSINESS SOLUTIONS, LLC.	\$110.13
47144	08/01/24	P	0258	S&J SUPPLY CO, INC	\$812.91
47145	08/01/24	P	0415	SAMUEL MUNOZ	\$1,400.00
47146	08/01/24	P	0068	SOUTHERN CALIF EDISON CO	\$19,693.60
47147	08/01/24	P	0267	STAMPS BY MAIL	\$146.00
47148	08/01/24	P	0573	SUNSTATE EQUIPEMTN CO., LLC	\$150.06
47149	08/01/24	P	ONETIM	TAOC OF CALIFORNIA	\$22.00
47150	08/01/24	P	0078	UNDERGROUND SERVICE ALERT	\$796.76
47151	08/01/24	P	0386	VERIZON WIRELESS	\$484.35
47152	08/01/24	P	0094	WECK LABORATORIES, INC	\$1,383.00
47153	08/01/24	P	0068	SOUTHERN CALIF EDISON CO	\$19.97
47154	08/14/24	P	0116	ACWA-JPIA	\$17,229.26
47155	08/14/24	P	0139	ACWA/JPIA	\$39,961.53
47156	08/14/24	P	0353	ARCO BUSINESS SOLUTIONS	\$2,480.61
47157	08/14/24	P	0011	BADGER METER, INC	\$31,455.85
47158	08/14/24	P	0013	CANNINGS HARDWARE	\$338.59
47159	08/14/24	P	0432	CHARTER COMMUNICATIONS	\$599.00
47160	08/14/24	P	0441	CINTAS CORPORATION	\$109.39
47161	08/14/24	P	0558	CONEXWEST	\$230.42
47162	08/14/24	P	0283	CONTINENTAL UTILITY SOLUTIONS	\$14.90
47163	08/14/24	P	0164	EXCEL TELEMESSAGING	\$140.00
47164	08/14/24	P	0389	FRONTIER COMMUNICATIONS	\$925.99
47165	08/14/24	P	0519	GK CONSULTING	\$2,957.50
47166	08/14/24	P	0569	GOTO COMMUNICATIONS, INC.	\$325.48
47167	08/14/24	P	0369	HIGHROAD INFO TECHNOLOGY	\$957.35
47168	08/14/24	P	0153	HOME DEPOT CR SERVICES	\$768.05
47169	08/14/24	P	0252	INFOSEND, INC	\$3,604.11
47170	08/14/24	P	0033	J A SALAZAR CONSTRUCTION	\$9,400.00
47171	08/14/24	P	0044	JIM BAUCHER	\$260.00
47172	08/14/24	P	0133	KONICA MINOLTA	\$200.22
47173	08/14/24	P	0402	L G HOLDINGS, INC	\$3,315.00
47174	08/14/24	P	0001	LESLIE J. CONTRERAS	\$27.00
47175	08/14/24	P	0051	LINCOLN FINANCIAL GROUP	\$3,385.45
47176	08/14/24	P	0174	MICHELLE PEREZ	\$198.72
47177	08/14/24	P	0231	O'REILLY AUTO PARTS	\$27.61
47178	08/14/24	P	0534	ODP BUSINESS SOLUTIONS, LLC.	\$205.25
47179	08/14/24	P	0245	PASO ROBLES TANK, INC	\$306,563.47
47180	08/14/24	P	0363	RWS OF SOUTHERN CALIFORNIA	\$252.74
47181	08/14/24	P	0258	S&J SUPPLY CO, INC	\$316.25
47182	08/14/24	P	0470	SALINAS TIRES & WHEELS	\$2,403.00
47183	08/14/24	P	0415	SAMUEL MUNOZ	\$3,710.29
47184	08/14/24	P	0068	SOUTHERN CALIF EDISON CO	\$92,054.82
47185	08/14/24	P	0427	TPX COMMUNICATIONS	\$3,139.20
47186	08/14/24	P	0268	UNIVAR USA, INC	\$2,012.32
47187	08/14/24	P	0016	WATER REPLENISHMENT DISTRICT	\$93,631.05
47188	08/14/24	P	0094	WECK LABORATORIES, INC	\$265.00
47189	08/20/24	P	0385	ADMIRAL PEST CONTROL	\$93.00
47190	08/20/24	P	0013	CANNINGS HARDWARE	\$21.64
47191	08/20/24	P	0014	CENTRAL BASIN MWD	\$4,136.42
47192	08/20/24	P	0464	ENVIROKLEEN USA	\$650.00
47193	08/20/24	P	0124	G M SAGER CONSTRUCTION CO	\$2,600.00
47194	08/20/24	P	0033	J A SALAZAR CONSTRUCTION	\$10,070.09
47195	08/20/24	P	0205	JOE MATTHEWS	\$899.00

8/21/24

La Habra Heights County Water District
AP Check Register (Current by Bank)

8:44:36 AM

Check Dates: Greater than 7/3/2024

47196	08/20/24	P	0133	KONICA MINOLTA	\$72.03
47197	08/20/24	P	0402	L G HOLDINGS, INC	\$3,232.00
47198	08/20/24	P	0483	LAVCO DAVE'S BRAKE ALIGNMENT	\$584.42
47199	08/20/24	P	0503	MICHELLE SAVAGE	\$125.60
47200	08/20/24	P	0258	S&J SUPPLY CO, INC	\$671.84
47201	08/20/24	P	0574	SAFEGUARD ENVIROGROUP	\$735.00
47202	08/20/24	P	0147	SAN GABRIEL VALLEY WATER CO	\$96.46
47203	08/20/24	P	0168	VALVERDE CONSTRUCTION, INC	\$6,500.00
47204	08/20/24	P	0562	VERIZON	\$664.45
47205	08/21/24	P	0514	PALMFELX	\$222.24
BANK 13110 REGISTER TOTAL:					\$910,948.45
GRAND TOTAL :					\$1,040,645.10

* Check Status Types: "P" - Printed ; "M" - Manual ; "V" - Void (Void Date); "A" - Application; "E" - EFT

** Denotes broken check sequence.



Civil, Water, Wastewater, Drainage and Transportation Engineering
Construction Management • Surveying
California • Arizona

July 11, 2024

La Habra Heights County Water District
1271 North Hacienda Road
La Habra Heights, CA 90631

Attention: Joe Mathews, General Manager

Subject: Engineering Activities for the Month of **June 2024**
Invoice Backup Support - Billing Period through June 30, 2024

Dear Mr. Mathews:

The La Habra Heights County Water District requires Engineering Support from **CIVILTEC engineering, inc. (Civiltec)** at times on various projects. This work is provided on a time and materials basis when requested and directed by LHHCWD management. Following is an explanation of time spent to back up the **June 2024** invoicing. The numbering system is the **Civiltec** project number and tracking system.

2023133.00 – General Engineering Support FY23-24. This project has been established to aid the District in general engineering inquiries, participate in meetings, hydraulic modeling and calibration and overall engineering support. The total budget for General Engineering Support has been established at \$25,000.00 for each Fiscal Year. Below is an accounting of expenditures under this **Civiltec** job number for FY 2023-24.

There were no expenditures in May 2024. The remaining budget is \$10,351.25. This project will be made dormant as of June 30, 2024. A new project number will be set up for FY 2024-25.

2023134.00 – Engineering Fireflow Modeling FY23-24. This project has been established to aid the District with computer model simulations for fireflow requests by LHHCWD customers. Below is an accounting of expenditures under this **Civiltec** job number for FY 2023-24. This project will be made dormant as of June 30, 2024. A new project number will be set up for FY 2024-25.

There were expenditures in the month of June 2024 totaling \$955.00. We have set up new project numbers per fire flow simulation. We are using this main number 2023134 and have put extensions starting with .01 for the first request.

2023134.22 Fire Flow Modeling 374 West Road	\$477.50
2023134.23 Fire Flow Modeling 1475 Hidden Canyon	\$477.50



2020203.00 – Vigil Reservoir Drain Outlet Repair. Sol Construction has successfully completed the repair work to the drain structure. Final paperwork is being processed including as-built drawings, progress pay estimate, notice of completion, and a final drone fly over of the completed structure. The vast majority of the work should be complete in June 2024, minus the landscape restoration being handled by the District. The overall engineering budget for the project is \$136,950.00. There were expenditures in the month of June 2024 of \$3,916.25. The remaining budget is \$47,691.18.

2022169.00 – Well No. 12 Well Siting Study. LHHCWD plans to drill a new well in the Judson Well Field. The overall budget for the project is \$157,770.00. There were no expenditures in June 2024. The District is currently considering the destruction of Well No. 9 and civil improvements to the Well No. 9 discharge pit. The remaining budget is \$27,946.50.

2023149.00 – Reservoir 10A Rehabilitation. The Reservoir 10A project is under construction. The project was awarded to Paso Robles Tank on March 26, 2024. The contract has been prepared and executed. A preconstruction meeting was held on May 2, 2024. PRT has issued shop drawing submittals and the overall schedule. PRT mobilized on May 20, 2024. The tank is drained and the existing floor coating has been removed. The contractor is sandblasting and prime coating areas of the interior in areas where there will be no exterior welding which could blister the interior coating. *Civiltec* is providing full time observation work and issuing weekly reports and photos. The overall budget totals \$89,910.00. There were expenditures in the month of June 2024 totaling \$25,935.00. The remaining budget is \$24,952.50.

2024807.00 – PFAS Grant Application. LHHCWD is working with WRD to secure grant funding for a new PFAS Treatment Plant. Grace Kast is preparing the grant funding applications to WRD and assisting with the EPA grant. *Civiltec* staff is supporting Ms. Kast with as needed cost estimating and preparing exhibits. The budget established for the *Civiltec* effort is \$15,915.00. There were expenditures in the month of June 2024 totaling \$2,482.50. The remaining budget is \$6,218.75.

I hope this information helps with your processing of the project invoices. Please let me know if you have any questions.

Very truly yours,

CIVILTEC engineering, inc.

A handwritten signature in black ink, appearing to read 'W. David Byrum'.

W. David Byrum, P.E.
President, Principal Engineer

Michael Silander

Attorney at Law

2629 Townsgate Road, Suite 235

Westlake Village, CA 91361

INVOICE

DATE: JULY 1, 2024

TO:

La Habra Heights County Water District

1271 Hacienda Road

La Habra Heights, CA 90631

PLEASE REMIT PAYMENT TO:

Michael Silander


2629 Townsgate Road, Suite 235

Westlake Village, CA 91361

SPECIFICATIONS:

LHHCWD/TOTAL

Invoice for legal services rendered in June 2024.

ok to pay 

MATTER	HOURS	AMOUNT
Transactional - General	31.2	\$3,900.00
Retainer	Flat fee	\$1,250.00
		TOTAL: \$5,150.00

Please make all checks payable to Michael Silander

If you have any questions concerning this invoice,

please email michael@silanderlaw.com or call 805-490-9247

REPORT OF SUPERINTENDENT

LA HABRA HEIGHTS COUNTY WATER DISTRICT

MEMORANDUM

DATE: 8/20/24

TO: JOE MATTHEWS, GENERAL MANAGER
& BOARD OF DIRECTORS

FROM: IVAN RAMIREZ, SUPERINTENDENT

SUBJECT: SUPERINTENDENT'S REPORT FOR AUGUST 2024

System and Scada Equipment Maintenance

- Repaired two service leaks and installed two new services for Additional Dwelling Units (ADU's).
- TPX replaced our last wireless connection in the heights with secure internet landline at Plant 5 for scada.

Rehabilitation of 10A

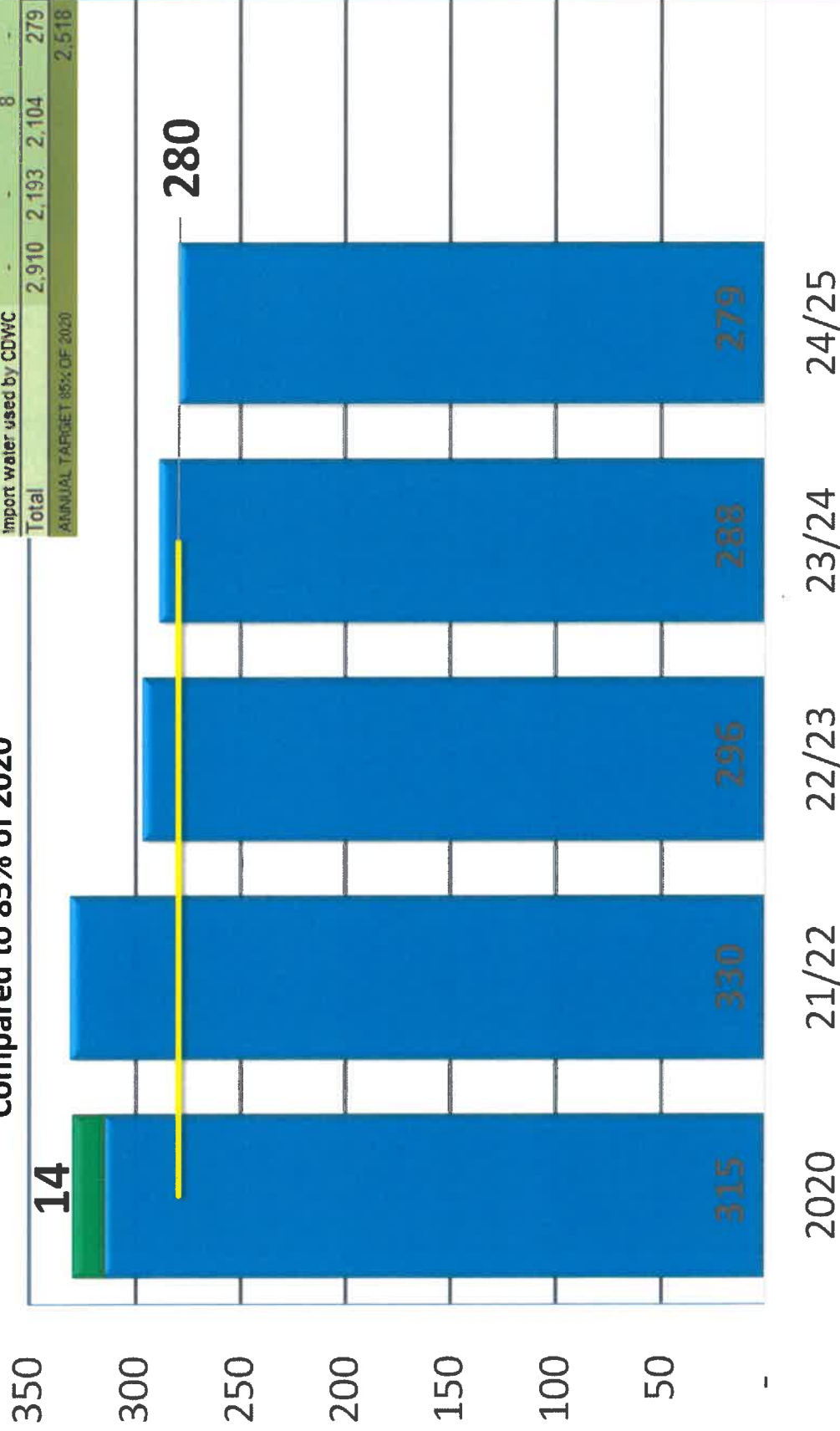
- Sand blasting of the inside of the tank is complete. Interior primer and final coating are being applied.
- New tank piping, staircase and railing are completed on the exterior of the tank.

LA HABRA HEIGHTS COUNTY WATER DISTRICT

Production in acre feet for **JULY**

Compared to 85% of 2020

ANNUAL WATER USAGE					
Water Source	2021/2022	2022/2023	2023/2024	2024/25 THRU JULY	
Groundwater	2,910	2,193	2,083	279	
Import	-	-	13	-	
Import water used by CDWC	-	-	8	-	
Total	2,910	2,193	2,104	279	
ANNUAL TARGET 85% OF 2020					2,518



- Import
- Import water used by California Domestic Water Company from District's Central Basin Municipal Water District connection
- Groundwater
- 85% of 2020 Month Target

**DISCUSS AND ADOPT GK
CONSULTING SERVICES BUDGET
INCREASE PROPOSAL FOR EPA
GRANT APPLICATION ASSISTANCE**

LA HABRA HEIGHTS COUNTY WATER DISTRICT

MEMORANDUM

DATE: AUGUST 27, 2024
TO: BOARD OF DIRECTORS
FROM: JOE MATTHEWS, SECRETARY/GENERAL MANAGER
SUBJECT: PROPOSAL TO INCREASE BUDGET FOR GK CONSULTING
PFAS TREATMENT EPA GRANT APPLICATION ASSISTANCE

The contract with GK Consulting for EPA Grant application assistance will meet the previously approved maximum budget before August 31, 2024. I have asked Grace to submit an amended contract proposal to fund the remainder of the application and post-award process, based on her experience performing similar services involving the EPA.

The current contract is for a not to-exceed amount of \$6,500 (see attached) for a 2-year term ending December of 2025.

Grace has proposed an additional 50 hours at the same hourly rate of \$130/hr. with a not-to-exceed amount of \$6,500 to fulfill the scope of work. This will extend the contract term to June 30, 2026.

Due to the complexity of the services needed, I recommend approving the amended contract with GK Consulting.



Creating and Managing Solutions for Your Success

August 13, 2024

Mr. Joe Matthews
La Habra Heights County Water District
127 N. Hacienda Road
La Habra Heights, CA 90631

Dear Mr. Matthews:

GK Consulting, Inc ("GKC") is pleased to submit this letter proposal, as you have requested, to amend our current contract for services in support of the LHHCWD PFAS Treatment EPA Grant Application and Post-Award Services.

This amendment proposal request does not change the scope and general terms of the original contract other than an increase to the budget and a term extension. The current contract is for a not-to-exceed amount of \$6,500 (see attached) for a 2-year term ending December of 2025. Due to the unexpected need for multi-agency coordination activities and many discussions/meetings to facilitate the development of the EPA Grant to the current point, the previously approved maximum budget will be expended before August 31, 2024. It is my hope that the application will be ready for submittal within 30 days from today (barring any unforeseen delays). Once it is submitted by WRD to EPA, GKC will continue to support the grant application process as well as post-award activities as described in the original contract to help ensure reports and invoices are submitted properly and that grant requirements are being met.

AMENDMENT PROPOSAL TO CURRENT CONTRACT: Based on the current status and barring unexpected delays outside of GKC's control, I am estimating the need for an additional 50 hours at the same hourly rate of \$130/hr with a not-to-exceed amount of \$6,500 to fulfill the scope of work and to extend the contract term to June 30, 2026. The amended total contract will then be for a total not-to-exceed amount of \$13,000 which will continue to be charged on an hourly basis with detailed invoices and the new term will end June 30, 2026.

If this is acceptable to LHHCWD, please sign below approving the amended contract as described above. LHHCWD's counter signature will serve as a notice-to-proceed.



Grace J. Kast, President, GK Consulting, Inc.

August 13, 2024

Date

Joe Matthews, General Manager, LHHCWD

Date

Proposal for Grant Application and Grant Management Services

Prepared for:

La Habra Heights County Water District

PFAS Treatment Grant

**Coordinate/Collect, Prepare, Submit Grant
Application Data, Information and Reports as well as
Post-Award Grant Management Services for the U.S.
EPA Community Infrastructure Grant Application**

Prepared by: Grace J. Kast
GK Consulting, Inc.

Submitted on December 7, 2023

I am pleased to provide a proposal to La Habra Heights County Water District “LHHCWD” for professional grant consulting services to coordinate/collect, prepare, submit grant application data, information and reports as well as for post-award grant management services for a grant from the U.S. EPA Community Infrastructure Grant Program. WRD is the direct recipient of the EPA grant and will reimburse costs to LHHCWD once received from EPA. This is a time and material proposal with a not-to-exceed dollar amount.

SCOPE OF SERVICES INCLUDED IN THIS PROPOSAL

Grant Application

- Review U.S. EPA Community Grants Guidelines and Application
 - Coordinate with WRD Staff and LHHCWD Engineers and Staff
- Review all available planning documents and reports including budget and costs, schedule, and other data;
 - Prepare and develop information for grant application as needed by WRD
 - Collect, manage, organize all project information and data, as necessary to complete both applications, including technical data and analysis from technical experts, if needed;
 - Coordinate information and documentation for requirements to meet grant funding application eligibility (i.e., CEQA/NEPA, Permits, Board Resolution(s), financial commitment for non-Federal cost share, letters of support, if needed);
 - Support and assist with final grant application submittal(s);
 - Follow-up on grant submittals, as needed and/or requested by LHHCWD.
- Attend project/grant-specific meetings as requested - contingent upon availability. Virtual meetings preferred.

Grant Post-Award Management and Reporting

- Develop a smooth and seamless process for preparing and submitting information, reports, documents and reimbursement claims as required by WRD and EPA prior to, during and after project completion and grant terms;
 - Collect, manage, and organize all project reports and grant eligible invoices and documents, as required by the grant;
 - Prepare and submit reports and claims for reimbursement to WRD;
Collect, manage, organize and prepare final completion reports, as required after completion of project;
 - Coordinate funding matches with grant claims; AND
 - On-going communication/coordination with WRD and LHHCWD; conduct follow-up with WRD and respond to WRD inquiries, etc.
-



Creating and Managing Solutions for Your Success

Fees and Term

This proposal is based on a time and materials basis, assumes access to general and project-specific technical data, as well as schedule and cost data developed by others. Fees will be incurred for work performed and will be based on an hourly rate, pro-rated to the nearest quarter hour. Fees for this proposal are \$130 per hour up to a maximum of \$6,500. LHCWD will be notified if additional time and work are needed for this contract within 30 days of meeting the maximum of \$6,500. Detailed invoices will be submitted for work completed during the previous month. Payment is due within 30 days of receipt of electronic invoice.

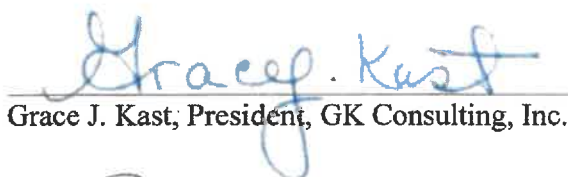
The term of this agreement is effective on date of authorized signature by LHCWD and is good for two years. Additional one year terms may be added by consent of both parties in writing, with or without an increase in the not-to-exceed amount as described above. Either party may cancel this agreement at any time contingent on full payment of all work performed.

Insurance

I, at my own expense, will at all times carry, maintain, and keep in full force and effect Automobile Liability Insurance for any owned, non-owned or hired vehicle used in connection with the performance of this work and Comprehensive General Liability Insurance with minimum limits of one million dollars (\$1,000,000) per incident or accident for bodily injury, death and property damage and Workers' Compensation insurance as required by the State of California.

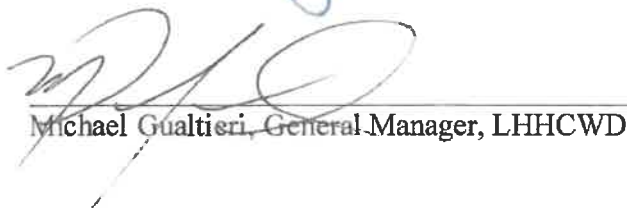
Conclusion

It is my pleasure to submit this proposal to LHCWD for professional grant consulting services. If terms are acceptable, please sign, date and return this scope of work electronically to proceed.


Grace J. Kast, President, GK Consulting, Inc.

December 7, 2023

Date


Michael Gualtieri, General Manager, LHCWD

12/19/23
Date

RESOLUTION NO. 24-09

**A RESOLUTION OF THE BOARD OF
DIRECTORS OF LA HABRA HEIGHTS
COUNTY WATER DISTRICT
("DISTRICT") AMENDING DISTRICT'S
EMPLOYEE POLICIES AND
PROCEDURES MANUAL ("MANUAL")**

LA HABRA HEIGHTS COUNTY WATER DISTRICT

MEMORANDUM

DATE: AUGUST 21, 2024
TO: BOARD OF DIRECTORS
FROM: JOE MATTHEWS, SECRETARY/GENERAL MANAGER
SUBJECT: RESOLUTION 24-09 EMPLOYEE POLICIES AND PROCEDURES
REVISION 2024

The District's Employee Policies and Procedures Manual is attached for review. Other than small modifications addressing changes to the law, the last major revisions to the manual were introduced in May of 2019. These proposed revisions include driver's license requirement and an increase in dental coverage limits. They also address changes in the law regarding paid time off for sick and compassion leave, and controlled substance testing.

RESOLUTION NO. 24-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF LA HABRA HEIGHTS COUNTY
WATER DISTRICT ("DISTRICT") AMENDING DISTRICT'S EMPLOYEE POLICIES AND
PROCEDURES MANUAL ("MANUAL")

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LA HABRA HEIGHTS
COUNTY WATER DISTRICT, as follows:

1. Recitals

WHEREAS, District's Board of Directors has, by resolutions and amendments thereto, adopted prior employee-related policies and procedures through the adoption of prior versions of District's Employee Policies and Procedure Manuals; and

WHEREAS, District's Board of Directors hereby seeks to amend and update the Manual as it pertains to District's past, current, and prospective employees, including but not limited to the hiring of employees, conditions of employment, employee duties and expectations, disciplinary action, and employee benefits, including but not limited to compensation, vacation, and sick leave.

2. Resolution

BASED ON THE FOREGOING RECITALS, the Board of Directors of the District hereby resolves as follows:

a. District's revised Employee Policies and Procedures Manual, a copy of which is attached hereto as Exhibit "A" and incorporated into this resolution by this reference, is hereby adopted in full.

b. All past employee policies and procedures previously adopted by District's Board of Directors and amended are hereby repealed in their entirety and replaced by the Employee Policies and Procedures Manual attached hereto as Exhibit "A."

c. All future policies and procedures pertaining to District's employees, including but not limited to all additions, deletions, or other changes to such policies and procedures, shall be made by adoption via resolution of such additions, deletions, or other changes of the Employee Policies and Procedures Manual attached hereto as Exhibit "A."

d. District's General Manager is hereby directed, in consultation with the General Counsel for the District, to maintain a current copy of the Employee Policies and Procedures Manual that conforms in full with Exhibit "A."

PASSED, APPROVED AND ADOPTED on August 27, 2024.

AYES:

NOES:

ABSTAIN:

ABSENT:

Brad Cooke, President, La Habra Heights
County Water District

ATTEST:

Joe Matthews, Secretary, La Habra Heights
County Water District

[SEAL]

I, JOE MATTHEWS, Secretary of the Board of Directors of the La Habra Heights County Water District, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Board of Directors of said District, held on the 27th day of August 2024, and was adopted at that meeting by the following vote:

Joe Matthews, Secretary
Board of Directors of the La Habra
Heights County Water District

LA HABRA HEIGHTS COUNTY WATER DISTRICT

EMPLOYEE POLICIES AND PROCEDURES MANUAL

SECTION 1 - PREAMBLE AND TITLE

This ~~m~~Manual shall be known as the La Habra Heights County Water District Employee Policies and Procedures Manual ("Manual"). This Manual supersedes the Employee Policies and Procedures Manual that was adopted by Resolution No. 14-1 on February 11, 2014, and all amendments to that manual.

SECTION 2 - PURPOSE

It is the objective of ~~the La Habra Heights County Water~~ District ("~~District~~") to provide fair and equitable personnel management. This Manual is intended to ensure uniform and fair treatment of applicants for employment and for District employees, and to define obligations, rights, privileges, benefits, and prohibitions for all employees of the District.

The Board of Directors of the District reserves the right to amend, modify or delete any and all provisions contained in this Manual, including those concerning employee benefits, at any time and with or without notice, except for compliance with Government Code Section 54950, et seq. (the "Ralph M. Brown Act").

SECTION 3 - DEFINITIONS

For purposes of this Manual the following definitions apply:

1. District - This means the La Habra Heights County Water District (~~"District"~~), which is formed pursuant to the County Water District Law (Water Code Sections 30000, et seq.).
2. Board of Directors - This means the Board of Directors of the District.
3. General Manager - This means the General Manager of the District, duly appointed by the Board of Directors.
4. Division Head - This means those employees who are directly responsible to the General Manager for the Supervision of the Operations and the Fiscal Divisions as appointed by the General Manager. The Division Heads hold the positions of Superintendent and Treasurer/Office Manager.
5. Full-Time Continuous Employee - This means all employees appointed by the General Manager for employment on a permanent basis.

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6. Part-Time Continuous Employee - This means all employees appointed by the General Manager for employment on a permanent basis working less than 302 hours per week.

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76. Temporary Employee - This means any employee hired by the General Manager for a limited period and paid by the hour.

87. Non-Exempt/Hourly Employee - This means any employee who is paid wages for each hour of work performed and is eligible to receive overtime pay according to federal law.

98. Exempt/Executive Employee - This means the General Manager and Division Heads. This management group is paid on a salary basis for work performed with no overtime pay. As salaried officials of the District, executive personnel are expected to work those hours necessary to complete their duties and responsibilities.

109. Mission of the District - To provide high quality potable water service at a reasonable cost to the public residing within the District boundaries.

SECTION 4 - EMPLOYMENT

A. Hiring of Employees

1. The District will comply with all laws and regulations of the United States and the State of California that protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination because of race, religious creed, color, age (40 and older), veteran status, sex, pregnancy, childbirth and breastfeeding, marital status, sexual orientation, gender identity and expression, disability or medical condition, genetic information, national origin, or ancestry. The District's recruitment and employment practices, all offers of employment and all its courses of action concerning training, job placement, promotion, compensation, discipline and termination are based solely on merit without regard to race, religious creed, color, age (40 and older), veteran status, sex, pregnancy, childbirth and breastfeeding, sexual orientation, gender identity and expression, disability or medical condition, genetic information, national origin or ancestry.
2. In accordance with Sections 30580 and 30581 of the California Water Code, the General Manager shall hire new employees for those positions approved by the Board pursuant to the approved salary schedule. The General Manager may hire an employee at any amount within the salary range for which the position is being filled. ~~Minimum-~~The minimum amount is the entrance level. ~~Maximum-~~The maximum amount is the advance level. District will not ask job applicants about their current or prior salaries, but may, in its discretion, ask applicants about their salary

expectations for the position sought.

3. All newly hired employees must pass a pre-employment physical examination, drug use screening, and a background investigation before commencing work. All offers to hire new employees shall be made subject to the condition that the prospective employee successfully passes all the above. As part of this screening process, District relies on the accuracy of information contained in data presented by the prospective employee throughout the hiring process and employment. Any misrepresentations, falsifications, or omissions of information on a job application, personnel form, or any other document may result in District's exclusion of the individual from further consideration for employment, or, if the person has been hired, termination of employment.
4. It is each employee's responsibility to promptly notify the District in writing of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. Any employee who relocates to another address will have two (2) months to complete address information updates with the California DMV for ID cards or driver's licenses. All newly hired employees, within six months of hire date, are required to provide the District with a copy of their California ID or driver's license proving, or other proof of residency as determined to be acceptable by the General in his sole discretion, their legal physical address matches the actual living address provided to the District.
5. The District may, in its sole discretion, abolish any position or employment due to lack of work, lack of funds, reorganization, or other legitimate reason or business purpose. The employee holding such position or employment may be laid off without disciplinary action and without right of hearing or appeal. Employees to be laid off shall be given at least fourteen (14) calendar days written notice.
6. Temporary employees may be hired by the General Manager. The General Manager shall determine for any such employee the term of employment, the number of hours to be worked in a day or week, the compensation, and benefits, if any, the employee will receive.
7. All Employees – Are required to live within a fifteen (15) mile radius of the District office.
8. Field personnel: Due to the small number of employees and the operational need of the District to rotate standby duty among field personnel for call-outs in an emergency, ~~new employees, hired after the enactment date of this personnel manual, are required to live within a twelve (12) mile radius of the District office because in the event of a call-out,~~ field personnel will be expected to arrive at the

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office within thirty (30) minutes of a call-out. ~~Field personnel hired before February 11, 2014 who choose to relocate after the implementation of this policy must live at least as close as their current residence before relocation or within a twelve (12) mile radius of the District office. However, the District does not require that field employee relocate.~~

9. Driver's License – All field personnel, Superintendent, and General Manager shall always have a valid driver's license with a legal address matching their physical address on file with the District. If an employee's driver's license is suspended, restricted, or revoked, employee must notify the District immediately. Such notification must occur within a maximum of two (2) calendar days.

B. Probationary Period

1. Newly hired or re-hired full-time continuous employees will serve a probationary period of six (6) months. Before the end of this six-month probationary period, the performance of the employee will be evaluated.

2. Passing the probationary period with a satisfactory evaluation is a requirement for continued employment with the District. A probationary employee may be terminated from his/her employment with the District at any time during the probationary period, without cause, and without the notice, hearing or appeal provided for in Subsection I.

2. The General Manager may extend an employee's probationary period with the written consent of the employee. Passing the probationary period, or the extended probationary period, with a satisfactory evaluation is a requirement for continued employment with the District. A probationary employee may be terminated from his/her employment with the District at any time during the probationary period or extended probationary period, without cause, and without the notice, hearing or appeal provided for in Subsection I.

3. Newly hired or re-hired employees do not accrue or earn vacation or floating holidays during their probationary period. Employees terminated during their probationary period shall not be entitled to nor be paid for vacation or floating holidays. However, probationary employees will accrue vacation and floating holidays at the normal rate during the probationary period if their employment continues beyond that period.

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4. If an existing employee is promoted to a higher-level position, that employee will be required to serve a six (6) month probationary period for the higher-level position. The General Manager shall determine, prior to the completion of the probationary period, whether the employee has successfully passed probation in the new position. The General Manager may determine that an employee has not passed probation and demote that employee to his/her previous position and such decision and action shall not be considered as discipline under Subsection I herein and shall not entitle the employee to the right of hearing or appeal.

A promoted employee will continue to accrue vacation, sick leave and floating holidays as provided elsewhere herein.

5. Successful completion of ~~the any~~ probationary period does not assure an employee of continued employment with the District.

C. Periodic Employee Evaluation

The General Manager and the respective Division Heads shall evaluate the performance of each employee before the completion of the probationary period. Performance evaluations will be conducted at least annually thereafter, or as determined by the General Manager at his discretion.

D. Normal Workday

1. The District office will be open for business Monday through Friday, continuously from 7:30 a.m. to 5:00 p.m., except for holidays as provided elsewhere herein.
2. The District will be on a 9-80 work schedule. Each Friday half of the staff will have the day off, as determined by the General Manager. The week of the employees' Friday off, that preceding Thursday those employees will get off work at 4:00 PM.
3. Each employee will have one-half (1/2) hour off for lunch each day, subject to the necessary requirements of the District.
4. Daily hours of work will be assigned by each employee's Division Head as required to meet the requirements of that Division.
5. Overtime will be paid as provided elsewhere herein.
6. Punctuality is always expected and a lack of same is grounds for disciplinary action. Every employee is expected to be at his/her assigned workstation ready to work at 7:30 a.m. each day.

E. Standby Duty

1. All full-time operational field personnel will be required to participate in standby duty. Standby duty is a regular requirement of the operational field personnel. It is assigned on a rotating basis. One (1) operational field employee will be provided with a radio-equipped District vehicle, District cellular phone, and District ~~IpadiPad~~ on Monday at the ~~end of the employee's quitting time~~ regular workday. The employee will use the District vehicle in strict conformance with the requirements, as provided elsewhere herein. The employee on standby duty will be the first person contacted for all "off hours" questions and emergencies. Accordingly, the employee on standby duty will remain at home or be readily available for contact by telephone. A field employee assigned to standby duty must be able to return to the District office within thirty (30) minutes (assuming rush hour traffic conditions) of receiving a call out.
2. Standby duty personnel shall always wear his/her uniform when ~~doing conducting~~ District business ~~and at all times when drivingoperating~~ a District vehicle.
3. ~~3.~~ When "Standby" personnel are assigned to Saturdays, Sundays, or holidays, on each such day their hours will be ~~8:00-7:30 AM~~ ~~8:00-7:30 AM~~ to ~~12:00-11:30 PM~~ ~~AM~~. They will report to the District office at ~~8:00 a.m.~~ ~~7:30 AM~~ and then complete their required standby duties. ~~(Amended on April 14, 2021)~~
4. Standby duty may periodically be traded between field employees with prior approval of the Superintendent or General Manager. With the exception of emergencies only, no field employee may trade standby duty for a partial period of less than one (1) full twenty-four (24) hour ~~work day~~ ~~workday~~.

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F. Alcohol and Drug Free Workplace

I. PURPOSE AND SCOPE

~~District prohibits the unlawful possession, use, manufacture, distribution, transferring, purchasing, sale, dispensing, or being under the influence of alcohol, intoxicating substances, or illegal drugs (as defined by federal and/or state law) while on District property, during work hours, when performing work duties, or while operating a personal vehicle on District business. District reserves the right to require and conduct drug or alcohol tests whenever reasonable suspicion exists that an employee is under the influence of alcohol or drugs as prohibited by this policy. Such testing will consist of scientifically valid testing which does not screen for nonpsychoactive cannabis metabolites.~~

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~~Although cannabis may be legally obtained under California law, cannabis is still illegal under federal law. As such, the use, sale, possession, or being impaired by cannabis, whether prescribed~~

or recreational, during working time, while on District property, or while performing District work violates this policy.

Physician-prescribed and over-the-counter medications are permitted, providing they do not adversely affect job performance or the safety of the employee or other individuals in the workplace.

Employees are required to notify District's General Manager and/or Division Heads if they are taking any prescription or over-the-counter medication which may impair their performance of essential job functions or their ability to safely perform such essential functions. District retains sole discretion as to whether it will be safe for those employees to remain on duty.

Any employee found in violation of this policy is subject to immediate discipline consistent with this Manual and applicable law.

II. PROCEDURES

A. PRE-EMPLOYMENT TESTING

District requires that all job applicants complete a post-offer, pre-employment drug screening as part of the pre-employment medical examination. This drug screening shall not test for cannabis in any manner.

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1. All applications for employment will contain a statement to prospective applicants advising them that the selection procedure includes taking and passing a post-offer pre-employment medical examination, which includes drug screening for the presence of illegal drugs.
2. Any applicant who is referred for a post-offer pre-employment examination will be required to sign consent forms authorizing the testing for illegal drugs and the release of the test results to District.
3. Any applicant who refuses to submit to testing will not be considered for employment by District.
4. Test results are confidential and will not be released except to appropriate District personnel, the applicant upon written request, or pursuant to Court Order or as required by applicable law.
5. Testing will be conducted by a clinical laboratory licensed by the State Department of Health Services, or a public health laboratory certified by the State.
6. Any applicant whose drug screening test results are negative will be deemed to have passed that portion of their post-offer pre-employment medical examination.
7. Test results indicating the presence of an illegal drug will automatically require a re-analysis of the original sample.
8. If the re-analysis reflects a negative indication, the applicant will be deemed to have passed that portion of the post-offer pre-employment medical examination.
9. If the re-analysis results in a second indication of the presence of an illegal drug, District reserves the right to rescind such applicant's conditional offer of employment. Further, such applicant will not be considered for employment by District for a period of one year after the date of the test results.

10. Any applicant who is taking medication prescribed by a physician or over-the-counter medication must list such medication on the examination form, and any positive indications related to the presence of that medication will not prohibit employment.

B. POST-HIRING DRUG-TESTING

An employee may, at the discretion of District, be required to submit to a test for the detection of alcohol, illegal drugs, or other intoxicating substances when the employee:

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1. Reports to work and reasonable suspicion exists that the employee is under the influence of alcohol, illegal drugs, or an intoxicating substance; or
2. When any of the following incidents occur and a supervisory investigation indicates the possibility of use of alcohol, illegal drugs, and/or an intoxicating substance by the employee:
 - a. An employee is involved in an accident while using a company vehicle.
 - b. An employee is involved in an accident which causes injury to persons or property.
 - c. An employee's attendance record indicates absenteeism beyond an acceptable rate, and the customary methods of improving attendance have failed to result in a positive change.

Additionally, pursuant to requirements by the Department of Transportation, all employees holding a Commercial and/or Non-Commercial Class A License are subject to random, mandatory drug testing.

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C. TEST RESULTS

1. If test results are negative, the employee will continue with his/her employment for District.
2. Test analysis that results in a positive indication of the presence of alcohol, illegal drugs, or an intoxicating substance will automatically require a re-analysis of the original sample.
3. If the re-analysis reflects a negative indication, the employee will continue in service.
4. If the second test results in an indication of the presence of alcohol, illegal drugs, or an intoxicating substance, the employee will be disciplined pursuant to disciplinary procedures set forth in existing District policy and/or applicable memorandum of understanding and may be placed on non-work-related health leave of absence until found to be medically fit to return to work.

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Alcohol and Drug-Free Workplace

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1. The District recognizes that the use of alcohol, marijuana, or any controlled substance on the job adversely affects employees' work performance, efficiency, safety

and health and the wellbeing of others. District's workforce and workplace must be free of all substances that are illegal under state or federal law. For purposes of this section and the Manual as a whole, the term "illegal" includes but is not limited to marijuana, drugs not legally obtainable under federal or state law, prescribed drugs not legally obtained and prescribed drugs not being used for the prescribed purposes.

2. District expects and requires that:

a. Employees shall not be at work, drive a vehicle on District business, or operate the District's equipment with any amount of alcohol, marijuana or illegal drugs in their system which would result in a confirmed positive test; shall not use alcohol or marijuana, possess open containers of alcohol, have marijuana, or use or possess illegal drugs while on duty; and shall not manufacture, distribute, dispense, sell or provide alcohol, marijuana or illegal drugs to any person while on duty.

b. If the use by an employee of a prescription drug combined with the duties of the required job creates an unsafe working condition, this fact shall be reported by the employee to his/her supervisor prior to reporting to work. Employees whose job performance is so restricted may be subject to reassignment, medical examination, or other actions specified by applicable statutes and regulations.

c. If an employee's driver's license is suspended, restricted, or revoked, employee must notify the District immediately. Such notification must occur within a maximum of five (5) calendar days.

3. **Pre Placement/Post Offer Controlled Substance Testing**

Any offer of employment will be conditioned upon a negative drug screening analysis. The General Manager shall coordinate the process. A positive test indicating the presence of controlled substances will constitute disqualification of the applicant for the position. The drug screen component will only apply to those who operate District vehicles, operate heavy equipment and/or are well worker or water workers.

4. **Reasonable Suspicion Testing**

Employees who operate District vehicles, operate heavy equipment and/or are well worker or water workers

Employees may be subject to drug and alcohol testing when significant and observable changes in employee performance, appearance, behavior, speech, etc., provide reasonable suspicion of being under the influence of drugs and/or alcohol at work.

Employees may will be subject to drug and alcohol testing when they are involved in any accident involving either the operation of a District vehicle, which requires towing or repair of property damage or which causes physical injury to any person, requiring examination or treatment.

In addition, when any employee has previously been found in violation of these rules, or by the employee's own admission, the employee may be required to submit to periodic substance testing as a condition of remaining in or return to District employment.

G. Outside Employment

1. No full-time continuous employee of the District will be permitted outside employment without providing prior written notice and obtaining prior written consent by to the General Manager, which may be granted or denied at the General Manager's sole discretion. Outside employment must not present a conflict of interest with the mission of the District or prevent the employee from competently performing the essential functions of the employee's District job. Full-time continuous employees may only engage in personal for-profit business activities if:
 - (1) (1) the activities are conducted entirely on the employees' own time and at the employees' own expense, and
 - (2) (2) the activities do not present a conflict of interest with the employees' work for the District. Engaging in a conflict of interest is a violation of District policies and may result in disciplinary action.

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H. Job Injury

1. All injuries and illnesses incurred during the course of performing job-related duties, regardless of whether the injury or illness occurred during regular business hours or while on overtime or on-call duty, shall be reported immediately to the General Manager and/or Division Heads. This applies to all injuries and illnesses regardless of the extent of the injury or illness. On the job injuries and illnesses are covered by the Association of California Water Agencies Joint Powers Insurance Authority ("JPIA"). All job injuries and/or illnesses shall be reported to the employee's Division Head in writing on the applicable "Occupational Injury/Illness Report" form. The Division Head shall thereafter complete and forward to the General manager for review an "Employee's Claim for Compensation Benefits" form, using form DWC 1 (Division of Workers' Compensation) or an equivalent form applicable at the time of the injury or illness. In addition, District expects each injured or ill employee to take the following actions:

1. Report promptly to the medical facility for treatment if emergency treatment is required. Employees can decline medical treatment. If not an emergency,

employees are expected to contact the General Manager and/or Division Heads immediately.

2. Cooperate with District in completing the applicable injury/illness reporting form provided to the employee by District;

3. Complete the employee section of the Employee's Claim for Workers' Compensation Benefits form (DWC-1) if filing a workers' compensation claim. A workers' compensation claim must be filed if treatment is being given;

4. Submit the completed forms to the District;

5. If having sought medical care, and whenever having been cleared by the medical provider to do so, return to work from the medical facility and submit the medical provider's completed work status report to the District; and

6. Attend medical appointments as required. If unable to attend, notify District. The job injuries are covered by the Association of California Water Agencies Joint Powers Insurance Authority ("JPIA"). All on the job injuries shall be immediately reported to the employee's Division Head in writing on "Occupational Injury/Illness Report" form, who shall forthwith complete and forward to the General Manager, for review, a "Employee's Claim for Compensation Benefits" form DWC 1 (Division of Workers Compensation).

2. Workers Compensation will be supplemented as follows:

- a. Where any employee is injured, said employee may receive supplemental District pay for a period of up to three (3) days, as determined by the General Manager, so that said employee will receive equivalent regular pay for the maximum three (3) day period. After the maximum three (3) day period, said employee will receive regular JPIA benefits should the injury continue for more than three (3) days.
- b. The Board of Directors, in its sole discretion, may grant supplemental District pay for longer periods of time than provided for herein.
- c. Employees may elect to use either sick leave or vacation to supplement Workers' Compensation benefits to receive an equivalent regular paycheck once the District payments as provided for in Subsections "a" and "b" have ceased. Said sick leave or vacation will be used in half (1/2) hour increments.
- d. On a case-by-case basis, and at the General Manager's discretion, the District shall consider every effort to reasonably accommodate a return to work of injured employees and will engage in interactive reasonable accommodation

meetings with employees, to the extent required by law.

I. Disciplinary Action

1. The General Manager has the authority to discipline or terminate any employee for cause. The following is a non-exclusive list of examples of disciplinary action which may be imposed:
 - a. Oral or written warnings or reprimands.
 - b. Suspension - An involuntary leave of absence without pay.
 - c. Demotion - Reduction from a position in one class to a position in another class having a lower salary range, effected for disciplinary purposes. (Demotions resulting from organizational changes and layoffs are not disciplinary actions.)
 - d. Termination - Discharge from service with the District.
2. It is intended that discipline be imposed primarily for corrective purposes and to address deficiencies in work performance. The following is a nonexclusive list of the more common causes of disciplinary action:
 - a. Actions contrary to the rules and regulations of the District, including those contained in this Manual.
 - b. Violation of any Federal, State, or local law directly impacting the employee's fitness for employment.
 - c. Using, possessing, dealing, distributing, or being under the influence of intoxicating beverages, unprescribed narcotics or unlawful drugs while on duty or at work locations, or reporting to work or operating District vehicles or equipment under the influence of alcohol or any unlawful or unprescribed drug.
 - d. Failure or refusal to comply with a lawful order or to accept a reasonable and proper assignment from an authorized supervisor or District management.
 - e. Inefficiency, poor job performance, incompetence, carelessness, or negligence in the performance of duties.
 - f. Sexual harassment, unlawful discrimination, or other unlawful harassment of another employee.

- g. Chronic or excessive absenteeism, whether excused or unexcused, ~~or inconsistent attendance,~~ or failure to work emergency overtime as needed to negate the emergency.
- h. Rude or discourteous treatment of other employees or the public or unprofessional conduct at work.
- i. Inattention to duty, tardiness, carelessness, or negligence in the care and handling of District property.
- j. Loss or misuse of District funds.
- k. Improper or unauthorized use of District vehicles or equipment or misappropriation of supplies.
- l. Misuse of sick leave, including using sick leave under false pretenses.
- m. Furnishing false information to obtain employment, or falsification of timecards or other records and reports.
- n. Absence from duty without authorized leave, failure to report after leave of absence has been disapproved, revoked, or canceled.
- o. Acceptance of any bribe, gratuity, kickback, or other item of value when such is given in the hope or expectation of receiving preferential treatment.
- p. Outside work that creates a conflict of interest with District work or detracts from the efficiency of the employee in the effective performance of essential job functions.
- q. Failure to obtain or maintain necessary qualification, certificate, or license, which is required as a condition of employment.
- r. Possession of an unsafe driving record for those employees required to operate District vehicles.
- s. Failure to update legal address to match actual home address on California ID or California driver's license within six (6) months of hire date for newly hired employee's, or within two (2) months of moving for established employee's.
- s. Workplace violence, including but not limited to threats of violence, violence, and stalking.

- t. Working unauthorized overtime, failing to promptly report overtime in writing.
- u. Knowingly allowing subordinate employees to perform uncompensated overtime or maintaining an informal or so-called off-the-books compensation method.

These actions, among others as determined by the General Manager, will call subject an employee to ~~for~~ immediate termination:

- 1. Stealing from the District
- 2. Committing Fraud

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3. Discipline Imposed by the General Manager.

The General Manager may impose suspensions of five (5) or less days or oral or written warnings or reprimands without the District having to comply with the pre-disciplinary procedural requirements set forth in Subsection 4 or the procedures for disciplinary appeals set forth in Subsection 5.

4. Pre-disciplinary Procedures for Suspension, Demotion, Reduction or Discharge.

- a. Prior to suspending for six (6) or more days, demoting, or reducing or discharging an employee, a written notice of such proposed disciplinary action shall be served on the employee personally, or by certified mail, at least ten (10) calendar days prior to the effective date of the proposed action. Such written notice shall contain:
 - (1) a description of the proposed action and its effective date(s);
 - (2) a statement of the reasons for such proposed action, including the acts or omissions on which the proposed action is based;
 - (3) copies of material on which the proposed action is based;
 - (4) a statement of the employee's right to respond, either orally or in writing, prior to the effective date of such proposed action;
 - (5) a statement of the employee's right to representation;
 - (6) a statement of the employee's right to appeal should such proposed action become final.

- b. Prior to the effective date of such suspension, demotion, reduction or discharge, an employee will be given an opportunity to respond either orally or in writing, at the employee's option, to his or her Division Head.
- c. An employee shall receive written notice either sustaining, modifying or canceling the proposed disciplinary action prior to the effective date of such action.
- d. Should a proposed suspension, demotion, reduction, or discharge become final, an employee shall have the right to appeal such action pursuant to this Subsection.
- e. An employee shall be given reasonable time off without loss of pay to attend a pre-disciplinary meeting with his or her Division Head and any disciplinary appeal hearing pursuant to this Subsection.
- f. An employee may represent himself or herself or may be represented at a pre-disciplinary meeting with his or her Division Head and any disciplinary appeal hearing pursuant to Subsection 5.

5. Disciplinary Appeals

- a. An appeal of a suspension, demotion, reduction or discharge may be appealed to the General Manager. The appeal shall be presented to the General Manager within ten (10) calendar days following the employee's receipt of the Division Head's written notice of discipline. All disciplinary appeals shall be in writing and shall be signed by the employee.
- b. The General Manager may hear the appeal personally or may refer the appeal to a Hearing Officer for hearing and an advisory recommendation. The appeal shall be conducted as soon as practicable following the General Manager's receipt of the appeal.
- c. The issue in all disciplinary appeals shall be: Was (employee's name) (suspended, demoted, reduced, discharged) for just cause?
- d. The General Manager may sustain, reduce, or rescind an appealed disciplinary action. If an action to suspend, demote or reduce in pay is reduced or rescinded, the appellant shall be entitled to restoration of pay and/or benefits in a manner consistent with the General Manager's decision. If an action to discharge is reduced, the appellant shall be restored to a position in his or her former class subject to forfeiture of pay and benefits for all or a portion of the period of time the appellant was removed from duty as determined by the General Manager. If an action to discharge is

rescinded, the appellant shall be reinstated in a position in his or her former class and shall receive pay and benefits for all of the period of time he or she was removed from duty.

- e. At the hearing, both the appealing employee and the District shall have the right to be heard and to present evidence. The following rules shall apply:
 - (1) Oral evidence shall be taken only on oath or affirmation.
 - (2) Each party shall have these rights: to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination, to impeach any witness regardless of which party first called the witness to testify and to rebut the evidence against the witness.
- f. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might have made improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions and irrelevant and unduly repetitious evidence shall be excluded.
- g. The decision of the General Manager shall be final and binding on all parties.

J. Termination

Upon termination, the employee shall be given an exit interview. During this interview, the employee will be given a check for all monies due as computed to termination date, with exception to employees participating in automatic direct deposit of pay. This review, while not limited to, will also include a discussion of all benefits, including accrued sick leave, accrued vacation, the District's retirement plan, health insurance, life insurance and disability insurance. If the employee declines to participate in an exit interview, the final check for all monies due will be provided to the employee within the timeframe provided for by California law.

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All District-owned equipment should be returned to the District at the time of termination. If District-owned equipment can not be returned at time of termination, the District may hold all monies due to the employee until the employee returns

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~~District-owned equipment:~~ District-owned equipment includes, but is not limited to the following:

- a. District-owned vehicles and all keys to the vehicle in employee's possession
- b. Other keys to District property and facilities
- c. Uniforms, jackets, and District-issued PPE
- d. District-owned cell phones, lap top computer, and iPads
- e. Any other District-owned equipment in employee's possession

~~K. Personal Cellular Phone Use should move to District cell phone use section and update table of contents~~

~~Use of personal cellular phones during working hours for use other than District business is prohibited except in the event of an emergency. Employees may choose to use personal phones to assist in research, job planning, directions to locations, recording work progress, and other work-related business provided they do so by their own choice. Personal cell phone use will not be required by the District for work-related business. Use of personal cellular phones will be permitted during lunch breaks. Use of personal cellular phones for personal business during working hours will be subject to disciplinary action.~~

L. Electronic Communication

The District uses various forms of electronic communications including, but not limited to computers, email, telephones, cell phones, text messages, internet, PDAs, etc. All electronic communications are official District records and are the property of the District. The District reserves the right to access and disclose all messages sent through its system for any purpose.

Messages transmitted over the electronic communications system should be those involved in the District business activities for the accomplishment of business-related tasks or any communication directly related to District business, administration, or practices. Incidental and occasional personal use of the system is permitted, but such messages are subject to the access and disclosure statement set forth in the policy above.

1. Personal Use of Electronics Communications Systems

Limited, occasional, or incidental use of the electronics communications systems

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(furnished by the District or property of the employee) for personal, non-business purpose is permitted under the following circumstances:

- Personal use may not interfere with the productivity of the employee or his/her co-workers;
 - Personal use may not involve any prohibited activity described in this [Policy Manual](#);
 - Personal use may not disrupt or delay the performance of District business;
 - Personal use may not consume District resources or otherwise deplete system resources available for District business purposes;
 - Personal use may not be used for personal employee gain or commercial ventures; [and/or](#)
 - Personal use may not support or advocate non-District-related business purposes.
- [The District's record retention program is regulated by various record retention laws and internal policies.](#)

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2. Retention of E-mail.

No e-mail messages shall be considered by the District to be retained in the ordinary course of business. However, the content of some e-mail messages could be classified as a record pursuant to the guidelines established by management and to the following criteria:

- a. [Content required by law to be retained.](#)
- b. [Content which is documentation of notice to a member of the public of an action or position taken on behalf of the District.](#)
- c. [Content which is documentation of a District policy, District regulation or official decision made on behalf of the District.](#)
- d. [Content which is documentation of a transaction of business between the District and another party.](#)

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Employees should make themselves familiar with the provisions of the District's Records Retention Policy to determine if an email is required to be maintained as a printed and/or electronic document.

If employees receive a litigation hold notice, notifying them that all records related to the subject of pending litigation must be retained, such hold applies to email records. In

the event of a litigation hold, employees may not delete any electronic records relating to the subject matter of pending litigation. If a District computer automatically deletes emails after a specific number of days, such setting must be changed upon receipt of a litigation hold notice to avoid deletion of records subject to the litigation hold. Any questions about this policy should be directed to the General Manager.

3. District-Owned Cell Phone Use

Employees issued a District-owned cell phone for non-compensatory business use may use the phone for "de minimis fringe benefit" personal use. The General Manager, Superintendent, ~~and~~ Treasurer, and Utility Worker III are issued cell phones to contact vendors or other parties on District business and to be always in contact with other District employees including emergency situations while away from the office. Other employees issued a cell phone are limited to business use only.

4. K. Personal Cellular Phone Use should move to District cell phone use section and update table of contents

Use of personal cellular phones during working hours for use other than District business is prohibited except in the event of an emergency. Employees may choose to use personal phones to assist in research, job planning, directions to locations, recording work progress, and other work related business provided they do so by their own choice. Personal cell phone use will not be required by the District for work related business. Use of personal cellular phones will be permitted during lunch breaks. Use of personal cellular phones for personal business during working hours will be subject to disciplinary action.

54. Access of Another Person's-Employee's Electronic Communications.

Employees may not intentionally intercept, eavesdrop on, record, read, alter, retrieve, receive, send, or use another person's-employee's Electronic Communications and/or Electronic Storage without proper authorization. Employees, including system administrators and Supervisors, may not, without authorization, peruse Electronic Communications and/or Electronic Storage of other employees.

65. District-Wide Web Site Policies.

The external (or public) District World Wide web site, and all domains owned and maintained by the District, represent a fundamental communication tool for providing critical District information. The goal of the collective web sites is to encourage increased participation in District activities. Towards this end, the development and use of the District's sites are guided by ~~the-the~~ web site policy.

The District's Information Technology (IT) consultant is responsible for advising employees regarding the creation and implementation of web sites, complying with the web policies, and maintaining and securing the web servers and web sites. It is the responsibility of the General Manager to ensure that staff adheres to the web site policies.

- The District's web site is for "official use" only. All information disseminated through the web site must be related to the official duties and responsibilities of employees and departments.
- The California Public Records Act applies to information processed, sent, and stored on the Internet. Confidential information should not be posted on the District's external web sites. Management must approve all posted information on the web sites.
- No District employee or official may use any District web site for campaign-related purposes. Such campaign-related purposes include, but are not limited to, the following: statements in support or opposition to any candidate or ballot measure; requests for campaign funds or references to any solicitations of campaign funds; and references to the campaign schedule or activities of any candidate. No District official's web site may be linked to any private web site related to a candidate's campaign for elective office, but it may link directly to the home page of the election-related pages where general election and candidate information can be found.

76. Internet

Access to the Internet has been provided to staff members for the benefit of the District and its members. It allows employees to connect to information resources around the world. Every staff member has the responsibility to maintain the organizations' professional public image, and to use the Internet in a productive professional manner. Employees are responsible for seeing that the Internet is used in an effective, ethical, and lawful manner. To ensure that all employees are responsible, productive Internet users and are protecting the company's public image, the following guidelines have been established:

a. Unacceptable Use of the Internet

While it is not possible to provide an exhaustive list of every type of inappropriate use of the Internet, all users should be aware that appropriate use of the Internet includes, but is not limited to, the following rules:

- Never use an account assigned to another user.
- Never make an unauthorized attempt to enter any computer.

- Never post, send, or provide access to any confidential ~~Employer-District~~ materials or information, unless authorized.
- Never post or send publications of discriminatory, offensive, harassing, defamatory, or confidential remarks about other employees.
- Never access or send sexually ~~-suggestive material~~.
- No gambling.
- No trademark, copyright, ~~or -and~~ licensing ~~stipulation~~ infringements.
- No proprietary and confidential information.
- No solicitation.
- No personal sites.
- No threatening or inappropriate ~~blogposts, communications, or language~~.

b. Communications

Each employee is responsible for the content of all text, audio, or images that they place or send over the Internet. Fraudulent, harassing, or obscene messages are prohibited. All messages communicated over the Internet should have your name attached. No messages should be transmitted under an assumed name.

Employees may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane, or offensive language is transmitted through the system.

c. Passwords

All passwords created by the user or issued to the user are for the purpose of communication. ~~Records of such passwords are to be retained~~ ~~retained by assigned District personnel. With the exception of record retention, passwords~~ ~~and~~ are not to be shared, given, or otherwise disclosed to any other person.

Passwords must not be shared to ensure security. All security features contained within the District's Electronic Communications Systems such as passwords, codes, or delete functions will not prevent the District from accessing employees' business or personal Electronic Communications, stored or otherwise, on the Electronic Communications Systems.

d. No Right of Privacy

The District respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of District-provided equipment or supplies. Employees should be aware that the

terms of this Policy limit their privacy in the workplace.

The District's Electronic Communications Systems, Electronic Communications, and Electronic Storage are the District's property and are intended for District business. All Electronic Communications and Electronic Storage within these systems are the property of the District, regardless of the content, including any personal communications. The District reserves the right to monitor the Electronic Communications Systems for any reason, including the right to review, audit, and disclose all matters sent over and/or stored in the Electronic Communications Systems.

As a result, employees should be aware that no Electronic Communications transmitted on the Electronic Communications Systems, or Electronic Storage contained within the systems, is private or confidential. Employees should have no expectation of privacy with respect to any use, including storage, business or personal, of the District's Electronic Communications Systems.

Employees should be aware that Electronic Communications and/or Electronic Storage can be copied, modified, and/or forwarded to others without the express permission of the original author. Therefore, employees must use caution in the storage, transmission, and dissemination of Electronic Communications outside of the District and must comply with all state and federal laws. Electronic Communications and/or Electronic Storage of the District may be recognized as official records in need of protection/retention in accordance with the laws of California. All e-mail and Internet messages are subject to state and federal laws, including but not limited to the California Public Records Act, open meeting laws, and the federal Electronic Communications Privacy Act.

The California Public Records Act ("CPRA"), Government Code Section ~~62506520~~, *et seq.* requires the District to make all public records available for inspection and to provide copies upon request. A public record is any writing (which includes electronic documents) related to the conduct of the public's business prepared, owned, used, or retained by the District. The CPRA ~~includes a number of~~ identifies various exceptions ~~from to~~ the disclosure requirements. Any information on the District's information system may be subject to disclosure under the CPRA. If there is some doubt, the employee should contact the General Manager for advice as to whether the information is public record. All public records must be retained in accordance with the District's Record Retention Policy.

87. Social Networking

- A. The District views social networks such as web-based discussion or conversation pages and other forms of social networking ~~such as Facebook, Twitter, LinkedIn, etc.,~~ as significant forms of public communication.
- B. All District employees who engage in social networking are held to the same standards that apply to any public communications.
- C. Employees assume any and all risk associated with their off-duty personal/private blogging and use of social media on non-District-owned accounts and/or equipment. The District may request immediate removal of material and/or take disciplinary action for personal/private blogging or personal/private use of social media sites by employees that causes disruption of the workplace or impairs the mission of the District. Employees who engage in personal/private blogging or use of social media sites may not:
- Attribute personal statements, opinions, or beliefs to the District;
 - Disclose confidential District information;
 - Use the District logo or trademarks; or
 - Post any material that: (i) constitutes harassment, discrimination, or ~~libel/defamation~~; (ii) violates the privacy rights of fellow employees, customers, consultants, vendors or contractors; or (iii) is disruptive to the work environment because it impairs workplace discipline or control, impairs or erodes working relationships, creates dissension among co-workers, interferes with job performance, or obstructs operations.
- D. Nothing in this policy is to be interpreted to interfere with, restrain or prevent employee concerted action or communications regarding wages, hours or other terms and conditions of employment or speech on matters of public concern, and employees have the right to engage in or refrain from such activities.
- E. Only employees expressly approved by management are authorized to publicly speak or otherwise communicate on behalf of the District.
- If ~~your employee's~~ posts on social media mention the District, its products or services, employees, customers and/or competitors, the employee must make clear/clarify that the views posted are ~~yours solely those of the employee~~ and do not represent the views of the District
 - ~~Do not~~ Employees shall not mention-disclose any confidential information related to District employees, clients, customers, or partners.

Information published on social networks or blog(s) should comply with the District's confidentiality and disclosure of proprietary data policies.

- Employees may not use District equipment or facilities for non-work-related activities without prior written permission from the District.
 - ~~Do~~ Employees shall not link to the District's website or post District material on a social media site without prior written permission from the District.
- F. Violations of this policy will may result in discipline which may include up to and including termination, depending upon the severity of the situation and its impact on the District.

98. Software

To prevent computer viruses from being transmitted through the system, there will be no unauthorized downloading of any software. In addition, no outside media (e.g. CDs, DVDs, disks, flash drives, etc.) will be used to transmit documents. All software downloads will be done through the District's IT consultant.

109. Violations

Violations of any guidelines listed above may result in disciplinary action up to and including terminations.

M. Absence without Leave/Abandonment of Employment

1. Employees shall timely notify District whenever employees are scheduled to work but cannot or will not report to work. All notices shall be truthful and shall contain sufficient specificity for District to be appraised of the nature of and reason for employee's absence. Whenever possible, employee's notice shall be in writing and signed by the absent employee.
2. If an employee is absent from work, either without having notified District or having notified District for reasons not justifying absence as set forth within this Manual or applicable law, for at least three (3) consecutive business days, District may, at its sole discretion, consider the employee to have voluntarily abandoned his or her employment with District. District may treat such an abandonment as voluntary rather than a dismissal of the employee. Prior to terminating the absent employee from employment with the District, the District shall send a written notice to the last known address of the employee, informing the employee of District's intent, if any, of finding that the employee has voluntarily abandoned his or her employment with the District, and giving the employee five (5) business days to contact District in writing and present any evidence that may render employee's absence valid under this Manual or

applicable law. If District does not receive any such evidence within five (5) days of the date of District's notice, or if District finds that the evidence is not sufficient to justify employee's absence, District may make its finding that the employee has voluntarily abandoned his or her employment with the District final with immediate effect.

3. In addition to the provisions set forth in section M2, immediately above, a voluntary abandonment without good cause exists, and is not a discharge, where an individual's employment is terminated due to his or her absence from work for a period more than 24 hours because of incarceration and the individual is convicted of the offense or any lesser offense or pleads guilty or nolo contendere. For purposes of this subsection, "24 hours" means 24 clock or consecutive hours rather than 24 working hours.

SECTION 5 - BENEFITS

A. Vacation

1. Each full-time continuous employee of the District will receive vacation with full salary. Said vacation will be credited to the employee's vacation account, on a monthly basis, as follows:
 - a. First through and including fourth anniversary of hire date shall receive 6.67 hours per month (equals eighty (80) hours per year) vacation.
 - b. Fifth through and including fourteenth anniversary of hire date shall receive 10 hours per month (equals one hundred and twenty (120) hours per year) vacation.
 - c. Fifteenth anniversary of hire date and thereafter shall receive 13.33 hours per month (equals one hundred sixty (160) hours per year) vacation.
2. The times at which an employee may take ~~his/her~~ vacation and/or floating holidays will be predetermined by the employee and the appropriate Division Head. This shall be done at least two (2) weeks in advance of commencement of the vacation and/or floating holidays, and it shall consider the wishes of the employee and the needs of the applicable Division. Upon establishment of the vacation or floating holiday ~~periods~~, no changes will be allowed unless approved by the General Manager. If an employee wishes to take vacation and/or floating holidays on less than two (2) weeks' notice, the employee must ~~first~~ obtain approval from both Division Head and General Manager ~~approval~~. Field employees will not be allowed to take vacation or

floating holiday during meter reading time, which normally begins approximately the 12th of each month and lasts approximately 3-4 days. ~~The Superintendent or General Manager will determine when meter reading restrictions are in effect on a month-by-month basis. The General Manager may grant an exception to this rule in the General Manager's discretion.~~ Office personnel are not allowed to take vacation or floating holidays during July due to operational needs. ~~The General Manager may grant an exception in the General Manager's discretion.~~ No two employees of the same division will be permitted to take vacation or floating holidays during the same time period. ~~The General Manager may grant an exception to~~ ~~this~~ these rules in the General Manager's sole discretion.

3. No employee may accumulate more than 240 hours of vacation leave. Once an employee has accumulated 240 hours of vacation, ~~the employee~~ ~~he or she~~ will not accrue or earn any additional vacation until vacation is used by the employee. The purpose of the annual vacation is to enable each eligible employee annually to return to work mentally refreshed. Therefore, no employee may receive pay in lieu of taking a vacation. It is particularly desirable each employee take the full vacation period earned during a calendar year at one time during that calendar year, to obtain the maximum benefit from it. Upon termination of an employee any time after completion of his or her probation period, any earned and unused vacation credit will be paid in a lump sum at the then current rate of pay and combined with the final paycheck. In no event will such paid earned vacation credit exceed 240 hours. The General Manager of the District shall cause to be kept a detailed record of such earned vacation time.
4. In the event of one or more holidays falling within a vacation leave, such holidays shall not be charged as vacation leave.
5. For nonexempt employees who become ill shortly before or after a vacation, the following provisions apply: Employees must work on the workday before and the workday after a vacation. If an employee takes one or both of those days off as sick leave, ~~he/she that employee~~ will not receive sick leave pay unless and until ~~he/she the employee~~ has provided a letter from ~~his/her the employee's~~ doctor substantiating that ~~he/she the employee~~ was sick on the day (or days) taken as sick leave. In addition, if an employee leaves early due to illness the day before a vacation day, the employee must provide a doctor's note upon return to work to have the time treated as paid sick time off. If a note is not provided, the time will be treated as unpaid time off.
6. New employees with less than one year of service will not be allowed to use vacation leave until the completion of the first full year of employment.

B. Holidays

1. All full-time continuous employees will receive the following paid holidays:

New Year's Day (January 1st)
Presidents' Day (third Monday in February)
Memorial Day (last Monday in May)
Independence Day (July 4th)
Labor Day (first Monday in September)
Veteran's Day (November 11th)
Thanksgiving Day
Thanksgiving Holiday (Friday following Thanksgiving Day)
Christmas Day (December 25th)

2. If the holiday falls upon a Saturday, the immediately preceding Friday will be deemed a District holiday. If the holiday falls upon a Sunday, the immediately following Monday will be deemed a District holiday.
3. Each full-time continuous employee of the District shall be entitled to two (2) additional days off per calendar year, to be known as a "floating holiday," which may be taken on any regularly scheduled District workday with two weeks prior approval of the respective Division Head (or on special approval by the General Manager). These "floating holidays" must be used in the calendar year for which they are designated and may not be accrued from year to year. They must be used in full day increments.
4. Any employee eligible to receive paid holidays, and required to work on a holiday, will be entitled to compensation pursuant to overtime pay as defined elsewhere herein.
5. For nonexempt employees who become ill shortly the day before or after a holiday, the following provisions apply: For an employee to receive pay during a holiday, the employee must work on the workday before and the workday after the holiday or take vacation on those days. If an employee takes one or both of those days off as sick leave, he/she employee will not receive pay during the holiday unless and until he/she employee has provided a letter from his/her employee doctor substantiating that he/she employee was sick on the day (or days) taken as sick days. In addition, if an employee leaves early due to illness the day before a holiday, the employee must provide a doctor's note upon return to work to have the time treated as paid sick time off. If no note is provided, the partial day absence will be treated as unpaid time off.

C. **Sick Leave**

1. Sick leave with pay shall be granted to each full-time continuous employee of the District, after completion of probation, at the rate of eight (8) hours for each

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calendar month of services completed. Sick leave may be used in case of physical disability, by reason of illness, sickness, injury or serious illness of oneself or an immediate family member, spouse or registered domestic partner, or to bond with a new child. It will be allowed for other reasons only in the discretion of, and with the prior approval of, the General Manager. Sick leave will not be considered as a privilege which the employee may use at his or her discretion for any reason. Unused sick leave will be accumulated at the rate of 96 hours a year, without limit. The General Manager of the District will cause to be kept a detailed record of all sick leave.

2. In order to receive compensation for work time lost due to sickness, the employee must call his/her/employee's Division Head or General Manager at least one half (1/2) hour before the time set for beginning the employee's daily duties. When absence is for more than three (3) working days, the employee may be required, at the General Manager's discretion, to submit to the District a physician's release, or other evidence satisfactory to the District, stating that the employee was out for an illness, disability, sickness, or injury or serious illness of an immediate family member, spouse, or registered domestic partner, or to bond with a new child. If an employee is absent five (5) (or more) consecutive working days, a doctor's release will be mandatory to return to work. Said doctor's release will state that the employee is cleared to perform the essential duties of the position either with or without an accommodation. If an accommodation is needed, the letter should indicate functional limitations or the need for an accommodation.
3. Each employee, who on the first of December of any calendar year has an unused sick leave balance of at least 400 hours may elect to be paid for one-half of the unused annual sick leave that accrued during the past 12 months, provided that if payment is made, the remaining balance will not be less than 400 hours. If the employee elects to receive payment as herein provided, the balance of unused annual sick leave will remain in the employee's account.
4. Any employee who was employed by the District before April 20, 2004, has an unused sick leave balance of 400 hours or more at the time of termination and terminates his or her employment with the District, other than by retirement, will be paid at that employee's then current rate of pay for the unused sick leave balance up to a maximum of 400 hours. Any such employee shall not be paid for any unused sick leave more than 400 hours. If an employee at the time of termination has an unused sick leave balance of less than 400 hours, then no payment for unused sick leave will be made. If an employee is terminated by the District, then the employee shall not be entitled to receive payment for any unused sick leave balance that the employee may have at the time of termination regardless of the amount of unused sick leave.

5. Any employee who has an unused sick leave balance of 240 hours or more and who retires with either service or disability retirement will be paid for unused sick leave up to 400 hours at that employee's then current rate of pay. Such an employee shall not be paid for any unused sick leave more than 400 hours. If the retiring employee has an unused sick leave balance of less than 240 hours, then no payment for any unused sick leave will be made.
6. In case of an employee's death, the Board of Directors, in its sole discretion, may authorize the payment for any unused sick leave to that employee's beneficiary.

D. Leave of Absence

Upon submission of a written request, and approval of the General Manager, an employee may be granted a leave of absence without pay. No employee benefits will be paid by the District, or accrued, during the absence, except for insurance coverage(s) which will remain in effect for the current calendar month. If an employee will be on leave of absence for a period longer than the District will provide insurance coverage(s), the employee may elect to pay the District the cost of insurance coverage(s) to continue protection. If an employee will be off the payroll more than 30 days, the employee may elect to pay the cost of medical and/or life insurance coverage(s) to continue said coverage(s).

E. Compassionate Leave

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~~Whenever any full-time continuous employee is compelled to be absent from duty by reason of death of a member of the employee's or employee's spouse's or registered domestic partner immediate family, such as spouse or registered domestic partner, child, parent, sibling or grandparent, the General Manager is authorized to grant up to a maximum of three (3) working days compassionate leave with pay for employee to arrange for and/or attend funeral services. Employee's Compassion Leave usage shall not be in excess of time required to attend services, nor guaranteed without approval from General Manager. This absence with pay will not affect any employee benefits. The General Managers may grant up to five (5) days of compassionate leave, at his/her discretion, if the leave requires the employee to travel more than fiveone thousand hundred (1,000500) miles in each direction for reasons stated herein.~~

~~After 30 days of employment of a full-time continuous employee, if a death occurs in the employee's immediate family (defined as spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law) or if the employee suffers a reproductive loss event, defined as a failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction), leave without pay may be granted up to a maximum of five (5) days. Leave must be completed within three months of the date of death of the family member~~

or reproductive loss event. For reproductive loss events, if the employee is on or chooses to go on leave provided under FMLA or CFRA, the employee may complete bereavement leave within three months of the end date of the other leave. Employees are limited to twenty (20) days of bereavement leave in a 12-month period for reproductive loss events.

Within 30 days of the first day of the leave, the employee shall provide documentation of the death of the family member. Documentation includes a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. No documentation is required for a reproductive loss event.

For funeral attendance other than for the employee's immediate family, emergency leave may be granted at the sole discretion of the General Manager.

F. Jury Duty

1. When a full-time continuous employee is required to serve on a jury, said employee will be allowed time off for the required period of actual jury service. All employees must show the Affidavit requiring jury ~~service~~ service to the General Manager prior to the date that the employee must attend jury duty. Jury service must be located in the same jurisdiction matching the employee's address on file with District at the time of presentation to be considered. No employee will be allowed to attend jury duty in a jurisdiction that does not include the employees actual permanent address, as described elsewhere herein.
2. The District will pay the employee's salary for only the first ten (10) working days of jury service. To qualify for paid jury leave, an employee is required to provide proof of attendance at jury duty and pay to the District the amount of money the Court paid the to him/her employee minus the amount paid for travel mileage.
3. Except as provided for in this Subsection F, each full-time continuous employee will receive all benefits while serving on jury duty.

G. Dress Code and Safety Equipment

1. The District will provide all full-time continuous field operational personnel with uniforms to be worn while on duty. Field employee's must wear a clean uniform at the start of each day, the only exception being for field employees who have worked overtime in the hours prior to the regular start time of each day and then show up for a regular work shift afterwards. The District will provide all full-time field operational personnel with necessary District owned safety equipment, which will be properly cared for by the employee.

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2. All employees will always present a clean and neat appearance.
3. Office personnel will dress in a manner consistent with good business practices. Professional clothing is required daily. ~~The General Manager may designate Fridays as a "casual dress day."~~
4. All employees with one or more tattoos shall, when on duty or engaged in District business, dress, when physically possible, in such a way that the tattoo or tattoos are not visible to members of the public that would meet with or see the employees.
5. Employees with one or more body piercings shall remove the jewelry in the piercings when on duty or engaged in District business or dress and/or cover themselves in such a way that the body piercing, or piercings and jewelry are not visible to members of the public that would meet with or see the employees. This policy does not apply to ear piercings, including earrings.
6. Consistent with state law, religious dress and grooming accommodations will be made provided they do not violate laws, regulations, or safe operating procedures. Reasonable accommodations to this policy for disabilities will be made provided they do not pose an undue burden on the District or violate workplace safety standards.

H. **Health Insurance**

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1. Effective the first of the month following a thirty-day waiting period, Health and Hospitalization Insurance is available through the District for full-time continuous employees only. To the extent permitted by law, the Health and Hospitalization Insurance provided to current employees by District may be canceled or modified by the District at any time.

Health and Hospitalization Insurance shall be provided to retired employees who meet all the following criteria: Attain a minimum age of 60 years (or 62 years for those hired January 1, ~~2013~~2013, or later), and complete a minimum of twenty (20) continuous years of service with the District and must enroll in Medicare part A and B. Insurance premiums for said insurance shall be paid by the District. If a retiree wishes to provide Health and Hospitalization Insurance for qualified dependent(s), the additional premium for said dependent(s) shall be paid by the retiree. Qualified dependent(s) shall be as determined by the insurance provider. If a retiree dies, the insurance for any covered dependent(s) shall be terminated. To the extent permitted by law, the Health and Hospitalization Insurance provided to retirees by District may be canceled or modified by the District.

Health and Hospitalization Insurance shall be provided to (1) a retired employee for the employee's life (2) retiree's spouse or domestic partner for the spouse's or domestic partner's life, and (3) retiree's dependents as long as the dependents are

eligible for coverage under applicable federal and/or State law on the condition that the retired employee meets all of the following criteria: (1) The retired employee attains a minimum age of 62, (2) the retired employee completes a minimum of forty (40) continuous years of service with the District, and (3) the retired employee enrolls in Medicare part A and B. Insurance premiums for said insurance shall be paid by the District.

Further information on these plans will be provided to employees. In addition, premium information is set forth in an addendum (A) to this Manual.

2. When a retired employee qualifies for Medicare Insurance, he/she must enroll in Medicare part A and B to continue health insurance coverage under the District's group health insurance policy.

3. Open enrollment for ~~Employees and Retirees~~ will be October 1st ~~through~~ November 15th ~~of every year, if they would like allowing employees to change~~ their coverage to a different plan that the District offers.

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4. Dental Coverage

Dental coverage is provided to all full-time continuous employees who have completed the probationary period. Qualified dependents become eligible coincident with the employee. Employees will be provided with a plan summary. A copy of the current dental plan is attached as an addendum (B) to this manual and may be obtained from the Treasurer/Office Manager.

5. Vision Coverage

Employees will be entitled to a vision benefit. The terms of this benefit and the District's privacy policy are available for review and/or copying at the District office. Employees will be provided a plan summary and the privacy policy.

The following definitions apply to the vision benefit:

Eligible Employee - A regular full-time employee of the Employer. A full-time employee ~~is considered to be~~ is an individual who works eighty hours or more during a pay period.

Eligible Dependents - (1) Legal spouse or registered domestic partner of an Eligible Employee. (2) Unmarried children of an Eligible Employee to age 18 provided such children are dependent upon the employee for support and maintenance. College-age children/adult sons and daughters shall be covered provided they are full-time students as defined by the college they attend, through and including age 24. (3) Children of an Eligible Employee

who have attained the age specified in item 2 above who are incapable of self-sustained employment due to a handicap or disability and are still dependent on the employee.

Waiting Period - The ~~period of time~~period an employee must be employed by the Employer prior to becoming eligible for coverage under the Plan. The waiting period is six (6) calendar months, including employment with the Employer prior to the effective date of the Plan.

Covered Person - An Eligible Employee who has satisfied the waiting period and such individual's Eligible Dependent.

6. To the extent permitted by law, vision and dental benefits may be cancelled or modified at any time by the District.

I. Life Insurance

Effective after the satisfactory completion of the hiring probationary period, the District shall provide, for the employee only, District paid life insurance coverage at one and one-half (1-1/2) times the employee's annual salary, with a maximum coverage of \$150,000.

J. Retirement Plan

The District provides a retirement plan. Employees will be provided a plan summary. Said retirement plan is available for inspection and/or copying at the District office during business hours. For those hired before January 1, 2013, the retirement formula applicable to District retirees is 2% at age 60. For those hired on or after January 1, 2013, the retirement formula is 2% at age 62. For those hired on or after January 1, 2013, employer-paid member contributions are prohibited by law and not provided by the District.

K. Deferred Comp

The District offers a ~~CalPERS 457 Deferred Compensation Plan~~457-deferred compensation plan. Said deferred compensation plan is available for inspection at the District office during business hours.

The District offers up to a ~~2% (percent) percent~~ matching fund for District employee's, ~~off based on~~ their base salary ~~without and excluding~~ overtime.

L. Credit Union

All full-time continuous employees are eligible to participate in the F&A Federal Credit Union. Employees may arrange payroll deductions for savings or loan payments to the Credit Union. Members of the employee's immediate family may also be eligible for membership.

M. Executive Leave

The General Manager, Superintendent, and Treasurer/Office Manager will receive executive leave in an amount not to exceed five (5) days (40 hours) for each calendar year. The scheduling thereof shall be within the ~~total-sole~~ discretion of the General Manager. This leave must be used in the calendar year designated and may not be accrued or carried over from year to year.

Any employee eligible for executive leave will have the option to receive pay and defer all or part of the 40 hours to the District's 457 deferred compensation plan. This option will have to be made by employee on or before January 1 of every year.

N. Use of District Vehicles

Each employee who operates a District vehicle will be required to have a valid California Driver's License as issued by the California Department of Motor Vehicles. All District employees ~~will~~shall, at all times always observe and abide by all state and local traffic laws. Any employee who is required to operate a District vehicle, and who has his/her driver's license suspended or revoked or is refused insurance coverage by the District's insurance carrier, may be terminated.

Based on the operational needs of the District, the District may require select employees to obtain and maintain a Commercial or Non-Commercial Class A License. Selected employees will receive monetary reimbursement for any reasonable expenses incurred in obtaining and maintaining said license(s), which shall be presented to the General Manager for approval prior to being incurred. A selected employee's refusal to obtain or maintain a license under this section may subject that employee to discipline as outlined elsewhere in this Manual. Pursuant to requirements by the Department of Transportation, all employees holding a Commercial and/or Non-Commercial Class A License are subject to random, mandatory drug testing.

District vehicles are to be ~~garaged~~parked at the District office. These vehicles are **NOT** to be used for personal business or transportation of family members and/or friends. Exceptions are as follows:

1. The employee on standby duty will be assigned a District vehicle for transportation to and from work as well as for District business.
2. The Superintendent will be issued a District vehicle for transportation to and from work as well as for District business.

3. ~~The Treasurer/Office Manager currently uses a District vehicle for transportation to and from work as well as for District business. Any Treasurer/Office Manager hired after February 11, 2014, will not be provided a District vehicle.~~

4. 3. The Secretary/General Manager will be allowed full use of the District assigned vehicle for all District business as well as limited personal use.

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5. 4. The General Manager may grant, in writing, temporary exceptions to the above requirements when the above specific circumstances warrant.

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O. Family Care and Medical Leave under the California Family Rights Act (CFRA Leave) and Pregnancy Disability Leave

Under the California Family Rights Act of 1993, if an employee has more than 12 months of service with the District and has worked at least 1,250 hours in the 12-month period before the date the employee wants to begin his/her leave, the employee may have a right to an unpaid family care or medical leave (CFRA leave). This leave may be up to 12 workweeks in a 12-month period for the birth, adoption, or foster care placement of the employee's child or for the employee's own serious health condition or that of the employee's child, parent or spouse or registered domestic partner.

Even if an employee is not eligible for CFRA leave, if the employee is disabled by pregnancy, childbirth or related medical conditions, the employee is entitled to take a pregnancy disability leave of up to four months, depending on the period(s) of actual disability. If an employee is eligible under CFRA, the employee has certain rights to take both a pregnancy disability leave and a CFRA leave for reason of the birth of the employee's child. Both leaves contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to any defense allowed under the law.

If possible, an employee must provide at least 30 days advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for the employee or of a family member). For events which are unforeseeable, the District needs the employee to notify District management, at least verbally as soon as the employee learns of the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until the employee complies with this notice policy.

The District may require certification from an employee's health care provider before allowing an employee a leave for pregnancy or the employee's own serious health condition or certification from the health care provider of the employee's child, parent or spouse who has a serious health condition before allowing the employee a leave to take care of that family member. When medically necessary, leave may be taken on an intermittent or reduced work schedule.

If an employee is taking a leave for the birth, adoption or foster care placement of a child,

the basic minimum duration of the leave is two weeks, and the employee must conclude the leave within one year of the birth or placement for adoption or foster care.

Taking a family care or pregnancy disability leave may impact accrual of new sick and vacation leave. Health insurance coverage will continue during such leave, but if an employee resigns and does not return to work from leave, the District may request reimbursement for premium costs during the employee's absence. If an employee wants more information regarding his/her eligibility for a leave and/or the impact of the leave on his/her seniority and benefits, please contact the General Manager.

To the extent permitted by law, Family Medical Leave Act (FMLA) leave will run concurrently with CFRA leave and will not be in addition to CFRA leave. Employees using FMLA or CFRA leave may use accrued sick and vacation time if they choose.

Under the FMLA, the spouse, parent, child or next of kin of military service personnel may take (a) up to 26 weeks in a 12-month period to care for a service person ill or injured in the line of duty on active duty, and/or (b) up to 12 weeks for an exigency arising due to notice of an impending call to active duty. Under the CFRA, an employee who works at least 20 hours per week can take up to 10 days unpaid leave when their spouse is on leave from deployment. This may run concurrently with the FMLA exigency leave.

P. Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Employees have the right to be reemployed if they leave to perform service in the uniformed service and they ensure District receives advance written or verbal notice of service; the employee has 5 years or less of cumulative service in the uniformed services while with District; the employee returns to work or applies for reemployment in a timely manner after conclusion of service; and the employee was not separated from service with a disqualifying discharge or other than honorable conditions.

When restored to the job, the employee has the benefits he/she would have attained had he or she not been absent due to military service. In some cases, the employee is returned to a comparable job. Employees have the right to be free of discrimination and retaliation for past or current membership in the uniformed service, application for membership in the uniformed service or obligation to serve in the uniformed service.

Such employees will not be discriminated against in initial employment, reemployment, retention in employment, promotion, or any benefit of employment because of such status. In addition, District does not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

If an employee leaves his or her job to perform military service, he or she has the right to elect to continue existing District-based health plan coverage for self and dependents for up to 24 months while in the military. Even if the employee does not elect to continue coverage during military service, the employee has the right to be reinstated in District's health plan when reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions), except for service-connected illnesses or injuries.

SECTION 6 - COMPENSATION

A. Employee Compensation

1. The Board of Directors shall have the exclusive authority to determine the General Manager's salary. The Board shall also determine the salary ranges for the various classified positions. This shall be reflected in the District's "Monthly Salary Schedule."
2. The District's "Monthly Salary Schedule" lists a salary range for each of the classifications of hourly employees. An employee hired will be reviewed annually on the employee's anniversary date. Annual salary increases, if granted, are based upon merit only.
3. Hourly rate of pay will be calculated by taking the employee's monthly rate and multiplying by 12, dividing by 2080.
4. Pay periods for all employees will be bi-weekly on Thursday. If a payday falls on a holiday, payment will be made on the preceding Wednesday. The payroll period ends the Saturday preceding payday.

B. Overtime Pay

1. All employees who are classified as "non-exempt employees" will be eligible for overtime pay.
2. Overtime pay is defined by State of California ~~-(Standby duty and pay are defined elsewhere within this Manual, herein-)~~
3. ~~The rate paid for overtime pay will be the regular hourly rate times one and one-half (1 1/2) for each hour of overtime worked, or portion thereof.~~

C. Standby Pay

Each employee of the District who is on weekly standby status will receive \$25 per day

compensation for being on call. Employees who are on standby are required to work four (4) hours on each Saturday, Sunday, or Holiday consisting of doing the pumping rounds, as defined in the employees' job duties. When a standby employee receives a call that requires driving to any location within the District's service area, facility, or other infrastructure's location the-out, employee will receive a minimum two (2) hours overtime pay unless they are already out on a call or are working their four (4) hours of pumping rounds. (Amended on April 14, 2021)

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D. Certification Bonus

When an employee, other than the General Manager, Treasurer/Office Manager, Superintendent, Utility Worker III, Utility Worker II or temporary employee, receives a Water Treatment Operator's Certificate, Grade 2, 3, 4 or 5 or higher issued by the California Department of Health, that employee will receive a five percent (5%) salary increase. District employees may only receive one five percent (5%) salary increase under this section. Any salary increase provided for herein will be effective during the first full pay period after the receipt of the certificate in question.

E. Educational Reimbursement

Any employee who has completed his/her probationary period may obtain reimbursement from the District for taking and completing college courses that lead to receiving a college degree. The following shall apply to the educational reimbursement program.

1. Employee must complete college course work leading to either a bachelor's or graduate degree.
2. Attendance may be at any accredited public or private university or college.
3. The employee must file an application with the General Manager. The application must include at least the following, plus any other information required by the General Manager:
 - a. A description of the degree the employee wishes to obtain.
 - b. The course work necessary to obtain the degree.
 - c. The time in which the employee proposes to complete the course work required to obtain the degree.
 - d. The estimated cost of paying for the required course work, including tuition, fees, books, and other required materials, and on-campus parking.

4. The degree and course work leading to the degree must be in an area that is related to the business of the District, including, but not limited to, the following:
 - a. Business Administration
 - b. Accounting
 - c. Public Administration
 - d. Engineering, including civil and mechanical.
 - e. Physics
 - f. Chemistry
5. The application for educational reimbursement must be submitted to and approved by the General Manager.
6. The maximum amount of educational reimbursement that an employee may receive for a calendar year is \$1,500.00. If the employee desires to obtain a greater amount of reimbursement for a calendar year, the employee must file a request with the Board of Directors. The Board of Directors, in its sole discretion, may authorize educational reimbursement greater than \$1,500.00 for the calendar year.
7. To obtain educational reimbursement for a calendar year (or part of a calendar year) the employee must request reimbursement and comply with the following:
 - a. The employee must first have obtained approval for the reimbursement from the District before enrolling in the course work.
 - b. The employee must provide proof to the District that employee enrolled in and completed the course work.
 - c. The employee must provide proof of the grade received in each course taken.
 - d. The employee must provide documentation demonstrating the amount of tuition, fees, cost of books and materials, and parking paid by the employee.
8. To be entitled to reimbursement, the employee must continuously maintain a minimum cumulative grade point average of a "C". Also, the employee must pass each course for which reimbursement is requested with a minimum grade of a "C".
9. The General Manager shall review each request for educational reimbursement and determine whether to grant the request, and if granted, determine the amount of the reimbursement.

10. If an employee for whom educational reimbursement has been paid, voluntarily terminates his/her employment with the District or withdraws from the college program for which reimbursement has been paid, the employee shall repay to the District all the educational reimbursement received by the employee during the twelve months prior to the termination of employment and/or withdrawal from the college program.
11. Employee may also receive reimbursement for cost of individual classes taken which led to certification in water treatment or distribution, supervision, office management, or public administration if they apply for and obtain prior approval from the General Manager.

F. Reimbursement for District-Related Business

Use of personal automobiles by employees on District business shall be reimbursed for miles driven at the current standard mileage rate as indicated by the Internal Revenue Service.

G. Physical Examination

The General Manager, Superintendent, and Treasurer/Office Manager will be encouraged to take a comprehensive annual physical examination. The District will pay up to \$750.00 per physical examination.

SECTION 7 – NONDISCRIMINATION AND COMPLAINT PROCEDURE

A. Nondiscrimination Policy

1. The District is an equal opportunity employer and makes employment decisions based on merit. Unless based upon a bona fide occupational qualification as defined by law, no personnel action (including appointment to or removal from a position in District employment) shall be based upon race, creed, color, age (40 and older), veteran status, religion, sex, ancestry, national origin, physical or mental disability, pregnancy, breast-feeding, childbirth or related medical condition, marital status, medical condition, sexual orientation, gender identity, gender expression, genetic information or any other consideration unlawful by federal, state or local laws.
2. Any technique or procedure used in recruitment or selection of employees shall be designed to measure only the job-related qualifications of applicants. No recruitment or selection technique or any other personnel action shall be used that, in the opinion of the General Manager, is not justifiably linked to successful job performance.
3. To comply with applicable laws ensuring equal employment opportunities to

qualified individuals with a disability, the District will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified individual unless undue hardship would result.

4. Any applicant or employee who requires an accommodation to perform the essential functions of the job should contact his or her supervisor or the General Manager to request an accommodation. The individual with the disability should specify what accommodation is needed to perform the job. The District will then conduct an interactive meeting with the employee so that the District may decide whether reasonable accommodations exist that will not impose an undue hardship. The District does not guarantee that the employee or applicant will be given the accommodation he or she requests.

B. Complaint Procedure

1. In adopting the above policy, the District assures its employees that every reasonable step will be taken to prevent discrimination from occurring. However, if an employee believes that he or she has been unlawfully discriminated against, the employee is urged to immediately do the following:

Provide a written or oral complaint to the employee's own supervisor, or to the General Manager as soon as possible after the incident. Include all details of the incident(s), names of individuals involved and the names of any witnesses.

2. The following procedures will be followed after an employee reports unlawful discrimination:
 - a. Anyone receiving a complaint of unlawful discrimination will immediately document the complaint in writing and refer the complaint to the General Manager who will ensure that an immediate, effective, thorough and objective investigation of the discrimination allegation(s) is undertaken. In the event the General Manager is the subject of complaint, the president of the board will receive the complaint. The president of the board will select an appropriate individual other than the general manager to conduct the investigation of a Complaint against the general manager. In addition, the person to whom the complaint has been referred will fully inform the employee of (i) his or her rights to complaint and redress the discrimination; (ii) the employee's own obligations to secure his or her rights; and (iii) any assistance available under the District's policies.
 - b. If it is determined that unlawful discrimination has occurred, effective remedial action will be taken in accordance with the circumstances. Any employee found to be guilty of discrimination will be subject to discipline ranging from verbal or written warnings, up to and including termination.

- c. After the investigation and findings have been concluded, to the extent permitted by law, the District will communicate the findings to the complainant, the alleged offender, and any other concerned party.
3. To achieve the goals of the District's policy, it is necessary that each employee understand the importance of the policy and his or her individual responsibility to contribute toward its maximum fulfillment. Employees are encouraged to report all incidents of discrimination and are assured that there will not be any retaliation for having reported, in good faith, any incident of suspected discrimination.
4. A copy of this Nondiscrimination Policy and Complaint Procedure shall be provided to each District employee after adoption of the Policy and Procedure, and it shall be provided to all new employees at the time of commencement of their employment. In that regard, each existing and new employee shall acknowledge receipt of the Policy and Procedure by executing the following form and the executed form shall be retained in the employee's personnel file.

SECTION 8 - ANTI-HARASSMENT AND COMPLAINT PROCEDURE

A. Anti-Harassment Policy

1. All employees of the District are to be treated with respect and dignity. The District is committed to providing an atmosphere free of all harassment, particularly harassment based on such factors as race, creed, color, religion, sex, national origin, or ancestry, physical or mental disability, medical condition, pregnancy, breast-feeding, childbirth or related conditions, marital status, age (40 and older), veteran status, gender identity or expression, or sexual orientation.
2. Harassment is against the law. It is the policy of the District that harassment of any co-worker, co-employee, contractor, vendor, or member of the public, by any employee, supervisor or customer of the District is absolutely prohibited and will not be tolerated. Failure to follow this policy will result in disciplinary action, up to and including termination. All supervisors must complete two hours of anti-harassment training every two years.
3. Harassment includes verbal, physical and visual contact that creates an intimidating, offensive or hostile working environment or that interferes with work performance. Some examples include racial or sexist slurs, ethnic or sexist jokes, posting of offensive statements, posters or cartoons, and unwanted touching or blocking of normal movement.
4. Sexual harassment includes, but is not limited to, the making of any unwelcome advances and/or visual, verbal, or physical conduct of a sexual nature, offering

employment benefits in exchange for sexual favors, or threatening reprisals after a negative response to a sexual advance. The definition of sexual harassment includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser or a different sex. Some examples of sexual harassment are: requests for sexual favors, demeaning sexual remarks, leering, making sexual gestures, displaying of sexually suggestive objects or pictures, references to anyone in terms such as "honey," making or using derogatory comments, epithets, slurs or jokes, comments about an individual's body, touching, impeding or blocking movements, or any other conduct based upon an individual's sex that creates an atmosphere or environment that interferes with that individual's job performance or is intimidating, hostile or offensive to that individual.

5. If an employee thinks that he or she or one of his or her co-workers has been the victim of harassment, that person should immediately report such conduct to his or her supervisor, or to the General Manager. Every complaint of harassment that is reported to a supervisor or anyone else in management will be taken seriously and investigated thoroughly. If employees do not report harassment, it cannot be investigated. Every employee's cooperation is crucial. There will be no retaliation against any employee by management or other employees for making a complaint of harassment or participating in the investigation of any complaint.
6. In addition to these internal policies and procedures, [the California Civil Rights Department \("CRD"\), formerly known as](#) the State of California Department of Fair Employment and Housing ("DFEH"), provides additional information regarding the legal remedies and complaint process available through the government agencies.

B. Complaint Procedure

1. In adopting the above policy, the District assures its employees that every reasonable step will be taken to prevent harassment from occurring. However, if an employee believes that he or she has been unlawfully harassed, the employee is urged to immediately do the following:
 - a. The employee should make it clear to the offender that the behavior is unacceptable. When possible, confront the offender and attempt to persuade him or her to stop the behavior. The offender may not realize that the advances or behavior are unacceptable. Sometimes a simple confrontation will end the situation. Employees are not required to directly confront the harasser and may use the District's complaint procedure instead.
 - b. The employee should not let confusion and self-doubt stop her or him from speaking out regarding the behavior and actions of the offender.

- c. The employee should keep a record of dates, times, places, witnesses, and the nature of the harassment. Such information should be conveyed to the General Manager or a supervisor in reporting the harassment.
 - d. If the employee feels that she or he has been or is being sexually harassed or is aware of or suspects the occurrence of sexual harassment, or desires counseling on coping with sexual harassment, the employee should immediately contact or his or her supervisor or the General Manager.
 - e. Although employees must report harassment and must cooperate with a harassment investigation, to the extent possible, employees should be respectful of the privacy of those involved.
 - f. The employee should provide a written or oral complaint to the employee's supervisor or to the General Manager as soon as possible after the incident. Include all details of the incident(s), names of individuals involved and the names of any witnesses. All information and communication regarding the harassment will be kept confidential except on a need-to-know basis.
2. The following procedures will be followed after an employee reports unlawful harassment:
- a. Anyone receiving a complaint of unlawful harassment will immediately document the complaint in writing and refer the complaint to the General Manager or other manager if the complaint involves the General Manager, who will ensure that an immediate, effective, thorough and objective investigation of the harassment allegation(s) is undertaken. In addition, the person to whom the complaint has been referred will fully inform the employee of (i) his or her rights to complain and redress the harassment; (ii) the employee's own obligations to secure his or her rights; and (iii) any assistance available under the District's policies.
 - b. If it is determined that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances. Any employee found to be guilty of harassment will be subject to discipline ranging from verbal or written warnings, up to and including termination.
 - c. After the investigation and findings have been concluded, to the extent permitted by law, the District may communicate certain findings to the complainant, alleged harasser, and any other impacted party.
3. To achieve the goals of the District's policy, it is necessary that each employee understand the importance of the policy and his or her individual responsibility to contribute toward its maximum fulfillment. Employees are encouraged to report

~~any and~~ all incidents of harassment and are assured that there will not be any retaliation for having reported, in good faith, any incident of suspected harassment.

4. A copy of this Anti-Harassment Policy and Complaint Procedure shall be provided to each District employee after adoption of the Policy and Procedure, and it shall be provided to all new employees at the time of commencement of their employment. In that regard, each existing and new employee shall acknowledge receipt of the Policy and Procedure by executing the following form and the executed form shall be retained in the employee's personnel file.

SECTION 9 – ANTI-RETALIATION POLICY

Retaliation, as prohibited under state and federal law, is not permitted. Prohibited retaliation includes retaliation for any of the following actions: disclosing a possible violation of a state or federal law, rule or regulation to a government Agency (including but not limited to the California State Attorney General's whistleblower hotline), filing a formal complaint or charge against the District, refusing to participate in an activity that would result in a violation of a state or federal law, rule or regulation, exercising whistleblowing rights in a current or former job, complaining about prohibited discrimination or harassment or participating in a related investigation, proceeding or hearing. This policy also prohibits retaliation against any employee who reports any unsafe or unhealthful working condition or practice. No District official may make a policy, adopt or enforce a rule, regulation or policy that prevents any employee from being a whistleblower. Further, employees will not be subject to discrimination or harassment for having exercised their right to apply for FMLA or PDL leave, or a reasonable accommodation for a disability, whether or not the application is ultimately granted.

SECTION 10 - EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE POLICIES AND PROCEDURES MANUAL

Each existing District employee and all new employees will be required to receive and read a copy of this Manual. Each existing employee shall, within thirty (30) days of the adoption of this Manual, receive and sign an acknowledgement that he/she has received and read this Manual and that acknowledgement shall be placed in the employee's personnel file. Each newly hired employee shall, at the time of commencement of employment, receive a copy of this Manual and sign an acknowledgement that he/she has received and read this Manual and that acknowledgement shall be placed in the employee's personnel file.

EMPLOYEE ACKNOWLEDGEMENT RECEIPT OF EMPLOYEE POLICIES

AND PROCEDURES MANUAL

This acknowledges that I have received and read my copy of the La Habra Heights County Water District's Employee Policies and Procedures Manual. I understand that this acknowledgement will be placed in my personnel file and that I will receive a copy of it upon request.

**EMPLOYEE ACKNOWLEDGEMENT
RECEIPT OF NONDISCRIMINATION
POLICY AND COMPLAINT PROCEDURE**

This acknowledges that I have received and read my copy of the La Habra Heights County Water District's Nondiscrimination Policy and Complaint Procedure. I understand that this acknowledgement will be placed in my personnel file and that I will receive a copy of it upon request.

**EMPLOYEE ACKNOWLEDGEMENT
RECEIPT OF ANTI-HARASSMENT
POLICY AND COMPLAINT PROCEDURE**

This acknowledges that I have received and read my copy of the La Habra Heights County Water District's Anti-Harassment Policy and Complaint Procedure. I understand that this acknowledgement will be placed in my personnel file and that I will receive a copy of it upon request.

Signature

Date

Print Full Name

LA HABRA HEIGHTS COUNTY WATER DISTRICT
COMPARABLE BENEFITS- DENTAL COVERAGE, HOLIDAYS & SAFETY SHOE ALLOWANCE
2024
CONFIDENTIAL - STAFF USE ONLY

AGENCY	ORCHARD DALE WATER DISTRICT	PICO WATER DISTRICT	ROWLAND WATER DISTRICT	SAN GABRIEL COUNTY WATER DISTRICT	VALLEY COUNTY WATER DISTRICT	WALNUT VALLEY WATER DISTRICT	LA HABRA HEIGHTS COUNTY WATER DISTRICT	AVERAGE
Dental:								
Employer Premium Cost	100%	NA	100%	NA	100%	Subject to maximum allowed cafeteria plan benefit	NA	
Provider	ACWA/UPIA Delta PPO	Self Insured	ACWA/UPIA Delta PPO	Self Insured	ACWA/UPIA Delta PPO	ACWA/UPIA Delta PPO/HMO	Self Insured	
Maximum	\$ 2,000	\$ 1,500	\$ 2,000	\$ 2,000	2,000	\$ 2,000	\$ 1,000	\$ 1,917
Deductible/Co-pay	\$25/\$50	\$ -	\$25/\$50	\$ -	\$25/\$50	\$25/\$50	\$25/\$50	
Coverage %	100/85/50	100	100/85/50	100	100/85/50	100/85/50	80	
Monthly Premium \$/employee:						PPO	HMO	
Single	47.86	NA	46.23	NA	47.86	46.23	29.19	
2	94.96	NA	94.11	NA	94.96	94.11	45.36	
Family	169.30	NA	164.17	NA	169.30	164.17	64.72	
Orthodontics:								
Maximum	\$ 2,000	\$ 1,500	\$ 2,000	50%	\$ 2,000	\$ 2,000	\$ 1,300	\$ 1,900
Holidays:	13 +2 Floating	10 +2 Floating	11.5 +0 Floating	13 +1 Floating	13 +0 Floating	11 +3 Floating	9 +2 Floating	12
	\$225 per year	\$180 per year	\$400 per year	\$200 per year	\$360 per year	\$250 per year	NONE	\$ 269
Safety Shoe Allowance:	steel toe required	steel toe required	steel toe required	steel toe required	steel toe required	steel toe required		

Proposed changes to dental coverage

Propose maximum of \$2,500 dental with 25%/\$50 deductible and co-pay and 80% coverage.

Propose maximum orthodontics of \$3,000

RESOLUTION 24-10

A RESOLUTION BY THE BOARD OF DIRECTORS OF LA HABRA HEIGHTS COUNTY WATER DISTRICT TO REQUEST, PURSUANT TO WATER CODE APPENDIX 98-52 AND 103-6, THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO APPOINT UNCHALLENGED CANDIDATES AS DIRECTORS ON THE LA HABRA HEIGHTS COUNTY WATER DISTRICT BOARD OF DIRECTORS

LA HABRA HEIGHTS COUNTY WATER DISTRICT

MEMORANDUM

DATE: AUGUST 27, 2024
TO: BOARD OF DIRECTORS
FROM: JOE MATTHEWS, SECRETARY/GENERAL MANAGER
SUBJECT: ADOPT RESOLUTION 24-10, REQUESTING THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO APPOINT UNCHALLENGED CANDIDATES AS DIRECTORS ON THE LA HABRA HEIGHTS COUNTY WATER DISTRICT BOARD OF DIRECTORS

Our three incumbents are the only people nominated to fill positions as Directors of the Board in the upcoming general election.

The District is required to approve a resolution requesting the L.A. County Board of Supervisors to appoint our unchallenged candidates to the Board of Directors in lieu of holding an election.

RESOLUTION 24-10

A RESOLUTION BY THE BOARD OF DIRECTORS OF LA HABRA HEIGHTS COUNTY WATER DISTRICT TO REQUEST, PURSUANT TO WATER CODE APPENDIX 98-52 AND 103-6, THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO APPOINT UNCHALLENGED CANDIDATES AS DIRECTORS ON THE LA HABRA HEIGHTS COUNTY WATER DISTRICT BOARD OF DIRECTORS

1. RECITALS

WHEREAS La Habra Heights County Water District ("LHHCWD") is a California County Water District incorporated pursuant to Water Code Section 30000, et seq., and located within the boundaries of the County of Los Angeles;

WHEREAS LHHCWD is scheduled to hold elections to fill three open seats on LHHCWD's Board of Directors on November 5, 2024; and

WHEREAS only three candidates have filed papers for candidacy for the three open seats on LHHCWD's Board of Directors as of August 15, 2024.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
LHHCWD AS FOLLOWS:**

2. RESOLUTION

LHHCWD's Board of Directors, pursuant to Water Code Appendix 98-52 and 103-6, hereby resolves to request that the Los Angeles County Board of Directors appoints to LHHCWD's Board of Directors the three candidates who filed papers for candidacy in lieu of holding an election.

ADOPTED, SIGNED, AND APPROVED this 27th day of August 2024.

Brad Cooke, President
Board of Directors of
La Habra Heights County Water District

ATTEST:

Joe Matthews, Secretary

(SEAL)

I, JOE MATTHEWS, Secretary of the Board of Directors of the La Habra Heights County Water District, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Board of Directors of said District, held on the 27th day of August 2024, and was adopted at that meeting by the following vote:

Joe Matthews, Secretary
Board of Directors of the La Habra
Heights County Water District

**PUBLIC EMPLOYEE PERFORMANCE
EVALUATION**

**TITLE: SECRETARY/GENERAL
MANAGER**

**(CLOSED SESSION PURSUANT
GOVERNMENT CODE SECTION
54957)**

LA HABRA HEIGHTS COUNTY WATER DISTRICT

MEMORANDUM

DATE: AUGUST 20, 2024
TO: BOARD OF DIRECTORS
FROM: JOE MATTHEWS, SECRETARY/ GENERAL MANAGER
SUBJECT: EMPLOYMENT AGREEMENT

I have delayed the discussion of my General Manager/Secretary employment contract for the past few months to the Board, due to the excessive amount of District business. I used Michael Gualtieri's contract as a template and made appropriate minor revisions. Michael Silander reviewed it for legal and District revisions. I am now asking the Board to review and adopt the contract.