

**Donner Summit Public Utility District  
Board of Directors Regular Meeting  
Agenda  
Tuesday, March 21, 2023 - 6:00 P.M.  
DSPUD Office, 53823 Sherritt Lane, Soda Springs California**

The Public is welcome to attend in person or participate by Zoom Webinar: Meeting Id 852 5469 3423, Password: 756247

Any member of the public desiring to address the Board on any matter within the Jurisdictional Authority of the District or on a matter on the Agenda before or during the Boards consideration of that item may do so. After receiving recognition from the Board President, please give your Name and Address (City) and your comments or questions. In order that all interested parties have an opportunity to speak, please limit your comments to the specific topics of discussion.

Unless specifically noted, the Board of Directors may act upon all items on the Agenda.

**1. Call to Order**

**2. Roll Call**

**3. Clear the Agenda**

**4. Public Participation –** *This is time set aside for the public to address the Board on any matter not on the agenda. Comments related to any item already on the agenda should be addressed at the time that that item is considered. Each speaker will be limited to five minutes, but speaker time may be reduced at the discretion of the Board President if there are a large number of speakers on any given subject.*

**5. Consent Calendar**

*All items listed under the Consent Calendar are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless a member of the Board requests an item to be removed from the Consent Calendar for a separate action. Any items removed will be considered after the motion to approve the Consent Calendar.*

**A. Approve Finance Report for March 21, 2023**

- 1. Cash Disbursements–General, Month of February**
- 2. Cash Disbursements–Payroll, Month of February**
- 3. Schedule of Cash and Reserves, January**
- 4. Accountants Financial Statements, January**

**B. Approve Regular Meeting Minutes February 21, 2023**

**C. Approve Monthly Safety Meeting Minutes – February 2023**

**6. Department Reports**

**A. Administration - Steven Palmer, General Manager**

**B. Operations and Maintenance Summary, February**

**7. Public Hearings**

- A. Adopt an Ordinance Updating the Fees Charged to Connect to the Sewer System**

**8. Action Items**

- A. Adopt a Resolution Approving an Updated Employee Handbook**

- 9. Director Reports:** *In accordance with Government Code Section 54954.2(a), Directors may make brief announcements or brief reports on their own activities (concerning the District). They may ask questions for clarification make a referral to staff or take action to have staff place a matter of business on a future agenda.*


**10. Adjournment**

Schedule of Upcoming Meetings

- Regular Meeting – April 18, 2023
- Regular Meeting – May 16, 2023
- Regular Meeting – June 20, 2023

We certify that on March 17, 2023, a copy of this agenda was posted in public view at 53823 Sherritt Lane Soda Springs, California, and the Soda Springs General Store.

Deleane Mehler  
Administrative Assistant

  
Steven Palmer  
General Manager

## Agenda Item: 5A.1

Donner Summit Public Utility District

Check List

All Bank Accounts  
 February 9, 2023

Check Number	Check Date	Payee	Amount
<b>Vendor Checks</b>			
11394	02/09/23	ALHAMBRA & SIERRA SPRINGS	82.00
11395	02/09/23	CORBIN WILLITS SYSTEMS, INC.	431.36
11396	02/09/23	EMCOR SERVICES INC.	437.00
11397	02/09/23	EMCOR SERVICES INC.	2,696.00
11398	02/09/23	EMCOR SERVICES INC.	2,041.00
11399	02/09/23	EMPLOYER DRIVEN SOLUTIONS	1,976.67
11400	02/09/23	ENDRESS+HAUSER	1,241.20
11401	02/09/23	EVERS LAW GROUP	758.50
11402	02/09/23	GEI CONSULTANTS	18,665.00
11403	02/09/23	KIMBALL MIDWEST	185.02
11404	02/09/23	KIMBALL MIDWEST	125.90
11405	02/09/23	MAPCOMMUNICATIONS	58.00
11406	02/09/23	MOUNTAIN HARDWARE & SPORTS	257.53
11407	02/09/23	MOUNTAIN HARDWARE & SPORTS	30.29
11408	02/09/23	PG&E COMPANY	486.82
11409	02/09/23	PLACER COUNTY CLERK RECORDER	200.00
11410	02/09/23	SEAN PATRICK	90.00
11411	02/09/23	STATE WATER RESOURCES CONTROL	3,408.16
11412	02/09/23	STATE WATER RESOURCES CONTROL	1,269.00
11413	02/09/23	STATE WATER RESOURCES CONTROL	6,285.00
11414	02/09/23	STEVEN PALMER	188.12
11415	02/09/23	SUBURBAN PROPANE	9,749.05
11416	02/09/23	TAHOE TRUCKEE SIERRA DISPOSAL	598.15
11417	02/09/23	TRUCKEE AUTO PARTS	1,024.19
<b>Vendor Check Total</b>			<u>52,283.96</u>
<b>Check List Total</b>			<u>52,283.96</u>

Check count = 24

**Donner Summit Public Utility District  
Check List**

**March 21, 2023  
Agenda Item 5A1**

All Bank Accounts  
February 23, 2023

Check Number	Check Date	Payee	Amount
<b>Vendor Checks</b>			
11418	02/23/23	49ER WATER SERVICES	80.00
11419	02/23/23	49ER WATER SERVICES	295.00
11420	02/23/23	49ER WATER SERVICES	5,475.00
11421	02/23/23	AT&T	46.23
11422	02/23/23	AT&T	374.86
11423	02/23/23	AT&T	24.58
11424	02/23/23	BARNARD, VOGLER & CO.	4,361.19
11425	02/23/23	BLUE SHIELD OF CALIFORNIA	11,990.95
11426	02/23/23	FED-EX	8.74
11427	02/23/23	HANSFORD ECONOMIC CONSULTING, LLC	1,046.25
11428	02/23/23	HUMANA DENTAL INS. CO.	1,450.95
11429	02/23/23	MOUNTAIN HARDWARE & SPORTS	36.79
11430	02/23/23	NATIONAL LIFE INSURANCE CO.	62.17
11431	02/23/23	PARAGON PEST CONTROL	65.00
11432	02/23/23	PG&E COMPANY	34,815.69
11433	02/23/23	PG&E COMPANY	758.40
11434	02/23/23	PG&E COMPANY	178.85
11435	02/23/23	PRINCIPAL LIFE INSURANCE COMPANY	793.46
11436	02/23/23	SUBURBAN PROPANE	25,621.93
11437	02/23/23	THATCHER COMPANY OF NEVADA, INC.	11,970.80
11438	02/23/23	TRANSAMERICA LIFE INSURANCE	194.19
11439	02/23/23	TRUCKEE AUTO PARTS	121.16
11440	02/23/23	USA BLUEBOOK	2,397.27
11441	02/23/23	USA BLUEBOOK	36.91
<b>Vendor Check Total</b>			<u>102,206.37</u>
<b>Check List Total</b>			<u>102,206.37</u>

Check count = 24

## Agenda Item: 5A.2

# PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS			
	DESCRIPTION	RATE	HOURS	EARNINGS REIMB & OTHER PAYMENTS						
**** 30 WATER SEWER King, James R 49	Regular			6,133.58	Social Security	386.48	150.00	Direct Deposit # 4453		
	Life Ins Reimb Txble			100.00	Medicare	90.39	1,292.31	Check Amt	0.00	
	Sick Accr-Memo				Fed Income Tax	760.83	129.65	Chkg 730	2,962.51	
	Vacation-Memo				CA Income Tax	405.00				
					CA Disability	56.10				
<b>EMPLOYEE TOTAL</b>				<b>6,233.58</b>		<b>1,699.11</b>	<b>1,571.96</b>	<b>Net Pay</b>	<b>2,962.51</b>	
Patrick, Sean M 59	Regular	48:0500	60:5000	2,907.03	Social Security	271.93	50.00	Direct Deposit # 4454		
	Standby			270.00	Medicare	64.53	37.41	Check Amt	0.00	
	Overtime	72:0750	2:0000	144.15	Fed Income Tax	481.88		Chkg 717	3,208.22	
	Double Time	96:1000	2:0000	192.20	CA Income Tax	292.33				
	Holiday	48:0500	10:0000	480.50	CA Disability	40.05				
	Sick	48:0500	5:2500	252.26						
	Vacation	48:0500	4:2500	204.21						
	<b>EMPLOYEE TOTAL</b>				<b>4,450.35</b>		<b>1,154.72</b>	<b>87.41</b>	<b>Net Pay</b>	<b>3,208.22</b>
	Schott, Paul A 14	Regular	51:3300	78:0000	4,003.74	Social Security	331.84	850.00	Direct Deposit # 4455	
Standby				270.00	Medicare	77.56	150.00	Check Amt	0.00	
Overtime		76:9950	2:0000	153.99	Fed Income Tax	777.45		Chkg 019	2,811.79	
Double Time		102:6600	2:0000	205.32	CA Income Tax	302.43				
Holiday		51:3300	10:0000	513.30	CA Disability	48.14				
Life Ins Reimb Txble				100.00						
Sick		51:3300	2:0000	102.66						
Sick Accr-Memo										
Vacation-Memo										
<b>EMPLOYEE TOTAL</b>				<b>5,349.01</b>		<b>1,537.22</b>	<b>1,000.00</b>	<b>Net Pay</b>	<b>2,811.79</b>	
Shelton, Joshua M... 64	Regular	35:0400	80:0000	2,803.20	Social Security	201.72		Direct Deposit # 4456		
	Holiday	35:0400	10:0000	350.40	Medicare	47.18		Check Amt	0.00	
	Life Ins Reimb Txble			100.00	Fed Income Tax	286.04		Chkg 722	2,514.36	
<b>EMPLOYEE TOTAL</b>				<b>3,253.60</b>		<b>739.24</b>		<b>Net Pay</b>	<b>2,514.36</b>	
Vosburgh, Justin E 57	Regular	51:4300	54:0000	2,777.22	Social Security	266.26	200.00	Direct Deposit # 4457		
	Standby			160.00	Medicare	62.27	35.00	Check Amt	0.00	
	Holiday	51:4300	20:0000	1,028.60	Fed Income Tax	346.56	171.34	Chkg 400	3,041.28	
	Vacation	51:4300	6:0000	308.58	CA Income Tax	133.04				
					CA Disability	38.65				
	<b>CHECK 1 TOTAL</b>				<b>4,294.40</b>		<b>846.78</b>	<b>406.34</b>	<b>Net Pay</b>	<b>3,041.28</b>
	Overtime	77:1450	15:2500	1,176.46	Social Security	85.69		Direct Deposit # 4458		
	Double Time	102:8600	2:0000	205.72	Medicare	20.04		Check Amt	0.00	
					Fed Income Tax	31.68		Chkg 400	1,212.33	
					CA Income Tax	20.00				
				CA Disability	12.44					
<b>CHECK 2 TOTAL</b>				<b>1,382.18</b>		<b>169.85</b>		<b>Net Pay</b>	<b>1,212.33</b>	
<b>EMPLOYEE TOTAL</b>				<b>5,676.58</b>		<b>1,016.63</b>	<b>406.34</b>	<b>Net Pay</b>	<b>4,253.61</b>	

# PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS
	DESCRIPTION	RATE	HOURS	EARNINGS REIMB & OTHER PAYMENTS			
**** 40 BOARD MEMBER Gamick, Philip 28	Regular			250.00	Social Security	73.02	Direct Deposit # 4459 Check Amt 0.00 Chkg 486 1,002.92
	Health Stipend			927.84	Medicare 17.08 Fed Income Tax 61.25 CA Income Tax 12.97 CA Disability 10.60		
EMPLOYEE TOTAL				1,177.84	174.92		Net Pay 1,002.92
Kaufman, Joan B 67	Regular			275.00	Social Security 87.86		Direct Deposit # 4460 Check Amt 0.00 Chkg 974 1,169.33
	Health Stipend			1,142.19	Medicare 20.55 Fed Income Tax 97.68 CA Income Tax 28.02 CA Disability 12.75		
EMPLOYEE TOTAL				1,417.19	247.86		Net Pay 1,169.33
Parkhurst, Dawn E 66	Regular			250.00	Social Security 61.57		Direct Deposit # 4461 Check Amt 0.00 Chkg 495 875.77
	Health Stipend			743.18	Medicare 14.40 Fed Income Tax 19.32 CA Income Tax 13.18 CA Disability 8.94		
EMPLOYEE TOTAL				993.18	117.41		Net Pay 875.77
Preis, Cathy 44	Regular			300.00	Social Security 60.76		Direct Deposit # 4462 Check Amt 0.00 Chkg 011 824.16
	Health Stipend			679.98	Medicare 14.21 Fed Income Tax 65.96 CA Income Tax 6.97 CA Disability 8.82		
EMPLOYEE TOTAL				979.98	155.82		Net Pay 824.16
**** 50 ADMIN Mehler, Deleane 51	Regular	42.0400	64.0000	2,690.56	Social Security 208.52	100.00	Direct Deposit # 4463 Check Amt 0.00 Chkg 963 2,202.86
	Holiday	42.0400	8.0000	336.32	Medicare 48.77	103.78	
	Sick	42.0400	8.0000	336.32	Fed Income Tax 493.00 CA Income Tax 176.00 CA Disability 30.27		
EMPLOYEE TOTAL				3,363.20	956.56	203.78	Net Pay 2,202.86
Palmer, Steven V 65	Regular		80.0000	7,080.77	Social Security 439.00	201.93	Direct Deposit # 4464 Check Amt 0.00 Chkg 779 3,682.71 Savg 217 600.00
					Medicare 102.67 Fed Income Tax 1,444.85 CA Income Tax 545.88 CA Disability 63.73		
EMPLOYEE TOTAL				7,080.77	2,596.13	201.93	Net Pay 4,282.71
<b>COMPANY TOTALS</b>							
11 Person(s)	Regular		336.5000	29,471.10	Social Security 2,478.46	457	Check Amt 0.00 Dir Dep 26,108.24
12 Transaction(s)	Standby			720.00	Medicare 578.65	150.00	
	Double Time		6.0000	603.24	Fed Income Tax 4,865.60	1,292.31	
	Overtime		19.2500	1,474.60	CA Income Tax 2,112.14	72.41	
	Health Stipend			3,493.19	CA Disability 359.77	171.34	
	Holiday		58.0000	2,709.12			
	Life Ins Reimb Txble			300.00			



# PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS
	DESCRIPTION	RATE	HOURS	EARNINGS REIMB & OTHER PAYMENTS			
	Sick		15:2500	691.24		Loan Payment	103.78
	Vacation		10:2500	512.79		Overpayment Pa	129.65
	Sick Accr-Memo				3.70		
	Vacation -Memo				10.77		
	COMPANY TOTAL:		445:2500	39,975.28			
					10,395.62	3,471.42	Net Pay 26,108.24
					<i>Employer Liabilities</i>		
					Social Security	2,478.48	
					Medicare	579.65	
					Fed Unemploy	326.1	
					CA Unemploy	233.69	
					CA Emp Train	54.3	
					TOTAL EMPLOYER LIABILITY	3,329.86	
					TOTAL TAX LIABILITY	13,725.48	

(IC) = Independent Contractor

# CASH REQUIREMENTS

**CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 02/03/23: \$43,346.69**

**IMPORTANT COVID-19 INFORMATION: If you filed IRS Form 7200, please notify your Paychex representative to avoid owing a balance at the end of the quarter and ensure your Form 941 is accurate.**

## TRANSACTION SUMMARY

<b>SUMMARY BY TRANSACTION TYPE -</b>	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	43,346.69
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	<b>43,346.69</b>
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	2,179.11
	CASH REQUIRED FOR CHECK DATE 02/03/23	45,525.80

## TRANSACTION DETAIL

**ELECTRONIC FUNDS TRANSFER -** Your financial institution will initiate transfer to Paychex at or after 12:01 A.M. on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<b>BANK DRAFT AMOUNTS &amp; OTHER TOTALS</b>
02/02/23	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Direct Deposit	Net Pay Allocations	26,108.24	<b>26,108.24</b>
02/02/23	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Readychex®	Check Amounts	3,512.97	<b>3,512.97</b>
				<b>EFT FOR 02/02/23</b>		<b>29,621.21</b>
02/03/23	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Taxpay®	Employee Withholdings		
				Social Security	2,478.46	
				Medicare	579.65	
				Fed Income Tax	4,865.60	
				CA Income Tax	2,112.14	
				CA Disability	359.77	
				<b>Total Withholdings</b>	<b>10,395.62</b>	
				Employer Liabilities		
				Social Security	2,478.48	
				Medicare	579.65	
				Fed Unemploy	32.61	
				CA Unemploy	233.69	
				CA Emp Train	5.43	
				<b>Total Liabilities</b>	<b>3,329.86</b>	<b>13,725.48</b>
				<b>EFT FOR 02/03/23</b>		<b>13,725.48</b>
				<b>TOTAL EFT</b>		<b>43,346.69</b>

# PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS		
	DESCRIPTION	RATE	HOURS	EARNINGS REIMB & OTHER PAYMENTS					
**** 30 WATER SEWER King, James R 49	Regular			6,133.58	Social Security	380.28	150.00	Direct Deposit # 4465	
	Sick Accr-Memo				Medicare	88.94	1,292.31	Check Amt	0.00
	Vacation -Memo				Fed Income Tax	736.83	129.65	Chkg 730	2,905.30
					CA Income Tax	385.07			
				CA Disability	55.20				
	EMPLOYEE TOTAL			6,133.58		1,666.32	1,571.96	Net Pay	2,905.30
Patrick, Sean M 59	Regular	48,0500	75.7500	3,639.79	Social Security	322.83	50.00	Direct Deposit # 4466	
	Standby			450.00	Medicare	75.50		Check Amt	0.00
	Overtime	72,0750	10.0000	720.75	Fed Income Tax	648.34		Chkg 717	3,693.59
	Double Time	96,1000		192.20	CA Income Tax	369.74			
	Sick	48,0500	2.5000	120.13	CA Disability	46.86			
	Vacation	48,0500	1.7500	84.09					
		EMPLOYEE TOTAL		92.0000	5,206.96		1,463.27	50.00	Net Pay
Schott, Paul A 14	Regular	51,3300	80.0000	4,106.40	Social Security	312.71	850.00	Direct Deposit # 4467	
	Standby			270.00	Medicare	73.14	150.00	Check Amt	0.00
	Overtime	76,9950	6.0000	461.97	Fed Income Tax	704.18		Chkg 019	2,637.08
	Double Time	102,6600	2.0000	205.32	CA Income Tax	271.19			
	Sick Accr-Memo				CA Disability	45.39			
	Vacation -Memo								
		EMPLOYEE TOTAL		88.0000	5,043.69		1,406.51	1,000.00	Net Pay
Shelton, Joshua M... 64	Regular	35,0400	80.0000	2,803.20	Social Security	173.80		Direct Deposit # 4468	
					Medicare	40.65		Check Amt	0.00
					Fed Income Tax	232.00		Chkg 722	2,202.57
					CA Income Tax	126.95			
					CA Disability	25.23			
	EMPLOYEE TOTAL		80.0000	2,803.20		600.63		Net Pay	2,202.57
Vosburgh, Justin E 57	Regular	51,4300	12.0000	617.16	Social Security	255.09	200.00	Direct Deposit # 4469	
	Sick	51,4300	28.0000	1,440.04	Medicare	59.66	171.34	Check Amt	0.00
	Vacation	51,4300	40.0000	2,057.20	Fed Income Tax	324.96		Chkg 400	2,945.16
					CA Income Tax	121.16			
					CA Disability	37.03			
	EMPLOYEE TOTAL		80.0000	4,114.40		797.90	371.34	Net Pay	2,945.16
**** 50 ADMIN Mehler, Deleane 51	Regular	42,0400	80.0000	3,363.20	Social Security	208.51	100.00	Direct Deposit # 4470	
					Medicare	48.77	243.52	Check Amt	0.00
					Fed Income Tax	493.00	103.78	Chkg 963	1,959.35
					CA Income Tax	176.00			
					CA Disability	30.27			
	EMPLOYEE TOTAL		80.0000	3,363.20		956.55	447.30	Net Pay	1,959.35
Palmer, Steven V 65	Regular			7,080.77	Social Security	439.01	201.93	Direct Deposit # 4471	
					Medicare	102.67		Check Amt	0.00
					Fed Income Tax	1,444.85		Chkg 779	3,682.70
					CA Income Tax	545.88		Savg 217	600.00
					CA Disability	63.73			
		EMPLOYEE TOTAL			7,080.77		2,596.14	201.93	Net Pay

# PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS	
	DESCRIPTION	RATE	HOURS	EARNINGS REIMB & OTHER PAYMENTS				
<b>COMPANY TOTALS</b>								
7 Person(s)	Regular		327.7500	27,744.10	Social Security 2,092.24	457	1,551.93	Check Amt 0.00
7 Transaction(s)	Standby			720.00	Medicare 488.33	Credit Un 2	150.00	Dir Dep 20,625.85
	Double Time	4.0000		397.52	Fed Income Tax 4,584.16	Garnishment	1,292.31	
	Overtime	16.0000		1,182.72	CA Income Tax 2,007.99	Loan 2	414.86	
	Sick	30.5000		1,560.17	CA Disability 303.71	Loan Payment	103.78	
	Vacation	41.7500		2,141.29		Overpayment Pa	129.65	
	Sick Accr-Memo							
	Vacation -Memo				3.70			
	COMPANY TOTAL		420.0000	33,745.80	101.77			Net Pay 20,625.85
					Employer Liabilities		9,477.42	
					Social Security 2,092.24		3,642.53	
					Medicare 488.32			
					TOTAL EMPLOYER LIABILITY 2,581.56			
					TOTAL TAX LIABILITY 12,058.98			
(IC) = Independent Contractor								

# CASH REQUIREMENTS

**CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 02/17/23: \$36,197.66**

**IMPORTANT COVID-19 INFORMATION:** If you filed IRS Form 7200, please notify your Paychex representative to avoid owing a balance at the end of the quarter and ensure your Form 941 is accurate.

## TRANSACTION SUMMARY

<b>SUMMARY BY TRANSACTION TYPE -</b>	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	36,197.66
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	<b>36,197.66</b>
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	2,350.22
	CASH REQUIRED FOR CHECK DATE 02/17/23	38,547.88

## TRANSACTION DETAIL

**ELECTRONIC FUNDS TRANSFER** - Your financial institution will initiate transfer to Paychex at or after 12:01 A.M. on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<u>BANK DRAFT AMOUNTS &amp; OTHER TOTALS</u>
02/16/23	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Direct Deposit	Net Pay Allocations	20,625.85	20,625.85
02/16/23	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Readychex®	Check Amounts	3,512.83	3,512.83
					<b>EFT FOR 02/16/23</b>	<b>24,138.68</b>
02/17/23	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Taxpay®	Employee Withholdings		
					Social Security	2,092.23
					Medicare	489.33
					Fed Income Tax	4,584.16
					CA Income Tax	2,007.99
					CA Disability	303.71
					<b>Total Withholdings</b>	<b>9,477.42</b>
					Employer Liabilities	
					Social Security	2,092.24
					Medicare	489.32
					<b>Total Liabilities</b>	<b>2,581.56</b>
					<b>EFT FOR 02/17/23</b>	<b>12,058.98</b>
					<b>TOTAL EFT</b>	<b>36,197.66</b>

**REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES** - Paychex does not remit these funds. You must ensure accurate and timely payment of applicable items.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<u>TOTAL</u>
02/17/23	Refer to your records for account information		Payroll	Employee Deductions		
					457	1,551.93
					Credit Un 2	150.00
					Loan 2	414.86
					Loan Payment	103.78

## Agenda Item: 5A.3

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
SCHEDULE OF CASH AND DEBT RESTRICTED RESERVES  
JANUARY 31, 2023

<u>Bank Account</u>	<u>Reserve</u>	<u>Book Balance</u>	<u>Reserves Restricted</u>
Wells Fargo - Checking		\$ (141,728.08)	
Wells Fargo - Deposit		652,564.13	
Wells Fargo - Savings		305,514.35	
Wells Fargo - Payroll		-	
LAIF		3,425.46	
	SWRCB Loan Construction		719,191.03
	WTP Loan Construction		18,187.00
	Big Bend Water Loan Reserve 1		9,019.98
	Big Bend Water Loan Reserve 2		3,704.63
	Big Bend Assessment		10,887.28
<b>Totals</b>		819,775.86	760,989.92
Unrestricted Cash Available			\$ 58,785.94

## Agenda Item: 5A.4



DONNER SUMMIT PUBLIC UTILITY DISTRICT  
FINANCIAL STATEMENTS  
AND  
INDEPENDENT ACCOUNTANTS' COMPILATION REPORT  
JANUARY 31, 2023



100 West Liberty St.  
Suite 1100  
Reno, NV 89501

775.786.6141  
775.323.6211  
bvccpas.com

INDEPENDENT ACCOUNTANTS' COMPILATION REPORT

To the Board of Directors  
Donner Summit Public Utility District

Management is responsible for the accompanying financial statements of the business-type activities of Donner Summit Public Utility District (the District) which comprise the statements of activities and changes in net position – budgetary basis for the seven months ended January 31, 2023 in accordance with the budgetary basis of accounting, and for determining that the budgetary basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or the completeness of the information provided by management. We do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

The accompanying supplementary information contained on page 8 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management. The supplementary information was subject to our compilation engagement. We have not audited or reviewed the supplementary information and do not express an opinion, a conclusion, nor provide any assurance on such information.

Management has elected to omit substantially all of the disclosures and the statement of cash flows required by accounting principles generally accepted in the United States of America. If the omitted disclosures and statement of cash flows were included in the financial statements, they might influence the user's conclusions about the District's financial position, results of operations, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

The financial statements are prepared on the budgetary basis of accounting, which includes expensing capital outlay purchases and principal payments on long-term debt. The budgetary basis of accounting is a basis of accounting other than accounting principles generally accepted in the United States of America.

*Barnard, Vogler & Co.*

Reno, Nevada  
March 14, 2023

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
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JANUARY 31, 2023

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DONNER SUMMIT PUBLIC UTILITY DISTRICT  
STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS  
COMBINED BUSINESS-TYPE ACTIVITIES  
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2023

	Water	Sewer	Treatment	Admin	Total
<b>Program Revenue</b>					
Water fees	\$ 473,550.03	\$ -	\$ -	\$ -	\$ 473,550.03
Sewer fees	-	353,736.39	1,061,209.16	-	1,414,945.55
Connection fees	8,500.00	10,123.00	-	-	18,623.00
Recycled water sales	-	-	45,202.80	-	45,202.80
Non-CFD revenue for WWTP loan	-	-	210,006.25	-	210,006.25
Sierra Lakes service	-	-	295,337.00	-	295,337.00
Big Bend service fees	22,630.44	-	-	-	22,630.44
Big Bend assessment	15,578.64	-	-	-	15,578.64
Total Program Revenue	<u>520,259.11</u>	<u>363,859.39</u>	<u>1,611,755.21</u>	<u>-</u>	<u>2,495,873.71</u>
<b>Expenses</b>					
Salaries-operations	82,232.34	69,806.58	224,513.04	156,856.84	533,408.80
Employee benefits and taxes	26,792.51	21,978.54	74,672.45	52,071.10	175,514.60
Board expense	-	-	-	39,094.70	39,094.70
Professional fees	10,693.00	912.18	40,215.39	79,765.75	131,586.32
Dues and subscriptions	-	-	1,447.73	8,829.05	10,276.78
Fees, permits, certifications, leases	6,471.14	351.26	26,618.24	9,094.89	42,535.53
Training, education, travel	510.00	-	3,117.99	1,995.11	5,623.10
Insurance	23,583.76	19,831.77	63,783.30	5,642.06	112,840.89
Office supplies and miscellaneous	-	185.56	1,980.04	5,166.49	7,332.09
Utilities, communications, telemetry	23,323.67	12,131.52	200,457.86	16,277.69	252,190.74
Chemicals and lab supplies	37,603.40	-	98,021.16	-	135,624.56
Laboratory testing	855.00	-	14,406.99	-	15,261.99
Equipment maintenance and repair	12,770.33	-	14,123.66	-	26,893.99
Small equipment and rental	-	-	927.31	-	927.31
Operating supplies	90.43	271.28	242.72	1,566.60	2,171.03
Sludge removal	-	-	14,923.68	-	14,923.68
Vehicle maintenance, repair, fuel	-	-	6,623.66	-	6,623.66
Infiltration and inflow program	-	18,501.47	-	-	18,501.47
Facility maintenance and repair	17,753.79	427.53	24,584.64	1,597.11	44,363.07
Amortization of land lease	-	-	11,812.50	-	11,812.50
Debt service	9,093.64	-	719,191.03	-	728,284.67
Capital equipment	12,856.85	855.39	23,831.57	-	37,543.81
Total Expenses	<u>264,629.86</u>	<u>145,253.08</u>	<u>1,565,494.96</u>	<u>377,957.39</u>	<u>2,353,335.29</u>
<b>Excess (Deficiency) of Program</b>					
Revenues Over Expenses	255,629.25	218,606.31	46,260.25	(377,957.39)	142,538.42
<b>General Revenues</b>					
Interest revenue	-	-	-	1,085.96	1,085.96
CFD revenue for WWTP loan	-	-	2,549.90	-	2,549.90
Property tax	-	52,981.78	233,406.22	-	286,388.00
Other income	5,716.02	9,964.63	-	106.86	15,787.51
Grants	-	19,847.59	-	650.00	20,497.59
Total General Revenues	<u>5,716.02</u>	<u>82,794.00</u>	<u>235,956.12</u>	<u>1,842.82</u>	<u>326,308.96</u>
Increase (Decrease) in Net Position	<u>\$ 261,345.27</u>	<u>\$ 301,400.31</u>	<u>\$ 282,216.37</u>	<u>\$ (376,114.57)</u>	<u>\$ 468,847.38</u>
Net Position, Beginning of Year					<u>12,800,341.19</u>
Net Position, End of Period					<u>\$ 13,269,188.57</u>

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS  
BUDGET AND ACTUAL  
BUSINESS-TYPE ACTIVITY - WATER  
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2023

	Actual Year to Date 1/31/23	Budget Total Fiscal Year 2023	Budget Percent Complete 1/31/23	Remaining Budget 1/31/23
<b>Program Revenue</b>				
Water fees	\$ 473,550.03	\$ 622,878.00	76.03%	\$ (149,327.97)
Connection fees	8,500.00	-	0.00%	8,500.00
Big Bend service fees	22,630.44	30,627.00	73.89%	(7,996.56)
Big Bend assessment	15,578.64	20,772.00	75.00%	(5,193.36)
Total Program Revenue	<u>520,259.11</u>	<u>674,277.00</u>	<u>77.16%</u>	<u>(154,017.89)</u>
<b>Expenses</b>				
Salaries-operations	82,232.34	131,769.00	62.41%	49,536.66
Employee benefits and taxes	26,792.51	54,910.00	48.79%	28,117.49
Professional fees	10,693.00	73,000.00	14.65%	62,307.00
Dues and subscriptions	-	680.00	0.00%	680.00
Fees, permits, certifications, leases	6,471.14	14,680.00	44.08%	8,208.86
Training, education, travel	510.00	1,000.00	51.00%	490.00
Insurance	23,583.76	40,429.00	58.33%	16,845.24
Office supplies and miscellaneous	-	550.00	0.00%	550.00
Utilities, communications, telemetry	23,323.67	48,470.00	48.12%	25,146.33
Chemicals and lab supplies	37,603.40	22,800.00	164.93%	(14,803.40)
Laboratory testing	855.00	2,020.00	42.33%	1,165.00
Equipment maintenance and repair	12,770.33	5,600.00	228.04%	(7,170.33)
Small equipment and rental	-	2,820.00	0.00%	2,820.00
Operating supplies	90.43	3,380.00	2.68%	3,289.57
Vehicle maintenance, repair, fuel	-	9,106.00	0.00%	9,106.00
Facility maintenance and repair	17,753.79	24,380.00	72.82%	6,626.21
Angela WTP loan principal and interest	9,093.64	18,188.00	50.00%	9,094.36
Big Bend debt service	-	21,655.00	0.00%	21,655.00
Capital equipment	12,856.85	12,001.00	107.13%	(855.85)
Capital projects	-	32,473.00	0.00%	32,473.00
Total Expenses	<u>264,629.86</u>	<u>519,911.00</u>	<u>50.90%</u>	<u>255,281.14</u>
<b>Excess of Program</b>				
Revenues Over Expenses	255,629.25	154,366.00	165.60%	101,263.25
<b>General Revenues</b>				
Property tax	-	30,213.00	0.00%	30,213.00
Other income	5,716.02	-	0.00%	(5,716.02)
Grants	-	6,500.00	100.00%	6,500.00
Total General Revenues	<u>5,716.02</u>	<u>36,713.00</u>	<u>100.00%</u>	<u>30,996.98</u>
<b>Increase in Net Position</b>	<u>\$ 261,345.27</u>	<u>\$ 191,079.00</u>	<u>136.77%</u>	<u>\$ 132,260.23</u>

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS  
BUDGET AND ACTUAL  
BUSINESS-TYPE ACTIVITY - SEWER  
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2023

	Actual Year to Date 1/31/23	Budget Total Fiscal Year 2023	Budget Percent Complete 1/31/23	Remaining Budget 1/31/23
Program Revenue				
Sewer fees	\$ 353,736.39	\$ 459,844.00	76.93%	\$ (106,107.61)
Connection fees	10,123.00	-	0.00%	10,123.00
Total Program Revenue	<u>363,859.39</u>	<u>459,844.00</u>	<u>79.13%</u>	<u>(95,984.61)</u>
Expenses				
Salaries-operations	69,806.58	110,806.00	63.00%	40,999.42
Employee benefits and taxes	21,978.54	46,173.00	47.60%	24,194.46
Professional fees	912.18	-	0.00%	(912.18)
Fees, permits, certifications, leases	351.26	3,460.00	10.15%	3,108.74
Training, education and travel	-	300.00	0.00%	300.00
Insurance	19,831.77	33,997.00	58.33%	14,165.23
Office supplies and miscellaneous	185.56	550.00	33.74%	364.44
Utilities, communications, telemetry	12,131.52	30,293.00	40.05%	18,161.48
Chemicals and lab supplies	-	500.00	0.00%	500.00
Operating supplies	271.28	3,500.00	7.75%	3,228.72
Infiltration and inflow program	18,501.47	18,500.00	100.01%	(1.47)
Equipment maintenance and repair	-	1,600.00	0.00%	1,600.00
Vehicle maintenance, repair, fuel	-	19,026.00	0.00%	19,026.00
Facility maintenance and repair	427.53	2,000.00	21.38%	1,572.47
Capital equipment	855.39	1,263.00	67.73%	407.61
Capital projects	-	90,678.00	0.00%	90,678.00
Total Expenses	<u>145,253.08</u>	<u>362,646.00</u>	<u>40.05%</u>	<u>217,392.92</u>
Excess (Deficiency) of Program				
Revenues Over Expenses	218,606.31	97,198.00	224.91%	121,408.31
General Revenues				
Property tax	52,981.78	20,353.00	260.31%	32,628.78
Other income	9,964.63	-	0.00%	9,964.63
CalOES Grant	19,847.59	27,388.00	72.47%	(7,540.41)
Total General Revenues	<u>82,794.00</u>	<u>47,741.00</u>	<u>173.42%</u>	<u>35,053.00</u>
Increase (Decrease) in Net Position	<u>\$ 301,400.31</u>	<u>\$ 144,939.00</u>	<u>207.95%</u>	<u>\$ 156,461.31</u>

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS  
BUDGET AND ACTUAL  
BUSINESS-TYPE ACTIVITY - WASTEWATER TREATMENT  
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2023

	Actual Year to Date 1/31/23	Budget Total Fiscal Year 2023	Budget Percent Complete 1/31/23	Remaining Budget 1/31/23
<b>Program Revenue</b>				
Sewer fees	\$ 1,061,209.16	\$ 1,456,174.00	72.88%	\$ (394,964.84)
Recycled water sales	45,202.80	50,000.00	90.41%	(4,797.20)
Non-CFD revenue for WWTP loan	210,006.25	281,044.00	74.72%	(71,037.75)
Sierra Lakes service	295,337.00	512,570.00	57.62%	(217,233.00)
Total Program Revenue	<u>1,611,755.21</u>	<u>2,299,788.00</u>	<u>70.08%</u>	<u>(688,032.79)</u>
<b>Expenses</b>				
Salaries-operations	224,513.04	356,375.00	63.00%	131,861.96
Employee benefits and taxes	74,672.45	148,502.00	50.28%	73,829.55
Professional fees	40,215.39	42,070.00	95.59%	1,854.61
Dues and subscriptions	1,447.73	1,200.00	120.64%	(247.73)
Fees, permits, certifications, leases	26,618.24	16,600.00	160.35%	(10,018.24)
Training, education, travel	3,117.99	2,800.00	111.36%	(317.99)
Insurance	63,783.30	109,343.00	58.33%	45,559.70
Office supplies and miscellaneous	1,980.04	500.00	396.01%	(1,480.04)
Utilities, communications, telemetry	200,457.86	429,390.00	46.68%	228,932.14
Chemicals and lab supplies	98,021.16	172,406.00	56.85%	74,384.84
Laboratory testing	14,406.99	45,840.00	31.43%	31,433.01
Small equipment and rental	927.31	6,340.00	14.63%	5,412.69
Operating supplies	242.72	2,100.00	11.56%	1,857.28
Equipment maintenance and repair	14,123.66	61,034.00	23.14%	46,910.34
Vehicle maintenance, repair, fuel	6,623.66	9,300.00	71.22%	2,676.34
Sludge removal	14,923.68	14,510.00	102.85%	(413.68)
Facility maintenance and repair	24,584.64	43,675.00	56.29%	19,090.36
Amortization of land lease	11,812.50	20,250.00	58.33%	8,437.50
WWTP loan	719,191.03	719,191.00	100.00%	(0.03)
Capital equipment	23,831.57	73,632.00	32.37%	49,800.43
Total Expenses	<u>1,565,494.96</u>	<u>2,275,058.00</u>	<u>68.81%</u>	<u>709,563.04</u>
<b>Excess (Deficiency) of Program</b>				
Revenues Over Expenses	46,260.25	24,730.00	187.06%	21,530.25
<b>General Revenues</b>				
CFD revenue for WWTP loan	2,549.90	282,392.00	0.90%	(279,842.10)
Property tax	233,406.22	86,767.00	269.00%	146,639.22
Other income	-	20,885.00	0.00%	(20,885.00)
Total General Revenues	<u>235,956.12</u>	<u>390,044.00</u>	<u>60.49%</u>	<u>(154,087.88)</u>
Increase in Net Position	<u>\$ 282,216.37</u>	<u>\$ 414,774.00</u>	<u>68.04%</u>	<u>\$ 132,557.63</u>

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS  
BUDGET AND ACTUAL  
BUSINESS-TYPE ACTIVITY - ADMIN  
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2023

	Actual Year to Date 1/31/23	Budget Total Fiscal Year 2023	Budget Percent Complete 1/31/23	Remaining Budget 1/31/23
<b>Program Revenue</b>				
Service Fees	\$ -	\$ -	-	\$ -
<b>Total Program Revenue</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Expenses</b>				
Salaries-operations	156,856.84	271,529.00	57.77%	114,672.16
Employee benefits and taxes	52,071.10	116,941.00	44.53%	64,869.90
Board expense	39,094.70	67,907.00	57.57%	28,812.30
Professional fees	79,765.75	133,989.00	59.53%	54,223.25
Dues and subscriptions	8,829.05	7,100.00	124.35%	(1,729.05)
Fees, permits, certifications, leases	9,094.89	20,650.00	44.04%	11,555.11
Training, education, travel	1,995.11	1,500.00	133.01%	(495.11)
Insurance	5,642.06	9,672.00	58.33%	4,029.94
Office supplies and miscellaneous	5,166.49	9,000.00	57.41%	3,833.51
Utilities, communications, telemetry	16,277.69	35,035.00	46.46%	18,757.31
Equipment maintenance and repair	-	6,660.00	0.00%	6,660.00
Operating supplies	1,566.60	-	0.00%	(1,566.60)
Facility maintenance and repair	1,597.11	3,000.00	53.24%	1,402.89
<b>Total Expenses</b>	<b>377,957.39</b>	<b>682,983.00</b>	<b>55.34%</b>	<b>305,025.61</b>
<b>Deficiency of Program</b>				
Revenues Over Expenses	(377,957.39)	(682,983.00)	55.34%	305,025.61
<b>General Revenues</b>				
Interest revenue	1,085.96	-	0.00%	1,085.96
Other income	106.86	6,500.00	1.64%	(6,393.14)
Grants	650.00	-	0.00%	650.00
<b>Total General Revenues</b>	<b>1,842.82</b>	<b>6,500.00</b>	<b>28.35%</b>	<b>(4,657.18)</b>
<b>Decrease in Net Position</b>	<b>\$ (376,114.57)</b>	<b>\$ (676,483.00)</b>	<b>55.60%</b>	<b>\$ 300,368.43</b>



SUPPLEMENTARY INFORMATION

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
SCHEDULE OF BIG BEND TRANSACTIONS  
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2023

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Revenue	\$	38,209.08
Expenses		
Fees and permits		1,646.40
Telephone		621.36
Interest		-
Electricity		486.82
Repairs and maintenance		-
		<hr/>
Total expenses		2,754.58
		<hr/>
Excess of revenue over expenses	\$	<u>35,454.50</u>

## Agenda Item: 5B

**Donner Summit Public Utility District  
Board of Directors Regular Meeting  
Minutes  
Tuesday, February 21, 2023 - 6:00 P.M.  
DSPUD Office, 53823 Sherritt Lane, Soda Springs California**

**STAFF PRESENT:** Steven Palmer, General Manager; Jim King, Plant Manager; Deleane Mehler, Office Assistant

**OTHERS PRESENT:** Geoffrey O. Evers, General Counsel; Mike Gibson, Gibson and Co. Inc; Joe Julio, Gibson and Co. Inc; Wally Auerbach, Auerbach Engineering Corporation

**1. Call to Order**

For the Regular Meeting (Section 54954), February 21, 2023 at 6:00 P.M., the meeting was conducted via Zoom due to the COVID-19 pandemic and in accordance with Governor Newsom's Executive Order N-29-20 and Assembly Bill 361.

The Regular Meeting of February 21, 2023 of the Donner Summit Public Utility District Board of Directors was called to order at 6:07p.m. by President Cathy Preis.

**2. Roll Call**

Cathy Preis, President	- Present
Joni Kaufman, Vice President	- Present
Dawn Parkhurst, Secretary	- Present
Philip Gamick, Director	- Present
Craig Combs, Director	- Present

**3. Clear the Agenda- None**

**4. Public Participation –** *This is time set aside for the public to address the Board on any matter not on the agenda. Comments related to any item already on the agenda should be addressed at the time that that item is considered. Each speaker will be limited to five minutes, but speaker time may be reduced at the discretion of the Board President if there are a large number of speakers on any given subject.* None.

**5. Consent Calendar**

*All items listed under the Consent Calendar are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless a member of the Board requests an item to be removed from the Consent Calendar for a separate action. Any items removed will be considered after the motion to approve the Consent Calendar*

**A. Approve Finance Report for February 21, 2023**

- 1. Cash Disbursements–General, Month of January**
- 2. Cash Disbursements–Payroll, Month of January**
- 3. Schedule of Cash and Reserves, December**
- 4. Accountants Financial Statements, December**

**B. Approve Regular Meeting Minutes January 17, 2023**

**C. Approve Monthly Safety Meeting Minutes – January 2023**

**Motion: Accept the Consent Calendar**  
By: Joni Kaufman  
Second: Phil Gamick  
Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain, 0 Vacancy -  
**Motion Carries**

**6. Department Reports**

- A. Administration - Steven Palmer, General Manager.** Reported.
- B. Operations and Maintenance Summary, January.** Reported.

**7. Informational Items**

**Fiscal Year 2021/2022 Audited Financial Statements.** Mike Gibson and Joe Julio from Gibson and Co. presented the Draft Financial Statements for Fiscal Year ending June 30, 2022.

**8. Action Items**

- A. Approve the Purchase of Two Replacement Pumps for Wastewater Treatment Plant**

**Motion: Approve the Purchase of Two Replacement Pumps for the Wastewater Treatment Plant**

**By Phil Gamick**  
**Second: Joni Kaufman**

**Roll Call Vote**

**Cathy Preis - Aye**  
**Phil Gamick - Aye**  
**Craig Combs - Aye**  
**Joni Kaufman - Aye**  
**Dawn Parkhurst - Aye**

**Motion Carries**

- B. Approve Reimbursement Agreement with Sugar Bowl Corporation for Formation of Sewer Financing District and Construction Documents for Sewer Extension.** General Manager Steven Palmer provided a power point presentation.

**Motion: Approve Reimbursement Agreement with Sugar Bowl Corporation for Formation of Sewer Finance District and Construction Documents for Sewer Extension**

**By Dawn Parkhurst**  
**Second: Craig Combs**

**Roll Call Vote**

**Cathy Preis - Aye**  
**Phil Gamick - Aye**  
**Craig Combs - Aye**  
**Joni Kaufman - Aye**  
**Dawn Parkhurst - Aye**

**Motion Carries**

**C. Approve Professional Services Agreement with Auerbach Engineering Corporation in the Amount of \$292,116 for Engineering Services for the Sugar Bowl West and East Village Sewer**

**Motion: Approve Professional Services Agreement with Auerbach Engineering Corporation in the Amount of \$292,116 for Engineering Services for the Sugar Bowl West and East Village Sewer**

**By Joni Kaufman**  
**Second: Dawn Parkhurst**

**Roll Call Vote**

**Cathy Preis - Aye**  
**Phil Gamick - Aye**  
**Craig Combs - Aye**  
**Joni Kaufman - Aye**  
**Dawn Parkhurst - Aye**

**Motion Carries**

**D. Approve Mid-Year Budget Amendment.**

General Manager Steven Palmer presented a power point presentation.

**Motion: Approve Mid-Year Budget Amendment**

**By Phil Gamick**  
**Second: Joni Kaufman**

**Roll Call Vote**

**Cathy Preis - Aye**  
**Phil Gamick - Aye**  
**Craig Combs - Aye**  
**Joni Kaufman - Aye**  
**Dawn Parkhurst - Aye**

**Motion Carries**

**E. Approve Purchase of New Utility Billing Software**

**Motion: Approve the Purchase of New Utility Billing Software**

**By: Cathy Preis**  
**Second: Phil Gamick**

5 Ayes, 0 Noes, 0 Absent, 0 Abstain, 0 Vacancy

**Motion Carries**

**F. Consider Nominating a Representative for the CSDA Board of Directors**

No action was taken.

- 9. Director Reports:** *In accordance with Government Code Section 54954.2(a), Directors may make brief announcements or brief reports on their own activities (concerning the District). They may ask questions for clarification make a referral to staff or take action to have staff place a matter of business on a future agenda.*

**10. Adjournment**

**Motion: Adjourn Meeting at 7:40 p.m.**

Donner Summit Public Utility District  
Minutes – Regular Meeting February 21, 2023  
Page 4

By: Phil Gamick  
Second: Joni Kaufman  
5 Ayes, 0 Noes, 0 Absent, 0 Abstain, 0  
Vacancy

**Motion Carries**

Schedule of Upcoming Meetings  
Regular Meeting – March 21, 2023  
Regular Meeting – April 18, 2023  
Regular Meeting – May 16, 2023

Respectfully Submitted,

*Deleane Mehler*

Deleane Mehler  
Administrative Assistant

## Agenda Item: 5C



# Safety / Plant Training

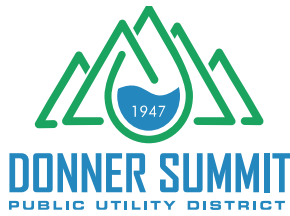
## Donner Summit PUD WWTP

- **Safety Topics** : February 2023
  - Electrical Safety
  
- **Training Notes** :
  - DVD

**Attendance :**

1. Justin Vosburgh *Justin Vosburgh*
  
2. Sean Patrick *Sean Patrick*
  
3. Josh Shelton *Josh Shelton*
  
4. Jim King *Jim King*
  
5. Deleane Mehler
  
6. Steve Palmer *Steve Palmer*
  
7. Paul Schott *Paul Schott*

## Agenda Item: 6A



## STAFF REPORT

**TO:** Board of Directors

**PREPARED BY:** Steven Palmer, PE, General Manager *SP*

**SUBJECT:** General Manager Report

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### Announcements

Assistant Plant Manager Justin Vosburgh recently completed 10 years of employment with the District.

### Project Updates

#### Sugar Bowl West and East Village Sewer Project

Agreements with Sugar Bowl, Hansford Economic Consulting, and Auerbach Engineering have been signed. A kickoff meeting for the assessment district work was held on March 17, 2023.

#### Utility Billing Software

Kickoff meeting was held in March. Plan to begin conversion after the April utility bills are sent, and complete in time to use for the following quarterly utility billing.

### Upcoming Board Items

- Sugar Bowl Sewer East and West Village Wastewater Infrastructure Fee Program
- Water Resiliency Study Update
- Draft Budget and Capital Improvement Plan
- Water Theft Ordinance
- Recycled Water Fee
- Debt Policy

## Agenda Item: 6B

**DONNER SUMMIT  
PUBLIC UTILITY DISTRICT  
WASTEWATER AND FRESH WATER  
TREATMENT PLANTS  
END OF MONTH OPERATIONS AND MAINTENANCE  
SUMMARY**

**February 2023**

Donner Summit Public Utility District  
Waste Water Flow Data

MONTH OF February 2023		DSPUD Influent	SLCWD Influent	Total Plant Influent	Total Plant Influent	Total Plant EFF River	Total Plant EFF Snow Storage	Total Plant EFF Snow Delivery	DSPUD Fresh Water Treated	SLCWD Fresh Water Treated	Weather	Comments
DATE	DAY	MGD	MGD	MGD	Totalizer	MGD	MGD	MGD	MGD	MGD	Cond	
02/01/23	WED	0.17580	0.05520	0.2310	2.21000	0.222	0.0000	0.0000	0.367	0.05887	Clear	
02/02/23	THU	0.21478	0.05722	0.2720		0.243	0.0000	0.0000	0.325	0.04837	Clear	
02/03/23	FRI	0.21087	0.06113	0.2720		0.214	0.0000	0.0000	0.184	0.07463	Pt Cloudy	
02/04/23	SAT	0.22507	0.07493	0.3000		0.272	0.0000	0.0000	0.225	0.08044	Pt Cloudy	
02/05/23	SUN	0.20523	0.06477	0.2700		0.322	0.0000	0.0000	0.242	0.00000	Snow	7" Snow
02/06/23	MON	0.18287	0.06413	0.2470		0.328	0.0000	0.0000	0.291	0.05721	Snow	6" Snow
02/07/23	TUE	0.20231	0.05769	0.2600		0.234	0.0000	0.0000	0.165	0.06755	Clear	
02/08/23	WED	0.18766	0.07634	0.2640		0.223	0.0000	0.0000	0.245	0.10719	Clear	
02/09/23	THU	0.22181	0.06219	0.2840		0.265	0.0000	0.0000	0.324	0.03526	Clear	
02/10/23	FRI	0.23748	0.06552	0.3030		0.253	0.0000	0.0000	0.180	0.04509	Clear	
02/11/23	SAT	0.25006	0.07694	0.3270		0.256	0.0000	0.0000	0.274	0.00000	Cloudy/Lt Snow	2" Snow
02/12/23	SUN	0.24695	0.07205	0.3190		0.364	0.0000	0.0000	0.227	0.00000	Clear	
02/13/23	MON	0.20088	0.06012	0.2610		0.280	0.0000	0.0000	0.188	0.12019	Clear	
02/14/23	TUE	0.19961	0.05339	0.2530		0.211	0.0000	0.0000	0.244	0.09915	Clear	
02/15/23	WED	0.20191	0.05209	0.2540		0.240	0.0000	0.0000	0.206	0.04758	Clear	
02/16/23	THU	0.17099	0.05901	0.2300		0.258	0.0000	0.0000	0.248	0.05885	Clear	
02/17/23	FRI	0.22677	0.06723	0.2940		0.263	0.0000	0.0000	0.229	0.00000	Clear	
02/18/23	SAT	0.21318	0.09182	0.3050		0.347	0.0000	0.0000	0.196	0.11134	Clear	
02/19/23	SUN	0.23495	0.09405	0.3290		0.316	0.0000	0.0000	0.200	0.00000	Clear	
02/20/23	MON	0.25445	0.09755	0.3520		0.285	0.0000	0.0000	0.214	0.10483	Clear	
02/21/23	TUE	0.23977	0.08123	0.3210		0.322	0.0000	0.0000	0.286	0.11366	Cloudy	
02/22/23	WED	0.24894	0.07906	0.3280		0.355	0.0000	0.0000	0.223	0.10983	Cloudy/Lt Snow	1" Snow
02/23/23	THU	0.24169	0.07431	0.3160		0.258	0.0000	0.0000	0.186	0.06091	Snow	11" Snow
02/24/23	FRI	0.22105	0.06895	0.2900		0.277	0.0000	0.0000	0.219	0.00000	Snow	12" Snow
02/25/23	SAT	0.23813	0.07287	0.3110		0.289	0.0000	0.0000	0.255	0.07314	Snow	6" Snow
02/26/23	SUN	0.17214	0.06186	0.2340		0.302	0.0000	0.0000	0.181	0.07683	Cloudy	1" Snow
02/27/23	MON	0.19160	0.05340	0.2450		0.238	0.0000	0.0000	0.198	0.12715	Snow	11" Snow
02/28/23	TUE	0.17873	0.04727	0.2260		0.230	0.0000	0.0000	0.253	0.05457	Snow	30" Snow
					2.28640							
												87" Snow
												13" Snow
2/2023 Daily Totals		5.99568	1.90232	7.89800	N/A	7.667	0.000	0.000	6.5750	1.7326		
2/2023 Totalizer Total		5.73768	1.90232	7.64000	7.64000	7.667	0.000	0.000	6.5750	1.6665		
Difference		-0.25800	0.00000	-0.25800	N/A	0.0000	0.0000	N/A	0.0000	-0.0661		
Percentage Difference		-4.50%	0.000%	-3.377%	N/A	0.000%	#DIV/0!	N/A	0.000%	-3.968%		
2/2023 AVG/DAY		204,917	67,940	272,857	272,857	273,821	0	0	234,821	59,518		
2/2022 Totalizer Total		4.99480	1.89418	6.8890	6.8890	7.010	0.000	0.350	5.9480	1.898400		
2/2022 AVG/DAY		172,234	65,317	237,551	237,551	241,724	0.000	#####	205,103	65,462		

# **Donner Summit Public Utility District WWTP & WTP End of Month Operations and Maintenance Summary**

**Prepared for: Steve Palmer, General Manager**

**Prepared by: Jim King, Plant Manager**

**Date: February 2023**

## **Operations WWTP**

- ◆ Flows to river discharge 7.7 MG.
- ◆ Continued lime slurry feed.
- ◆ Staff attended a meeting to review parts of the updated Policy and Procedure Manual.
- ◆ Staff dealt with heavy snow and spent multiple days clearing snow from equipment and buildings.



- ◆ Continued feeding and adjusting the ammonia and Micro C for winter operation.
- ◆ Staff dealt with minor power outages throughout the district.
- ◆ Removed clear water from the solids holding tank for added winter storage.

## **Operations Water Plant**

- ◆ Completed and sent out monthly potable water reports to DHS.
- ◆ Updated and sent in the updated Emergency Response Plans for the District and Big Bend.
- ◆ Responded to a water leak at 10110 Bunny Hill Rd. leak was on the owners side of the meter. Staff exposed the meter and shut off the water so that repairs could be made.





**Repairs and Maintenance WWTP**

- ◆ Replaced a failed air valve regulator solenoid on membrane train 2.



- ◆ Took membrane train 1 offline for permeate pump repair.



- ◆ Changed failed bulbs on UV train 1, vessels 1 and 2.



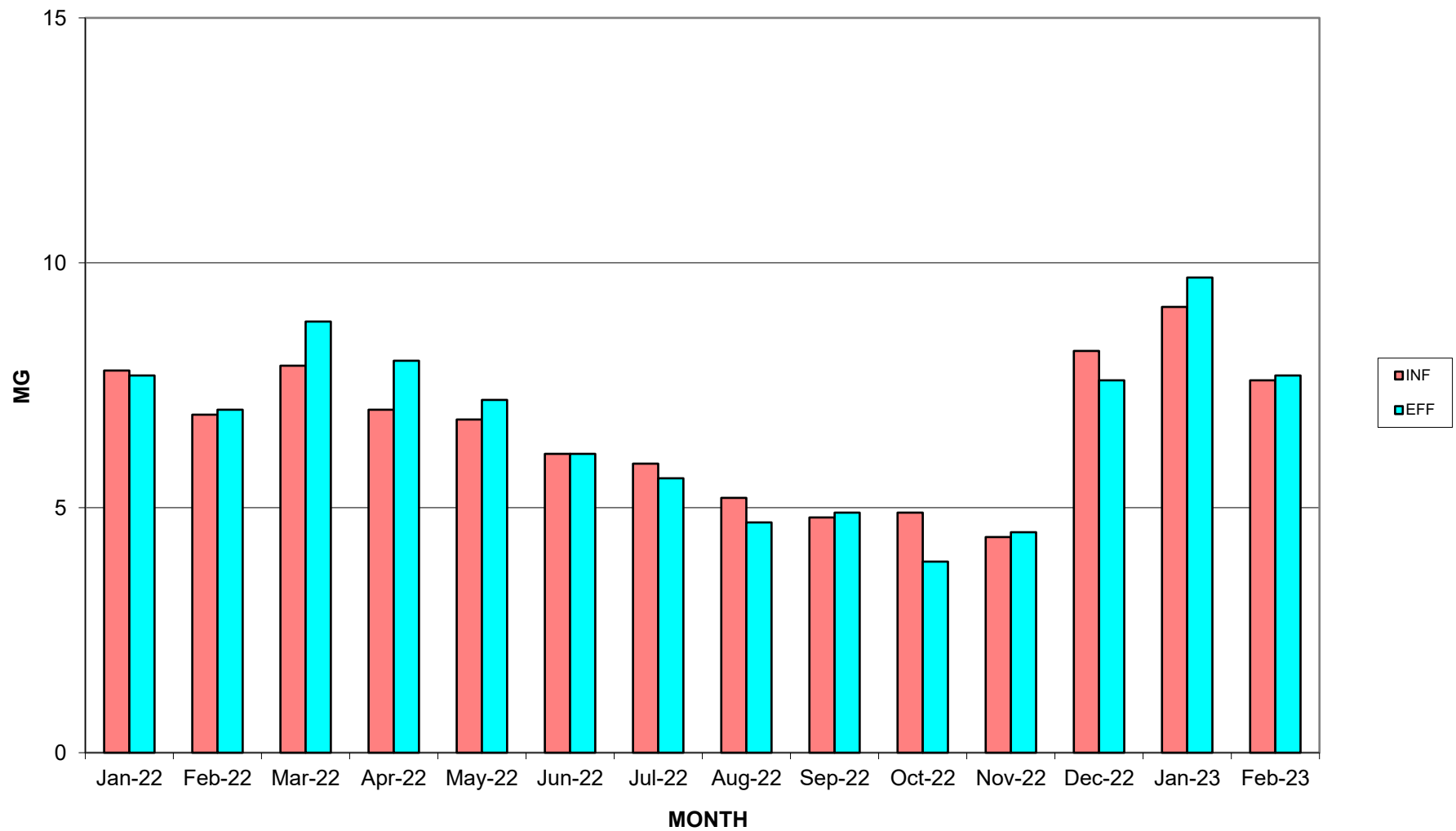
## **Repairs and Maintenance WTP**

- ◆ No major repairs needed this month.

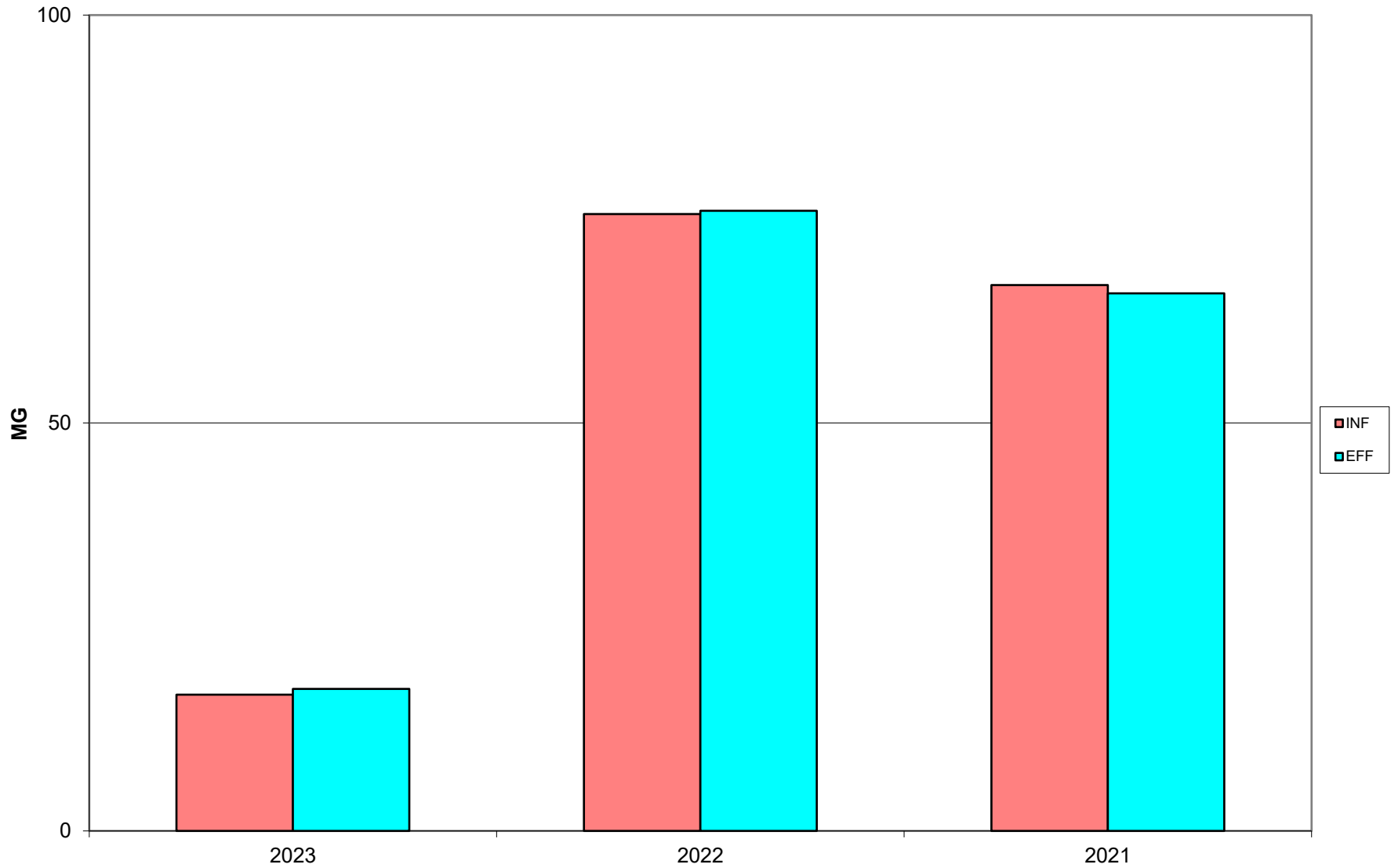
## **Laboratory**

- ◆ Continued river discharge monitoring.
- ◆ Collected and sent in the quarterly priority pollutant testing samples for the effluent and receiving waters.

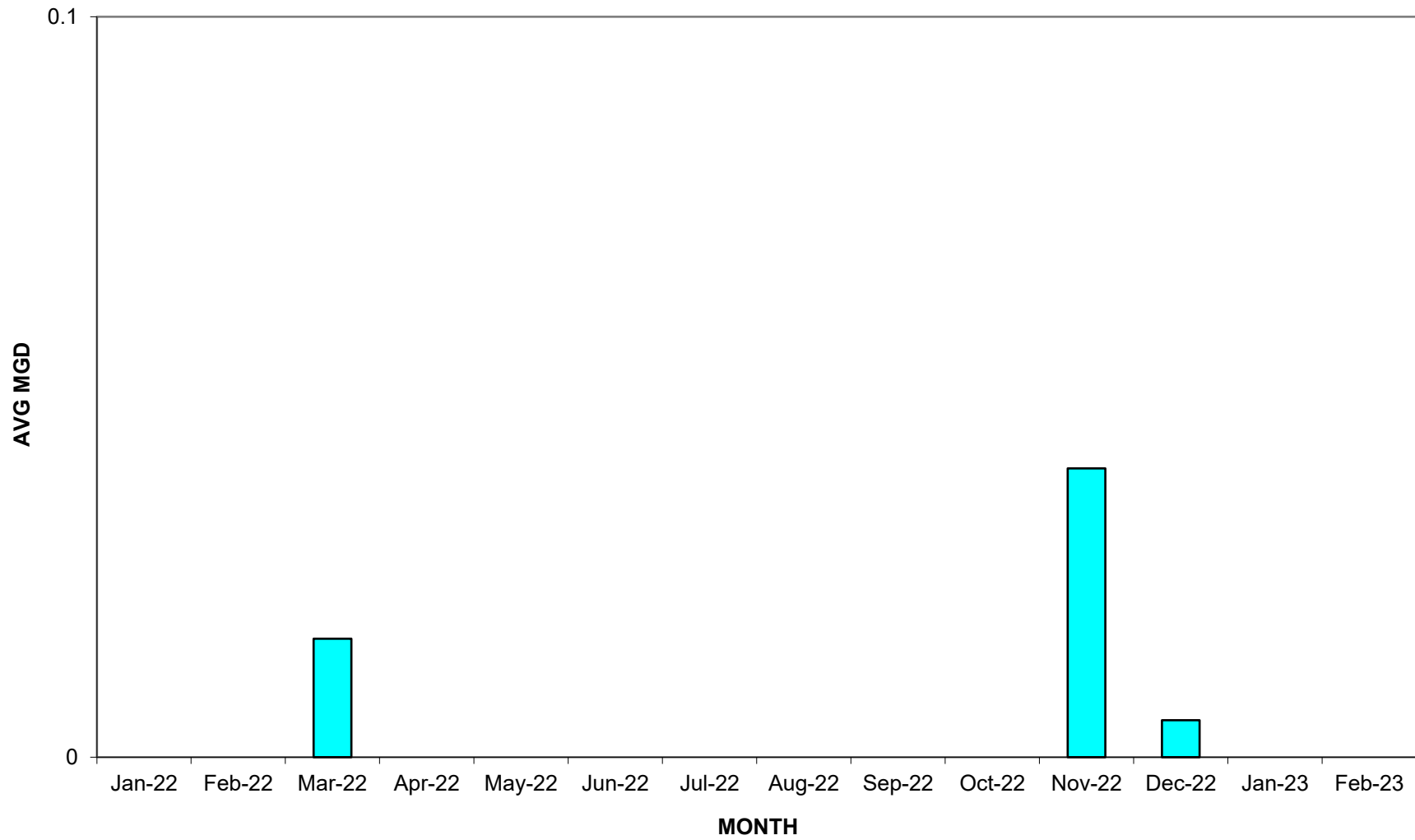
**DONNER SUMMIT PUD WWTP  
TOTAL INFLUENT FLOW TO TOTAL EFFLUENT FLOW  
YEAR 2022/2023**



DONNER SUMMIT PUD WWTP  
ANNUAL TOTAL INFLUENT FLOW TO TOTAL EFFLUENT FLOW  
2023 DATA THROUGH FEBRUARY



**DONNER SUMMIT PUD WWTP  
AVG EFFLUENT FLOW TO SNOW STORAGE/PRODUCTION  
YEARS 2022/2023**



## Agenda Item: 7A



## STAFF REPORT

**TO:** Board of Directors

**PREPARED BY:** Steven Palmer, PE, General Manager *SP*

**SUBJECT:** Public Hearing and Consider Adoption of an Ordinance Updating the Fees Charged to Connect to the Sewer System

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### **RECOMMENDATION**

Hold a the publicly noticed public hearing to receive input on the Sewer System Capacity Fee update, and adopt an ordinance adopting the updated Sewer System Capacity Fee.

### **BACKGROUND**

Sewer Capacity Fees are charged to pay for current and future District facilities that new wastewater customers will use. Capacity fees pay for major infrastructure such as collection facilities, treatment, and disposal facilities. The current Sewer Connection Fee was adopted by the Board in 2017. The Fee is being updated to account for changes in State law, updated estimate of capacity available at the wastewater treatment plant based on development that has occurred and planned new development that has already purchased capacity at the wastewater plant, and to include a share of funding for projects in the 2022 Capital Improvement Plan. For example, extension of sewer mains, and upgrades to Lift Station 2 necessary for new sewer connections.

The General Manager approved a professional services agreement with HEC for this fee update. HEC prepared a draft Wastewater Capacity Fee Update and presented it to the Board at the November 15, 2022 Board meeting. The Fee Study updated the capacity fee per EDU and incorporated updates to State law which require Accessory Dwelling Units (ADUs) to be charged capacity fees on either a per square foot basis, or per plumbing fixture unit basis. For reasons detailed in the Fee Study, the fee was calculated on a plumbing fixture unit basis for ADUs. The Fee Study also presented three alternative fee structures for single family homes that provide the District with different methods of scaling the fee relative to the size of the residence. The alternatives were:

1. Maintain existing structure with fee based on one equivalent dwelling unit (EDU) for a single-family residence. Under this structure, a 2-bedroom home pays the same Sewer Capacity Fee as a 4-bedroom home.
2. Charge the fee based on the number of plumbing fixture units.
3. Charge the fee based on the number of bedrooms.

The alternatives do not apply to new non-residential connections because their Sewer Capacity Fee is already scaled based on their plumbing fixture units as detailed in Ordinance 94-5. The Sewer Capacity Fee for non-residential uses is based on their equivalency to a 3-bedroom home with 20 plumbing fixture units.

At the November 15, 2022 Board meeting, the Board directed that the General Manager proceed with updating the fee based on alternative number 3, charging the fee based on the number of

bedrooms. That input was incorporated, and a final Wastewater Capacity Fees Study has been prepared by HEC (Attachment 2).

## **DISCUSSION**

### **Fee Components**

The updated Sewer Capacity Fee includes three components:

1. Wastewater Treatment Plant and Disposal Buy-In Fee
2. Collection and Other Facilities Buy-In Fee
3. New Wastewater Facilities Fee

The first fee component is a “catch-up fee” to equalize the investment in the 2014 new treatment plant between existing and new users. It is based on debt service paid to date as defined in the Rate and Method of Apportionment of Community Facilities District No. 1, plus debt service paid to date in rates. The second fee component is a buy-in fee for new users benefiting from capacity in the existing collection system, and other existing wastewater system facilities. This portion of the fee is calculated based on the original cost of the District’s wastewater system assets less accumulated depreciation. This method is commonly used for buy-in fees because it removes the assets that have exceeded their useful life and are no longer in use from the fee. The third fee component is new development’s share of wastewater facility improvements included in the District’s 2022 updated Capital Improvement Plan (CIP). The new facilities and the estimated costs as included in the Wastewater Capacity Fee Update Report are listed in the table below:

<b>New Facilities</b>	<b>Estimated Cost</b>
Sewer Lift Station 2 Upgrade	\$745,751
Sewer Main Extension Program	\$100,000
<b>Total New Facilities Cost</b>	<b>\$845,751</b>

### **Fee Structure – Scaled Fee for Single Family Residences**

The existing structure fee is based on one equivalent dwelling unit (EDU) for a single-family residence, and a single-family home pays the fee for one EDU. With the existing fee structure, a 2-bedroom home pays the same Sewer Capacity Fee as a 4-bedroom home.

The Sewer Capacity Fee for all uses except single family residential is based on their equivalency to a 3-bedroom home with 20 plumbing fixture units. The existing fee for new non-residential connections is scaled based on their plumbing fixture units as detailed in Ordinance 94-5.

The proposed fee structure remains unchanged for all uses except for single family residential. The proposed fee structure for single family residences is modified to base the fee on the number of bedrooms, thereby correlating the fee to the size of the residences. This approach has several benefits. First, it promotes the development of different types of residential units, in support of the Mountain Housing Council’s strategies to encourage home types that are affordable to lower income households and incomes up to 180% of the region’s median household income. Second, it is well established in engineering practice that wastewater generation in residential settings is closely correlated with the number of people living in the residence. Lastly, charging by number of bedrooms is administratively simpler than charging by the number of plumbing fixture units as



it does not require District staff to inspect building plans in detail or inspect the home upon certificate of occupancy.

The Wastewater Capacity Fee Study calculates the fee for one EDU at \$13,187. The proposed fee for single family residences is \$4,395.67 per bedroom, with a minimum fee of \$8,791.33.

Fee Structure - Accessory Dwelling Units

The fee update also has a new customer category for Accessory Dwelling Units (ADUs). ADUs are accessory residences that are constructed as accessory to the primary parcel usage. They can either be attached or detached from the main structure. Pursuant to State law, ADUs must be charged development fees on either a per building square foot basis or per fixture unit basis. Because District Ordinance 94-5 defines a new EDU as having 20 fixture units, the Sewer Capacity Fee for ADUs is proposed on a per fixture unit basis. The proposed fee for ADUs is \$659.35 per fixture unit (\$13,187 per EDU/20 fixture units).

Fee Structure - Annual Increase

The Wastewater Capacity Fee Study also recommends that the enacting ordinance specify that the Capacity Fee increase each year to account for construction cost inflation, debt service, and annual special tax. The Fee Study recommends the following annual increase:

- The Capacity Charges Per New EDU increases each year on July 1 by the Engineering News Record Construction Cost Index year over year increase for the most recent month of April, plus \$773.
- The Capacity Charges Per Expansion EDU increases each year on July 1 by the Engineering News Record Construction Cost Index year over year increase for the most recent month of April.
- The Capacity Charges Per Fixture Unit (Accessory Dwelling Unit) adjusts each year on July 1 to be equal to the adjusted Per New EDU charge divided by 20 fixture units.
- The Capacity Charges Per Bedroom Single Family adjusts each year on July 1 to be equal to the adjusted Per New EDU charge divided by three bedrooms.

**ANALYSIS**

The existing and proposed Sewer Capacity Fees are shown in the table below.

	<b>Current</b>	<b>Updated</b>	<b>Change</b>
New EDU	\$10,123	\$13,187	Increase
Expansion EDU	\$3,329	\$4,365	Increase
ADU (per fixture unit)	N.A.	\$659.35	New

The current Sewer Capacity Fee is \$10,123 for one EDU, or single-family residence. Under the proposed fee, the maximum justifiable fee for one EDU is \$13,187.

DSPUD’s current Sewer Capacity Fee was adopted by Ordinance 06-2017. Sewer System Fees were originally adopted by Ordinance 89-01, and subsequently amended by 06-2017, 2011-01, 2007-01, 01-01, 99-01, 94-4, 93-4, and 90-2. The attached Ordinance 2023-01 supersedes Ordinances 06-2017, 2011-01, 2007-01, 01-01, 99-01, 94-4, 93-4, and 90-2, and amends Ordinance 89-01 to increase the fee per EDU and to change the fee structure as described in this staff report and in the Wastewater Capacity Fees Study by HEC. The proposed ordinance also updates some language regarding connection and capacity fees.

To adopt the new ordinance, the Board needs to open a public hearing and accept public comment prior to acting on the ordinance. Following any public comment, the Board may act to adopt Ordinance 2023-01. The Public Utility District Act in California State Law states that no ordinance passed by the board takes effect less than 30 days after its passage, so this ordinance will take effect on April 21, 2023. Additionally, at least one week before expiration of the 30 days, copies of the ordinance will be posted at three public places in the District and published in a newspaper of general circulation printed and published in the District.

**FISCAL IMPACT**

Adoption of an updated Sewer Capacity Fee will provide increased revenue that will be used to improve District wastewater infrastructure to the benefit of new users.

**CEQA ASSESSMENT**

This is not a CEQA Project

**ATTACHMENTS**

1. Presentation
2. Wastewater Capacity Fee Study
3. Ordinance

# Wastewater Capacity Fee Study



**3/21/2022 Board Meeting Presentation**

# Wastewater Capacity Fee Study Update

- Ensure that growth is paying for its equitable share of wastewater infrastructure costs (capacity to serve)
- Authorized by Government Code 66013. Fees must not exceed the estimated reasonable cost of service for which they are imposed. The fee has 3 components:
  1. Treatment and Disposal Buy-In Fee
  2. Collection and Other Facilities Buy-In Fee
  3. New Facilities Fee

# 1. Treatment and Disposal Buy-In Fee

Based on the total amount of special taxes and/or rates paid to date for the 2014 Wastewater Treatment Plant Project

Fee	Calculation
<b>Catch-Up Special Tax</b>	
Years of Special Tax (FY2012 through FY2023)	12
Tax Paid each Year	\$593
Total Taxes Paid	\$7,116
<b>Catch-Up Special Tax Amount (1.05 X Total Taxes Paid)</b>	<b>\$7,472</b>
<b>Debt Service paid with Rates (FY 2015 through FY2023)</b>	
Years of Debt Service [1]	9
Annual Debt Service per EDU not in Special Tax	\$150
<b>Additional Debt Service Capacity Fee per EDU</b>	<b>\$1,350</b>
<b>Total Treatment Plant Component Fee</b>	<b>\$8,822</b>

Source: DSPUD CFD No.1 Rate and Method of Apportionment and HEC.

cf1

[1] Includes one year collection for debt service reserve, per SRF, and payments made fiscal years ending 2016 through 2018 under the old debt service schedule, plus payments made fiscal years ending 2019 through 2023 under the new debt service schedule.

## 2. Collection and Other Facilities Buy-In Fee

Based on the value of existing assets (excluding the 2014 WWTP facilities) that new customers will use

<b>Wastewater Facilities</b>	<b>Net Book Value</b>
<b>Treatment Component</b>	
Plant and Disposal Facilities Value	\$20,957,947
less 2014 New Plant Project Value	(\$20,679,895)
<b>Treatment &amp; Disposal Value</b>	<b>\$278,052</b>
<b>Collection &amp; All Other Facilities Value</b>	<b>\$133,251</b>
<b>Net Assets Value</b>	<b>\$411,303</b>
Available Capacity	16%
<b>New Users Cost Share</b>	<b>\$67,786</b>
Additional EDUs	209
<b>Buy-in Cost per EDU for Collection &amp; Other</b>	<b>\$324</b>

### 3. New Facilities Fee

Based on the District’s updated Wastewater Capital Improvements Plan

New Facilities	Estimated Cost	EDUs	Cost per EDU
Sewer Lift Station 2 Upgrade	\$745,751	209	\$3,563
Sewer Main Extension Program	\$100,000	209	\$478
<b>Total New Facilities Cost</b>	<b>\$845,751</b>		<b>\$4,041</b>

# Calculated Maximum Wastewater Capacity Fee per New EDU

Fee Component	FY2023 Fee *
Treatment & Disposal Buy-In	\$8,822
Collection & Other Facilities Buy-In	\$324
New Facilities	\$4,041
<b>Total Fee per New EDU</b>	<b>\$13,187</b>

\* The adopting resolution or ordinance should automatically adjust the fee every July 1 using a formula provided in the fee study.



# New Wastewater Capacity Fee for ADUs

An Accessory Dwelling Unit (ADU) may be Attached or Detached.

- California law allows the building of ADUs on single-family and multi-family zoned property.
  - A new detached ADU may be charged a capacity fee whenever it is built.
  - A new attached ADU may be charged a capacity fee ONLY when it is constructed with a new single-family home.
- The new ADU fee is charged on a fixture unit basis.
- The new ADU fee is calculated as the fee for one EDU divided by the number of fixture units for a typical, 3-bedroom home in the District's service territory (20 fixture units).

# Calculated Change in Wastewater Capacity Fees

	Current	Updated	Change
New EDU	\$10,123	\$13,187	Increase
Expansion EDU	\$3,329	\$4,365	Increase
ADU (per fixture unit)	N.A.	\$659.35	New

**New EDU** = Purchasing an EDU from the District for service \*

**Expansion EDU** = Purchased wastewater treatment and disposal capacity in 2011; has not yet paid for other wastewater facilities \*

*\* A property owner may be able to purchase an EDU from a willing seller rather than from the District; the District must verify if the EDU is an Expansion EDU or a New EDU. No fee is due for a New EDU that has been transferred to another property. A fee is due for an Expansion EDU that has been transferred to another property.*

# “Scalable” Residential Fee Structure

Locally, the Mountain Housing Council has advocated for “scalable” development fees so that smaller homes pay less than larger homes for their impacts on community facilities. Scalable fees are intended to help address housing affordability concerns in the region.

The Truckee Sanitary District and the Tahoe Truckee Sanitation Agency both adopted scalable wastewater capacity fees in response to the advocacy of the Mountain Housing Council. The Olympic Valley Public Services District and Northstar Community Services District have not.

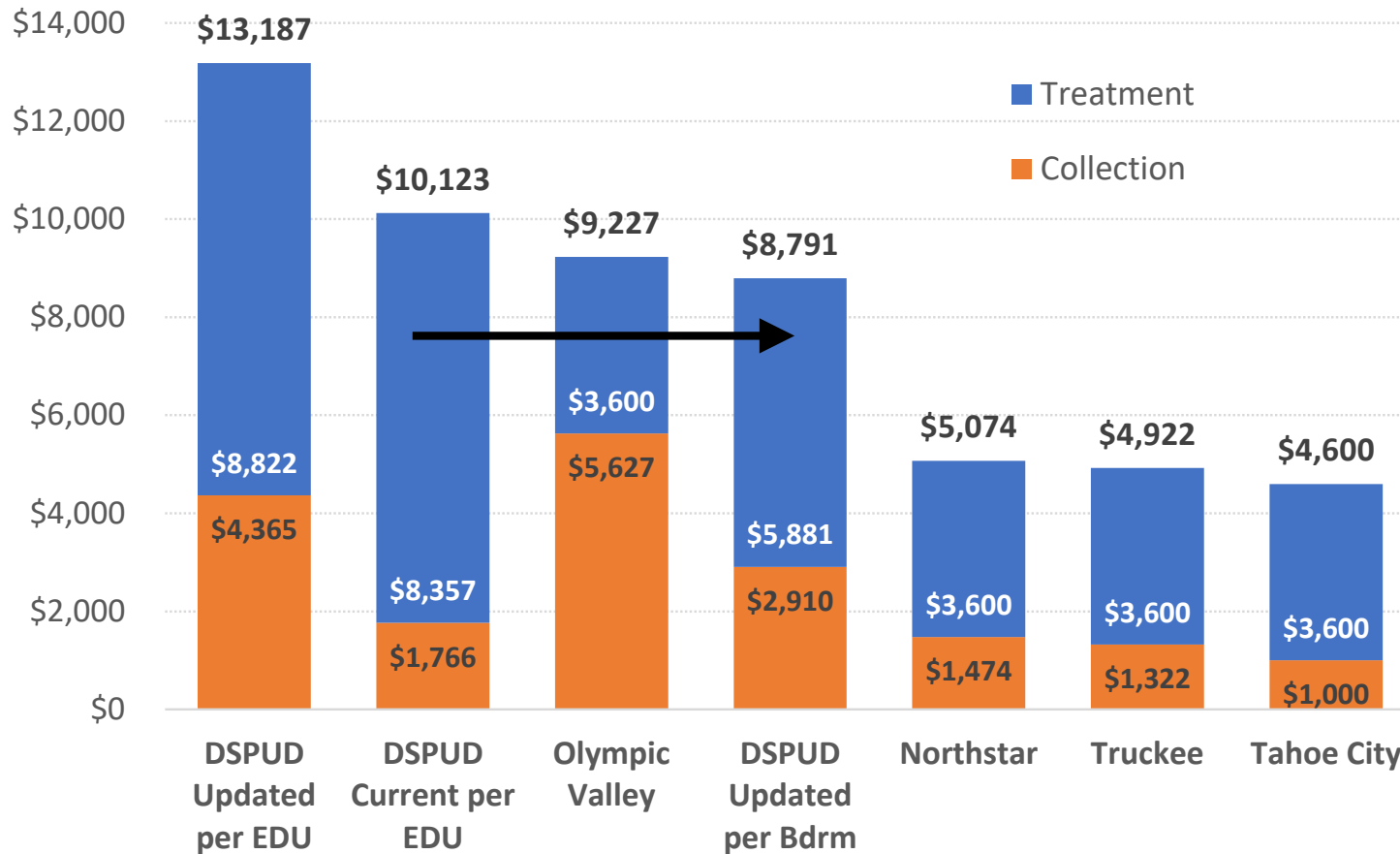
# Optional Fee Structures

Customer Type	Fee Basis	EDU Type	
		New	Expansion
<b>Option 1: Current Structure</b>		<i>Fiscal Year 2023 Fees [1]</i>	
Residential and Non-Residential	per EDU	\$13,187	\$4,365
Accessory Dwelling Unit [2]	per Fixture Unit	\$659.35	
<b>Option 2: Scalable Residential Fee</b>		<i>Fiscal Year 2023 Fees [1]</i>	
Non-Residential	per EDU	\$13,187	\$4,365
Residential	per Bedroom *	\$4,396	\$1,455
Accessory Dwelling Unit [2]	per Fixture Unit	\$659.35	

\* Minimum fee for a single-family home is for 2 bedrooms to ensure a single-family home does not pay less than an ADU.

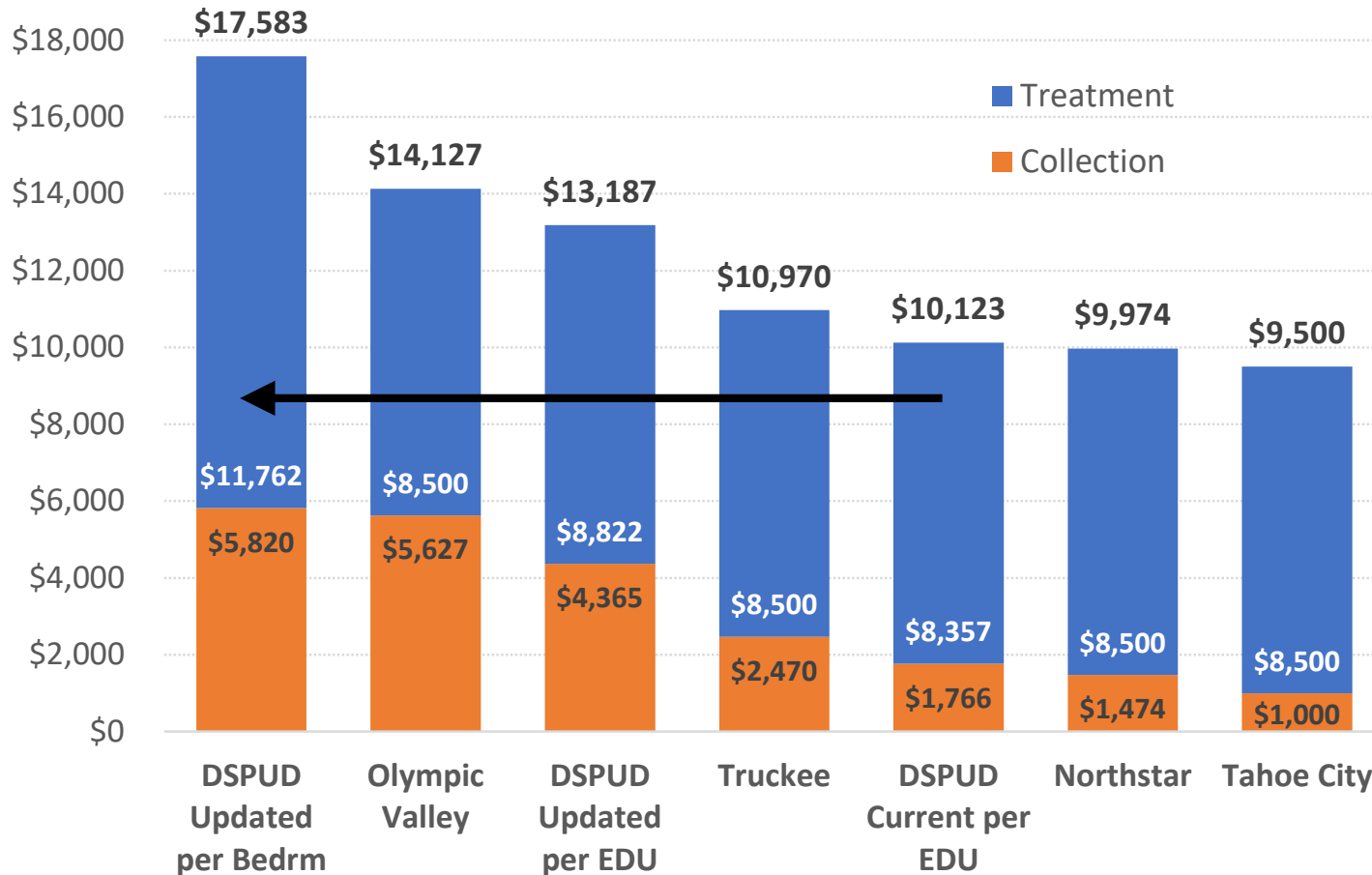
# Regional Capacity Fee Comparison

## 2-Bedroom New Home 2,000 Building Square Feet



# Regional Capacity Fee Comparison

## 4-Bedroom New Home (4,000 Building Square Feet)



# Study Recommendations

- Update the wastewater capacity fees: either with or without a scalable residential fee
- Establish a wastewater capacity fee per fixture unit for ADUs
- Ensure the annual fee update formulas are included in the resolution or ordinance updating the wastewater capacity fees

# HANSFORD

## ECONOMIC CONSULTING

**Donner Summit Public Utility District**

# **Wastewater Capacity Fees Study**

**March 9, 2023**

**FINAL**



The following report was prepared by Hansford Economic Consulting LLC.

The analyses and findings contained within this report are based on primary data provided by the Donner Summit Public Utility District, as well as additional secondary sources of data available as of the date of this report. Updates to information used in this report could change or invalidate the findings contained herein. While it is believed that the primary and secondary sources of information are accurate, this is not guaranteed.

Every reasonable effort has been made in order that the data contained in this study reflect the most accurate and timely information possible. No responsibility is assumed for inaccuracies in reporting by the client, its consultants and representatives, or any other data source used in the preparation of this study. No warranty or representation is made that any of the projected values or results contained in this study will actually be achieved.

Changes in economic and social conditions due to events including, but not limited to, major recessions, droughts, major environmental problems or disasters that would negatively affect operations, expenses and revenues may affect the result of the findings in this study. In addition, other factors not considered in the study may influence actual results.

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### **Appendix A: DSPUD Wastewater System Assets**

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## Section 1: INTRODUCTION AND SUMMARY OF FINDINGS

### 1.1 INTRODUCTION

The Donner Summit Public Utility District (DSPUD or District) provides wastewater collection, treatment, and disposal service to residents and businesses in Soda Springs and Sugar Bowl, and it provides treatment and disposal service to residents whose wastewater is collected by the Sierra Lakes County Water District.

The purpose of this report is to update the District’s schedule of wastewater capacity fees. Currently, the District charges wastewater capacity fees on a per Equivalent Dwelling Unit (EDU) basis. The wastewater capacity fees that were most recently set by the Board of Directors (Board) in 2017 are shown in **Table 1**. A new home would currently pay the District a wastewater capacity fee of \$10,123<sup>1</sup>, or \$3,329 if it has already purchased capacity at the wastewater treatment plant.

**Table 1**  
**Current Wastewater Capacity Fees**

Expansion EDU Area	Current Fee
<b>OUTSIDE CFD NO. 1</b>	
<b>New Expansion EDU</b>	
Treatment Plant Connection Fee	\$8,357
All Other System Facilities Connection Fee	\$1,766
<b>Total New Expansion EDU Cost</b>	<b>\$10,123</b>
<b>Existing Expansion EDU</b>	
Treatment Plant Connection Fee	\$1,563
All Other System Facilities Connection Fee	\$1,766
<b>Total Existing Expansion EDU Cost</b>	<b>\$3,329</b>
<b>INSIDE CFD NO. 1</b>	
<b>New Expansion EDU</b>	
Catch-Up Special Tax	\$5,545
One-Time Special Tax	\$1,249
Treatment Plant Connection Fee	\$1,563
All Other System Facilities Connection Fee	\$1,766
<b>Total New Expansion EDU Cost</b>	<b>\$10,123</b>
<b>Existing Expansion EDU</b>	
Catch-Up Special Tax	\$0
One-Time Special Tax	\$0
Treatment Plant Connection Fee	\$1,563
All Other System Facilities Connection Fee	\$1,766
<b>Total Existing Expansion EDU Cost</b>	<b>\$3,329</b>

Source: DSPUD Ordinance 06-2017.

<sup>1</sup> A property owner may be able to purchase an EDU from a willing seller rather than the District. The District must verify if the EDU is an Expansion EDU or a New EDU. No fee is due for a New EDU that has been transferred to another property. A fee is due for an Expansion EDU that has been transferred to another property.

## **1.2 AUTHORITY TO CHARGE CAPACITY FEES**

Under the authority of the Mitigation Fee Act (1987), contained in California Government Code Section 66000 et seq., the District is authorized to collect wastewater capacity and connection fees. When a municipality adopts or updates a capacity or connection fee, it must demonstrate that the fees shall not exceed the estimated reasonable cost of providing the service for which the fee is imposed. Maximum justifiable fees are calculated in this report pursuant to demonstration of the nexus between new development and the increase in use of existing infrastructure, as well as new infrastructure, that is provided to serve the new development.

Specifically, the District may impose a connection fee pursuant to Government Code Section 66013 (b)(5) for the physical facilities necessary to make a wastewater connection, including, but not limited to, pipelines from the structure or project to a sewer main, that does not exceed the estimated reasonable cost of labor and materials for installation of those facilities.

The District may impose a capacity fee pursuant to Government Code Section 66013(b)(3) for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged, including capacity contracts for rights or entitlements, real property interest, and entitlements and other rights of the local agency involving capital expense relating to its use of existing or new public facilities.

DSPUD requires all new wastewater connections to build the connection from their property to the sewer main themselves. The District inspects the connection upon completion of the work. Since the District does not provide the connection, it does not charge a connection fee. The District does charge a capacity fee for facilities that are in place, or to be built, to accommodate new sewer flows.

## **1.3 CALCULATED WASTEWATER CAPACITY FEES**

The wastewater capacity fee is being updated to account for wastewater facilities that have already been built and new wastewater facilities planned to be constructed. The updated wastewater capacity fee includes three components:

1. Wastewater Treatment Plant and Disposal Buy-In Fee
2. Collection and Other Facilities Buy-In Fee
3. New Wastewater Facilities Fee

The first fee component is a “catch-up fee” to equalize the investment in the 2014 new treatment plant between existing and new users. It is based on debt service paid to date as defined in the Rate and Method of Apportionment of Community Facilities District No. 1, plus debt service paid to date in rates. The second fee component is a buy-in fee for new users benefiting from capacity in the existing collection system, and other existing wastewater system facilities. The third fee component is a contribution to new and/or upgraded wastewater facilities planned in the District’s 2022 updated Capital Improvement Plan (CIP) to serve new growth.

**Table 2** presents the calculated updated total combined maximum justifiable capacity fees. The fees would *increase* the current wastewater capacity fee for developing properties (that have not yet purchased capacity in the wastewater treatment plant) from \$10,123 to \$13,187 per EDU. The maximum justifiable fees for a property owner with an Expansion EDU would *increase* from \$3,329 to \$4,365. The updated wastewater capacity fee schedule has a new customer category, for Accessory Dwelling Units (ADUs). Pursuant to State law, ADUs must be charged development fees on either a per building square foot basis or per fixture unit basis<sup>2</sup>. Because District Ordinance 94-5 defines an EDU as having 20 fixture units<sup>3</sup>, the wastewater capacity fee for ADUs is calculated on a per fixture unit basis by dividing the fee for a new EDU by 20.

**Table 2  
Calculated Wastewater Capacity Fees for Fiscal Year 2023**

<b>Calculated Fee through Fiscal Year Ending 2023 [1]</b>	<b>Wastewater Capacity Fee</b>
New EDU [2]	\$13,187
Expansion EDU [3]	\$4,365
New ADU - Per Fixture Unit [4]	\$659.35

[1] The fee for each subsequent fiscal year should be automatically updated per formula.

[2] The annual fee adjustment formula for a New EDU:

$$\text{updated fee} = \text{curr yr fee} + \$773 + \text{change in Expansion EDU fee}$$

[3] The new 2014 treatment plant buy-in fee is not applicable to these EDUs.

The annual fee adjustment formula for an Expansion EDU:

$$\text{updated fee} = \text{curr yr fee} * \text{change in the ENR CCI Apr to Apr}$$

[4] Per Ordinance 94-5, 20 fixture units equal one EDU. The annual adjustment to the ADU Fixture Unit Fee is the adjusted fee for a New EDU divided by 20.

The wastewater capacity fees are calculated for fiscal year 2023. Each year, DSPUD should adjust the fee based on the formula for each type of fee (New EDU, Expansion EDU, or ADU) as shown in **Table 2**; otherwise, the fee will fall behind the new customers' share of facilities costs. The fee should also be reviewed whenever there is a significant change to the Wastewater Capital Improvement Plan, whenever there are changes in pace and quantity of new development, and/or whenever a time period of five-plus years has elapsed. In footnote [3] of the table, the ENR CCI is the Engineering News Record Construction Cost Index.

<sup>2</sup> California law allows the building of ADUs on single-family and multi-family zoned property. A new detached ADU may be charged a capacity fee whenever it is built. A new attached ADU may be charged a capacity fee ONLY when it is constructed with a new single-family home.

<sup>3</sup> The International Residential Code define a fixture unit as, "A measure of probable discharge into the drainage system by various types of plumbing fixtures, used to size DWV piping systems. The drainage fixture-unit value for a particular fixture depends on its volume rate of drainage discharge, on the time duration of a single drainage operation and on the average time between successive operations."

If a property owner who previously purchased capacity at the wastewater treatment plant (i.e., they own an Expansion EDU) wants to build a detached ADU they must pay the new ADU fee per fixture unit. If the property owner with an Expansion EDU wants to build a new home with an attached ADU, they would not be required to pay the ADU fee because at the time the fee was paid for the capacity at the wastewater treatment plant, one EDU was sufficient for a single-family structure of any size.

**Scalable Residential Fee.** At its November 15, 2022 Board meeting, two scalable residential fee structures were presented to the District Board; these included charging the fees by number of bedrooms, or by number of fixture units<sup>4</sup>. The Board’s direction was to continue to consider charging the residential fee for a New EDU or an Expansion EDU by number of bedrooms. Charging by number of bedrooms is administratively easier as it does not require District staff to inspect building plans in detail or inspect the home upon certificate of occupancy. The District has always considered one EDU for a home to have three bedrooms; therefore, the calculated fee per bedroom is \$4,396 per New EDU and \$1,455 per Expansion EDU for fiscal year 2023. New non-residential structures would continue to be charged per EDU as detailed in DSPUD Ordinance 94-5.

A comparison of the fees for a new home that has to purchase capacity at the wastewater treatment plant (a New EDU) is provided in **Table 3** under Option 1 (current fee structure) and Option 2 (scalable fee structure).

**Table 3  
Comparison of Fiscal Year 2023 Fees for Residential Development One New EDU**

	<b>Residential Home</b>			
	2-Bdrm	3-Bdrm	4-Bdrm	5-Bdrm
<b>Option 1</b>	<b>\$13,187</b>	<b>\$13,187</b>	<b>\$13,187</b>	<b>\$13,187</b>
<b>Option 2</b>	<b>\$8,791</b>	<b>\$13,187</b>	<b>\$17,583</b>	<b>\$21,978</b>

	<b>Accessory Dwelling Unit</b>		
	Quantity	Fixture Units	Fee
Showers	1	2	\$1,319
Toilets	1	3	\$1,978
Dishwasher	1	2	\$1,319
Clothes Washer	1	2	\$1,319
Bathroom Sink	1	1	\$659
Kitchen Sink	1	2	\$1,319
<b>TOTAL</b>		<b>12</b>	<b>\$7,912</b>

<sup>4</sup> The reason for not charging by building square foot is the range of housing types in the District’s service territory (Soda Springs and Sugar Bowl). A fee by building square feet must be based on either the median or the average building square feet of a “typical” 3-bedroom home in the District’s service territory. Establishing the square footage of a typical 3-bedroom home in the District service territory is difficult. Along Donner Pass Road in Soda Springs, a new 3-bedroom home is more likely to be in the range of 1,600 building square feet to 2,200 building square feet, but in Sugar Bowl, as well as other pockets of developable land within the District’s service territory, 3-bedroom homes are often in excess of 3,000 building square feet.

**Table 3** shows that an ADU with 12 fixture units would pay a fee of \$7,912. To ensure that a single family home does not pay less than an ADU, it is recommended that a minimum residential fee per EDU be established equal to the fee for a 2-Bedroom home. **Table 4** shows the recommended fee schedules under Option 1: Current Structure, and Option 2: Scalable Residential Fee.

**Table 4  
Recommended Fees under Optional Structures**

Customer Type	Fee Basis	EDU Type	
		New	Expansion
<b>Option 1: Current Structure</b>		<i>Fiscal Year 2023 Fees [1]</i>	
Residential and Non-Residential	per EDU	\$13,187	\$4,365
Accessory Dwelling Unit [2]	per Fixture Unit	\$659.35	
<b>Option 2: Scalable Residential Fee</b>		<i>Fiscal Year 2023 Fees [1]</i>	
Non-Residential	per EDU	\$13,187	\$4,365
Residential	per Bedroom *	\$4,396	\$1,455
Accessory Dwelling Unit [2]	per Fixture Unit	\$659.35	

\* Minimum fee for a single-family home is for 2 bedrooms to ensure a single-family home does not pay less than an ADU.

[1] The fee for each subsequent fiscal year should be automatically updated per formula.

New EDU:  $updated\ fee = curr\ yr\ fee + \$773 + change\ in\ Expansion\ EDU\ fee$

Expansion EDU:  $updated\ fee = curr\ yr\ fee * change\ in\ the\ ENR\ CCI\ Apr\ to\ Apr$

[2] Per Ordinance 94-5, 20 fixture units equal one EDU. The annual adjustment to the ADU Fixture Unit Fee is the adjusted fee for a New EDU divided by 20.



## **Section 2: CAPACITY FEE CALCULATIONS**

Capacity fees are charged to pay for current and future District facilities that new wastewater customers will use. Capacity fees pay for major infrastructure such as collection facilities (sewer mains), treatment, and disposal facilities. The revised capacity fee would pay for buy-in to existing facilities that new customers will use as well as new facilities that new customers create the need for.

### **2.1 FUTURE DEVELOPMENT AND GROWTH ASSUMPTIONS**

The first step in determining capacity fees is establishing the current number of wastewater customers, expressed in equivalent dwelling units (EDUs). Per current District records, there are 1,061 wastewater EDUs that have purchased capacity at the wastewater treatment plant. The District services two types of wastewater customer:

- (1) Existing customers who currently use the wastewater system, and
- (2) Future customers who have paid for an Expansion EDU and who are paying reduced quarterly rates for maintenance of District facilities and debt service until they connect to the wastewater system.

Remaining capacity for new DSPUD wastewater customers is calculated in **Table 5**. DSPUD’s plant capacity is 0.48 million gallons per day (MGD); this capacity can serve 1,270 EDUs. DSPUD has capacity to serve an additional 209 EDUs in its service territory.

**Table 5  
Remaining Treatment Plant Capacity**

<b>EDU Type</b>	<b>EDUs</b>	<b>Percent Allocation</b>	<b>GPD per EDU</b>	<b>Total Use (GPD)</b>
<b>DSPUD Plant Capacity (MGD):</b> 0.480	<i>60% of total capacity</i>			
<b>Total DSPUD Capacity in EDUs</b>	<b>1,270</b>			
Existing and Future EDUs	1,061	84%	378	400,892
<b>New EDUs</b>	<b>209</b>	<b>16%</b>	<b>378</b>	<b>79,108</b>
<b>Use in Gallons per Day (avg. day max. week flow)</b>				<b>480,000</b>

Source: DSPUD flow data March 2021 - March 2022, and HEC.

gpd

### **2.2 BUY-IN FEE COSTS**

#### **Treatment and Disposal Fee Component**

The treatment and disposal fee component of the buy-in fee is calculated using the Special Tax Formula of Community Facilities District No.1 regardless of the location of the developing property.

The Rate and Method of Apportionment describes how to calculate the buy-in fee for the treatment plant. A customer wishing to purchase a New EDU must pay the Catch-Up Special Tax. Using the formula in the Rate and Method of Apportionment, the Catch-Up Special Tax is \$7,472 per EDU for fiscal year 2023. In addition, the customer must also pay the amount of debt service for the wastewater treatment plant upgrade and expansion project that was ultimately greater than the special tax could support. The additional debt service fee is \$1,350 per New EDU for fiscal year 2023.

In total, a new customer wishing to purchase capacity at the treatment plant has a maximum justifiable fee of \$8,822 per New EDU. The calculations are shown in **Table 6**. Expansion EDUs are not subject to this portion of the wastewater capacity fee as they have already paid for treatment and disposal capacity.

**Table 6  
Capacity Fee for Treatment and Disposal Component**

Fee	Calculation
<b>Catch-Up Special Tax</b>	
Years of Special Tax (FY2012 through FY2023)	12
Tax Paid each Year	\$593
Total Taxes Paid	\$7,116
<b>Catch-Up Special Tax Amount (1.05 X Total Taxes Paid)</b>	<b>\$7,472</b>
<b>Debt Service paid with Rates (FY 2015 through FY2023)</b>	
Years of Debt Service [1]	9
Annual Debt Service per EDU not in Special Tax	\$150
<b>Additional Debt Service Capacity Fee per EDU</b>	<b>\$1,350</b>
<b>Total Treatment Plant Component Fee</b>	<b>\$8,822</b>

Source: DSPUD CFD No.1 Rate and Method of Apportionment and HEC.

cf1

[1] Includes one year collection for debt service reserve, per SRF, and payments made fiscal years ending 2016 through 2018 under the old debt service schedule, plus payments made fiscal years ending 2019 through 2023 under the new debt service schedule.

### **Collection and Other Facilities Components Fee**

The cost included in the collection and other facilities components buy-in fee is based on the value of the District's wastewater assets. The buy-in fee for this study uses the original cost approach methodology calculation of remaining value of assets<sup>5</sup>. Inclusion of depreciation is commonly used for buy-in fees because it removes the assets that have exceeded their useful life and are no longer in use from the fee. **Tables A-1** and **A-2** in Appendix A provide a list of DSPUD's wastewater assets,

<sup>5</sup> Under the original cost approach, the buy-in fee reflects the original investment in existing capacity, paying an amount similar to what the existing customers paid for the capacity (or the remaining value of the original investments). AWWA M1 Manual Page 332.

their original cost, and net book value, which is the original cost less accumulated depreciation. The total assets net book value is \$21.1 million, as summarized in **Table 7**.

**Table 7  
Summary Wastewater System Value**

<b>System Components</b>	<b>Net Book Value</b>
<b>Wastewater System</b>	
New 2014 Treatment Plant	\$20,679,895
Other Treatment & Disposal	\$278,052
<b>Subtotal Treatment</b>	<b>\$20,957,947</b>
Collection	\$58,549
Other	\$6,867
<b>Total Wastewater</b>	<b>\$21,023,363</b>
Joint Assets [1]	\$67,834
<b>Total Assets Value</b>	<b>\$21,091,198</b>

Source: DSPUD depreciation schedule as of 6/30/2022 and HEC. sum value

[1] Wastewater system 78% share of total joint assets value.

The collection and other facilities components buy-in fee deducts the asset value of the treatment facilities built with debt from the State Revolving Fund for the 2014 wastewater treatment plant upgrade and expansion. **Table 8** shows net assets value is \$0.4 million and the calculated buy-in fee is \$324 per EDU. New users are responsible for 16% of the net assets value because there is 16% capacity remaining in the treatment plant based on average EDU flow (see **Table 5**).

**Table 8  
Capacity Fee for Collection and Other Fee Components**

<b>Wastewater Facilities</b>	<b>Net Book Value</b>
<b>Treatment Component</b>	
Plant and Disposal Facilities Value	\$20,957,947
less 2014 New Plant Project Value	(\$20,679,895)
<b>Treatment &amp; Disposal Value</b>	<b>\$278,052</b>
<b>Collection &amp; All Other Facilities Value</b>	<b>\$133,251</b>
<b>Net Assets Value</b>	<b>\$411,303</b>
Available Capacity	16%
<b>New Users Cost Share</b>	<b>\$67,786</b>
Additional EDUs	209
<b>Buy-in Cost per EDU for Collection &amp; Other</b>	<b>\$324</b>

Source: DSPUD and HEC. edu calc

## 2.3 NEW FACILITIES FEE COSTS

The new facilities fee component is based on the District’s ten-year wastewater CIP, which is summarized in **Table 9**. The total estimated cost of the CIP is \$6.6 million in today’s dollars. Almost all of the necessary improvements are to the wastewater collection system.

**Table 9  
DSPUD Wastewater Capital Improvements Plan**

Project Type	Fiscal Year Ending					First 5 Years	Next 5 Years	10-Yr Total
	2023	2024	2025	2026	2027			
<b>Treatment Plant</b>								
	<i>All figures in 2022 \$s</i>							
Membrane Replacement		\$87,000				\$87,000	\$87,000	\$174,000
Reactor 1 & 2 Wasting Upgrades						\$0	\$100,000	\$100,000
Reactor 1						\$0	\$150,000	\$150,000
<b>Total Treatment Plant</b>	<b>\$0</b>	<b>\$87,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$87,000</b>	<b>\$337,000</b>	<b>\$424,000</b>
<b>Collection</b>								
Radio System Upgrade	\$70,678					\$70,678		\$70,678
Lift Station Rehabilitation		\$44,000	\$306,000			\$350,000	\$685,000	\$1,035,000
Upgrades to Lift Stations [1]				\$150,000	\$150,000	\$300,000	\$150,000	\$450,000
Snow Lab / Bunny Hill Rd Rehabilitation	\$20,000	\$130,000				\$150,000	\$150,000	\$300,000
Line Rehabilitation						\$0	\$300,000	\$300,000
Manhole Sealing						\$0	\$165,000	\$165,000
Sewer Lift Station 2 Upgrade					\$178,750	\$178,750	\$1,036,250	\$1,215,000
Sewer Main Extension Program	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000	\$50,000	\$100,000
Sugar Bowl Sewer Extension - West	\$269,000	\$1,339,000				\$1,608,000		\$1,608,000
Sugar Bowl Sewer Extension - East		\$207,000	\$727,000			\$934,000		\$934,000
<b>Total Collection</b>	<b>\$369,678</b>	<b>\$1,730,000</b>	<b>\$1,043,000</b>	<b>\$160,000</b>	<b>\$338,750</b>	<b>\$3,641,428</b>	<b>\$2,536,250</b>	<b>\$6,177,678</b>
<b>Total Improvements</b>	<b>\$369,678</b>	<b>\$1,817,000</b>	<b>\$1,043,000</b>	<b>\$160,000</b>	<b>\$338,750</b>	<b>\$3,728,428</b>	<b>\$2,873,250</b>	<b>\$6,601,678</b>

Source: DSPUD August 2022.

cip

[1] Includes Norden 1, Norden 2, and lift station No. 8.

Only the costs of improvements, or portion(s) of improvements, needed to serve new growth can be allocated to the new facilities fee.

**Table 10** shows the allocation of costs between existing and new customers. The two Sugar Bowl sewer extension projects are to be paid for by the Sugar Bowl customers converting from septic to municipal wastewater service, per terms of the annexation agreement which was approved in 1999 by Joint Resolution of the Nevada County-Placer County Local Agency Formation Commissions. This leaves 61% of the Sewer Lift Station 2 upgrade and 100% of sewer main extension costs the responsibility of new wastewater customers. Further description of the allocation of Sewer Lift Station 2 cost allocation is provided in Appendix A **Table A-3**.

The total new facilities cost to be borne by new customers is divided by the number of new EDUs there is capacity for at the wastewater treatment plant. The new wastewater facilities fee per EDU is \$4,041, as shown in **Table 11**.

**Table 10  
Allocation of CIP to Existing and New Customers**

<b>Project Type</b>	<b>10-Year Total Estimated Cost</b>	<b>New Users Share</b>	<b>Districtwide Capacity Fee Costs</b>	<b>Sugar Bowl Villages Fee Costs</b>
<b>Treatment Plant</b>				
Membrane Replacement	\$174,000	0%	\$0	\$0
Reactor 1 & 2 Wasting Upgrades	\$100,000	0%	\$0	\$0
Reactor 1	\$150,000	0%	\$0	\$0
<b>Total Treatment Plant</b>	<b>\$424,000</b>		<b>\$0</b>	<b>\$0</b>
<b>Collection</b>				
Radio System Upgrade	\$70,678	0%	\$0	\$0
Lift Station Rehabilitation	\$1,035,000	0%	\$0	\$0
Upgrades to Lift Stations [1]	\$450,000	0%	\$0	\$0
Snow Lab / Bunny Hill Rd Rehabilitation	\$300,000	0%	\$0	\$0
Line Rehabilitation	\$300,000	0%	\$0	\$0
Manhole Sealing	\$165,000	0%	\$0	\$0
Sewer Lift Station 2 Upgrade [2]	\$1,215,000	61%	\$476,133	\$269,618
Sewer Main Extension Program	\$100,000	100%	\$100,000	\$0
Sugar Bowl Sewer Extension - West	\$1,608,000	100%	\$0	\$1,608,000
Sugar Bowl Sewer Extension - East	\$934,000	100%	\$0	\$934,000
<b>Total Collection</b>	<b>\$6,177,678</b>		<b>\$576,133</b>	<b>\$2,811,618</b>
<b>Total Improvements</b>	<b>\$6,601,678</b>		<b>\$576,133</b>	<b>\$2,811,618</b>

Source: DSPUD August 2022.

new alloc

[1] Includes Norden 1, Norden 2, and lift station No. 8.

[2] See Table A-3 for allocation of costs between the Sugar Bowl Villages and other future users.

**Table 11  
New Wastewater Facilities Fee**

<b>New Facilities</b>	<b>Estimated Cost</b>	<b>EDUs</b>	<b>Cost per EDU</b>
Sewer Lift Station 2 Upgrade	\$745,751	209	\$3,563
Sewer Main Extension Program	\$100,000	209	\$478
<b>Total New Facilities Cost</b>	<b>\$845,751</b>		<b>\$4,041</b>

Source: DSPUD CIP August 9, 2022, and HEC.

new fee

## 2.4 CALCULATED CAPACITY FEES AND RESIDENTIAL SCALABLE FEES

The total maximum justifiable capacity fee per New EDU is \$13,187, and \$4,365 per Expansion EDU. The fee components are shown in **Table 12**. These fees are for the time period through fiscal year ending 2023.

**Table 12  
Total Fiscal Year 2023 Capacity Fee per EDU**

EDU Type	Fee Components
<b>New EDU</b>	
New 2014 Treatment Plant Buy-In Fee	\$8,822
Collection & Other System Facilities Buy-In Fee	\$324
New Wastewater Facilities Fee	\$4,041
<b>New EDU Fee</b>	<b>\$13,187</b>
<b>Expansion EDU [1]</b>	
Collection & Other System Facilities Buy-In Fee	\$324
New Wastewater Facilities Fee	\$4,041
<b>Total Expansion EDU Fee</b>	<b>\$4,365</b>

calc fee

[1] Owners of these EDUs paid the one-time up-front treatment plant fee in 2012 and have been paying for the new treatment plant debt service every year since.

As shown above in the update to the current fee, the District currently charges capacity fees on a per EDU basis which means that the fee is the same regardless of the size of the home. Locally, the Mountain Housing Council has advocated for “scalable” development fees so that smaller homes pay less than larger homes for their impacts on community facilities. Scalable fees are intended to help address housing affordability concerns in the region. The Truckee Sanitary District and the Tahoe Truckee Sanitation Agency (TTSA) both adopted scalable wastewater capacity fees in response to the advocacy of the Mountain Housing Council. The Olympic Valley Public Services District, Tahoe City Public Utility District and Northstar Community Services District have not.

At its November 15, 2022 Board meeting, two scalable residential fee structures were presented to the District Board; these included charging the fees by number of bedrooms, or by number of fixture units. The Board’s direction was to consider charging the residential fee by number of bedrooms. Charging by number of bedrooms is administratively easier as it does not require District staff to inspect building plans in detail or inspect the home upon certificate of occupancy.

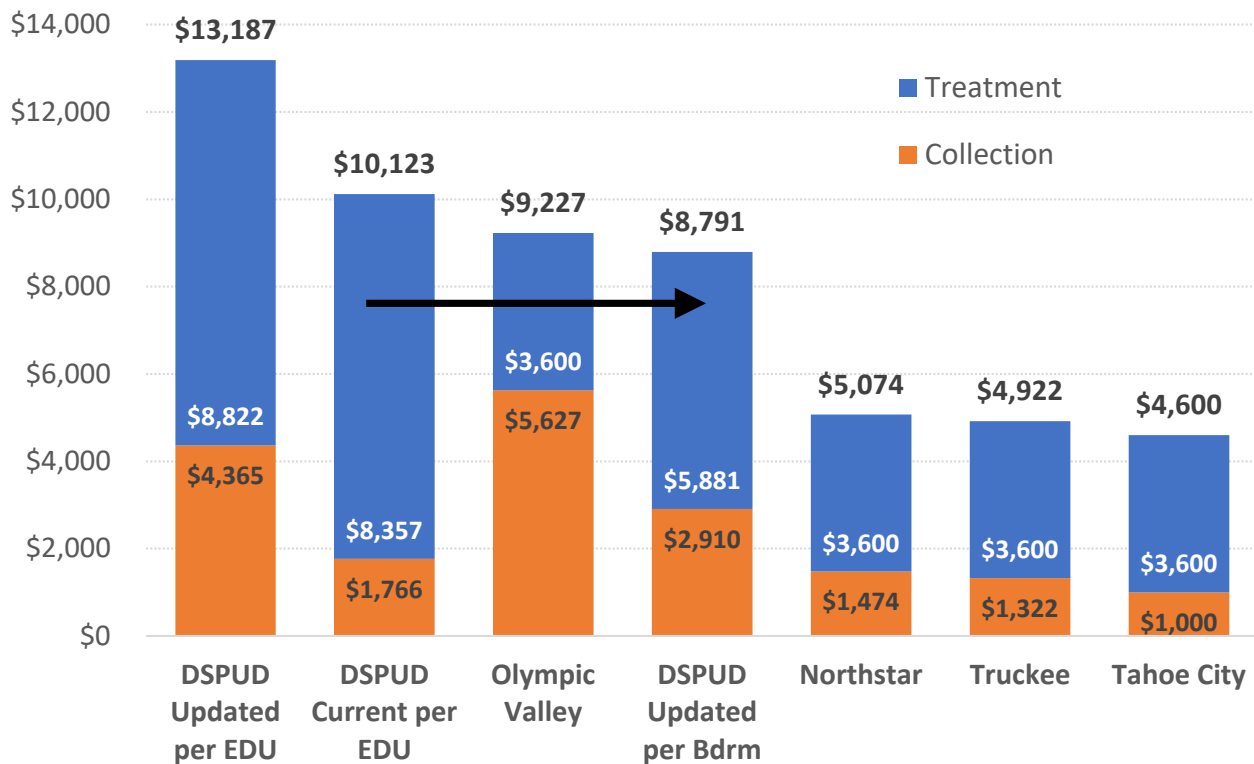
The calculated fee for single-family residential is \$4,396 per bedroom per New EDU and \$1,455 per bedroom per Expansion EDU for fiscal year 2023. New non-residential structures would continue to be charged per EDU as detailed in DSPUD Ordinance 94-5.

## 2.5 REGIONAL FEES COMPARISON

It is common for municipal wastewater providers to charge capacity fees to equalize the cost of infrastructure between current and future system users. Other regional municipal wastewater providers also charge capacity fees, as shown in **Figures 1** and **2**. The regional fees comparison is made for two different sized homes: a 2,000 square foot (2-bedroom) home and a 4,000 square foot (4-bedroom) home. Included in both figures is the updated wastewater capacity fee per EDU without any change in structure of the fee (Option 1), and the total fee if the residential fee structure is changed to payment by number of bedrooms (Option 2).

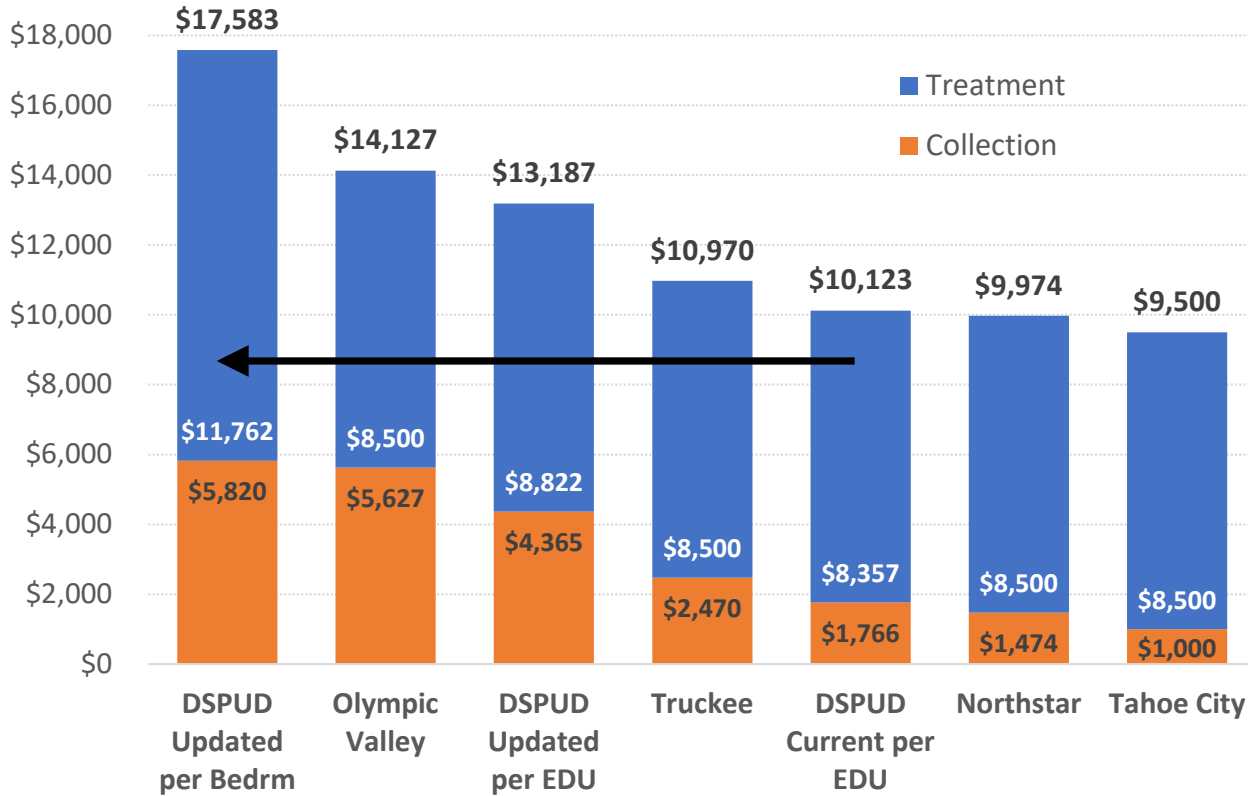
**Figure 1** shows the fee comparison for a new 2,000 square foot home assuming it has 2 bedrooms. The total wastewater capacity fee would be reduced from the current fee if the updated fee is charged on a per bedroom basis. If the scalable fee is not adopted, the fee would continue to be the highest in the region.

**Figure 1  
Comparison Fees for a New 2,000 Square Foot (2-Bedroom) Home**



**Figure 2** shows the fee comparison for a 4,000 square foot home assuming it has 4 bedrooms. The total wastewater capacity fee under the scalable residential fee structure would be greater than the current fee and greater than the updated fee if the scalable fee structure is not adopted.

**Figure 2  
Comparison Fees for a New 4,000 Square Foot (4-Bedroom) Home**





## **Section 3: CAPACITY FEES ADOPTION AND ADMINISTRATION**

### **3.1 ADOPTION AND IMPLEMENTATION OF FEES**

Pursuant to California Government Code 66016, prior to increasing an existing fee or adopting a new fee, an agency must hold at least one open and public meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that all supporting studies and information are available to the public, shall be noticed at least 10 days prior to the meeting. Increases to an existing fee or adoption of a new fee may be made by ordinance or resolution.

### **3.2 FUTURE FEE ADJUSTMENTS**

The adopting resolution or ordinance needs to include the annual automatic fee adjustment formulas below, otherwise, the fee will fall behind the future customers' share of facilities costs.

#### **Annual Fee Adjustment Formulas:**

Expansion EDU = Current Year Fee multiplied by the April-to-April change in the ENR CCI

New EDU = Current Year Fee plus \$773 plus the change in the Expansion EDU Fee<sup>6</sup>

ADU Fee = New EDU Fee divided by 20

The fee should also be reviewed whenever there is a significant change to the Wastewater Capital Improvement Plan, there are changes in pace and quantity of new development, and whenever a time period of five-plus years has elapsed.

### **3.3 MITIGATION FEE ACT COMPLIANCE**

The District must deposit capacity fee revenues in a separate capital facilities fund to avoid any comingling with other monies of the District. Any interest income earned must also be deposited into the Wastewater Capacity Fee Fund. In addition, the District must comply with annual and five-year reporting requirements for the Wastewater Capacity Fees Fund.

Within 180 days of the end of a fiscal year, the following is to be furnished for the prior fiscal year:

1. A description of the charges deposited in the fund,
2. The beginning and ending balance of the fund,
3. The amount of the fees collected and interest earned,
4. An identification of each public improvement for which fees were expended and the amount of expenditure for each improvement, including the percentage of the total cost of

---

<sup>6</sup> From Table 6, \$773 is comprised of the portion of debt service paid with rates (\$150) plus the annual special tax plus 5% as specified in the rate and method of apportionment (\$593 + \$30 = \$623).

the improvement that was funded with capacity fees if more than one source of funding was used,

5. An identification of each public improvement on which charges were expended that were completed during the fiscal year, and each improvement anticipated to be undertaken in the following fiscal year, and
6. A description of any interfund transfer or loan made from the Wastewater Capacity Fee Fund, identification of any public improvements on which any transferred monies are, or will be, expended, and a description of repayment terms.

All of the above information may be included in the District's annual financial report. In addition, pursuant to Government Code § 65940.1(a)(1)(D), DSPUD must post the current and five previous annual fee reports required pursuant to subdivision (d) of Section 66013 on its internet website.

### **3.4 CAPACITY FEE CREDITS AND REIMBURSEMENTS**

The District may provide fee credits and reimbursements to developers/private property owners who dedicate land or construct facilities included in the new wastewater facilities fee component of the capacity fee with private financing. The credit / reimbursement may only be up to the cost of the improvement, as included in the new facilities fee program, or the actual cost paid by the developer/private property owner, whichever is lower. No credit or reimbursement will be allowed for costs incurred that are higher than estimated in the fee program.

**Credits.** Once fee credits have been determined, they will be used at the time the respective fees would be due. The use of accumulated fee revenues shall first be used for District-determined priority capital improvement projects, and secondly for repayment of accrued reimbursement to developers/private property owners.

**Reimbursements.** Reimbursements would be due to developers/private property owners who advance-fund wastewater facilities in excess of their fair share of the facility costs.

Developers/private property owners must enter into a reimbursement agreement with the District to receive reimbursements. Fee credits would be provided up to the fair share cost for the developer/private property owner, then reimbursements would be due to the developer/private property owner once revenue collections have been made from other developers/private property owners. Reimbursement priority is a "first in, first out" system. As money becomes available, the first in would receive reimbursement first. Developers/private property owners may have to wait some time before their reimbursement is paid in full. Reimbursements are only an obligation of the Wastewater Capacity Fee Fund, not any other District fund.

Fee credits/reimbursements will be adjusted annually by the inflation factor used to adjust the Expansion EDU fee.



# **APPENDIX A**

## **DSPUD WASTEWATER SYSTEM CAPACITY FEE SUPPORT TABLES**



**Table A-1  
Donner Summit PUD Wastewater Connection Fees  
Wastewater Assets List**

Asset List	Purchase Year	Life	Remaining Life	Original Cost	Amount Depreciated	Net Book Value
		years	years	a	b	c = a-b
<b>Collection System</b>						
Main System	1974	40	0	\$407,168	\$407,168	\$0
Phases 1, 2, 3	1981	25	0	\$107,075	\$107,075	\$0
Ski Town	1986	5	0	\$24,264	\$24,264	\$0
Norden Extension	1987	20	0	\$1,678,587	\$1,678,587	\$0
Ski Town Sewer	1988	20	0	\$6,253	\$6,253	\$0
Norden Extension 2	1989	20	0	\$93,889	\$93,889	\$0
Donner Dr.	1993	20	0	\$20,763	\$20,763	\$0
Hwy 40	1994	20	0	\$8,895	\$8,895	\$0
Norden Pumphouse	1998	10	0	\$90,207	\$90,207	\$0
Nash Elmo Generator	2005	15	0	\$21,123	\$21,123	\$0
SCADA	2009	15	2	\$185,814	\$161,039	\$24,775
Sugar Bow, Corn Lily Ln.	2020	20	18	\$35,000	\$3,500	\$31,500
Rebuild pump @LS3	2020	5	3	\$3,790	\$1,516	\$2,274
<b>Total Collection</b>				<b>\$2,682,828</b>	<b>\$2,624,279</b>	<b>\$58,549</b>
<b>Disposal</b>						
Disposal Facilities	1974	40	0	\$906,248	\$906,248	\$0
Force Main	2004	30	12	\$18,720	\$11,232	\$7,488
Irrigation Pump	2007	10	0	\$10,453	\$10,453	\$0
River Access Road	2018	10	6	\$25,895	\$10,358	\$15,537
<b>Total Disposal</b>				<b>\$961,316</b>	<b>\$938,291</b>	<b>\$23,025</b>
<b>Treatment</b>						
Treatment Plant	1974	40	0	\$1,019,700	\$1,019,700	\$0
Turbidity Meter	1998	10	0	\$1,769	\$1,769	\$0
Discharge Permit	2009	5	0	\$131,863	\$131,863	\$0
Submersible Pump	2010	5	0	\$7,111	\$7,111	\$0
Plant Expansion	2014	40	32	\$25,849,869	\$5,169,974	\$20,679,895
WWTP Door	2016	40	34	\$7,019	\$1,053	\$5,966
Electrical Improvement	2017	25	20	\$32,403	\$6,481	\$25,922
2016 Reactor Tank Coating	2016	25	19	\$124,454	\$29,869	\$94,585
Headworks Screen Upgrade	2019	5	2	\$14,064	\$8,438	\$5,626
Heat Exchanger Upgrade	2020	10	8	\$12,517	\$2,503	\$10,014
UV System Upgrade	2020	10	8	\$26,404	\$5,281	\$21,123
Reactors 1 & 2 Mixing Pump	2020	5	3	\$2,791	\$1,116	\$1,675
Aerator Membrane - Reactor 2	2020	5	3	\$1,593	\$637	\$956
Light Retrofit	2020	7	5	\$70,436	\$20,125	\$50,311
Snow Chains for Loader	2020	5	3	\$4,049	\$1,620	\$2,429
Ammonia Feed System	2020	5	3	\$12,397	\$4,959	\$7,438
Tires for Loader	2020	7	5	\$5,265	\$1,504	\$3,761
Gen Set Water Pump	2021	5	4	\$14,040	\$2,808	\$11,232
Rebuild Membrane Pumps	2021	5	4	\$17,486	\$3,497	\$13,989
<b>Total Treatment</b>				<b>\$27,355,230</b>	<b>\$6,420,308</b>	<b>\$20,934,922</b>
<b>Other</b>						
Sewer Camera	2002	10	0	\$7,793	\$7,793	\$0
Membrane Bldg Liftmaster	2019	20	17	\$2,693	\$404	\$2,289
Office WWTP Front Liftmaster	2019	20	17	\$2,693	\$404	\$2,289
Office WWTP Back Liftmaster	2019	20	17	\$2,693	\$404	\$2,289
<b>Total Other</b>				<b>\$15,872</b>	<b>\$9,005</b>	<b>\$6,867</b>
<b>TOTAL ASSETS VALUE</b>				<b>\$31,015,246</b>		<b>\$21,023,363</b>

Source: DSPUD depreciation schedule as of 6/30/2022.

ww assets

**Table A-2  
Donner Summit PUD Wastewater Connection Fees  
Joint Assets Value (Split between Water and Wastewater)**

Joint Asset List	Purchase Year	Life years	Remaining Life years	Original Cost <i>a</i>	Amount Depreciated <i>b</i>	Net Book Value <i>c = a-b</i>
<b>Vehicles</b>						
Snowblower	1994	5	0	\$1,845	\$1,845	\$0
John Deere Loader	2008	10	0	\$117,837	\$117,837	\$0
Polaris Ranger Crew	2012	5	0	\$15,277	\$15,277	\$0
Ford F250	2013	5	0	\$25,297	\$25,297	\$0
Ford F150	2013	5	0	\$21,437	\$21,437	\$0
Cat Excavator	2014	5	0	\$18,500	\$18,500	\$0
Ford F-350	2016	5	0	\$72,021	\$72,021	\$0
UTV Open Trail Full Cab	2016	5	0	\$6,858	\$6,858	\$0
25' 10 Ton	2017	10	5	\$8,500	\$4,250	\$4,250
Flatbed for Truck	2021	5	4	\$3,052	\$610	\$2,442
Ram 1500	2020	5	3	\$43,654	\$17,462	\$26,192
Ram 1500 (2)	2020	5	3	\$43,060	\$17,224	\$25,836
<b>Total Vehicles</b>				<b>\$377,338</b>	<b>\$318,618</b>	<b>\$58,720</b>
<b>General Equipment</b>						
Building Addition	1987	20	0	\$184,500	\$184,500	\$0
Furnace	2003	10	0	\$3,763	\$3,763	\$0
Building Addition	2004	20	2	\$8,784	\$7,906	\$878
Office Roof	2010	20	8	\$18,175	\$10,905	\$7,270
Leak Detector	2014	5	0	\$6,434	\$6,434	\$0
Confined Space Kit	2014	5	0	\$5,675	\$5,675	\$0
40' High Cube Container	2015	7	0	\$3,250	\$3,250	\$0
20' Container	2015	7	0	\$2,550	\$2,550	\$0
Steel door by Admin Office	2019	20	17	\$6,910	\$1,037	\$5,874
Steel door by Admin Office (2)	2019	20	17	\$6,910	\$1,037	\$5,874
<b>Total General Equipment</b>				<b>\$246,951</b>	<b>\$227,056</b>	<b>\$19,895</b>
<b>Office Equipment</b>						
Furniture	2001	5	0	\$4,450	\$4,450	\$0
Carpet	2006	5	0	\$7,923	\$7,923	\$0
File Server	2010	5	0	\$2,413	\$2,413	\$0
Network Cable	2016	10	4	\$7,806	\$4,684	\$3,122
Admin Bldg Light Retrofit	2020	7	5	\$7,321	\$2,092	\$5,229
<b>Total Office Equipment</b>				<b>\$29,913</b>	<b>\$21,561</b>	<b>\$8,352</b>
<b>Total Joint Assets with Water</b>				<b>\$654,202</b>		<b>\$86,967</b>
Wastewater Portion of Joint Assets			78%	\$510,278		\$67,834

Source: DSPUD depreciation schedule as of 6/30/2022.

joint assets

**Table A-3  
Donner Summit PUD Wastewater Connection Fees  
Lift Station 2 Upgrade Cost Allocation to Users**

<b>Cost Items and User Groups</b>	<b>Total</b>	<b>New Dev't Only</b>	<b>Existing &amp; New Users</b>
<b>Total Cost Estimate</b>			
New LS 2-Pumps	\$221,000		\$221,000
New 6" Force Main	\$552,500	\$552,500	
Electrical and Instrumentation	\$221,000		\$221,000
New Generator	\$221,000		\$221,000
<b>Total Construction</b>	<b>\$1,215,500</b>	<b>\$552,500</b>	<b>\$663,000</b>
<b>Lift Station 2 Users</b>			
	<i>EDUs [2]</i>		
Current Users	316	0%	71%
Sugar Bowl Villages [1]	47	36%	11%
Other Future Users	83	64%	19%
<b>Total</b>	<b>446</b>	<b>100%</b>	<b>100%</b>
<b>Cost Allocation to Users</b>			
Current Users	\$469,749		\$469,749
Sugar Bowl Villages [1]	\$269,618	\$199,750	\$69,868
Other Future Users	\$476,133	\$352,750	\$123,383
<b>Total</b>	<b>\$1,215,500</b>	<b>\$552,500</b>	<b>\$663,000</b>

[1] Septic Conversions Future Users.

ls2

[2] Number of EDUs served by Lift Station 2 provided by DSPUD, February 2023.



**ORDINANCE 2023-01  
OF  
THE DONNER SUMMIT PUBLIC UTILITY DISTRICT DEFINING  
AND CLASSIFYING CAPACITY FEES FOR SEWER SERVICE,  
MODIFYING ORDINANCE 89-01, AND SUPERSEDING  
ORDINANCES 06-2017, 2011-01, 2007-01, 01-01, 99-01, 94-4, 93-4,  
AND 90-2**

**WHEREAS**, the Board of Directors desires to update the fee it charges for connecting to the sewer system in order to fund existing wastewater public facilities and future wastewater public facilities, and

**WHEREAS**, the Board of Directors desires to update the wastewater capacity fee for new single family residential connections that is scalable to the number of potential occupants, and

**WHEREAS**, the District Ordinances related to sewer fees charged for Accessory Dwelling Units (ADUs) needs to be updated to reflect recent regulatory changes in the State of California that require the sewer capacity charge on ADUs to be proportionate based on its size or number of plumbing fixtures.

**BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE DONNER SUMMIT PUBLIC UTILITY DISTRICT**, as follows:

1. That Ordinances 06-2017, 2011-01, 2007-01, 01-01, 99-01, 94-4, 93-4, and 90-2 are superseded.

2. That Section 1.9 of Ordinance 89-01 be amended to read as follows:

1.9 Capacity Charge – shall mean the charge imposed on a sewer connection for existing wastewater public facilities and for future wastewater public facilities as described in California Government Code Section 66013.

3. That Section 6 of Ordinance 89-01, be amended to read as follows:

**SECTION 6. SEWER SERVICE CAPACITY FEE**

6.1 Applicability

Sewer Connections shall be considered the property of the Donner Summit Public Utility District, and the Donner Summit Public Utility District shall retain all rights to such Sewer Connections.

6.2 Capacity Charges

Per New EDU - \$13,187

Per Expansion EDU - \$4,365

Per Fixture Unit (Accessory Dwelling Unit) - \$659.35

Per Bedroom (Single Family Residence) - \$4,395.67 (\$8,791.33 minimum)

The Capacity Charges Per New EDU shall increase each year on July 1 by the Engineering News Record Construction Cost Index year over year increase for the most recent April, plus \$773.

The Capacity Charges Per Expansion EDU shall increase each year on July 1 by the Engineering News Record Construction Cost Index year over year increase for the most recent April.

The Capacity Charges Per Fixture Unit (for an Accessory Dwelling Unit) shall adjust each year on July 1 to be equal to the adjusted Per New EDU charge divided by 20 fixture units.

The Capacity Charges Per Bedroom (for a single family residence) shall adjust each year on July 1 to be equal to the adjusted Per New EDU charge divided by three bedrooms.

6.3 Payment of Capacity Fee

Payment of the aforementioned Capacity Fee shall be concurrent with and at the time of application for Sewer Service.

6.4 Voluntary Return of EDU(s) by Purchaser

The District policy of repurchasing the voluntary return of purchase unused EDU(s) shall expire on July 1, 2011. After July 1, 2011 the District shall not be obligated to repurchase said EDU(s).

This ordinance, amendments and modifications as set forth above shall become effective 21<sup>st</sup> day of April 2023 and shall be duly posted and published within the time and manner required by law.

PASSED AND ADOPTED at a Regular Meeting, this 21st day of March 2023 by the Board of Directors of said District by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DONNER SUMMIT PUBLIC UTILITY DISTRICT

By: \_\_\_\_\_  
Cathy Preis  
President, Board of Directors

ATTEST:

By: \_\_\_\_\_  
Dawn Parkhurst  
Secretary of the Board of Directors

## Agenda Item: 8A



## STAFF REPORT

**TO:** Board of Directors

**PREPARED BY:** Steven Palmer, PE, General Manager *SP*

**SUBJECT:** Adopt a Resolution Approving the Employee Handbook

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### **RECOMMENDATION**

Adopt a resolution approving the updated Employee Handbook.

### **BACKGROUND**

The District does not currently have a comprehensive employee handbook that has been approved by the Board of Directors. The employee related policies were adopted with the Board Policy Manual in 1998; which were then updated by Employee Handbook Amendment No. 1 by Board action on May 21, 2019. The Board also adopted Catastrophic Leave Policy No. 2055 on October 19, 2021.

To consolidate employee policies into one document and ensure compliance with employment law, the General Manager completed a thorough review of existing employee policies and prepared the attached Employee Handbook for review and approval by the Board.

### **DISCUSSION**

The General Manager incorporated work from the previous General Manager and previous Board committee to prepare a rough draft of a comprehensive Employee Handbook. The General Manager then utilized the services of CPS HR Consulting to revise the rough draft. CPS HR Consulting is a consulting group that specializes in human resources services for local government agencies. Their scope of services in this effort included:

- High level review to ensure compliance with local, state, and federal regulations.
- Recommendations to add, remove, or modify policies based on best practices.

Input was then obtained from the District's insurance provider and the handbook was formatted using their template. The proposed Employee Handbook was also reviewed by District legal counsel.

### **ANALYSIS**

Following input from CPS HR and legal counsel, the draft Employee Handbook was presented to staff in two separate meetings. At both meetings the General Manager presented the draft Employee Handbook and there was open discussion about the policies and content. Modifications were made when appropriate and a final draft was prepared. The attached Employee Handbook has been reviewed by staff and there are no significant concerns from staff.

The Employee Handbook sets out the basic rules and guidelines regarding employment at the District. It also summarizes how the District complies with employment law for public agencies.

The handbook addresses the following employment items:

- Hiring and Orientation Policies
- Wage and Hour Policies
- Performance, Discipline, Layoff, and Termination
- Use of District Equipment
- Personal Appearance
- Cell Phones
- Leave
- Safety and Loss Prevention
- Customer Relations

Significant policies and issues addressed in the handbook are listed below:

- Holidays
  - 10 scheduled and three (3) floating
  - If holiday falls on regular day off, employee receives regular pay for that day.
  - Unused floating holidays are paid out at separation from employment
- Vacation
  - Added additional vacation accrual category for 15+ years of service:
 

During first year of continuous work, prorated on start date	80 hours
2 through 3 years of service	80 hours
4 through 9 years of service	120 hours
<i>10 through 14 years of service</i>	<i>160 hours</i>
<i>15+ years of service</i>	<i>200 hours</i>
  - Total accumulated cannot exceed annual accrued amount plus 40 hours
  - Once an employee has accumulated 80 hours, they can cash out up to 40 hours once per year.
- Cell Phones
  - Added provision for employee option of District issued phone or allowance.
  - Increased allowance from \$120 per quarter to \$150 per quarter.
- Ethics Code
  - Prohibition of payments and rebates, financial interests, accepting gifts, and kickbacks.
- Prohibited Conduct
  - Falsifying records, theft, violence, use of District property, absences, fraud, discourteous treatment of others.

The Employee Handbook incorporates many issues that are currently addressed by Employee Handbook Amendment No. 1 dated May 21, 2019, and several Board adopted policies. That Amendment No. 1 and the following Board policies are replaced by this Employee Handbook:

2010 – Hours of Work and Overtime	2160 – Authorized Leave
2020 – Vacation	2162 – Family and Medical Leave
2030 – Holidays	2165 – Unauthorized Voluntary Absence
2040 – Sick Leave	2170 – Performance Evaluation
2050 – Bereavement Leave	2180 – Grievance Procedure

2055 – Catastrophic Leave	2190 – Drug and Alcohol Abuse
2060 – Jury Duty	2192 – Substance Abuse
2070 – Continuity	2195 – Use of Tobacco Products
2080 – Employee Status	2200 – Pre-Employment Physical
2090 – Uniforms and Protective Clothing	2220 – Affirmative Action
2100 – Vehicle Cost Reimbursement	2230 – Nepotism
2110 – Health and Welfare Benefits	2250 – Separation from District Employment
2120 – Educational Assistance	2260 – Disciplinary Action
2140 – Advancement of Wages	3010 – Injury and Illness Prevention Program
2150 – Compensation	3040 – Expense Authorization
2155 – Guidelines Regarding Gifts	3100 – Paramedic Education and Certification

The General Manager recommends that the Board review the Employee Handbook and adopt the resolution approving the handbook and rescinding the superseded Board policies.

Alternatively, the Board may provide the General Manager with direction regarding potential changes to the handbook.

**FISCAL IMPACT**

There is no fiscal impact to adopting the Employee Handbook.

**CEQA ASSESSMENT**

This is not a CEQA Project

**ATTACHMENTS**

1. Presentation
2. Resolution

# EMPLOYEE HANDBOOK UPDATE

Steven Palmer, General Manager  
**Donner Summit Public Utility District**  
March 21, 2023

## Process

- Consolidated
  - Board Policies from 1998
  - Employee Handbook Amendment No 1, May 21, 2019
  - Catastrophic Leave Policy No. 2055, October 19, 2021
- Assistance and Review
  - CPS HR Consulting
  - Insurance Provider
  - Legal Counsel
  - Two Employee Meetings



Addresses the following employment items:

- Hiring and Orientation Policies
- Wage and Hour Policies
- Performance, Discipline, Layoff, and Termination
- Use of District Equipment
- Personal Appearance
- Cell Phones
- Leave
- Safety and Loss Prevention
- Customer Relations

## 6.0 Benefits

### 6.5 Holidays

New Year's Day	Veterans Day
Martin Luther King Day	Thanksgiving
President's Day	Day After Thanksgiving
Memorial Day	Christmas Day
Independence Day	Three (3) Floating Holidays
Labor Day	

If an employee works an alternative work schedule and the observed holiday falls on their regular day off, then the employee shall receive regular pay for that holiday.

If an employee's regular work day consists of ten (10) hours, then a holiday counts as 10 hours.

Unused floating holidays are cashed out at separation from employment

## 6.0 Benefits

### 6.10 Vacation

During the first year of continuous work, prorated based on Start Date	80 hours
2 through 3 years of service	80 hours
4 through 9 years of service	120 hours
10 through 14 years of service	160 hours
15+ years of service	200 hours

Total accumulated cannot exceed annual accrued amount plus 40 hours.  
Maximum annual usage is 40 hours plus annual accrual amount.

Cash out once per year up to 40 hours; if you have 80 hours.

## 1.4 Ethics Code

Employees cannot receive payments, rebates, indirect contributions, bribes.

Employees cannot have a financial interest in any business that has a contract with or provides goods and services to the District.

Employees cannot accept entertainment, gifts, personal favors, or preferential treatment from any person or organization which has or is likely to have business with the District. This includes customers of the District.

Employees cannot receive kickbacks or secret commissions.

## 5.0 General

### 5.7 Cell Phone/Mobile Device Use

- Personal use must not interfere with work
- Hands free only when operating a vehicle
- Cell phone records may become public records
- Allowance of \$150 per quarter OR District provided

## 5.0 General

### 5.10 Social Media

- All official District social media content will be administered by the General Manager
- Avoid social media activity that represents you as speaking on behalf of or representing the District
- Direct any social media inquiries to the General Manager

## Supersedes Many Older Board Policies

2010 – Hours of Work and Overtime

2020 – Vacation

2030 – Holidays

2040 – Sick Leave

2050 – Bereavement Leave

2055 – Catastrophic Leave

2060 – Jury Duty

2070 – Continuity

2080 – Employee Status

2090 – Uniforms and Protective Clothing

2100 – Vehicle Cost Reimbursement

2110 – Health and Welfare Benefits

2120 – Educational Assistance

2140 – Advancement of Wages

2150 – Compensation

2155 – Guidelines Regarding Gifts

2160 – Authorized Leave

2162 – Family and Medical Leave

2165 – Unauthorized Voluntary Absence

2170 – Performance Evaluation

2180 – Grievance Procedure

2190 – Drug and Alcohol Abuse

2192 – Substance Abuse

2195 – Use of Tobacco Products

2200 – Pre-Employment Physical

2220 – Affirmative Action

2230 – Nepotism

2250 – Separation from District Employment

2260 – Disciplinary Action

3010 – Injury and Illness Prevention Program

3040 – Expense Authorization

3100 – Paramedic Education and Certification

## Recommendation

- Adopt the resolution approving the handbook and rescinding the superseded Board policies
- Alternative - Provide direction regarding potential changes to the handbook



**RESOLUTION NO. 2023-06**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DONNER SUMMIT PUBLIC UTILITY DISTRICT APPROVING THE EMPLOYEE HANDBOOK**

**WHEREAS**, the District desires to have a comprehensive employee handbook to document the basic rules and understandings for employment; and

**WHEREAS**, the General Manager consolidated existing policies, existing handbook amendments, and draft handbooks into a comprehensive employee handbook; and

**WHEREAS**, the proposed Employee Handbook was prepared with assistance from human resources professionals and District legal counsel.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF DONNER SUMMIT PUBLIC UTILITY DISTRICT DOES HEREBY RESOLVE** that the Employee Handbook attached as Exhibit A to this resolution is hereby approved; and

**BE IT FURTHER RESOLVED** that Board Policies listed in Exhibit B to this resolution are rescinded and superseded by this Employee Handbook; and

**BE IT FURTHER RESOLVED** that Employee Handbook Amendment No. 1 dated May 21, 2019, and all other previous employee handbooks are rescinded.

**PASSED AND ADOPTED** by the Board of Directors of Donner Summit Public Utility District, this 21st day of March 2023, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

DONNER SUMMIT PUBLIC UTILITY DISTRICT

By: \_\_\_\_\_  
Cathy Preis  
President, Board of Directors

ATTEST:

By: \_\_\_\_\_  
Dawn Parkhurst  
Secretary of the Board



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# EMPLOYEE HANDBOOK

DONNER SUMMIT PUBLIC UTILITY DISTRICT

March 21, 2023

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## 1.0 INTRODUCTION

### 1.1 Welcome

Welcome to the Donner Summit Public Utility District. We hope that your employment with the District will be rewarding and challenging. We take pride in our employees as well as in the services we provide to the local community. As a public utility district, we take pride in providing clean and safe drinking water to our customers, and in being good stewards of the environment by collecting, treating, and disposing of our customers wastewater efficiently and effectively.

The District complies with all federal and state employment laws applicable to public agencies, and this handbook generally reflects those laws. The District also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook.

The employment policies and/or benefits summaries in this handbook are written for all employees.

Please take the time now to read this handbook carefully, it sets out the basic rules and guidelines concerning your employment. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The District reserves the right to interpret, modify, or supplement the provisions of this handbook at any time. Neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the work place.

If you have questions about your employment or any provisions in this handbook, contact the General Manager.

Sign the acknowledgment at the end of the handbook and return the signature page to the General Manager. This form will provide the District with a record that you have read, understood, and agree to the contents of this handbook

We wish you success in your employment here at Donner Summit Public Utility District.

All the best,

Steven Palmer, PE  
General Manager

Donner Summit Public Utility District



## **1.2 At-Will Employment**

Your employment with Donner Summit Public Utility District (District) is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the District at any time, with or without notice and with or without cause.

Nothing in this handbook or any other District document should be understood as creating a contract, guaranteed or continued employment, a right to termination only "for cause," or any other guarantee of continued benefits or employment. Only the General Manager has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the General Manager.

If a written contract between you and the District is inconsistent with this handbook, the written contract is controlling.

Nothing in this handbook will be interpreted, applied, or enforced to interfere with, restrain, or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

## **1.3 About Donner Summit Public Utility District**

The District provides water, wastewater, and recycled water utility services to approximately 355 residential and commercial customers in the communities of Soda Springs, Norden, Sugar Bowl, and Big Bend. Customers include the ski resorts of Boreal, Sugar Bowl, and Donner Ski Ranch. The District also provides wastewater treatment services to the Sierra Lakes County Water District (SLCWD) through an agreement. The District is a California Special District, formed under the Public Utility District Act.

The District service area encompasses approximately 13 square miles near Donner Summit along the Interstate 80 corridor, and lies in both Placer and Nevada County.

The District is governed by a five-member Board of Directors that make policy decisions for the District. The Board hires a General Manager who is responsible for the daily operations of the District, including all personnel decisions.

## **1.4 Ethics Code**

### General

It is the policy of the District to carry out its mission in accordance with the strictest ethical guidelines and to ensure that the District members and employees conduct themselves in a manner that fosters public confidence in the integrity of the District, its processes, and its accomplishments.

### Code of Conduct

The District and its employees must, at all times, comply with all applicable laws and regulations. The District will not condone the activities of employees who achieve results

through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. the District does not permit any activity that fails to stand the closest possible public scrutiny.

All business conduct should be well above the minimum standards required by law. Accordingly, employees must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing the District operations.

### **1.5 Revisions to Handbook**

This handbook is our attempt to keep you informed of the terms and conditions of your employment, including District policies and procedures. The handbook is not a contract. The District reserves the right to revise, add, or delete from this handbook as we determine to be in our best interest, except the policy concerning at-will employment. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion, typically in a written supplement to the handbook or in a posting on company bulletin boards.

## **2.0 HIRING AND ORIENTATION POLICIES**

### **2.1 Conflicts of Interest**

All employees must avoid situations involving actual or potential conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of the District, which impairs an employee's ability to exercise good judgment on behalf of the District, creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, or any other appropriate supervisor, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, the District may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

#### Relationship with Clients and Vendors

Employees shall avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the District, or that provides goods or services, or both to the District, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties on behalf of the District.

#### Gifts, Entertainment or Favors

Employees must not accept entertainment, gifts, or personal favors from any person or organization with whom or with which the District has, or is likely to have, business

dealings. Similarly, employees must not accept any other preferential treatment under these circumstances.

### Kickbacks and Secret Commissions

Regarding the District's business activities, employees may not receive payment or compensation of any kind, except as authorized under the District's remuneration policies. The District strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate termination and prosecution to the fullest extent of the law.

## **2.2 Employment Authorization Verification**

The District employs only United States citizens and non-citizens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act, each new employee, as a condition of employment, is required to complete Section 1 of federal Form I-9 on the first day of paid employment and must present acceptable documents authorized by the U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with Donner Summit Public Utility District. If appropriate documentation is not received within this time, the employment relationship will be terminated. If you are currently employed and have not complied with this requirement or if your status has changed, inform your Supervisor.

If you are authorized to work in this country for a limited period of time, you will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the District.

## **2.3 Employment of Relatives and Friends**

In order to avoid the appearance of impropriety in selection, promotion and other employment decisions, the District does not hire relatives, except as set forth below. Employment with the District shall be based on the applicant's individual merit.

For purposes of this policy, relatives and those holding a familial relationship are defined as: mother, father, brother, sister, child, parent of spouse or registered domestic partner, grandmother, grandfather, grandchild, cousin, aunt, uncle, brother-in-law, sister-in-law, father-in-law or mother-in-law.

For business reasons of supervision, security or morale, the District may refuse to place spouses, registered domestic partners or others in a similar relationship (hereinafter "spouses" for purposes of this section only) in the same department or facility if the work involves potential conflicts of interest or other hazards greater for spouses than for other persons. In determining whether there is a greater potential for conflict, the General Manager, or designee, shall carefully assess the actual work setting to determine whether that setting would pose, because of the mutual concerns spouses are assumed to bear, a potential conflict of interest or other hazard greater for spouses than other employees. If the potential conflict or hazard is greater, the District shall take such steps

to regulate the employment of spouses to avoid the conflict or other hazard. the District shall attempt to match reasonably the severity of its actions towards one or other spouse to the degree of risk and the significance of the potential harm involved.

Where potential conflicts of interest exist, the District retains the right to disqualify one party to the relationship for a position privy to confidential matters who has a spouse already in the District's employment, when such relationship could result in the compromise of confidential information.

If co-employees marry (or enter into a relationship similar to marriage, including a registered domestic partnership) or become related by marriage, the District will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security and morale following completion of the assessment discussed above. If such efforts prove to be unsatisfactory, the District reserves its rights to transfer or reassign said employee as may be appropriate to alleviate the problem.

This policy shall apply to all employees of the District, including both full-time and part-time positions.

#### **2.4 Job Descriptions**

Donner Summit Public Utility District attempts to maintain a job description for each position. If you do not have a current copy of your job description, you should request one from your Supervisor.

Job descriptions prepared by the District serve as an outline only. Due to business needs, you may be required to perform job duties that are not within your written job description. Furthermore, the District may have to revise, add to, or delete from your job duties per business needs. On occasion, the District may need to revise job descriptions with or without advance notice to employees.

If you have any questions regarding your job description or the scope of your duties, please speak with your Supervisor.

#### **2.5 New Hires and Introductory Periods**

The first sixty (60) days of your employment is considered a probationary period and you classified as a Probationary Employee. During this period, you will become familiar with Donner Summit Public Utility District and your job responsibilities, and we will have the opportunity to monitor the quality and value of your performance and make any necessary adjustments in your job description or responsibilities. Completion of this probationary period does not imply guaranteed or continued employment. Nothing that occurs during or after this period should be construed to change the nature of the ["at-will"] employment relationship.

#### **2.6 Pre-Employment Physical Examination**

All individuals who are offered full-time, temporary or part-time employment shall be required to submit to a physician's examination and controlled substance test at District

expense. The examining physician will be provided a description of the job involved to assist in a determination of the individual's fitness to work.

Employment will not occur until after a negative controlled substance test result is certified, and until after a qualified physician has certified the individual as fit to perform the type of work required by the position applied for.

Employment will not occur if the individual refuses to cooperate in the examination and testing.

Retesting of an individual who was previously employed on a temporary, part-time or full-time basis will be required if more than three (3) months have elapsed since the individual's last day of work for the District.

Appointments with the medical facility providing the examination and controlled substance testing shall be made at least one day prior to testing if possible, with the individual to be tested provided minimal advance notice (no more than one day, if practical).

When the individual to be tested reports to the medical facility for the scheduled examination and controlled substance testing, they must provide proof of identification, such as a drivers license photo or a state-issued photo identification card.

All test results shall be kept confidential. The applicant may be told they failed to pass the test, but only the General Manager and his/her confidential designee shall have access to the actual test results.

District employment application forms shall contain a notice to applicants as follows: The District has a policy of requiring a physician's physical fitness exam, together with urine drug testing of persons who have been offered employment. Individuals who are determined by the physician not to be physically fit for duty, or who test positive for controlled substances, will not be employed. If you have reason to believe that you will not pass a physician's physical examination, or will test positive for the presence of controlled substances, or if you are unwilling to consent to such an examination or test if offered employment, it is recommended that you not submit an application.

## **2.7 Posting of Openings**

The District desires to promote qualified employees from within where it believes that is possible, consistent with the need to assure that all positions are staffed by highly competent individuals. New job openings generally will be posted in the office, distributed to all employees by email, posted on our Internet site, and posted on various internet sites as determined by the General Manager.

## **2.8 Training Program**

All employees are required to attend regular health and safety training identified or provided by the District. Additionally, individual employees training is determined by

your Supervisor and generally incorporated into your annual work plan and performance evaluation. If you ever feel you require additional training, consult your Supervisor.

## **2.9 Accommodations for Victims of Crime or Abuse**

The District will provide reasonable accommodations to employees who are the victims of domestic violence, sexual assault, or stalking who request an accommodation for their safety while at work, provided the accommodation does not create an undue hardship on the District.

Reasonable accommodations may include the implementation of safety measures such as:

- A transfer, reassignment, or modified schedule.
- A change in telephone number or workstation, or installed lock.
- Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace.
- An implemented safety procedure or other adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime.
- Referral to a victim assistance organization.

Upon receiving a request, the District will engage in a timely, good faith, and interactive process with you to determine effective reasonable accommodations.

If you no longer need an accommodation, you must notify the District that the accommodation is no longer needed. If circumstances change and you need a new accommodation, you must request one.

### Certification

When requesting a reasonable accommodation, you will be asked to submit a signed, written statement certifying that the accommodation is for an authorized purpose. You may also be asked to provide documentation that demonstrates your status as a victim of domestic violence, sexual assault, stalking, or ongoing circumstances related to the crime or abuse, such as:

- A police report showing that you were a victim.
- A court order protecting you from the perpetrator or other evidence from the court or prosecuting attorney that you appeared in court.
- Documentation from a medical professional, domestic violence counselor, sexual assault counselor, victim advocate, health care provider, or counselor showing that your absence was due to treatment for injuries from the crime or abuse.
- Any other form of documentation that reasonably verifies that the crime or abuse occurred.

### Unpaid Leave

If you are a victim, the District will also provide you with unpaid leave to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of you or your child.

For purposes of unpaid leave, victim includes:

- A victim of stalking, domestic violence, or sexual assault.
- A victim of a crime that has caused physical injury, or mental injury and a threat of physical injury.
- A person whose immediate family member is deceased as the direct result of a crime.

Crime means a crime or public offense anywhere that would constitute a misdemeanor or a felony if the crime had been committed in California by a competent adult, regardless of whether any person is arrested or prosecuted for, or convicted of, committing the crime.

Immediate family member means:

- Your spouse or domestic partner.
- Your child, which includes, regardless of age, a biological, adopted, or foster child; stepchild or legal ward; the child of your domestic partner; a child to whom you stand in loco parentis; or a person to whom you stood in loco parentis when the person was a minor.
- Your (or your spouse's or domestic partner's) biological, adoptive, or foster parent, stepparent, or legal guardian, or a person who stood in loco parentis of you or your spouse or domestic partner when you or they were a minor child.
- Your biological, foster, or adoptive sibling, step-sibling, or half-sibling.
- Any other individual whose close association with you is the equivalent of a family relationship described above.

You may use available vacation, personal leave, accrued paid sick leave, or compensatory time off for your leave unless you are covered by a collective bargaining agreement that states otherwise.

#### Notice

You must provide reasonable advance notice of your intent to take leave for the above reasons unless advance notice is not feasible. If an unscheduled absence occurs, you must provide the following documentation within a reasonable amount of time after your absence:

- A police report indicating that you were a victim;
- A court order protecting or separating you from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney stating that you have appeared in court; or
- Documentation from a licensed medical professional, domestic violence counselor, sexual assault counselor, victim advocate, licensed health care provider, or counselor stating that you were undergoing treatment or receiving services for physical or mental injuries or abuse resulting from the crime or abuse.

### Confidentiality

The District will maintain the confidentiality of anyone requesting time off or requesting an accommodation under this policy, except as required by federal or state law or as necessary to protect your safety in the workplace.

### Retaliation

The District will not retaliate against employees for their status as a victim of crime or abuse or for requesting or taking leave or a reasonable accommodation in accordance with this policy.

## **2.10 Disability Accommodation**

The District complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the District will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If you require an accommodation because of your disability, it is your responsibility to notify your Supervisor. You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your request, the District will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by the District in connection with a request for accommodation will be treated as confidential.

The District encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the District is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the District.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

The District will not discriminate or retaliate against employees for requesting an accommodation.



## **2.11 EEO Statement and Nonharassment Policy**

### **Equal Opportunity Statement**

The District is committed to the principles of equal employment. We are committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment that is free of harassment, discrimination, or retaliation based on an individual's race (including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, reproductive health decision-making, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, or any other status protected by federal, state, or local laws. The District is dedicated to the fulfillment of this policy in regard to all aspects of employment, including, but not limited to, recruiting, hiring, placement, transfer, training, promotion, rates of pay, and other compensation, termination, and all other terms, conditions, and privileges of employment.

The District will conduct a confidential, prompt, and thorough investigation of all allegations of discrimination, harassment, retaliation, or any violation of the Equal Employment Opportunity Policy. The District will take appropriate corrective and remedial action, if and where warranted. The District prohibits retaliation against any employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your Supervisor or any other designated member of management.

### **Policy Against Workplace Harassment**

The District has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's race (including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, reproductive health decision-making, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, or any other status protected by federal, state, or local laws.

This policy protects all applicants and employees (including managers and supervisors) from unlawful harassment and discrimination. This includes harassment by employees, managers, supervisors, contractors, interns, volunteers, vendors, suppliers, and customers. In addition, this policy extends to conduct connected with an individual's work, even when the conduct takes place away from the workplace, such as a business trip or business-related social function.

### Harassment

Harassment means disrespectful or unprofessional conduct, including disrespectful or unprofessional conduct based on an individual's race (including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, reproductive health decision-making, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, or any other status protected by federal, state, or local laws.

While it is not possible to list all the circumstances that may constitute other forms of workplace harassment, some examples of conduct that may constitute workplace harassment include:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above-protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility toward an individual or group because of one of the above-protected categories and that is placed on walls, bulletin boards, or elsewhere on our premises, in emails, or voicemails, or otherwise circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

### Sexual Harassment

Sexual harassment means harassment based on sex or conduct of a sexual nature and includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, or gender expression. It may include all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

Sexual harassment is generally categorized into the following two types:

- Quid pro quo sexual harassment ("this for that"), which includes:
  - Submission to sexual conduct when made explicitly or implicitly a term or condition of an individual's employment.
  - Submission to or rejection of the conduct by an employee when used as the basis for employment decisions affecting the employee.
  
- Hostile work environment sexual harassment is conduct of a sexual nature or on the basis of sex by any person in the workplace that unreasonably interferes with an employee's work performance and/or creates an intimidating, hostile, or otherwise offensive working environment. Examples include:
  - Unwelcome sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails, or gifts.
  - Sex, gender, or sexual orientation-related comments, slurs, jokes, remarks, or epithets.
  - Leering, obscene or vulgar gestures, or sexual gestures.
  - Displaying or distributing sexually suggestive or derogatory objects, pictures, cartoons, or posters or any such items.
  - Impeding or blocking movement, unwelcome touching, or assaulting others.
  - Any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances.
  - Conduct or comments consistently targeted at one gender, even if the content is not sexual.

### Retaliation

Retaliation means any adverse employment action taken against an employee because the employee engaged in activity protected under this policy. Protected activities may include, but are not limited to, reporting or assisting in reporting suspected violations of this policy and/or cooperating in investigations or proceedings arising out of a violation of this policy.

Adverse employment action is conduct or an action that materially affects the terms and conditions of the employee's employment status or is reasonably likely to deter the employee from engaging in protected activity. Even actions that do not result in a direct loss of compensation may be regarded as an adverse employment action when considered in the totality of the circumstances.

Examples of retaliation under this policy include, but are not limited to: demotion, suspension, reduction in pay, denial of a merit salary increase, failure to hire or consider for hire, refusing to promote or consider for promotion because of reporting a violation of this policy, harassing another employee for filing a complaint, denying employment opportunities because of making a complaint or cooperating in an investigation, changing someone's work assignments for identifying harassment or other forms of discrimination in the workplace, treating people differently such as denying an accommodation, not talking to an employee when otherwise required by job duties, or

otherwise excluding the employee from job-related activities because of engagement in activities protected under this policy.

#### Reporting Discrimination, Harassment, and/or Retaliation

If you feel that you have witnessed or have been subjected to any form of discrimination, harassment, or retaliation, immediately notify [[name, title, phone number, email]] or any member of management.

The District prohibits retaliation against employees who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

We will promptly and thoroughly investigate any claim and take appropriate corrective and/or remedial action where we find a claim has merit. If the District begins an investigation, we will endeavor to conduct the investigation in a timely manner and will keep the investigation confidential to the extent possible. In the same way, anyone involved in an investigation of harassment has an obligation to keep all information about the investigation confidential. That is why the District will only share information about a complaint of harassment with those who need to know about it. Failure to keep information about an investigation confidential may result in disciplinary action. Investigations will be documented and tracked for timely resolution.

When the investigation has been completed, the District will normally communicate the results of the investigation to the complaining individual, to the alleged harasser, and, if appropriate, to others who are directly involved. If our policy against harassment is found to have been violated, appropriate corrective action, up to and including termination, will be taken against the harasser so that further harassment will be prevented. Both the rights of the alleged harasser and the complainant will be considered in any investigation and subsequent action.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the District determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the District may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the District will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

In addition to our internal complaint procedure, employees may also contact either the Equal Employment Opportunity Commission (EEOC) or the California Civil Rights Department (CRD) to report unlawful harassment. You must file a complaint with the CRD within three years of the alleged unlawful action. The EEOC and the CRD serve as neutral factfinders and will attempt to assist the parties to voluntarily resolve their disputes. For more information, contact the Office of Human Resources or the nearest EEOC or CRD office.

### Filing of Complaints Outside Company

You may file formal complaints of discrimination, harassment, or retaliation with the agencies listed below. Contact these agencies directly for more information about filing processes.

California Civil Rights Department  
2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758  
Voice: 800-884-1684  
TTY: 800-700-2320  
California Relay Service: 711  
Email: [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)  
Main website: <https://www.calcivilrights.ca.gov>  
Online sexual harassment training courses: <https://www.calcivilrights.ca.gov/shpt/>

U.S. Equal Employment Opportunity Commission  
450 Golden Gate Avenue 5 West  
P.O. Box 36025  
San Francisco, CA 94102-3661  
Phone: 800-669-4000  
Fax: 415-522-3415  
TTY: 800-669-6820  
ASL Video Phone: 844-234-5122  
<https://www.eeoc.gov/field-office/sanfrancisco/location>

### **2.12 Religious Accommodation**

The District is dedicated to treating its employees equally and with respect and recognizes the diversity of their religious beliefs. All employees, unpaid interns, and volunteers may request an accommodation when their religious beliefs cause a deviation from the District dress or grooming code, or the individual's schedule, basic job duties, or other aspects of employment. The District will consider the request, but reserves the right to offer its own accommodation to the extent permitted by law. Some, but not all, of the factors that the District will consider are cost, the effect that an accommodation will have on current established policies, and the burden on operations — including other employees — when determining a reasonable accommodation. At no time will the District question the validity of a person's belief.

If you require a religious accommodation, speak with your Supervisor or the General Manager.

## **3.0 WAGE AND HOUR POLICIES**

### **3.1 Attendance**

If you know ahead of time that you will be absent or late, provide reasonable advance notice to your Supervisor. You may be required to provide documentation of any medical or other excuse for being absent or late where permitted by applicable law.

The District reserves the right to apply unused vacation, sick time, or other paid time off to unauthorized absences where permitted by applicable law. Absences resulting from approved leave, vacation, or legal requirements are exceptions to the policy.

### **3.2 Work Schedules**

#### Hours of Work

The District's workweek for administrative staff runs from Monday to Friday. The workday for administrative staff begins at 8:00am and ends at 4:00pm. Employees may be required to come in early, work late, or work overtime from time to time, depending on various factors, such as workloads, staffing needs, and special projects.

Operations staff work an alternative schedule. Operations staff work a 4 day, 10 hour per day schedule with three consecutive days off. The workweek varies for each position as determined by their Supervisor to provide for adequate staffing of District operations.

#### Overtime

If you are nonexempt, you may qualify for overtime pay. All overtime must be approved in advance, in writing, by your Supervisor.

At certain times the District may require you to work overtime. We will attempt to give as much notice as possible in this instance. However, advance notice may not always be possible. Failure to work overtime when requested or working unauthorized overtime may result in disciplinary action, up to and including termination.

If you are nonexempt and work more than your regular full workday (eight/ten hours) in any workday, more than six days in any workweek, or on a designated holiday you will be paid overtime at a rate of:

- One and one-half times your regular rate of pay for all hours worked in excess of your regular full workday up to and including 12 hours in any workday, and for the first eight/ten hours worked on the seventh consecutive day of work in a workweek.
- Two times your regular rate for all hours worked in excess of 12 hours in a workday or in excess of eight/ten hours on the seventh consecutive day of work in a workweek.

If you are nonexempt and work more than 40 hours in a workweek you may be entitled to overtime after any daily overtime hours are subtracted. The same hours are never counted against different overtime limits.

Holidays, vacation days, and sick leave days do not count as time worked for computing overtime

### Emergency Work

Other than regular hours of work, any time worked by an employee in emergency repair or emergency maintenance of facilities of the District shall be compensated at the overtime rate of pay.

### On-Call / Standby

A schedule shall be maintained by the Lead Operator whereby maintenance employees shall be assigned, on a rotational basis, to be "on-call" after hours, weekends, holidays and other times not considered regular hours of work for District employees.

When an employee is on-call, they are required to use their own Cellular Telephone to provide notification in the event of an emergency repair/maintenance work need. Said equipment shall be kept in the on-call employee's possession during the entire on-call period of time. Notification of an emergency repair/ maintenance work need may also be given verbally, in person or telephonically, by the General Manager, or the Lead Operator.

When an employee is on-call, they are free to utilize his/her time as desired but must remain no farther away from the District office than their primary residence.

When an employee is on-call they are paid a standby rate of \$45.00 per 24-hour period. The on-call period is considered to begin following the last hour of an employee's regularly scheduled workday.

### **3.3 Meal and Rest Periods**

The District strives to provide a safe and healthy work environment and comply with all federal and state regulations regarding meal and rest periods. Check with your Supervisor regarding procedures and schedules for meal and rest periods.

Employees can take the following breaks at work:

- Meal breaks. We provide all employees who work more than six (6) hours on a given day with a paid thirty (30) minute meal break. Employees should attempt to take the paid lunch break within five hours of the start of their shift. Employees working longer than ten (10) hours in one day, you can take a second meal break. Employees are not allowed to leave their immediate work area without permission from a supervisor during the paid meal break. Employees who would like to leave the immediate work premises may take an un-paid thirty (30) minute meal break.
- Rest breaks. Our employees can take one paid ten (10) minute rest break for every four hours worked. Employees are not allowed to leave the work premises during paid rest breaks.
- Restroom breaks. Employees can take reasonable toilet breaks, whenever they need to, as part of their workday.
- Breastfeeding breaks. Employees who want to pump/express milk can use our lactation rooms. A general provision for these paid breaks is fifteen (15) minutes.

Rest and Meal breaks are mandatory. They must be taken as breaks and should not be taken at the beginning or end of the workday.

Employees who have excessive breaks or abuse lunch and rest breaks may be disciplined up to and including termination.

### **3.4 One Day Rest in Seven**

In accordance with California law, nonexempt employees are generally permitted, on average, one day of rest for every seven days of work depending upon scheduling and business needs as well as availability and interest in additional hours of work.

### **3.5 Accommodations for Nursing Mothers**

The District is required by law to provide requesting employees that are nursing mothers with certain accommodations to express milk upon request. Accordingly, the District will provide nursing mothers with:

- Reasonable break time to express milk for their infant child(ren) each time the mother has the need to express milk; and
- A private room or other location in close proximity to their work area, other than a restroom, which is shielded from view and free from intrusion to express breast milk.

#### Requesting Accommodation

If you have the need for accommodation, contact your Supervisor. If the District cannot provide break time or a location that complies with the above, the District will provide you with a written response.

#### Break Times

Regarding break times, you may use your regular paid rest breaks or may take other reasonable break time when needed. If possible, the break time should run concurrently with scheduled meal and rest breaks already provided to you. If the break time cannot run concurrently with meal and rest breaks already provided or additional time is needed, break times will be unpaid except where federal or state law dictates otherwise.

#### Milk Storage

Expressed milk can be stored in the company refrigerators in either the Board Room or the Operations Office, or in a personal cooler. Sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator.

#### Retaliation

The District will not retaliate against employees who request or obtain an accommodation in accordance with this policy.

#### Right to File Complaint

If you feel the District is not providing you with adequate break time and/or a place to express milk as provided for in Labor Code § 1030, you may file a report/claim with the



Labor Commissioner's Bureau of Field Enforcement (BOFE) at the BOFE office nearest your place of employment. The complaint must be filed within three years of the alleged unlawful action.

In addition, if you believe you have been a victim of retaliation for either asserting a right to lactation accommodation or for complaining to the Labor Commissioner about the failure of the District to provide this accommodation, you may file a retaliation claim with the Labor Commissioner's Office pursuant to Labor Code § 98.7. This claim must be filed within six months of the alleged retaliation.

### **3.6 Pay Period**

The salaries and wages of all District employees shall be paid bi-weekly on the Friday following the end of the pay-period. In the event a payday falls on one of the District recognized holidays listed in the Employee Handbook, the immediately previous working day shall become the payday.

Review your paycheck for accuracy and report any concerns to your Supervisor immediately. If you have been overpaid or underpaid, the error will be corrected as soon as possible.

### **3.7 Travel Time Pay**

Some nonexempt positions within the District require travel. If you are nonexempt and are required to travel in the course of conducting your work, you will be paid in the following way:

- If you report to the workplace and then are required to travel to another site to work for the day, travel time to the assigned work place will be paid.
- When you are required to report to a site other than your regular work site, and you go directly to that site without first going to the regular work place, the District will pay travel time for any time in excess of your normal commute time to the regular site.
- If you are required to travel to a distant work place, you will be paid travel time in addition to time worked.
- Your travel hours are "hours worked" for the purposes of calculating overtime.

### **3.8 Wage Disclosure Protection**

In accordance with California law, the District will not:

- Prohibit you from:
  - Disclosing your own wages;
  - Discussing the wages of others; or
  - Inquiring about another's wages.
- Require you to sign a waiver or other document that proposes to deny you the right to disclose the amount of your wages.
- Discharge, formally discipline, or otherwise discriminate or retaliate against you for disclosing the amount of your wages.

However, if you have access to or knowledge of the private compensation information of other employees as a part of your role and essential job functions, you may not disclose that information to individuals who do not otherwise have access to it, unless the disclosure is:

- In response to a formal complaint or charge;
- Part of an investigation, proceeding, hearing, or action, including an investigation conducted by the District; or
- Consistent with the legal duty of the District to furnish information.

If you believe that you have been discriminated or retaliated against in violation of this policy, immediately report your concerns to the General Manager.

Nothing in this policy will be enforced to interfere with, restrain or coerce, or retaliate against employees regarding their rights under the National Labor Relations Act.

### **3.9 Recording Time**

The District is required by applicable federal, state, and local laws to keep accurate records of hours worked by certain employees. To ensure that the District has complete and accurate time records and that employees are paid for all hours worked, nonexempt employees are required to record all working time using District punch clock and a time sheet for each pay period. Speak with your Supervisor for specific instructions.

You must accurately record all of your time to ensure you are paid for all hours worked, and must follow established District procedures for recording your hours worked. Time must be recorded as follows:

- Immediately before starting your shift.
- Immediately after finishing work.
- Immediately before and after any other time away from work.

Time cards and time sheets are to be turned in to your Supervisor prior to the Wednesday after the end of each pay period.

If you are required to clock in, you should clock in no more than five minutes before the time you actually start working and clock out no later than five minutes after you actually stop working.

Notify your Supervisor of any pay discrepancies, unrecorded or misrecorded work hours, or any involuntarily missed meal or break periods.

Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work off the clock, you will be subject to discipline up to and including termination. Immediately report to the General Manager any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work off the clock.

### **3.10 Direct Deposit**

The District encourages all employees to enroll in direct deposit. If you would like to take advantage of direct deposit, ask the Administrative Assistant or General Manager for an application form. Typically, the bank will begin the direct deposit of your payroll within 30 calendar days after you submit your completed application.

If you have selected the direct deposit payroll service, a written explanation of your deductions will be provided to you on paydays in lieu of a check.

### **3.11 Paycheck Deductions**

The District is required by law to make certain deductions from your pay each pay period, including deductions for federal income tax, Social Security and Medicare (FICA) taxes, state income taxes, state unemployment taxes, state disability insurance taxes, etc., and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the information you list on your federal Form W-4 and applicable state withholding form. Permissible deductions for exempt employees may also include, but are not limited to, deductions for full-day absences for reasons other than sickness or disability and certain disciplinary suspensions. You may also authorize certain voluntary deductions from your paycheck where permissible under state law. Your deductions will be reflected in your wage statement. If you have any questions about deductions from your pay, contact your Supervisor.

The District will not make deductions to your pay that are prohibited by federal, state, or local law. Review your paycheck for errors each pay period and immediately report any discrepancies to your Supervisor.

You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. If an error is found, you will receive an immediate adjustment, which will be paid no later than your next regular payday.

The District will not retaliate against employees who report erroneous deductions in accordance with this policy.

### **3.12 Employment Classifications**

The District designates all employees as either exempt or nonexempt in compliance with applicable federal, state, and local law:

- Exempt Employees. Exempt employees are generally paid a fixed salary and are not entitled to overtime pay.
- Nonexempt Employees. Nonexempt employees are entitled to minimum wage and overtime pay.

The District also assigns each employee to one of the following categories:

- A "Regular" employee is one who has been hired to fill a regular position in any job classification and has completed his/her probationary period.

- A "Probationary" employee is one who has been hired to fill a regular position in any job classification and has less than six (6) continuous months of service with the District. Upon completion of six (6) months of continuous service with the District in said classification, and upon the General Manager's decision to retain said employee, said employee shall be granted regular employee status.
- A "Temporary" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The duration of the work assignment of a temporary employee may range from one (1) day to a maximum of 200 days of continuous service.
- A "Part-time" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The part-time employee works whenever the District's work load increases to a level that regular employees can not accommodate it. They also work standby as discussed in this Employee Handbook.

You will be informed of your classification, status, and responsibilities at the time of hire and at any time your classification, status, or responsibilities change. If you have a question regarding this information, contact your Supervisor or the General Manager. These classifications do not alter your employment at-will status.

### **3.13 Compensation at Hiring**

#### New Employees

All newly appointed employees shall be paid at the first step of the salary range for the position to which the employee is appointed except as provided elsewhere herein.

#### Advanced Step Hiring

If the General Manager finds that qualified applicants cannot be successfully recruited at the first step of the salary range, he/she may request the Board of Directors to authorize an appointment at an advanced step of the salary range. Whenever advanced step hiring is approved an employee being paid at a lower salary step in the same range may be advanced to the step at which the new employee is appointed.

#### Former Employees

A person who previously held a full-time position from which the person was separated in good standing may, when re-employed in a position with the same or lower pay range than held at separation, be appointed at the same salary rate which was paid at the effective date of the person's termination, or the nearest lower applicable step for the range to which the person is appointed, provided such re-employment occurs within twelve (12) months from the date of said termination.

### **3.14 Job Abandonment**

Voluntary absence from work without permission for five (5) consecutive working days shall be considered an automatic resignation.

### **3.15 Business Expenses**

It is the intent of the District to reimburse District personnel for all reasonable expenses incurred whenever they are required for "business for the District." "Business for the

District" shall include expenses incurred in connection with approved official representation of the District from which the District will derive a specific benefit such as: attendance at training, seminars, symposia, conferences, hearings, conventions or other meetings.

The standard reimbursement request form shall be used to request reimbursement for both conferences and one day activities such as: seminars, professional association lunch meetings, mileage, etc. Mileage amounts are reimbursed on an actual miles traveled basis, while other expenditures (i.e. the cost of a lunch meeting) are reimbursed on an actual out-of-pocket basis.

It is the policy of the District that the standard forms be used to document travel and business expenses and in support of request for reimbursement. All expenses must be listed on a single form. Original receipts (not photo copies) are required and must be submitted with all expense reports. It is the responsibility of the individual incurring the expense to see that documentation for business and travel expenses is complete and submitted in a timely and accurate manner.

#### Unauthorized Expenses

Items of a personal nature are not reimbursable including: alcoholic beverages, movies, entertainment, premium television services, snacks, dry-cleaning, spas, gyms, barber, magazines, shoeshine, travel insurance, toiletries, loss of tickets, fines or traffic violations, excess baggage, lecture tapes or books, the incremental cost for spouse or guest accommodations or other items of a personal nature.

If unauthorized expenses have been paid by the District (i.e., via District credit card or petty cash), the individual will be responsible for immediate reimbursement to the District by personal check (or a payroll deduction if necessary).

### **3.16 Travel Expenses**

#### **3.16.1 Travel Authorization**

When it is necessary for District staff to attend meetings or training away from the District or to travel outside the District to conduct District business, various modes of transportation, lodging accommodations and meal alternatives are available. The associated costs vary considerably. To control costs and to compensate personnel for reasonable expenses, the following policy shall be adhered to for all District travel:

- All travel requests shall be submitted with the annual budget requests.
- District staff may only attend conferences in California or Nevada, unless approved by the Board of Directors.
- All travel shall be submitted to the General Manager for approval in advance of incurring any expenses.
- Arrangements must be made sufficiently in advance to take advantage of available discounts for registration, airfare, and lodging.
- Staff is required to make their own travel arrangements.

### **3.16.2 Transportation**

For travel outside the Northern California area, employees are expected to travel by air. Use of a private car (if authorized in advance) will be reimbursed at approved rates in effect at the time of travel. A copy of the employee's proof of automobile insurance must remain on file at the District office. In cases where more than one person is attending the same event, they are strongly encouraged to travel together and mileage reimbursement would be for one vehicle only.

### **3.16.3 Car Rentals**

When traveling, the use of rental cars is discouraged. Airport shuttle service, buses, or taxis should be utilized between airports and hotels or meeting locations if within 30 miles. Staff should check availability and cost, and make their own car rental arrangements.

### **3.16.4 Lodging and Meals**

Receipts for lodging must be submitted to obtain reimbursement. Lodging reimbursement for the night prior to the beginning of an event may be allowed if time and/or travel schedules prohibit travel at reasonable hours on the first day of a conference.

Conference headquarters hotels are encouraged. Reservations made through the convention and/or housing bureaus (usually offered through conference literature) are encouraged. If the convention or housing bureaus are not used, and if more than one place of lodging is available, the prevailing rate for a single occupancy room will be allowed. In the absence of group or special rates, District personnel should request a "government rate" discount. Lodging shall be obtained at the most economical rate available for good quality.

All receipts must be kept and submitted when seeking reimbursement for meals purchased for individuals other than the claimant and shall indicate the date, participating parties and purpose of the meeting.

### **3.16.5 Reimbursement and Advance Payment**

#### **Advance Payment**

Advance payment for lodging, transportation, and registration may be made by the District's credit card or check requisition. For all travel advances paid either directly to the individual or a third-party, a supporting schedule detailing the type of expenditures being advanced must be attached to the check requisition. Receipts are to be kept and submitted to Accounting immediately after the conclusion of the event.

Cash advance may be requested for meals in accordance with the meal allowance listed in this section. Receipts are to be kept and submitted to Accounting immediately after the conclusion of the event.

### Meal Allowance

The meal allowance is \$65.00 per day including taxes and tips. All meal reimbursements will be completed after an itemized receipt is submitted to Accounting. The District will reimburse employees for actual meal expenses. The meal allowances specified herein are meant to serve as a cap on the allowable reimbursement. In instances where District personnel will be purchasing less than three meals per day, the allowance, including tip, will be on a per meal basis as follows: breakfast \$13.00, lunch \$17.00, dinner \$35.00.

### Reimbursement

The standard reimbursement request form shall be used to request reimbursement for both conferences and one day activities such as: seminars, professional association lunch meetings, mileage, etc. Mileage amounts are reimbursed on an actual miles traveled basis, while other expenditures (i.e. the cost of a lunch meeting) are reimbursed on an actual out-of-pocket basis.

### **3.17 Use of Employer Credit Cards**

All employees in the possession of a credit card issued by the District will adhere to the strictest guidelines of responsibility for the protection and proper use of that card. Credit card purchases under \$1,000 do not require prior approval. Credit card purchases over \$1,000 must receive prior approval from your Supervisor.

Submit all sales receipts generated by use of the District credit card weekly to your Supervisor. Your District credit card may not be used for personal reasons. Use of the District credit card is restricted to approved business related expenses.

Any unauthorized purchases made with a credit card issued by the District will be the cardholder's responsibility. You must reimburse any such purchase to the District within ten (10) days.

Immediately report lost or stolen District cards to your Supervisor. Failure to follow this policy may result in disciplinary action up to and including discharge.

## **4.0 PERFORMANCE, DISCIPLINE, LAYOFF, AND TERMINATION**

### **4.1 Standards of Conduct**

The District wishes to create a work environment that promotes job satisfaction, respect, responsibility, integrity, and value for all our employees, clients, customers, and other stakeholders. We all share in the responsibility of improving the quality of our work environment. By deciding to work here, you agree to follow our rules.

#### **4.1.1 Prohibited Conduct**

The following conduct is prohibited and will not be tolerated by the District. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare, work efficiency and the District operations also may be prohibited.

- a) Falsifying employment records, employment information, or other the District records;
- b) Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time card, either your own or another employee's;
- c) Theft and deliberate or careless damage or destruction of any the District property, or the property of any employee or customer;
- d) Removing or borrowing the District property without prior authorization;
- e) Unauthorized use of the District equipment, time, materials, or facilities;
- f) Provoking a fight or fighting during working hours or on the District property;
- g) Threatening violence or destruction of the District property;
- h) Participating in horseplay or practical jokes on the District time or on the District premises;
- i) Carrying firearms or any other dangerous weapons on the District premises at any time;
- j) Engaging in criminal conduct whether or not related to job performance;
- k) Causing, creating, or participating in a disruption of any kind during working hours on the District property;
- l) Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
- m) Using abusive language at any time on the District premises;
- n) Failing to notify a supervisor when unable to report to work; Unreported absence of three (3) consecutive scheduled workdays;
- o) Failing to obtain permission to leave work for any reason during normal working hours;
- p) Failing to observe working schedules, including rest and lunch periods;
- q) Failing to provide a physician's certificate when requested or required to do so;
- r) Sleeping or malingering on the job;
- s) Making or accepting personal telephone calls, including cell phone calls, of more than three minutes in duration during working hours, except in cases of emergency;
- t) Working overtime without authorization or refusing to work assigned overtime;
- u) Wearing disturbing, unprofessional or inappropriate styles of dress or hair while working;
- v) Violating any safety, health, security or the District policy, rule, or procedure;
- w) Committing a fraudulent act or a breach of trust under any circumstances;
- x) Committing of or involvement in any act of unlawful harassment or discrimination of another individual; and
- y) Discourteous or unprofessional treatment of others.

This statement of prohibited conduct does not alter the District's policy of at-will employment. Either you or the District remain free to terminate the employment relationship at any time, with or without reason or advance notice.



#### **4.1.2 Off-Duty Conduct**

While the District does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the District's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the District's or their own integrity, reputation or credibility. Illegal off-duty conduct by an employee that adversely affects the the District's legitimate business interests or the employee's ability to perform his or her job will not be tolerated. Nothing in this policy is intended to limit your rights under the National Labor Relations Act, or to modify the at-will employment status where at-will is not prohibited by state law.

#### **4.2 Criminal Activity/Arrests**

The District will report all criminal activity in accordance with applicable law. Involvement in criminal activity while employed by the District, whether on or off District property, may result in disciplinary action including suspension or termination of employment.

You are expected to be on the job, ready to work, when scheduled. Inability to report to work as scheduled may lead to disciplinary action, up to and including termination of employment, for violation of an attendance policy or job abandonment.

#### **4.3 Outside Employment**

While employed by the District, employees are expected to devote their energies to their jobs with the District. The following types of employment elsewhere are strictly prohibited:

- a) Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at the District;
- b) Additional employment that creates a conflict of interest or is incompatible with the employee's position with the District;
- c) Additional employment that impairs or has a detrimental effect on the employee's work performance with the District;
- d) Additional employment that requires the employee to conduct work or related activities on the District property during the employer's working hours or using the District facilities and/or equipment; and
- e) Additional employment that directly or indirectly competes with the business or the interests of the District.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written notice to the District explaining the details of the additional employment. the District shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment.

#### **4.4 Open Door/Conflict Resolution Process**

The District strives to provide a comfortable, productive, legal, and ethical work environment. To this end, we want you to bring any problems, concerns, or grievances you have about the work place to the attention of your Supervisor and, if necessary, to

Human Resources or upper level management. To help manage conflict resolution we have instituted the following problem solving procedure:

If you believe there is inappropriate conduct or activity on the part of the District, management, its employees, vendors, customers, or any other persons or entities related to the District, bring your concerns to the attention of your Supervisor at a time and place that will allow the person to properly listen to your concern. Most problems can be resolved informally through dialogue between you and your immediate Supervisor. If you have already brought this matter to the attention of your Supervisor before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to the General Manager. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.

#### **4.5 Performance Evaluation**

The General Manager or his/her designated representative shall conduct a scheduled performance review of each employee prior to the merit advancement date. Performance evaluations shall be in writing on forms prescribed by the General Manager. Said evaluation shall provide recognition for effective performance and identify areas which need improvement.

The performance evaluation shall be signed by the evaluator and shall be discussed with the employee.

Unscheduled performance evaluations may be made at the discretion of the General Manager or his/her designated representative.

You may specifically request that your Supervisor assist you in developing a performance improvement plan at any time.

The performance evaluation process is a means for increasing the quality and value of your work performance. Your initiative, effort, attitude, job knowledge, and other factors will be addressed. A positive performance evaluation does not guarantee a pay raise or continued employment. Pay raises and promotions are based on numerous factors, only one of which is job performance.

#### **4.6 Pay Raises**

##### **4.6.1 Merit Advancement Within Range**

###### Performance Evaluation Required

The General Manager shall authorize a merit advancement within the salary range only after evaluating the employee's performance and determining that it is satisfactory. This determination shall be noted on a performance evaluation form to be placed in the employee's file, with a copy given to the employee.

###### Period of Employment Required for Merit Advancement

Unless otherwise specified herein, each employee shall, in addition to receiving a satisfactory performance evaluation, complete the following required time of employment to be eligible to receive a merit increase:

- New Employees  
A person hired as a new employee shall have a merit advancement date which is six (6) months following the appointment date.
- Promotion or Demotion  
An employee who is promoted or demoted shall have a new merit advancement date which shall be one (1) year from the date of promotion or demotion.
- Voluntary Demotion  
An employee who voluntarily demotes to a position at a lower salary range shall have no change in merit advancement date.
- Change in Range Allocation  
If the salary range for an employee's position is changed, the employee's merit advancement date shall not change.
- Position Reclassification  
An employee whose position is reclassified to a position having the same or lower salary range shall have no change in merit advancement date. An employee whose position is reclassified to a position having a higher salary range shall have a new merit advancement date which is one (1) year following the effective date of the position reclassification.
- Non-Merit Step Adjustments  
An employee whose salary step is adjusted to a higher step for reasons other than regular merit advancement shall have a new merit advancement date effective one (1) year from the date of said adjustment.
- Effective Date  
An employee's merit increase shall take place on the first day of the pay period in which his/her merit advancement date falls. The General Manager may delay authorizing the merit advancement up to ninety (90) days beyond the employee's merit advancement date without affecting the normal merit advancement date. In case of such a delay, the employee's merit advancement shall be effective the first day of the pay period following the General Manager's authorization. If authorization for a merit advancement is delayed beyond ninety (90) days from the employee's merit advancement date, the employee shall not be eligible for a merit increase until his/her next normal merit advancement date.

#### **4.6.2 Promotion**

Employees promoted to a position with a higher salary range may be paid either at the minimum rate of the new range or at the nearest higher rate that the employee would otherwise be entitled to on the date the promotion is effective, whichever is greater, provided that an employee promoted to a salary range in excess of one (1) range above his/her former range shall receive no less than one (1) range increase, at the same step, in rate.

#### **4.6.3 Acting Appointments to a Higher Class**

An acting appointment may be made of a current employee to a higher class or position occupied by a person on temporary leave or disability. Upon the return of the incumbent from leave or disability, the acting appointment shall be immediately terminated, and the appointee shall resume the duties and receive the compensation and privileges as if the employee had continued their duties in their previous classification.

If you have any questions about your compensation, including matters such as paid time off, commissions, overtime, benefits, or paycheck deductions, speak with your Supervisor.

#### **4.7 Resignation Policy**

The District hopes that your employment with the District will be a mutually rewarding experience; however, the District acknowledges that varying circumstances can cause you to resign employment. The District intends to handle any resignation in a professional manner with minimal disruption to the workplace.

##### Notice

To leave District service in good standing, an employee must file a written notice of termination with the General Manager at least two (2) weeks before the effective date. The General Manager may, however, grant good standing with less notice if he/she determines the circumstances warrant. Resignations may not be withdrawn without the General Manager's approval.

Upon the effective date of resignation, the District shall cease to pay for any benefits for the employee.

##### Final Pay

The District will pay separated employees in accordance with applicable laws and other sections of this handbook.

Notify the District if your address changes during the calendar year in which resignation occurs to ensure tax information is sent to the correct address.

##### Return of Property

Return all District property at the time of separation, including vehicles, uniforms, cellphones, keys, tools, laptops, and credit cards. Failure to return some items may

result in deductions from your final paycheck where state law allows. In some circumstances, the District may pursue criminal charges for failure to return District property.

#### **4.8 Disciplinary Process**

Violation of District policies or procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. The District encourages a system of progressive discipline depending on the type of prohibited conduct. However, the District is not required to engage in progressive discipline and may discipline or terminate employees who violate the rules of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis.

In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment. Your Supervisor will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the District is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

#### **4.9 Workforce Reductions (Layoffs)**

Whenever, in the judgement of the District Board, it becomes necessary, due to the lack of work, lack of funds, or other economic reason, or because the necessity for a position no longer exists, the Board of Directors may abolish any position of employment, and the employee holding such position may be laid off or demoted.

Employees to be laid off shall be given at least fourteen (14) calendar days prior notice. Except as otherwise provided, whenever there is a reduction in the work force, the General Manager shall first demote to a vacancy, if any, in a lower position for which the employee who is the latest to be laid off (in accordance with applicable provisions of this policy) is qualified.

An employee affected by layoff may have retreat rights to displace an employee who has less seniority in a lower position that the employee has previously occupied or supervised. For the purpose of this document, seniority includes all periods of full-time service at or above the retreat position being considered.

In order to retreat to a former or lower position, an employee must request displacement action in writing to the General Manager within five (5) working days of receipt of the layoff notice.

Employees retreating to a lower position shall be placed at the salary step representing the least loss of pay. In no case shall the salary be increased above that received in the position from which the employee was laid off.

If two positions have the same job description, then employees shall be laid off according to employment status in the following order: temporary, provisional, probationary, and regular. Temporary, provisional, and probationary employees shall be laid off according to the needs of the service as determined by the General Manager. In cases where there are two or more regular positions with the same job description from which the layoff is to be made, such employees shall be laid off on the basis of the last evaluation rating in the position, providing such rating has been filled at least 60 days prior to layoff as follows:

- a) First, all employees having ratings of "Unsatisfactory;"
- b) Second, all employees having ratings of "Marginal;"
- c) Third, all employees having ratings of "Less Than Satisfactory;"
- d) Fourth, all employees having ratings of "Satisfactory;"
- e) Fifth, all employees having ratings of "Commendable;"
- f) Sixth, all employees having ratings of "Superior;" and
- g) Seventh, all employees having ratings of "Exceptional."

Employees within each of the rating categories shall be laid off in order of least seniority first.

The names of persons laid off or demoted in accordance with this policy shall be entered upon a re-employment list. The re-employment list shall be used by the General Manager when a vacancy arises in the same or lower position before certification is made from an eligibility list.

Names of persons laid off shall be carried on the re-employment list for one year, except that persons appointed to regular positions of the same level as that from which they were laid off, shall upon such appointment, be removed from the list. Persons who refuse re-employment shall be removed from the list. Persons re-employed in a lower position in the same classification, or on a temporary basis, shall be continued on the list for the higher position for one year. At the discretion of the General Manager, the list may be extended for an additional year.

#### **4.10 Effect of Suspension on Benefits**

When an employee is suspended without pay for ten (10) or fewer working days, employee and employer contributions to benefits will be continued. However, suspended employees will not earn vacation or sick or be paid for holidays during the suspension period.

No benefits will be paid by the District for suspension over ten (10) working days. An employee may continue appropriate benefits by making the necessary payments.

## **5.0 GENERAL POLICIES**

### **5.1 Authorization for Use of Personal Vehicle**

#### General

When necessary during the course of an employee's official duties, the District shall provide reimbursement for use of privately owned vehicles. Employees using their private vehicle on official business must possess a valid California driver's license for the class of vehicle they will be operating.

Employees cannot be compelled to use their own vehicles for District business unless it is a pre-specified condition/requirement of employment.

Employees shall not be reimbursed for commuting to and from work, except that employees who are required to attend scheduled meetings outside of normal working hours may be reimbursed for mileage incurred.

The District shall reimburse District employees the IRS mileage reimbursement rate the IRS announces each year when District employees use their own private vehicle for conveyance to conduct District business.

District employees are encouraged to carpool whenever feasible.

#### Insurance

The individual employee shall insure his/her privately owned vehicles to be used on official District business. The employee's insurance coverage is deemed to be primary. Additional coverages and limits of employee and District shall be as specified in the District's insurance coverage SDRMA currently provides.

#### District Liability

The District shall be responsible to each employee only when the employee is determined not to be negligent and the other party is uninsured. Under such circumstances, the District shall be responsible to the elected official or employee for the amount of the deductible for comprehensive and/or collision damages suffered by the employee.

### **5.2 Bulletin Boards**

The District maintains official bulletin boards in the main office and in the operations office for providing employees with official District notices, including wage and hour laws, changes in policies, and other employment-related notices. At times the District may also post information of general interest to employees on the bulletin board. You are responsible for being informed about this material by periodically reviewing the bulletin board. Only authorized personnel may add and remove notices from the bulletin board.

## **5.3 Computer Security and Copying of Software**

### **5.3.1 General**

The District makes every effort to provide its employees with technology-based resources in order to conduct official business more effectively. In this regard, the District has installed personal computers, local area networks (LANs), electronic mail (e-mail), cell phones and access to the Internet. The purpose of this section is to establish uniform guidelines for computer and cell phone usage including the use of Internet and e-mail applications.

#### Personal Use, Privacy, and the California Public Records Act

District computers, fax machines, and internet licenses are provided for District business and are not to be used for personal gain, private purposes, or to support or advocate non-District –related business or purposes. All data and electronic messages, including information accessed via the Internet and sent or received through electronic mail (e-mail) systems, are the properties of the District. All records whether paper or electronic, may be subject to the disclosure requirements of the California Public Records Act and are not considered private. Notwithstanding the foregoing, e-mail should only be used for the transmission of information and should not be used for preserving information for future reference. Information to be retained may be stored electronically on the system/network and/or may be converted to a hard copy and archived in a District physical file cabinet.

There is no expectation of personal privacy in any use of District computer systems and software, including e-mail and internet usage. The District may, at any time, review the contents of all records, data and communication transmitted, received, and stored by its electronic systems. Any indication of a violation of this policy is subject to management review. This review may include accessing and disclosing all electronic documents, information and messages including e-mail and Internet records.

#### Licensing

The District purchases, owns and administers the necessary software and licenses and cell phones to provide access to e-mail and Internet services and real time communications in the office, in the field and for emergency communications. Users may not rent, copy, or loan District software or its documentation, nor provide alternative software to access the system. Users may be subject to discipline for any damages caused by negligence, and unauthorized software or viruses they introduce in the system.

#### Internet

The District is not responsible for items originating from the internet and reserves the right to restrict employee access to the Internet or to certain Internet content.

Examples of Prohibited Uses:

- a) Using the Internet to view, obtain or disseminate any sexually oriented material, images, or messages.



- b) Using the Internet and/or e-mail systems to send or distribute disruptive, offensive, abusive, threatening, slanderous, racial or sexually harassing materials.
- c) Using District computer systems for private purposes, personal gain, solicitation of commercial ventures, religious or political causes, chain letters, or other non-job-related purposes.
- d) Downloading or installation of software that has not been approved by the District and scanned for viruses.
- e) Any other use that may compromise the integrity of the District and its business in any way.
- f) A good rule of thumb when using the computer and e-mail is "never put anything in an e-mail that you would not want to see on the front page of the newspaper.

To promote employee computer and Internet proficiency and as an employee benefit, certain employee personal use is allowed. This use is only permitted during employee personal time. Examples include educational enhancement and personal communications, which conform to the above prohibited uses. Personal use is secondary and should not (i) interfere with the agency's operation of Electronic Communications Resources, (ii) interfere with the user's employment or other obligations to the District, or (iii) burden the District with noticeable incremental costs.

The acquisition of personal computer hardware and software shall follow the normal budgetary and purchasing procedures, ensuring budget authorization is in place. Requests for acquiring hardware and software shall be recommended to the General Manager for evaluation and recommendation.

Equipment operation and maintenance:

- a) The authorized Information Technology (IT) person (in-house or agreement/contract) shall assist in evaluating District functional needs and recommend options if appropriate.
- b) IT shall maintain an inventory of all workstation hardware and software.
- c) IT shall provide training and consulting advice on approved software and make recommendations as appropriate.
- d) IT shall maintain all personal computer workstations and client server network for the purpose of retrieving data files, sharing licensed applications and data backup at regular intervals.
- e) IT shall periodically review the District computer systems for adherence to operating standards and implement approved upgrades.
- f) IT shall backup District databases daily, weekly, monthly, quarterly and annually for archival and retrieval purposes.

### **5.3.2 Security**

The General Manager and IT (in-house or agreement/contract) must approve dial-in access from home systems and businesses to District systems in advance for valid business needs. All computer systems users are responsible for data residing on their systems.

### Passwords

Users dealing in confidential matters will define their own confidential password. Users should be aware that this does not imply that the system may be used for personal communication or that e-mail is the property of the user.

### Internet and E-mail Access

When using e-mail and the Internet, employees are cautioned to remember they are representatives of the District. Employees may not make statements in e-mail or on the internet on behalf of the District unless they are authorized to do so.

E-mail and Internet messages can be forwarded without the express permission of the original author. Users must use caution in the transmission and dissemination of messages outside the District and must comply with all State and Federal laws, regulations, and District policy.

### Electronic Document, Software and Mail Storage

Electronic mail is backed-up on a regular basis. The District back-up procedures allow the District to restore current software, documents and electronic mail in the event of a system failure. Electronic mail is not intended to be a permanent storage medium. Electronic mail in-boxes and out-boxes should be archived or purged on a regular basis. The District may, in its discretion, purge long-term mail on an automatic basis. To save critical electronic mail as a permanent record, employees should print out a hard copy for permanent filing or save the file on the proper network file location.

### Information Block

E-mail sent outside the District should include an information block at the end of all transmitted messages. The block should include the sender's name, title, company name, direct telephone number, FAX number and e-mail address.

### **5.4 Nonsolicitation/Nondistribution Policy**

To avoid disruption of business operations or disturbance of employees, visitors, and others, the District has implemented a Nonsolicitation/Nondistribution Policy. For purposes of this policy, "solicitation" includes, but is not limited to, selling items or services, requesting contributions, and soliciting or seeking to obtain membership in or support for any organization. Solicitation performed through verbal, written, or electronic means is covered by the Nonsolicitation/Nondistribution Policy.

You are prohibited from soliciting other employees during your assigned working time. For this purpose, working time means time during which either you or the employees who are the object of the solicitation are expected to be actively engaged with assigned work. You may conduct solicitations during your lunch period, coffee breaks, or other authorized nonworking time, so long as you do so when the other employees are also on nonworking time.

To avoid inappropriate litter, clutter, and safety risks, you may not distribute literature or other items that are not work related in working areas at any time. Working areas do not

include break/rest areas, lunch rooms, or parking lots. Electronic distribution of materials is prohibited during work time. Literature that violates the company's equal employment opportunity (EEO) and nonharassment policies (including threats of violence), or is knowingly and recklessly false, is never permitted. Non-employees are not permitted to distribute materials on company premises at any time.

This policy is not intended to restrict the statutory rights of employees, including the right to discuss terms and conditions of employment.

Violations of this policy should be reported to your Supervisor.

### **5.5 Off-Duty Use of Employer Property or Premises**

Desks and computers are the District property and must be maintained according to the District rules and regulations. They must be kept clean and are to be used only for work-related purposes. The District reserves the right to inspect all the District property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

The District provides tools, supplies and facilities for the use of the employees in the performance of their work. Employees who use the District equipment must be familiar with their proper use and care and shall operate them in accordance with instructions for use. Employees shall notify their supervisor or the General Manager immediately of any needed maintenance for any the District facility or equipment.

Employees must report all accidents and/or damage to the District equipment to their supervisor or the General Manager. Failure to properly use the District equipment or to report accidents and/or damage may result in disciplinary action up to and including termination.

No employee shall use the District facilities or equipment for personal use.

### **5.6 Personal Appearance**

#### **5.6.1 Dress Code**

All employees are representatives of the District and therefore dress and appearance should:

- a) Present a professional or identifiable appearance for external and internal customers as well as the public.
- b) Promote a positive working environment.
- c) Ensure and promote safety while at work.
- d) Dress in a manner that is normally accepted in comparable operations.

Employees are expected to wear clothing appropriate for the nature of District business and the type of work being performed. Employees are expected to maintain a neat, clean and well-groomed appearance, and avoid clothing that could create a safety hazard.

This policy is intended to describe guidelines on what is considered appropriate dress for the workplace. These guidelines are not intended to be all-inclusive, but rather should help set the general parameters for appropriate attire and allow employees to use good judgment and common sense about items not specifically addressed. The General Manager will have the discretion to make the final determination on what constitutes professional and suitable dress for the work setting in a particular situation.

### Guidelines

- a) Good personal hygiene is required.
- b) Clothing must be clean, pressed, in good condition and fit appropriately.
- c) Footwear must be appropriate for the work environment and functions being performed.
- d) Jewelry is acceptable except in areas or near equipment where it constitutes a health or safety hazard.
- e) Hair must be neat, clean, and well groomed. If necessary for the functions being performed, long hair must be secured (tied back to prevent potential for being caught in equipment).
- f) Sideburns, mustaches, and beards must be maintained in a neat and well-groomed fashion.
- g) Clothing must not interfere with the safe operation of equipment.
- h) Tattoos that are obscene, sexually explicit, discriminatory as to sex, race, religion or national origin, extremist, gang-related, and/or diminish the effectiveness of the employee's professionalism must be covered, and not visible to staff, customers or visitors.
- i) Any non-conforming tattoos must be covered with clothing or a bandage while at work or removed. If an employee has a question about how tattoo policy applies to them, the matter should be immediately raised with their supervisor for consideration and determination.

### Business Casual Office Attire

The District office maintains a business casual working environment. The intent of business casual attire is to ensure that employees are dressed appropriately to interact with both customers and other professionals. A good rule of thumb is, if you wear it to the beach, gym, or nightclub, it is most likely inappropriate.

### Field Staff Attire

Employees whose primary District responsibility is in the field, or whose regular job duties include physical lifting may wear appropriate casual clothing (including jeans). District purchased shirts must be worn at all times while on duty. Additionally, all personal safety equipment must be worn at all times, including steel toed boots and reflective vests. Hats that are not obscene, sexually explicit, discriminatory as to sex, race, religion or national origin, extremist, gang-related or that diminish the effectiveness of the employee's professionalism may be worn to protect employees from sun exposure.

Some attire is unacceptable for work at any time. The following list provides some examples:

- a) Any clothing that contains an offensive word, message or slogan or picture directed at race, sexual orientation, gender, age, religion, disability, or is otherwise considered to be offensive or harassing in some way.
- b) Cut-offs or shorts
- c) Gym wear or beachwear
- d) Clothing that reveals the employee's under garments
- e) Spandex, Lycra, or leggings
- f) Tank tops, tube tops, halter-tops, or shirts with spaghetti straps.
- g) Off the shoulder tops
- h) Lounge wear (i.e. pajama pants)
- i) Sweatshirts or sweatpants
- j) Miniskirts
- k) Flip-flops
- l) Any clothing that reveals the employee's stomach, full back, cleavage, or chest, or otherwise revealing attire.
- m) If logos are on clothing, these logos should not promote contractors or vendors that may conduct business with the City.

### **5.6.2 Uniforms**

Sewer/Water Department staff are required to specific uniforms and/or clothing as determined by their manager. Additionally, the extreme winter weather that often occurs within the District dictates that employees have especially warm clothing in order to perform their duties. The cost of such uniforms and/or protective clothing, shoes, etc., that employees are required to wear shall be borne by the District as follows:

- a) Employees in the Sewer/Water Departments shall receive an allowance of \$400.00 per year for clothing plus \$200 per year for footwear.
- b) Employees in the Administrative Department will receive an allowance of \$200.00 per year for clothing.

## **5.7 CELL PHONE/MOBILE DEVICE USE**

### **5.7.1 Personal Use**

While the District permits employees to bring personal cell phones and other mobile devices (i.e. smart phones, tablets, laptops) into the workplace, you must not allow the use of such devices to interfere with your job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting and disruptive and cause a loss of productivity. Thus, you should primarily use such personal devices during nonworking time, such as breaks and meal periods. During this time, use devices in a manner that is courteous to those around you. Outside of nonworking time, use of such devices should be minimal and limited to emergency use only. If you have a device that has a camera and/or audio/video recording capability, you are restricted from using those functions on District property unless authorized in advance by management or when they are used in a manner consistent with your right

to engage in concerted activity under section 7 of the National Labor Relations Act (NLRA).

You are expected to comply with District policies regarding the protection of confidential and proprietary information when using personal devices.

### **5.7.2 Cell Phone Allowance and District Use**

The use of cell phones may be essential for employees to conduct business while away from the office, i.e., field and customer service operations, emergency operations, after-hours communications, and for their safety. The General Manager shall determine which employment classifications will need a cell phone and, therefore, shall be entitled to a cell phone allowance. Cell phone allowances may be provided to employees whose job duties require them to be out of the office for large portions of the workday or work during non-business hours.

The cell phone allowance is \$150 per quarter.

As an alternative to the cell phone allowance, the General Manager may authorize the District purchase of a cell phone and service plan for employees.

Employees do not have an implied right to either a cell phone allowance or to a District provided cell phone. The General Manager can, at their discretion, determine that a cell phone is no longer required to meet job functions of specified classifications, and therefore stop the allowance or require return of the District provided cell phone.

If the District provides an allowance for cell phones, then the cell phone and any license to connect to electronic transmission lines (telephone, email, etc.) are not the property of the District.

#### Employee Responsibilities

Employees receiving an allowance are responsible for the following:

- a) Purchasing and maintaining their equipment.
- b) Cell phones plans must be with a carrier that provides acceptable coverage in the employee's work areas.
- c) Notifying their supervisor and General Manager of their phone number, changes to number, or cancellation of service.
- d) Ensuring continuity of service, including payment of bills.
- e) Being in possession of their cell phones during working hours and during nonworking hours if required by their supervisor for District purposes.

District employees may choose to have a telephone-only cell phone or a telephone with text, internet, photo, and other features.

If the District provides a cell phone to the employee, then the cell phone and license to connect to electronic transmission lines are the property of the District and can be

revoked at any time. The District owns and remains entitled to all cell phone/mobile devices issued to employees, including all passwords controlling access to them. You may not change those passwords except with permission. At the time of employment termination, all such equipment and passwords must be returned to the District in operable condition.

#### Cell Phones and Motor Vehicle Use

In accordance with California Vehicle Code (CVC) §23123 all drivers are prohibited from using a handheld wireless telephone while operating a motor vehicle unless they are using a hands-free device. Unless the cell phone or vehicle is equipped with a hands-free device, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting phone calls, text messages, or emails. Employees who receive allowances are responsible for obtaining their own hands-free equipment.

Employees who receive a traffic violation resulting from the use of an employee owned or District issued cell phone, while driving a personal or District vehicle, shall be solely responsible for all liabilities that result from such action and may be subject to discipline.

#### Public Records

Cell phone records may become public records. The District reserves the right to request to review the District-related contents of all records, data and communications transmitted, received and stored by the cell phone and/or the communications carrier if the District has a compelling legal need.

#### District Cell Phone Use During Off Duty Hours

Employees whose positions are within a non-exempt classification may not use their cell phone for work purposes (i.e. phone calls, checking and responding to email, etc.) unless expressly directed to do so by their supervisor when off duty.

When non-exempt employees are expressly directed to use their cell phone for work purposes by their supervisor, they shall document all time worked on their time card, the following business day.

Nothing in this policy is intended to prevent employees from engaging in protected concerted activity under the NLRA.

You will be subject to disciplinary action up to and including termination of employment for violation of this policy.

### **5.8 Personal Data Changes**

It is your obligation to provide the District with your current contact information, including current mailing address and telephone number. You should also inform the District of any changes to your tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact the Administrative Assistant.

## **5.9 Security**

All employees are responsible for helping to make the District a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to your Supervisor immediately. Refrain from discussing specifics regarding District security systems, alarms, passwords, etc. with those outside of the District.

Immediately advise your Supervisor of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the District. Safety and security is the responsibility of all employees and we rely on you to help us keep our premises secure.

## **5.10 Social Media**

At the District, we recognize the Internet provides unique opportunities to participate in interactive discussions and share information using a wide variety of social media. However, use of social media also presents certain risks and carries with it certain responsibilities. To minimize risks to the District, you are expected to follow our guidelines for appropriate use of social media.

This policy applies to all employees who work for the District.

### **5.10.1 Personal Use**

For purposes of this policy, social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the District, as well as any other form of electronic communication.

District principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, you are solely responsible for what you communicate in social media. You may be personally responsible for any litigation that may arise should you make unlawful defamatory, slanderous, or libelous statements against any customer, manager, owner, or employees of the District.

#### Know and Follow the Rules

Ensure your postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

#### Be Respectful

The District cannot force or mandate respectful and courteous activity by employees on social media during nonworking time. If you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment.



Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, national origin, religion, veteran status, or any other status or class protected by law or District policy. Your personal posts and social media activity should not reflect upon or refer to the District.

#### Maintain Accuracy and Confidentiality

When posting information:

- Maintain the confidentiality of trade secrets, intellectual property, and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to the District.
- Do not create a link from your personal blog, website, or other social networking site to a District website that identifies you as speaking on behalf of the District.
- Never represent yourself as a spokesperson for the District. If the District is a subject of the content you are creating, do not represent yourself as speaking on behalf of the District. Make it clear in your social media activity that you are speaking on your own behalf.
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

#### Using Social Media at Work

Do not use social media while on your work time, unless it is work related as authorized by your manager or consistent with policies that cover equipment owned by the District.

#### Media Contacts

If you are not authorized to speak on behalf of the District, do not speak to the media on behalf of the District. Direct all media inquiries for official District responses to Human Resources.

#### Retaliation and Your Rights

Retaliation or any other negative action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by law. All employees have the right to engage in or refrain from such activities.

### **5.10.2 District Use**

All official District social media sites will be administered by the General Manager or their designee. These social media sites shall be used for the limited purpose of informing the public about District business, services, and events. Individual

departments wishing to add content to official District social media sites may submit a request to the General Manager. The District's web site, [www.dspud.com](http://www.dspud.com), will remain the official location for content regarding District business, services, and events. Whenever possible, links within social media formats should direct users back to the District web site for more information, forms, documents, or online services necessary to conduct business with the District.

District employees shall not disclose information about confidential District business on either the District's social media sites or personal social media sites. Employees posts reflect their own views and not necessarily those of the District.

#### Posting/ Commenting Guidelines

All postings made by the District to social media sites will contain information and content that has already been published or broadcast in an official manner. The District will not comment on other social media member's sites. All official social media postings by the District will be done solely on the District's social media sites or in response to postings made on the District's social media sites.

The District reserves the right to remove content that is deemed in violation of this policy or any applicable law. Any participants on the District's official social media sites who are in continual violation of the postings/commenting guidelines may be removed from the District's site. The District will only post photos for which it has copyright or owner's permission to use. Direct messages sent to social media accounts will be treated as general correspondence and kept in accordance with retention schedules provided by the records retention policy.

Chat functions in any social media sites will not be used.

Links to all social media networks to which the District belongs will be listed on the District's official website. Interested parties wishing to interact with these sites will be directed to visit the District's web site for more information on how to participate.

The District reserves the right to temporarily or permanently suspend access to official District social media at any time.

#### Responsibilities

The General Manager or his designee are responsible for responding to comments and messages as appropriate whenever possible. The District will direct users back to the District's official web site for more information, forms, documents, or online services necessary to conduct business with the District.

The District may invite others to participate in its social media sites. Such invitations will be based upon the best interests of the District as determined by the District in consultation with the General Manager or designee.

Employees who are not designated by the General Manager to access social media sites for official business are prohibited from accessing social media sites utilizing the District computer equipment and/ or the District's web access. While at work, employees who are not granted access via District systems and computing equipment may use personal computing devices and personal web accounts to access social media sites only during non- working hours such as lunch periods and breaks.

All content posted on official District social media sites must comply with District web standards. Employee or District confidentiality shall be maintained in accordance with all applicable laws and District policies. If a question arises regarding the use or posting of confidential information on a social media site, the matter shall be referred to the General Manager for review. The information in question shall not be posted, or if already posted, shall be removed until an opinion is rendered by General Manager or District counsel. Notwithstanding the opinion of the District counsel, the General Manager reserves the right to restrict or remove District information from an official District social media site if the General Manager believes that the information does not serve the best interest of the District.

All social media based services to be developed, designed, managed by or purchased from any third party source for use requires appropriate budget authority and approval from the Board of Directors.

#### District Web Page

It is District policy to control the content and accuracy of the information provided on the public District Web page. All information will be directed to the General Manager or their designee. All information posted on the District website must be consistent with the District's mission and public interest.

Any District Board Director, official or employee may request postings to the District Web page through the General Manager or his designated representative. Postings must be non-political in nature. The General Manager shall approve, modify, or deny the request. Postings shall be submitted in Word format as an e-mail attachment unless only a hard copy is available. In either case it is the submitter's responsibility to check the item for accuracy both prior to submission and after posting to the Web page to ensure no errors appear on the final document. The submitter is to inspect the posted submission within 24 hours of posting.

The General Manager or their designated representative are responsible for posting approved information on the web page and, when necessary, may suggest alternative solutions in support of the needs. The General Manager or their designated representative shall also manage removal of postings based on the duration or expiration date.

### **5.11 Telecommuting**

Telecommuting is defined as regularly working a full or partial workday from home or some other alternate work site.

The District will make telecommuting available to employees when it benefits organizational and departmental needs. This option may not be available in some job classifications due to business needs. Each department manager will determine, in his or her discretion, the positions within the department that may be suitable for telecommuting.

If you meet eligibility requirements for telecommuting, you must submit a Telecommuting Agreement form to your immediate Supervisor for departmental approval. If you are granted a telecommuting arrangement, you will be subject to the same performance standards as prior to telecommuting. Telecommuting work areas may be evaluated to ensure that appropriate safety standards are met. Telecommuting may be a reasonable accommodation; consult the General Manager if you are requesting telecommuting as a reasonable accommodation.

### **5.12 Telephone Use**

The District phones are principally for work-related communications. Unless there is an emergency, limit long distance telephone calls to business purposes only. Limit personal use of District telephones to brief communications during rest periods where possible. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Use of Company Technology Policy.

### **5.13 Third Party Disclosures**

From time to time, the District may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not speak on behalf of the District and should refer any call requesting the position of the District to the General Manager. If you have any questions about this policy or are not certain what to do when such a contact is made, contact the General Manager.

### **5.14 Use of Company Technology**

The District makes every effort to provide its employees with technology-based resources in order to conduct official business more effectively. In this regard, the District has installed personal computers, local area networks (LANs), electronic mail (e-mail), cell phones and access to the Internet. The purpose of this section is to establish uniform guidelines for computer and cell phone usage including the use of Internet and e-mail applications.

#### **5.14.1 Personal Use, Privacy, and the California Public Records Act**

District computers, fax machines, and internet licenses are provided for District business and are not to be used for personal gain, private purposes, or to support or advocate non-District –related business or purposes. All data and electronic messages, including information accessed via the Internet and sent or received through electronic mail (e-mail) systems, are the properties of the District. All records whether paper or

electronic, may be subject to the disclosure requirements of the California Public Records Act and are not considered private. Notwithstanding the foregoing, e-mail should only be used for the transmission of information and should not be used for preserving information for future reference. Information to be retained may be stored electronically on the system/network and/or may be converted to a hard copy and archived in a District physical file cabinet.

There is no expectation of personal privacy in any use of District computer systems and software, including e-mail and internet usage. The District may, at any time, review the contents of all records, data and communication transmitted, received, and stored by its electronic systems. Any indication of a violation of this policy is subject to management review. This review may include accessing and disclosing all electronic documents, information and messages including e-mail and Internet records.

#### **5.14.2 Licensing**

The District purchases, owns and administers the necessary software and licenses to provide access to e-mail and Internet services and real time communications in the office, and in the field. Users may not rent, copy, or loan District software or its documentation, nor provide alternative software to access the system. Users may be subject to discipline for any damages caused by negligence, and unauthorized software or viruses they introduce in the system.

#### **5.14.3 Internet**

The District is not responsible for items originating from the internet and reserves the right to restrict employee access to the Internet or to certain Internet content.

Examples of Prohibited Uses:

- a) Using the Internet to view, obtain or disseminate any sexually oriented material, images, or messages.
- b) Using the Internet and/or e-mail systems to send or distribute disruptive, offensive, abusive, threatening, slanderous, racial or sexually harassing materials.
- c) Using District computer systems for private purposes, personal gain, solicitation of commercial ventures, religious or political causes, chain letters, or other non-job-related purposes.
- d) Downloading or installation of software that has not been approved by the District and scanned for viruses.
- e) Any other use that may compromise the integrity of the District and its business in any way.
- f) A good rule of thumb when using the computer and e-mail is "never put anything in an e-mail that you would not want to see on the front page of the newspaper."

To promote employee computer and Internet proficiency and as an employee benefit, certain employee personal use is allowed. This use is only permitted during employee personal time. Examples include educational enhancement and personal communications, which conform to the above prohibited uses. Personal use is

secondary and should not (i) interfere with the agency's operation of Electronic Communications Resources, (ii) interfere with the user's employment or other obligations to the District, or (iii) burden the District with noticeable incremental costs.

The acquisition of personal computer hardware and software shall follow the normal budgetary and purchasing procedures, ensuring budget authorization is in place. Requests for acquiring hardware and software shall be recommended to the General Manager for evaluation and recommendation.

#### **5.14.4 Equipment operation and maintenance**

The authorized Information Technology (IT) person (in-house or agreement/contract) shall assist in evaluating District functional needs and recommend options if appropriate.

IT shall maintain an inventory of all workstation hardware and software.

IT shall provide training and consulting advice on approved software and make recommendations as appropriate.

IT shall maintain all personal computer workstations and client server network for the purpose of retrieving data files, sharing licensed applications and data backup at regular intervals.

IT shall periodically review the District computer systems for adherence to operating standards and implement approved upgrades.

IT shall backup District databases daily, weekly, monthly, quarterly and annually for archival and retrieval purposes

#### **5.14.5 Security**

The General Manager and IT (in-house or agreement/contract) must approve dial-in access from home systems and businesses to District systems in advance for valid business needs. All computer systems users are responsible for data residing on their systems.

Users dealing in confidential matters will define their own confidential password. Users should be aware that this does not imply that the system may be used for personal communication or that e-mail is the property of the user.

#### **5.14.6 Electronic Mail (E-Mail)**

When using e-mail and the Internet, employees are cautioned to remember they are representatives of the District. Employees may not make statements in e-mail or on the internet on behalf of the District unless they are authorized to do so.

E-mail and Internet messages can be forwarded without the express permission of the original author. Users must use caution in the transmission and dissemination of

messages outside the District and must comply with all State and Federal laws, regulations, and District policy.

Electronic mail is backed-up on a regular basis. The District back-up procedures allow the District to restore current software, documents and electronic mail in the event of a system failure. Electronic mail is not intended to be a permanent storage medium. Electronic mail in-boxes and out-boxes should be archived or purged on a regular basis. The District may, in its discretion, purge long-term mail on an automatic basis. To save critical electronic mail as a permanent record, employees should print out a hard copy for permanent filing or save the file on the proper network file location.

E-mail sent outside the District should include an information block at the end of all transmitted messages. The block should include the sender's name, title, company name, direct telephone number, FAX number and e-mail address.

### **5.15 Use of Employer Vehicles**

Company vehicles are to be used for District business only. Unless the use of the vehicle has been approved for personal use, personal or outside business use is strictly prohibited.

If you drive a District vehicle you are expected to comply with the following rules:

- a) Inspect the District vehicle at least daily for proper operation, including lighting and tire condition.
- b) While driving, be attentive for any problems related to vehicle operation, such as braking, suspension, drive train, electrical, or fuel. Report any defects to your supervisor and mechanic immediately.
- c) Notify your Supervisor immediately if a District vehicle is not operable, is unsafe for use, or has been damaged.
- d) All accidents or damage arising out of the operation of District owned, leased, or rented vehicles and equipment, as well as employee-owned vehicles used on District business, must be reported to the supervisor immediately.
- e) You are responsible for the vehicle while it is in your charge and must not permit use by unauthorized persons.
- f) All infractions or violations while driving the vehicle and all restrictions, suspensions, or revocations against your driver's license must be immediately reported to your Supervisor.
- g) You are responsible for the daily housekeeping of the vehicle; it is to remain clean and uncluttered.
- h) Do not operate a motor vehicle while under the influence of alcohol or a chemical substance or other substance that can impair judgment.
- i) Do not operate a motor vehicle while texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.
- j) Multiple driving moving violations appearing on your annual state department of motor vehicle check will result in suspension of rights to drive a District vehicle or drive a personal vehicle on District business. Suspension of rights will continue until one year has passed with no infractions. If there are persistent and ongoing

problems with driving infractions, and driving a vehicle is a part of successful execution of job responsibilities, your employment may be terminated.

- k) District vehicles shall not be used to transport any materials or persons not directly connected with District business except in an emergency or by prior approval by the employee's manager.
- l) All District vehicles will be parked at District administrative or maintenance facilities during non-working hours unless approval to use the vehicle for transportation to and from work or for emergency purposes has been granted.
- m) Parking brakes shall be used whenever District vehicles are parked.
- n) Animals are not allowed in District vehicles without prior approval of the General Manager.
- o) At no time shall any firearms be carried in District vehicles or in personal vehicles when used to conduct District business.
- p) Smoking is not allowed in District vehicles.
- q) Routine maintenance and repairs shall be managed by the District mechanic.

### **5.16 Workplace Privacy and Right to Inspect**

District property, including but not limited to lockers, phones, computers, tablets, desks, work place areas, vehicles, or machinery, remains under the control of the District and is subject to inspection at any time, without notice to any employees, and without their presence.

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on District premises including that kept in lockers and desks.

### **5.17 Access to Personnel and Medical Records Files**

The District maintains separate medical records files and personnel files for all employees. Files containing medical records are stored separate and apart from any business-related records in a safe, locked, inaccessible location. The medical file is the repository for sensitive and confidential information related to an individual's health, health benefits, health-related leave and/or accommodations, and benefits selections and coverage. Medical records are kept confidential in compliance with applicable laws and access is on a "need-to-know" basis only.

Supervisors and others in management may have access to your personnel file for possible employment-related decisions. All employees have the right to inspect and receive a copy of their personnel records. The District will make such records available for inspection and/or to receive a copy within 30 calendar days of a written request. Payroll records will be made available to inspect or receive a copy within 21 calendar days of a verbal or written request.

All requests by an outside party for information contained in your personnel file will be directed to the General Manager, which is the only person authorized to release such information.



### **5.18 Whistleblower Protections**

When employees notify a supervisor, manager, or an appropriate government or law enforcement agency that they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a state or federal rule or regulation, those employees are protected from retaliation. As such, the District has a strict policy that prohibits retaliation against employees who make such reports while employed in any form of employment. The District also does not permit retaliation against employees who refuse to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by the District, we encourage you to report it immediately to your Supervisor or to the General Manager. Alternatively, you may contact the California State Attorney General's Whistleblower Hotline at (800) 952-5225. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

## **6.0 BENEFITS**

### **6.1 Bereavement Leave**

In the event of a death in the immediate family, an employee may be granted a paid leave of absence not to exceed three (3) days. This is in addition to regular sick leave and vacation time. Certification may be required by the General Manager.

Additionally, the District will provide eligible employees up to five days of unpaid bereavement leave in accordance with the California Family Rights Act.

#### Eligibility

To be eligible for bereavement leave, you must be employed by the District for at least 30 days prior to the start of leave.

As used in this policy immediate family or family member means:

- Your child, parent, grandparent, grandchild, sibling, spouse, or domestic partner.
- Child means a biological, adopted, or foster child; a stepchild; a legal ward; a child of a domestic partner; or a person to whom you stand in loco parentis.
- Parent means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or other person who stood in loco parentis to you when you were a child.
- Sibling means a person related to another person by blood, adoption, or affinity through a common legal or biological parent.

#### Use of Leave

The bereavement leave does not have to be taken consecutively. Bereavement leave must be completed within three months of the date of the family member's death.

You may elect to use any accrued vacation time or other accrued paid time off that you are eligible to take during the otherwise unpaid bereavement leave.

Bereavement leave will run concurrently with other federal/state laws where permitted by law.

### Notice

If your need for leave is foreseeable, provide as much advance notice as possible. If unforeseeable, provide notice as soon as practical.

You may be required to provide reasonable documentation of your need for leave. This may include 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 government agency. This documentation must be provided within 30 days of your first day of leave.

All information received by the District regarding your request for bereavement leave will be treated as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

### Retaliation

The District will not retaliate against employees who request or take leave in accordance with this policy.

## **6.2 Catastrophic Leave**

### **6.2.1 General**

The District Catastrophic Leave Sharing Program permits temporary salary and benefit continuation for an employee who accrues vacation and who has exhausted all paid leave (vacation, sick, and bereavement) credits as a result of a catastrophic illness or injury of an employee or immediate family member, death of an immediate family member, casualty loss suffered due to terrorist attack, fire or natural disaster.

The Program allows employees to donate vacation leave to co-workers who do not have sufficient accumulated leave to cover a verifiable, major crisis and to provide salary continuation during the waiting period for disability benefits. Participation in this Program is entirely voluntary. Donations are anonymous. Management will not identify the donor; however, the donor may choose to self identify.

### **6.2.2 Definitions**

#### Catastrophic Illness or Injury

A catastrophic illness or injury is defined as a serious debilitating illness, injury, impairment, or physical or mental condition of the employee or the employee's immediate family or household member which creates a financial hardship because the employee has exhausted all available leave credits and is not, or not yet, eligible for temporary disability benefits, and that involves one of the following:

1. A period of illness or injury or treatment connected with inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential medical care facility; or

2. A period of illness or injury requiring absence of more than five business days from work, and that also involves continuing treatment under the supervision of a licensed health care provider; or
3. A period of illness or injury or treatment due to a chronic serious health condition; or
4. A period of illness or injury that is long-term due to a condition for which treatment may be ineffective; or
5. An absence to receive multiple treatments (including any period of recovery there from) either for restorative surgery after an accident or other injury, or for a chronic condition, i.e., cancer or kidney disease.

### Catastrophic Event

A catastrophic event is defined as follows:

1. The death of a family or household member; or
2. A catastrophic casualty loss suffered due to a terrorist attack, fire, or natural disaster.

### Immediate Family

The definition of "immediate family" shall be the same as specified in the policy regarding Bereavement Leave.

## **6.2.3 Eligibility and Qualifications**

### Donor

Any employee who is eligible to accrue and use vacation may donate vacation time to a specific recipient or to the Catastrophic Leave Bank ("Bank"). For the purposes of this Catastrophic Leave Program, only vacation leave credits may be donated. The donating employee (Donor) must:

1. Be a current employee;
2. Be in a position that accrues vacation leave; and,
3. Has accrued sufficient vacation leave to cover the amount of the donation to be made.

Each donation must be a minimum of eight (8) hours. Any additional donated hours must be in whole hour increments. The maximum that may be donated is 50% of the donor's vacation balance or eighty (80) hours in a calendar year, whichever is less. Donations may be made to individual employees or to the Bank.

### Recipient

An employee who is eligible to accrue and use vacation, has exhausted all paid leave (vacation, sick, and bereavement) credits, and who has been identified as eligible to receive a catastrophic leave donation.

The receiving employee (Recipient) must:

1. Be a current employee;
2. Be in a position that accrues vacation leave;
3. Have exhausted all paid leave credits;

4. Have a verified catastrophic illness, injury or event; and
5. Submit a written request to receive donations to the General Manager.

Donations may be credited (in whole hours) incrementally to the receiving employee to a maximum of 160 hours in a rolling twelve-month period from either donations or from the Bank, if available. An employee receiving disability benefits is not eligible to receive donations. Donated time may be applied to the receiving employee's employee-paid disability waiting period up to the maximum of 160 hours.

#### **6.2.4 Process**

##### Requesting Donations

The potential recipient initiates the process by submitting a request to the General Manager to participate in the program. The request may be submitted by an immediate family member or individual residing in the household if the employee is incapacitated.

##### Verifying a Request

The General Manager or their designee will verify that a qualifying catastrophic leave exists (e.g. serious health condition, death of family member or catastrophic event), and verify that the intended recipient has exhausted, or will exhaust, all paid leave and determine the number of hours necessary for the remainder of the approved catastrophic leave. This includes determining the effective date of any disability plans. Donations for a recipient will not exceed the maximum of 160 hours within a rolling twelve-month period.

##### Donating

1. Once the request is verified, the General Manager or designee may begin the process to solicit donations. The recipient may only be identified in the letter if they indicate it is appropriate to do so in their request.
2. An employee may donate time to an individual employee who is eligible to receive catastrophic leave hours or to the central Catastrophic Leave Bank by completing a donation form and submitting it to the General Manager. Donations are irrevocable once the donor signs the form authorizing a deduction from their vacation leave balance. If the designated recipient becomes ineligible to receive the donation, those excess hours will be donated to the Bank.

#### **6.2.5 Effect on Family and Medical Leave and California Family Rights**

Participation in the Catastrophic Leave Program does not affect a recipient employee's right to Family and Medical Leave (FMLA) and/or leave under the California Family Rights Act (CFRA).

Time paid through this program will be charged as FMLA or CFRA to the recipient employee as long as the employee meets the eligibility requirements (i.e., having worked at least 1,250 hours during the last twelve (12) months), and the leave has been designated as FMLA or CFRA.

### **6.3 Continuing Education and Tuition Assistance**

Employees of the District are encouraged to pursue educational opportunities which are related to their present work, which will prepare them for foreseeable future opportunities within the District, or which will prepare them for future career advancement.

The District will reimburse regular employees for approved courses of study on the following criteria:

- a) A refund of the entire cost of tuition and required class materials will be made if the employee received a grade of "A" for the class.
- b) A refund of one-half ( $\frac{1}{2}$ ) of the cost of tuition and required class materials will be made if the employee received a grade of "C" for the class.
- c) No refund will be made to employees who receive a grade below "C" for the class.
- d) The total amount of reimbursement which will be paid to an employee is limited to \$ 250.00 in any calendar year.

To be eligible for reimbursement of course costs, the employee must receive advance approval for the class(es) from the General Manager. Requests for reimbursement should be submitted in writing. The employee will be notified of final approval, or the reasons for disapproval. Those requests for reimbursement which are received after the class begins will be eligible for only one-half( $\frac{1}{2}$ ) of the usual reimbursement.

Upon completion of the class(es) the employee is responsible for sending copies of the grade slip(s) and expense receipt(s) to the General Manager.

Two types of classes are generally eligible for reimbursement per this policy:

- a) Classes which are related to the employee's present work assignment, or which may prepare him or her for future foreseeable opportunities within the District. Such classes may be taken individually and need not be directed toward a degree or certificate.
- b) Classes which are taken as part of the requirement for a degree or certificate. In this case the employee must first have completed the equivalent of two (2) full years of college level study and have reached the equivalent of the "junior" year of a four-year degree program.

### **6.4 Medical Insurance**

Accident, health, hospital, dental, and vision insurance to cover non-occupational injuries and sickness for probationary and full-time employees in all job classifications, and their dependents, is provided by the District. The scope of coverage and the payment of premiums is subject to periodic review and revision by the Board of Directors. Please refer to the Board approved Compensation and Benefits Program for Details.

## 6.5 Holidays

The following days shall be recognized and observed as paid holidays:

New Year's Day	Veterans Day
Martin Luther King Day	Thanksgiving
President's Day	Day After Thanksgiving
Memorial Day	Christmas Day
Independence Day	Three (3) Floating Holidays
Labor Day	

All regular work shall be suspended, and employees shall receive one (1) day's pay for each of the holidays listed above. An employee is eligible for any paid holiday if he/she works the day before and the day after said holiday. Eligibility is also granted if the employee was on vacation or had notified the General Manager and received permission to be absent from work on that specific day or days.

Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday. Whenever a holiday falls on Sunday, the following Monday shall be observed as the holiday.

If an employee works an alternative work schedule and the observed holiday falls on their regular day off, then the employee shall receive regular pay for that holiday. If an employee's regular work day consists of ten (10) hours, then a holiday is counted as 10 hours.

When an employee is taking an authorized leave with pay when a holiday occurs, said holiday shall not be charged against said leave with pay.

If any employee works on any of the holidays listed above, he/she shall, in addition to his/her holiday pay, be paid for all hours worked at the rate of time and one-half (1 ½) his/her regular rate of pay, or as otherwise specified in this Employee Handbook.

Holiday hours are not to be included as "Worked" hours for purposes of overtime calculations and payment.

Floating holiday requests require prior approval from the General Manager.

Floating holidays are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation, and to recognize nationally acknowledged holidays. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee. As such, pay in lieu of floating holiday time away from work shall not be permitted.

Floating holidays must be used in the calendar year they are allocated and cannot be carried over or accrued.

Upon termination of employment, employees will receive payment for unused floating holidays.

### **6.6 Military Leave (USERRA)**

The District complies with applicable federal and state law regarding military leave and re-employment rights. Unpaid military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA; with amendments) and all applicable state law. You must submit documentation of the need for leave to the General Manager. When returning from military leave of absence, you will be reinstated to your previous position or a similar position, in accordance with state and federal law. You must notify your Supervisor of your intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact the General Manager.

### **6.7 Personal Leave of Absence**

#### Authorized Unpaid Leave

With the approval of the General Manager, an employee may request a leave of absence without pay for a period of up to one half (1/2) year.

Such a leave of absence may be taken in conjunction with, and at the conclusion of, an authorized use of vacation.

At the conclusion, once the employee who has been authorized leave of absence without pay has used all available vacation and any other accrued leave time, then the continuation of such leave will be without any accrual of pay and/or other benefits available to regular employees of the District.

If the employee is disabled or otherwise injured or unable to work, such period of time when the employee is on disability and/or receiving benefits under the District's Workers' Compensation program, shall be considered a period of authorized leave without pay and no other accrual of vacation, holiday, sick leave, shall be allowed during such periods of time, excepting applicable provisions of this document.

Due to the District's limited work force, maintenance of job classifications for the term of an authorized leave of absence cannot be guaranteed beyond three (3) months.

Employees returning from a leave of absence will be reinstated with the first available job classification for which they are qualified.

### **6.8 Retirement and Deferred Compensation**

Upon achieving full-time employee status, employees shall be enrolled in the District's employee retirement plan. Additionally, upon reaching full-time employee status, employees may participated in the voluntary 457(b) deferred compensation program. Refer to the current Board approved Compensation and Benefits Program Resolution

for more details. The scope of these programs are subject to periodic review and revision by the Board of Directors.

### **6.9 Sick Pay**

The District provides paid sick leave to all eligible employees in accordance with California's Healthy Workplaces, Healthy Families Act.

Sick leave is defined as absence from work due to illness, non-industrial injury, or quarantine due to exposure to a contagious disease. In addition, dentist and doctor appointments and prescribed sickness prevention measures and family medical emergency leave shall be subject to sick leave provided prior notice is provided to the General Manager.

Employees shall earn sick leave at the rate of 8 hours per month cumulative to a maximum of 192 hours.

Sick leave is not a privilege, which an employee may use at his/her discretion, but shall be allowed only in case of necessity and actual sickness or disability of the employee, or because of illness in his/her immediate family.

The definition of "immediate family" shall be the same as specified in the section of this Employee Handbook regarding Bereavement Leave.

In order to receive compensation while on sick leave, the employee shall notify his/her supervisor prior to the time for beginning the regular work day, or as soon thereafter as practical.

If absence from duty by reason of illness occurs, satisfactory evidence may be required by the General Manager.

Upon termination of employment, employee will be paid for unused sick leave at the straight time hourly rate.

### **6.10 Vacation**

Paid vacations shall be accrued according to the following schedule on an annual basis:

During the first year of continuous work, prorated based on Start Date	80 Hours
2 through 3 years of service	80 Hours
4 through 9 years of service	120 Hours
10 through 14 years of service	160 Hours
15+ years of service	200 Hours



Employees who have completed six (6) months in regular status may take their vacation time all at once, or gradually. No vacation may be taken until the employee has completed at least six (6) months in regular employee status.

Vacation time may be accumulated or postponed. The total accumulated vacation time shall not exceed that amount earned annually by the employee plus 40 hours. Only 40 hours of accumulated vacation may be used in addition to regular vacation time during any given year.

At termination of employment for any reason, the District shall compensate the employee for his/her accumulated vacation time at his/her straight time rate of pay at the time of termination.

The District will not require an employee to take vacation time in lieu of sick leave or leave of absence during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used.

If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

Vacations may be scheduled at any time during the year upon approval of the General Manager.

Probationary employees shall not accrue vacation time during the probationary period. However, if a probationary employee becomes a regular employee of the District, after twelve (12) months of employment with the District, the period which the employee occupied probationary status shall be included in calculating his/ her entitlement to vacation with pay.

Vacations are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee. Employees with a vacation balance of 80 hours or more may request payment once per fiscal year (July 1 to June 30) to cash out up to 40 hours of vacation time. Employee must notify the General Manager of their intention to cash out vacation in the upcoming fiscal year before January 31. The notice must include the number of hours being cashed out, and the date of the cash out.

### **6.11 Workers' Compensation Insurance**

Workers' compensation is a no-fault system designed to provide benefits to all employees for work-related injuries. Workers' compensation insurance coverage is paid for by employers and governed by state law. The workers' compensation system provides for coverage of medical treatment and expenses, occupational disability leave, and rehabilitation services, as well as payment for lost wages due to work related injuries. If you are injured on the job while working at the District, no matter how slightly, you are to report the incident immediately to your Supervisor. Consistent with applicable

state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

To receive workers' compensation benefits, notify your Supervisor immediately of your claim. If your injury is the result of an on-the-job accident, you must fill out an accident report. You will be required to submit a medical release before you can return to work.

### **6.12 California Family Rights Act (CFRA) Leave**

The District provides unpaid family and medical leave to eligible employees in accordance with the California Family Rights Act (CFRA).

#### Eligibility

To be eligible for CFRA leave:

- You must have been employed for at least 12 months (52 weeks) with the District prior to beginning CFRA leave; and
- You must have worked for the District for at least 1,250 hours during the 12-month period immediately before the leave is to start (with exception).

#### Reasons for Leave

You may take CFRA leave for the following reasons:

- The birth, adoption, or foster care placement of a child.
- To care for your own or your family member's serious health condition (not including disability due to pregnancy, childbirth, or related medical conditions).
- A qualifying exigency related to your spouse, domestic partner, child, or parent who is a military member on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty).

As used in this policy:

- Family member means your child, parent, grandparent, grandchild, sibling, spouse, domestic partner, or designated person.
- Child means a biological, adopted, or foster child; a stepchild; a legal ward; a child of a domestic partner; or a person to whom you stand in loco parentis.
- Designated person means any person related to you by blood or whose association to you is the equivalent of a family relationship.
- Parent means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or other person who stood in loco parentis to you when you were a child.
- Sibling means a person related to another person by blood, adoption, or affinity through a common legal or biological parent.

You may identify your designated person at the time you request CFRA leave. You will be limited to making this designation once per 12-month period for purposes of CFRA leave.

### Leave Usage

Eligible employees may take up to 12 workweeks of leave per leave year. For purposes of this policy, the leave year is a rolling 12-month period that is measured backward from the date any CFRA leave is used.

You are required to use any accrued vacation time or other accrued paid time off that you are eligible to take during the otherwise unpaid portion of the CFRA leave. You also are required to use any accrued sick leave that you are eligible to take during the otherwise unpaid portion of CFRA leave if the CFRA leave is for your own serious health condition, a qualifying exigency, or any other reason mutually agreed to between you and the District.

CFRA leave will run concurrently with other federal/state laws where permitted by law.

### Intermittent Leave

When medically necessary, leave may be taken on an intermittent or a reduced work schedule.

### Notice

If the need for leave is foreseeable (such as the birth of a child or planned medical treatment), you must provide reasonable advance notice and make a reasonable effort to schedule leave so that it will not unduly disrupt District operations. If unforeseeable, provide notice as soon as practical. Notice should include the anticipated timing and duration of the leave.

Failure to comply with these notice rules is grounds for, and may result in, deferral of the request for leave until you comply with the notice requirement.

### Certification

Where leave is requested for your own or a covered family member's serious health condition, the District may require you to provide certification from your own or the District's health care provider.

If leave is for your own serious health condition, certification must include:

- The date when the serious health condition began.
- The probable duration of the condition.
- A statement that, due to the serious health condition, you are unable to perform the function of your position.

If leave is for a covered family member's serious health condition, certification must include:

- The date when the serious health condition began.
- The probable duration of the condition.
- An estimate of the amount of time that the health care provider believes you are needed to care for the family member.

- A statement that the family member's serious health condition requires you to provide care during the period of treatment or supervision.

The District may require subsequent recertification of your own serious health condition if additional leave is required.

If the District has reason to doubt the validity of the certification provided, the District may require, at its own expense, that you obtain a second opinion from a health care provider designated or approved by the District. If the second opinion differs from the original certification, the District may again require, at its own expense, that you obtain a third opinion from a different health care provider designated or approved jointly by you and the District. The third opinion will be considered final and binding.

#### Return to Work

If you take leave for your own serious health condition, you must obtain certification from your health care provider that you are able to resume work.

#### Reinstatement

Upon return to work at the end of leave, you will be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken. You may not, however, be entitled to discretionary raises, promotions, bonus payments, or other benefits that become available during the period of leave.

#### Benefits

If the District provides you with health benefits under a group health plan, the District will maintain and pay for your health coverage [[for up to 12 weeks]] at the same level and under the same conditions as coverage would have been provided if you had not taken CFRA leave.

#### Failure to Return to Work

If you fail to return to work or fail to request an extension of leave prior to the expiration of the leave, you will be considered to have voluntarily terminated your employment. If you fail to return from leave, the District may require reimbursement of the health insurance premiums paid during the leave under certain circumstances.

#### Retaliation

The District will not retaliate against employees who request or take leave in accordance with this policy.

### **6.13 Crime Victim Leave**

The District provides employees who are the victim of a violent felony or serious felony (or the family member of a victim of a violent felony or serious felony) with unpaid leave in order to attend judicial proceedings related to the crime. A family member under this policy includes a spouse, domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather.

When the need for leave is foreseeable, you must provide documentation of the scheduled proceeding. Such notice is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office, or a victim/witness office. If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings will be unpaid, unless you choose to take paid time off, such as accrued vacation or personal holiday.

The District will not retaliate against employees who request or take leave in accordance with this policy.

#### **6.14 Disability Insurance**

If you are unable to work for at least eight days due to a non-work-related illness or injury, or a pregnancy-related disability, you may be eligible for disability insurance benefits. Disability insurance is a component of California's State Disability Insurance (SDI) program, which is administered by the California Employment Development Department (EDD) and is funded by workers through SDI payroll deductions. Disability insurance provides eligible employees with up to 52 weeks of partial wage replacement benefits. Benefit amounts are based on a percentage of your wages paid during a specific 12-month base period, determined by the date your claim begins.

To apply for this benefit, you must provide written notice of the disability, including a doctor's certificate stating the nature of the disability and your expected date of return to work.

The SDI program does not create a right to a leave of absence, job protection, or job reinstatement.

You are responsible for filing your claim and other forms promptly and accurately with the EDD. To learn more about the SDI program, including eligibility requirements and benefits, or to make a claim for DI benefits, contact the EDD ([www.edd.ca.gov](http://www.edd.ca.gov)).

The District will be notified that you have submitted a disability insurance claim.

#### **6.15 Jury Duty Leave**

The District encourages employees to fulfill their civic duties related to jury duty. If you are summoned for jury duty, notify your Supervisor as soon as possible to make scheduling arrangements.

An employee summoned for jury duty will immediately notify the General Manager.

If you are classified as exempt, you will not incur any deduction in pay for a partial week's absence due to jury duty.

If you are classified as nonexempt, you will be given a paid leave of absence for the duration of said jury duty. Said paid leave of absence is conditional upon the employee returning to work upon dismissal each day to complete his/her remaining normal workday. It is also conditional upon the employee's conveyance to the District of any compensation received as a juror, not including any travel allowance received.

The District reserves the right to require employees to provide proof of jury duty service to the extent authorized by law.

The District will not retaliate against employees who request or take leave in accordance with this policy.

### **6.16 Paid Family Leave Insurance**

California's Paid Family Leave (PFL) insurance program provides eligible employees with up to eight weeks of partial wage replacement in any 12-month period to take time off from work to:

- Bond with a new child (either by birth, adoption, or foster care placement);
- Care for a seriously ill family member (child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner); or
- Participate in a qualifying exigency related to the covered active duty, or call to covered active duty, of your spouse, domestic partner, child, or parent in the U.S. Armed Forces.

The 12-month period begins on the day a claim is submitted.

PFL insurance is funded entirely by workers through state disability insurance (SDI) payroll deductions. If you are currently receiving benefits from SDI or workers' compensation insurance, you may not be eligible to receive PFL benefits. The California PFL insurance program does not create a right to a leave of absence, job protection, or job reinstatement.

The PFL insurance program makes benefits available to eligible employees through the California Employment Development Department (EDD). Apply for PFL insurance directly with the EDD. Contact the EDD for information on eligibility or to obtain a claim form. Medical and other documentation may be required.

### **6.17 Pregnancy Disability Leave**

If you are disabled by pregnancy, childbirth, or a related medical condition, the District will provide you with up to four months of unpaid pregnancy disability leave (PDL).

#### Eligibility

To be eligible for PDL, you must suffer from a pregnancy-related disability. A pregnancy-related disability is a physical or mental condition related to pregnancy or childbirth that prevents you from performing the essential duties of your job, or would cause undue risk to you or your pregnancy's successful completion.

Conditions for which PDL is available include, but are not limited to:

- Severe morning sickness.
- Prenatal or postnatal care.
- Doctor ordered bed rest.
- Gestational diabetes.
- Pregnancy-induced hypertension.
- Preeclampsia.
- Post-partum depression.
- Lactation conditions such as mastitis.
- Loss or end of pregnancy.
- Recovery from loss or end of pregnancy.

#### Use of Leave

PDL may be taken before or after birth during any period of time (not to exceed four months) where you are physically unable to work due to your pregnancy-related disability. You may take PDL all at once or intermittently.

Where applicable under state and federal law, employees who qualify and are entitled to take PDL may also be eligible for leave under the California Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA). PDL and FMLA run concurrently. CFRA leave will be counted separately from PDL. CFRA leave will also be counted separately from FMLA leave taken for pregnancy disability, childbirth, or related medical conditions. An additional 12 weeks of bonding leave may also be available to qualified individuals. Speak with your Supervisor about your eligibility for these leaves.

### **6.18 Notice and Leave Request Process**

#### Foreseeable Need for Leave

If the need for leave is foreseeable because of an expected birth/adoption or planned medical treatment, you must give at least 30 days' notice. If 30 days' notice is not practicable, give notice as soon as possible. You are expected to complete and return a leave request form prior to the beginning of leave. Failure to provide appropriate notice and/or complete and return the necessary paperwork will result in the delay or denial of leave.

#### Unforeseeable Need for Leave

If the need for leave is unforeseeable, provide notice as soon as practicable and possible under the facts of the particular case. Normal call-in procedures apply to all absences from work including those for which leave under this policy may be requested. Complete and return the necessary leave request form as soon as possible to obtain the leave. Failure to provide appropriate notice and/or complete and return the necessary paperwork on a timely basis will result in the delay or denial of leave.

#### Leave Request Process

To request leave under this policy, obtain a leave request form from your Supervisor and return the completed form to the General Manager. If the need for leave is

unforeseeable and you will be absent more than three days, contact the General Manager by telephone and request that a leave form be mailed to your home. If leave will be fewer than three days, complete and return the leave request form upon returning to work.

#### Call-In Procedures

In all instances of absence, follow the call-in procedures and standards established for giving notice of absence from work

#### Paid Leave Utilization During Pregnancy Leave

You will be required to use available sick leave during PDL; however, you may opt to use any available vacation during your PDL in order to receive compensation.

If you are on PDL for eight or more consecutive calendar days, you may be eligible for partial wage replacement benefits under the California State Disability Insurance (SDI) program. You are responsible for applying for these benefits and can obtain forms from your health care provider.

#### Certification and Fitness for Duty Requirements

When requesting PDL, you must provide certification from a health care provider to qualify for leave. Such certification must be provided within 15 days of the request for leave unless it is not practicable under the circumstances despite your diligent efforts. Failure to provide certification may result in leave being delayed, denied, or revoked. At the discretion of the District, you may also be required to obtain a second and third certification from another health care provider at District expense (except for military care leave). Recertification of the continuance of a serious health condition or an injury/illness of a military service member will also be required at appropriate intervals.

#### Temporary Transfer and Other Accommodations

If you are suffering from a pregnancy related disability, you are entitled to a temporary transfer to another position or other reasonable accommodation based on the pregnancy-related disability if you request the transfer or reasonable accommodation and the request is based on the medical certification of a health care provider that a transfer or reasonable accommodation is medically advisable, and the request can be reasonably accommodated by the District. All employees who are transferred to accommodate a pregnancy-related disability have the same reinstatement and other rights described below with respect to pregnancy-related disability leaves.

The District may also require you to transfer temporarily to an available alternative position with the same pay and benefits in order to accommodate your need for intermittent leave or a reduced work schedule.

#### Benefits

If the District provides you with health benefits under a group health plan, the District will maintain and pay for your health coverage at the same level and under the same conditions as coverage would have been provided if you had not taken pregnancy



disability leave. If you do not return to work at the end of your pregnancy disability leave, the District may recover the payment for your premiums under certain circumstances.

#### Return to Work

Upon returning to work at the end of leave, you will be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken. You may not, however, be entitled to discretionary raises, promotions, bonus payments, or other benefits that become available during leave.

At the completion of PDL, you will be required to obtain a release to return to work from your health care provider stating that you are able to resume your original job or duties.

#### Failure to Return

If you fail to return to work or fail to make a request for an extension of leave prior to the expiration of the leave, you will be deemed to have voluntarily terminated your employment.

#### Alternative Employment

While on leave of absence, you may not work or be gainfully employed either for yourself or others unless express, written permission to perform such outside work has been granted by the District. If you are on a leave of absence and are found to be working elsewhere without permission, you will be automatically terminated.

#### False Reason for Leave

You will be terminated if you provide a false reason for a leave.

#### Retaliation

The District will not retaliate against employees who request or take leave in accordance with this policy.

### **6.19 School Disciplinary Leave**

The District will provide eligible employees with unpaid leave, where permitted by law, to appear at their child's school if the child has been suspended and, for reasons specified in the California Education Code, they have been requested to attend a portion of a school day in the classroom of their child or ward.

#### Eligibility

All employees who are the parent or guardian of a student are eligible for school disciplinary leave.

#### Notice

You must provide documentation from the school of your need to take school disciplinary leave.

### Retaliation

The District will not retaliate against employees who request or take leave in accordance with this policy.

### **6.20 Voting Leave**

If your work schedule prevents you from voting on Election Day, the District will allow you a reasonable time off to vote. The time when you can go to vote will be at the discretion of your Supervisor, consistent with applicable legal requirements.

### **6.21 Witness Leave**

If you are required by law to appear in court as a witness, you may take unpaid time off to do so, provided you give the District reasonable advance notice.

## **7.0 SAFETY AND LOSS PREVENTION**

### **7.1 Drug and Alcohol Policy**

#### **7.1.1 Purpose and Goals**

It is the desire of the District that all work environments of District Employees be safe and productive and free of the influence of drugs, alcohol and/or other controlled substances. The District is concerned with the physical safety of all employees, potential damage to property and equipment, mental and physical health of employees, productivity and work quality, medical insurance costs, and the harm done to employees and their families by the inappropriate use of controlled substances.

#### **7.1.2 Use**

The use (except as prescribed by a physician), sale, possession, purchase or transfer of drugs, alcohol and/or other controlled substances by any District employee or officer on District property or work sites or while said employee or officer is on District business is prohibited.

Employees are also prohibited from being under the influence of drugs, alcohol and/or other controlled substances during hours of work where such substances could impair the fitness of an employee to perform his/her work.

Commission of any of the actions described above will subject the employee to disciplinary action up to and including termination.

For the purpose of applying this policy, being under the influence of drugs, alcohol and/or other controlled substances means being impaired in any way from fully and proficiently performing job duties and/or having a detectable amount of said substances in one's body.

#### **7.1.3 Rehabilitation**

The decision to discipline or terminate an employee found to have used and/or be under the influence of drugs, alcohol and/or other controlled substances during working hours may be waived or held in abeyance by the General Manager pending said employee's

attempt at rehabilitation. The General Manager has discretion to handle each case individually with factors such as the employee's frequency of use, commitment to rehabilitation, and type of substance taken into consideration regarding the waiving of penalties.

Discipline or termination that is waived or held in abeyance pending rehabilitation should be done on the condition, set forth in writing, that the employee:

- a) Successfully complete an approved rehabilitation program;
- b) Faithfully comply with maintenance and therapeutic measures (e.g., attendance at AA or NA meetings); and,
- c) Be subject to periodic testing without further reasonable cause.

Employees who are found to have brought drugs, alcohol or other non-prescription controlled substances onto District property or work sites and to have provided them to other employees shall be terminated without recourse to a rehabilitation program.

Discipline or termination should not be taken until a thorough investigation has been completed.

#### **7.1.4 Medical Examination**

To assure that employees, property and equipment are not endangered by other employees who are involved with, or under the influence of drugs, alcohol and/or other controlled substances, any employee whose conduct, appearance speech or other characteristics create a reasonable suspicion of involvement with, or influence of said substances will be taken to a medical facility and be subject to an exam by a qualified physician at District expense. If said physician determines that a drug/alcohol test is warranted, said employee will be subject to testing for the presence of alcohol or drugs in their bodies.

Presence of such substances will result in disciplinary action up to and including termination, as described above.

An employee who is suspected of involvement as described above and refuses to cooperate in the physician's exam and/or drug/alcohol testing is subject to termination.

#### **7.1.5 Transportation**

If a qualified physician, as a part of the examination specified above, determines that an employee is not capable of working safely, said employee will be transported to his/her home by a supervising employee and not allowed to drive himself/herself home.

#### **7.1.6 Consent and Release**

Immediately prior to reporting for drug/alcohol testing, all employees shall complete a Consent and Release form to be kept on file in the District office.

### **7.1.7 Notification of Criminal Drug Conviction**

District employees are required to notify the General Manager in writing of any criminal drug statute of which they are convicted for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

## **7.2 Drug-Free Workplace**

### Drug-Free Workplace Act

As a federal contractor, the District must comply with the requirements of the Drug-Free Workplace Act of 1988, which is a part of Public Law 100-690, Anti-Drug Abuse Act of 1988. The federal Drug-Free Workplace Act of 1988 (§ 5152) covers grants and contracts for the procurement of any service with a value of \$25,000 or more.

To comply with the act, federal agency contractors and federal grant recipients must provide a drug-free workplace. These federal contractors and grant recipients will:

- Publish a statement prohibiting the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs in the workplace and specify the actions that will be taken against employees for violations.
- Distribute a copy of the policy statement to employees engaged in the performance of a federal grant or contract.
- Notify employees that compliance with the policy is a condition of employment on such grant or contract and that employees must abide by the terms of the policy statement. The policy statement includes the requirement that employees notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- Notify the granting or contracting agency within 10 days after learning of a criminal drug statute conviction.
- Impose a sanction as required under this act on employees who are so convicted.
- Establish a program of drug-free awareness, informing employees about the organization's policy of maintaining a drug-free workplace, the penalties that may be imposed upon employees for drug-abuse violations, the dangers of drug abuse in the workplace, and any available drug counseling, rehabilitation, and assistance programs.
- Make a good faith effort to continue to maintain a drug-free workplace through implementation of these requirements.

### Americans with Disabilities Act

In addition to complying with the federal Drug-Free Workplace Act of 1988, the District must comply with the requirements of the Americans with Disabilities Act of 1990 (ADA). Individuals who currently use drugs illegally are not individuals with disabilities protected under the ADA when an employer takes action because of their continued use of drugs. This includes people who use prescription drugs illegally as well as those who use illegal drugs. However, people who have been rehabilitated and do not currently use drugs illegally, or who are in the process of completing a rehabilitation program, may be protected by the ADA.

### Drug-Free Workplace Policy

The District, in compliance with the federal Drug-Free Workplace Act of 1988, has adopted the following policy that must be adhered to as a condition of employment:

- The unlawful use, possession, manufacture, dispensation, or distribution of controlled substances in all work locations is prohibited.
- Any employees convicted of a criminal drug statute violation occurring in the workplace must notify their Supervisor of the conviction within five days after the conviction. As required by the federal Drug-Free Workplace Act of 1988, the District must inform contracting or granting agencies of such convictions within 10 days after receiving notification or otherwise receiving notice of a conviction.
- Upon receiving such notification, the District, in conjunction with the location concerned, will take all steps necessary to assure the proper conduct of sponsored projects and programs. If a decision is reached to allow the affected individual to continue employment with the District, the individual must participate in and satisfactorily complete an approved drug abuse assistance or rehabilitation program.

The District will evaluate its obligations in accordance with state and other applicable laws where required, on a case by case basis.

### **7.3 General Safety**

It is the responsibility of all District employees to maintain a healthy and safe work environment, report any health or safety hazards, and follow the District health and safety rules. Failure to do so may result in disciplinary action, up to and including termination of employment. The District also requires that all occupational illnesses or injuries be reported to your Supervisor as soon as reasonably possible and that an occupational illness or injury form be completed on each reported incident.

### **7.4 Workplace Violence**

#### **7.4.1 General**

It is the policy of the District to provide a safe and secure work environment that has no tolerance for harassment, intimidation, threats or acts of violence in the workplace. Any behavior that raises concerns for the safety of another person's life, health, well-being, family, or property, whether direct or indirect, constitutes unacceptable conduct.

The District shall take appropriate actions to enhance the safety, as fully as possible, of employees and members of the public from harassment, intimidation, threats and acts of violence, which may occur at the workplace, and during the performance of District duties.

No tolerance means that employees must report immediately to their supervisor any incident involving a threat of violence or act of violence in the workplace. If the act or threat of violence is serious, immediately call 911. All reports of workplace violence are taken seriously and will be investigated promptly and thoroughly. It is a violation of this policy for a manager, supervisor or co-worker, to retaliate, in any form, against an

employee who reports, threatens to report, or files a report of a complaint of violence in the workplace or participates in an investigation alleging violence in the workplace.

#### **7.4.2 Definition**

Workplace violence includes, but is not limited to:

- a) Attempt or actual use of force or violent behavior with the intent to threaten, harass, intimidate, intentionally commit an injury to self or others, or damage or destroy property.
- b) Intimidate, frighten, alarm, or scare in order to force a person into or deter them from, some action. Use of physical action and/or verbal comment that induce concerns for a person's safety.
- c) An action (verbal, written or physical) which is intended to intimidate by expressing the intent to harass, hurt, take the life of another person, or damage or destroy property. This includes threats made in jest, but which others could perceive as serious.

Examples of workplace violence include but are not limited to:

- a) Hitting, shoving or blocking of an individual.
- b) Shouting, yelling or verbal harassment, directly or indirectly.
- c) Threatening an individual or his/her family, friends, associates, or property with harm.
- d) The intentional destruction or threat of destruction of District property.
- e) Harassing surveillance or stalking.
- f) The suggestion or intimidation that violence is appropriate.
- g) Unauthorized possession or inappropriate use of firearms or weapons. Prohibited weapons include:
  - i. Firearm.
  - ii. Knife with a blade length more than four inches, the blade of which is fixed or is capable of being fixed in an unguarded position by the use of one or two hands.
  - iii. Tear gas weapon.
  - iv. Taser or stun gun.
  - v. Instrument that expels a metallic projectile, such as a BB or pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun or paint gun.
- h) Threatening or attempting self-injury or suicide.

#### **7.5 Heat Illness Prevention**

The District is committed to complying with all applicable laws and ensuring that employees avoid heat illness while working outside. Heat illness may begin with mild symptoms and progress quickly to signs of serious and life-threatening illness. All employees who work outdoors and are reasonably anticipated to be exposed to the risk of heat illness will be provided detailed training before starting work involving a risk of heat illness.

This policy ensures that employees working outdoors understand they are allowed and encouraged to take preventative cool-down rest periods in provided shaded areas whenever they feel the need to protect themselves from overheating.

You may also be asked to take a cool-down rest period if you are observed having any signs of heat illness. Access to shade is permitted at all times. Cool-down periods are not limited in frequency and are considered time worked.

When taking a preventative cool-down rest period:

- You will be monitored and asked if you are experiencing any symptoms of heat illness.
- You will be encouraged to remain in the shade.
- You will not be ordered back to work until any signs or symptoms of heat illness have abated, but in no event sooner than five minutes after accessing shade, excluding the time needed to access the shade.

The District provides fresh, pure, and suitably cool drinking water at no charge. When the work environment is hot, you are encouraged to frequently drink small cups of water, with up to four cups (one quart or more) per hour recommended, to stay hydrated.

The District has in place effective emergency response procedures if you show signs or report symptoms of heat illness while taking a preventative cool-down rest period.

You must immediately report to your Supervisor if you experience any symptoms or signs of heat illness or see signs of heat illness in co-workers so that the District can respond with medical attention, as appropriate.

The District will not discriminate or retaliate against employees who take preventative cool-down rest periods in accordance with this policy.

## **7.6 Workplace Smoking**

The District is concerned about the effect that smoking and secondhand smoke inhalation can have on its employees and clients. Smoking in the office, common areas, and restrooms is prohibited.

## **8.0 CONFIDENTIAL INFORMATION**

Each employee is responsible for safeguarding the confidential information obtained during employment.

In the course of your work, you may have access to confidential information regarding the District, its suppliers, its customers, or other employees. You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated, and legal action may be taken by the District.

## **9.0 CUSTOMER RELATIONS**

### **9.1 Customer, Client, and Visitor Relations**

Employees are expected to be polite, courteous, prompt, and attentive to every customer. Never regard a customer's question or concern as an interruption or an annoyance. All employees must make every effort to achieve complete, accurate, and timely communications - responding promptly and courteously to all proper requests for information and to all complaints.

Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received. Through your conduct, show your desire to assist the member in obtaining the help he or she needs. If you are unable to help a member, find someone who can.

All correspondence and documents must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, their immediate supervisor or General Manager should be called immediately. If a problem develops or if a customer remains dissatisfied, ask your supervisor or the General Manager to assist in a resolution.



Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of the Donner Summit Public Utility District Employee Handbook (handbook) and that I have read it, understand it, and agree to comply with it. I understand that the District has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the Board of Directors. I also understand that any delay or failure by the District to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the District or affect the right of the District to enforce such rule, regulation, or procedure in the future.

I understand that neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, unless I have a written employment agreement signed by an authorized District representative, I am employed "at-will" (to the extent permitted by law) and this handbook does not modify my "at-will" employment status. If I am covered by a written employment agreement (signed by an authorized District representative) or a collective bargaining agreement that conflicts with the terms of this handbook, I understand that the terms of the employment agreement or collective bargaining agreement will control.

This handbook is not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA). This handbook is not intended to violate any local, state, or federal law. No provision or policy applies or will be enforced if it conflicts with or is superseded by any requirement or prohibition contained in federal, state, or local law, or regulation. Furthermore, nothing in this handbook prohibits an employee from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by the Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), Securities and Exchange Commission (SEC), or any other federal, state, or local agency charged with the enforcement of any laws.

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by Donner Summit Public Utility District. If I have any questions about the content or interpretation of this handbook, I will contact General Manager.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print

\_\_\_\_\_  
Name

**EXHIBIT B  
RESOLUTION 2023-06**

**BOARD POLICIES RESCINDED AND SUPERSEDED BY EMPLOYEE HANDBOOK**

2010 – Hours of Work and Overtime	2160 – Authorized Leave
2020 – Vacation	2162 – Family and Medical Leave
2030 – Holidays	2165 – Unauthorized Voluntary Absence
2040 – Sick Leave	2170 – Performance Evaluation
2050 – Bereavement Leave	2180 – Grievance Procedure
2055 – Catastrophic Leave	2190 – Drug and Alcohol Abuse
2060 – Jury Duty	2192 – Substance Abuse
2070 – Continuity	2195 – Use of Tobacco Products
2080 – Employee Status	2200 – Pre-Employment Physical
2090 – Uniforms and Protective Clothing	2220 – Affirmative Action
2100 – Vehicle Cost Reimbursement	2230 – Nepotism
2110 – Health and Welfare Benefits	2250 – Separation from District Employment
2120 – Educational Assistance	2260 – Disciplinary Action
2140 – Advancement of Wages	3010 – Injury and Illness Prevention Program
2150 – Compensation	3040 – Expense Authorization
2155 – Guidelines Regarding Gifts	3100 – Paramedic Education and Certification