



**BOARD OF DIRECTORS
SAN LORENZO VALLEY WATER DISTRICT
AMEDED AGENDA
January 3, 2019**

MISSION STATEMENT: Our Mission is to provide our customers and future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding service and community relations; to manage and protect the environmental health of the aquifers and watersheds; and to ensure the fiscal vitality of the San Lorenzo Valley Water District.

Notice is hereby given that a meeting of the Board of Directors of the San Lorenzo Valley Water District will be held on **Thursday, January 3, 2019 at 5:00 p.m.**, SLVWD, 13057 Highway 9, Boulder Creek, CA 95006 and by teleconference at 2017 American Dr., Lago Vista, TX 78645.

In compliance with the requirements of Title II of the American Disabilities Act of 1990, the San Lorenzo Valley Water District requests that any person in need of any type of special equipment, assistance or accommodation(s) in order to communicate at the District's Public Meeting can contact the District Secretary's Office at (831) 430-4636 a minimum of 72 hours prior to the scheduled meeting.

Agenda documents, including materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet, are available for public inspection and may be reviewed at the office of the District Secretary, 13060 Highway 9, Boulder Creek, CA 95006 during normal business hours. Such documents are also available on the District website at www.slvwd.com subject to staff's ability to post the documents before the meeting.

1. Convene Meeting/Roll Call

2. Additions and Deletions to Closed Session Agenda:

Additions to the Agenda, if any, may only be made in accordance with California Government Code Section 54954.2 (Ralph M. Brown Act) which includes, but is not limited to, additions for which the need to take action is declared to have arisen after the agenda was posted, as determined by a two-thirds vote of the Board of Directors (or if less than two-thirds of the members are present, a unanimous vote of those members present).

3. Oral Communications Regarding Items in Closed Session:

This portion of the agenda is reserved for Oral Communications by the public for items which are on the Closed Session portion of the Agenda. Any person may address the Board of Directors at this time, on Closed Session items. Normally, presentations must not exceed three (3) minutes in length, and individuals may only speak once during Oral Communications. No actions may be taken by the Board of Directors on any Oral Communications presented; however, the Board of Directors may request that the matter be placed on a future agenda. Please state your name and town/city of residence at the beginning of your statement for the record.

4. Adjournment to Closed Session

At any time during the regular session, the Board may adjourn to Closed Session in compliance with, and as authorized by, California Government Code Section 54956.9 and Brown Act, Government Code Section 54950. Members of the public will be given the opportunity to address any scheduled item prior to adjourning to closed session.

- a. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Vierra v. San Lorenzo Valley Water District, et al.
(Santa Cruz Superior Court Case No. 18CV00890)
- b. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Holloway v. Showcase Realty Agents, Inc. et al.
(Santa Cruz Superior Court Case No. CV180394; 6th District Court of Appeal Case Nos. H043704, H043492).
- c. CONFERENCE WITH LEGAL COUNSEL – ANITICIPATED LITIGATION
Government Code Section 54956.9(d)(2)
One Case

Closed Session Note:

The Brown Act prohibits the disclosure of confidential information acquired in a closed session by any person present and offers various remedies to address willful breaches of confidentiality. These include injunctive relief, disciplinary action against an employee, and referral of a member of the legislative body to the grand jury. It is incumbent upon all those attending lawful closed sessions to protect the confidentiality of those discussions. Only the legislative body acting as a body may agree to divulge confidential closed session information; regarding attorney/client privileged communications, the entire body is the holder of the privilege and only a majority vote of the entire body can authorize the waive of the privilege.

5. Convene to Open Session at 6:00 p.m.

6. Report of Actions Taken in Closed Session

7. Additions and Deletions to Open Session Agenda:

Additions to the Agenda, if any, may only be made in accordance with California Government Code Section 54954.2 (Ralph M. Brown Act) which includes, but is not limited to, additions for which the need to take action is declared to have arisen after the agenda was posted, as

determined by a two-thirds vote of the Board of Directors (or if less than two-thirds of the members are present, a unanimous vote of those members present).

8. Oral Communications:

This portion of the agenda is reserved for Oral Communications by the public for items which are not on the agenda. Please understand that California law (The Brown Act) limits what the Board can do regarding issues raised during Oral Communication. No action or discussion may occur on issues outside of those already listed on today's agenda.

Any person may address the Board of Directors at this time, on any subject that lies within the jurisdiction of the District. Normally, communication must not exceed three (3) minutes in length, and individuals may only speak once during Oral Communications.

If you wish to speak on a non-agendized item, please submit a 'speaker slip' to the District Secretary. It is not required, but individuals who have submitted a 'speaker slip' will be given priority. Time for Oral Communications at the start of the meeting will be limited to 15 minutes in total. If there are additional speakers, the Board will continue Oral Communications after the Consent Agenda.

Any Director may request that a matter raised during Oral Communication be placed on a future agenda.

9. Unfinished Business:

Members of the public will be given the opportunity to address each scheduled item prior to Board deliberations. The Chairperson of the Board may establish a time limit for members of the public to address the Board on agenda.

- a. BLUE TANK FOUNDATION AWARD OF BID
Discussion and possible action by the Board regarding the Award of Bid for the Blue Tank Foundation project.
- b. VEHICLE PURCHASE AWARD OF BID
Discussion and possible action by the Board regarding the Award of Bid for vehicle purchase.
- c. BOARD POLICY MANUAL WORKSHOP
Discussion and possible action by the Board regarding the Board Policy Manual.

10. New Business:

Members of the public will be given the opportunity to address each scheduled item prior to Board deliberations. The Chairperson of the Board may establish a time limit for members of the public to address the Board on agenda items.

- a. BOARD, COMMITTEE & STAFF TRAINING
Discussion and possible action by the Board regarding training for the Board members, Committee members and staff.

11. Consent Agenda:

The Consent Agenda contains items which are considered to be routine in nature and will be adopted by one (1) motion without discussion. Any item on the consent agenda will be moved to the regular agenda upon request from individual Directors or a member of the public.

- a. MINUTES FROM SPECIAL BOARD OF DIRECTORS MEETING
DECEMBER 13, 2018
Consideration and possible action by the Board to approve minutes
from the December 13, 2018 Special BoD meeting.

12. Written Communication:

- o Note from D. Zanville

13. Informational Material: None

14. Adjournment

Certification of Posting

I hereby certify that on December 28, 2018 I posted a copy of the foregoing agenda in the outside display case at the District Office, 13060 Highway 9, Boulder Creek, California and 2017 American Dr., Lago Vista, Texas, said time being at least 72 hours in advance of the meeting of the Board of Directors of the San Lorenzo Valley Water District (Government Code Section 54954.2).

Executed at Boulder Creek, California on December 28, 2018

Scott Mattoch
Network Specialist

MEMO

To: Board of Directors
From: District Manager
Subject: Award of Bid – Blue Tank Foundation
Date: January 3, 2019

Recommendation:

It is recommended that the Board of Directors review this memo and adopt the attached resolution awarding the bid to The Don Chapin Company, Inc. of Salinas, California in the amount of \$53,500.00 for Blue Tank foundation repairs.

Background

During routine inspection it was discovered that the District's Blue Tank in Manana Woods had experienced extensive corrosion to the upper ring of staves, roof and internal roof structure system. In addition to corrosion the tank experienced buckling damage from the 1989 Loma Prieta Earthquake. The combined condition of the corrosion and earthquake damage warranted immediate replacement.

At the July 20, 2017 Board of Directors meeting the Board approved moving forward with purchasing a replacement water tank.

The existing bolted steel tank was unbolted and removed, recycling the steel. After the tank was removed the concrete foundation was inspected with a geotechnical review of the tank site for ground stability. The District doesn't have construction records of the Blue Tank as this facility was acquired with the consolidation of Manana Woods in 2005.

Evaluation of the existing concrete foundation was completed in August 2018 (see attachment 1). In conclusion of the foundation report it was decided that construction of 2 foot diameter by 4 to 5 feet deep reinforced concrete pier at each of the eight sides of the concrete slab would be the best course of action.

In response to formal bidding on December 11, 2018 the District received one bid from The Don Chapin Company, Inc. of Salinas California in the amount of \$53,500.00 (see attachment 2). The bid amount is 78% higher from the Engineers estimate of \$30,000 dollars for this project. The request for proposal was posted on the Builders Exchange,

advertised in newspapers, posted on the website and individual contact was directly made to six local contractors.

Summary

During inspection it was discovered that the District's Blue Tank in Manana Woods had extensive corrosion to the upper ring of staves, roof and internal roof structure system, and buckling damage from the 1989 Loma Prieta Earthquake. The combined condition of the corrosion and earthquake damage tank warranted immediate replacement. In conclusion of the foundation report it was decided that construction of 2 foot diameter by 5 feet deep reinforced concrete piers at each of the eight sides of the slab would be the best course of action.

In response to formal bidding on December 11, 2018 the District received one bid. It is recommended that the Board of Directors review this memo and adopt the attached resolution awarding The Don Chapin Co, INC of Salinas California bid in the amount of \$53,500.00 for Blue Tank foundation repairs.



August 9, 2018

Rick Rogers

Director of Operations
San Lorenzo Valley Water District (SLVWD)
13060 Hwy 9
Boulder Creek, CA 95006

Re: Evaluation of the Existing Foundation for a New Water Tank
MME Project #: 18121

Dear Mr. Rogers,

At your request we have prepared this letter to summarize our findings and conclusions from the work we have completed to date. The SLVWD would like to reuse an existing concrete slab foundation for a new 67,000 gallon bolted steel water tank. The new water tank will replace a similar sized tank that was recently removed. The existing site has about a 10% slope across the width of the foundation. The foundation is constructed as a slab on grade with one side being approximately 3.5 feet above grade and the opposite is just slightly above grade.



Figure 1 Side of tank foundation

Our work included several site visits, meetings with you and other consultants, and coordinating destructive and non-destructive testing of the existing slab foundation for



the water tank. Prior to our involvement a rebar scanning company, National Ground Penetrating Radar Service (NGPRS), scanned the slab for reinforcement. They determined that the reinforcement was #8 bars at 12" on center in both directions at 5-10 inches below the top of slab. Our understanding is that they did not scan the vertical face of the concrete. In addition, they could not determine the thickness of the concrete.

To determine the necessary measurements of the foundation and in conjunction with your staff we drilled 7 holes into the slab from the top and 1 hole through the side. We determined that the slab appears to be a solid concrete monolithic pour that starts at 11 inches thick and increases in thickness as the grade changes to be 3.5 feet thick at the downhill side. The concrete was poured with only minimum embedment of approximately 0 to 6 inches into the existing grade.



Figure 2 Foundation Excavation

To determine the reinforcement diameter, depth of embedment, reinforcement in the vertical face of the slab foundation, and concrete strength a testing company, Concrete Science (CSI), was enlisted to do additional scanning and destructive testing. Both the top of the slab and the sidewalls were scanned. The 12" on center spacing of the slab reinforcement was confirmed. A 6 inch diameter core was removed to expose the reinforcement and for testing of the concrete strength. The reinforcement was determined to be #5 bars.



Figure 3 Slab Core

The scanning of the side of the concrete was less successful but did indicate a possibility of reinforcement. A core was taken; however no vertical reinforcement was discovered. Concrete Science did a test of the concrete core and determined that the concrete strength is 4,170 psi. (Addendum 1 CSI Report)



Figure 4 Side Wall Core

In addition, you and I met with Chris George of Haro Kasunich and Associates (HKA) to discuss reusing the existing slab foundation and also his recommended retaining wall.



HKA's geotechnical recommendations for the foundation were amended to include provisions for repair and also a recommendation for landscaping improvements instead of the retaining wall. (Addendum 2 HKA Letter).

The foundation criteria provide the following two alternative repairs:

1. Constructing a 2 foot diameter by 4 to 5 feet deep reinforced concrete pier at each of the eight sides of the slab.
2. Constructing a 2 to 2.5 feet deep continuous reinforced concrete ring foundation around the perimeter of the existing slab foundation.

Conclusion

The results of the testing and the revised geotechnical criteria make using the existing slab foundation possible. In the next phase an analysis of the various components of the foundation will be completed. The results of this additional analysis will determine the best choice for the foundation repair. In addition, construction drawings showing the plan and details will be completed.

Thank you for the opportunity to assist you with your project. Should you have any questions or comments, please call.

Best Regards,



Robert Riley, SE
cc: Project File



Sent via E-mail: Rick Rogers rrogers@slvwd.com; Bob Riley <Bob@m-me.com>

August 1st, 2018

Mr. Rick Rodgers
San Lorenzo Valley Water District.
13060 Highway 9
Boulder Creek, CA 95006

Subject: Testing of Concrete Foundation for the Blue Tank
Project: 235 Miraflores Road, Scotts Valley, CA

Dear Mr. Rodgers,

In response to your request, Concrete Science, Inc., performed testing of concrete foundation for the Blue Tank at the above stated address. The testing was performed on July 27th, 2018 and this report summarizes the findings and test results.

Scope-of-Work

The scope-of-work consisted of following tasks:

1. Perform GPR scanning to locate reinforcement in the foundation one side and top of the foundation.
2. Drill 6-inch diameter core at two locations up to reinforcement and measure rebar diameter.
3. Perform non-destructive Rebound Hammer tests at four locations.
4. Perform compressive strength test on one core.

Test Findings

1. Ground Penetrating Radar (GPR)

The system consists of antenna housing and a control unit. The antenna housing contains both the transmitting and receiving antennas. The high frequency radio waves are reflected from the subsurface features and they are stored by the digital control unit. As the antenna is moved along the surface, echoes are plotted to form a pattern which is used for interpretation. The GPR was primarily used to locate reinforcing steel prior to coring.

The rebar scanning of the slab showed reinforcement in both direction at about 12 inches on center.

2. Nondestructive Rebound Hammer Tests

The Schmidt Hammer consists of a spring-controlled hammer mass that slides on a plunger within a tubular housing. When the plunger is pressed against the concrete surface, it reacts against the force of the spring; when completely retracted, the spring is automatically released. The hammer impacts

1534 B Street, Hayward, CA 94541-3018

(510) 581-2342, Fax (510) 581-4178

www.concretescience.com Email: info@concretescience.com

Concrete Science, Inc.

Project: **Testing of Concrete Foundation for the Blue Tank**

Project: 235 Miraflores Road, Scotts Valley, CA

August 1st, 2018

against the concrete and the spring-controlled mass rebounds, taking the rider with it along a guide scale.

The Schmidt Hammer is principally a surface hardness tester with little apparent theoretical relationship between the strength of concrete and the rebound number recorded during the testing. The reading can be used to estimate the compressive strength of the concrete using the calibrated chart provided by the instrument manufacturer. Generally, several tests are conducted at each test locations and the readings are averaged. A better way to use the data is to check if the rebound numbers are generally similar. Similar rebound numbers indicate generally similar concrete quality and strength. The test data is summarized as follows.

Table 1: Rebound Hammer Test Data

No.	Location	1	2	3	4	5	6	7	8	9	10	Average
1	Top of Foundation, #1	29	31	27	31	30	29	30	31	28	31	30
2	Top of Foundation, #2	27	30	35	30	31	30	31	34	31	31	31
3	Top of Foundation, #3	30	33	31	34	30	33	32	29	30	31	31
4	Top of Foundation, #4	33	37	25	29	27	33	29	30	29	29	30
								Average =				31

The Schmidt Hammer test readings at four random locations showed average readings ranging from 30 to 31 with an overall average of 31. The average number 31 indicates an estimated compressive strength of about 3,750 psi. The concrete has relatively uniform compressive strength.

3. Exploring Reinforcement size & Placement

The rebar was exposed at two locations: 1) from side of the foundation, and 2) Top of the foundation.

Photographs 2 through 6 show the observed conditions at both the test locations. The rebar was measured to be a minimum equivalent of #5 (5/8-inch) in diameter placed at about 7 inches from top of the foundation.

4. Core Compressive Strength

Core #2 obtained from the top of the foundation was tested for the compressive strength of the concrete per ASTM C 42. Photograph 7 shows the core. The core compressive strength was 4,170 psi. The testing was performed by Signet Testing Laboratory, Hayward, CA. Their test report is enclosed.

Concrete Science, Inc.

Project: **Testing of Concrete Foundation for the Blue Tank**

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August 1st, 2018

Conclusions

1. The concrete foundation has reinforcement in both directions at about 12 inches on center. The reinforcement was equivalent of #5 rebar placed at about 7 inches from top of the foundation.
2. The concrete core compressive strength was 4,170 psi. Based on the rebound hammer tests, the concrete compressive strength was determined to be relatively uniform at the test locations.

Limitations

Concrete Science, Inc. and its employees have exercised the degree of skill and care expected and customarily accepted by good engineering practices and procedures. No other warranties expressed or implied are made with respect to Concrete Science, Inc.'s performance. Concrete Science, Inc. is not responsible for acts of omissions of the client, or third parties not under our direct control. Use of this report is restricted to our client only. The test results represent the condition of the structure at the time of the tests and at the test locations only. Use of this report out of context, not fully assembled with photographs, figures, appendices and without original signature, shall not be the responsibility of Concrete Science Inc.

This report, including any recommendations, is based on limited information, field observations, and access to the site, and represents the opinion of the undersigned. Concrete Science, Inc. did not perform structural analysis and hence cannot make comments regarding the structural integrity. It is possible and probable that unknown and/or hidden conditions may exist which would influence this report, its conclusions and recommendations. The undersigned must, therefore, expressly disclaim any liability to those who may rely upon this report in fashioning, performing or accepting remedial work without our active involvement during the preparation of the remedial details and specifications, on-site observations of the work in progress, and acceptance of such work.

We thank you for giving us an opportunity to work on this project. Please let us know if you need further assistance.

Sincerely,

Concrete Science, Inc.



Ashok M. Kakade, P.E.
F. ASCE, F.ICRI, F.ICI
Senior Principal Engineer

Concrete Science, Inc.

Project: **Testing of Concrete Foundation for the Blue Tank**

Project: 235 Miraflores Road, Scotts Valley, CA

August 1st, 2018



Photograph 1. An overview of the foundation showing core locations.



Photograph 2. The radar survey results were marked on top of the foundation. The reinforcement was placed at about 12 inches on center in both directions.

Concrete Science, Inc.

Project: **Testing of Concrete Foundation for the Blue Tank**

Project: 235 Miraflores Road, Scotts Valley, CA

August 1st, 2018



Photograph 3. Core #1 drilled through vertical side of the foundation to expose reinforcement.



Photograph 4. The rebar at Core #1 was 0.70 inch in diameter and placed 3.75 inches from the vertical side and about 7-inches from the top of the foundation.

Concrete Science, Inc.

Project: **Testing of Concrete Foundation for the Blue Tank**

Project: 235 Miraflores Road, Scotts Valley, CA

August 1st, 2018



Photograph 5. Core #2 from top of the slab.



Photograph 6. The rebar at Core #2 was 5/8-inch in diameter and placed 7-inches from the top of the foundation.

Concrete Science, Inc.

Project: **Testing of Concrete Foundation for the Blue Tank**

Project: 235 Miraflores Road, Scotts Valley, CA

August 1st, 2018



Photograph 7. Core #2 tested for the compressive strength of concrete.

CONCRETE COMPRESSION TEST REPORT

PROJECT NO.: 46229754
 PROJECT: CONCRETE SCIENCE ON-CALL NORTHBAY
 LOCATION:

PERMIT #:
 APPL #:
 File No:

MIX DATA

Lab Number	: 131840	Aggregate Size	:
Material Type	: 3118-CONCRETE CORE COMPRESSION TEST	Cement Factor	:
Supplier	:	Spec. Strength	:
Admixture	:	Spec. Slump	:
Mix Number	:	Spec. Air Content	:

SAMPLE DATA

Set number	: 1 of 1	Slump (ASTM C143)	:
Sample Date	: 07/27/2018	Ambient Temperature	:
Fld Inspector	: OTHERS	Sample Temperature (ASTM C1064)	:
Ticket	:	Air content (ASTM C231)	:
Truck	:	Unit Weight Fresh (ASTM C138)	:
Placement Location:	TANK FOUNDATION		
Comments:			

TEST DATA (ASTM C42/C39 AND C617)

SAMPLE NO	TEST DATE	AGE	AVERAGE DIMENSIONS (in.)	AREA (sq in)	LOAD (lbs)	CORR FACT	CURE TYPE	FRACTURE TYPE	COMPRESS STR(psi)
1	07/31	04	5.64 x 6.46	24.98	115125	0.91	LAB	3-CONE AND SHEAR	4,170

MATERIAL ☐ WAS ☐ WAS NOT SAMPLED IN ACCORDANCE WITH THE APPROVED PROJECT DOCUMENTS.

RESPECTFULLY SUBMITTED,
 SIGNET TESTING LABORATORIES, INC



Concrete Lab Manager

07/31/18

Date



1 August 2018

MEMORANDUM

To: Bob Riley/Mesiti Miller Engineers

Subject: Revised Foundation Criteria
Erosion Control Recommendations for
West Slide Scarp

Reference: SLVWD Blue Tank Replacement Project
APN 067-371-04
Miraflores Drive
Scotts Valley, California

From: Haro Kasunich and Associates Inc.
Christopher A. George, CE 50871



Our Geotechnical Investigation for replacement of the Water Tank at the referenced site is dated 2 May 2018. At the time the report was prepared, the condition of the existing water tank concrete slab foundation was not known and recommendations were presented for a reinforced concrete ring type foundation considering that the existing concrete slab would be removed.

Water Tank Foundation

On 28 June 2018, we met with Rick Rogers of the San Lorenzo Water District and yourself at the site to evaluate the thickness of the octagonal shaped slab foundation and perimeter footings. Two excavations were made around the perimeter of the tank pad to evaluate the thickness of the perimeter foundation and holes were drilled at several locations to determine the thickness of the concrete.

In an email to me on 2 July 2018, you made the following observations, which we are in agreement with:

“Existing Slab and foundation:

1. From the concrete drilling, the slab thickness appears to follow the grade. The thickness at the uphill side was 11” and increased in thickness to the far side. At about the center of the slab the thickness was greater than 16” (length of drill bit = 16” +/-).



2. The slab did not have any embedment into the soil, but appears to have been cast on top of the grade.”

We understand that at a later date, magnetometer tests were performed that revealed steel reinforcement within the concrete slab and the reinforced concrete slab is adequate for support of the water tank. However, there was no evidence the concrete slab has perimeter footings and we presume the concrete was poured on the existing sloping grade ($\approx 10\%$ gradient).

Retaining Wall Alternative

At the time of our recent visit we also observed the condition of the landslide scarp on the downslope property. There was no change in the steep scarp and vegetative overhang since the time of our last visit prior to the 2017-2018 rain season. Slump slides may still occur on or above the steep landslide scarp during rainy seasons and/or during strong seismic shaking and slide material would have to be removed from the downslope property. However, as we stated in our report, the top of the scarp is 45 feet away from the closest edge of the tank foundation and does not currently threaten the water tank foundation.

As an alternative to construction of a retaining wall on the adjoining property, removal of the vegetative overhang at the top of the landslide scarp, removal of any trees near the edge of the slope, and rounding off the top 2 to 4 feet of soil at the top of the scarp will significantly reduce (but not eliminate) the potential for future landsliding at the steep scarp. In addition, the steep bare slope should be covered with erosion control blankets suitable for steep slopes.

Revised Recommendations

Based on our recent site observations and review of our report, we present the following alternative foundation recommendations considering reuse of the existing concrete slab foundation and alternate recommendations for reducing the potential for instability of the slide scarp west of the tank site.

Alternative Foundation Recommendations

Option 1

1. The existing reinforced concrete slab water tank foundation may be reused provided the perimeter of the octagonal shaped concrete slab is underpinned with piers at the middle of each side of the octagon.
2. The underpinning piers should be a minimum of 24 inch in diameter and embedded a minimum of 18 inches into firm mudstone. If the piers are hand excavated, we recommend the piers be a minimum of 2 foot by 3 foot to allow room for hand excavation. Based on review of the boring logs, we estimate the overall depth necessary for the required embedment will be 4 to 5 feet.
3. The piers should be structurally tied to the existing concrete slab.



4. Provided the piers are embedded as required, an allowable bearing capacity of 4500 psf plus a one third increase for short term increase for wind and seismic loading may be used for pier design.
5. A passive pressure of 450 pcf may be used for portions of the piers embedded in the very stiff mudstone. The top 2 feet of soil should be neglected when calculating passive resistance. The passive pressure may be assumed to act against $1\frac{1}{2}$ pier diameters.
6. An allowable bearing capacity of 1500 psf plus a one third increase for short term increase for wind and seismic loading may be assumed for calculation of bearing capacity of the existing slab foundation.
7. Lateral load resistance for the tank foundation may be developed in friction between the concrete slab bottom and the supporting subgrade. A friction coefficient of 0.30 is considered applicable.

Option 2

8. A continuous footing foundation may be constructed around the perimeter of the octagonal concrete slab. The footing excavations should be a minimum of 24 inches below lowest adjacent grade and penetrate a minimum of 12 inches into firm native soil. Based on review of the boring logs, we estimate the footing depth necessary for the required embedment will be 24 to 30 inches below lowest adjacent grade.
9. The perimeter foundation should be structurally tied to the existing concrete slab foundation.
10. Provided the footings are embedded as required, an allowable bearing capacity of 2000 psf plus a one third increase for short term wind and seismic loading may be used for footing design.
11. A passive pressure of 250 pcf may be used for portions of the footing embedded in the stiff weathered mudstone. The top 1 foot of soil should be neglected when calculating passive resistance.
12. Lateral load resistance for the tank foundation may be developed in friction between the concrete slab bottom and the supporting subgrade. A friction coefficient of 0.30 is considered applicable.

Erosion Control Recommendations

13. The vegetative overhang (root mat) and a 15" inch diameter fir tree on the slope above the top of the slide scarp should be removed to reduce the potential for erosion and slump slides at the top of the steep slope. Following removal of the



vegetation, the steep upper slope should be rounded off to a slope angle between 1:1 and 2:1. We estimate the top 2 to 4 feet of loose surficial soil at the top of the slide scarp will need to be rounded off.

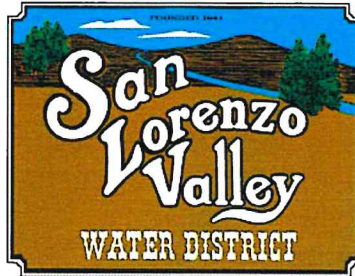
14. Following rounding off of the slope, bare soil on the slope and steep scarp should be seeded and covered with Tensar North American Green C125. Installation shall be in conformance with product guidelines for installation on steep slopes.
15. Due to the loose and erodible condition of the top of the slope and slide scarp, we recommend a licensed contractor, well experienced in erosion protection on steep sensitive slopes be selected for the work. The overhang removal, rounding of the slope, removal of trees, and placement of the erosion control blankets should be performed by hand or small equipment due to the limited access and sensitive nature of the slope and slide scarp. Rappelling down the slope from above may be required to perform the work.
16. The slope should be periodically inspected and maintained to confirm the slope is adequately protected. If erosion or slump slides are observed, measures to protect the slope should be implemented as soon as possible. **The recommended removal of the overhang, rounding of the slope, and installation of the erosion control blanket will reduce, but not eliminate the potential for slope instability.**
16. The geotechnical engineer should observe footing or pier excavations to confirm adequate embedment depth and observe and approve the rounding of the slope and placement of the erosion control blanket.

CG/cg

Copies: 1 to Addressee + email (Bob@m-me.com)
2 to Rick Rogers + email (rrogers@slvwd.com)

SECTION 00010A

TITLE PAGE



RECEIVED

DEC 11 2018

**SAN LORENZO VALLEY
WATER DISTRICT**

**SAN LORENZO VALLEY WATER DISTRICT
13060 CA-9
BOULDER CREEK, CALIFORNIA 95006**

FOUNDATION REPAIR FOR THE BLUE TANK

NOVEMBER 6, 2018

BID DOCUMENT VOLUME II OF II

CONTRACT BID FORMS

Prepared by:

**MME
224 Walnut Ave Suite B
Santa Cruz, CA 95060**



Foundation Repair for the Blue Tank
November 6, 2018

Contract Bid Forms Table of Contents
00015A-1

SECTION 00015A

CONTRACT BID FORMS TABLE OF CONTENTS

VOLUME II – CONTRACT BID FORMS

Entire Volume II Contract Bid Forms Due at Time of Bid

Section

00010A	Title Page
00015A	Contract Documents Table of Contents
00300	Bid Proposal
00404	List of Material and Equipment Manufacturers
00405	List of Subcontractors
00406	Contractor's Licensing Statement
00408	Contractor's Experience Statement
00410	Bid Security
00415	Bid Guaranty Bond
00420	Safety Compliance
00480	Non-Collusion Affidavit

Foundation Repair for the Blue Tank
November 6, 2018

Bid Proposal
00300-1

SECTION 00300

BID PROPOSAL

San Lorenzo Valley Water District
13060 CA-9
Boulder Creek, CA 95006

Ladies and Gentlemen:

The undersigned hereby proposes to perform all Work for which a Contract may be awarded him/her and to furnish any and all plant, labor, services, materials, tools, equipment, supplies, transportation, utilities, water, and all other items and facilities necessary therefore as provided in the Contract Documents, and to do everything required therein for the Work as set forth in the documents entitled:

FOUNDATION REPAIR FOR THE BLUE TANK

Together with appurtenances thereto, all as set forth on the Bid Package and other Contract Documents; and he/she further proposes and agrees that, if this Bid is accepted, he/she will contract in the form and manner stipulated to perform all the Work called for by Drawings, Specifications, and other Contract Documents, and to complete all such Work in strict conformity therewith within the time limits set forth therein, and that he/she will accept as full payment therefore the prices set forth in the Bid Sheet(s) forming a part hereof.

It is understood and agreed that:

1. The undersigned has carefully examined all the Contract Documents which will form a part of the Contract; and all additions, deletions, modifications, appendices, and all Addenda as prepared prior to the date of bid opening setting forth any modifications or interpretations of any of said documents.
2. The undersigned has by investigation of the site of the Work and otherwise satisfied himself/herself as to the nature and location of the Work and has fully informed himself/herself as to all conditions and matters which can in any way affect the Work or the cost thereof;
3. The undersigned fully understands the scope of the Work and has checked carefully all words and figures inserted in the Bid and he/she further understands that SLVWD will in no way be responsible for any errors or omissions in the preparation of this Bid;
4. The undersigned will execute the Contract Agreement and furnish the required proof of insurance coverage within ten (10) work days (not including Sundays and holidays) after Notice of Award to him/her of acceptance of his/her Bid by SLVWD. ** SEE QUALIFICATION REGARDING BUILDERS RISK INS.*
5. The undersigned Bidder further agrees that if he/she shall fail to complete the Work within the Contract Time and any authorized extension thereof, he/she shall pay liquidated damages of five hundred dollars (\$500) per calendar day to SLVWD for each calendar day of unauthorized delay in completion of the

Foundation Repair for the Blue Tank
November 6, 2018

Bid Proposal
00300-2

Work, until the Work is completed unless another amount is agreed to and stated in the Contract Agreement.

6. The undersigned hereby certifies that this proposal is not made in the interest of; or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.
7. In conformance with current statutory requirements of Section 1860, et seq., of the Labor Code of the State of California, the undersigned confirms the following as his/her certification; I am aware of the provision of Section 3700 of the Labor Code which require every employer to be insured against liability for workmen's compensation or to undertake self insurance in accordance with the provisions before commencing the performance of the Work of this Contract.
8. SLVWD has obtained from the Director of the Department of Industrial Relations ("DIR") the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which the Public Work is to be performed for each craft, classification or type of workman needed to execute this Contract. (Copies of the wage determination are on file and may be obtained by interested parties at the office of SLVWD). The Contractor and all Subcontractors shall comply with all requirements and provisions of Section 1775 and 1776 of the California Labor Code. The Contractor shall forfeit, as a penalty to SLVWD, two-hundred dollars (\$200.00), for each calendar day, or portion thereof, for each worker paid less than stipulated prevailing rates for Work done under the Contract Agreement by him, or any Subcontractor under him, in violation of the provisions of the California Labor Code. Copies of these wage determinations shall be posted and maintained at the job site by the successful bidding Contractor.
 - a. Subject to the provisions of Section 1810 to 1815, inclusive, of the California Labor Code, the time of service of any laborer, workman, or mechanic employed on the Work shall be limited and restricted to eight (8) hours during any one (1) calendar day and forty (40) hours in any one (1) calendar week, except as otherwise provided in said sections, and the Contractor shall forfeit to SLVWD as a penalty, twenty-five

Foundation Repair for the Blue Tank
November 6, 2018

Bid Proposal
00300-3

dollars (\$25.00) for each laborer, worker, or mechanic employed in the execution of the Work by him or any Subcontractor under him for each calendar day during which such laborer, worker, or mechanic is required or permitted to labor more than eight (8) hours in any one (1) calendar day and forty (40) hours in any one (1) calendar week in violation of provisions of the California Labor Code.

- b. The Contractor and all Subcontractors shall conform to all the requirements of Sections 1777.5 and 1777.6 of the California Labor Code concerning the employment of apprentices by the Contractor or any Subcontractor under him. The Contractor shall provide SLVWD with a copy of the contract award information at the time that information is submitted to the applicable apprenticeship program. Within sixty (60) work days after concluding the Work pursuant to this Contract, the Contractor shall submit, and require each Subcontractor under him to submit, to SLVWD and the apprenticeship program a verified statement of the journeyman and apprentice hours performed on the Contract.
 - c. Contractor and all Subcontractors shall comply with Sections 1776 and 1771.4(a)(3) of the California Labor Code, regarding payroll records, and shall be subject to penalties for violation thereof. The Contractor shall cause a clause identical to Section 00800CA, Paragraph K to be included in every subcontract for Work pursuant to this Contract.
 - d. Contractor shall not perform work with a Subcontractor who is ineligible to perform work on a public works project pursuant to Sections 1777.1 or 1777.7 of the California Labor Code.
9. In compliance with Section 1725.5 of the California Labor Code, Contractor must be, and must require all Subcontractors be, registered with the DIR prior to execution of the Contract Agreement. Contractor and all Subcontractors who bid or work on, and/or who are awarded the Contract Agreement, must be registered with and pay an annual fee to the DIR. Neither Contractor nor any Subcontractors may be listed on this Bid Proposal unless registered with the DIR pursuant to Section 1725.5 of the Labor Code. Neither Contractor nor any Subcontractors may be awarded the Contract Agreement unless registered with the DIR pursuant to Section 1725.5 of the Labor Code. This project is subject to compliance monitoring and enforcement by the DIR. Contractor shall submit proof of current DIR registration, and shall require all Subcontractors to submit proof of current DIR registration, to SLVWD prior to commencing work on this project.
10. In compliance with the provisions of Section 4100-4114 of the Public Contract Code of the State of California, and any amendments thereof, the undersigned Bidder has set forth below the name and the location of the place of business of each Subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the Work to be performed under the Contract Documents in which this Bid is responsive, and where the portion of the Work which will be done by each Subcontractor for each subcontract is in excess of one-half of one percent (0.5%) of the Total Bid. The undersigned Bidder understands that if he/she fails to specify a Subcontractor for any portion of the Work or specifies more than one

Foundation Repair for the Blue Tank
November 6, 2018

Bid Proposal
00300-4

subcontractor for any portion of the Work, he/she shall be deemed to have agreed to perform such portion himself/herself and that he/she shall not be permitted to sublet or subcontract that portion of the Work except in cases of public emergency or necessity, and then only after a finding is reduced to writing as a public record of SLVWD setting forth the facts constituting the emergency or necessity.

11. Receipt is hereby acknowledged of addenda number(s) _____ through _____.
12. The undersigned is licensed in accordance with the Laws of the State of California: License Number 406512
Class A,B,C12,HAZ,C42, Expiration Date 6/30/2019.
13. If the Bidder is a partnership, corporation, or joint venture, the undersigned certifies that he/she is entitled to execute and submit this Bid proposal on behalf of bidder.
14. In signing below, the Bidder certifies that its Total Bid includes funds sufficient to allow the Bidder to comply with all applicable local, state, and federal laws or regulations governing the labor or services to be provided under the Contract. Furthermore, the Bidder hereby indemnifies SLVWD for liabilities and penalties for violations of Section 2810 of the California Labor Code.

NOW: In compliance with all the provisions herein before stipulated, the undersigned, with full cognizance thereof, hereby proposes to perform the entire Work for the prices set forth in the attached Schedule(s) upon which Award of Contract is made. (A duly authorized officer of the company may sign on the president's behalf.)

Individual Name: _____

Contractor Address: _____

Partnership Name: _____

Business Address: _____

Phone No.: _____

By: _____, Partner

Other Partners: _____

Corporation: Name: THE DON CHAPIN CO., INC.

Business Address: 560 CRAZY HORSE CYN RD

Business Address: SALINAS CA 93907

Phone No.: 831-449-4273

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Bid Proposal
00300-5

Name: DONALD D. CHAPIN JR.

Title: PRESIDENT

Organized under the laws of the State of CALIFORNIA

Date: 12-7-18

(Place By:

Seal

Here)

A handwritten signature in blue ink, appearing to read "Donald D. Chapin Jr.", written over a horizontal line.

Signature

DONALD D. CHAPIN JR. PRESIDENT

(Print Name and Title)

Foundation Repair for the Blue Tank
November 6, 2018

Bid Proposal
00300-6

FOUNDATION REPAIR FOR THE BLUE TANK
BID SCHEDULE

ITEM NO.	ITEM/DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
1	Mobilization	1	LS	2,075.00	2,075.00
2	Clearing, Grubbing, and Demolition	1	LS	2,800.00	2,800.00
3	Excavation	8	CY	3,300.00	26,400.00
4	Rebar Placement	1	LS	2,580.00	2,580.00
5	Rebar Secured with Epoxy	1	LS	4,275.00	4,275.00
6	Concrete Placement	8	CY	1,700.00	13,600.00
7	Demobilization	1	LS	1,400.00	1,400.00
8	Permits	1	LS	370.00	370.00
	TOTAL BID: 53,500.00				\$

TOTAL BID (in words): FIFTY THREE THOUSAND FIVE HUNDRED

END OF SECTION 00300



QUALIFICATIONS:

- Builders Risk Insurance is not available for the Blue Tank Foundation Project. No insurance underwriter will provide a policy as required in the project specifications. Acceptance of our proposal is based on this exception and the district agrees to waive Builders Risk requirements.

Should you have any questions or concerns regarding this proposal please feel free to contact me at the listed numbers.

Sincerely,
The Don Chapin Co. Inc.

Rick Holmes
Estimator

Foundation Repair for the Blue Tank
November 6, 2018

List of Material and Equipment Manufacturers
00404-1

SECTION 00404

LIST OF MATERIAL AND EQUIPMENT MANUFACTURERS

The undersigned Bidder understands and agrees that SLVWD may consider this Bid incomplete and unresponsive unless the Bidder names a manufacturer for each item of material or equipment in the following list. The undersigned Bidder hereby agrees that, after submission of this Bid, he/she will not make any change in the following listing of manufacturers and will not award a contract or agreement of any kind to a manufacturer not listed below for the listed items of material or equipment unless such change, award, or agreement is first approved in writing by SLVWD according to the provisions of the Contract Documents pertaining to substitutions and equals. The Bidder hereby certifies that the manufacturers' names below produce the listed items of material or equipment which comply with the requirements of the Contract Documents, and the undersigned Bidder will furnish and install the complying material or equipment of the manufacturers' names in the following list.

The items identified in the table below are deemed mandatory and shall be completed by the Bidder; however, the listed items are not considered to be a complete listing of materials or equipment required for the Project. The Bidder shall provide additional items manufacturer and model for other items.

SCHEDULE OF MANUFACTURERS		
ITEM	MANUFACTURER	MODEL

END OF SECTION 00404

Foundation Repair for the Blue Tank
November 6, 2018

List of Subcontractors
00405-1

SECTION 00405

LIST OF SUBCONTRACTORS

The Bidder is required to furnish the following information in accordance with the provisions of the California Subletting and Subcontracting Fair Practices Act, contained in Section 4100 to 4114, inclusive, of the Public Contract Code of the State of California and any amendments thereto, for each subcontractor performing more than one-half of one percent (0.5%) of the Total Bid. Do not list alternative subcontractors for the same work. The Contractor shall list only one subcontractor for each such portion of Work as is defined by the Contractor in his/her Bid. Contractor shall not substitute any person as subcontractor in the place of a subcontractor listed below, except as provided in the General Conditions.

The Bidder understands that if he/she fails to specify a subcontractor for any portion of the Work to be performed under the Contract, or specifies more than one subcontractor for the same portion of the Work, he/she shall be deemed to have agreed that he/she is fully qualified to perform that portion himself/herself and that he/she shall not be permitted to sublet or subcontract that portion of the Work, except as provided in the General Conditions.

Name Under Which Subcontractor is Licensed	License Number	Address and Telephone Number	Specific Description of Subcontract and Percent of Total Base Bid
			%
			%
			%
			%
			%

END OF SECTION 00405

Foundation Repair for the Blue Tank
November 6, 2018

Contractor's Licensing Statement
00406-1

SECTION 00406

CONTRACTOR'S LICENSING STATEMENT

Contractors are required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within 10 years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826. (A duly authorized officer of the company may sign on the president's behalf.)

The undersigned is licensed in accordance with the laws of the State of CALIFORNIA providing for the registration of contractors:

License Number: 406512

Class: A, B, C12, HAZ, C42

Expiration Date: 6/30/2019

Name of Contractor's Firm: THE DON CHAPIN CO., INC.

Business Address and Telephone Number: 560 CRAZY HORSE CYN RD
SALINAS CA 93907

The following owner swears under penalty of perjury under the laws of the State of California that the information provided is true and correct:

Name of individual owner (Print or Type):

DONALD D. CHAPIN JR

Signature of owner _____

Or

The following partners swear under penalty of perjury under the laws of the State of California that the information provided is true and correct.

Signature, title, and address of members signing on behalf of the partnership:

Name _____ Title _____

Address _____

Name _____ Title _____

Address _____

Name _____ Title _____

Address _____

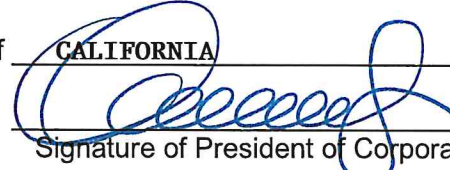
Foundation Repair for the Blue Tank
November 6, 2018

Contractor's Licensing Statement
00406-2

Or


The following officers swear under penalty of perjury under the laws of the State of California that the information provided is true and correct.

Corporation organized under the laws of the State of CALIFORNIA



Signature of President of Corporation

DONALD D. CHAPIN JR. PRESIDENT

(Place Seal
Signature of Secretary of Corporation
Here) 

DAVID T. NELSON CORP. SECRETARY

For Owners, Partners or Corporation Officers:

This Contractor's Licensing Statement Form is executed at SALINAS, CA

560 CRAZY HORSE CYN RD (Location), California, on 12-7-18 (Date).

END OF SECTION 00406

Foundation Repair for the Blue Tank
November 6, 2018

Contractor's Experience Statement
00408-1

SECTION 00408

CONTRACTOR'S EXPERIENCE STATEMENT

The following outline is a record of the undersigned Bidder's experience in construction of a type similar in magnitude and character to that contemplated under this Contract. The Bidder shall include in his/her outline the project name, owner, contact name and phone number, type of work and final cost of all similar type projects constructed in the past five (5) years. The Bidder shall also provide the name, work resume, and qualifications for the individual who will be the job superintendent during the performance of this Contract. The Bidder shall not reassign the designated superintendent without prior approval of SLVWD. Additional numbered pages outlining this portion of the Bid may be attached to this Bid.

Project Name / Date Completed	Owner Name / Address	Contact Name / Phone	Type of Work	Final Cost
SEE ATTACHMENT "A"				

END OF SECTION 00408

Attachment "A"
Completed Projects for Reference Purposes:

JOB NAME: Gilroy Gardens Water Oasis Phase II (Water Park)

LOCATION: 3050 Hecker Pass Hwy, Gilroy CA

OWNER: Gilroy Garden Family Theme Park

CONTACT: Barbara-Lea Granter VP & General Manager

PHONE: 408-212-7353

COMPLETION DATE: August 2018

CONTRACT AMOUNT: \$2,734,781.00

DESCRIPTION OF WORK:

A. Furnish and perform supervision, coordination, all layout, formwork, excavation, hand trim, disposing off-site of all unused material or debris to complete the wet play excavation to the dimensions shown on the plans.

B. Furnish and install complete splash pad structures, including reinforcing steel and cast-in-place concrete floors and construction of mechanical room building.

C. Furnish and install wet play finishes as shown on the plans.

D. Furnish and install complete wet play mechanical system(s), including, but not limited to, circulation systems, filtration systems, water chemistry control systems, domestic water fill line systems, booster pump and special effects systems, and all pumps, piping, valves, and connections between system(s) and wet play(s).

E. Furnish and install complete wet play electrical system(s) from P.O.C. in Mechanical Room, including, but not limited to, lighting systems, water level control systems, special effects

GILROY GARDENS WATER OASIS EXPANSION

GILROY, CA

WET PLAY

systems, control circuitry, motor starters, time clocks, bonding, and all conduits, conductors, contactors, and switches between the system(s) and wet play(s).

F. Furnish and install all wet play deck equipment and required anchors and inserts for the specified equipment as required by code, shown on the Drawings and specified herein.

G. After the initial filling of the wet play balance tank(s), should any repairs, continuing work, or other Subcontractor responsibility require drainage or partial drainage of the wet play systems, the Wet Play Subcontractor shall be responsible for any subsequent refilling and shall complete the project with the wet play balance tank(s) full of water, water in chemical balance, complete in every way, and in full operation.

JOB NAME: Station 304 Site work for New Tank

LOCATION: Cal Water Station 304, 363 Las Lomas Drive, Royal Oaks CA

OWNER: California Water Company

CONTACT: Maurice Francis mfrancis@calwater.com

PHONE: 408-367-8246 FAX: 408-367-8427

INSPECTOR: Kenneth Stratton Cal-Water 831-757-3644 kstratton@calwater.com

COMPLETION DATE: September 2015

CONTRACT AMOUNT: \$142,703.00

DESCRIPTION OF WORK: Dismantle exist booster pumps/demo foundation, Construct foundation for new booster pump facility, compaction, disconnect transfer, placement, alignment and install owner furnished anchoring of owner furnished pump. Install pumps, electrical, demo and remove cell tower foundation, remove site fencing, over x and compact fill material, cut to fill, construct embankment, cut to fill site, erosion control, construct retaining wall, install vault with relocated valves, underground electrical conduit for tank, and wire for hydro tank, and flow meter

JOB NAME: Surge Tank and Generator Set at Station 07. King City CA

LOCATION: Cal Water Station 07, Windsor Circle, King City

OWNER: California Water Company

CONTACT: Amarali Soto asoto@calwater.com

PHONE: 408-367-8309 FAX: 408-367-8427

INSPECTOR: Kenneth Stratton Cal-Water 831-757-3644 kstratton@calwater.com

COMPLETION DATE: October 2014

CONTRACT AMOUNT: \$45,450.00

DESCRIPTION OF WORK: Foundations, One Pressure Tank Foundation including placement and Anchoring, Trench conduit runs and backfill trench, Furnish & Install onsite water piping and gate valves, remove existing on bladder tank and foundation

Foundation Repair for the Blue Tank
November 6, 2018

Bid Security
00410-1

SECTION 00410

BID SECURITY

(Check to accompany Bid)

(Note: The following form shall be used if check accompanies Bid)

Accompanying this proposal is a *Certified / *Cashier's check payable to the order of San Lorenzo Valley Water District, hereinafter referred to as "SLVWD," for

_____ Dollars (\$_____),
this amount being ten (10) percent of the total amount of the Bid. The proceeds of this check shall become the property of said SLVWD provided this proposal shall be accepted by the said SLVWD through issuance of a Notice of Award and the undersigned shall fail to execute a Contract and furnish the required Performance and Payment Bonds and Proof of Insurance Coverage within the stipulated time; otherwise, the check shall be returned to the undersigned. The proceeds of this check shall also become the property of SLVWD if the undersigned shall withdraw his/her Bid within the period of sixty (60) calendar days after the date set for the opening thereof, unless otherwise required by law, and notwithstanding the award of the Contract to another Bidder.

Bidder

*Delete the inapplicable word

NOTE: If the Bidder desires to use a bond instead of a check, the Bid Guaranty Bond form in Section 00415 shall be executed. The sum of this bond shall be not less than ten (10) percent of the total amount of this Bid.

END OF SECTION 00410

Foundation Repair for the Blue Tank
November 6, 2018

Safety Compliance
00420-1

SECTION 00420
SAFETY COMPLIANCE

Contractors are required by law to comply with an established company Safety Program that includes an Injury Illness Prevention Plan (IIPP). The undersigned hereby proposes to follow their Contractor's Safety Program including all subcontractors while performing the work described as:

FOUNDATION REPAIR FOR THE BLUE TANK

Complete the following information (as applicable):

Person responsible for implementing your Safety Program / IIPP on this project:

Name (Print):

ADAM RICHMOND

Title:

SAFETY DIRECTOR

Phone No:

831-970-8162

Written Safety Program / IIPP: Yes ☒ No ☐ Dated: **2018**

Written Code of Safe Practices: Yes ☒ No ☐ Dated: **2018**

On-site Personal Protective Equipment (PPE) Requirements:

Yes ☒ No ☐ Eye Protection
Yes ☒ No ☐ Hard Hats
Yes ☐ No ☒ Steel Toed Boots
Yes ☒ No ☐ Hearing Protection **AS NEEDED**
Yes ☒ No ☐ Respirators **AS NEEDED**

Training Requirements:

Yes ☒ No ☐ Weekly Tailgate/Safety Training
Yes ☒ No ☐ Documented

Site Safety Inspections:

Yes ☒ No ☐ Regular Inspections
Yes ☒ No ☐ Documented

AR **ARSDS**
~~Materials~~ Safety Data Sheets (MSDS):

Yes ☒ No ☐ On-site (Specific)

Equipment:

Yes ☒ No ☐ Manuals On-site (Specific) **PER POLICY**
Yes ☒ No ☐ Fire Extinguishers on Equipment **PER POLICY**

Foundation Repair for the Blue Tank
November 6, 2018

Bid Guaranty Bond
00415-1

SECTION 00415

BID GUARANTY BOND

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT The Don Chapin Company, Inc., hereinafter called Principal, and Travelers Casualty and Surety Company of America, hereinafter called the Surety, are jointly and severally held and firmly bound unto the San Lorenzo Valley Water District, 13060 CA-9, Boulder Creek, California 95006, hereinafter called SLVWD, in the penal sum of ten percent (10%) of the Bid of Principal for the Work described herein. This sum not to exceed Ten Percent of Amount Bid Dollars (\$ --10%--) lawful money of the United States of America, for the payment whereof unto SLVWD, Principal and Surety jointly and severally bind themselves forever firmly by these presents, except said penal sum shall not exceed ten percent (10%) of the amount Bid by Principal for Work which is awarded to Principal by SLVWD.

WHEREAS, Principal is herewith submitting a Bid for the Work entitled:

FOUNDATION REPAIR FOR THE BLUE TANK

NOW, THEREFORE, the condition of this obligation is such that if Principal is awarded a Contract for the Work, and if Principal within the time specified in the Bid enters into, executes and delivers to SLVWD an agreement in the form provided herewith, and if Principal within the time specified in the Bid gives to SLVWD the performance bond and the payment bond on the forms provided herewith, and any other documents required by these Contract Documents, then this obligation shall be void. If, however, Principal shall fail or refuse to furnish, execute and deliver to SLVWD said agreement in the time stated in the Bid or should fail or refuse to furnish Performance Bond and Payment Bond or other required document in the time stated in the Bid, then Principal and Surety shall forfeit to SLVWD the penal sum hereof.

AND IT IS HEREBY DECLARED AND AGREED that Surety shall be liable under this obligation as Principal, and that nothing of any kind or nature whatsoever that will not discharge Principal shall operate as a release of liability of Surety.

Foundation Repair for the Blue Tank
November 6, 2018

Bid Guaranty Bond
00415-2

IT IS HEREBY FURTHER DECLARED AND AGREED that this obligation shall be binding upon and inure to the benefit of Principal, Surety and SLVWD and their respective heirs, executors, administrators, successors and assigns.

SIGNED AND SEALED THIS 3rd day of December, 2018

The Don Chapin Company, Inc.

Principal

By:

Signature

DONALD D. CHAPIN JR. PRESIDENT

Travelers Casualty and Surety Company of America

Surety

By:

Signature Martha Velia Garcia, Attorney-in-Fact

Travelers Casualty and Surety Company of America

100 California St, #300

San Francisco, CA 94111

(Surety's Mailing Address)

(415) 732-1482

(Telephone Number)

(Attach Notary Acknowledgement of Surety)

(NOTE: The standard printed bond form of any bonding company acceptable to SLVWD may be used in lieu of the foregoing approved sample bond form provided the security stipulations protecting SLVWD are not in any way reduced by use of the Surety Company's printed standard form.)

END OF SECTION 00415



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Martha Velia Garcia** of **WATSONVILLE California**, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **3rd** day of **February**, 2017.



State of Connecticut

City of Hartford ss.

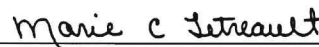
By: 
Robert L. Raney, Senior Vice President

On this the **3rd** day of **February**, 2017, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2021




Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **3rd** day of **December**, 2018




Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

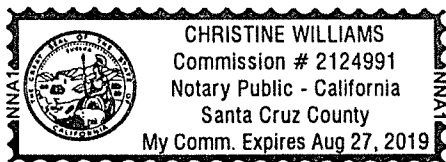
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

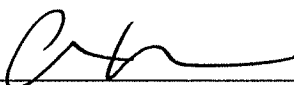
County of Santa Cruz

On **December 3, 2018** before me, **Christine Williams, Notary Public**, personally appeared **Martha Velia Garcia**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.


Christine Williams

-----OPTIONAL-----

DOCUMENT AND SIGNER

Type: **Bid Bond**

Principal: **The Don Chapin Company, Inc.**

Obligee: **San Lorenzo Valley Water District**

Description: **Foundation Repair for the Blue Tank**

Martha Velia Garcia is Attorney-in-Fact for Travelers Casualty and Surety Company of America

Foundation Repair for the Blue Tank
November 6, 2018

Safety Compliance
00420-2

First Aid/CPR Trained Personnel On-site:

Yes ☒ No ☐ Name: ALL SUPERVISORS ARE TRAINED

Name: _____

Equipped On-site:

Yes ☒ No ☐ First Aid Kit
Yes ☒ No ☐ Fire Extinguishers
Yes ☒ No ☐ ~~M~~SDS
Yes ☒ No ☐ Emergency Phone Numbers

Subcontractors:

Yes ☐ No ☐ Certificates of Insurance
Yes ☐ No ☐ Prime Named as Additional Insured.

Workers' Compensation Experience Modification Rate (last 3 years):

Year: _____ Rate: _____
Year: _____ Rate: _____
Year: _____ Rate: _____

OSHA Citations (within last 3 years): Yes ☒ No ☐ If yes, attach copy of citation.

SEE ATTACHED

Contractor/Subcontractor Training Requirements - Project Specific:

Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	OSHA 10 Hour	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Hazard Assessment
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Welding	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Fall Protection AS NEEDED
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Electrical	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Confined Space
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Forklifts	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Rigging / Slings
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Demolition	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Tool Safety
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Accident Prevention	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	PPE
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Scaffolding	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Haz-Com / MSDS
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Lock out /Tag out	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Trench / Shoring
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Cranes	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ladders
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Traffic Control AS NEEDED	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Asbestos/Lead/ Exposure

Training Documentation/Certificates:

Yes ☒ No ☐ Available Upon Request

END OF SECTION 00420

MANDATORY NOTICE TO EMPLOYEES

RECEIVED
JAN 25 2016
BY: DCC
Posted Field ops
Taken Down 2-2-16

Your Employer,

(Name of Company)

HAS BEEN CITED BY THE CALIFORNIA DIVISION OF OCCUPATIONAL SAFETY AND HEALTH FOR A VIOLATION OF AN OCCUPATIONAL SAFETY AND HEALTH STANDARD.

[Employer check which of following is applicable]

THE CITATION AND/OR CIVIL PENALTY HAS BEEN CONTESTED AND WILL BE THE SUBJECT OF A HEARING BEFORE THE OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD; OR

THE REASONABLENESS OF THE PERIOD PRESCRIBED BY THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH FOR ABATEMENT OF THE VIOLATION HAS BEEN CONTESTED AND WILL BE THE SUBJECT OF A HEARING BEFORE THE OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD.

AFFECTED EMPLOYEES ARE ENTITLED TO PARTICIPATE IN THIS HEARING AS PARTIES UNDER TERMS AND CONDITIONS ESTABLISHED BY THE OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD IN ITS RULES OF PRACTICE AND PROCEDURE BY FILING A MOTION FOR PARTY STATUS.

THE MOTION FOR PARTY STATUS SHALL BE SENT TO:

OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
2520 VENTURE OAKS WAY, SUITE 300
SACRAMENTO, CALIFORNIA 95833

THE MOTION FOR PARTY STATUS MUST BE ACCOMPANIED BY A PROOF OF SERVICE AND SHALL INDICATE IT WAS SERVED ON THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH AND THE EMPLOYER AND ANY OTHER PARTIES AS PROVIDED IN SECTION 355 OF THE RULES OF PRACTICE AND PROCEDURE OF THE APPEALS BOARD.

ALL PAPERS FILED RELATIVE TO THIS MATTER MAY BE INSPECTED AT:

[EMPLOYER DESCRIBE LOCATION REASONABLY CONVENIENT TO EMPLOYEES, PREFERABLY AT OR NEAR WORKPLACE]

Dear Employer:

This Notice must be posted in accordance with sections 356 and 356.1 of the Rules of Practice and Procedure. These rules are posted at www.dir.ca.gov/oshab/oshab.html click "Laws and Regulations".

PARTICIPATION NOTICE – Service and Posting

This notice to employees of their right to participate in the appeal process and a copy of the docketed Appeal and contested citation must be posted at or near the site of the alleged violation or other conspicuous place where it can easily be seen by the employees. These documents must also be served on any authorized employee representative (see Rule 347(d) for definition). These documents must also be served by employer on any employee who suffered a serious injury and on the representative of any employee who was killed. Following posting, an employer must file with the Division proof of posting of the Participation Notice and any docketed Appeal Form.

NOTICE OF HEARING:

The Notice of Hearing must be posted in the same manner as this Notice, and served by the employer on any authorized employee representative. The Notice of Hearing must also be served by the employer on any employee who suffered a serious injury and on the representative of any employee who was killed (Rule 356).

DISCOVERY AND SUBPOENAS:

Each party, upon written request to another party, may obtain (unless privileged) the names and addresses of witnesses known to the other party, or inspect and copy documents relating to the case in the possession of the other party (Rules 372 and 372.1). Subpoenas for attendance of a person or production of documents or things at a hearing may be obtained from the Appeals Board (Rule 372.2).

CHANGE OF REPRESENTATIVE AND ADDRESS:

If there is any change in representation of the Employer, the representative must file a written withdrawal of representations with the Appeals Board. If there is any change in the Employer address and/or telephone number the Employer must immediately notify the Appeals Board in writing.

HEARING:

The Hearing is before an administrative law judge, and evidence will be taken in a manner best suited to discover facts and safeguard the right of the parties. Each party may call and examine witnesses, introduce exhibits, and question opposing witnesses on relevant issues. A party may be called to testify by the other party (Rule 376.1). Only relevant evidence will be admitted.

DECISION:

A written Decision by the administrative law judge will usually be issued 30 days after submittal of the case.

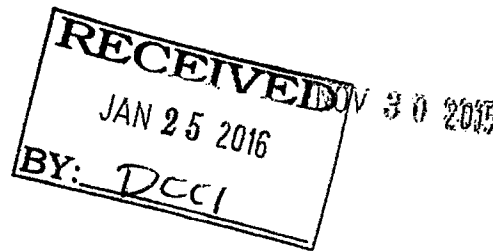
PRINCIPAL OFFICE:

Department of Industrial Relations
California Occupational Safety & Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
(916)274-5751

SOUTHERN CALIFORNIA OFFICE:

Department of Industrial Relations
California Occupational Safety & Health Appeals Board
100 N. Barranca Street, Suite 410
West Covina, CA 91791
(626)332-1145

State of California
Department of Industrial Relations
Division of Occupational Safety and Health
Fremont District Office
39141 Civic Center Drive, Suite 310
Fremont, CA 94538
Phone: (510) 794-2521 Fax: (510) 794-3889



RECEIVED

DEC 04 2015

CITATION AND NOTIFICATION OF PENALTY

CALOSHA APPEALS BOARD

To:

The Don Chapin Co. Inc.

and its successors
560 Crazy Horse Canyon Rd.
Salinas, CA 93907
Attn: Craig Norleen

Inspection #: 1077321
Inspection Date (s): 07/08/2015 - 11/16/2015
Issuance Date: 11/24/2015
CSHO ID: M3429
Optional Report #: 004-16
Reporting ID: 0950612

Inspection Site:

3469 N. First St.
San Jose, CA 95134

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. **This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer.** Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

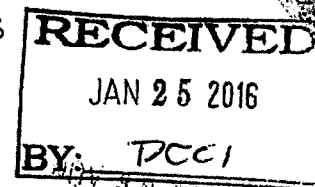
YOU HAVE A RIGHT to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you **must** contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

Informal Conference - You may request an informal conference with the manager of the district office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation, classification of the violation, abatement date or proposed penalty.

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Fremont District Office
39141 Civic Center Drive, Suite 310
Fremont, CA 94538
Phone: (510) 794-2521 Fax: (510) 794-3889

Inspection #: 1077321
Inspection Dates: 07/08/2015 - 11/16/2015
Issuance Date: 11/24/2015
CSHO ID: M3429
Optional Report #: 004-16



RECEIVED

DEC 04 2015

CALOSHA APPEALS BOARD

Citation and Notification of Penalty

Company Name: The Don Chapin Co. Inc.
Establishment DBA:

and its successors
Inspection Site: 3469 N. First St.
San Jose, CA 95134

Citation 1 Item 2 Type of Violation: **General**

Title 8 CCR section 1542 Shafts.

(a) General

(3) All wells, pits, shafts, caissons, etc. shall be barricaded or securely covered.

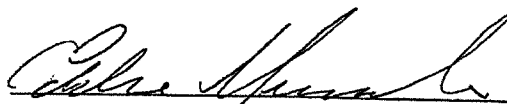
Prior to and during the course of the inspection, including, but not limited to, on July 8, 2015, the employer dug holes to plant large palm trees. The holes were not barricaded or securely covered, thus exposing the employees of Park West Landscape, Inc., Cen-Cal Plastering, Inc., and Western National Contractors to the hazards of falling into the holes. [This citation is being issued in accordance with Section 336.10 Multi-Employer Worksites].

Corrected During Inspection

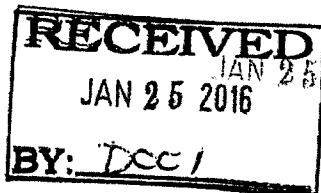
Date By Which Violation Must be Abated:

Proposed Penalty:

Corrected During Inspection
\$1200.00


Eddie Miranda, District Manager

DEPARTMENT OF INDUSTRIAL RELATIONS

OCCUPATIONAL SAFETY
AND HEALTH APPEALS BOARD2520 VENTURE OAKS WAY, SUITE 300
SACRAMENTO, CA 95833
(916) 274-5751
FAX (916) 274-5785

January 22, 2016

Craig Norleen, Safety Director
DON CHAPIN COMPANY
560 Crazy Horse Canyon Road
Salinas, CA 93907Re: THE DON CHAPIN CO. INC.
16-R1D2-0151

DOCKETED: 1/12/2016

Dear Mr. Norleen:

Enclosed are the docketed copies of each Appeal form that you filed with the Board. The above listed docket numbers should appear on all future correspondence. A copy of any correspondence with the Appeals Board must be served on the Division of Occupational Safety and Health DOSH and any other party to the proceeding.

You are obligated to notify any affected employees or their representative that an appeal is pending and that they have a right to participate in the proceeding. You are required to post a copy of the docketed Appeal form and a Participation Notice (similar to the sample enclosed) at or near the site of the violation or in a conspicuous place where it will be readily observable by employees. In addition to posting, a copy of the Appeal form and the Participation Notice must be served on the following: 1) any authorized employee representative; and 2) any employee (or their representative) who was seriously injured or killed in an accident related to this appeal. Proof, such as a brief letter, that the forms were posted must be sent to the DOSH District Manager whose address appears on the citation.

Please direct any request for information dealing with the filing of your appeal to the above address and/or telephone number. All other communications prior to the hearing will be handled by the assigned Administrative Law Judge (ALJ) James Kevin Elmendorf (916) 274-5751.

Any written motion, such as a request for subpoena, consolidation of cases, or request for party or intervenor status must be made by written motion to the ALJ named above at 2520 Venture Oaks Way, Suite 300, Sacramento, CA 95833.

Sincerely,

Carri Riedel
Office Techniciancc: Accounting
DOSH District Manager-Fremont
DOSH Legal Unit-Oakland

OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

2520 Venture Oaks Way, Suite 300

Sacramento, CA 95833

TOLL FREE NUMBER (877) 252-1987

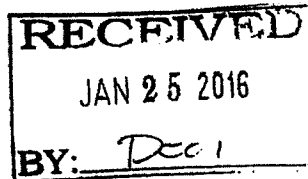
(916) 274-5751

FAX (916) 274-5785

DEC 04 2015

CALOSHA APPEALS BOARD

APPEAL FORM



1077321 on Citation 1 Items 1 and 2

Inspection Number on Citation

The Don Chapin Co. Inc.

Employer Name on Citation

Employer Legal Name or DBA (Optional)

560 Crazy Horse Canyon Road

Address

Salinas, CA 93907

2016-R-1 D-2-0151

1. You only have 15 working days from receipt of a citation to appeal.

2. A copy of this form must be attached to each citation or notification appealed. Failure to file a completed form may result in dismissal of the appeal.

FIRST READ IMPORTANT INFORMATION ON THE REVERSE SIDE THEN COMPLETE ONE APPEAL FORM FOR EACH CITATION

1. This is an Appeal of:

☒ CITATION NO(s): 1 Item No(s): 1 and 2

☐ NOTIFICATION OF FAILURE TO ABATE ALLEGED VIOLATION
CITATION NO(s): _____ Item No(s): _____

☐ SPECIAL ORDER/SPECIAL ACTION NO: _____
Item No(s): _____

2. Specific ground(s) for this appeal are: (Check all that apply)

☒ The safety order was not violated.

☐ The classification (i.e. serious, willful, repeat) is incorrect.

☐ The abatement requirements are unreasonable.

☐ Required changes ☐ Time allowed to complete changes

☒ The proposed penalty is unreasonable.

3. Explain any other reasons for appeal or issues to be raised on appeal. Affirmative defenses must be specifically stated.

Item 1: evidence of daily excavation inspection reports has been submitted to the District Manager.

Item 2: Independent employee act affirmative defense.

Foundation Repair for the Blue Tank
November 6, 2018

Non-Collusion Affidavit
00480-1

SECTION 00480

Failure to submit a Non Collusion Affidavit in this form shall constitute grounds for rejection of the Bid. This Affidavit to be fully executed.

NONCOLLUSION AFFIDAVIT

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the PRESIDENT of THE DON CHAPIN CO., INC., the party making the foregoing bid. The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on 12-7-18 date, at SALINAS city, CALIFORNIA state.

Signature: 

Title: DONALD D. CHAPIN JR. PRESIDENT

(Attach Notary Acknowledgement of Contractor)

END OF SECTION 00480

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Monterey

On December 10, 2018 before me, Kelly R. Perez - Notary Public
(insert name and title of the officer)

personally appeared Donald D. Chapin Jr.,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

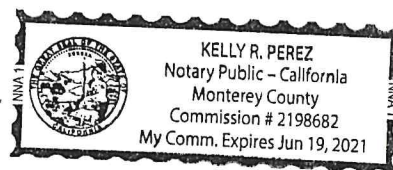
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Kelly R. Perez

(Seal)



**SAN LORENZO VALLEY WATER DISTRICT
RESOLUTION NO. 24 (18-19)**

AWARD OF CONSTRUCTION CONTRACT FOR BLUE TANK FOUNDATION

WHEREAS, the Board of Directors approved the replacement of water tank on July 20, 2017; and

WHEREAS, during the tank replacement the concrete foundation was inspected; and

WHEREAS, it was determined that 8 reinforced concrete piers would be the best course of action; and

WHEREAS, in response to Notice Inviting Bids the District received one bid for Blue Tank foundation repairs;

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors ("Board") of the San Lorenzo Valley Water District do hereby award construction bid for repair of the Blue Tank Foundation to Don Chapin Company, Inc. for a total of \$53,500.

PASSED AND ADOPTED by the Board of Directors of the San Lorenzo Valley Water District, County of Santa Cruz, State of California, on the 3rd day of January, 2019 by the following vote of the members thereof:

AYES:
NOES:
ABSTAIN:
ABSENT:

Holly B. Hossack
Secretary of the Board
San Lorenzo Valley Water District

MEMO

TO: Board of Directors
FROM: District Manager
DATE: January 3, 2019
SUBJECT: Award of Bid - Purchase New District Vehicles

Recommendation

It is recommend that the Board of Directors review this memo and adopt the attached Resolution No. 25 (18-19) awarding bid to North Bay Ford, for the purchase of three (3) new District Vehicles totaling \$122,849.14.

Background

The current 2018-19 Fiscal Year Budget provides for the purchase of three (3) District Vehicles. In November 2018 staff mailed "Notice of Inviting Bids" to 15 California automotive dealerships in an effort to execute formal bidding procedures for the purchase of vehicles.

▯ Maintenance	¾ Ton 4X4 Utility Body Lift Gate
▯ Water Quality	¾ Ton 4X4 Utility Body Lift Gate
▯ Meter Reading	4 Door Extra Cab Compact 4X4

Staff contacted fifteen (15) vehicle dealerships locally, Southern, and Northern California. The District received one (1) bid (see attached), being North Bay Ford, Santa Cruz totaling \$122,849.14 with the total budget for these vehicles at \$122,000. Additional costs will be incurred with equipping these vehicles with two-way radios and safety lighting at approximately \$2,000 per vehicle.

Summary

The current 2018-19 Fiscal Year Budget provides for the purchase of three (3) District Vehicles. The District received one (1) bid (see attached) with the lowest bid being

North Bay Ford, of Santa Cruz totaling \$122,849.14 with the total budget for these vehicles at \$122,000. As no other dealership provided a bid for the three vehicles. It is recommend that the Board of Directors review this memo and adopt the attached Resolution awarding purchase bid to North Bay Ford, for three (3) new District Vehicles totaling \$122,849.14.

2018-19 Vehicle Purchase

Dealership	Bid Pack Complete	Bid Item 1 2 – each 3/4 Ton 4X4 w/ Utility Body	Bid Item 2 1/2 Ton Xtra Cab 4X4	Sales Tax	Total Purchase Price
North Bay Ford 122,849.14	Yes	\$ 83706.00	\$ 28485.00	\$ 10658.14	\$
Downtown Ford Sales Sacramento, CA 95811	No				
Salinas Valley Ford Salinas, CA 93907-2507	No				
Cypress Coast Ford/Lincoln Seaside, CA 93955-3612	No				
Mid Bay Ford Lincoln Watsonville, CA 95076-3728	No				
Frontier Ford Santa Clara, CA 95051-7396	No				
Sunnyvale Ford Lincoln Sunnyvale, CA 94087-2981	No				
Fremont Ford Newark, CA 94560-5385	No				
Tiffany Motor Company Hollister, CA 95023-3069	No				

Dealership	Bid Pack Complete	Bid Item 1 2 – each 3/4 Ton 4X4 w/ Utility Body	Bid Item 2 1/2 Ton Xtra Cab 4X4	Sales Tax	Total
Mission Valley Ford Truck San Jose, CA 95112-1007	No				
Capitol Ford San Jose, CA 95136-1103	No				
Livermore Ford Lincoln Livermore, CA 94551-9562	No				
Momentum Chevrolet San Jose CA 95117	No				
Watsonville Chevy Watsonville, CA 95076	No				
Boardwalk Chevrolet Redwood City CA 94063	No				

SAN LORENZO VALLEY WATER DISTRICT

RESOLUTION NO. 25 (18-19)

SUBJECT: AWARD OF BID FOR VEHICLE REPLACEMENT

WHEREAS, the current 2018-19 Fiscal Year Budget provides for the purchase of three (3) District vehicles; and

WHEREAS, staff contacted fifteen (15) vehicle dealerships locally, Southern and Northern California. The District received one (1) bids (see attached) with the lowest bid being North Bay Ford, Santa Cruz totaling \$122,849.14; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the San Lorenzo Valley Water District hereby awards the bid for new vehicles to North Bay Ford totaling \$122,849.14.

PASSED AND ADOPTED by the Board of Directors of the San Lorenzo Valley Water District, County of Santa Cruz, State of California, on the 3rd day of January, 2019 by the following vote of the members thereof:

AYES:
NOES:
ABSTAIN:
ABSENT:

Holly B. Hossack
District Secretary
San Lorenzo Valley Water District

MEMO

To: Board of Directors
From: District Manager
Subject: Board Policy Manual
Date: January 3, 2019

Recommendation

It is recommended that the Board of Directors review this memo and conduct a workshop reviewing several edits of the Board of Directors Policy Manual and give direction to staff.

Background

The previous Board of Directors Policy Manual was adopted by the Board December 15, 2016 Resolution No. 19 (16-17). Since then the Administration Committee has reviewed/modified said document and several drafts of the document have been reviewed.

At the December 13, 2018 Board of Directors meeting the Board adopted Resolution No. 22 (18-19) with the proviso that staff bring the policy manual back to the Board to a workshop for review. As part of the workshop several draft documents are provided for review.

The current policy manual requires that the policy manual be reviewed annually by District Counsel and ratified by Resolution of the Board of Directors at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

Attached are the following documents for review:

- Board of Directors Policy Manual, current adopted policy
- CSDA Policy Manual Template
- Comments by Admin Committee member Dir. Bruce
- Comments by Admin Committee member Dir. Fultz
- Comments by Dist. Secretary H. Hossack

SAN LORENZO VALLEY WATER DISTRICT



BOARD OF DIRECTORS POLICY MANUAL 2019

ADOPTED

December 13, 2018

RESOLUTION NO. 22 (18-19)

MODIFICATIONS TO POLICY MANUAL SINCE LAST FULL BOARD APPROVAL

1. RESOLUTION NO. 26 (15-16) – 2016 Board Policy Manual, approved by the full (December 9, 2015)

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1. MISSION STATEMENT

“Our mission is to provide our customers and all future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding customer service; to manage and protect the environmental health of the aquifers and watersheds; and to ensure the fiscal vitality of the San Lorenzo Valley Water District”.

Adopted by the Board of Directors of the San Lorenzo Valley Water District on June 2, 2000.

The mission of the San Lorenzo Valley Water District will be accomplished through the implementation of the following objectives:

OBJECTIVE I; STAFFING

Provide an efficient and adequate staff of employees and consultants, dedicated to the District mission and responsive to the Board. Provide staff and consultants with proper resources.

OBJECTIVE II; COMMUNICATIONS

Establish and maintain an environment that encourages the open exchange of ideas and information between Board members, staff and the public that is positive, honest, concise, understandable, responsive and cost-efficient.

OBJECTIVE III; EDUCATION

Develop and maintain comprehension and competence regarding issues that come before the Board of Directors and Staff. Ensure the District's customers are informed regarding the benefits of safe operations, proper claims procedures, District operations and conservation.

2. AUTHORITY OF BOARD

- A) The Board of Directors shall act only at regular, regularly adjourned, or special meetings, as provided by State Law.
- B) Individual Directors shall have no power to act for the San Lorenzo Valley Water District, or the Board of Directors, or to direct District staff, except as authorized by the Board of Directors.
- C) Until a quorum is present there can be no meeting of the Board of Directors. The presence of a minimum of three (3) Board members is required to constitute a quorum of the Board of Directors.

3. CODE OF ETHICS AND CONDUCT

The Board of Directors of the San Lorenzo Valley Water District is committed to providing excellence in legislative leadership that results in providing the highest quality services to its constituents. The Board of Directors is expected to maintain the highest ethical standards, to follow District policies and regulation, and to abide by all applicable local, state and federal laws. Board of Directors conduct should enhance the integrity and goals of the District. In order to assist in the governing of behavior between and among members of the Board of Directors, the following rules shall be observed:

- A) The dignity, style, values and opinions of each Director shall be respected.
- B) Responsiveness and attentive listening in communications is encouraged.
- C) The needs of the District's constituents shall be the priority of the Board of Directors.
- D) The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to staff members of the District.
- E) Directors should commit themselves to emphasizing the positive.
- F) Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged.
- G) Differing viewpoints are healthy in the decision-making process. Individual Directors have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to creating barriers to the implementation of said action.
- H) Directors should practice the following procedures:
 - 1. In seeking clarification on informational items, Directors may directly approach the District Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
 - 2. In handling complaints or inquiries from residents and property owners of the District, said complaints should be referred to the District Manager and may be followed up by the Board of Directors.
 - 3. In handling items related to safety concerns, hazards should be reported to the District Manager. Emergency situations should be dealt with immediately by seeking appropriate assistance.
 - 4. In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition, sale or development, finance, and programming, said concerns should be referred directly to the District Manager.
- I) When approached by District personnel concerning specific District policy, Directors should direct inquiries to the District Manager.
- J) The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.
- K) When responding to constituent requests and concerns at board meetings, the Board President's discretion determines the amount of time for comments. Specific questions or concerns will be directed to the District Manager for future action by the Board or staff. Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

- L) Directors should develop a working relationship with the District Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
- M) Directors should function as a part of the whole. Issues should be brought to the attention of the Board of Directors as a whole, rather than to individual members selectively.
- (N) Members' interaction with public, press or other entities must recognize the limitation of any Board member to speak for the Board except to repeat explicitly stated Board decisions, while respecting the right of Board members to express individual opinions.
- O) Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.
- P) The Board will further inform itself, individually and collectively, through ongoing outreach to determine community wishes and through continuing education on issues relevant to the District.
- Q) Continual Board development will include orientation of new Board members in the Board's governance process and periodic Board discussion of process improvement.

4. ETHICS TRAINING

Pursuant to California Government Code section 53234 et seq. or as amended, all Directors shall receive two (2) hours of training in general ethics principles and ethics laws relevant to public service within one (1) year of election or appointment to the Board of Directors, and at least once every two (2) years thereafter. All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission. The District Manager and any other employee(s) of the District designated by the Board of Directors shall also receive the ethics training specified herein. The District shall maintain records indicating the name of the entity that provided the training and the dates ethics training was completed. Records shall be maintained for a period of at least five (5) years after the date on which the training was received. These records are public records subject to disclosure under the California Public Records Act.

5. GOVERNING LAWS

The Board of Directors shall comply with and shall be guided by applicable provisions of Federal laws; State laws, including the Water Code, Government Code, Section 1090 of the Government Code, Elections Code and Public Resources Code; this Policy Manual, and the rules and regulations of the District as established by the motions, resolutions and ordinances enacted by the Board of Directors. Motions, resolutions and ordinances may be enacted by the Board in accordance with Water Code section 30523 or as amended.

6. ELECTION OF OFFICERS

There shall be two (2) officers: a president and a vice president, who shall be members of the District Board of Directors. Election of officers shall be held at the second (2nd) Board of Directors meeting in December of each calendar year. Officers will serve for a one (1) year term. Elections will conform to the applicable provisions of this Policy Manual.

7. ROLE OF THE BOARD POWERS, DUTIES AND FUNCTIONS

A) POWERS

The Board of Directors is responsible for the establishment of policy and general control of the District. This broad authority shall be exercised in accordance with all applicable federal, state and local laws and regulations. The Board of Directors may execute any powers delegated by law to the District, and shall discharge any duty imposed by law upon the District.

The enabling codes established by the California State Legislature empowers the Board of Directors to have broad authority and flexibility in carrying out financial programs and activities which meet its individual needs, provided these programs or activities are not in conflict with, inconsistent with, or preempted by law.

B) DUTIES

The primary duties of the Board of Directors are as follows:

1. Take action at legal meetings.
2. Establish and periodically review written policies for District operation and administration.
3. Be responsible for all District finances.
 - a. Approve fiscal budget.
 - b. Monitor the budget spending.
4. Set rates, fees and charges for District services.
5. Personnel
 - a. Hire and discharge General Manager and Legal Counsel.
 - b. Annually evaluate the General Manager and Legal Counsel.
6. Establish written policy on how Board of Director's Meetings are conducted.
7. Review and revise the Master Plan for the District.
8. Ratify committee appointments made by the President.
9. Establish Director compensation limits.

C) FUNCTIONS

The powers and duties of the Board of Directors include governance, executive and quasi-judicial functions. These relate to the Board's own operations as a governing body and to all functions of the District.

1. GOVERNANCE FUNCTIONS

To fulfill its responsibility, the Board is committed to establishing policies to govern District activities. The Board of Directors shall consider and approve or disapprove matters submitted to it by a Director, Staff or the public. The Board of Directors shall

prescribe rules for its own governance which are consistent with its "enabling code" item: 9c
Federal or State Laws and regulations.

2. EXECUTIVE FUNCTIONS

The Board of Directors is authorized to delegate any of its powers and duties to an officer or employee of the District. The Board of Directors; however, retains ultimate responsibility over the performance of those powers or duties so delegated.

3. QUASI-JUDICIAL FUNCTIONS

The Board of Directors desires that public complaints be resolved at the lowest possible administrative level. The method of resolving public complaints shall be as follows:

- a. The individual with a complaint shall first discuss the matter with the District Manager. If this individual registering the complaint is not satisfied with the disposition of the complaint by the District Manager, said complaint may be filed with the Board of Directors.
- b. The Board of Directors may consider the matter at a subsequent regular meeting or call a special meeting. The Board of Directors will expeditiously resolve the matter.
- c. This policy in no way prohibits or intends to deter a member of the public from appearing before the Board of Directors to present a verbal complaint or statement in regards to actions of the Board of Directors, District programs or services, or impending considerations of the Board of Directors.

8. ROLE OF INDIVIDUAL DIRECTORS

The Board of Directors is the unit of authority for the District. Apart from their normal function as a part of this unit, individual Directors may not commit the District to any policy, act or expenditure unless duly authorized by the Board of Directors. Nor may an individual Director direct staff to perform specific duties unless duly authorized by the Board of Directors. Directors do not represent any factional segment of the constituency, but are, rather, a part of the body which represents and acts for the constituency as a whole.

- A) Each Director has the right to place an item on a subsequent Board of Directors Meeting. The deadline for submittal of an agenda item by a Director shall be the preceding Wednesday at 5:00 p.m. before the scheduled Board of Directors meeting date at the office of the District Secretary. Agenda item requests received after the submittal deadline for a specific agenda will be added to the next following regularly scheduled agenda.
- B) Directors will make every effort to attend assigned Board of Directors and Committee meetings:
 1. To prepare adequately for each such meeting;
 2. To observe the rules of decorum as set forth herein; and
 3. Whenever any individual Directors will be absent or late for a Board of Directors or Committee meeting said Director shall notify the District Secretary or Board President at the earliest opportunity.

- C) When requesting information from staff, Directors shall contact the District Manager. When responding to constituent requests and concerns, Directors should reroute such inquiries to the District Manager.
- D) Each Director shall decide individually on what contact information will be released by District staff to the general public. In order to accomplish this in an orderly and consistent manner, each Director shall provide the District Secretary with a completed and signed Director Contact Authorization Form. Directors shall be responsible for any and all updates and amendments to said Director Contact Authorization Form.

9. BOARD OF DIRECTORS MEETINGS

A) REGULAR TIME AND PLACE OF MEETINGS

Regularly scheduled meetings of the Board of Directors shall be held, on the first (1st) and third (3rd) Thursday of each month at 6:00 pm; at the District Operations Building, 13057 Highway 9, Boulder Creek, CA., unless otherwise specified by action of the Board of Directors. Special meetings of the Board of Directors, as that term or its successor terms are defined within the meaning of the Ralph M. Brown Act (California Government Code section 54950 et seq.), may be duly authorized and held as deemed necessary by the President or a majority of the Board of Directors. Notice and location of special meetings shall be as prescribed by law. Emergency meetings of the Board of Directors, as that term or its successor terms are defined within the meaning of the Ralph M. Brown Act, may be duly authorized and held as deemed necessary only by a majority of the Board of Directors. Notice and location of emergency meetings shall be as prescribed by law.

B) PUBLIC NATURE OF MEETINGS

All meetings of the Board of Directors shall be open to the public, except when the Board is convened in Closed Session as authorized under provisions of the Ralph M. Brown Act (California Government Code section 54950 et seq.).

C) QUORUM AND VOTING REQUIREMENTS

The presence of three (3) or more Directors shall constitute a quorum for the transaction of District business. No ordinance, resolution or motion shall be passed by the Board of Directors without a majority vote of the Board, unless otherwise required or prescribed by State law. (See for example, Government Code section 54954.2, Board Policy Manual subparagraph K, below.)

D) BOARD ACTION

The Board of Directors shall act only by ordinance, resolution, or motion. Except where action is taken by the unanimous vote of all Directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions or motions and shall be entered in the minutes. An ordinance does not require two readings at separate meetings unless otherwise prescribed by law. Unless otherwise provided by its own terms, all ordinances, resolutions and motions shall become effective upon adoption. Any member of the Board of Directors, including the President, can make a motion. Motions do not require seconds. The President may vote on all motions unless disqualified or abstaining. The President shall not call for a vote on any motion until sufficient time has been allowed to permit any and all members of the Board of Directors to speak. Complex motions should generally be prepared in writing and read aloud to the members of the Board of Directors at the time the motion is made. If a motion is not in writing, and if it is necessary for full understanding of the matter before the Board of Directors, the President shall restate

the question prior to the vote. Common motions may be stated in abbreviated form and will be put into complete form in the minutes. Until the President states the question, the maker may modify their motion or withdraw it completely. However, after the President has stated the question, the motion may be changed only by a motion to amend which is passed by a majority vote of the Board of Directors.

The President of the Board may at any time, during debate or otherwise, declare a recess. Declaration of a recess shall not be subject to any motions.

E) PARLIAMENTARY PROCEDURES

Unless otherwise inconsistent with any provision stated herein, Parliamentary Procedure for Board of Directors meetings shall be based upon the current edition of Sturgis Standard Code of Parliamentary Procedure. No action of the Board of Directors shall be deemed invalid for the reason that said action was not in conformance with Sturgis Standard Code of Parliamentary Procedure.

F) ROUTINE BUSINESS

Matters of routine business such as approval of the minutes and approval of minor matters may be expedited by assuming unanimous consent of the members of the Board of Directors and having the President state that without objection the matter will stand approved. Should any Director object to such unanimous consent, the President shall then call for a vote.

G) ORDERLY DISCUSSION

In order to promote discussion of the issues before the Board of Directors, each Director shall be recognized by the chair before speaking. Notwithstanding any provision of this Policy, however, each Director shall have a right to be heard within reason on any issue before the Board of Directors. Each Director may seek information or comment by the staff on any question.

H) CLOSED SESSION

Except as provided by law, all proceedings in Closed Sessions shall remain confidential.

I) MEETING AGENDAS

The District Manager, in consultation with the Board President, shall be responsible for the preparation of a written agenda for each regular meeting and/or special meeting of the Board of Directors as those terms or its successor terms are defined by the Ralph M. Brown Act (California Government Code section 54950 et seq.). The District Manager and the Board President shall meet, annually, in January of each calendar year to identify recurring items of business which should be placed on written agendas at appropriate times during the coming year. The District Manager, in consultation with the President, shall be responsible for the preparation of a written agenda for each regular meeting and/or special meeting of "other legislative bodies," of the San Lorenzo Valley Water District, as those terms or its successor terms are defined by the Ralph M. Brown Act. Any Director may request that an item be placed on the agenda for a regular meeting of the Board of Directors. The District Secretary shall be responsible for the posting of the appropriate notice and agenda for all meetings of the Board of Directors and/or "other legislative bodies."

A copy of the agenda for each regular meeting of the Board of Directors shall be

forwarded to each Board member, at least three (3) days in advance of each regular meeting, together with copies of all applicable supporting documentation; minutes to be approved; staff report; and other available documents pertinent to the meeting. Directors shall review agenda materials before each meeting. Individual directors may confer directly with the District Manager to request additional information on the agenda items.

J) ORDER OF BUSINESS

1. Convene Meeting, Roll Call.
2. Additions and Deletions to Agenda.
3. Adjournment to Closed Session.
4. Reconvene to Open Session at 7:00 PM time-certain
5. Report Actions Taken in Closed Session.
6. Minutes.
7. Oral Communications.
8. Written Communications.
9. Consent Agenda.
10. Unfinished Business.
11. New Business.
12. General Manager Reports.
 - a. Manager Reports.
 - b. Committee/Director Reports.
13. Informational Material.
14. (If applicable) Adjournment to Closed Session.
15. (If applicable) Reconvene to Open Session to Report Actions Taken in Closed Session.
16. Adjournment

K) ADDITIONS AND DELETIONS TO AGENDA

Additions to the Agenda, if any, shall be made in accordance with California Government Code Section 54954.2 or as amended (Ralph M. Brown Act), which includes, but is not limited to, additions for which the need to take action is declared to have arisen after the agenda was posted, as determined by a two-thirds vote of the Board of Directors. If less than two-thirds of the members are present a unanimous vote of those members present is required.

L) ORAL COMMUNICATION

The Board of Directors encourages public participation. The Oral Communications portion of the agenda is reserved for citizen communication on matters not otherwise on the agenda. Any person may address the Board of Directors on any subject that lies within the jurisdiction of the District during this portion of the agenda. Unless otherwise altered by the President or presiding officer, individual citizen communication during the Oral Communication portion of the agenda shall not exceed three (3) minutes in length and individuals may only speak once. The Ralph M. Brown Act (Section 54954.3 or as amended) prohibits any action being taken by the Board of Directors on any Oral Communications presented; however, the Board of Directors may request that the matter be placed on a future agenda. Each person addressing the Board of Directors shall be requested to give his or her name and address for the record, and designate the subject matter. Citizens may also address the Board of Directors on specific agenda items, including those on the consent agenda, only after first obtaining recognition by the President or presiding officer. Participation by interested citizens on specific agenda items is subject to orderly procedure, including time limits and decorum established under the

authority of the President or presiding officer and applicable law.

All communications by interested citizens, whether during Oral Communications, or other items on the agenda, shall be addressed to the Board of Directors as a single body and not to individual Board members, staff or members of the audience. No person other than the Board of Directors and the person having the floor shall be permitted to enter into discussion, either directly or through a director, without the permission of the President or presiding officer. No member of the public shall approach the Board of Directors table while the Board is in session unless granted permission by the President or presiding officer. Proper decorum must be observed by Directors, staff, speakers and the audience. The President or presiding officer shall preserve order and decorum, discourage personal attacks, and confine debate to the question under discussion. The President or presiding officer, or a majority of the board, may eject from a meeting any person who becomes disorderly, abusive, or disruptive, or who fails or refuses to obey a ruling of the president regarding a matter of order or procedure. The President shall rule out of order any irrelevant, repetitive or disruptive comments. No cell phone operation or audible pager use is allowed in the Board of Directors chambers.

M) CONSENT AGENDA

The purpose of a consent agenda is to minimize the time required for the handling of any non-controversial matters. Consent agenda items are considered to be routine and non-controversial, with documentation provided to the Board of Directors that is adequate and sufficient for approval without inquiry or discussion. Any item on the consent agenda will be moved to the regular agenda upon request from individual Directors or a member of the public. Unless moved to the regular agenda, the consent agenda shall be voted upon as one single item without discussion or debate.

N) STUDY SESSIONS

Study sessions or workshop meetings are for the purpose of discussing an item(s) that may come before the Board at a later time for official action, to facilitate planning, or discussion of special topics of interest. Study sessions provide a more informal forum for the Board of Directors, staff and the public to engage in open-ended discussion and share information on a particular subject(s). No formal action(s) can be taken at a study session; direction can be given to staff regarding preparation of an agenda item for discussion and possible action at a subsequent meeting. From time to time, study sessions may be duly authorized as deemed necessary by the President or a majority of the Board.

O) WRITTEN CORRESPONDENCE

The Written Correspondence portion of the agenda is established to act as a report of written materials received by the Board as a whole, but may also include items requested for inclusion by individual Directors or members of the public. Written Communications which require no official actions by the Board of Directors may be listed only by title and date received, and not presented in its entirety. Written Correspondence not presented in its entirety will be maintained by the District Secretary for a period of two (2) years.

10. TECHNOLOGICAL CONFERENCING

Teleconferencing may be used for all purposes in connection with any meeting within the subject matter jurisdiction of any legislative body of the District. Teleconferencing is defined as a meeting of a legislative body of the District, the members of which are in different locations, connected by electronic means, through either audio or video, or both. If a legislative body of the District elects to use teleconferencing, it shall comply with all

applicable requirements of the Ralph M. Brown Act (Section 54953, or as amended.)

11. PRESIDENT

A) DUTIES

The President shall sit as presiding officer and conduct all meetings of the Board of Directors, shall carry out the resolution and orders of the Board of Directors and shall exercise such other powers and perform such other duties as the Board of Directors shall prescribe; including the following:

1. Call the meeting to order at the appointed time.
2. Announce the business to come before the Board of Directors in its proper order.
3. Enforce the Board of Directors policies and rules with respect to the order of business and the conduct of meetings.
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
5. Explain what the effect of a motion would be if it is not clear to every member of the Board of Directors.
6. Restrict discussion to the question when a motion is before the Board of Directors.
7. Rule on parliamentary procedure.
8. Put motions to a vote, and state clearly the results of the vote.

B) RESPONSIBILITIES

The President shall have all the rights to discuss and vote on any issues before the Board of Directors. The President shall have the following responsibilities:

1. Sign all instruments, acts, and carry out stated requirements and the will of the Board of Directors.
2. Consult with the District Manager on the preparation of the Board of Directors agendas. In addition, any Director shall have the right to place any matter on the agenda for any meeting in accordance with the provisions of this policy.
3. Appoint and disband all committees, subject to Board of Directors approval.
4. Call such meetings of the Board of Directors as they may deem necessary, giving notice as prescribed by law.
5. Confer with the District Manager and/or District Counsel on matters which may occur between Board of Directors meetings.
6. Be responsible for the orderly conduct of all Board of Directors meetings.
7. Act as spokesperson for the Board of Directors.
8. Coordinate and prepare the Board of Directors annual evaluation of the General Manager and Legal Counsel.

9. Other duties as authorized by the Board of Directors.

12. VICE-PRESIDENT

When the President resigns or is absent or disabled, the Vice President shall perform the President's duties. When the President disqualifies himself/herself from participating in an agenda item, the Vice-President shall perform the duties of the presiding officer.

13. MINUTES

Minutes of all regularly scheduled Board of Directors meetings will be audio recorded. Said audio record shall be subject to inspection in accordance with State Laws, including the California Public Records Act.

14. COMMITTEES

The Board shall organize committees that are advisory to the Board with regard to matters within their respective areas of responsibility. The three District standing committees are as follows: Administrative, Budget & Finance and Engineering/Operations/Environmental.

Each standing committee shall have no power or authority to commit the District or to take any action on behalf of the Board of Directors. Standing Committees shall hold meetings at such times as deemed necessary by consensus of the committee members. Committees are encouraged to meet at least monthly.

Committee meetings shall be held in accordance with the provisions of the Ralph M. Brown Act. In order to promote attendance by Directors at Committee meetings without inadvertently creating a violation of the Ralph M. Brown Act, Directors that are not members of a committee may attend as observers, but shall not participate at the Committee's meeting.

Committee appointments will be reviewed by the full Board at the 2nd Board of Director's meeting in December of each Calendar Year, or as soon thereafter as practical. Each committee may have no more than two Board Members and no more than one Public Member. Each committee member shall be appointed by a simple majority vote of the Board. During the appointment discussion each Director may present a public member to serve on each standing committee. If more than one public member is presented to serve on an individual committee, the full Board shall vote to determine which public member shall be seated on that committee for the year.

Members of the committees serve at the pleasure of the Board. Each committee shall designate their own chairperson. The chairperson shall be a member of the Board. Each committee may elect a vice-chairperson. Members of committees, including the chairperson and vice-chairperson shall serve until their successors are appointed. The chairperson of a committee is its presiding officer and shall be responsible for communicating the recommendation of the committee to the Board. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The chairperson and vice-chairperson are not deprived of any of the rights and privileges of a committee member by reason of being the presiding officer.

A majority of the members of each committee shall constitute a quorum for the transaction of business. Only members of the committee are entitled to make, second or vote on any motion or other action of the committee. Each committee member shall be entitled to one vote on all matters considered by the committee. A simple majority vote of the members of the Committee shall designate approval of a motion.

During the first regular meeting after January 1st of each year, each Committee shall review the District's current Strategic Plan and identify Strategic Plan Elements pertaining to said Committee. The Committee's findings regarding such Strategic Plan review shall be reported back to the Board at the next available regular Board Meeting for discussion and to allow the Board to provide direction back to the committees regarding completion of identified Strategic Plan Elements.

During the first regular meeting after January 1st of each year, each Committee shall prepare a multi-month forward looking calendar of items to be discussed by said Committee. Said calendar shall be no less than a three month look-ahead. Each Committee chairperson shall maintain said look-ahead calendar and submit same to the Board on a monthly basis.

The committee Chairperson shall record summary minutes of each committee meeting. The minutes of each committee meeting and any recommendation of a committee shall include a summary of the information presented.

All committee member absences will be considered by the majority of the committee members to determine whether or not the absence is without cause. Sickness, jury duty, vacation and/or bereavement will be considered excused absences. When three meetings in a row or a total of six meetings in one calendar year are missed the remaining committee members will consider removal of the individual from the committee. The removal must be voted upon and approved by the majority of the committee members with the exception of the committee member in question.

Vacancies shall be reported to the full Board as soon as practically possible. Vacancies shall be filled by simple majority vote of the Board.

Committee Members shall comply with the obligations and responsibilities of office including the obligation to comply with the disclosure requirements of the Political Reform Act (Form 700). The reporting categories made applicable to the Directors by San Lorenzo Valley Water District's local conflict of code shall apply to the members of the committee members.

All committee communications must go through the designated committee chairperson.

A committee has jurisdiction to consider and make a recommendation to staff, other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board.

The Board may refer a recommendation back to any committee for reevaluation whenever the Board deems additional evaluation is required.

Each Standing Committee shall, as a minimum, be responsible for the following:

Administrative Committee

The Committee shall be responsible for matters of internal and external administrative matters including: communications, staffing and staff support; District's data gap grant programs; interagency relations; codes and policies, pending State and Federal legislation; and other administrative programs.

Budget and Finance Committee

The Committee shall be responsible for the review of District finances including: rates, fees, charges and other sources of revenue; budget and reserves; audit; investments; insurance; and other financial matters.

Environmental / Engineering / Planning Committee

The Committee shall be responsible to review matters of stewardship, design, construction, replacement, and repair of the District facilities and property, including: The Capital Improvement Program; Master Plans; Urban Water Management Plans; Water Conservation Programs; Classic Watershed Education Grants; Watershed Management; Resource Management; and other environmental / engineering / operational and planning related matters.

15. MEETING STIPENDS

Each Director may receive compensation as established by resolution of the Board of Directors. Pursuant to California Water Code section 30507, each Director may receive compensation in an amount not to exceed one hundred dollars (\$100.00) per day for each day's attendance at meetings of the Board, or for each day's service rendered as a Director by request or approval of the Board, not to exceed six hundred dollars (\$600.00) in any calendar month.

Consistent with California Water Code section 30507, by resolution of the Board of Directors, the District has established the following per day (daily meeting stipend) for each day's attendance at meetings, as defined herein. Such compensation is in addition to any approved reimbursement for meals, lodging, travel and other expenses consistent with the policies stated herein.

- a) To be entitled to a daily meeting stipend of one hundred dollars (\$100.00), the event in question must constitute one of the following:
 - 1. A meeting of the San Lorenzo Valley Water District Board of Directors within the meaning of California Government Code section 54952(a); or
 - 2. Any meeting attended or service provided on a given day at the formal request of the District Board of Directors, and for which the Board at a public meeting approved payment of a daily meeting stipend.
- b) To be entitled to a daily meeting stipend of twenty five dollars (\$25.00), the event in question must be a meeting of a designated District standing committee within the meaning of California Government Code section 54952(b). Only Directors appointed to the District standing committees shall be entitled to said daily meeting stipend.

16. TRAINING, EDUCATIONAL PROGRAMS, CONFERENCE AND MEETINGS

The Board of Directors has determined that the following provisions shall be applicable to Director training, educational programs, conferences and meetings:

- A) Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Directors may attend, on behalf of the District, such training, educational programs, conferences and meetings as have been approved by the Board of Directors.
- B) It is the policy of the District to encourage Board development and excellence of performance by reimbursing necessary and reasonable expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted. All reimbursement of actual and necessary expenses shall be pursuant to District policy on expenditure reimbursement as stated herein.
- C) Attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences etc. shall be approved by the Board of Directors at a public meeting prior to incurring any authorized reimbursable costs.
- D) The District Manager or designee is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the District Manager, together with validated receipts.

- E) To conserve District resources and keep Directors' reimbursement expenses for training, educational programs, conferences and meetings within community standards for public officials, reimbursement expenditures should adhere to the following guidelines. Expenses to the District for Board of Directors' training, education programs, conferences and meetings should be kept to a minimum by:
 - 1. Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.
 - 2. Traveling together whenever feasible and economically beneficial.
 - 3. Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.
- F) A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the Director has announced a pending resignation, or if it occurs after an election in which it has been determined that a Director will not retain a seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.
- G) Whenever a Director who has not previously attended a particular conference or educational program is available to attend same, that Director shall have preference for attendance over a Director who has previously attended the same program.
- H) Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. The report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.
- I) Nothing in this policy shall permit the conduct of business in violation of the Ralph M. Brown Act when more than three (3) Directors attend the same event.

17. EXPENDITURE REIMBURSEMENT

The purpose of this policy is to prescribe the manner in which members of the San Lorenzo Valley Water District Board of Directors may be reimbursed for expenditures related to approved District business. The District shall adhere to California Government Code sections 53232 through 53232.4 or as amended when dealing with issues of expenditure reimbursements for Directors. This policy shall apply to all members of the Board of Directors, and is intended to result in no personal gain or loss to a Director.

Directors may be reimbursed for out-of-pocket expenditure(s) relative to reasonable and necessary costs associated with appropriate District business. The Board of Directors must provide approval for said District business at a public meeting prior

to incurring any authorized reimbursement costs.

Directors are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary expenses associated with approved District business. Reimbursement rates shall coincide with guidelines established herein, or rates set by Internal Revenue Service Publication 1542 or its successor publication(s), whichever are greater.

If lodging is in connection with a prior approved event, such lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor. If the published group rate is unavailable, Directors shall be reimbursed for comparable lodging at government or IRS rates.

If travel is in connection with a prior approved event, the most economical mode and class of transportation reasonably consistent with scheduling needs must be used, using the most direct and time-efficient route. Directors shall use government or group rates offered by the event provider of transportation when available. If the group rate is unavailable, Directors shall be reimbursed for comparable travel at government or IRS rates.

Directors shall submit their requests for reimbursement on a form approved by the District Manager. The reimbursement form shall include an explanation of the District-related purpose for the expenditure(s). Receipts documenting all expenditure are required to be submitted in conjunction with the expense report form. Failure to submit necessary receipts will result in denial of the reimbursement claim. Expense reports shall be submitted within a reasonable time, and at no time more than fourteen (14) calendar days after incurring the expense. The District Manager will review and approve reimbursement requests.

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

State law provides criminal penalties for misuse of public resources, which includes falsification of expense reports. Penalties include fines, imprisonment, and restitution.

18. PERSONNEL POLICIES

A) PERSONNEL SYSTEM RULES AND REGULATIONS

San Lorenzo Valley Water District is committed to the provision of an orderly, equitable and uniform personnel system. The Board of Directors by resolution shall establish written rules and regulations for the administration of the personnel system. Personnel system rules and regulations shall be reviewed at the second (2nd) Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

B) SEXUAL HARASSMENT

The San Lorenzo Valley Water District is committed to creating and maintaining a work environment free of objectionable and disrespectful conduct and/or communication of a sexual nature and prohibits sexual harassment by all employees and the Board of Directors. The Board of Directors by resolution shall establish a written policy and procedure manual relative to sexual harassment. The District's sexual harassment policy shall be reviewed at the second (2nd) Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

Conduct which creates an intimidating, hostile or offensive work environment will not be tolerated. Verbal behavior, physical behavior, gestures and other non-verbal behavior which create said environment will not be tolerated. Any employee or member of the public who feel that they have been or are being harassed by a Director is strongly encouraged to immediately report such incident to the District Manager without fear of reprisal regardless of the outcome of the complaint. The District Manager shall assign the investigation of the alleged misconduct to an outside party such as an attorney or law firm experienced in such matters. The District Manager shall notify the President of the Board of Directors of said alleged misconduct. Thereafter, the President, at the next meeting of the Board of Directors, shall report the facts and nature of the allegations to the entire Board of Directors.

If the Director charged with sexual harassment is the President of the Board of Directors, the District Manager shall report the fact and nature of the allegation(s) to the entire Board of Directors at its next meeting.

If an allegation of sexual harassment against a Director is investigated and found to be supported, the Board of Directors reserves the right to take such remedial action as is appropriate under all of the circumstances, including, if warranted, initiating an action for recall of such Director. The Directors agree that an accusation of sexual harassment against any one of them must be investigated. It is further agreed that such an investigation is not an invasion of their right of privacy.

C) NONDISCRIMINATION

The District shall not unlawfully discriminate against qualified employees or job applicants on the basis of age, sex, race, color, creed, religion, national origin, ancestry, marital status, sexual orientation, physical or mental disability, veteran status, or status with regard to public assistance. Equal opportunity shall be provided to all qualified employees and applicants in every aspect of personnel policy and practice. All employees are expected to carry out the responsibilities in a manner that is free from discriminatory statements or conduct.

D) REASONABLE ACCOMMODATION-AMERICANS WITH DISABILITIES ACT

Pursuant to the Americans with Disabilities Act, employers have a duty to reasonably accommodate employees and job applicants with known disabilities. This accommodation is not required for individuals who are not otherwise qualified for the job nor is accommodation generally required until the person with the disability requests it. The following optional regulation includes procedures recommended by the Equal Employment Opportunity Commission for use when determining what accommodation to make.

Requests for reasonable accommodation may first be considered informally by the

site administrator. If an accommodation cannot be made at the site because it would pose undue hardship or because of a lack of funds, the site administrator shall ask that the request be submitted in writing to the General Manager. The site administrator shall provide the employee or applicant with any assistance he/she may need in order to submit this request.

The duty to reasonably accommodate an individual with a disability is limited to those accommodations which do not impose an undue hardship upon the district. Undue hardship is determined on a case-by case basis and includes any action that is unduly costly, extensive, substantial, disruptive, or that fundamentally alters the nature or operation of the agency. The burden of proving undue hardship rests with the agency, and what may be an undue hardship for one agency may not be an undue hardship for another, depending on factors such as cost and agency size. Even if cost does pose an undue hardship, the disabled person should have the opportunity to pay for the portion of the cost that constitutes an undue hardship, or to personally provide the accommodation.

19. CONFLICT OF INTEREST CODE

Pursuant to provision of California Government Code section 81,000 et seq., commonly known as the Political Reform Act, the District shall adopt and maintain a Conflict of Interest Code. The Conflict of Interest Code and, any amendments thereto shall be adopted by resolution of the Board of Directors. The Board of Directors shall review the adopted Conflict of Interest Code on a bi-annual basis. At a regularly scheduled Board of Directors meeting in September of each even-numbered year, the Board of Directors shall review its Conflict of Interest Code and, if amendments are needed, shall submit said amendments to the Santa Cruz County Board of Supervisors in accordance with applicable deadlines. If no amendments are needed, the Board of Directors shall submit a written statement saying that its Conflict of Interest Code is still accurate.

20. RESIGNATIONS

Resignations by Directors shall be in writing, state the effective date and be submitted to the President of the Board of Directors and District Secretary. In the event the President of the Board of Directors resigns, the resignation shall be submitted to the Vice-President of the Board of Directors and the District Secretary.

21. VACANCIES

Directors are expected to carry out their responsibilities to the best of their abilities. In order to accomplish this goal, Directors should be present for scheduled meeting or events whenever possible. In accordance with California Government Code section 1770 a Director position vacancy will occur whenever "he or she ceases to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness", or when absent from the Board of Directors without the permission of the majority of the Board of Directors.

If such vacancy occurs, the Board of Directors will take action in accordance with California Government Code section 1770.

In order to accomplish this in an orderly and consistent manner, when a vacancy of an elected Director occurs, the District Board of Directors, after discussion and consideration, shall when deemed appropriate, instruct staff to:

- A) Place a public notice advising that a vacancy has occurred in accordance with applicable provisions of law; and

- B) Said notice shall advise prospective candidates of the steps to take to apply for appointment; and
- C) The District's Board of Directors shall establish the closing date for the receipt of applications; and
- D) Applicants shall submit the following, by the date specified in the notice:
 - a) a letter of interest, and
 - b) a resume, with particular emphasis on the applicant's knowledge of special districts, and
- E) Applicant(s) shall be interviewed at the next regularly scheduled meeting of the District's Board of Directors following the date of closure for applications; and
- F) The District's Board of Directors shall make the appointment without undue delay, but need not act at the same meeting.

22. INCONSISTENT, INCOMPATIBLE AND CONFLICTING
EMPLOYMENT OR ACTIVITIES

Pursuant to the provision of the California Government Code section 1126, the Board of Directors of the San Lorenzo Valley Water District has determined that it would be inconsistent and incompatible for a Board member to be a paid employee of the District. Therefore, based on this decision, a member of the Board of Directors shall not be a paid District employee.

23. DIRECTORS' LEGAL LIABILITIES

The District shall defend and indemnify Directors from any claim, liability or demand that arises out of a Director's performance of his or her duties or responsibilities as a Director or Officer of the District.

24. INVESTMENT POLICY

San Lorenzo Valley Water District is committed to the establishment of formal policies relative to the prudent investment of the District's unexpended cash. The Board of Directors by resolution shall establish written guidelines for the investment of all San Lorenzo Valley Water District funds or funds in the custody of the District, in a manner which conforms to all state and local statutes governing the investment of public funds. Said guidelines shall provide for an optimal combination of safety, liquidity and yield. The District's Investment Policy and, any amendments thereto, shall be adopted by resolution of the Board of Directors. The Investment Policy shall be reviewed at the second (2nd) Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

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25. ANNUAL DISCLOSURE OF REIMBURSEMENTS

The District shall annually disclose any reimbursements paid by the San Lorenzo Valley Water District of at least one hundred dollars (\$100.00) for each individual charge for services or products received. The Board of Directors shall review said reimbursement information for the preceding fiscal year (July 1 - June 30) at a regularly scheduled Board of Directors meeting in September of each calendar year.

26. GENERAL PROVISIONS

Any of the within policies not required by law may be altered, amended, or repealed by a majority of the Board at a duly authorized meeting.

27. ANNUAL REVIEW

This Board of Directors Policy Manual shall be reviewed annually by District Counsel and ratified by Resolution of the Board of Directors at the second (2nd) Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

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END

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Operating Principles of the Board (Norms)
POLICY NUMBER: 4005

4005.1 IMPLEMENTATION

- The [DISTRICT] is committed to practice these norms, whereupon we will evaluate, learn, and adjust according to what we learn.
- Upon the occasion of the occurrence of what appears to be a breach of these norms, we are committed to addressing this perception first to the individual(s) involved, before raising the issue with the Board itself. Because we value learning and improvement, we are committed to debriefing each of these at each of our Board meetings.

4005.2 COMMUNICATION NORMS

- All communication will be accurate and brief.
- Board and staff will attempt to describe our behavior before we engage in it, and actively listen when communicated with.
- Always Check Your Assumptions (C.Y.A.).
- Revisit and display these norms at each Board meeting.

4005.3 PROCESS NORMS

- The Board needs to address and resolve policy issues and set priorities. The Team is committed to doing this by practicing the building of consensus and orderly implementation.
- The Team is committed to [DISTRICT]'s mission and to work as a team.
- The Team needs to monitor and respond to changes in the market and environment.
- Staff needs to make available all information and analysis of alternatives so that the Board can make "reasoned decisions."
- The Board will jointly discuss and identify its interest(s) prior to establishing a position and negotiating with external organizations.
- All requests from the Board for information/agenda items will be funneled through the General Manager and distributed to all Board members.

4005.3 RELATIONSHIP NORMS

- Create an environment that promotes respect and appreciation between the Board, Staff, Consultants, and customers.
- Fundamental agreement that the focus of [DISTRICT]'s mission is its accomplishments and future vision that meets the needs of its customers.
- Establish, accept and support common purpose and vision.
- The "Team" includes the Board, Staff, Consultants and Membership.

4005.4 CAPACITY NORMS

- Continue the process of hiring qualified personnel.
- Expand education for the Board, Staff and Consultants.
- Expect creative decision-making.
- Maintain competitive advantage by adhering to a policy of updating technology and resources.
- Ensure a cooperative and open work environment.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Code of Ethics
POLICY NUMBER: 4010

4010.1 The Board of Directors of [DISTRICT NAME] is committed to providing excellence in legislative leadership that results in the provision of the highest quality services to its constituents and to comply with State laws including AB 1234 (Salinas) approved in 2006.(copy attached as reference)

In order to assist in the governance of the behavior between and among members of the Board of Directors and District staff, the following rules shall be observed.

4010.1.1 The dignity, style, values and opinions of each Director shall be respected.

4010.1.2 Responsiveness and attentive listening in communication is encouraged.

4010.1.3 The needs of the District's constituents should be the priority of the Board of Directors. When a Director believes he/she may have a conflict of interest, the legal counsel shall be requested to make a determination if one exists or not.

4010.1.4 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

4010.1.5 Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

4010.1.6 Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.

4010.1.7 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

4010.1.8 Directors should practice the following procedures:

4010.1.8.1 In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement,

4010-1

upgrade, or enhance their knowledge to improve legislative decision-making.

4010.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

4010.1.8.3 In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.1.8.4 In presenting items for discussion at Board meetings, See Policy #5020.

4010.1.8.5 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager or legal counsel.

4010.1.9 If approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor or General Manager. The chain of command should be followed.

4010.2 The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

4010.2.1 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

4010.2.2 Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

4010.2.3 Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

4010.2.4 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Voluntary Candidate Expenditure Ceiling
POLICY NUMBER: 4015

4015.1 In accordance with *Government Code §85400* (Proposition 208), the voluntary expenditure ceiling for candidates for the Board of Directors of [DISTRICT NAME], and controlled committees of such candidates, shall be one dollar (\$1) per resident for each election in which the candidate is seeking election to the Board of Directors.

4015.2 Proposition 208 establishes a two-tiered scheme of campaign contribution limitations applicable to candidates running for local office based on whether the recipient candidate accepts or rejects the voluntary expenditure ceiling established by the local jurisdiction. The decision by a candidate as to whether to accept the ceiling must be made before a candidate accepts any contributions.

4015.2.1 If a candidate for the Board of Directors elects to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$250.

4015.2.2 If a candidate for the Board of Directors elects not to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$100.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Attendance at Meetings
POLICY NUMBER: 4020

4020.1 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Expenditure Reimbursement
POLICY NUMBER: 4025

4025.1 Purpose. The purpose of this policy is to prescribe the manner in which District employees and directors may be reimbursed for expenditures related to District business.

4025.2 Scope. This policy applies to all employees and members of the Board of Directors and is intended to result in no personal gain or loss to an employee or director.

4025.3 Implementation. Whenever District employees or directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to District business, they shall submit their requests on a reimbursement form approved by the General Manager. Included on the reimbursement form will be an explanation of the District-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

4025.4.1 The Finance Division Manager or the General Manager will review and approve reimbursement requests. Reimbursement requests by the Finance Division Manager will be reviewed and approved by the General Manager. Reimbursement requests by the General Manager will be reviewed and approved by the Finance Division Manager.

4025.4.2 All expenses must be reasonable and necessary, and employees and directors are encouraged to exercise prudence in all expenditures.

4025.4.3 The most economical mode and class of transportation reasonably consistent with scheduling requirements will be used. In the event a more expensive class of transportation is used, the reimbursable amount will be limited to the cost of the most economical class of transportation available. Reimbursement for use of personal vehicles will be at the applicable IRS-approved rate.

4025.4.4 Expenditures for food and lodging will be moderate and reasonable.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Remuneration
POLICY NUMBER: 4030

4030.1 Members of the Board of Directors shall receive a monthly "Director's Fee," the amount of which shall be established annually by the Board at its regular meeting in July and be consistent with applicable state law.

[refer to *Special Districts: Compensation for Directors and Trustees* for individual district type government code sections.]

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Directors' Health Insurance
POLICY NUMBER: 4035

4035.1 Members of the Board of Directors of the *[insert district name]* may participate in the health benefits plan provided by the District through the Public Employees Retirement System *[specify name of district's program if different]* on a self-pay basis. The District will pay the minimum monthly enrollment fee – currently set at \$____ - for each enrolled Director required of it by the Public Employees' Medical and Hospital Care Act. *[Specify details of district's payment on behalf of directors if different than the foregoing.]*

4035.2 In accordance with Government Code §53208.5, the benefits provided to Directors by the health benefits plan may not be greater than the most generous schedule of benefits being received by any group of District employees. Family members of the Director are also eligible for enrollment in the health benefits plan in accordance with the Act and Regulations of the PERS Board of Administration.

4035.3 The health benefits plan for Directors will be available only to active members of the Board of Directors, and shall not be available after a Director is no longer an elected or appointed official of the District.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Duties of Board President
POLICY NUMBER: 4040

4040.1 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

4040.2 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

4040.3 DUTIES Regarding Meetings of the Board

The president shall preside over and conduct all meetings of the Board of Directors, and shall carry out the resolution and orders of the Board of Directors and shall exercise such other powers and perform such other duties as the Board of Directors shall prescribe including the following:

1. Call the meeting to order at the appointed time;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies in relation to the order of business and the conduct of meetings;
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
5. Explain what the effect of a motion would be if it is not clear to every member;
6. Restrict discussion to the question when a motion is before the Board;
7. Rule on parliamentary procedure; and
8. Put motions to a vote, and state clearly the results of the vote.

4040.4 RESPONSIBILITIES

The president shall have all the rights to discuss and vote on any issues before the Board, but not to move or second any motion. If the president wishes to move or second a motion he/she must pass the gavel to the Vice-President and step down as the presiding officer for that particular agenda item. Responsibilities of the President include:

1. Sign all instruments, act, and carry out stated requirements and the will of the Board;
2. Sign the minutes of the Board meeting following their approval;
3. Appoint and disband all committees, subject to Board ratification;
4. Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by

- law;
5. Coordinate the preparation of meeting agendas with the General Manager;
 6. Confer with the General Manager or designee on crucial matters which may occur between Board of Directors meetings;
 7. Be responsible for the orderly conduct of all Board meetings;
 8. Be the Spokesperson for the Board; and
 9. Perform other duties as authorized by the Board.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Board Secretary
POLICY NUMBER: 4045

4045 The position of Secretary of the Board of Directors is required by state law. The Secretary performs duties including recording of minutes and actions of the Board of Directors and certifying all actions and resolutions of the Board.

4045.1 If for any reason the President and Vice-President resign or are absent or disabled, the Secretary shall perform the President's duties until the position of President is filled.

4045.2 If for any reason the President and Vice-President disqualify themselves from participating in an agenda item or become partisan in the debate on any such item, the Secretary shall perform the duties of the presiding officer.

4045.3 DUTIES of the Secretary

The secretary of the Governing Board shall have the following duties:

1. Certify or attest to actions taken by the Board when required;
2. Sign the minutes of the Board meeting following their approval;
3. Sign the documents as directed by the Board on behalf of the Authority, and sign all other items which require the signature of the Secretary; and
4. Perform any other duties assigned by the Board.

4045.4 RESPONSIBILITIES of the Secretary

It is the responsibility of the Secretary with assistance of the agency Executive Officer to ensure:

1. Minutes of the Board of Directors meetings are recorded. These recordings are for use by the Secretary only for the purpose of preparing minutes for adoption at the next regularly scheduled meeting of the Board. Upon adoption of these minutes the recording media will be reused;
2. Minutes of each Board meeting are prepared and maintained;
3. Board records and other documents & reports are maintained, as required by law; and
4. Board officers receive the correspondence addressed to them.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Clerk of the Board
POLICY NUMBER: 4047

4047.1 The Clerk of the Board shall be responsible for performing the duties imposed by law or District Resolution. Additionally, the duties of the Clerk of the Board include:

1. May provide input in formulating the budget of the office of the Board and have the authority to expend funds in accordance with the annual budget of the Board.
2. Manage the office of the Board and responsibility for maintaining confidential information and files; prepare the Board agenda, minutes, resolutions, ordinances, notices and other related matters.
3. Attend Regular, Special, Emergency, and Adjourned Board meetings and other meetings as required, taking non-verbatim notes of business transacted and prepare minutes; post/publish all notices and agendas required by law.
4. Prepare reports, memoranda and other documents; act as custodian of the District seal; serve as filing officer or filing official.
5. Be responsible for receiving, forwarding or retaining statements of economic interest or campaign statements in accordance with California Code of Regulations, Title 2, Section 18227;.
6. Maintain resolutions, ordinances, Board approved policies and District agreements; attest to ordinances and resolutions, and accept correspondence on behalf of the Board.

4047.2 The Board may appoint an Assistant to the Clerk of the Board to perform the duties of the Clerk of the Board in the absence of the Clerk.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Legal Counsel and Auditor
POLICY NUMBER: 4048

4048 The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities.

4048.1 Legal Counsel shall be the legal adviser of the District and shall perform such duties as may be prescribed by the Board of Directors. Legal Counsel is required to review and approve as to form District legal documents, i.e. contracts, agreements, etc. The Legal Counsel shall present and report on all legal issues and Closed Session items before the Board. The Legal Counsel shall serve at the pleasure of the Board, and shall be compensated for services as determined by the Board.

4048.1.2 The Legal Counsel reports to the Board as a whole but is available to each director for consultation regarding legal matters particular to that Board members participation. No Board member may request a legal opinion of legal counsel without concurrence by the Board except as such requests relate to questions regarding that member's participation. The Legal Counsel shall be available to the District General Manager for consultation on applicable issues and activities.

4048.2 The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board. Selection of the Auditor shall be done in a noticed public meeting and at least every five years.

4048.2.1 The Board may appoint a committee to oversee the work of an independent auditor, who will report to the Board, to conduct an annual audit of the District's books, records, and financial affairs in accordance with state law and the Finance Committee Charter for Audit Compliance. The Chief Financial Officer/General Manager will install and maintain an accounting system that will completely and at all times show the financial condition of the District.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Members of the Board of Directors

POLICY NUMBER: 4050

4050.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.

4050.1.1 Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

4050.1.2 Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.

4050.2 Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4050.3 Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

4050.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4050.5 Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

4050.6 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Committees of the Board of Directors
POLICY NUMBER: 4060

4060.1 The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4060.2 The following shall be standing committees of the Board:

4060.2.1 Planning Committee;

4060.2.2 Ordinance Committee;

4060.2.3 Personnel Committee;

4060.2.4 Finance Committee; and,

4060.2.5 Public Relations Committee.

4060.3 The Board President shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in January.

4060.4 The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.4.1 All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

4060.5 The Board's standing Planning Committee shall be concerned with the formulation of plans for arranging, realizing, and/or achieving District goals.

4060.6 The Board's standing Ordinance Committee shall be concerned with proposed ordinances, resolutions and/or District policies, except those pertaining specifically to personnel.

4060.7 The Board's standing Personnel Committee shall be concerned with the functions, activities, operations, compensation and welfare of District staff.

4060.8 The Board's standing Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

4060.9 The Board's standing Public Information Committee shall be concerned with assuring that information regarding the affairs of the District is adequately and appropriately communicated to its constituents and the public at large.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Basis of Authority
POLICY NUMBER: 4070

4070.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

4070.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Membership in Associations
POLICY NUMBER: 4080

4080.1 The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

4080.2 The Board of Directors shall maintain membership in the California Special Districts Association and shall ensure that annual dues are paid when due.

4080.3 The Board of Directors shall maintain membership in the [LOCAL] Chapter of the California Special Districts Association and shall ensure that annual dues are paid when due.

4080.3.1 At the regular Board meeting in [MONTH], a member of the Board shall be selected to represent the District in accordance with said chapter's constitution/bylaws, and another member of the Board or staff member shall at the same time be selected to serve as an alternate for the representation.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Training, Education and Conferences
POLICY NUMBER: 4090

4090.1 Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

4090.1.1 "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

4090.2 It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted.

4090.2.1 The Finance Division Manager is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the Finance Division Manager, together with validated receipts in accordance with State law.

4090.2.2 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

4090.2.3 Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the Finance Division Manager and by:

4090.2.3.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

4090.2.3.2 Directors traveling together whenever feasible and economically beneficial.

4090.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

4090.3 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the District has announced his/her pending resignation, or if it occurs after an election in which it has been determined that the Director will not retain his/her seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

4090.4 Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Ethics Training
POLICY NUMBER: 4095

4095 All directors and designated executive staff of [District] shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2.

4095.1 This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

4095.2 All ethics training shall be provided by entities whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

4095.3 Directors shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training will be reimbursed by the District.

4095.3.1 District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.

4095.4 District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.

4095.5 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

4095.6 Any director of [District] that serves on the board of another agency is only required to take the training once every two years.

California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Filling of Vacancy(s) on Board of Directors (Trustees)
POLICY NUMBER: 4097

4097.1 The District Board of Directors (Trustees) are elected (or appointed) in accordance with the Principal Act of the District. From time to time a vacancy may occur on the Board for a variety of reasons. This policy is established to provide general guidelines and procedures for filling a vacancy on the Board. Under state law, the District has a total of sixty (60) days in which to take action.

4097.2 The Board of Directors shall be informed immediately of the resignation or death of a member of the Board of Directors. The Board of Directors shall consider whether to act to fill the vacancy, either by appointment or by calling a special election.

4097.3 The District shall notify the county elections official of the vacancy no later than fifteen (15) days after the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later.

4097.4 In cases where the Board determines to appoint a replacement to the Board, the District may publish a public notice of a vacancy and the process for considering candidates in a local newspaper of general circulation. The Board may establish an application and interview process including requiring a resume or application form detailing qualifications and experience of the candidates.

4097.4.1 The District shall post a notice of vacancy in at least three conspicuous places in the District at least fifteen (15) days before the Board makes an appointment. If the Board makes an appointment, the District shall notify the county elections official within fifteen (15) days of making the appointment.

4097.5 The Board may review and invite those candidates that a majority of the Board determine are the most qualified or all of the candidates for an interview before the Board at a public noticed meeting. The Board may then consider the interviewed candidates and vote to determine if a majority of the Board can agree on a selected replacement candidate.

4097.6 If the Board of Directors chooses to call an election, the Board must do so within sixty (60) days of notification of the vacancy or the effective date of the vacancy, whichever is later.

4097.7 All costs for any election shall be identified for consideration by the Board for the decision of appointment or election.

4097.8 A selected replacement Director shall serve out the balance of the term of the position and be subject to reelection under the Principal Act of the District.

4097.9 If the Board fails to take action in the sixty (60) day period, state law provides that the Board of Supervisors may appoint a successor to fill the vacancy.

SLVWD Board Policy Manual

Section	Title	Comments
1.01	Mission Statement	No comments
1.02	Purpose and Scope	Offer clarifying/simplifying language in the last paragraph. Instead of "said rules", change to "the higher authority shall prevail."
1.03	Authority of the Board	The opening paragraph and paragraph #3 are slightly redundant. Much of this section addresses conflict of interest issues. Isn't this being addressed in a separate, stand-alone Conflict of Interest policy document?
1.04	Code of Ethics and Conduct	in the last paragraph c) the phrase should be corrected to read "is intended...."
1.05	Governing Laws	
1.06	Election of Officers	No comments
1.07	Board of Directors Meetings	1) The specification of the location of the meeting should be considered for deletion. In the event the meeting location is changed, the building is re-purposed, etc. then our policy manual would be obsolete. Further, there could be a clarification that the regular board meetings begin at (state the time) unless otherwise posted. Or something like that. AND, that the board meetings typically have a closed session first, then regular agenda items at a time-certain of XX. Regarding paragraph 8) is there a place to cite the code section and/or part of the Brown Act which stipulates this confidentiality requirement, and any exceptions to it? Regarding paragraph 11) I know it is customary to request persons addressing the board to state their name and address, but is this a requirement, or simply a courtesy? Also, I think we might strike the term 'audible pager use'. In paragraph 14, it states that written correspondence is to be kept for two years. Is this based on a code or standard? If so, it may be helpful to cite that here. If not, is this consistent with the soon-to-be considered Records Retention policy?
1.08	Technology Conferencing	No comments
1.09	President	In section h) should this have more specific reference to process, timing, review templates, etc.?
1.1	Vice-President	No comments
1.11	Minutes	Does the Board Policy Manual need to say anything about the minutes, if the board is not currating them? Rather should the board's role be to review the meeting minutes as presented by the Board Secretary, note any discrepancies in the record, and vote on the minutes of prior meetings?
1.12	Committees	The last paragraph on page 13 refers to the timing which committees review the District's strategic plan and align their objectives accordingly. Is this timing appropriate? Is this alignment of objectives helpful? The next paragraph speaks to creating a forward-looking calendar, but this has never actually occurred that I am aware of. If this is not practicable for a variety of reasons, it should be removed. In the very last paragraph regarding the scope fo teh LADOC, should this description be changed to reflect any clarifications of scope, per the Grand Jury recommendations?
1.13	Meeting Stipends	No comments
1.14	Training, Education Programs, Conferences and Meetings	No comments
1.15	Personnel Policies	Why are these policies to be reviewed by the Board in December? If this is not a code requirement, perhaps this can be shifted to another time?
1.16	Resignations	No comments
1.17	Vacancies	No comments

1.18	Inconsistent, Incompatible and Conflicting Employment or Activities	<p>This section could be expanded to clarify other situations in which Board service and other engagements are incompatible. (for example, seeking/taking employment with an organization which the District funds/hires. This is not direct employment, but a conflict nonetheless.</p> <p>Given the need for specificity and clarity around these obligations, can we cite the code sections which address this requirement, and any exceptions to it.</p>
1.19	Director's Legal Liabilities	
1.2	Annual Disclosure of Reimbursement	No comments
1.21	General Provisions	No comments
1.22	Annual Review	No comments

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Section 1.01 Mission Statement

"Our mission is to provide our customers and all future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding customer service; to manage and protect the environmental health of the aquifers and watersheds; and to ensure the fiscal vitality of the San Lorenzo Valley Water District".

Adopted by the Board of Directors of the San Lorenzo Valley Water District on June 2, 2000.

The mission of the San Lorenzo Valley Water District will be accomplished through the implementation of the following objectives:

1. STAFFING: Provide an efficient and adequate staff of employees and consultants, dedicated to the District mission and responsive to the Board. Provide staff and consultants with proper resources.
2. COMMUNICATIONS: Establish and maintain an environment that encourages the open exchange of ideas and information between Board members, staff and the public that is positive, honest, concise, understandable, responsive and cost-efficient.
3. EDUCATION: Develop and maintain comprehension and competence regarding issues that come before the Board of Directors and staff. Ensure the District's customers are informed regarding the benefits of safe operations, proper claims procedures, District operations and conservation.

Section 1.02 Authority of the Board

1. The Board of Directors shall act only at regular, regularly adjourned, or special meeting, as provided by State Law.
2. Individual Directors shall have no power to act for the San Lorenzo Valley Water District, or the Board of Directors, or to direct District staff, except as authorized by the Board of Directors.
3. Until a quorum is present there can be no meeting of the Board of Directors. The presence of a minimum of 3 Board members is required to constitute a quorum of the Board of Directors.

Section 1.03 Code of Ethics and Conduct

The Board of Directors of the San Lorenzo Valley Water District is committed to providing excellence in legislative leadership that results in providing the highest quality services to its constituents. The Board of Directors is expected to maintain the highest ethical standards, to follow District policies and regulations, and to

abide by all applicable local, state and federal laws. Board of Directors conduct should enhance the integrity and goals of the District. In order to assist in the governing of behavior between and among members of the Board of Directors, the following rules shall be observed:

1. The dignity, style, values and opinions of each Director shall be respected.
2. Responsiveness and attentive listening in communications is encouraged.
3. The needs of the District's constituents shall be the priority of the Board of Directors.
4. The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to staff members of the District.
5. Directors should commit themselves to emphasizing the positive.
6. Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of other should be encouraged.
7. Differing viewpoints are healthy in the decision-making process. Individual Directors have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to creating barriers to the implementation of said action.
8. Directors should practice the following procedures:
 - (a) In seeking clarification on informational items, Directors may directly approach the District Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
 - (b) In handling complaints or inquiries from residents and property owners of the District, said complaints should be referred to the District Manager and may be followed up by the Board of Directors.
 - (c) In handling items related to safety concerns, hazards should be reported to the District Manager. Emergency situations should be dealt with immediately by seeking appropriate assistance.
 - (d) In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition, sale or development, finance, and programming, said concerns should be referred directly to the District Manager.

9. When approached by District personnel concerning specific District policy, Directors should direct inquiries to the District Manager.
10. The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.
11. When responding to constituent requests and concerns at board meetings, the Board President's discretion determines the amount of time for comments. Specific questions or concerns will be directed to the District Manager for future action by the Board or staff. Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.
12. Directors should develop a working relationship with the District Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
13. Directors should function as a part of the whole. Issues should be brought to the attention of the Board of Directors as a whole, rather than to individual members selectively.
14. Members' interaction with public, press or other entities must recognize the limitation of any Board member to speak for the Board except to repeat stated Board decisions, while respecting the right of Board members to express individual opinions.
15. Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.
16. The Board will further inform itself, individually and collectively, through ongoing outreach to determine community wishes and through continuing education on issues relevant to the District.
17. Continual Board development will include orientation of new Board members in the Board's governance process and periodic Board discussion of process improvement.

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Section 1.04 Ethics Training

Pursuant to California Government Code section 53234 et seq. or as amended, all Directors shall receive two (2) hours of training in general ethics principles and ethics laws relevant to public service within one (1) year of election or appointment to the Board of Directors, and at least once every two (2) years thereafter. All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission.

The District Manager and any other employee(s) of the District designated by the Board of Directors shall also receive the ethics training specified herein. The District shall maintain records indicating the name of the entity that provided the training and the dates ethics training was completed. Records shall be maintained for a period of at least five (5) years after the date on which the training was received. These records are public records subject to disclosure under the California Public Records Act.

Section 1.05 Governing Laws

The Board of Directors shall comply with and shall be guided by applicable provisions of Federal laws; State laws, including the Water Code, Government Code, Section 1090 of the Government Code, Elections Code and Public Resources Code; this Policy Manual, and the rules and regulations of the District as established by the motions, resolutions and ordinances enacted by the Board of Directors. Motions, resolutions and ordinances may be enacted by the Board in accordance with Water Code section 30523 or as amended.

Section 1.06 Election of Officers

There shall be two (2) officers: a president and a vice president, who shall be members of the District Board of Directors. Election of officers shall be held at the second (2nd) Board of Directors meeting in December of each calendar year. Officers will serve for a one (1) year term. Elections will conform to the applicable provisions of this Policy Manual.

Section 1.07 Role of the Board Members (Power, Purpose, Duties & Functions)

1. **POWERS:** The Board of Directors is responsible for the establishment of policy and general control of the District. This broad authority shall be exercised in accordance with all applicable federal, state and local laws and regulations. The Board of Directors may execute any powers delegated by law to the District, and shall discharge any duty imposed by law upon the District. The enabling codes established by the California State Legislature empowers the Board of Directors to have broad authority and flexibility in carrying out financial programs and activities which meet its individual needs, provided these programs or activities are not in conflict with, inconsistent with, or preempted by law.
2. **DUTIES:** The primary duties of the Board of Directors are as follows:
 - (a) Take action at legal meeting.
 - (b) Establish and periodically review written policies for District operation and administration.
 - (c) Be responsible for all District finances.

- (1) Approve the fiscal budget.
 - (2) Monitor the budget spending.
 - (d) Set rates, fees and charges for District services.
 - (e) Personnel
 - (1) Hire and discharge the District Manager and Legal Counsel.
 - (2) Annually evaluate the District Manager and Legal Counsel.
 - (f) Establish written policy on how Board of Directors' Meetings are conducted.
 - (g) Review and revise the Master Plan for the District.
 - (h) Ratify committee appointments made by the President.
 - (i) Establish Director compensation limits.
3. FUNCTIONS: The powers and duties of the Board of Directors include governance, executive and quasi-judicial functions. These relate to the Board's own operations as a governing body and to all functions of the District.
- (a) Governance Functions: To fulfill its responsibility, the Board is committed to establishing policies to govern District activities. The Board of Directors shall consider and approve or disapprove matters submitted to it by a Director, Staff or the public. The Board of Directors shall prescribe rules for its own governance which are consistent with its "enabling code" or by Federal or State Laws and regulations.
 - (b) Executive Functions: The Board of Directors is authorized to delegate any of its powers and duties to an officer or employee of the District. The Board of Directors; however, retains ultimate responsibility over the performance of those powers or duties so delegated.
 - (c) Quasi-Judicial Functions: The Board of Directors desires that public complaints be resolved at the lowest possible administrative level. The method of resolving public complaints shall be as follows:
 - (1) The individual with a complaint shall first discuss the matter with the District Manager. If this individual registering the complaint is not satisfied with the disposition of the complaint by the District Manager, said complaint may be filed with the Board of Directors.
 - (2) If said complaint is filed with the Board of Directors, the

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Board of Directors ~~shall~~ consider the matter at a
subsequent regular meeting or call a special meeting.
The Board of Directors will expeditiously resolve the matter.

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- (3) This policy in no way prohibits or intends to deter a member
of the public from appearing before the Board of Directors to
present a verbal complaint or statement in regard to actions
of the Board of Directors, District programs or services, or
impending considerations for the Board of Directors.

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Section 1.08 Role of Individual Directors

The Board of Directors is the unit of authority for the District. Apart from their normal function as a part of this unit, individual Directors may not commit the District to any policy, act or expenditure unless duly authorized by the Board of Directors. Nor may an individual Director direct staff to perform specific duties unless duly authorized by the Board of Directors. Directors do not represent any factional segment of the constituency, but are, rather, a part of the body which represents and acts for the constituency as a whole.

1. Each Director has the right to place an agenda items on a subsequent Board of Directors Meeting. The deadline for submittal of an agenda items by a Director shall be the preceding Wednesday at 5:00 p.m. before the scheduled Board of Directors meeting date at the office of the District Secretary. Agenda item requests received after the submittal deadline for a specific agenda will be added to the next following regularly scheduled agenda.
2. Directors will make every effort to attend assigned Board of Directors and Committee meetings:
 - (a) To prepare adequately for each such meeting;
 - (b) To observe the rules of decorum as set forth herein; and
 - (c) Whenever any individual Directors will be absent or late for a Board of Directors or Committee meeting said Director shall notify the District Secretary or Board President at the earliest opportunity.
3. When requesting information from staff, Directors shall contact the District Manager. When responding to constituent requests and concerns, Directors should reroute such inquiries to the District Manager.
4. Each Director shall decide individually on what contact information will be released by District staff to the general public. In order to accomplish this in an orderly and consistent manner, each Director shall provide the District Secretary with a completed and signed Director Contact Authorization Form. Directors shall be

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responsible for any and all updates and amendments to said Director Contact Authorization Form.

Section 1.09 Board of Directors Meetings

1. REGULAR TIME AND PLACE OF MEETINGS: Regularly scheduled meetings of the Board of Directors shall be held, on the first (1st) and third (3rd) Thursday of each month at 6:00 pm; at the District Operations Building, 13057 Highway 9, Boulder Creek, CA, unless otherwise specified by action of the Board of Directors. Special meetings of the Board of Directors, as that term or its successor terms are defined within the meaning of the Ralph M. Brown Act (California Government Code section 54950 et seq.), may be duly authorized and held as deemed necessary by the President or a majority of the Board of Directors. Notice and location of special meetings shall be as prescribed by law. Emergency meetings of the Board of Directors, as that term or its successor terms are defined within the meaning of the Ralph M. Brown Act, may be duly authorized and held as deemed necessary only by a majority of the Board of Directors. Notice and location of emergency meetings shall be as prescribed by law.
2. PUBLIC NATURE OF MEETINGS: All meetings of the Board of Directors shall be open to the public, except when the Board is convened in Closed Session as authorized under provisions of the Ralph M. Brown Act (California Government Code section 54950 et seq.).
3. QUORUM AND VOTING REQUIREMENTS: The presence of three (3) or more Directors shall constitute a quorum for the transaction of District business. No ordinance, resolution or motion shall be passed by the Board of Directors without a majority vote of the Board, unless otherwise required or prescribed by State law. (See for example, Government Code section 54954.2, Board Policy Manual subparagraph K, below.)
4. BOARD ACTION: The Board of Directors shall act only by ordinance, resolution, or motion. Except where action is taken by the unanimous vote of all Directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions or motions and shall be entered in the minutes. An ordinance does not require two readings at separate meetings unless otherwise prescribed by law. Unless otherwise provided by its own terms, all ordinances, resolutions and motions shall become effective upon adoption. Any member of the Board of Directors, including the President, can make a motion. Motions require seconds. The President may vote on all motions unless disqualified or abstaining. The President shall not call for a vote on any motion until sufficient time has been allowed to permit any and all members of the Board of Directors to speak. Complex motions should generally be prepared in writing and read aloud to the members of the Board of Directors at the time the motion is made. If a motion is not in writing, and if it is necessary for full understanding of the matter before the Board of Directors, the President shall restate the question prior to the vote. Common motions may be stated in abbreviated form, and will be put into complete form in the minutes. Until the President states the question, the maker may modify

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their motion or withdraw it completely. However, after the President has stated the question, the motion may be changed only by a motion to amend which is passed by a majority vote of the Board of Directors.

The President of the Board may at any time, during debate or otherwise, declare a recess. Declaration of a recess shall not be subject to any motions.

5. PARLIAMENTARY PROCEDURES: Unless otherwise inconsistent with any provision stated herein, Parliamentary Procedure for Board of Directors meetings shall be based upon the current edition of Robert's Rules of Order Newly Revised. No action of the Board of Directors shall be deemed invalid for the reason that said action was not in conformance with Robert's Rules of Order Newly Revised.
6. ROUTINE BUSINESS: Matters of routine business such as approval of the minutes and approval of minor matters may be expedited by assuming unanimous consent of the members of the Board of Directors and having the President state that without objection the matter will stand approved. Should any Director object to such unanimous consent, the President shall then call for a vote.
7. ORDERLY DISCUSSION: In order to promote discussion of the issues before the Board of Directors, each Director shall be recognized by the chair before speaking. Notwithstanding any provision of this Policy, however, each Director shall have a right to be heard within reason on any issue before the Board of Directors. Each Director may seek information or comment by the staff on any question.
8. CLOSED SESSION: Except as provided by law, all proceedings in Closed Sessions shall remain confidential.
9. MEETING AGENDAS: The District Manager, in consultation with the Board President, shall be responsible for the preparation of a written agenda for each regular meeting and/or special meeting of the Board of Directors as those terms or its successor terms are defined by the Ralph M. Brown Act (California Government Code section 54950 et seq.). The District Manager and the Board President shall meet, annually, in January of each calendar year to identify recurring items of business which should be placed on written agendas at appropriate times during the coming year. The District Manager, in consultation with the President, shall be responsible for the preparation of a written agenda for each regular meeting and/or special meeting of "other legislative bodies," of the San Lorenzo Valley Water District, as those terms or its successor terms are defined by the Ralph M. Brown Act. Any Director may request that an item be placed on the agenda for a regular meeting of the Board of Directors. The District Secretary shall be responsible for the posting of the appropriate notice and agenda for all meetings of the Board of Directors and/or "other legislative bodies."

A copy of the agenda for each regular meeting of the Board of Directors shall be forwarded to each Board member, at least three (3) days in advance of each regular meeting, together with copies of all applicable supporting documentation; minutes to

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be approved; staff report; and other available documents pertinent to the meeting. Directors shall review agenda materials before each meeting. Individual directors may confer directly with the District Manager to request additional information on the agenda items.

10. ORDER OF BUSINESS: As a practice of normal business the Board President may rearrange this order at any time. Introductory language for each agenda section may be modified by action of the Board of Directors from time to time. Changes to the introductory language for each agenda section shall take effect at the next Board of Directors meeting.

(a) Convene Meeting/~~Roll Call~~

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(b) Additions and Deletions to Closed Session Agenda

(c) Public Comment Related to Items on the Closed Session Agenda

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(d) Adjournment to Closed Session

(e) Reconvene to Open Session at 7:00 pm (time-certain)

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(f) Closed Session Report

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(g) Additions and Deletions to Open Session Agenda

(h) Public Comment on any Topic Within the Jurisdiction of the District and Which is not on the Open Session Agenda

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(i) Unfinished Business

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(l) District Reports

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(1) District Manager Reports

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(2) Department Status Reports

(3) Committee Reports

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(4) Director's Reports

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(m) Written Communications

(n) Informational Material

(o) Adjournment to Closed Session (if applicable)

(p) Reconvene to Open Session to Report Actions Taken in Closed Session (if applicable)

(q) Public Comment (if applicable)

(r) Adjournment

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11. ADDITIONS AND DELETIONS TO AGENDA: Additions to the Agenda, if any, shall be made in accordance with California Government Code Section 54954.2 or as amended (Ralph M. Brown Act), which includes, but is not limited to, additions for which the need to take action is declared to have arisen after the agenda was posted, as determined by a two-thirds vote of the Board of Directors. If less than two-thirds of the members are present a unanimous vote of those members present is required.

12. PUBLIC COMMENT PERIOD:

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The Board of Directors encourages public participation in the governance of the District through public comment periods. In order to speak, members of the public must first be recognized by the President.

1. If the Board meeting has a Closed Session agenda, members of the public may comment on or ask questions about the items which are on the Closed Session portion of each agenda. Comments or questions may be submitted in writing or orally. If in writing, the entire written communications will be placed in the minutes. If orally, members of the public may have to up to five (5) minutes (unless time is shortened by the President due to circumstances—e.g., in the event of a large number of people wishing to comment orally) to present to the Board of Directors. The President may extend this time at his or her discretion—e.g., in order to allow for a wrap up of the presentation. Comments will be summarized and included in the minutes if the member of the public provides his or her name and town/city of residence at the beginning of their comment time.

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2. Prior to the start of the Open Session agenda, members of the public may comment on or ask questions about topics which are within the jurisdiction of the District and which are not on the Open Session portion of the agenda. It is the objective of the Board to have as close to a normal conversation with members of the public as possible while still conforming to the requirements of the Brown Act. This means that the Board cannot take action or discuss a topic or question in depth during this meeting (Ralph M. Brown Act Section 54954.3 or as amended). However, the Board can ask clarifying questions in order to make sure that it understands questions or comments. The Board can discuss how to best handle questions or comments. All questions will be answered either in real-time (by the Board or Staff) or at a later time. If a question is answered in real-time, the Board President will ask if the question was answered and, if not, allow a short follow-up request for clarification. If a question cannot be answered in real-time, it will be answered and included in the minutes for that meeting which will be published at a later time. In addition, the Board may agendaize a public comment item for a

future Board meeting if that seems appropriate or the Board may send the item to committee for follow-up and possible action. Comments and/or questions may be submitted in writing or orally. If in writing, the entire written communications will be placed in the minutes. If orally, members of the public may have to up to five (5) minutes (unless time is shortened by the President at his or her discretion due to circumstances—e.g., in the event of a large number of people wishing to comment orally) to present to the Board of Directors. The President may extend this time at his or her discretion—e.g., in order to allow for a wrap up of the presentation. Comments will be summarized and included in the minutes if the member of the public provides his or her name ~~and town/city of residence~~ at the beginning of their comment time. In the interests of respecting everyone's time, members of the public are encouraged to (i) avoid repeating someone else's point—just indicate agreement—and add new content and (ii) to avoid repetition during their comments. ~~Please avoid repeating someone else's point—just indicate agreement—and add new content. Please avoid repetition during the comment period.~~

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In addition, members of the public may address each agenda item prior to Board disposition of that item, including items on the Consent Agenda. After presentation of the agenda item, the order of discussion will be: Board comment, public comment and then back to the Board for further deliberations. The Board President may establish a time limit for public comment on an agenda item and may also allow a second round of public comment at his or her discretion. In order to speak, members of the public must first be recognized by the President.

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No member of the public shall approach the Board of Directors table while the Board is in session unless granted permission by the President or presiding officer. Proper decorum must be observed by Directors, staff, speakers and the audience at all times. The President or presiding officer shall preserve order and decorum, discourage personal attacks, and confine debate to the question under discussion. The President shall rule out of order any irrelevant, repetitive or disruptive comments. Please mute or turn off your electronic devices while the Board is in session.

It is the policy of the Board of Directors to invite all members of the public to participate in the governance of the District and to provide wide latitude for the free expression of all points of view. However, the President, or a majority of the board, may eject from a meeting any person who becomes disorderly, abusive, or disruptive, or who fails or refuses to obey a ruling of the president regarding a matter of order or procedure. In addition, as a last resort, per California Government code 54957.9: *In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Representatives of the press or other new media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from*

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establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

Changes to this section shall take effect at the next Board of Directors meeting.

13. **CONSENT AGENDA:** The purpose of a consent agenda is to minimize the time required for the handling of any non-controversial matters. Consent agenda items are considered to be routine and non-controversial, with documentation provided to the Board of Directors that is adequate and sufficient for approval without inquiry or discussion. Any item on the consent agenda will be moved to the regular agenda upon request from individual Directors or a member of the public. Unless moved to the regular agenda, the consent agenda shall be voted upon as one single item without discussion or debate.

14. **WORKSHOPS:** Workshop meetings are for the purpose of discussing an item(s) that may come before the Board at a later time for official action, to facilitate planning, or discussion of special topics of interest. Study sessions provide a more informal forum for the Board of Directors, staff and the public to engage in open-ended discussion and share information on a particular subject(s). No formal action(s) can be taken at a study session; direction can be given to staff regarding preparation of an agenda item for discussion and possible action at a subsequent meeting. From time to time, study sessions may be duly authorized as deemed necessary by the President or a majority of the Board.

15. **WRITTEN COMMUNICATIONS:** The Written Communications portion of the agenda is established to act as a report of written materials received by the Board as a whole, but may also include items requested for inclusion by individual Directors or members of the public. Written Communications will always be presented in its entirety.

Section 1.10 Technological Conferencing

Teleconferencing may be used for all purposes in connection with any meeting within the subject matter jurisdiction of any legislative body of the District. Teleconferencing is defined as a meeting of a legislative body of the District, the members of which are in different locations, connected by electronic means, through either audio or video, or both. If a legislative body of the District elects to use teleconferencing, it shall comply with all applicable requirements of the Ralph M. Brown Act (Section 54953, or as amended.)

Section 1.11 President

1. **DUTIES:** The President shall sit as presiding officer and conduct all meetings of the Board of Directors, shall carry out the resolution and orders of the Board of

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Deleted: The Board of Directors encourages public participation. The Oral Communications portion of the agenda is reserved for citizen communication on matters not otherwise on the agenda. Any person may address the Board of Directors on any subject that lies within the jurisdiction of the District during this portion of the agenda. Unless otherwise altered by the President or presiding officer, individual citizen communication during the Oral Communication portion of the agenda shall not exceed three (3) minutes in length and individuals may only speak once. The Ralph M. Brown Act (Section 54954.3 or as amended) prohibits any action being taken by the Board of Directors on any Oral Communications presented; however, the Board of Directors may request that the matter be placed on a future agenda. Each person addressing the Board of Directors shall be requested to give his or her name and address for the record, and designate the subject matter. Citizens may also address the Board of Directors on specific agenda items, including those on the consent agenda, only after first obtaining recognition by the President or presiding officer. Participation by interested citizens on specific agenda items is subject to orderly procedure, including time limits and decorum established under the authority of the President or presiding officer and applicable law.¶

¶ All communications by interested citizens, whether during Oral Communications, or other items on the agenda, shall be addressed to the Board of Directors.

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Directors and shall exercise such other powers and perform such other duties as the Board of Directors shall prescribe; including the following:

- (a) Call the meeting to order at the appointed times
- (b) Announce the business to come before the Board of Directors in its proper order.
- (c) Enforce the Board of Directors policies and rules with respect to the order of business and the conduct of meetings.
- (d) Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
- (e) Explain what the effect of a motion would be if it is not clear to every member of the Board of Directors.
- (f) Restrict discussion to the question when a motion is before the Board of Directors.
- (g) Rule on parliamentary procedure.
- (h) Put motions to a vote, and state clearly the results of the vote.

2. RESPONSIBILITIES: The President shall have all the rights to discuss and vote on any issues before the Board of Directors. The President shall have the following responsibilities:

- (a) Sign all instruments, acts and carry out stated requirements and the will of the Board of Directors
- (b) Consult with the District Manager on the preparation of the Board of Directors agendas. In addition, any Director shall have the right to place any matter on the agenda for any meeting in accordance with the provisions of this policy.
- (c) Appoint and disband all committees, subject Board of Directors approval.
- (d) Call such meetings of the Board of Directors as they may deem necessary, giving notice as prescribed by law.
- (e) Confer with the District Manager and/or District Counsel on matters which may occur between Board of Directors meetings.
- (f) Be responsible for the orderly conduct of all Board of Directors meetings.
- (g) Act as spokesperson of the Board of Directors.

- (h) Coordinate and prepare the Board of Directors annual evaluation of the District Manager and Legal Counsel.
- (i) Other duties as authorized by the Board of Directors.

Section 1.12 Vice-President

When the President resigns or is absent or disabled, the Vice-President shall perform the President's duties. When the President disqualifies himself/herself from participating in an agenda item, the Vice-President shall perform the duties of the presiding officer.

Section 1.13 Minutes

All Board of Directors meetings and committee meetings will be audio recorded and posted on the District's website. Said audio record shall be subject to inspection in accordance with State Laws, including the California Public Records Act.

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In addition, the District Secretary shall record the minutes for Board of Directors meetings and committee meetings which shall also be posted on the District's website.

The minutes shall be of the form of summary minutes and will include the following information: the time the meeting was called to order, the names of the Directors (or, as appropriate, the committee members) attending the meeting, the vote (roll call or voice) on each matter considered at the meeting, the time the Board of Directors began and ended any closed session, the names of the Directors and the names, and titles where applicable, of any other persons attending any closed session, a list of those members of the public who spoke on each matter if the speakers identified themselves, whether such speakers supported or opposed the matter, a brief summary of each Board member's and public members statement during the public comment period for each agenda item (if they identified themselves), and the time the meeting was adjourned. Any person speaking during a public comment period may supply written comments which shall be included in the minutes.

The draft minutes of each meeting shall be available for inspection and copying upon request no later than ten working days after the meeting, unless circumstances prevent meeting that goal in which case the minutes shall be available as soon as possible. The officially adopted minutes shall be available for inspection and copying upon request no later than ten working days after the meeting at which the minutes are adopted, unless circumstances prevent meeting that goal in which case the minutes shall be available as soon as possible.

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Section 1.14 Committees

The Board shall organize committees that are advisory to the Board with regard to matters within their respective areas of responsibility.

The four District standing committees are as follows: Finance and Administration, Engineering, Environmental and Lompico Assessment District Oversight. Each standing committee shall have no power or authority to commit the District or to take any action on behalf of the Board of Directors. Standing committees shall hold meetings at such times, frequency and locations as deemed necessary by consensus or vote of the committee members. Committees must coordinate activities with District staff. All committees are encouraged to meet at least monthly.

Committee meetings shall be held in accordance with the provisions of the Ralph M. Brown Act. Directors that are not members of a committee shall be strongly discouraged from not attending committee meetings, even as observers, if such attendance means that a majority of Directors are present.

Committee appointments will be reviewed by the full Board at the Board of Director's meeting in December of each Calendar Year, or as soon thereafter as practical. Applications to serve as a Public Member will be available at the District's Office or on-line at the District's website (www.slvwd.com). Public Member Applications will be reviewed by the full Board. Each committee member shall be appointed by a simple majority vote of the Board.

Finance and Administration, Engineering, and Environmental Committees may have no more than two Board Members and at least one Public Member. The size of the Finance and Administration, Engineering and Environmental Committees shall be determined each time public member vacancies are filled. If more than one public member applies to serve on an individual committee, the full Board shall vote to determine which public member shall be seated on that committee for the year or appoint more than one public member by adjusting the size of the committee appropriately.

The Lompico Assessment District Oversight Committee may have no more than five Public Members. Public members serving on the Lompico Assessment District Oversight Committee shall have a residential mailing address within Assessment District 2016-1.

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All Standing committees shall be formed with an odd number of members. Members of the committees serve at the pleasure of the Board. Each committee shall designate their own chairperson. For the Finance and Administration, Engineering and Environmental Committees the chairperson shall be a member of the Board. Each committee may elect a vice-chairperson. Members of committees, including the chairperson and vice-chairperson shall serve until their successors are appointed. The chairperson of a committee is its presiding officer and shall be responsible for communicating the recommendation of the committee to the Board. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The chairperson and vice-chairperson are not deprived of any of the rights and privileges of a committee member by reason of being the presiding officer.

A majority of the members of each committee shall constitute a quorum for the transaction of business. Only members of the committee are entitled to make, second or vote on any motion or other action of the committee. Each committee member shall be entitled to one vote on all matters considered by the committee. A simple majority vote of the members of the Committee shall designate approval of a motion.

During the first regular meeting after January 1st of each year, each Committee shall review the District's current Strategic Plan and identify Strategic Plan Elements pertaining to said Committee. The Committee's findings regarding such Strategic Plan review shall be reported back to the Board at the next available regular Board Meeting for discussion and to allow the Board to provide direction back to the committees regarding completion of identified Strategic Plan Elements.

During the first regular meeting after January 1st of each year, each Committee shall prepare a multi-month forward looking calendar of items to be discussed by said Committee. Said calendar shall be no less than a three month look-ahead. Each Committee chairperson shall maintain said look-ahead calendar and submit same to the Board on a monthly basis.

All committee member absences will be considered by the majority of the committee members to determine whether or not the absence is without cause. Sickness, jury duty, vacation and/or bereavement will be considered excused absences. When three meetings in a row or a total of six meetings in one calendar year are missed the remaining committee members will consider removal of the individual from the committee. The removal must be voted upon and approved by the majority of the committee members with the exception of the committee member in question.

Vacancies shall be reported to the full Board as soon as practically possible. Vacancies shall be filled by simple majority vote of the Board.

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Committee Members shall comply with the obligations and responsibilities of office including the obligation to comply with the disclosure requirements of the Political Reform Act (Form 700). The reporting categories made applicable to the Directors by San Lorenzo Valley Water District's local conflict of code shall apply to the members of the committee members.

A committee has jurisdiction to consider and make a recommendation to staff, other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board.

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The Board may refer a recommendation back to any committee for reevaluation whenever the Board deems additional evaluation is required.

Each Standing Committee shall, as a minimum, be responsible for the following:

Finance and Administration Committee

The Committee shall be responsible for matters of:

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(a) Internal and external administrative matters including: communications, staffing and staff support; District's data gap grant programs; interagency relations; codes and policies, pending State and Federal legislation; and other administrative programs.

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(b) District finances including: rates, fees, charges and other sources of revenue; budget and reserves; audit; investments; insurance; and other financial matters.

Engineering Committee

The Committee shall be responsible for the review matters of design, construction, replace and repair of the District facilities and property including: The Capital Improvement Program; Master Plans and other engineering, operational and planning related matters.

Environmental Committee

The Committee shall be responsible for matters of stewardship of the District's property including: Urban Water Management Plans; Water Conservation Programs; Classis Watershed Education Grants; Watershed Management; Resource Management and other environmental related matter.

Lompico Assessment District Oversight Committee

The Committee shall be responsible to fulfill their charter as it relates to Assessment District 2016-1 projects.

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Changes to this section shall take effect immediately.

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Section 1.15 Meeting Stipends

Each Director may receive compensation as established by resolution of the Board of Directors. Pursuant to California Water Code section 30507, each Director may receive compensation in an amount not to exceed one hundred dollars (\$100.00) per day for each day's attendance at meetings of the Board, or for each day's service rendered as a Director by request or approval of the Board, not to exceed six hundred dollars (\$600.00) in any calendar month.

Consistent with California Water Code section 30507, by resolution of the Board of Directors, the District has established the following per day (daily meeting stipend) for each day's attendance at meetings, as defined herein. Such compensation is in addition to any approved reimbursement for meals, lodging, travel and other expenses consistent with the policies stated herein.

1. To be entitled to a daily meeting stipend of one hundred dollars (\$100.00), the event in question must constitute one of the following:
 - (a) A meeting of the San Lorenzo Valley Water District Board of Directors within the meaning of California Government Code section 54952(a); or
 - (b) Any meeting attended or service provided on a given day at the formal request of the District Board of Directors, and for which the Board at a public meeting approved payment of a daily meeting stipend.
2. To be entitled to a daily meeting stipend of twenty five dollars (\$25.00), the event in question must be a meeting of a designated District standing committee within the meaning of California Government Code section 54952(b). Only Directors appointed to the District standing committees shall be entitled to said daily meeting stipend.

Section 1.16 Training, Education Programs, Conferences and Meetings

The Board of Directors has determined that the following provisions shall be applicable to Director training, educational programs, conferences and meetings:

1. Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Directors may attend, on behalf of the District, such training, educational programs, conferences and meetings as have been approved by the Board of Directors.

- (a) It is the policy of the District to encourage Board development and excellence of performance by reimbursing necessary and reasonable expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted. All reimbursement of actual and necessary expenses shall be pursuant to District policy on expenditure reimbursement as stated herein.
- (b) Attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences etc. shall be approved by the Board of Directors at a public meeting prior to incurring any authorized reimbursable costs.
- (c) The District Manager or designee is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the District Manager, together with validated receipts.
- (d) To conserve District resources and keep Directors' reimbursement expenses for training, educational programs, conferences and meetings within community standards for public officials, reimbursement expenditures should adhere to the following guidelines. Expenses to the District for Board of Directors' training, education programs, conferences and meetings should be kept to a minimum by:
 - 1. Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.
 - 2. Traveling together whenever feasible and economically beneficial.
 - 3. Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.
- (e) A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the Director has announced a pending resignation, or if it occurs after an election in which it has been determined that a Director will not retain a seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.
- (f) Whenever a Director who has not previously attended a particular conference or educational program is available to attend same, that Director shall have preference for attendance over a Director who has previously attended the same program.

- (g) Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. The report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.
- (h) Nothing in this policy shall permit the conduct of business in violation of the Ralph M. Brown Act when more than three (3) Directors attend the same event.

Section 1.17 Expenditures

The purpose of this policy is to prescribe the manner in which members of the San Lorenzo Valley Water District Board of Directors may be reimbursed for expenditures related to approved District business. The District shall adhere to California Government Code sections 53232 through 53232.4 or as amended when dealing with issues of expenditure reimbursements for Directors. This policy shall apply to all members of the Board of Directors, and is intended to result in no personal gain or loss to a Director.

Directors may be reimbursed for out-of-pocket expenditure(s) relative to reasonable and necessary costs associated with appropriate District business. The Board of Directors must provide approval for said District business at a public meeting prior to incurring any authorized reimbursement costs. Directors are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary expenses associated with approved District business. Reimbursement rates shall coincide with guidelines established herein, or rates set by Internal Revenue Service Publication 1542 or its successor publication(s), whichever are greater.

If lodging is in connection with a prior approved event, such lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor. If the published group rate is unavailable, Directors shall be reimbursed for comparable lodging at government or IRS rates.

If travel is in connection with a prior approved event, the most economical mode and class of transportation reasonably consistent with scheduling needs must be used, using the most direct and time-efficient route. Directors shall use government or group rates offered by the event provider of transportation when available. If the group rate is unavailable, Directors shall be reimbursed for comparable travel at government or IRS rates.

Directors shall submit their requests for reimbursement on a form approved by the District Manager. The reimbursement form shall include an explanation of the

District-related purpose for the expenditure(s). Receipts documenting all expenditure are required to be submitted in conjunction with the expense report form. Failure to submit necessary receipts will result in denial of the reimbursement claim. Expense reports shall be submitted within a reasonable time, and at no time more than fourteen (14) calendar days after incurring the expense. The District Manager will review and approve reimbursement requests.

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

State law provides criminal penalties for misuse of public resources, which includes falsification of expense reports. Penalties include fines, imprisonment, and restitution.

Section 1.18 Personnel Policies

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1. PERSONNEL SYSTEM RULES AND REGULATIONS: San Lorenzo Valley Water District is committed to the provision of an orderly, equitable and uniform personnel system. The Board of Directors by resolution shall establish written rules and regulations for the administration of the personnel system. Personnel system rules and regulations shall be reviewed at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.
2. SEXUAL HARASSMENT: The San Lorenzo Valley Water District is committed to creating and maintaining a work environment free of objectionable and disrespectful conduct and/or communication of a sexual nature and prohibits sexual harassment by all employees and the Board of Directors. The Board of Directors by resolution shall establish a written policy and procedure manual relative to sexual harassment. The District's sexual harassment policy shall be reviewed at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

Conduct which creates an intimidating, hostile or offensive work environment will not be tolerated. Verbal behavior, physical behavior, gestures and other non-verbal behavior which create said environment will not be tolerated. Any employee or member of the public who feel that they have been or are being harassed by a Director is strongly encouraged to immediately report such incident to the District Manager without fear of reprisal regardless of the outcome of the complaint. The District Manager shall assign the investigation of the alleged misconduct to an outside party such as an attorney or law firm experienced in such matters. The District Manager shall notify the President of the Board of Directors of said alleged misconduct. Thereafter, the President, at the next meeting of the Board of

Directors, shall report the facts and nature of the allegations to the entire Board of Directors.

If the Director charged with sexual harassment is the President of the Board of Directors, the District Manager shall report the fact and nature of the allegation(s) to the entire Board of Directors at its next meeting.

If an allegation of sexual harassment against a Director is investigated and found to be supported, the Board of Directors reserves the right to take such remedial action as is appropriate under all of the circumstances, including, if warranted, initiating an action for recall of such Director. The Directors agree that an accusation of sexual harassment against any one of them must be investigated. It is further agreed that such an investigation is not an invasion of their right of privacy.

3. **NONDISCRIMINATION:** The District shall not unlawfully discriminate against qualified employees or job applicants on the basis of age, sex, race, color, creed, religion, national origin, ancestry, marital status, sexual orientation, physical or mental disability, veteran status, or status with regard to public assistance. Equal opportunity shall be provided to all qualified employees and applicants in every aspect of personnel policy and practice.

All employees are expected to carry out the responsibilities in a manner that is free from discriminatory statements or conduct.

4. **REASONABLE ACCOMMODATION-AMERICANS WITH DISABILITIES ACT:**
Pursuant to the Americans with Disabilities Act, employers have a duty to reasonably accommodate employees and job applicants with known disabilities. This accommodation is not required for individuals who are not otherwise qualified for the job nor is accommodation generally required until the person with the disability requests it. The following optional regulation includes procedures recommended by the Equal Employment Opportunity Commission for use when determining what accommodation to make.

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Requests for reasonable accommodation may first be considered informally by the site administrator. If an accommodation cannot be made at the site because it would impose undue hardship or because of a lack of funds, the site administrator shall ask that the request be submitted in writing to the General Manager. The site administrator shall provide the employee or applicant with any assistance he/she may need in order to submit this request.

The duty to reasonably accommodate an individual with a disability is limited to those accommodations which do not impose an undue hardship upon the district.

Undue hardship is determined on a case-by case basis and includes any action that is unduly costly, extensive, substantial, disruptive, or that fundamentally alters the nature or operation of the agency. The burden of proving undue hardship rests

with the agency, and what may be an undue hardship for one agency may not be an undue hardship for another, depending on factors such as cost and agency size. Even if cost does pose an undue hardship, the disabled person should have the opportunity to pay for the portion of the cost that constitutes an undue hardship, or to personally provide the accommodation.

Section 1.19 Conflict of Interest

Pursuant to provision of California Government Code section 81,000 et seq., commonly known as the Political Reform Act, the District shall adopt and maintain a Conflict of Interest Code. The Conflict of Interest Code and, any amendments thereto shall be adopted by resolution of the Board of Directors. The Board of Directors shall review the adopted Conflict of Interest Code on a bi-annual basis. At a regularly scheduled Board of Directors meeting in September of each even-numbered year, the Board of Directors shall review its Conflict of Interest Code and, if amendments are needed, shall submit said amendments to the Santa Cruz County Board of Supervisors in accordance with applicable deadlines. If no amendments are needed, the Board of Directors shall submit a written statement saying that its Conflict of Interest Code is still accurate.

Section 1.20 Resignations

Resignations by Directors shall be in writing, state the effective date and be submitted to the President of the Board of Directors and District Secretary. In the event the President of the Board of Directors resigns, the resignation shall be submitted to the Vice-President of the Board of Directors and the District Secretary.

Section 1.21 Vacancies

Directors are expected to carry out their responsibilities to the best of their abilities. In order to accomplish this goal, Directors should be present for scheduled meeting or events whenever possible. In accordance with California Government Code section 1770 a Director position vacancy will occur whenever "he or she ceases to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness", or when absent from the Board of Directors without the permission of the majority of the Board of Directors.

If such vacancy occurs, the Board of Directors will take action in accordance with California Government Code section 1770.

In order to accomplish this in an orderly and consistent manner, when a vacancy of an elected Director occurs, the District Board of Directors, after discussion and consideration, shall when deemed appropriate, instruct staff to:

1. Place a public notice advising that a vacancy has occurred in accordance with applicable provisions of law; and
2. Said notice shall advise prospective candidates of the steps to take to apply for appointment; and
3. The District's Board of Directors shall establish the closing date for the receipt of applications; and
4. Applicants shall submit the following, by the date specified in the notice:
 - a) a letter of interest, and
 - b) a resume, with particular emphasis on the applicant's knowledge of special districts, and
5. Applicant(s) shall be interviewed at the next regularly scheduled meeting of the District's Board of Directors following the date of closure for applications; and
6. The District's Board of Directors shall make the appointment without undue delay, but need not act at the same meeting.

Section 1.22 Inconsistent, Incompatible and Conflicting Employment or Activities

Pursuant to the provision of the California Government Code section 1126, the Board of Directors of the San Lorenzo Valley Water District has determined that it would be inconsistent and incompatible for a Board member to be a paid employee of the District. Therefore, based on this decision, a member of the Board of Directors shall not be a paid District employee.

Section 1.23 Directors' Legal Liabilities

The District shall defend and indemnify Directors from any claim, liability or demand that arises out of a Director's performance of his or her duties or responsibilities within the scope of his or her employment as a Director of the District, as stated in Government Codes 825 and 995.

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Section 1.24 Investment Policy

San Lorenzo Valley Water District is committed to the establishment of formal policies relative to the prudent investment of the District's unexpended cash. The Board of Directors by resolution shall establish written guidelines for the investment of all San Lorenzo Valley Water District funds or funds in the custody of the District, in a manner which conforms to all State and local statutes governing the investment of public funds. Said guidelines shall provide for an optimal combination of safety, liquidity and yield. The District's Investment Policy and, any amendments thereto, shall be adopted by resolution of the Board of Directors. The

Investment Policy shall be reviewed at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

Section 1.25 Annual Disclosure of Reimbursements

The District shall annually disclose any reimbursements paid by the San Lorenzo Valley Water District of at least one hundred dollars (\$100.00) for each individual charge for services or products received. The Board of Directors shall review said reimbursement information for the preceding fiscal year (July 1 - June 30) at a regularly scheduled Board of Directors meeting in September of each calendar year.

Section 1.26 General Provisions

Any of the within policies not required by law may be altered, amended, or repealed by a majority of the Board at a duly authorized meeting.

Section 1.27 Annual Review

This Board of Directors Policy Manual shall be reviewed at least annually and ratified by Resolution of the Board of Directors at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

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Section 1.01 Mission Statement

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"Our mission is to provide our customers and all future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding customer service; to manage and protect the environmental health of the aquifers and watersheds; and to ensure the fiscal vitality of the San Lorenzo Valley Water District"

Adopted by the Board of Directors of the San Lorenzo Valley Water District on June 2, 2000.

The mission of the San Lorenzo Valley Water District will be accomplished through the implementation of the following objectives:

1. STAFFING: Provide an efficient and adequate staff of employees and consultants, dedicated to the District mission and responsive to the Board. Provide staff and consultants with proper resources.
2. COMMUNICATIONS: Establish and maintain an environment that encourages the open exchange of ideas and information between Board members, staff and the public that is positive, honest, concise, understandable, responsive and cost-efficient.
3. EDUCATION: Develop and maintain comprehension and competence regarding issues that come before the Board of Directors and staff. Ensure the District's customers are informed regarding the benefits of safe operations, proper claims procedures, District operations and conservation.

Section 1.02 Purpose and Scope

It is the intent of the Board of Directors of the San Lorenzo Valley Water District to maintain a manual of policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board. The manual of policies will serve as a resource for Directors, staff and members of the public in determining the manner in which the District business is to be conducted.

If any policy or portion of a policy contained with the manual of policies is in conflict with rules, regulations or legislation having authority over SLVWD, said rules, regulations or legislation shall prevail.

Section 1.03 Authority of the Board

The Board of Directors is the unit of authority for the District. Apart from their normal function as a part of this unit, individual Directors may not commit the District to any policy, act or expenditure unless duly authorized by the Board of Directors.

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1. All Board Members must be a registered voters of the District (Government Code Section 61040).
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2. The Board of Directors shall act only at regular, regularly adjourned, or special meetings, as provided by State Law.

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3. Individual Directors shall have no power to act for the San Lorenzo Valley Water District, or the Board of Directors, or to direct District staff, except as authorized by the Board of Directors.

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4. Until a quorum is present there can be no meeting of the Board of Directors. The presence of a minimum of 3 Board members is required to constitute a quorum of the Board of Directors.

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5. The Board employs the District Manager and evaluates the District Manager's performance annually. (Government Code Section 61050).
<https://codes.findlaw.com/ca/government-code/gov-sect-61050.html>

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6. The District Manager shall recommend programs to implement district policy to the Board at public meetings unless instructed by the Board to report to a committee. The District Manager shall carry out the programs approved by the Board without modification (Government Code Section 61051).
<https://codes.findlaw.com/ca/government-code/gov-sect-61051.html>

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7. The Board defines the responsibilities of the District Manager and delegates authority. The Board monitors progress and redirects the District Manager, if necessary (Government Code Section 61051).
<https://codes.findlaw.com/ca/government-code/gov-sect-61051.html>

8. The Board approves the District's organizational structure and employment positions (Government Code Section 61060).
<https://codes.findlaw.com/ca/government-code/gov-sect-61060.html>

9. The Board hires the District's legal counsel and auditor (Government Code Section 61060).
<https://codes.findlaw.com/ca/government-code/gov-sect-61060.html>

10. The Board adopts the District's budget (Government Code Section 61110).
<https://codes.findlaw.com/ca/government-code/gov-sect-61110.html>

11. The Board approves acquisition and/or purchase of real property (Government Code Section 61060).
<https://codes.findlaw.com/ca/government-code/gov-sect-61060.html>

12. The Board sets rates, fees and charges for District services.

13. The Board establishes the compensation limits for Directors.

Section 1.04 Code of Ethics and Conduct

The Board of Directors of the San Lorenzo Valley Water District is obligated to uphold the Constitution of the United States of America and the Constitution of the State of California. Board Members will comply with applicable laws regulating their conduct, including conflict of interest, financial disclosure and open government meeting laws. Board Members are committed to providing excellence in legislative leadership that results in providing the highest quality services to its constituents. The Board of Directors is expected to maintain the highest ethical standards, to follow District policies and regulations, and to abide by all applicable local, state and federal laws. Board of Directors conduct should enhance the integrity and goals of the District. (Article 20, Section 3 of the California Constitution and Part 3 of Division 11 of the Water Code).

https://law.justia.com/constitution/california/article_20.html
https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=WAT&division=11.&title=&part=3.&chapter=3.&article=

1. Pursuant to California Government Code section 53234 et seq. or as amended, all Directors shall receive two (2) hours of training in general ethics principles and ethics laws relevant to public service within one (1) year of election or appointment to the Board of Directors, and at least once every two (2) years thereafter. All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission. The District Manager and any other employee(s) of the District designated by the Board of Directors shall also receive the ethics training specified herein. The District shall maintain records indicating the name of the entity that provided the training and the dates ethics training was completed. Records shall be maintained for a period of at least five (5) years after the date on which the training was received. These records are public records subject to disclosure under the California Public Records Act.

<https://codes.findlaw.com/ca/government-code/gov-sect-53234.html>

2. Board Members, in the performance of their official duties and responsibilities, will not harass any person or discriminate on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual orientation, medical condition or disability. A Board Member will not grant any special consideration, treatment or advantage to any person or group beyond that which is available to every other person or group in similar circumstances.

3. A Board Member shall not have a financial interest in a contract with the District, or be a purchaser at a sale by the District or a vendor at a purchase made by the District, unless the Board Members' participation was authorized under

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Deleted: In order to assist in the governing of behavior between and among members of the Board of Directors, the following rules shall be observed:

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¶ 1. The dignity, style, values and opinions of each Director shall be respected.¶

¶ 2. Responsiveness and attentive listening in communications is encouraged.¶

¶ 3. The needs of the District's constituents shall be the priority of the Board of Directors.¶

¶ 4. The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to staff members of the District.¶

¶ 5. Directors should commit themselves to emphasizing the positive.¶

¶ 6. Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of other should be encouraged.¶

¶ 7. Differing viewpoints are healthy in the decision-making process. Individual Directors have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to creating barriers to the implementation of said action.¶

¶ 8. Directors should practice the following procedures:¶

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Government Code Sections 1091 or 1091.5, or other provisions of the law. A Board Member will not participate in discussion, deliberation or vote on a matter before the Board of Directors or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter, as defined in the Political Reform Act, Government Code Sections 81000, and following, relating to financial conflicts of interest.
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1091.&lawCode=GOV

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If a Board Member believes that he or she may be disqualified from participation in the discussion, deliberations or vote on a particular matter due to a conflict of interest, the following procedure will be followed:

- (a) if the Board Member becomes aware of the potential conflict of interest before the Board meeting at which the matter will be discussed or acted on, the Board Member will notify the District Manager or the potential conflict of interest, so that a determination can be made whether it is a disqualifying conflict of interest;
- (b) if it is not possible for the Board Member to discuss the potential conflict with the District Manager before the meeting, or if the Board Member does not become aware of the potential conflict until during the meeting, the Board Member will immediately disclose the potential conflict during the Board meeting, so that there can be a determination that there is a disqualifying conflict of interest; and
- (c) upon a determination that there is a disqualifying conflict of interest the Board Member will leave the room until after the discussion, vote and any other disposition of the matter is concluded.
(Government Code Section 87105)
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=87105.&lawCode=GOV

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4. A Board Member will not recommend the employment of a relative by the District. A Board member will not recommend the employment of a relative to any person known by the Board Member to be bidding for or negotiating a contract with the District.

5. A Board Member who knowingly asks for, accepts or agrees to receive any gift, reward or promise thereof for doing an official act, except as may authorized by law, may be guilty of a misdemeanor under Penal Code Section 70 (Government Code Sections 1090 and Penal Code Sections 68 and 70).
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1090.&lawCode=GOV
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https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=70.&lawCode=PEN

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6. Board Members are prohibited from soliciting political contributions from District employees or officers at District facilities or during District work hours.

7. A Board Member will not use the District's seal, trademark, stationery or other indicia of the District's identity, or facsimile thereof, in any solicitation for political contributions contrary to state or federal law.

Section 1.05 Governing Laws

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The Board of Directors shall comply with and shall be guided by applicable provisions of Federal laws; State laws, including the Water Code, Government Code, Section 1090 of the Government Code, Elections Code and Public Resources Code; this Policy Manual, and the rules and regulations of the District as established by the motions, resolutions and ordinances enacted by the Board of Directors. Motions, resolutions and ordinances may be enacted by the Board in accordance with Water Code section 30523 or as amended.

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1090.&lawCode=GOV

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=30523.&lawCode=WAT

The powers and duties of the Board of Directors include governance, executive and quasi-judicial functions. These relate to the Board's own operations as a governing body and to all functions of the District.

1. Governance Functions: To fulfill its responsibility, the Board is committed to establishing policies to govern District activities. The Board of Directors shall consider and approve or disapprove matters submitted to it by a Director, staff or the public. The Board of Directors shall prescribe rules for its own governance which are consistent with its "enabling code" or by Federal or State Laws and regulations.

2. Executive Functions: The Board of Directors is authorized to delegate any of its powers and duties to an officer or employee of the District. The Board of Directors; however, retains ultimate responsibility over the performance of those powers or duties so delegated.

3. Quasi-Judicial Functions: The Board of Directors desires that public complaints be resolved at the lowest possible administrative level. The procedure for resolving public complaints shall be as follows:

(a) The individual with a complaint shall first discuss the matter with the District Manager. If this individual registering the complaint is not satisfied with the disposition of the complaint

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by the District Manager, said complaint may be filed with the Board of Directors.

(b) The Board of Directors may consider the matter at a subsequent regular meeting or call a special meeting. The Board of Directors will expeditiously resolve the matter.

(c) This policy in no way prohibits or intend to deter a member of the public from appearing before the Board of Directors to present a verbal complaint or statement in regard to actions of the Board of Directors, District programs or services, or impending considerations for the Board of Directors.

Section 1.06 Election of Officers

There shall be two (2) officers: a president and a vice president, who shall be members of the District Board of Directors. Election of officers shall be held at the December Board of Directors meeting of each calendar year. Officers will serve for a one (1) year term. (Government Code Section 61043).
<https://codes.findlaw.com/ca/government-code/gov-sect-61043.html>

Section 1.07 Board of Directors Meetings

1. REGULAR TIME AND PLACE OF MEETINGS: Regularly scheduled meetings of the Board of Directors shall be held, on the third (3rd) Thursday of each month at 5:00 pm; at the District Operations Building, 13057 Highway 9, Boulder Creek, CA, unless otherwise specified by action of the Board of Directors. Special meetings of the Board of Directors, as that term or its successor terms are defined within the meaning of the Ralph M. Brown Act (California Government Code section 54950 et seq.), may be duly authorized and held as deemed necessary by the President or a majority of the Board of Directors. Notice and location of special meetings shall be as prescribed by law. Emergency meetings of the Board of Directors, as that term or its successor terms are defined within the meaning of the Ralph M. Brown Act, may be duly authorized and held as deemed necessary only by a majority of the Board of Directors. Notice and location of emergency meetings shall be as prescribed by law.
2. PUBLIC NATURE OF MEETINGS: All meetings of the Board of Directors shall be open to the public, except when the Board is convened in Closed Session as authorized under provisions of the Ralph M. Brown Act (California Government Code section 54950 et seq.).
3. QUORUM AND VOTING REQUIREMENTS: The presence of three (3) or more Directors shall constitute a quorum for the transaction of District business. No ordinance, resolution or motion shall be passed by the Board of Directors without a majority vote of the Board, unless otherwise required or prescribed by State law. (See for example, Government Code section 54954.2)

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1. POWERS: The Board of Directors is responsible for the establishment of policy . . . and general control of the District. This broad authority shall be exercised in accordance with all applicable federal, state and local laws and regulations. The . Board of Directors may execute any powers delegated by law to the District, and . shall discharge any duty imposed by law upon the District. The enabling codes established by the California State Legislature empowers the Board of Directors to have broad authority and flexibility in carrying out financial programs and activities which meet its individual needs, provided these programs or activities are not in conflict with, inconsistent with, or preempted by law.¶

2. DUTIES: The primary duties of the Board of Directors are as follows:¶

- (a) Take action at legal meeting.¶
- (b) Establish and periodically review written policies for District operation and . . . administration.¶
- (c) Be responsible for all District finances.¶
- (1) Approve the fiscal budget.¶
- (2) Monitor the budget spending.¶
- (d) Set rates, fees and charges for District services.¶
- (e) Personnel¶
- (1) Hire and discharge the District Manager and Legal Counsel.¶
- (2) Annually evaluate the District Manager and Legal Counsel.¶

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4. **BOARD ACTION:** The Board of Directors shall act only by ordinance, resolution, or motion. Except where action is taken by the unanimous vote of all Directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions or motions and shall be entered in the minutes. An ordinance does not require two readings at separate meetings unless otherwise prescribed by law. Unless otherwise provided by its own terms, all ordinances, resolutions and motions shall become effective upon adoption. Any member of the Board of Directors, including the President, can make a motion. Motions require seconds. The President may vote on all motions unless disqualified or abstaining. The President shall not call for a vote on any motion until sufficient time has been allowed to permit any and all members of the Board of Directors to speak. Complex motions should generally be prepared in writing and read aloud to the members of the Board of Directors at the time the motion is made. If a motion is not in writing, and if it is necessary for full understanding of the matter before the Board of Directors, the President shall restate the question prior to the vote. Common motions may be stated in abbreviated form, and will be put into complete form in the minutes. Until the President states the question, the maker may modify their motion or withdraw it completely. However, after the President has stated the question, the motion may be changed only by a motion to amend which is passed by a majority vote of the Board of Directors. The President of the Board may at any time, during debate or otherwise, declare a recess. Declaration of a recess shall not be subject to any motions.
5. **PARLIAMENTARY PROCEDURES:** Unless otherwise inconsistent with any provision stated herein, Parliamentary Procedure for Board of Directors meetings shall be based upon the current edition of **Sturgis Standard Code** of Parliamentary Procedure. No action of the Board of Directors shall be deemed invalid for the reason that said action was not in conformance with Sturgis Standard Code of Parliamentary Procedure.
6. **ROUTINE BUSINESS:** Matters of routine business such as approval of the minutes and approval of minor matters may be expedited by assuming unanimous consent of the members of the Board of Directors and having the President state that without objection the matter will stand approved. Should any Director object to such unanimous consent, the President shall then call for a vote.
7. **ORDERLY DISCUSSION:** In order to promote discussion of the issues before the Board of Directors, each Director shall be recognized by the chair before speaking. Notwithstanding any provision of this Policy, however, each Director shall have a right to be heard within reason on any issue before the Board of Directors. Each Director may seek information or comment by the staff on any question.

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8. CLOSED SESSION: Except as provided by law, all proceedings in Closed Sessions shall remain confidential.

9. MEETING AGENDAS: The District Manager, in consultation with the Board President, shall be responsible for the preparation of a written agenda for each regular meeting and/or special meeting of the Board of Directors as those terms or its successor terms are defined by the Ralph M. Brown Act (California Government Code section 54950 et seq.). The District Manager and the Board President shall meet, annually, in January of each calendar year to identify recurring items of business which should be placed on written agendas at appropriate times during the coming year. The District Manager, in consultation with the President, shall be responsible for the preparation of a written agenda for each regular meeting and/or special meeting of "other legislative bodies," of the San Lorenzo Valley Water District, as those terms or its successor terms are defined by the Ralph M. Brown Act. Any Director may request that an item be placed on the agenda for a regular meeting of the Board of Directors. The District Secretary shall be responsible for the posting of the appropriate notice and agenda for all meetings of the Board of Directors and/or "other legislative bodies."

A copy of the agenda for each regular meeting of the Board of Directors shall be forwarded to each Board member, at least three (3) days in advance of each regular meeting, together with copies of all applicable supporting documentation; minutes to be approved; staff report; and other available documents pertinent to the meeting. Directors shall review agenda materials before each meeting. Individual directors may confer directly with the District Manager to request additional information on the agenda items.

10. ADDITIONS AND DELETIONS TO AGENDA: Additions to the Agenda, if any, shall be made in accordance with California Government Code Section 54954.2 or as amended (Ralph M. Brown Act), which includes, but is not limited to, additions for which the need to take action is declared to have arisen after the agenda was posted, as determined by a two-thirds vote of the Board of Directors. If less than two-thirds of the members are present a unanimous vote of those members present is required.

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=54954.2&lawCode=GOV

http://ag.ca.gov/publications/2003_Intro_BrownAct.pdf

11. ORAL COMMUNICATIONS: The Board of Directors encourages public participation. The Oral Communications portion of the agenda is reserved for citizen communication on matters not otherwise on the agenda. Any person may address the Board of Directors on any subject that lies within the jurisdiction of the District during this portion of the agenda. Unless otherwise altered by the President or presiding officer, individual citizen communication during the Oral Communication portion of the agenda shall not exceed three (3) minutes in length and individuals may only speak once. The Ralph M. Brown Act (Section 54954.3 or as amended)

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<#>ORDER OF BUSINESS: As a practice of normal business the Board President may rearrange this order at any time.¶

¶

(a) . Convene Meeting, Roll Call¶

¶

(b) . Additions and Deletions to Agenda¶

¶

(c) . Oral Communications Related to Closed Session¶

¶

(d) . Adjournment to Closed Session¶

¶

(e) . Reconvene to Open Session at 6:30 pm (time-certain)¶

¶

(f) . Report Actions Taken in Closed Session¶

¶

(g) . Additions and Deletions to Agenda¶

¶

(h) . Oral Communications¶

¶

(i) . Written Communications¶

¶

(j) . Consent Agenda¶

¶

(k) . Unfinished Business¶

¶

(l) . New Business¶

¶

(m) . District Manager Reports¶

¶

(1) . Manager Reports¶

¶

(2) . Committee/Director Reports¶

¶

(n) . Informational Material¶

¶

(o) . Adjournment to Closed Session (if applicable)¶

¶

(p) . Reconvene to Open Session to Report Actions Taken in Closed Session¶

¶

(q) . Adjournment¶

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prohibits any action being taken by the Board of Directors on any Oral Communications presented; however, the Board of Directors may request that the matter be placed on a future agenda. Each person addressing the Board of Directors shall be requested to give his or her name and address for the record, and designate the subject matter.

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Citizens may also address the Board of Directors on specific agenda items, when that item has come up on the agenda, including those on the consent agenda, only after first obtaining recognition by the President or presiding officer. Participation by interested citizens on specific agenda items is subject to orderly procedure, including time limits and decorum established under the authority of the President or presiding officer and applicable law.

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All communications by interested citizens, whether during Oral Communications, or other items on the agenda, shall be addressed to the Board of Directors as a single body and not to individual Board members, staff or members of the audience. No person other than the Board of Directors and the person having the floor shall be permitted to enter into discussion, either directly or through a director, without the permission of the President or presiding officer. No member of the public shall approach the Board of Directors table while the Board is in session unless granted permission by the President or presiding officer. Proper decorum must be observed by Directors, staff, speakers and the audience. The President or presiding officer shall preserve order and decorum, discourage personal attacks, and confine debate to the question under discussion. The President or presiding officer, or a majority of the board, may eject from a meeting any person who becomes disorderly, abusive, or disruptive, or who fails or refuses to obey a ruling of the president regarding a matter of order or procedure. The President shall rule out of order any irrelevant, repetitive or disruptive comments. No cell phone operation or audible pager use is allowed in the Board of Directors chambers.

12. CONSENT AGENDA: The purpose of a consent agenda is to minimize the time required for the handling of any non-controversial matters. Consent agenda items are considered to be routine and non-controversial, with documentation provided to the Board of Directors that is adequate and sufficient for approval without inquiry or discussion. Any item on the consent agenda will be moved to the regular agenda upon request from individual Directors or a member of the public. Unless moved to the regular agenda, the consent agenda shall be voted upon as one single item without discussion or debate.

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13. STUDY SESSIONS: Study sessions or workshop meetings are for the purpose of discussing an item(s) that may come before the Board at a later time for official action, to facilitate planning, or discussion of special topics of interest. Study sessions provide a more informal forum for the Board of Directors, staff and the public to engage in open-ended discussion and share information on a particular subject(s). No formal action(s) can be taken at a study session; direction

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can be given to staff regarding preparation of an agenda item for discussion and possible action at a subsequent meeting. From time to time, study sessions may be duly authorized as deemed necessary by the President or a majority of the Board.

14. WRITTEN CORRESPONDENCE: The Written Correspondence portion of the agenda is established to act as a report of written materials received by the Board as a whole, but may also include items requested for inclusion by individual Directors or members of the public. Written Communications which require no official actions by the Board of Directors may be listed only by title and date received, and not presented in its entirety. Written Correspondence not presented in its entirety will be maintained by the District Secretary for a period of two (2) years.

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Section 1.08 Technological Conferencing

Teleconferencing may be used for all purposes in connection with any meeting within the subject matter jurisdiction of any legislative body of the District. Teleconferencing is defined as a meeting of a legislative body of the District, the members of which are in different locations, connected by electronic means, through either audio or video, or both. If a legislative body of the District elects to use teleconferencing, it shall comply with all applicable requirements of the Ralph M. Brown Act (Section 54953, or as amended.)

http://ag.ca.gov/publications/2003_Intro_BrownAct.pdf

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Section 1.09 President

1. DUTIES: The President shall sit as presiding officer and conduct all meetings of the Board of Directors, shall carry out the resolution and orders of the Board of Directors and shall exercise such other powers and perform such other duties as the Board of Directors shall prescribe; including the following:

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(a) Call the meeting to order at the appointed times

(b) Announce the business to come before the Board of Directors in its proper order.

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(c) Enforce the Board of Directors policies and rules with respect to the order of business and the conduct of meetings.

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(d) Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.

(e) Explain what the effect of a motion would be if it is not clear to every member of the Board of Directors.

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(f) Restrict discussion to the question when a motion is before the Board of Directors.

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(g) Rule on parliamentary procedure.

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(h) Put motions to a vote, and state clearly the results of the vote.

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2. RESPONSIBILITIES: The President shall have all the rights to discuss and vote on any issues before the Board of Directors. The President shall have the following responsibilities:

- (a) Sign all instruments, acts and carry out stated requirements and the will of the Board of Directors
- (b) Consult with the District Manager on the preparation of the Board of Directors agendas. In addition, any Director shall have the right to place any matter on the agenda for any meeting in accordance with the provisions of this policy.
- (c) Appoint and disband all committees, subject Board of Directors approval.
- (d) Call such meetings of the Board of Directors as they may deem necessary, giving notice as prescribed by law.
- (e) Confer with the District Manager and/or District Counsel on matters which may occur between Board of Directors meetings.
- (f) Be responsible for the orderly conduct of all Board of Directors meetings.
- (g) Act as spokesperson of the Board of Directors.
- (h) Coordinate and prepare the Board of Directors annual evaluation of the District Manager and Legal Counsel.
- (i) Other duties as authorized by the Board of Directors.

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Section 1.10 Vice-President

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When the President resigns or is absent or disabled, the Vice-President shall perform the President's duties. When the President disqualifies himself/herself from participating in an agenda item, the Vice-President shall perform the duties of the presiding officer.

Section 1.11 Minutes

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Minutes of all regularly scheduled Board of Directors meetings will be audio recorded. Said audio record shall be subject to inspection in accordance with State Laws, including the California Public Records Act.

Section 1.12 Committees

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The Board shall organize committees that are advisory to the Board with regard to matters within their respective areas of responsibility.

The five District standing committees are as follows: Administrative, Budget & Finance, Engineering, Environmental and Lompico Assessment District Oversight. Each standing committee shall have no power or authority to commit the District or to take any action on behalf of the Board of Directors. Standing Committees shall hold meetings at such times as deemed necessary by consensus of the committee members. Committees are encouraged to meet at least monthly.

Committee meetings shall be held in accordance with the provisions of the Ralph M. Brown Act. In order to promote attendance by Directors at Committee meetings without inadvertently creating a violation of the Ralph M. Brown Act, Directors that are not members of a committee may attend as observers, but shall not participate at the Committee's meeting.

Committee appointments will be reviewed by the full Board at the Board of Director's meeting in December of each Calendar Year, or as soon thereafter as practical. Applications to serve as a Public Member will be available at the District's Office or on-line at the District's website (www.slvwd.com). Public Member Applications will be reviewed by the full Board. Each committee member shall be appointed by a simple majority vote of the Board.

Administrative, Budget & Finance, Engineering, Environmental Committees may have no more than two Board Members and no more than one Public Member.

During the appointment discussion each Director may present a public member to serve on each committee; Administrative, Budget & Finance, Engineering, Environmental Committees. If more than one public member is presented to serve on an individual committee, the full Board shall vote to determine which public member shall be seated on that committee for the year. The Lompico Assessment District Oversight Committee may have no more than five Public Members. Public members serving on the Lompico Assessment District Oversight Committee shall have a residential mailing address within Assessment District 2016-1.

Members of the committees serve at the pleasure of the Board. Each committee shall designate their own chairperson. For the Administrative, Budget & Finance, Engineering and Environmental Committees the chairperson shall be a member of the Board. Each committee may elect a vice-chairperson. Members of committees, including the chairperson and vice-chairperson shall serve until their successors are appointed. The chairperson of a committee is its presiding officer and shall be responsible for communicating the recommendation of the committee to the Board. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The chairperson and vice-chairperson are not deprived of any of the rights and privileges of a committee member by reason of being the presiding officer.

A majority of the members of each committee shall constitute a quorum for the transaction of business. Only members of the committee are entitled to make, second or vote on any motion or other action of the committee. Each committee member shall be entitled to one vote on all matters considered by the committee. A simple majority vote of the members of the Committee shall designate approval of a motion.

During the first regular meeting after January 1st of each year, each Committee shall review the District's current Strategic Plan and identify Strategic Plan Elements pertaining to said Committee. The Committee's findings regarding such Strategic Plan review shall be reported back to the Board at the next available regular Board Meeting for discussion and to allow the Board to provide direction back to the committees regarding completion of identified Strategic Plan Elements.

During the first regular meeting after January 1st of each year, each Committee shall prepare a multi-month forward looking calendar of items to be discussed by said Committee. Said calendar shall be no less than a three month look-ahead. Each Committee chairperson shall maintain said look-ahead calendar and submit same to the Board on a monthly basis.

The committee Chairperson shall record summary minutes of each committee meeting. The minutes of each committee meeting and any recommendation of a committee shall include a summary of the information presented.

All committee member absences will be considered by the majority of the committee members to determine whether or not the absence is without cause. Sickness, jury duty, vacation and/or bereavement will be considered excused absences. When three meetings in a row or a total of six meetings in one calendar year are missed the remaining committee members will consider removal of the individual from the committee. The removal must be voted upon and approved by the majority of the committee members with the exception of the committee member in question.

Vacancies shall be reported to the full Board as soon as practically possible. Vacancies shall be filled by simple majority vote of the Board.

Committee Members shall comply with the obligations and responsibilities of office including the obligation to comply with the disclosure requirements of the Political Reform Act (Form 700). The reporting categories made applicable to the Directors by San Lorenzo Valley Water District's local conflict of code shall apply to the members of the committee members.

All committee communications must go through the designated committee chairperson.

A committee has jurisdiction to consider and make a recommendation to staff, other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board.

The Board may refer a recommendation back to any committee for reevaluation whenever the Board deems additional evaluation is required.

Each Standing Committee shall, as a minimum, be responsible for the following:

Administrative Committee

The Committee shall be responsible for matters of internal and external administrative matters including: communications, staffing and staff support; District's data gap grant programs; interagency relations; codes and policies, pending State and Federal legislation; and other administrative programs.

Budget and Finance Committee

The Committee shall be responsible for the review of District finances including: rates, fees, charges and other sources of revenue; budget and reserves; audit; investments; insurance; and other financial matters.

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Engineering Committee

The Committee shall be responsible for the review matters of design, construction, replace and repair of the District facilities and property including: The Capital Improvement Program; Master Plans and other engineering, operational and planning related matters.

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Environmental Committee

The Committee shall be responsible for matters of stewardship of the District's property including: Urban Water Management Plans; Water Conservation Programs; Classis Watershed Education Grants; Watershed Management; Resource Management and other environmental related matter.

Lompico Assessment District Oversight Committee

The Committee shall be responsible to review matters of revenue and expenses directly related to Assessment District 2016-1 projects.

Section 1.13 Meeting Stipends

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Each Director may receive compensation as established by resolution of the Board of Directors. Pursuant to California Water Code section 30507, each Director may receive compensation in an amount not to exceed one hundred dollars (\$100.00) per day for each day's attendance at meetings of the Board, or for each day's service rendered as a Director by request or approval of the Board, not to exceed six hundred dollars (\$600.00) in any calendar month. Consistent with California Water Code section 30507, by resolution of the Board of Directors, the District has established the following per day (daily meeting stipend) for each day's attendance at meetings, as defined herein. Such

compensation is in addition to any approved reimbursement for meals, lodging, travel and other expenses consistent with the policies stated herein.

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1. To be entitled to a daily meeting stipend of one hundred dollars (\$100.00), the event in question must constitute one of the following:

(a) A meeting of the San Lorenzo Valley Water District Board of Directors within the meaning of California Government Code section 54952(a); or
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(b) Any meeting attended or service provided on a given day at the formal request of the District Board of Directors, and for which the Board at a public meeting approved payment of a daily meeting stipend.

2. To be entitled to a daily meeting stipend of twenty five dollars (\$25.00), the event in question must be a meeting of a designated District standing committee within the meaning of California Government Code section 54952(b). Only Directors appointed to the District standing committees shall be entitled to the daily meeting stipend.

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Section 1.14 Training, Education Programs, Conferences and Meetings

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The Board of Directors has determined that the following provisions shall be applicable to Director training, educational programs, conferences and meetings:

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1. Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Directors may attend, on behalf of the District, such training, educational programs, conferences and meetings as have been approved by the Board of Directors.

(a) It is the policy of the District to encourage Board development and excellence of performance by reimbursing necessary and reasonable expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. District credit cards may be used for registration purposes. Cash advances are not permitted. All reimbursement of actual and necessary expenses shall be pursuant to District policy on expenditure reimbursement as stated herein.

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- (b) Attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences etc. shall be approved by the Board of Directors at a public meeting prior to incurring any authorized reimbursable costs.
- (c) The District Manager or designee is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the District Manager, together with validated receipts.
- (d) To conserve District resources and keep Directors' reimbursement expenses for training, educational programs, conferences and meetings within community standards for public officials, reimbursement expenditures should adhere to the following guidelines. Expenses to the District for Board of Directors' training, education programs, conferences and meetings should be kept to a minimum by:
1. Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.
 2. Traveling together whenever feasible and economically beneficial.
 3. Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.
- (e) Whenever a Director who has not previously attended a particular conference or educational program is available to attend same, that Director shall have preference for attendance over a Director who has previously attended the same program.
- (f) Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. The report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.
- (g) Nothing in this policy shall permit the conduct of business in violation of the Ralph M. Brown Act when more than three (3) Directors attend the same event.

Section 1.15 Personnel Policies

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Deleted: (e) A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the Director has announced a pending resignation, or if it occurs after an election in which it has been determined that a Director will not retain a seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.¶
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Deleted: Section 1.17 - Expenditures¶
¶ The purpose of this policy is to prescribe the manner in which members of the San Lorenzo Valley Water District Board of Directors may be reimbursed for expenditures related to approved District business. The District shall adhere to California Government Code sections 53232 through 53232.4 or as amended when dealing with issues of expenditure reimbursements for Directors. This policy shall apply to all members of the Board of Directors, and is intended to result in no personal gain or loss to a Director.¶
¶ Directors may be reimbursed for out-of-pocket expenditure(s) relative to reasonable and necessary costs associated with appropriate District business. The Board of Directors must provide approval for said District business at a public meeting prior to incurring any authorized reimbursement costs. Directors are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary expenses associated with approved District business. Reimbursement rates shall coincide with guidelines established herein, or rates set by Internal Revenue Service Publication 1542 or its successor publication(s), whichever are greater.¶
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1. PERSONNEL SYSTEM RULES AND REGULATIONS: San Lorenzo Valley Water District is committed to the provision of an orderly, equitable and uniform personnel system. The Board of Directors by resolution shall establish written rules and regulations for the administration of the personnel system. Personnel system rules and regulations shall be reviewed at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

2. SEXUAL HARASSMENT: The San Lorenzo Valley Water District is committed to creating and maintaining a work environment free of objectionable and disrespectful conduct and/or communication of a sexual nature and prohibits sexual harassment by all employees and the Board of Directors. The Board of Directors by resolution shall establish a written policy and procedure manual relative to sexual harassment. The District's sexual harassment policy shall be reviewed at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

Conduct which creates an intimidating, hostile or offensive work environment will not be tolerated. Verbal behavior, physical behavior, gestures and other non-verbal behavior which create said environment will not be tolerated. Any employee or member of the public who feel that they have been or are being harassed by a Director is strongly encouraged to immediately report such incident to the District Manager without fear of reprisal regardless of the outcome of the complaint. The District Manager shall assign the investigation of the alleged misconduct to an outside party such as an attorney or law firm experienced in such matters. The District Manager shall notify the President of the Board of Directors of said alleged misconduct. Thereafter, the President, at the next meeting of the Board of Directors, shall report the facts and nature of the allegations to the entire Board of Directors.

If the Director charged with sexual harassment is the President of the Board of Directors, the District Manager shall report the fact and nature of the allegation(s) to the entire Board of Directors at its next meeting.

If an allegation of sexual harassment against a Director is investigated and found to be supported, the Board of Directors reserves the right to take such remedial action as is appropriate under all of the circumstances, including, if warranted, initiating an action for recall of such Director. The Directors agree that an accusation of sexual harassment against any one of them must be investigated. It is further agreed that such an investigation is not an invasion of their right of privacy.

3. NONDISCRIMINATION: The District shall not unlawfully discriminate against qualified employees or job applicants on the basis of age, sex, race, color, creed, religion, national origin, ancestry, marital status, sexual orientation, physical or mental disability, veteran status, or status with regard to public assistance. Equal opportunity shall be provided to all qualified employees and applicants in every aspect of personnel policy and practice.

All employees are expected to carry out the responsibilities in a manner that is free from discriminatory statements or conduct.

4. REASONABLE ACCOMMODATION-AMERICANS WITH DISABILITIES ACT:

Pursuant to the Americans with Disabilities Act, employers have a duty to reasonably accommodate employees and job applicants with known disabilities. This accommodation is not required for individuals who are not otherwise qualified for the job nor is accommodation generally required until the person with the disability requests it. The following optional regulation includes procedures recommended by the Equal Employment Opportunity Commission for use when determining what accommodation to make.

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Requests for reasonable accommodation may first be considered informally by the site administrator. If an accommodation cannot be made at the site because it would impose undue hardship or because of a lack of funds, the site administrator shall ask that the request be submitted in writing to the General Manager. The site administrator shall provide the employee or applicant with any assistance he/she may need in order to submit this request.

The duty to reasonably accommodate an individual with a disability is limited to those accommodations which do not impose an undue hardship upon the district.

Undue hardship is determined on a case-by case basis and includes any action that is unduly costly, extensive, substantial, disruptive, or that fundamentally alters the nature or operation of the agency. The burden of proving undue hardship rests with the agency, and what may be an undue hardship for one agency may not be an undue hardship for another, depending on factors such as cost and agency size. Even if cost does pose an undue hardship, the disabled person should have the opportunity to pay for the portion of the cost that constitutes an undue hardship, or to personally provide the accommodation.

Deleted: Section 1.19 - Conflict of Interest¶

¶ Pursuant to provision of California Government Code section 81,000 et seq., commonly known as the Political Reform Act, the District shall adopt and maintain a Conflict of Interest Code. The Conflict of Interest Code and, any amendments thereto shall be adopted by resolution of the Board of Directors. The Board of Directors shall review the adopted Conflict of Interest Code on a bi-annual basis. At a regularly scheduled Board of Directors meeting in September of each even-numbered year, the Board of Directors shall review its Conflict of Interest Code and, if amendments are needed, shall submit said amendments to the Santa Cruz County Board of Supervisors in accordance with applicable deadlines. If no amendments are needed, the Board of Directors shall submit a written statement saying that its Conflict of Interest Code is still accurate.¶

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Section 1.16 Resignations

Resignations by Directors shall be in writing, state the effective date and be submitted to the President of the Board of Directors and District Secretary. In the event the President of the Board of Directors resigns, the resignation shall be submitted to the Vice-President of the Board of Directors and the District Secretary.

Section 1.17 Vacancies

Directors are expected to carry out their responsibilities to the best of their abilities. In order to accomplish this goal, Directors should be present for scheduled meeting or events whenever possible. In accordance with California Government Code section 1770 a Director position vacancy will occur whenever "he or she ceases to discharge the duties of his or her office for the period of

three consecutive months, except when prevented by sickness", or when absent from the Board of Directors without the permission of the majority of the Board of Directors.

If such vacancy occurs, the Board of Directors will take action in accordance with California Government Code section 1770.

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In order to accomplish this in an orderly and consistent manner, when a vacancy of an elected Director occurs, the District Board of Directors, after discussion and consideration, shall when deemed appropriate, instruct staff to:

1. Place a public notice advising that a vacancy has occurred in accordance with applicable provisions of law; and
2. Said notice shall advise prospective candidates of the steps to take to apply for appointment; and
3. The District's Board of Directors shall establish the closing date for the receipt of applications; and
4. Applicants shall submit the following, by the date specified in the notice:
 - a) a letter of interest, and
 - b) a resume, with particular emphasis on the applicant's knowledge of special districts, and
5. Applicant(s) shall be interviewed at the next regularly scheduled meeting of the District's Board of Directors following the date of closure for applications; and
6. The District's Board of Directors shall make the appointment without undue delay, but need not act at the same meeting.

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Section 1.18 Inconsistent, Incompatible and Conflicting Employment or Activities

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Pursuant to the provision of the California Government Code section 1126, the Board of Directors of the San Lorenzo Valley Water District has determined that it would be inconsistent and incompatible for a Board member to be a paid employee of the District. Therefore, based on this decision, a member of the Board of Directors shall not be a paid District employee.

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Section 1.19 Directors' Legal Liabilities

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The District shall defend and indemnify Directors from any claim, liability or demand that arises out of a Director's performance of his or her duties or responsibilities as a Director or Officer of the District.

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Section 1.20 Annual Disclosure of Reimbursements

The District shall annually disclose any reimbursements paid by the San Lorenzo Valley Water District of at least one hundred dollars (\$100.00) for each individual charge for services or products received. The Board of Directors shall review said reimbursement information for the preceding fiscal year (July 1 - June 30) at a regularly scheduled Board of Directors meeting in September of each calendar year or as soon thereafter as is reasonable.

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San Lorenzo Valley Water District is committed to the establishment of formal policies relative to the prudent investment of the District's unexpended cash. The Board of Directors by resolution shall establish written guidelines for the investment of all San Lorenzo Valley Water District funds or funds in the custody of the District, in a manner which conforms to all State and local statutes governing the investment of public funds. Said guidelines shall provide for an optimal combination of safety, liquidity and yield. The District's Investment Policy and, any amendments thereto, shall be adopted by resolution of the Board of Directors. The Investment Policy shall be reviewed at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.¶

Section 1.21 General Provisions

Any of the within policies not required by law may be altered, amended, or repealed by a majority of the Board at a duly authorized meeting.

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Section 1.22 Annual Review

This Board of Directors Policy Manual shall be reviewed annually by District Counsel and ratified by Resolution of the Board of Directors at the Board of Directors meeting in December of each calendar year or as soon thereafter as reasonable.

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M E M O

TO: Board of Directors

FROM: District Manager

SUBJECT: TRAINING FOR BOARD, PUBLIC COMMITTEE MEMBERS & STAFF

DATE: January 3, 2019

RECOMMENDATION:

At the last meeting of the BoD the Board directed staff to look into Brown Act and Ethics training for the Board of Directors, public committee members and staff. Staff recommends that we bring Dennis Timoney, Special District Risk Management Agency's attorney, to the District to present the requested training.

BACKGROUND:

As members of CSDA (California Special Districts Association) & SDRMA we have access to multiple training options. Dennis Timoney is available the week of January 22, 2019 to come to the District for Ethics and Brown Act training at no cost to the District. Mr. Timoney will provide training that will meet the California State requirements for AB 1234, being at least 2 hours. He would prefer a daytime meeting but may be able to accommodate an evening. He is not available on Saturday.

We also have access to Target Solutions, an on-line service for various training components as well as CSDA webinars. These training platforms will be available to individuals that cannot attend the training with Dennis Timoney. There is a webinar being offered by CSDA titled: Is the Brown Act Making You Blue? On Tuesday, January 15, 2019, 10:00 am - 12:00 pm. It is free to registered SDRMA members. Contact the District Secretary for registration.

STRATEGIC PLAN:

Element 6.2 Increase Civic Understanding and Engagement
Element 9.2 Board Development

FISCAL IMPACT:

None



**MINUTES
SPECIAL BOARD OF DIRECTORS
SAN LORENZO VALLEY WATER DISTRICT
December 13, 2018**

MISSION STATEMENT: Our Mission is to provide our customers and future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding service and community relations; to manage and protect the environmental health of the aquifers and watersheds; and to ensure the fiscal vitality of the San Lorenzo Valley Water District.

Thursday, December 13, 2018 at 5:00 p.m., Highlands Park Senior Center, 8500 CA-9, Ben Lomond, CA.

1. Special Order of the Day

a. OATH OF OFFICE

Administration of Oath of Office for the New Board Members by the District Secretary.

b. ELECTION OF OFFICERS

Director Bruce was appointed interim President to hold the Election of Officers.

C. Finney-Boulder Creek, L. Hammack-Lompico, B. Holloway-Boulder Creek, D. Loewen-Lompico addressed the Board.

Discussion by the Board.

Lois Henry was elected President.

Bob Fultz was elected Vice President.

2. Convene Meeting

Roll Call: Dir. Smallman, Dir. Bruce, Dir. Henry, Dir. Swan, Dir. Fultz

Staff: Dist. Counsel Nicholls, District Manager Rogers, Dir. of Finance & Business Services Hill, Environmental Programs Manager Michelsen, Dir. of Operations Furtado, Dist. Secretary Hossack

3. Additions and Deletions to Open Session Agenda: None

4. Oral Communications:

B. Holloway, L. Hammack, C. Finney, R. Shaw-Lompico, J. Schneider-Lompico, J. Mosher Felton addressed the Board.

5. Unfinished Business: None

6. New Business:

a. RESOLUTION OF APPRECIATION FOR C. BAUGHMAN

Pres. Henry introduced this item.
Dir. Bruce read the resolution of Appreciation.
All present voted in favor of Resolution No. 16 (18-19). Motion passed.

b. RESOLUTION OF APPRECIATION FOR G. RATCLIFFE

Pres. Henry introduced this item.
Dir. Bruce read the Resolution.
All present voted in favor of Resolution No. 17 (18-19). Motion passed.

c. RESOLUTION OF APPRECIATION FOR J. HAYES

Pres. Henry introduced this item.
Dir. Fultz read the resolution.
All present voted in favor of Resolution No. 18 (18-19). Motion passed.

d. BOARD OF DIRECTORS' POLICY MANUAL

DM Rogers introduced this item.
Dist. Counsel clarified the item.
Discussion by the Board and staff regarding the Board Policy Manual.
L. Hammack, D. Loewen, B. Holloway, N. Macy-Boulder Creek, T. Norton-Lompico, M. Lee-Ben Lomond, G. Ratcliffe-Felton, C. Baughman-Boulder Creek addressed the Board.
Discussion by the Board.
A motion was made and seconded to approve Resolution No. 22 (18-19) the Board Policy Manual as adopted December 9, 2015 and further remand that the Board Policy Manual go to a full Board workshop (date to be determined).
Discussion by the Board and staff.
All present voted in favor of the motion. Motion passed.

e. BOARD OF DIRECTORS MEETING COSTS

DM Rogers introduced this item.
Discussion by the Board and staff regarding the costs of BoD meetings.
R. Shaw, unidentified woman, M. Lee, S. Schettler-Ben Lomond, J. Mosher, B. Holloway addressed the Board.
Discussion by Board and staff.

f. BOARD OF DIRECTORS' MEETING DATES FOR 2019

DM Rogers introduced this item.
Clarification by the Dist. Counsel.
Discussion by the Board and staff regarding the dates and time for regularly scheduled BoD meetings.
A motion was made and seconded adopt Resolution No. 23 (18-19) with the addition of the first and third Thursday of the month, unless holidays force a change.
M. Lee addressed the Board.
All present in voted in favor of the motion. Motion passed.

g. RESPECTFUL WORKPLACE POLICY FOR 2019

Pres. Henry introduced this item.
Discussion by the Board and staff regarding Respectful Workplace Policy.
R. Shaw addressed the Board.
Discussion by the Board and staff.
A motion was made and seconded to adopt Resolution No. 20 (18-19)
Respectful Workplace.
All present voted in favor of the motion. Motion passed.

h. PERSONNEL SYSTEM RULES & REGULATIONS FOR 2019

DM Rogers introduced this item.
A motion was made and seconded to adopt Resolution No. 21 (18-19)
Personnel System Rules and Regulations.
L. Farris addressed the Board.
Discussion by the Board and staff.
All present voted in favor of the motion. Motion passed.

i. SEXUAL HARASSMENT POLICY FOR 2019

Pres. Henry introduced this item.
Discussion by the Board and staff regarding the Sexual Harassment Policy.
A motion was made and seconded to adopt Resolution No. 19 (18-19)
Sexual Harassment Policy.
All present voted in favor of the motion. Motion passed.

j. BOARD OF DIRECTORS' DISTRICT EMAIL

DM Rogers introduced this item.
Discussion by the Board and staff regarding BoD District email.
L. Hammack, T. Norton addressed the Board.
Discussion by the Board and staff.

k. COMMITTEE APPOINTMENTS FOR 2019

Pres. Henry introduced this item.
Discussion by the Board and staff regarding committee appointments.
C. Baughman, B. Holloway, M. Lee addressed the Board.
Discussion by the Committee and staff.
T. Norton, L. Hammack, M. Lee addressed the Board.
Discussion by the Board and staff.
A motion was made and seconded for the following Committee assignments:

Administration - Fultz & Henry
Budget & Finance - Fultz & Henry
Engineering - Bruce & Smallman
Environmental - Bruce & Smallman
SMGWA - Henry, Swan, Bruce (alternate)

Four Directors voted in favor of the motion, Dir. Smallman voted no.
Motion passed.

l. FIELD TRIPS FOR NEW AND EXISTING DIRECTORS ABOUT THE DISTRICT - DIRECTOR SMALLMAN

Pres. Henry introduced this item.
Discussion by the Board and staff regarding Director field trips.
L. Hammack addressed the Board.
Discussion by the Board and staff.

- m. BOARD MEMBERS, SENIOR STAFF MEMBERS AND PUBLIC COMMITTEE MEMBERS TRAINING - DIRECTOR SMALLMAN
Pres. Henry introduced this item.
Discussion by the Board and staff regarding training.
B. Holloway addressed the Board.
- n. LEGAL PRESENTATION
Dist. Counsel introduced this item.
Public presentation of the procedural history of the Holloway and Vierra lawsuits against the District. Responses to questions were limited as needed to avoid disclosure of confidential and/or privileged information.
Discussion with questions and answers by public, staff and Board.

7. Consent Agenda:

- a. MINUTES FROM BOARD OF DIRECTORS MEETING NOVEMBER 15, 2018
Consideration and possible action by the Board to approve minutes from the November 15, 2018 BoD meeting.
- b. MINUTES FROM SPECIAL BOARD OF DIRECTORS MEETING NOVEMBER 28, 2018
Consideration and possible action by the Board to approve minutes from the November 28, 2018 BoD meeting.
- c. REIMBURSEMENT TO B. SMALLMAN FOR CSDA CONFERENCE EXPENDITURE
Consideration and possible action by the Board to approve reimbursement to B. Smallman for CSDA Conference expenditure.

No discussion by the Board.
Consent Agenda approved.

8. District Reports:

- o DEPARTMENT STATUS REPORTS
Receipt and consideration by the Board of Department Status Reports regarding ongoing projects and other activities.
 - Administration/Engineering
 - Finance
 - Environmental
 - Operations
 - Legal

Discussion by Board and staff regarding status reports.

T. Norton, L. Farris, L. Hammack, M. Lee addressed the Board and staff.

- COMMITTEE REPORTS
 - Future Committee Agenda Items
 - Committee Meeting Notes/Minutes
 - 1. Engineering Committee November 26, 2018
 - 2. LADOC November 27, 2018
- DIRECTORS REPORTS
 - Director's Communication
 - Dir. Bruce, Dir. Smallman, Pres. Henry spoke.
 - Future Board of Directors Meeting Agenda Items
 - Brown Act & Ethics Training
 - Budget & Finance Workshop
 - Education Commission Review
 - Review of Consultants
 - Environmental Projects Review
 - Administration & Operations Buildings Assessment

9. Written Communication: None

10. Informational Material:

- Fultz, Henry, Swan Elected to SLVWD BoD - Press Banner 11.30.18

11. Additions and Deletions to Closed Session Agenda: None

12. Oral Communications Regarding Items in Closed Session:

M. Lee and B. Holloway addressed the Board.

13. Adjournment to Closed Session 8:41 pm

- a. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Vierra v. San Lorenzo Valley Water District, et al.
(Santa Cruz Superior Court Case No. 18CV00890)
- b. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Holloway v. Showcase Realty Agents, Inc. et al.
(Santa Cruz Superior Court Case No. CV180394; 6th District Court of
Appeal Case Nos. H043704, H043492).
- c. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Government Code Section 54956.9(d)(1)

DeBert v. San Lorenzo Valley Water District et al. (Santa Cruz County Superior Court Case No. 17CV02729).

14. Reconvene and report actions taken in Closed Session: No reportable actions.

15. Adjournment 10:13 pm



SAN LORENZO VALLEY WATER DISTRICT
13060 HIGHWAY 9
BOULDER CREEK CA 95006-9119

ACCOUNT NUMBER:
SERVICE ADDRESS:
TOTAL AMOUNT DUE:

AMOUNT ENCLOSED:

116.88

- Protest Rate Hikes!!!
- Request Senior Discount!!
Is anybody listening??



LOR1205A AUTO SCH 5-DIGIT 95018
7000001237 00.0004.0193 1201/1



DAVID ZANVILLE



BOULDER CREEK CA 95006-9016

MAKE CHECKS PAYABLE TO:



SAN LORENZO VALLEY WATER DISTRICT
13060 HIGHWAY 9
BOULDER CREEK CA 95006-9119

See Reverse Side

Thank you for your assistance in helping us serve you better.

The cost of water is outrageous. I'm a
40 year valley resident & have never paid
so much for water.
San Lorenzo Valley Water District What happened to
our new board??

MISSION STATEMENT:

"Our mission is to provide our customers and all future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding customer service; to manage and protect the environmental health of the aquifers and watersheds; and, to ensure the fiscal vitality of the San Lorenzo Valley Water District."