



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA  
MEETING OF THE PERSONNEL COMMITTEE**

*This meeting is hereby noticed pursuant to  
California Government Code Section 54950 et. seq.*

**Tuesday, April 18, 2023 - 5:30 p.m.**  
**560 Magnolia Avenue, Beaumont, CA 92223**

**COVID-19 NOTICE**

**This meeting of the Personnel Committee is open to the public who would like to attend in person. COVID-19 safety guidelines are in effect pursuant to the Cal/OSHA COVID-19 Prevention Emergency Standards and the California Department of Public Health Recommendations**

- **Face coverings are recommended for vaccinated and unvaccinated persons and should be properly worn over the nose and mouth at all times**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**

**TELECONFERENCE NOTICE**

*The BCVWD Personnel Committee members will attend in person at the  
BCVWD Administrative Office*

*This meeting is available to the public via Zoom teleconference*

*To access the Zoom conference, use the link below:*

<https://us02web.zoom.us/j/85792068838?pwd=cFArZHZ4aHRlUjJLeTBCZVpnUGRmdz09>

**To telephone in, please dial: (669) 900-9128**  
**Enter Meeting ID: 857 9206 8838 • Enter Passcode: 457586**

*For Public Comment, use the “**Raise Hand**” feature if on the video call when prompted. If dialing in, please **dial \*9 to “Raise Hand”** when prompted*

*Meeting materials will be available on the BCVWD’s website:*

<https://bcvwd.org/document-category/personnel-committee-agendas/>

## PERSONNEL COMMITTEE MEETING – APRIL 18, 2023

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**Call to Order: Chair Covington**

**Roll Call**

	<b>John Covington</b>
	<b>Andy Ramirez</b>

	<b>Lona Williams (alternate)</b>
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**Public Comment**

**PUBLIC COMMENT: RAISE HAND OR PRESS \*9 to request to speak when prompted.** At this time, any person may address the Personnel Committee on matters within its jurisdiction which are not on the agenda. However, non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

1. **Adjustments to the Agenda:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
  - a. Item(s) to be removed or continued from the Agenda
  - b. Emergency Item(s) to be added to the Agenda
  - c. Changes to the order of the Agenda
2. **Acceptance of Personnel Committee Meeting minutes**  
*Minutes may be accepted by consensus*
  - a. March 21, 2023 (pages 4 - 6)

### **ACTION ITEMS**

3. **Report / Update from BCVWD Employees Association** (no staff report)
4. **Report / Update from BCVWD Exempt Employees** (no staff report)
5. **Report from Human Resources Department** (pages 7 - 16)
6. **Policies and Procedures Manual Updates / Revisions** (pages 17 - 32)
  - a. Policy 3125 Uniforms and Protective Clothing
  - b. Policy 5090 Records Retention
  - c. Policy 6025 Public Records

## 7. Action List for Future Meetings

- *Employee Association topics*
- *Policy manual updates (ongoing)*
- *Update: Workforce and Succession Planning Project*

## 8. Next Meeting Date: May 16, 2023

## 9. Adjournment

**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Personnel Committee in connection with a matter subject to discussion or consideration at a meeting of the Personnel Committee are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office") during business hours, Monday through Thursday from 7:30 a.m. to 5 p.m. If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time or within 24 hours' time as they are distributed to all or a majority of the Board of Directors, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available in the Board Room at the District Office. Materials may also be available on the District's website: [www.bcvwd.org](http://www.bcvwd.org).

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Meeting Agenda may be made up to 72 hours before the Committee Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Committee Meeting, or download from the District's website: [www.bcvwd.org](http://www.bcvwd.org).

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.org](mailto:info@bcvwd.org) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

## CERTIFICATION OF POSTING

A copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54956(a)).



**BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA**  
560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF THE PERSONNEL COMMITTEE MEETING**  
**Tuesday, March 21, 2023 at 5:30 p.m.**

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**CALL TO ORDER**

*Chair Covington called the meeting to order at 5:40 p.m.*

*Attendance.* Directors Covington and Ramirez attended in person.

<i>Directors present:</i>	<i>Covington, Ramirez</i>
<i>Directors absent:</i>	<i>None</i>
<i>Staff present:</i>	<i>Director of Finance and Administration Kirene Bargas, PhD Director of Information Technology Robert Rasha Management Analyst II Lorena Lopez Administrative Assistant Cenica Smith</i>
<i>BCVWD Employee Association reps:</i>	<i>Temporary Water Utility I Dontae Williams Water Utility Supervisor Julian Herrera</i>

**PUBLIC COMMENT:** *None.*

**ACTION ITEMS**

- 1. Adjustments to the Agenda:** *None.*

*5:43 p.m. – A power outage interrupted the meeting*

*6:04 p.m. – The meeting was called back to order by Chair Covington*

- 2. Acceptance of the Meeting minutes**

- a. February 21, 2023

*The Committee accepted the minutes of the Personnel Committee meeting by the following vote:*

<b>MOVED:</b> Covington	<b>SECONDED:</b> Ramirez	<b>APPROVED</b>
<b>AYES:</b>	Covington, Ramirez	
<b>NOES:</b>	None.	
<b>ABSTAIN:</b>	None.	
<b>ABSENT:</b>	None.	

3. **Report / Update from BCVWD Employees Association:** No Report.
4. **Report / Update from BCVWD Exempt Employees:** No Report.
5. **Report from Human Resources Department**

Dr. Bargas presented the report.

Director Covington pointed out AB 1528 regarding employee housing and reminded that the Board had requested that the District residences be inspected by a certified inspector. Dr. Bargas explained that the request had been sent to multiple vendors and none responded. The issue has been reopened, and a vendor was contacted today, and will let staff know if the work can be done.

Director Covington noted that the Recruitment section of the report stated Water Production Operator, but it is unclear as to whether it is an Operator I or II. Dr. Bargas indicated that the idea was to keep it open and evaluate the experience of the applicants.

#### **6. Update: Workforce and Succession Planning Project**

Dr. Bargas reported that this is on hold until General Manager Dan Jagers has reviewed the report in detail.

#### **7. Action Plan: Recruitment and Retention of Human Resources Personnel**

Dr. Bargas explained that the functions and tasks of human resources are being analyzed. Once the assessment is done, it will be determined if an HR Administrator will be brought on, or if consulting will be used, or two persons hired.

Director Covington noted that only one position is budgeted.

Director Ramirez pointed out there was good continuity in having the HR Administrator, and with two positions consulting services may still be needed.

#### **8. Policies and Procedures Manual Updates / Revisions**

Chair Covington invited any comment.

Policy 3125 Uniforms and Protective Clothing: Director Ramirez asked about the allowance for safety shoes and suggested clarifying language. Dr. Bargas said the total allowance was \$200 per year. Director Covington said that is not in the policy manual; Dr. Bargas explained that the specifics are in the Memorandum of Understanding (MOU).

Ms. Lopez provided the relevant section of the MOU. Director Covington recommended including the reimbursement section of the MOU in the policy document. Director Ramirez concurred and made an addition.

This policy will come back to the April 18, 2023 Personnel Committee meeting.

Policy 3145 Driver Training and Record Review: Dr. Bargas explained the update related to the point system under State law.

*The Committee recommended moving forward Policy 3145 to the Board for consideration by the following vote:*

MOVED: Covington	SECONDED: Ramirez	APPROVED
AYES:	Covington, Ramirez	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

#### **9. Action List for Future Meetings**

- *Employee Association topics (none added)*
- *Policy manual updates (ongoing)*
- *Status of Workforce and Succession Planning*

**10. Next Meeting Date:** Tuesday, April 18, 2023, at 5:30 p.m.

**ADJOURNMENT:** 6:27 p.m.

Attest:

*DRAFT UNTIL APPROVED*

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John Covington, Chairman  
to the Personnel Committee of the Beaumont-Cherry Valley Water District



**Beaumont-Cherry Valley Water District  
Personnel Committee Meeting  
April 18, 2023**

Item 5

**HUMAN RESOURCES REPORT**

**TO: Board of Directors Personnel Committee**

**FROM: Dr. Kirene M. Bargas, Director of Finance & Administration**

**SUBJECT: Human Resources Department Report for the Month of March 2023**

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**Table 1: Personnel**

The below table represents Workforce.

Total Current Employees (Excluding Board Members)	43
Full-Time Employees	36
Part-Time	2
Temporary	5
Interns	0
Separations	3
Retired Employee(s)	1

**Table 2: New Hires**

The below table represents new hires.

Employee Name	Job Title	Department
N/A		

**Table 3: Anniversaries\***

Employee Name	Job Title	Years of Service
Johnathan Medina	Water Utility Worker II	18

*\*Work Anniversaries for the purposes of this report are calculated from the hire date and do not determine employment conditions or terms. This report does not include elected officials.*

**Table 4: Promotions**

Former Title	Promotion to
N/A	

**Table 5: Recruitment**

The below table represents active/closed recruitment(s).



Position	Department	Closing Date
Water Production Operator	Operations	Closed

**Table 6: Separation**

The below table represents employees separating from BCVWD.

Position	Department	Last Day
Sabrina Foley	Finance & Administration	March 16, 2023
Daniel Baguyo	Engineering	March 24, 2023
Knute Dahlston	Operations	March 30, 2023

**Table 7: Communications**

The below table represents HR communications to BCVWD employees.

Communication	Topic
Recruitment & Separations	Personnel
Posted Fishing Derby, Wellness Connections Flyer	Event
Scheduled Ergonomics Assessments (April & May)	Safety

**Table 8: Legislation**

Bill/Legislation	Title	Description	Status
AB 518	Paid family leave	<p>3301. (a) (1) The purpose of this chapter is to establish, within the state disability insurance program, a family temporary disability insurance program. Family temporary disability insurance shall provide up to eight weeks of wage replacement benefits to workers who take time off work to care for a seriously ill child, spouse, parent, grandparent, grandchild, sibling, or domestic partner, or <i>designated person</i>, to bond with a minor child within one year of the birth or placement of the child in connection with foster care or adoption, or to participate in a qualifying exigency related to the covered active duty or call to covered active duty of the individual's spouse, domestic partner, child, or parent in the Armed Forces of the United States.</p> <p>(d) "<i>Designated person</i>" means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee when they file a claim for benefits.</p>	<p>Amended 4/4/2023 identifying "care for designated persons".</p> <p>May be heard in committee on April 12/2023. Assembly Insurance.</p>





		Bill would make conforming changes to the definitions of the terms “family care leave” and “family member” to align with updated California Family Rights Act.	
AB 1484	Temporary public employees	This bill would impose specified requirements with respect to the temporary employees, as defined, of a public employer who have been hired to perform the same or similar type of work that is performed by permanent employees represented by a recognized employee organization. In this regard the bill would require those temporary employees to be automatically included in the same bargaining unit as the permanent employees, as specified, upon the request of the recognized employee organization.	Re-Referred to Committee on P.E. & R. 4/12/2023. Referred to Committee on P.E. & R. 3/09/2023.

*Prepared by Dr. Kirene M. Bargas, Director of Finance & Administration*

AMENDED IN ASSEMBLY APRIL 4, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

## ASSEMBLY BILL

**No. 518**

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**Introduced by Assembly Member Wicks**

February 7, 2023

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An act to amend Sections 3301, 3302, and 3303 of the Unemployment Insurance Code, relating to disability compensation, and making an appropriation therefor.

### LEGISLATIVE COUNSEL’S DIGEST

AB 518, as amended, Wicks. Paid family ~~leave~~: *leave: eligibility: care for designated persons.*

Existing unemployment compensation disability law requires workers to pay contribution rates based on, among other things, wages received in employment and benefit disbursement, for payment into the Unemployment Compensation Disability Fund, a special fund in the State Treasury. That fund is continuously appropriated for the purpose of providing disability benefits and making payment of expenses in administering those provisions.

Existing law establishes, within the above state disability insurance program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits for up to 8 weeks to workers who take time off work for prescribed purposes, including to care for a seriously ill family member. Existing law defines terms for its purposes, including “family care leave” and “family member.”

This bill would expand eligibility for benefits under the paid family leave program to include individuals who take time off work to care for a seriously ill *designated person*. *The bill would define “designated*

person” to mean any individual related by blood or whose association with the employee is the equivalent of a family relationship. *The bill would authorize the employee to identify the designated person when they file a claim for benefits.* The bill would make conforming changes to the definitions of the terms “family care leave” and “family member.”

By authorizing expenditures from the Unemployment Compensation Disability Fund for a new purpose, this bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 3301 of the Unemployment Insurance  
2 Code is amended to read:  
3 3301. (a) (1) The purpose of this chapter is to establish, within  
4 the state disability insurance program, a family temporary disability  
5 insurance program. Family temporary disability insurance shall  
6 provide up to eight weeks of wage replacement benefits to workers  
7 who take time off work to care for a seriously ill child, spouse,  
8 parent, grandparent, grandchild, sibling, domestic partner, or ~~any~~  
9 ~~other individual related by blood or whose association with the~~  
10 ~~employee is the equivalent of a family relationship,~~ *designated*  
11 *person*, to bond with a minor child within one year of the birth or  
12 placement of the child in connection with foster care or adoption,  
13 or to participate in a qualifying exigency related to the covered  
14 active duty or call to covered active duty of the individual’s spouse,  
15 domestic partner, child, or parent in the Armed Forces of the United  
16 States.  
17 (2) Nothing in this chapter shall be construed to abridge the  
18 rights and responsibilities conveyed under the CFRA or pregnancy  
19 disability leave.  
20 (b) (1) An individual’s “weekly benefit amount” for periods of  
21 disability commencing before January 1, 2025, shall be the amount  
22 provided in Section 2655, and for periods of disability commencing  
23 on or after January 1, 2025, shall be the amount provided in  
24 paragraph (2). An individual is eligible to receive family temporary  
25 disability insurance benefits equal to one-seventh of the  
26 individual’s weekly benefit amount for each full day during which  
27 the individual is unable to work due to caring for a seriously ill or

1 injured family member, bonding with a minor child within one  
2 year of the birth or placement of the child in connection with foster  
3 care or adoption, or participating in a qualifying exigency related  
4 to the covered active duty or call to covered active duty of the  
5 individual's spouse, domestic partner, child, or parent in the Armed  
6 Forces of the United States.

7 (2) For periods of disability commencing on or after January 1,  
8 2025, the weekly benefit amount shall be as follows:

9 (A) When the amount of wages paid to the individual for  
10 employment by employers during the quarter of the individual's  
11 disability base period in which these wages were highest is less  
12 than seven hundred twenty-two dollars and fifty cents (\$722.50),  
13 then fifty dollars (\$50).

14 (B) When the amount of wages paid to the individual for  
15 employment by employers during the quarter of the individual's  
16 disability base period in which these wages were highest is more  
17 than 70 percent of the state average quarterly wage, the weekly  
18 benefit amount shall be equal to the greater of 70 percent of the  
19 wages paid to an individual for employment by employers during  
20 the quarter of the individual's disability base period in which these  
21 wages were highest, divided by 13, but not exceeding the maximum  
22 workers' compensation temporary disability indemnity weekly  
23 benefit amount established by the Department of Industrial  
24 Relations pursuant to Section 4453 of the Labor Code, or 63  
25 percent of the state average weekly wage.

26 (C) When the amount of wages paid to the individual for  
27 employment by employers during the quarter of the individual's  
28 disability base period in which these wages were highest is seven  
29 hundred twenty-two dollars and fifty cents ~~(\$722.50)~~ (\$722.50),  
30 or more, but 70 percent or less than the state average quarterly  
31 wage, then the weekly benefit amount shall be equal to 90 percent  
32 of the wages paid to an individual for employment by employers  
33 during the quarter of the individual's disability base period in  
34 which these wages were highest, divided by 13, but not exceeding  
35 the maximum workers' compensation temporary disability  
36 indemnity weekly benefit amount established by the Department  
37 of Industrial Relations pursuant to Section 4453 of the Labor Code.

38 (3) For purposes of this subdivision, "state average weekly  
39 wage" and "state average quarterly wage" have the same meanings  
40 as defined in subdivision (g) of Section 2655.

1 (c) The maximum amount payable to an individual during any  
2 disability benefit period for family temporary disability insurance  
3 shall be eight times the individual's "weekly benefit amount," but  
4 in no case shall the total amount of benefits payable be more than  
5 the total wages paid to the individual during the individual's  
6 disability base period. If the benefit is not a multiple of one dollar  
7 (\$1), it shall be computed to the next higher multiple of one dollar  
8 (\$1).

9 (d) No more than eight weeks of family temporary disability  
10 insurance benefits shall be paid within any 12-month period.

11 (e) An individual shall file a claim for family temporary  
12 disability insurance benefits not later than the 41st consecutive  
13 day following the first compensable day with respect to which the  
14 claim is made for benefits, which time shall be extended by the  
15 department upon a showing of good cause. If a first claim is not  
16 complete, the claim form shall be returned to the claimant for  
17 completion and it shall be completed and returned not later than  
18 the 10th consecutive day after the date it was mailed by the  
19 department to the claimant, except that such time shall be extended  
20 by the department upon a showing of good cause.

21 SEC. 2. Section 3302 of the Unemployment Insurance Code  
22 is amended to read:

23 3302. On and after July 1, 2014, for purposes of this part:

24 (a) "Care recipient" means the family member who is receiving  
25 care for a serious health condition or the new child with whom the  
26 care provider is bonding. For the purposes of a qualifying exigency  
27 as set forth in Section 3302.2, "care recipient" also includes the  
28 military member, or child or parent of the military member, who  
29 is receiving assistance, or the employee who is participating in a  
30 qualifying exigency.

31 (b) "Care provider" means the family member who is providing  
32 the required care for a serious health condition; the family member  
33 who is bonding with the new child; or the employee who is  
34 participating in a qualifying exigency as provided in Section  
35 3302.2.

36 (c) "Child" means a biological, adopted, or foster son or  
37 daughter, a stepson or stepdaughter, a legal ward, a son or daughter  
38 of a domestic partner, or the person to whom the employee stands  
39 in loco parentis.

(d) “Designated person” means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee when they file a claim for benefits.

~~(d)~~

(e) “Domestic partner” has the same meaning as defined in Section 297 of the Family Code.

~~(e)~~

(f) “Family care leave” means any of the following:

(1) Leave to bond with a minor child within the first year of the child’s birth or placement in connection with foster care or adoption.

(2) Leave to care for a child, parent, grandparent, grandchild, sibling, spouse, domestic partner, or ~~any other individual related by blood or whose association with the employee is the equivalent of a family relationship~~, designated person, who has a serious health condition.

(3) Leave to participate in a qualifying exigency as provided in Section 3302.2.

~~(f) “Family member” means:~~

~~(1) A child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as defined in this section.~~

~~(2) Any other individual related by blood or whose association with the employee is the equivalent of a family relationship.~~

(g) “Family member” means a child, parent, grandparent, grandchild, sibling, spouse, domestic partner, or designated person.

~~(g)~~

(h) “Grandchild” means a child of the employee’s child.

~~(h)~~

(i) “Grandparent” means a parent of the employee’s parent.

~~(i)~~

(j) “Military member” means a child, spouse, domestic partner, or parent of the employee, where the military member is on covered active duty or call to active duty in the Armed Forces of the United States as defined in subdivision (a) of Section 3302.1

~~(j)~~

(k) “Parent” means a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who

1 stood in loco parentis to the employee when the employee was a  
2 child.

3 ~~(k)~~

4 (l) "Parent-in-law" means the parent of a spouse or a domestic  
5 partner.

6 ~~(t)~~

7 (m) "Serious health condition" means an illness, injury,  
8 impairment, or physical or mental condition that involves inpatient  
9 care in a hospital, hospice, or residential health care facility, or  
10 continuing treatment or continuing supervision by a health care  
11 provider, as defined in Section 12945.2 of the Government Code.

12 ~~(m)~~

13 (n) "Sibling" means a person related to another person by blood,  
14 adoption, or affinity through a common legal or biological parent.

15 ~~(n)~~

16 (o) "Spouse" means a partner to a lawful marriage.

17 ~~(o)~~

18 (p) "Valid claim" means any claim for family temporary  
19 disability insurance benefits made in accordance with the  
20 provisions of this code, and any rules and regulations adopted  
21 thereunder, if the individual claiming benefits is unemployed and  
22 has been paid the necessary wages in employment for employers  
23 to qualify for benefits under Section 2652 and is caring for a  
24 seriously ill family member, or bonding with a minor child during  
25 the first year after the birth or placement of the child in connection  
26 with foster care or adoption.

27 ~~(p)~~

28 (q) "Twelve-month period," with respect to any individual,  
29 means the 365 consecutive days that begin with the first day the  
30 individual first establishes a valid claim for family temporary  
31 disability benefits.

32 SEC. 3. Section 3303 of the Unemployment Insurance Code  
33 is amended to read:

34 3303. (a) On and after July 1, 2014, only if the director makes  
35 both of the findings described in subdivision (b), an individual  
36 shall be deemed eligible for family temporary disability insurance  
37 benefits equal to one-seventh of the individual's weekly benefit  
38 amount on any day in which the individual is unable to perform  
39 their regular or customary work because of any of the following:

1 (1) The individual is bonding with a minor child during the first  
2 year after the birth or placement of the child in connection with  
3 foster care or adoption.

4 (2) The individual is caring for a seriously ill child, parent,  
5 grandparent, grandchild, sibling, spouse, domestic partner, or ~~any~~  
6 ~~other individual related by blood or whose association with the~~  
7 ~~employee is the equivalent of a family relationship.~~ *designated*  
8 *person.*

9 (3) The individual is participating in a qualifying exigency  
10 related to the covered active duty or call to covered active duty of  
11 the individual's spouse, domestic partner, child, or parent in the  
12 Armed Forces of the United States.

13 (b) An individual shall be deemed eligible for family temporary  
14 disability insurance benefits described in subdivision (a) only if  
15 the director finds both of the following:

16 (1) The individual has made a claim for temporary disability  
17 benefits as required by authorized regulations.

18 (2) The individual has filed a certificate, as required by Sections  
19 2708 and 2709, or for purposes of participating in a qualifying  
20 exigency related to the covered active duty or call to covered active  
21 duty of the individual's spouse, domestic partner, child, or parent  
22 in the Armed Forces of the United States, has provided the  
23 information requested pursuant to Section 3307.





**Beaumont-Cherry Valley Water District  
Personnel Committee  
April 18, 2023**

Item 6

**STAFF REPORT**

**TO:** Personnel Committee of the Board of Directors  
**FROM:** Dr. Kirene M. Bargas, Director of Finance and Administration  
**SUBJECT:** Policies and Procedures Manual Updates/Revisions

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**Staff Recommendation**

Recommend the updated policies to the Board of Directors for adoption, or provide direction regarding edits to the proposed policies.

**Executive Summary**

N/A

**Background**

At the July 23, 2018 Personnel Committee Meeting, Committee members directed staff to review, revise and update the District's Policies and Procedures. At the July 27, 2020 meeting, an overview of the proposed changes to the organization of the document was presented. The Committee requested "redlined" versions of changes to review each item thoroughly. Policy Approval Tracking (**Attachment 1**) is provided as an overview of the project thus far. At the November 15, 2021 meeting, the Committee requested an indication of priority policies in the attachment, and staff added highlighting to indicate the highest priority and lowest priority policy updates.

**Summary**

Staff have consulted several sources to update the content and verbiage of the District's Policy Manual, including sample policies from the California Special Districts Association, articles published by the California League of Cities and Institute for Local Government, and recently updated manuals of other special districts. The aim of the reorganization of the Policy Manual is to introduce consistency and modernize the document to align with the organizational goals of the District.

Revised policies are drafted using the APA (American Psychological Association) Style for writing style and grammar. The APA style emphasizes continuity, flow, conciseness, bias-free language, and clarity. These objectives parallel the District's goals for transparency in our public documents and promote clear and enforceable policies.

NOTE: These policies have been submitted to District legal counsel for review, but as of the date of publication of this staff, report, legal has not yet provided comment.

The proposed policies are presented side-by-side with the current versions, with redline edits shown for clarity (**Attachments 2-3**).



### Summary Table

Policy 3125 Uniforms and Protective Clothing	<ul style="list-style-type: none"><li>• Policy is recommended by the CSDA (California Special Districts Association)</li><li>• Proposed new policy</li><li>• Returning to the Personnel Committee per request after addition of the section on safety shoes mirroring the MOU language</li></ul>
Policy 5090 Records Retention	<ul style="list-style-type: none"><li>• Revision of existing policy (Part III Section 19)</li><li>• Appendix A Vital Records updated</li><li>• Appendix B Records Retention Schedule is in progress – does not require Board approval (is procedure and regulatory based, not policy)</li></ul>
Policy 6025 Public Records	<ul style="list-style-type: none"><li>• Revised to modernize and address issues more thoroughly</li><li>• Comports with the California Public Records Act as recodified effective January 2023</li></ul>

### **Fiscal Impact**

No fiscal impact.

### **Attachments**

1. Policy Approval Tracking
2. Proposed Policy 3125 Uniforms and Protective Clothing
3. Proposed Policy 5090 Records Retention
4. Proposed Policy 6025 Public Records

*Staff Report prepared by Lynda Kerney, Administrative Assistant*

**Policy Approval Tracking  
BCVWD Policy Manual Project**

# Attachment 1

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Responsible Staff	Approved by Legal Counsel	Presented to Personnel Committee	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date	Resolution Number
1	1000	General	Definitions	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
2	1005	General	Definitions	Additional Edits	Human Resources	6/28/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
N/A	1010	General	Contractual Provisions	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
			Policy Manual	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
3	2000	Administration	Policy Manual	Additional Edits	Human Resources	Separate Report	N/A	N/A-directed to Board	3/9/2022	3/9/2022	3/9/2022	22-006
4	2005	Administration	Equal Opportunity	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
5	2010	Administration	Affirmative Action	Yes	Human Resources	Recommend to Remove	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
6	2015	Administration	Access to Personnel Records	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
7	2020	Administration	Harassment	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
N/A	2025	Administration	Sexual Harassment	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
8	3000	Personnel	Whistleblower Protection	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
			Employee Status	Yes	Human Resources	4/12/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Employee Information and									
N/A	3001	Personnel	Emergency Data	Yes	Human Resources	4/12/2021	6/21/2021	6/21/2021	10/13/2021	10/13/2021	10/13/2021	21-018
N/A	3002	Personnel	Employee Groups	Yes	Human Resources	4/12/2021	5/17/2021	5/17/2021	10/13/2021	10/13/2021	10/13/2021	21-018
N/A	3003	Personnel	Employment Agreements	Yes	Human Resources	5/10/2022	5/17/2022	Tabled				
9	3005	Personnel	Compensation	Yes	Human Resources	7/13/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Prevailing Wage-Public Works									
N/A	3006	Personnel	Contractor-Employee Relations	Yes	Human Resources	7/13/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
10 & 49	3010	Personnel	Employee Performance									
			Evaluation	Yes	Human Resources	7/13/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
11	3015	Personnel	Performance Evaluation-General									
12	3020	Personnel	Manager	Yes	Human Resources	8/3/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
13	3025	Personnel	Health and Welfare Benefits	Yes	Human Resources	5/10/2022	5/17/2022	5/17/2022	6/8/2022	6/8/2022	6/8/2022	22-019
14	3030	Personnel	Pay Periods	Yes	Human Resources	10/12/2021	11/15/2021	11/15/2021	5/11/2022	5/11/2022	5/11/2022	22-016
15	3035	Personnel	Gift Acceptance Guidelines	Yes	Human Resources	12/10/2021	4/19/2022	4/19/2022	5/11/2022	5/11/2022	5/11/2022	22-016
16	3040	Personnel	Outside Employment	Yes	Human Resources	10/12/2021	4/19/2022	4/19/2022	5/11/2022	5/11/2022	5/11/2022	22-016
17	3045	Personnel	Letters of Recommendation	Yes	Human Resources							
			Executive Officer	Yes	Human Resources							
18	3050	Personnel	Volunteer Personnel Workers'	Yes	Human Resources							
			Compensation Insurance									
19	3055	Personnel	Work Hours, Overtime, and	Yes	Human Resources	6/14/2022	7/19/2022	7/19/2022 with revisions	9/14/2022	9/14/2022	9/14/2022	22-028
20	3060	Personnel	Standby Program	Yes	Human Resources							
20 (incorrect numbering)			Continuity of Service	Yes	Human Resources							
21	3065	Personnel	Reduction in Force	Yes	Human Resources							
22	3070	Personnel	Holidays	Yes	Human Resources							
23	3075	Personnel	Vacation	Yes	Human Resources	11/8/2022	1/17/2023	1/17/2023	2/8/2023	2/8/2023	2/8/2023	23-005
24	3080	Personnel	Pre-Employment Physical Examination	Yes	Human Resources							
25	3085	Personnel	Sick Leave	Yes	Human Resources	7/14/2022	8/16/2022	8/16/2022 with revisions	9/14/2022	9/14/2022	9/14/2022	22-028
26	3090	Personnel	Family and Medical Leave	Yes	Human Resources	8/31/2022	10/18/2022	Move to Board for discussion, w/ counsel	12/14/2022	12/14/2022	12/14/2022	22-043
N/A	3095	Personnel	Pregnancy Disability Leave	Yes	Human Resources	9/1/2022	9/20/2022	9/20/2022	12/14/2022	12/14/2022	12/14/2022	22-043
27	3096	Personnel	Lactation Accommodation	Yes	Human Resources	8/25/2022	9/20/2022	9/20/2022	12/14/2022	12/14/2022	12/14/2022	22-043
28	3100	Personnel	Bereavement Leave	Yes	Human Resources	5/10/2022	5/17/2022	5/17/2022	6/8/2022	6/8/2022	6/8/2022	22-019
29	3105	Personnel	Personal Leave of Absence	Yes	Human Resources							
30	3110	Personnel	Jury and Witness Duty	Yes	Human Resources							
N/A	3111	Personnel	Leave for Crime Victims and									
31	3115	Personnel	Family Members	Yes	Human Resources	9/29/2022	10/18/2022	10/18/2022	12/14/2022	12/14/2022	12/14/2022	22-043
N/A	3120	Personnel	Return to Work Policy	Yes	Human Resources	1/11/2023	1/17/2023	1/17/2023	2/8/2023	2/8/2023	2/8/2023	23-005
N/A	3121	Personnel	Occupational Injury and Illness	Yes	Human Resources	1/11/2023	1/17/2023	1/17/2023	2/8/2023	2/8/2023	2/8/2023	23-005
N/A	3122	Personnel	Prevention Program	Yes	Human Resources	2/2/2023	2/21/2023	2/21/2023	3/15/2023	3/15/2023	3/15/2023	
N/A	3123	Personnel	Infectious Disease Control	Yes	Human Resources	2/2/2023	2/21/2023	2/21/2023	3/15/2023	3/15/2023	3/15/2023	
			Workplace Violence	Yes	Human Resources							
32	3125	Personnel	Asset Protection and Fraud	Yes	Human Resources							
33	3130	Personnel	Uniforms and Protective Clothing	Yes	Human Resources	3/14/2023	3/21/2023					
34	3135	Personnel	Conferences	Yes	Human Resources							
			Occupational Certification and Education	Yes	Human Resources	6/14/2022	8/16/2022	8/16/2022	9/17/2022	9/17/2022	9/17/2022	22-028
N/A	3136	Personnel	Succession and Workforce Planning	Yes	Human Resources							
35	3140	Personnel	Respiratory Protection Program	Yes	Human Resources							
36	3145	Personnel	Driver Training and Record	Yes	Human Resources							
37	3150	Personnel	Review	Yes	Human Resources	3/14/2023	3/21/2023	3/21/2023	4/12/2023			
38	3151	Personnel	District Vehicle Usage	Yes	Human Resources							
			Personal Vehicle Usage									
39	3160	Personnel	HIPAA Compliance and Security Officer	Yes	Human Resources							
40	3165	Personnel	Tobacco Use	Yes	Human Resources							

Priority Legend:  
Yellow Highlight = Highest Priority  
Light Blue Highlight = Lowest Priority

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41	3170	Personnel	Smoke Free Workplace	Yes	Human Resources							
42	3175	Personnel	Disciplinary Action or Terminations	Yes	Human Resources							
43	3180	Personnel	Nepotism-Employment of Relatives	Yes	Human Resources							
44	3185	Personnel	Confidentiality Regarding Resignations	Yes	Human Resources							
45	3190	Personnel	Internet, E-Mail, and Electronic Communication Ethics, Usage and Security	Yes	Information Technology							
N/A	3191	Personnel	Electronic Signature Policy	No	Information Technology							
46	3195	Personnel	Cellular Telephone Usage	Yes	Information Technology							
47	3200	Personnel	Grievance Procedures	Yes	Human Resources							
48	3205	Personnel	Substance Abuse (In Conformance with Department of Transportation Guidelines)	Yes	Human Resources	12/6/2021	4/19/2022	4/19/2022	5/11/2022	5/11/2022	5/11/2022	22-016
N/A	3206	Personnel	FMCSA Clearinghouse Registration	No	Human Resources	12/6/2021	4/19/2022	4/19/2022	5/11/2022	5/11/2022	5/11/2022	22-016
50	3215	Personnel	Personnel Action Form (PAF)	Yes	Human Resources							
51	3220	Personnel	Recruitment, Selection and Onboarding	Yes	Human Resources							
N/A	3225	Personnel	Employee Leave Donation Program and Policy	Yes	Human Resources	2019	2019	2019	10/9/2019	10/9/2019	10/9/2019	2019-011
N/A	3230	Personnel	Workers' Compensation	Yes	Human Resources							
N/A	3231	Personnel	Accommodations for Disability	No	Human Resources							
N/A	3235	Personnel	Military Leave	Yes	Human Resources							
N/A	3240	Personnel	Dress Code and Personal Standards	Yes	Human Resources							
N/A	3245	Personnel	Non-Solicitation	No	Human Resources							
N/A	3250	Personnel	Telecommuting	No	Human Resources							
N/A	3255	Personnel	Time off for School Activities	No	Human Resources							
N/A	3260	Personnel	Time off to Vote	No	Human Resources							
1	4005	Board of Directors	Basis of Authority	Yes	HR/Administration							
2	4010	Board of Directors	Members of the Board of Directors	Yes	HR/Administration							
3	4015	Board of Directors	Committees of the Board of Directors	Yes	HR/Administration							
4	4020	Board of Directors	Board President	Yes	HR/Administration							
5	4025	Board of Directors	Board Meetings	Yes	HR/Administration	Verbal Review during meeting	N/A	Directed to Full Board	12/8/2021	12/8/2021	12/8/2021	2021-24
6	4030	Board of Directors	Board Meeting Agendas	Yes	HR/Administration							
7	4035	Board of Directors	Board Meeting Conduct	Yes	HR/Administration							
8	4040	Board of Directors	Board Actions and Decisions	Yes	HR/Administration							
9	4045	Board of Directors	Attendance at Meetings	Yes	HR/Administration							
10	4050	Board of Directors	Minutes of Board Meetings	Yes	HR/Administration							
11	4055	Board of Directors	Rules of Order for Board and Committee Meetings	Yes	HR/Administration							
12	4060	Board of Directors	Training, Education and Conferences	Yes	HR/Administration	6/30/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021	2021-12
13 & 16	4065	Board of Directors	Remuneration, Director Per Diem Fees	Yes	HR/Administration	6/30/2021	N/A	Directed to Full Board	7/14/2021	Revisions Requested on 7/14/2021	7/14/2021	2021-12
14	4070	Board of Directors	Payment of Expenses Incurred on District Business	Yes	HR/Administration							
15	4075	Board of Directors	Expenditure Reimbursement	Yes	HR/Administration							
17	4080	Board of Directors	Membership in Associations	Yes	HR/Administration							
18	4085	Board of Directors	Ethics Training	Yes	HR/Administration							
N/A	4086	Board of Directors	Anti-Harassment Training	No	HR/Administration							
19	4090	Board of Directors	Code of Ethics	Yes	HR/Administration							
20	4095	Board of Directors	Ethics Policy	Yes	HR/Administration							
N/A	4100	Board of Directors	Electronic Communications and Data Devices at Dais	Yes	HR/Administration	6/28/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021	2021-11
1	5005	Operations	Emergency Preparedness	Yes	Human Resources							
2	5010	Operations	Emergency Response Guideline for Hostile or Violent Incidents	Yes	Human Resources	11/8/2022	11/15/2022	11/15/2022	12/14/2022	12/14/2022	12/14/2022	22-043
3	5015	Operations	Computer and Business Continuity Security	Yes	Information Technology							
4	5020	Operations	Environmental Health and Safety Compliance Program	Yes	HR/Operations							
5	5025	Operations	Illness and Injury Prevention Program	Yes	HR/Operations							
6	5030	Operations	Budget Preparation	Yes	Finance	11/8/2022	11/15/2022	11/15/2022	12/14/2022	12/14/2022	12/14/2022	22-043
N/A	5031	Operations	User Fee Cost Recovery	Yes	Finance	?	N/A	N/A	12/14/2022	12/14/2022	12/14/2022	22-039

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BCVWD Policy Manual Project**

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7	5035	Operations	Fixed-Asset Accounting Control	Yes	Finance							
8	5040	Operations	Fixed-Asset Capitalization	Yes	Finance							
9	5045	Operations	Investment of District Funds	Yes	Finance	?	N/A	N/A	12/14/2022	12/14/2022	12/14/2022	22-042
N/A	5046	Operations	Other Post-Employment Benefits Funding	Yes	Finance	5/10/2022	N/A	N/A	5/11/2022	5/11/2022	5/11/2022	2022-14
10	5050	Operations	Customer Payment Arrangements	Yes	Finance/Customer Service							
11	5055	Operations	Employment of Consultants and Professional Services	Yes	Finance/HR							
12	5060	Operations	Employment of Outside Contractors	Yes	Finance/Administration							
13	5065	Operations	Easement Abandonment	Yes	Administration							
14	5066	Operations	Easement Acceptance	No	Administration							
15	5070	Operations	Encroachment Permits	Yes	Administration							
16	5075	Operations	Credit Card Usage	Yes	Finance							
17	5080	Operations	Purchasing	Yes	Finance							
N/A	5081	Operations	Contract Review Policy	No	Finance/Administration							
18	5085	Operations	Disposal of Surplus Property or Equipment	Yes	Finance							
19	5090	Operations	Records Retention	Yes	Administration							
N/A	5095	Operations	District Residences and Facility Emergency Policy	Yes	HR/Administration	7/21/2020	6/21/2021	Requested edits, sent to Board for review	Requested Edits 10/13/2021	10/28/2021	10/28/2021	2021-19
N/A	5100	Operations	Press Relations and Social Media	Yes	Administration	1/11/2022	4/19/2022	4/19/2022	5/11/2022	5/11/2022	5/11/2022	2022-016
1	6005	Miscellaneous	Purpose of Board Policies	Yes	Human Resources							
2	6010	Miscellaneous	Adoption, Amendment of Policies	Yes	Human Resources							
3	6015	Miscellaneous	Public Complaints	Yes	Human Resources							
4	6020	Miscellaneous	Claims Against the District	Yes	Human Resources							
5	6025	Miscellaneous	Copying Public Documents	Yes	HR/Administration							
6	6030	Miscellaneous	District Standards for the Furnishing of Materials	Yes	HR/Administration							
7	6035	Miscellaneous	Environmental Review Guidelines	Yes	Engineering							
8	6040	Miscellaneous	Annexation	No	Engineering							
9	6045	Miscellaneous	Construction Requirements	No	Engineering							
N/A	7000	Information Technology	Acceptable Use	Yes	Information Technology							
N/A	7005	Information Technology	Accessibility	Yes	Information Technology							
N/A	7010	Information Technology	Electronic Communications	Yes	Information Technology							
N/A	7015	Information Technology	Passwords	Yes	Information Technology							
N/A	7020	Information Technology	Remote Access/VPN	Yes	Information Technology							
N/A	7025	Information Technology	Datacenter Physical Security	Yes	Information Technology							
N/A	7030	Information Technology	Wireless Communications	Yes	Information Technology							
N/A	7035	Information Technology	Mobile Device Security	Yes	Information Technology							
N/A	7040	Information Technology	Internet Use	Yes	Information Technology							
N/A	7045	Information Technology	Information Systems Backup & Data Retention	Yes	Information Technology							
N/A	7050	Information Technology	Personally Identifiable Information	Yes	Information Technology							
N/A	7055	Information Technology	Drones Use	No	Information Technology							
N/A	7060	Information Technology	Security and Technology Access for Independent Contractors	No	Information Technology							

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Light Blue Highlight = Lowest Priority

POLICY TITLE: UNIFORMS AND PROTECTIVE CLOTHING  
 POLICY NUMBER: 3125

## Attachment 2

Section  
added to  
mirror the  
MOU

3125.1 Employees provided uniforms by the District must wear them at all times during the workday when ~~the employee is performing~~performs performing services for the District. All employees ~~who are~~ required to wear uniforms shall wear the appropriate uniform for their work area.

3125.1.1 Pursuant to the MOU Agreement Article 29: Uniforms and Safety Equipment The District shall provide, as an employee benefit, all full-time field operational personnel with uniforms to be worn while on duty and District owned safety equipment. The District shall provide, as an employee benefit, all full-time office personnel with at least two (2) office appropriate shirts and/or sweater. The District will reimburse full-time operational personnel, upon date of hire and annually thereafter, up to a maximum amount of \$200 for the purchase of steel-toe shoes or boots. Field operational personnel may purchase a second pair of steel-toe shoes or boots if field personnel can do so within the allotment of \$200; the employee shall contribute the additional funds required if the cost exceeds the \$200 allotment. Employees will be allowed to use this amount to also purchase other uniform related items such as belts, shoe or boot inserts, laces, etc. Employees who have provided notice of intent to voluntarily resign or retire are not eligible for the \$200 allowance.

3125.2 ~~The~~ General Manager will determine which job classifications will be issued uniforms.

1. Field Service Workers will wear a complete set of trousers and a shirt each working shift.
2. Field Service Workers will wear ~~a pair of~~ steel-toed safety shoes or boots each working shift, or appropriate rubber boots for wet working conditions.
3. Field Service Workers may wear a complete set of ~~a~~ short-sleeved shirts and District-issued shorts if the outdoor temperature exceeds 80 degrees Fahrenheit or 26.67 degrees Celsius during a working shift for designated activities as approved by their supervisor, such as meter readings.

3125.3 ~~The cost of District required uniforms and/or protective clothing, shoes, boots, etc., shall be borne by the District~~District shall bear the cost of District-required uniforms and/or protective clothing, shoes, boots, etc.

3125.4 The District ~~has the option of authorizing reimbursements to qualifying employees upon proof of purchase; or arranging~~can may authorize reimbursements to qualified employees upon proof of purchase. ~~Alternatively, the District; or may arrange~~ with local retailers to supply all qualifying employees with a specific product that meets the needs and ~~for~~ safety requirements of the District, to be paid for directly by the District and bill the District for the total cost of all products purchased.

~~3125.5 When an employee for whom said uniforms, clothing, shoes, etc., were purchased or reimbursed is terminated for any reason prior to before completing 3 three continuous months of service after said the purchase, the employee may share the financial cost with the District, to be deducted a portion of the cost of said items shall be retained from their the employee's final payment. That portion retained shall be a percentage of the total cost of said items equal to 100% less the ratio of the amount of time worked to 3three continuous months of regular work.~~

3125.6 Employees shall not wear their District uniform while off-duty. Employees are permitted to wear the

uniform only during ~~their work hours, work time, or~~ work hours, work time, traveling to and from work, or while representing the District.

3125.7 Non-Compliance. ~~Employees who are inappropriately dressed~~ Inappropriately dressed employees may be sent home and directed to return to work in the proper attire. ~~A~~ Non-exempt employee ~~considered to be in non-compliance~~ will not be compensated for the time away from work to address the correction. Employees who violate the District uniform policy and/or refuse or neglect to wear safety shoes will be subject to corrective action and/or disciplinary action, up to and including termination of employment.

3125.8 Safety Shoes (Steel-toed boots) are eligible ~~to be replaced~~ for annual replacement annually at the ~~District's~~ District's expense. Safety Shoes ~~should be~~ are to be replaced if ~~there are~~ there are visible tears, cracking ~~visible tears or cracks~~ or if the tread of the soles have the soles' tread has worn down.

3125.9 Uniform Allowance. Reportable Uniform Allowance items ~~will be~~ are reported to CalPERS ~~in accordance with~~ following PERL (Public ~~Employees'~~ Employees' Retirement Law) and CalPERS regulations. PEPPRA (Public ~~Employees'~~ Employees' Pension Reform Act) members are not eligible for the Uniform Allowance.

## PROPOSED REVISIONS

### PROPOSED ~~SECTION 19~~POLICY 5090 - RECORDS RETENTION

A. ~~Goal. The purpose of this policy is to~~To provide guidelines to staff regarding the retention or disposal of District records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.

~~The measure of an effective records management program is whether a record can be produced when needed.~~

#### B. Definitions.

A.i. ~~Records. The California Public Records Act (CPRA) (Government Code Sections 6250-6276.487920 et. al.) defines a public record as "any writing containing information relating in a substantive way to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."~~

ii. ~~Value~~Vital Records. Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to the District. Vital records are listed in Appendix A.

iii. ~~Non-Records. Material not usually included within the definition of records, such as unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and processed documents, and library material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents.~~

iv. ~~Unnecessary Record. Any record created for a specific event or action not covered in the Records Retention Schedule (Appendix B)~~

v. ~~iii-Transient Record. Records whose value is comparatively short-lived and should be discarded when they have fulfilled the purpose for which they were created. Examples: copies of reproduced / printed material of general information, originals / copies of documents kept solely for tickler, suspense or follow-up, preliminary work materials used for preparation of studies, reports, etc., duplicates / extra copies of records, and appointment logs / charts.~~

vi. ~~Records Retention Schedule. The Records Retention Schedule (Appendix B) is the District's legal authority to receive, create, retain and dispose of official public records.~~

~~B-vii. Retention Period. The Retention Period is the length of time a record must be retained to fulfill its administrative, fiscal, and/or legal function.~~

C. ~~Custodian of Records. The Director of Finance and Administration is designated the District's Custodian of Records.~~

D. ~~Implementation. Upon authorization~~The Board of Directors' approval of this Records

## Attachment 3 CURRENT POLICY

BEAUMONT-CHERRY VALLEY WATER DISTRICT

SECTION TITLE

POLICY TITLE: RECORDS RETENTION

POLICY NUMBER: 5090

5090.1 **Goal.** To provide guidelines to staff regarding the retention or disposal of District records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements.

#### 5090.2 Definitions.

5090.2.1 Records. The California Public Records Act (CPRA) (Government Code Section 7920 et. al.) defines a public record as "any writing containing information relating in a substantive way to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."

5090.2.2 Vital Records. Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to the District. Vital records are listed in Appendix A.

5090.2.3 Non-Records. Material not usually included within the definition of records, such as unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and processed documents, and library material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents.

5090.2.4 Unnecessary Record. Any record created for a specific event or action not covered in the Records Retention Schedule (Appendix B).

5090.2.5 Transitory Record. Records whose value is comparatively short-lived and should be discarded when they have fulfilled the purpose for which they were created. Examples: copies of reproduced / printed material of general information, originals / copies of documents kept solely for tickler, suspense or follow-up, preliminary work materials used for preparation of studies, reports, etc., duplicates / extra copies of records, and appointment logs / charts.

5090.2.6 Records Retention Schedule. The Records Retention Schedule (Appendix B) is the District's legal authority to receive, create, retain and dispose of official public records.

5090.2.7 Retention Period. The Retention Period is the length of time a record must be retained to fulfill its administrative, fiscal, and/or legal function.

5090.3 **Custodian of Records.** The Director of Finance and Administration is designated the District's Custodian of Records.

5090.4 **Implementation.** The Board of Directors' approval of this Records Retention Policy by Resolution constitutes authority for the General Manager to interpret and implement this policy, and to cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below and as per Appendix B, the Records Retention Schedule.

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~~Management Policy by Resolution constitutes authority for~~ ~~of the Board of Directors~~ the General Manager ~~is authorized to~~ interpret and implement this policy, and to cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below and as per Appendix B, the Records Retention Schedule.

**E. Records Storage Locations**

- i. Each department head is responsible for the management of department-related files.
- ii. The BCVWD hard copy records archive is located in a secure room in the Administration Building (the "Vault.")
- ~~iii.~~ Vital Records shall be kept in the Vault.

~~D-F.~~ **Authority.** Pursuant to the provisions of California Government Code §§60200 through 60203, California Water Code §21403, ~~and~~ the guidelines prepared by the State Controller's office, and the ~~Controller's Advisory Committee for Special Districts~~ California Secretary of State Local Government Records Management Guidelines, the following qualifications will govern the retention and disposal of records of the District:

- i. **Duplicate.** Duplicate records, papers and documents may be destroyed at any time without the necessity of Board authorization or copying to photographic or electronic media.
- ii. **Recent Documents.** Originals of records, papers and documents more than two (2) years old that were prepared or received in any manner other than pursuant to State or Federal statute and would not normally be retained in the District's ordinary course of business may be destroyed without the necessity of copying to photographic or electronic media. (Government Code 60201)
- iii. **Necessity.** In no instances are records, papers or documents to be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, developments, etc.
- iv. **Administrative Value.** Those records which document the functions for which an agency is responsible and have administrative value as long as they assist the agency in performing current or future work, or contain basic facts about an agency's origin, policies, functions, organization, and significant administrative decisions.
- v. **Legal Value.** Records have legal value if they contain evidence of legally enforceable right or obligations, for example legal opinions, fiscal documents representing agreements, leases, titles, contracts, easements, and records of action.
- vi. **Fiscal Value.** Records of fiscal value are those pertaining to the financial transactions of the agency such as budgets, ledgers, and payrolls.
- vii. **Research, Historical, or Archival Value.** These records have enduring value because they reflect significant historical events or document the history

BEAUMONT-CHERRY VALLEY WATER DISTRICT

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5090.5 **Records Storage Locations.**

- 5090.5.1 Each department head is responsible for the management of department-related files.
- 5090.5.2 The BCVWD hard copy records archive is located in a secure room in the Administration Building (the "Vault.")
- 5090.5.3 Vital Records shall be kept in the Vault.

5090.6 **Authority.** Pursuant to the provisions of California Government Code §§60200 through 60203, California Water Code §21403, the guidelines prepared by the State Controller's office, and the California Secretary of State Local Government Records Management Guidelines, the following qualifications will govern the retention and disposal of records of the District:

- 5090.6.1 Duplicate. Duplicate records, papers and documents may be destroyed at any time without the necessity of Board authorization or copying to photographic or electronic media.
- 5090.6.2 Recent Documents. Originals of records, papers and documents more than two (2) years old that were prepared or received in any manner other than pursuant to State or Federal statute and would not normally be retained in the District's ordinary course of business may be destroyed without the necessity of copying to photographic or electronic media. (Government Code 60201)
- 5090.6.3 Necessity. In no instances are records, papers or documents to be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, developments, etc.
- 5090.6.4 Administrative Value. Those records which document the functions for which an agency is responsible and have administrative value as long as they assist the agency in performing current or future work, or contain basic facts about an agency's origin, policies, functions, organization, and significant administrative decisions.
- 5090.6.5 Legal Value. Records have legal value if they contain evidence of legally enforceable right or obligations, for example legal opinions, fiscal documents representing agreements, leases, titles, contracts, easements, and records of action.
- 5090.6.6 Fiscal Value. Records of fiscal value are those pertaining to the financial transactions of the agency such as budgets, ledgers, and payrolls.
- 5090.6.7 Research, Historical, or Archival Value. These records have enduring value because they reflect significant historical events or document the history and development of the agency.

5090.7 **Legal Requirements.** Records, papers or documents which are not expressly required by law to be filed and preserved may be destroyed if all of the following conditions are met:

- 5090.7.1 Satisfies Standard. The record, paper or document is scanned, photographed, reproduced or copied to an approved trustworthy electronic media in a manner approved for permanent, unalterable electronic media records by the Association for Information and Image Management (AIIM), and/or the California Code of Regulation and stored and maintained in a safe and separate location;
- 5090.7.2 Accurate Reproduction. The device used to reproduce such record, paper or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details;

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and development of the agency.

iv.G. **Legal Requirements.** Records, papers or documents which are not expressly required by law to be filed and preserved may be destroyed if all of the following conditions are met:

- a. **Satisfies Standard.** The record, paper or document is scanned, photographed, ~~micro-photographed~~, reproduced or copied to an approved trustworthy electronic media on film of a type in a manner approved for permanent, unalterable electronic-photographic media records by the ~~National Bureau of Standards~~ Association for Information and Image Management (AIIM), and/or the California Code of Regulation, or copied to an approved electronic media and stored and maintained in a safe and separate location;
- b. **Accurate Reproduction.** The device used to reproduce such record, paper or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details; ~~and,~~
- c. **Accessible.** The photographs, microphotographs, trustworthy electronic records, or other reproductions on film are placed in conveniently accessible files and provisions are made for preserving, examining, and using the same, together with documents stored via electronic media. ~~;~~

H. Destruction of Records

- a. When records not covered by the Vital Records list (Appendix A) or Records Retention Schedule (Appendix AB) no longer fulfill the value for which they were created, they should be destroyed unless they have some historic or research significance.
- b. If a federal or state statute or regulation specifies a longer retention period for any records, the statute or regulation overrides this schedule.
- c. Unnecessary Records may be destroyed upon authorization five (5) years after the related event has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five (5) years from the end of the fiscal period to which it applies.
- d. Records slated for destruction should be listed on the appropriate current form and may be destroyed after review of the list and signature of the General Manager or his/her designee.

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5090.7.3 Accessible. The photographs, microphotographs, trustworthy electronic records, or other reproductions on film are placed in conveniently accessible files and provisions are made for preserving, examining, and using the same, together with documents stored via electronic media.

5090.8 Destruction of Records.

5090.8.1 When records not covered by the Vital Records list (Appendix A) or Records Retention Schedule (Appendix B) no longer fulfill the value for which they were created, they should be destroyed unless they have some historic or research significance.

5090.8.2 If a federal or state statute or regulation specifies a longer retention period for any records, the statute or regulation overrides this schedule.

5090.8.3 Unnecessary Records may be destroyed upon authorization five (5) years after the related event has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five (5) years from the end of the fiscal period to which it applies.

5090.8.4 Records slated for destruction should be listed on the appropriate current form and may be destroyed after review of the list and signature of the General Manager or his/her designee.

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## APPENDIX A – VITAL RECORDS

Vital Records. Records which, because of the information they contain, are essential to one or all of the following:

- a. The resumption and/or continuation of operations;
- b. The recreation of legal and financial status of the District, in case of a disaster;
- c. The fulfillment of obligations to bondholders, customers, and employees.
- d. Vital records include but are not limited to the following:

Vital Records			
1	Agreements / Contracts / Leases	30	Grants, successful: supporting documentation and reports
2	Annexations and detachments	31	Improvement districts
3	As-built drawings	32	Individual water rights
4	Annual Comprehensive Financial Report (ACFR)	33	Individual claims / settlements
5	Audits	34	Inventory
6	Bonds: Authorization, registers	35	Journal vouchers
7	Bonds: Employee fidelity	36	Ledgers
8	Capital improvements: project files	37	Legal files: Claims
9	Contract drawings	38	Licenses and permits
10	Customer statements / UB	39	Loans and grants
11	Deeds	40	Maps
12	Depreciation schedule	41	Memorandum of Understanding
13	Development: project files and WSLs	42	Minutes of Board meetings
14	Disposal of surplus and excess property	43	Payroll Register
15	Disposal of scrap materials	44	Policies, Rules and Regulations
16	District insurance records / certificates	45	Purchase orders and requisitions
17	District water rights	46	Resolutions and ordinances
18	Easements / Rights of Way	47	Permits: Hazardous materials, spraying, storage
19	Employee accident reports, injury claims, and settlements	48	Rights of way and easements
20	Employee earning records	49	Source of Supply
21	Employee fidelity bonds	50	SCADA database
22	Employee insurance records	51	Statements of Economic Interests
23	Employee benefits: plan documents	52	State surplus acquisitions
24	Encroachment permits (by others)	53	Warehouse requisitions
25	Encroachment permits (by BCVWD)	54	Warrants (with backup)
26	Expense reimbursements	55	Warrant / voucher register
27	Facility improvement plans	56	Water rights and history
28	Fixed assets / property records / deeds	57	Well permits
29	GIS database, maps	58	Workers Compensation

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v. ~~Accounting Record. Any accounting record except the journals and ledgers which are more than five years old and which were prepared or received in any manner other than pursuant to State statute may be authorized for destruction, provided that:~~

a. ~~Unnecessary. There is no continuing need for said record, i.e., long-term transactions, special projects, pending litigations, etc., and;~~

b. ~~Inclusive Report. There exists in a permanent file, an audit report or reports covering the inclusive period of said record, and that;~~

c. ~~Sufficient Report. Said audit report or reports were prepared pursuant to procedures outlined in Government Code Section 26909 and other State or Federal audit requirements, and that;~~

d. ~~Opinion. Said audit or audits contain the expression of an unqualified opinion.~~

~~Non-Records. Material not usually included within the definition of records, such as unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and processed documents, and library material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents.~~

vi. ~~Unnecessary Record. Any accounting record created for a specific event or action may be destroyed upon authorization five years after said event has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five (5) years from the end of the fiscal period to which it applies. The following may be destroyed at any time:~~

a. ~~Duplicated (original subject to aforementioned requirements).~~

b. ~~Rough drafts, notes or working papers (except audit).~~

c. ~~Cards, listings, nonpermanent indices, other papers used for controlling work or transitory files.~~

vii. ~~Payroll/ Personnel Records. All payroll and personnel records shall be retained indefinitely. Originals may upon authorization be destroyed after seven (7) years retention, provided said records have been microfilmed and qualify for destruction section iv, above. Payroll and personnel records include the following:~~

a. ~~Accident reports, injury claims and settlements.~~

b. ~~Medical histories.~~

c. ~~Injury frequency charts.~~

d. Applications, changes and terminations of employees.

e. Insurance records of employees.

f. Time cards.

g. Classification specifications (job descriptions).

vii. Transitory Record. Records whose value is comparatively short lived and should be discarded when they have fulfilled the purpose for which they were created. Examples: copies of reproduced / printed material of general information, originals / copies of documents kept solely for tickler, suspense or follow-up, preliminary work materials used for preparation of studies, reports, etc., duplicates / extra copies of records, and appointment logs / charts.

h. Performance evaluation forms.

i. Earning records and summaries.

j. Retirements.

viii. Assessment Records. All assessing records may upon authorization be destroyed after seven (7) years retention from lien date; however, their records may be destroyed three (3) years after the lien date when said records are microfilmed as provided for section iv, above.

ix. Debt Authorization. Records of proceedings for the authorization of long-term debt, bonds, warrants, loans, etc., after issuance or execution may be destroyed if microfilmed as provided for in section iv-a above. Terms and conditions of bonds warrants, and other long-term agreements should be retained until final payment, and thereafter may be destroyed in less than ten (10) years if microfilmed as provided for in section 4, above. Paid bonds, warrant certificates and interest coupons may be destroyed after six (6) months if detailed payment records are kept for ten (10) years.

E. Meeting Minutes. Minutes of the meetings of the Board of Directors are usually retained indefinitely in their original form. However, they may upon authorization be destroyed if said minutes are microfilmed as provided for in section 4, above. Recording tapes (or other media) of Board meetings will be kept indefinitely.

i. Construction Records. Construction records, such as bids, correspondence, change orders, etc., shall not be kept in excess of seven (7) years unless they pertain to a project which includes a guarantee or grant and, in that event, they shall be kept for the life of the guarantee or grant plus seven (7) years. As-built plans for any public facility or works shall be retained as long as said facility is in existence.

ii. Contracts. Contracts should be retained for its life plus seven (7) years. Any unaccepted bid or proposal for the construction or installation of any building, structure or other public work which is more than two (2) years old may be destroyed.

iii. Property Records. Property records, such as documents of title, shall be kept until the property is transferred or otherwise no longer District owned.

## Appendix A

### Definitions for Records Retention and Disposal Policy ~~Vital Records~~

A. ~~Authorization. Once authorized by the Board of Directors, and approved by the General Manager, an employee is thereby authorized to take such action.~~

B. ~~Accounting Records. Include but are not limited to the following:~~

i. ~~Source Documents.~~

- a. ~~Invoices~~
- b. ~~Warrants~~
- c. ~~Requisitions/Purchase Orders (attached to invoices)~~
- d. ~~Cash Receipts~~
- e. ~~Claims (attached to warrants in place of invoices)~~
- f. ~~Bank Statements~~
- g. ~~Bank Deposits~~
- h. ~~Checks~~
- i. ~~Bills~~
- j. ~~Various accounting authorizations taken from Board minutes, resolutions or contracts~~

ii. ~~Journals.~~

- a. ~~Cash Receipts~~
- b. ~~Accounts Receivable or Payable Register~~
- c. ~~Check or Warrant (payables)~~
- d. ~~General Journal~~
- e. ~~Payroll Journal~~

iii. ~~Ledgers.~~

- a. ~~Expenditure~~
- b. ~~Revenue~~
- c. ~~Accounts Payable or Receivable Ledger~~
- d. ~~Construction~~
- e. ~~General Ledger~~
- f. ~~Assets/Depreciation~~

iv. ~~Trial Balance.~~

v. ~~Statements. (Interim or Certified - Individual or All Fund)~~

- a. ~~Balance Sheet~~
- b. ~~Analysis of Changes in Available Fund Balance~~
- c. ~~Cash Receipts and Disbursements~~
- d. ~~Inventory of Fixed Assets (Purchasing)~~

vi. ~~Journal Entries.~~

vii. ~~Payroll and Personnel Records. Include but are not limited to the following:~~

- a. ~~Accident reports, injury claims and settlements~~
- b. ~~Applications, changes or terminations of employees~~
- c. ~~Earnings records and summaries~~
- d. ~~Fidelity Bonds~~
- e. ~~Garnishments~~
- f. ~~Insurance records of employees~~
- g. ~~Job Descriptions~~
- h. ~~Medical Histories~~
- i. ~~Retirements~~
- j. ~~Time Cards~~

viii. ~~Other.~~

- a. ~~Inventory Records (Purchasing)~~
- b. ~~Capital Asset Records (Purchasing)~~
- c. ~~Depreciation Schedule~~
- d. ~~Cost Accounting Records~~
- e. ~~Life. The inclusive or operational or valid dates of a document.~~

D. ~~Record. Any paper, bound book or booklet, card, photograph, drawing, chart, blueprint, map, tape, microfilm, or other document, issued by or received in a department, and maintained and used as information in the conduct of its operations.~~

E. ~~Record Copy. The official District copy of a document or file.~~

F. ~~Record Series. A group of records, generally filed together, and having the same reference and retention value.~~

G. ~~Records Center. The site selected for storage of inactive records.~~

H. ~~Records Disposal. The planning for and/or the physical operation involved in the transfer of records to the Records Center, or the authorized destruction of records pursuant to the approved Records Retention Schedule.~~

I. ~~Records Retention Schedule. The consolidated, approved schedule list of all District records which timetables the life and disposal of all records.~~

J. ~~Retention Code. Abbreviation of retention action which appears on the retention schedule.~~

K. **Vital Records.** Records which, because of the information they contain, are essential to one or all of the following:

- i. The resumption and/or continuation of operations;
  - ii. The recreation of legal and financial status of the District, in case of a disaster;
  - iii. The fulfillment of obligations to bondholders, customers, and employees.
- iv. Vital records include but are not limited to the following:

Vital Records			
<u>1</u>	<u>Agreements / Contracts / Leases</u>	<u>29</u>	<u>Grants, successful: supporting documentation and reports</u>

<u>2</u>	<u>Annexations and detachments</u>	<u>30</u>	<u>Improvement districts</u>
<u>3</u>	<u>As-built drawings</u>	<u>31</u>	<u>Individual water rights</u>
<u>4</u>	<u>Annual Comprehensive Financial Report (ACFR)</u>	<u>32</u>	<u>Individual claims / settlements</u>
		<u>33</u>	<u>Inventory</u>
<u>5</u>	<u>Audits</u>	<u>34</u>	<u>Journal vouchers</u>
<u>6</u>	<u>Bonds: Authorization, registers</u>	<u>35</u>	<u>Ledgers</u>
<u>7</u>	<u>Bonds: Employee fidelity</u>	<u>36</u>	<u>Legal files: Claims</u>
<u>8</u>	<u>Capital improvements: project files</u>	<u>37</u>	<u>Licenses and permits</u>
<u>9</u>	<u>Contract drawings</u>	<u>38</u>	<u>Loans and grants</u>
<u>10</u>	<u>Customer statements / UB</u>	<u>39</u>	<u>Maps</u>
<u>11</u>	<u>Deeds</u>	<u>40</u>	<u>Memorandum of Understanding</u>
<u>12</u>	<u>Depreciation schedule</u>	<u>41</u>	<u>Minutes of Board meetings</u>
<u>13</u>	<u>Development: project files and WSLs</u>	<u>42</u>	<u>Payroll Register</u>
<u>14</u>	<u>Disposal of surplus and excess property</u>	<u>43</u>	<u>Policies, Rules and Regulations</u>
		<u>44</u>	<u>Purchase orders and requisitions</u>
<u>15</u>	<u>Disposal of scrap materials</u>	<u>45</u>	<u>Resolutions and ordinances</u>
<u>16</u>	<u>District insurance records / certificates</u>	<u>46</u>	<u>Permits: Hazardous materials, spraying, storage</u>
<u>17</u>	<u>Easements / Rights of Way</u>	<u>47</u>	<u>Rights of way and easements</u>
<u>18</u>	<u>Employee accident reports, injury claims, and settlements</u>	<u>48</u>	<u>Source of Supply</u>
<u>19</u>	<u>Employee earning records</u>	<u>49</u>	<u>SCADA database</u>
		<u>50</u>	<u>Statements of Economic Interests</u>
<u>20</u>	<u>Employee fidelity bonds</u>	<u>51</u>	<u>State surplus acquisitions</u>
<u>21</u>	<u>Employee insurance records</u>	<u>52</u>	<u>Warehouse requisitions</u>
<u>22</u>	<u>Employee benefits: plan documents</u>	<u>53</u>	<u>Warrants (with backup)</u>
<u>23</u>	<u>Encroachment permits (by others)</u>	<u>54</u>	<u>Warrant / voucher register</u>
<u>24</u>	<u>Encroachment permits (by BCVWD)</u>	<u>55</u>	<u>Water rights and history</u>
<u>25</u>	<u>Expense reimbursements</u>	<u>56</u>	<u>Well permits</u>
<u>26</u>	<u>Facility improvement plans</u>	<u>57</u>	<u>Workers Compensation</u>
<u>27</u>	<u>Fixed assets / property records / deeds</u>		
<u>28</u>	<u>GIS database, maps</u>		

~~p.~~ Employee insurance records  
~~q.~~ Encroachment permits (by others)  
~~r.~~ Encroachment permits (by BCVWD)  
~~s.~~ Facility improvement plans

a. Agreements

b. Annexations and detachments  
c. As-built drawings  
d. Audits  
e. Contract drawings  
f. Customer statements  
g. Deeds  
h. Depreciation schedule  
i. Disposal of surplus & excess property  
j. Disposal of scrap materials  
k. District insurance records  
l. District water rights  
m. Employee accident reports, injury claims & settlements  
n. Employee earning records  
o. Employee fidelity bonds  
p. Employee insurance records  
q. Encroachment permits (by others)  
r. Encroachment permits (by OWID)  
s. Facility improvement plans  
t. Improvement districts  
u. Individual water rights  
v. Individual claims/settlements  
w. Inventory  
x. Journal vouchers  
y. Ledgers  
z. Licenses & permits (to operate)  
aa. Loans & grants  
bb. Maps  
cc. Minutes of Board meetings  
dd. Payroll register  
ee. Policies, Rules & Regulations  
ff. Purchase orders & requisitions  
gg. Restricted materials permits  
hh. Rights of ways & easements  
ii. Spray permits  
jj. Statements of Economic Interest  
kk. State surplus acquisitions  
ll. Warehouse requisitions  
mm. Warrant/Voucher register  
nn. Warrants (with backup)  
oo. Water rights history

# Item 6c

# Attachment 4

## PROPOSED POLICY REVISION

BEAUMONT-CHERRY VALLEY WATER DISTRICT

MISCELLANEOUS

POLICY TITLE: ~~COPYING PUBLIC DOCUMENTS AND PUBLIC RECORDS ACT REQUESTS~~

POLICY NUMBER: ~~6025~~

### 6025.1 Purpose of policy:

6025.1.1 To provide guidance to staff regarding provision of information available to the public, in order to assure transparency and compliance with the California Public Records Act (CPRA) (Government Code Section 7920 et. seq.)

6025.1.2 To work collaboratively across the District's departments to ensure complete and accurate information is provided

6025.1.3 To assure respect of the confidentiality and privacy rights of employees, vendors and ratepayers where protected.

6025.2 Intent. It is the intent of the District to promptly respond to public information requests, whether written or verbal, except those requests that relate to legally confidential, personnel, or medical matters. (See also Policy 5100 – Press Relations and Social Media, and Policy 3001 Employee Information and Personal Data.)

6025.3 Staff will respond to requests for public records in accordance with the CPRA as the Act now exists or may hereafter be amended, and nothing in this policy is intended nor shall it be construed to conflict with the terms of the CPRA.

6025.4 Requests for public records should be in writing on the applicable District form (available on the Shared drive), however the law allows for verbal or informal requests and such will be accepted. Such informal requests might include the Board meeting agenda, agenda staff reports, meeting minutes, ordinances or resolutions of the Board or of any committees.

6025.5 Employees are not permitted to give or report any information about the District, its directors, another employee, outside vendor, ratepayer, client, or consultant, to anyone outside the District. CPRA requests should be forwarded (whether verbal or written) to the Director of Finance and Administration and copied to the Director of Information Technology for handling.

6025.6 Response. Designated staff will respond to all requests as soon as possible after they are received, but no later than the mandated ten (10) day period, or extensions thereof, provided by Government Code Section 7922.535.

6025.7 Release of Information Regarding Litigation, Legally Confidential, Personnel or Medical Matters

6025.7.1 Depending on the nature of the request, the District retains the right, in certain circumstances, to withhold information when legally required or request more time to process a request;

6025.7.1.1 Pending litigation. Inquiries regarding pending litigation or exposure to litigation will be referred to District counsel

6025.7.1.2 Personnel. Inquiries regarding personnel-related information will be determined by legal counsel, Human Resources, and the Director of Finance and Administration. See Policy 3001 Employee Information and Personal Data.

6025.8 In accordance with the CPRA and Sander vs. State Bar of California, administrative staff will provide specific, identifiable records but will NOT create a new record, research records for particular types of information or analyze information which may be contained in public records in response to a CPRA request.

Adopted by Resolution 20-XX, Date

## EXISTING / CURRENT POLICY

### EXISTING POLICY – PART IV, SECTION 5

#### 5. COPYING PUBLIC DOCUMENTS

- A. Policy. Individuals requesting copies of public documents shall be charged a reasonable fee based upon the cost to produce the copy (\$.25 per sheet) to defray expenses associated with the copying process.
- B. Availability. Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge.

6025.8.1 An exception may be made if it is more efficient to produce a new record responsive to the information desired than provide numerous underlying documents, e.g. to run a report.

6025.9 Board Meeting Documents. Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public per the terms of Government Code 54954 (the Ralph M. Brown Act). A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge.

Availability. Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge.

6025.10 Fee Schedule. A reasonable fee based upon the direct costs of duplication shall be charged to defray expenses associated with the duplicating process. In addition, under certain circumstances specified in the CPRA or by case law, the District may charge for the cost of preparing and producing certain records held in electronic format, including the cost of programming and computer services necessary to produce a copy of the record or data requested.

Policy. Individuals requesting copies of public documents shall be charged a reasonable fee based upon the cost to produce the copy (\$.25 per sheet) to defray expenses associated with the copying process.

#### 6025.11 Legal Review and Exemptions

6025.11.1 The Director of Finance and Administration, upon review of the request, will determine whether a legal review for exemptions is required before the request can be processed.

6025.11.2 Should legal review be required, the Director of Finance and Administration will notify the District's legal counsel and request a review, specifying any needed response time.

6025.11.3 Documents that include personal information may be subject to redaction in order to protect confidentiality. Social Security numbers shall always be redacted.

6025.11.4 Legal counsel shall have final determination on any questionable exemptions. Government Code Section 6254 lists specific exemptions from the definition of a public record, including:

6025.11.4.1 Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure

6025.11.4.2 Records pertaining to pending litigation to which the public agency is a party, or to claims made until the pending litigation or claim has been finally adjudicated or otherwise settled

6025.11.4.3 Personnel medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy

6025.11.4.4 Social Security numbers, test questions, scoring keys, and other examination data used to administer an exam for employment

6025.11.4.5 Names, credit history, utility usage data, home addresses and home telephone numbers of utility customers (with specific exceptions, e.g. court orders, other governmental agencies, etc.)

6025.11.4.6 The contents of real estate appraisals, engineering or feasibility estimates,

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and evaluations made for or by the District relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreements are obtained. This provision does not include documents related to eminent domain actions

6025.11.4.7 Confidential information from closed session meetings of the Board of Directors. (Government Code 54957.2, 54963)

6025.11.5 Legal counsel will advise the Director of Finance and Administration of what documents should not be provided and the supporting reasons, and the Director of Finance and Administration will inform the requesting party of any limitation to the request.

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