



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, May 16, 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 Non-Emergency Standards and the California Department of Public Health Recommendations

- **Face coverings are recommended for all 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 – MAY 16, 2023

Call to Order: Chair Covington

Roll Call

	John Covington
	Andy Ramirez

	Lona Williams (alternate)
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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. April 18, 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)
 - a. Discussion: Hybrid / remote schedule for non-customer facing employees
5. **Report from Human Resources Department** (pages 7 - 10)
6. **Discussion on Workforce and Succession Planning study and review of invoices** (pages 11 - 12)
7. **AB 1484 Temporary Public Employees** (pages 13 - 26)

8. Policies and Procedures Manual Updates / Revisions (pages 27 - 28)

- a. Policy 5090 Records Retention (pages 29 - 39)
- b. Policy 6025 Public Records (pages 40 - 41)
- c. Policy 3230 Workers Compensation (pages 42 - 43)
- d. Policy 3231 Accommodation for Disability (page 44)

9. Action List for Future Meetings

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

10. Next Meeting Date: June 20, 2023

11. 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.

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.

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 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, April 18, 2023 at 5:30 p.m.

CALL TO ORDER

Chair Covington called the meeting to order at 5:33 p.m.

Attendance. Directors Covington and Williams attended in person.

<i>Directors present:</i>	<i>Covington, Williams (alternate)</i>
<i>Directors absent:</i>	<i>Ramirez</i>
<i>Staff present:</i>	<i>General Manager Dan Jagers Director of Finance and Administration Kirene Bargas, PhD Director of Information Technology Robert Rasha Management Analyst II Lorena Lopez Administrative Assistant Cenica Smith Administrative Assistant Lynda Kerney</i>
<i>BCVWD Employee Association reps:</i>	<i>Water Utility Supervisor Julian Herrera</i>

PUBLIC COMMENT: *None.*

ACTION ITEMS

1. Adjustments to the Agenda: *None.*

2. Acceptance of the Meeting minutes

a. March 21, 2023

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

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

3. Report / Update from BCVWD Employees Association: *No Report.*

4. Report / Update from BCVWD Exempt Employees:

Management Analyst II Lorena Lopez reported that a draft policy on hybrid work schedule has been created. General Manager Jagers reminded the Committee of discussion at the March meeting. Concerns voiced by non-exempt employees were:

- Cost of Living Adjustment
- Hybrid schedule for non-customer facing employees
- 4/10 work schedule in writing
- Clarity on agreement or employment contract
- Review and re-sign finalized agreements
- Retirement / CalPERS pension contributions
- Grandfathering conditions of existing agreements

Of continuing interest to contract staff, Personnel Committee and Board are options for remote / hybrid work, Jagers continued. He received sample policies from Eastern Municipal Water District and Western Municipal Water District (pilot programs) and a handout from the CMSFO conference on pros and cons. He proposed discussion at the May 16 meeting to establish recommendation to the Board.

Mr. Jagers reminded that the Human Resources Administrator had resigned and there has been a slowdown in related work.

5. Report from Human Resources Department

Dr. Bargas presented the report.

Director Williams asked about time requirements related to AB 1484 on temporary public employees. Dr. Bargas will seek an answer.

Mr. Jagers noted that Knute Dahlstrom had retired.

6. Policies and Procedures Manual Updates / Revisions

Mr. Jagers pointed to the Policy Approval Tracking List with a number of policies remaining to be addressed. With the resignation of the HR Administrator, he recommended looking at the level of service for the HR Department and potential use of a consultant to prepare the remaining policies and procedures for a workshop to review them all at once to complete the Manual. He recommended discussion at the next meeting.

Policy 3125 Uniforms and Protective Clothing: Chair Covington reminded about the direction to staff to incorporate language from the MOU, and noted this has been done. Dr. Bargas confirmed the addition of the MOU language and the \$200 allowance.

The Committee recommended moving forward Policy 3125 to the Board for consideration by the following vote:

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

Policy 5090 Records Retention: Dr. Bargas advised the update includes multiple changes. Legal counsel is still reviewing the document, she noted.

Director Covington pointed out that most of the policy is governed by State law. He suggested further discussion after review by legal counsel.

Director Williams asked about the organization of the new Vital Records table. Ms. Kerney noted that the list on the original policy had been revised into a table. Categories were added based on the District's filing system and Records Retention Schedule.

This will be brought back to the next Personnel Committee meeting after legal review.

Policy 6025 Public Documents and Public Records Act Requests: This will be brought back to the next Personnel Committee meeting after legal review.

The Committee would also like to see the next two policies on the list for revision at the May 16 meeting.

7. Action List for Future Meetings

- *Employee Association topics*
 - *Draft policy on hybrid / remote schedule for non-customer facing employees*
- *AB 1484 Temporary public employees (definitions)*
- *Policy manual updates (ongoing)*
 - *Workers Compensation*
 - *Accommodations for Disability*

- *Status of Workforce and Succession Planning report and payments*

Mr. Jagers advised that the consultant has provided the draft report, but staff believes there is a deficiency and per comment from Director Ramirez has suspended work on the project. This will be brought to the Personnel Committee or Board for discussion after legal counsel consultation. In response to Director Covington, Dr. Bargas indicated that both Phase 1 and Phase 2 payments were made.

8. Next Meeting Date: Tuesday, May 16, 2023, at 5:30 p.m.

ADJOURNMENT: 6:05 p.m.

Attest:

DRAFT UNTIL APPROVED

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



**Beaumont-Cherry Valley Water District
Personnel Committee Meeting
May 16, 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 April 2023

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	0
Retired Employee(s)	0

Table 2: New Hires

The below table represents new hires.

Employee Name	Job Title	Department
N/A		

Table 3: Anniversaries*

The below table represents BCVWD employee anniversaries.

Employee Name	Job Title	Years of Service
Jaime Munoz	Water Utility Worker II	18
Julian Herrera Jr	Water Utility Supervisor	16
Daniel Jaggars (3/26)	General Manager	11
Sylvia Molina	Senior Management Analyst	11
Joshua McCue	Cross-Connection/Non-Potable Water Supervisor	7
Dustin Smith	Water Production Operator II	6

**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 or Division/Title Change

The below table represents promotions or Division/Title Changes.

Employee Name	Former Title	Promotion to
Jeremy McCarty	Senior Water Utility Worker	Water Production Operator II
Johnathan Medina	Water Utility Worker II	Water Production Operator I

Table 5: Recruitment

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

Position	Department	Closing Date
Engineering Assistant	Engineering	04/28/2023
Water Utility Worker II (Internal)	Operations	4/27/2023
Senior Water Utility Worker (Internal)	Operations	4/27/2023
Engineering Intern	Engineering	Continuous
Water Utility Superintendent (Internal)	Operations	4/21/2023
Temporary Water Utility Worker I (Internal)	Operations	4/10/2023, Continuous

Table 6: Separation/Retirement

The below table represents employees separating from BCVWD.

Position	Department	Last Day
Knute Dahlstrom (clarification on Retirement)	Operations	March 30, 2023

Table 7: Communications

The below table represents HR communications to BCVWD employees.

Communication	Topic
Employment Opportunities, Recruitment, Promotions	Personnel
Safety Training, Skillpath Training Downloads	Safety, Admin, & Personnel
Ergonomics Assessments (April & May) COMPLETED	Safety
Medicare 101 Webinar	Education



Table 8: Updates

The below table represents the Updates requested by Committee.

HR Dynamics	An amendment has been signed. Additional services are to begin in May.
NeoGov	Perform Module Completed. Next steps HRIS.
DMV Pull Report	As of April 2023, employee drivers are updated.
Drug Testing	As of April 2023, the active employee list is updated.
Residences	Home inspections were completed in April & May. GM to review reports.

Table 9: Legislation

The below table represents current human resources 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>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.</p>	<p>Do pass and be re-referred to the Committee on (Appropriations) identifying "care for designated persons".</p> <p>As of 4/26/2023. In committee: Set, first hearing. Referred to the suspense file.</p> <p>Assembly Insurance.</p>



AB 1484	Temporary public employees	This bill would impose specified requirements with respect to the temporary employees, as defined, of a public employer who has 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.	As of 5/3/2023 In committee: Set, first hearing. Referred to suspense file. 4/26/23. In committee: Hearing postponed by committee.
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Prepared by Dr. Kirene M. Bargas, Director of Finance & Administration

Item 6

2022 Carryover - Professional Services
Finance & Admin-Other Professional Services
01-30-310-580036
Sabrina Foley

Dr. Kirene M. Bargas
Digitally signed by Dr. Kirene M. Bargas
DN: cn=Dr. Kirene M. Bargas,
o=Beaumont-Cherry Valley Water
District, ou=Director of Finance &
Administration,
email=kirene.bargas@bcvwd.org,
c=US
Date: 2023.01.05 08:47:40-0800

mejorando group

INVOICE
50-2022

PLEASE PAY IN 2023

TO: Beaumont-Cherry Valley Water District

Invoice Date: December 12, 2022

Project: Workforce and Succession Planning Project

Activities: Initiate Project – completed – Fee.....\$ 3,900.00
Phase One – Establish the Scope – completed – Fee\$13,500.00
Total Fee\$17,400.00
Expenses associated with on-site visit – Aug. 3-4\$ 497.91
▪ Airfare.....\$ 146.47*
▪ Lodging\$ 180.72
▪ Car Rental.....\$ 121.21*
▪ Meal\$ 12.38
▪ Fuel\$ 12.47*
▪ Parking (Phoenix Airport)\$ 34.66*
Expenses associated with on-site visit – Nov. 1-2\$ 672.64
▪ Airfare.....\$ 202.09*
▪ Lodging\$ 173.98
▪ Car Rental.....\$ 206.15
▪ Meals.....\$ 35.30
▪ Fuel\$ 10.46
▪ Parking (Phoenix Airport)\$ 44.66*
Total Expenses.....\$ 1,170.55

Total Due\$18,570.55

Terms: Due within 30 days



INVOICE
17-2023

TO: Beaumont-Cherry Valley Water District

Invoice Date: March 20, 2023

Project: Workforce and Succession Planning Project

Activities: Phase Two – Submitted Report – Fee..... \$29,850.00

Total Due \$29,850.00

Terms: Due within 30 days

01-30-310-580036
Other Professional Services

Payable to: Patrick Ibarra
dba The Mejorando Group
7409 North 84th Avenue
Glendale, AZ 85305

CSDA SUMMARY:

AB 1484 (Zbur D) Temporary public employees.

Current Text: Amended: 3/28/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Status: 5/3/2023-In committee: Set, first hearing. Referred to suspense file.

Location: 5/3/2023-A. APPR. SUSPENSE FILE

Summary:

The Meyers-Milias-Brown Act (act) authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. Current law generally requires that the scope of representation under the act include all matters relating to employment conditions and employer-employee relations, while excepting the consideration of the merits, necessity, or organization of any service or activity provided by law or executive order. Current law states that the Legislature finds and declares that the duties and responsibilities of local agency employer representatives under the act are substantially similar to the duties and responsibilities required under existing collective bargaining enforcement procedures and therefore the costs incurred by the local agency employer representatives in performing those duties and responsibilities under that act are not reimbursable as state-mandated costs. 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.

Attachments:

[AB 1484 Comm ASM Approp](#)

Position: Oppose 3

Staff Reco: None

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Labor Relations

Working Group: Human Resources and Personnel

Public Notes: 3/14/2023 I-2/17/2023 to: Oppose 3

2/22/2023 I-2/17/2023 to: No position

CSDA SUMMARY: This bill provides that, with respect to temporary employees 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:

(1) Upon the request of the recognized employee organization to the public employer, the following apply:

(A) Temporary employees shall be automatically included in the same bargaining unit as the permanent employees if temporary employees are not presently within the unit definition.

(B) The terms and conditions of employment of permanent and temporary employees in the same bargaining unit shall be addressed in a single memorandum of understanding, as specified.

(2) The public employer shall provide, upon hire, each temporary employee with their job description, wage rates, and eligibility for benefits, anticipated length of employment, and procedures to apply for open, permanent positions. The same information shall be provided to the recognized employee organization, along with other specified new employee information, within five business days of hiring the temporary employee.

(3) The public employer shall include, when providing the employee organization with specified new employee information, the anticipated end date of employment for each temporary employee or actual end date if the temporary employee has been released from service since the last list was provided.

(4)

(A) Whether a temporary employee who subsequently obtains permanent employment receives any seniority or other credit or benefit for their time spent in temporary employment shall be a matter within the scope of representation in bargaining units that include permanent employees.

(B) Whether a temporary employee receives a hiring preference over external candidates for permanent positions shall be a matter within the scope of representation in bargaining units that include temporary employees.

(5) Unless a memorandum of understanding that covers both temporary and permanent employees expressly refers to this paragraph and waives its requirements, temporary employees in that bargaining unit who have been employed for more than 30 calendar days shall be entitled to use any grievance procedure in the memorandum of understanding to challenge any discipline without cause. This paragraph does not require public employers to retain temporary employees whose services are no longer needed, to require pretermination hearings before the dismissal of temporary employees, or to prevent a public employer from replacing temporary employees with employees hired for permanent positions.

Complaints alleging violations of this section shall be processed as unfair practice charges pursuant to Government Code Section 3509.

This bill defines “temporary employee” to mean a temporary employee, casual employee, seasonal employee, periodic employee, extra-help employee, relief employee, limited-term employee, per diem employee, and any other public employee who has not been hired for a permanent position. *(updated 4.17.23)*

3000.1 **At Will.** All employment at the District is “at will.” This means that either the employee or the District may end the employment relationship at any time, with or without advance notice and with or without cause. Provided, however, that discipline, grievance, layoff, and other similar procedures in a Memorandum of Understanding (MOU) or written employment agreement will apply while in force, but are not intended to alter the at-will nature of the employment relationship. The at-will nature of the employment relationship can only be changed by a clear and unambiguous intent to alter the at-will nature of employment made in an MOU or written employment agreement approved by the District Board and signed by or on behalf of the employee involved. Any reference in this Manual to discipline is not intended to change the at-will nature of the employment relationship or to restrict either the employee’s or the District’s options under the “at-will” employment policy.

3000.2 **Regular Full-Time Employee.** A “Regular” employee is one who has been hired to fill a regular position in any job classification and has completed their introductory period except as otherwise required by law. Full-Time Employment is defined as a 40-hour average workweek. Regular employees are compensated according to the District Salary Schedule as approved by the Board of Directors. Regular, Full-Time Employees will be eligible for benefits in accordance with their classification and employee group.

3000.3 **Introductory Employee.** All newly hired employees serve an introductory period. The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The District uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the District may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice. All new (including rehired) employees work on an introductory basis for the first 6 months after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the District determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee’s performance, the introductory period may be extended one time for a total of up to 12 months at the discretion of the General Manager or their designee.

3000.4 Upon successful completion of the introductory period, full-time employees enter the “regular” employment classification. Successful completion of the introductory period does not guarantee employment for any specific duration or change the at-will status of regular employment.

3000.5 Current employees who are promoted or transferred to a new classification will serve an introductory period for the first 6 months after their date of appointment. Employees who are reclassified will not serve an introductory period for an updated job title. In the event that a promoted or transferred employee is not able to satisfactorily complete their introductory period in the new role, they may resume their former position if it is vacant. However, the District reserves the right to fill vacant positions, and the option to resume a former position is not guaranteed. If the position is not available, the introductory period may be extended at the discretion of the General Manager or their designee, or the employee may be terminated from employment. Additionally, if the employee is not able to satisfactorily complete their introductory period due to violation(s) of policy, they will not be eligible to resume their former position, and may experience disciplinary action, up to and including termination of employment.

3000.6 **Introductory Evaluation.** At the conclusion of the introductory period, employees will receive a performance evaluation to assess whether the introductory period is successfully completed. The introductory period

is not eligible for a merit increase. See Policy 3010 Employee Performance Evaluation and Procedure.

3000.7 Temporary Employee. A temporary employee is defined as anyone hired for a period of 6 months or less. Employees hired to replace a regular employee who is on a leave of absence shall be hired as temporary employees. Temporary Employees may not work more than 1,000 hours or 125 days in a CalPERS fiscal year (July 1-June 30). Retired Annuitants from CalPERS may not work in excess of 960 hours in a CalPERS fiscal year.

1. **Part-Time, Temporary Employee.** A temporary employee working less than 40 hours per week on average in a temporary position is a Part-Time, Temporary Employee. Part-Time, Temporary Employees may work in their positions for up to 12 months but may not work in excess of 1,000 hours (960 hours for Retired Annuitants) in a CalPERS fiscal year (July 1-June 30).

3000.8 Part-Time Employee. A “Part-time” employee is one who is hired to work within any job classification, but whose position is not regular in nature. The part-time employee works whenever the District’s workload increases to a level that a regular employee cannot accommodate or when other factors make part-time employment advantageous. On average, part-time employees may not work more than 20 hours per week. They may also work standby as discussed in Policy 3055 if required by their job classification.

1. A temporary or part-time employee will not be eligible for fringe benefits including holiday pay, vacation pay, jury duty pay, health insurance coverage, bereavement pay, or items of a similar nature, nor will they accrue seniority or leave of absence rights except where required by law. Temporary or Part-Time employees are eligible for the Employee Assistance Program (EAP), standard life insurance, standard Accidental Death & Dismemberment (AD&D) insurance, and may be eligible to purchase dental and vision insurance or ancillary benefits at their own option and cost.
2. In accordance with the California Labor Code, a temporary or part-time employee will accrue paid sick leave as of the first day of employment at a rate of 1 hour for every 30 hours worked provided that the employee has worked for 30 or more days within a year from the beginning of employment. The temporary or part-time employee will be eligible to take paid sick leave after the 90th day of employment. The employee shall be limited to an annual accrued sick leave limit of 24 hours annually.



April 6, 2023

The Honorable Tina McKinnor
Chair, Assembly Public Employment and Retirement Committee
Legislative Office Building, Room 153
Sacramento, California 95814

**RE: AB 1484 (Zbur): Temporary public employees – OPPOSE
As Amended March 28, 2023**

Dear Assembly Member McKinnor:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), the League of California Cities (Cal Cities), the California Special Districts Association (CSDA), the California Association of Recreation and Parks Districts (CARPD), California Association of Joint Powers Authorities (CAJPA), and the California Association of Code Enforcement Officers (CACEO), we are strongly opposed to Assembly Bill 1484 (Zbur). This measure relates to temporary employment.

While AB 1484 is ostensibly intended to benefit temporary employees of local public agencies, in reality, it will directly harm these employees by severely limiting their future opportunities for temporary employment. This bill would: inflexibly mandate that temporary employees must be included within the same bargaining unit as permanent employees; and that the wages, hours, plus terms and conditions of employment for both temporary and permanent employees must be bargained together in a single memorandum of understanding. This result is already possible under current law, but only if the temporary and permanent employees have a "community of interest" making such combined treatment appropriate – an important component of fair representation and bargaining that this bill eschews.

More importantly, the provisions of this bill, including the restrictions on discharging temporary employees and the inevitable increases in cost to public employers, will

seriously discourage public agencies from hiring temporary employees. This will reduce temporary employment opportunities statewide, with devastating effects. Temporary positions provide income, stability, and flexibility to working parents, students, and those just entering or re-entering the workforce, among others, and are often an important stepping-stone to long-term public employment. Disincentivizing public agencies from offering these positions will further cement the barriers to upward mobility and income equality for the very persons whom this bill aims to help.

In addition to harming temporary employees, AB 1484 would also negatively impact public services. "Extra help" employees are often retained for seasonal or "surge" needs, such as nurses, health care workers, election workers, mosquito and vector control technicians, agricultural field inspectors, and parks and recreation staff, like lifeguards and summer camp counselors. This bill would significantly increase the costs for local governments to hire such employees, thereby reducing levels of service to the detriment of public health and well-being. Similarly, temporary employees are frequently brought in to backfill permanent employees who are on leave or temporarily reassigned. This bill would discourage such hiring, leaving positions unfilled and the public unserved.

AB 1484 would further have unintended and unpredictable consequences when applied to the myriad existing local programs and the laws governing them. For example:

- Many temporary employees are retired annuitants, whose terms and conditions of employment are strictly controlled by state law in ways that would severely impair any meaningful bargaining. Including these annuitants within a bargaining unit comprised of regular employees – who have flexibility and benefits legally prohibited to annuitants is virtually guaranteed to produce friction and anomalous results.
- Many public agencies obtain temporary help through staffing agencies, nurse registries, and similar services. Under current law, it is not always clear whether these workers are employees of the public agency. This bill will compound that uncertainty regarding their status and eligibility for inclusion in a bargaining unit. This will almost certainly lead to disputes and litigation – all of which will further speed the reduction or elimination of these work opportunities.
- The terms and conditions for permanent employees are typically negotiated based upon assumptions regarding benefits (such as CalPERS) and protections (such as the Family and Medical Leave Act), that apply only to employees who work for a certain period of time. Temporary employees will often be ineligible for these benefits and protections, making parity or "community of interest" with regular employees in the bargaining unit impossible, and producing yet further friction and anomalous results.

Public agencies often offer paid student internship programs, which provide valuable work experience for the next generation of public employees. Requiring agencies to include such temporary positions within the bargaining unit (and afford them discharge protections) will strongly discourage local governments from offering such programs (or will encourage them to offer only unpaid internships, to the detriment of financially vulnerable students).

Temporary employees are typically at-will, and consequently do not have a constitutionally protected property interest in their position. AB 1484 mandates that temporary employees be granted access to the grievance process if discharged. This may be argued to grant such employees a property interest in their temporary positions, leading to disputes and litigation that will further discourage public agencies from utilizing temporary employees, and increase costs when they do so.


Perhaps most critically, AB 1484 provides temporary employees with rights in excess of those provided to permanent employees. Proposed Section 3507.7(b)(5) provides that "temporary employees...who have been employed for more than 30 calendar days shall be entitled to use any grievance procedure in the memorandum of understanding to challenge any discipline without cause." By contrast, nearly every public agency has a probationary period for permanent employees (often 6-12 months), during which the employee may be released without cause and without triggering a grievance. This probationary period is a critical part of the hiring process – and if public employers cannot use this process for temporary employees, they will be vastly less likely to hire temporary employees. Moreover, the bill provides that these provisions for temporary employees apply unless affirmatively waived by the employee organization – i.e., public employers cannot impose more flexible discharge provisions after bargaining to impasse – a restriction unique to temporary employees, further disincentivizing their hiring.

Finally, AB 1484 includes a procedural requirement that will be difficult, if not impossible, for public employers to fulfill including provisions that conflict with existing law for permanent employees. The bill would require public agencies to inform both temporary employees and the employee organization of the anticipated length of employment and end date. However, temporary employees are often retained in exigent circumstances, to fulfill an immediate need of uncertain duration, as was the case during the recent COVID emergency. In these cases, the agency will not be able to identify an end date that is anything more than speculation, which will serve no useful purpose and may lead to unnecessary disputes.

In conclusion, temporary employees are brought in for a temporary and urgent need and the provisions of this bill severely limit local agencies' ability to utilize this workforce, ultimately impacting our ability to provide services. We are unaware of a specific, current problem that AB 1484 would resolve or prevent. We are very much aware, however, of the very real harm AB 1484 would cause the residents of California. For the

aforementioned reasons, our organizations must, therefore, respectfully but firmly, OPPOSE AB 1484. Please do not hesitate to reach out to us with your questions.

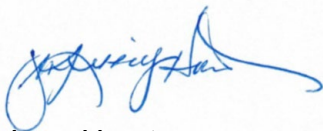
Sincerely,



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cc: The Honorable Rick Chavez Zbur, Member of the California State Assembly
Members of the Assembly Public Employment and Retirement Committee
Michael Bolden, Chief Consultant, Public Employment and Retirement
Committee
Lauren Prichard, Consultant, Assembly Republican Caucus



AB-1484 Temporary public employees. (2023-2024)

Date	Action
05/03/23	In committee: Set, first hearing. Referred to suspense file.
04/26/23	In committee: Hearing postponed by committee.
04/12/23	From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (April 12). Re-referred to Com. on APPR.
04/12/23	Coauthors revised.
03/29/23	Re-referred to Com. on P.E. & R.
03/28/23	From committee chair, with author's amendments: Amend, and re-refer to Com. on P.E. & R. Read second time and amended.
03/09/23	Referred to Com. on P.E. & R.
02/18/23	From printer. May be heard in committee March 20.
02/17/23	Read first time. To print.


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AB-1484 Temporary public employees. (2023-2024)

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Date Published: 03/28/2023 09:00 PM

REVISED APRIL 12, 2023

AMENDED IN ASSEMBLY MARCH 28, 2023

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

ASSEMBLY BILL

NO. 1484

Introduced by Assembly Member Zbur

(Coauthors: Assembly Members Haney and Ortega)

February 17, 2023

An act to add Section 3507.7 to the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1484, as amended, Zbur. Temporary public employees.

(1) Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. Existing law generally requires that the scope of representation under the act include all matters relating to employment conditions and employer-employee relations, while excepting the consideration of the merits, necessity, or organization of any service or activity provided by law or executive order. Existing law states that the Legislature finds and declares that the duties and responsibilities of local agency employer representatives under the act are substantially similar to the duties and responsibilities required under existing collective bargaining enforcement procedures and therefore the costs incurred by the local agency employer representatives in performing those duties and responsibilities under that act are not reimbursable as state-mandated costs.

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. The bill would also require a public employer to, upon hire, provide each temporary employee with their job description, wage rates, and eligibility for benefits, anticipated length of employment, and procedures to apply for open, permanent positions. By imposing new duties on local agencies that employ temporary employees, the bill would impose a state-mandated local program. *The bill would require complaints alleging a violation of its provisions to be processed*

as unfair practice charges under the act. The bill would additionally include the same findings and declarations as set forth above.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement shall be made pursuant to these statutory provisions for costs mandated by the state pursuant to this act, but would recognize that a local agency or school district may pursue any available remedies to seek reimbursement for these costs.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Local governments have increasingly hired temporary employees to provide public services.

(b) Temporary employees are disproportionately women and people of color, and the lesser rights of temporary employees exacerbate race and gender inequity in public employment.

(c) There is a statewide interest in ensuring that temporary employees are protected by state laws providing for fair labor relations and that the increasing use of temporary employees does not undermine public employee labor relations.

(d) Section 2 of this act is intended to apply to all public employers covered by the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of the Government Code).

SEC. 2. Section 3507.7 is added to the Government Code, to read:

3507.7. (a) For purposes of this section, "temporary employee" means a temporary employee, casual employee, seasonal employee, periodic employee, extra-help employee, relief employee, limited-term employee, per diem employee, and any other public employee who has not been hired for a permanent position.

(b) Notwithstanding any other law, the following requirements apply with respect to temporary employees 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:

(1) Upon the request of the recognized employee organization to the public employer, the following apply:

(A) Temporary employees shall be automatically included in the same bargaining unit as the permanent employees if temporary employees are not presently within the unit definition.

(B) The terms and conditions of employment of permanent and temporary employees in the same bargaining unit shall be addressed in a single memorandum of understanding. This subparagraph shall apply upon the expiration of the existing memoranda of understanding that covers the permanent and temporary employees, unless the recognized employee organization and public employer agree to an earlier date.

(2) The public employer shall provide, upon hire, each temporary employee with their job description, wage rates, and eligibility for benefits, anticipated length of employment, and procedures to apply for open, permanent positions. The same information shall be provided to the recognized employee organization, along with the employee information required under Section 3558 for the temporary employee, within five business days of hiring the temporary employee.

(3) The public employer shall include, when providing the employee organization with the employee information required by Section 3558, the anticipated end date of employment for each temporary employee or actual end date if the temporary employee has been released from service since the last list was provided.

(4) (A) Whether a temporary employee who subsequently obtains permanent employment receives ~~service credit and~~ seniority *or other credit or benefit* for their time spent in temporary employment shall be a matter within the scope of representation in bargaining units that include permanent employees.

(B) Whether a temporary employee receives a hiring preference over external candidates for permanent positions shall be a matter within the scope of representation in bargaining units that include temporary employees.

(C) This paragraph shall apply to the extent that the memorandum of understanding may lawfully address these subjects. This paragraph shall be effective with respect to any memorandum of understanding covering permanent employees entered into after the effective date of this section.

(5) Unless a memorandum of understanding that covers both temporary and permanent employees expressly refers to this paragraph and waives its requirements, temporary employees in that bargaining unit who have been employed for more than 30 calendar days shall be entitled to use any grievance procedure in the memorandum of understanding to challenge any discipline without cause. This paragraph shall be effective only with respect to a memorandum of understanding entered into after the effective date of this section. This paragraph does not require public employers to retain temporary employees whose services are no longer needed, to require pretermination hearings before the dismissal of temporary employees, or to prevent a public employer from replacing temporary employees with employees hired for permanent positions.

(c) Complaints alleging violations of this section shall be processed as unfair practice charges pursuant to Section 3509.

~~(e)~~

(d) The Legislature finds and declares that the duties and responsibilities of local agency employer representatives under this section are substantially similar to the duties and responsibilities required under existing collective bargaining enforcement procedures and therefore, the costs incurred by the local agency employer representatives in performing those duties and responsibilities under this section are not reimbursable as state-mandated costs.

SEC. 3. No reimbursement shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code for costs mandated by the state pursuant to this act. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Part 7 (commencing with Section 17500) and any other law.

REVISIONS:

Heading—Line 2.



**Beaumont-Cherry Valley Water District
Personnel Committee
May 16, 2023**

Item 8

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

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 e**) 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.

The proposed policies are presented side-by-side with the current versions, with redline edits shown for clarity (**Attachments a - d**). The District's legal counsel has reviewed and recommended the drafted policies.



Summary Table

Policy 5090 Records Retention	<ul style="list-style-type: none">• Update to existing policy (Part III Section 19)• Appendix A updated• Appendix B Records Retention Schedule is in progress – does not require Board approval (is procedure based, not policy)• Reviewed by legal counsel
Policy 6025 Public Records	<ul style="list-style-type: none">• Revised to modernize and address issues more thoroughly• Comports with the California Public Records Act as recodified effective January 2023• Reviewed by legal counsel
Policy 3230 Workers' Compensation	<ul style="list-style-type: none">• New policy• Reviewed by legal counsel
Policy 3231 Accommodations for Disability	<ul style="list-style-type: none">• New policy• Reviewed by legal counsel

Fiscal Impact

No fiscal impact.

Attachments

- a. Proposed Policy 5090 Records Retention
- b. Proposed Policy 6025 Public Records
- c. Proposed new Policy 3230 Workers' Compensation
- d. Proposed new Policy 3231 Accommodations for Disability
- e. Policy Approval Tracking

Staff Report prepared by Lynda Kerney, Administrative Assistant

Existing Policy

EXISTING SECTION 19 - RECORDS RETENTION

- A. **Goal.** The purpose of this policy is 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.
- B. **Value.** Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to the District.
- C. **Implementation.** Upon authorization 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.
- D. **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, 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 may be destroyed without the necessity of copying to photographic or electronic media.
 - 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, etc.
 - iv. **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 photographed, micro photographed, reproduced on film of a type approved for permanent photographic records by the National Bureau of Standards, or copied to an approved electronic media;
 - 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, 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.

Proposed Policy - Redline

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 ~~D~~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 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. This may also include rough notes, calculations or document drafts assembled or created and used in the preparation or analysis of other documents and not kept in the ordinary course of business.
 - iv. **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., or duplicates / extra copies of records, and appointment logs / charts.
 - v. **Records Retention Schedule.** The Records Retention Schedule (Appendix B) sets forth the District's legally required records retention schedule governing the retention and authority to destroy official public records.
 - B-vi. **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 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

- 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.
- 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).

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). However, see Section 60201(d) for specific records which may not be destroyed.
- 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 the District is responsible and have administrative value as long as they assist the District in performing current or future work, or contain basic facts about the District'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 District 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 and development of the District.

- 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

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 for Unalterable Duplication is Met.~~ 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. Such duplication must utilize a "trusted system" which means a combination of technologies, policies, and procedures for which there is no plausible scenario in which a public record retrieved from or reproduced by the system could differ substantially from the public record that is originally stored. See Government Code Section 12168.7.
- 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 not required by law or the Retention Schedule to be retained for a longer period, and not related to any ongoing District business or transaction, including any real property interest or pending claim or litigation, 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, if not required by law to be further retained.
- 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.

6.

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

- 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:

Appendix A

Definitions for Records Retention and Disposal PolicyVital 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
- C. **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:
 - a. Agreements

- ~~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~~

~~C. 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.~~

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- ~~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			
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

iv-v. _____

- ~~b.~~ Employee insurance records
- ~~a.~~ Encroachment permits (by others)
- ~~c.~~ Encroachment permits (by BCVWD)
- ~~d.~~ 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

- ~~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~~

Proposed Policy

Current Policy

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 7920.000 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 respond to public records requests as required by the CPRA, whether written or verbal, subject to various exemptions therein. Some of these exemptions are discussed herein below. (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. If possible, verbal requests should be memorialized in writing and agreed to by the requestor. This can help minimize disputes over what records are actually being sought.

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, except as expressly required by law (e.g., in criminal investigations). 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 in writing to all requests as soon as possible after they are received, but no later than ten (10) days thereafter, subject to the fourteen (14) day extension authorized in certain situations, as provided by Government Code Section 7922.535. The required written response must include a determination of whether the request seeks records in the possession or under the control of the District, whether any such records will not be produced, including the basis for non-disclosure (e.g., an exemption to disclosure applies) and the person or position responsible for that determination, and the estimated date when the non-exempt, responsive records will be produced. Responsive non-exempt records must be provided within a "reasonable" time after providing the determination letter.

6025.7 Release of Records Regarding Litigation, 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. Requests for records pertaining to pending litigation or exposure to litigation will be referred to District counsel.

Adopted by Resolution 20-XX, Date

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.

BEAUMONT-CHERRY VALLEY WATER DISTRICT

MISCELLANEOUS

6025.7.1.2 Personnel. Requests for records pertaining to personnel-related information will be handled 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. However, as required by Government Code Section 7922.600, administrative staff is required to assist requestors by helping to identify records that are responsive to a request or its purpose, and by identifying physical locations where such records exist. Also noted that special rules apply for records in an electronic database. See Section 6025.8.1 below.

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 as required by Government Code 54957.5 (within 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 which cannot exceed 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 including those (i) requiring an outside service to duplicate, or (ii) 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. The CPRA contains many exemptions to disclosure of public records. Some of the more common exemptions include:

6025.11.4.1 Preliminary drafts, notes, or interagency or intra-agency memoranda that

Adopted by Resolution 20-XX, Date

BEAUMONT-CHERRY VALLEY WATER DISTRICT

MISCELLANEOUS

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, 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 54957.5(a), 54963)

6025.11.5 Legal counsel will advise the Director of Finance and Administration as to 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.

Adopted by Resolution 20-XX, Date

POLICY TITLE: WORKERS' COMPENSATION
POLICY NUMBER: 3230

Item 8c
Proposed New Policy

3230.1 All employees are covered for Workers' Compensation, effective the first day of employment. Workers' Compensation provides employees and/or their beneficiaries with particular benefits in the event of a work-related illness, injury, or accidental death. The District pays the total cost of this coverage, whether through a self-insurance mechanism or an insurance product. If an employee sustains a work-related illness or injury, he or she must report the illness or injury to Human Resources or their supervisor within 24 hours of the occurrence. Failure to do so could result in a delay in benefits.

3230.2 The workers' compensation claims administrator or insurance carrier will make all payments for lost wages or salary due to a work-related illness or injury, medical treatment, and any other benefits. Workers' Compensation benefit payments may be coordinated with any accrued sick leave or vacation leave as part of a medical or disability leave of absence.

3230.3 The District provides medical treatment for work-related injuries and illnesses through designated hospitals or clinics. Clinics are selected due to their experience in treating work-related injuries; an emergency hospital may be needed in significant injury situations and used for first treatment pending added review by Human Resources.

3230.4 Employees injured in a work-related accident will be referred to the designated clinic unless the District has received a written notice that the employee wishes to be treated by their health care provider. This notification must have been submitted to the employee's supervisor or Human Resources before treating the injury.

3230.5 To the extent required by law, all medical information, such as diagnosis, treatment, and medical history, shall be kept private. Employee medical records will be maintained separately from employee personnel files.

3230.6 Any supervisor who learns that an employee has incurred a work-related illness or injury shall provide that employee with a notice of their right to seek workers' compensation benefits in a form provided by Human Resources and shall promptly report doing so to Human Resources.

3230.7 Human Resources is the point of contact for designated clinics and the workers' compensation insurance provider, if applicable. Human Resources is the point of contact for employees on a leave of absence or other reasonable accommodation due to a workplace injury or illness.

3230.8 Notice of workers' compensation benefits shall be posted annually as required by law by or at the direction of Human Resources.

3230.9 **Procedure.**

1. In the event of workplace injury or illness, the employee reports said injury or illness to their supervisor or Human Resources within twenty-four (24) hours of the event.
2. Human Resources or the employee's supervisor will provide first aid treatment, refer the employee to the designated clinic, or contact emergency services (911) using their best judgment and following the Injury and Illness Prevention Plan and all District policies and procedures.
3. Employees may be required to submit to a drug and/or alcohol test following District policy.
4. When it is safe and appropriate, Human Resources and the employee's supervisor will

complete the required Workers' Compensation claim paperwork and provide all legally mandated notices to the employee.

5. The employee's supervisor and Human Resources will complete an investigation of the incident leading to workplace injury or illness.
6. Human Resources will make recommendations for retraining or modification to prevent a recurrence.
7. Human Resources will maintain all required records for OSHA, the State of California, etc.

POLICY TITLE: ACCOMMODATIONS FOR DISABILITY
POLICY NUMBER: 3231

Item 8d
New Proposed Policy

3231.1 The employment-related provisions of the Fair Employment and Housing Act ("FEHA") and the Americans with Disabilities Act ("ADA") apply to all employees and job applicants seeking employment with the District. Under the ADA, a qualified individual with a disability is an individual who possesses all the skills, qualifications, and experience for a position and, with or without reasonable accommodation, can perform the essential functions of the position in which the individual is employed.

3231.1.1 In California, disabilities are broadly defined as conditions that limit a significant life activity, including physical and mental disabilities and medical conditions such as cancer or HIV/AIDS. California definitions and protections can be broader than protections under federal law.

3231.1.2 The District will not treat a qualified employee or applicant less favorably because of a history of disability, because of the employer's belief that the individual may have a disability, or because of the individual's relationship with a person with a disability.

3231.2 The District will attempt to provide reasonable accommodation for known physical or mental disabilities if a job applicant or employee is otherwise qualified, unless undue hardship to the District would result, following federal or state law. An applicant or employee who requires accommodation to perform the job's essential functions should inform the General Manager, or their supervisor, to request an evaluation of such an accommodation. The District will participate in the interactive process with the employee to determine whether or not a reasonable accommodation exists which does not present an undue hardship to the District. When appropriate or required by law, the District will engage in a timely, good-faith, interactive process. The point of the process is to remove barriers that keep people from performing jobs they could do with some form of accommodation.

3231.3 Accommodations guidelines may include, but are not limited to:

1. The District will evaluate job applicants regardless of their actual or perceived disabilities.
2. The District shall not ask about the nature or severity of disabilities, nor will it require an applicant to take medical or psychological exams that are not routinely given to other prospective hires.
3. The District may ask applicants about their ability to perform job-related functions and respond to a request for a reasonable accommodation.
4. The District may ask for medical certification of an employee's or applicant's need for reasonable accommodation.

**Policy Approval Tracking
BCVWD Policy Manual Project**

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' Compensation Insurance	Yes	Human Resources							
19	3055	Personnel	Work Hours, Overtime, and Standby Program	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	Continuity of Service	Yes	Human Resources							
20 (incorrect numbering)												
21	3065	Personnel	Reduction in Force	Yes	Human Resources							
22	3070	Personnel	Holidays	Yes	Human Resources							
22	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
23	3080	Personnel	Pre-Employment Physical Examination	Yes	Human Resources							
24	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
25	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
26	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
N/A	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
27	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
28	3105	Personnel	Personal Leave of Absence	Yes	Human Resources							
29	3110	Personnel	Jury and Witness Duty	Yes	Human Resources							
			Leave for Crime Victims and									
N/A	3111	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
30	3115	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
			Occupational Injury and Illness									
31	3120	Personnel	Prevention Program	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	Infectious Disease Control	Yes	Human Resources	2/2/2023	2/21/2023	2/21/2023	3/15/2023	3/15/2023	3/15/2023	
N/A	3122	Personnel	Workplace Violence	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	Asset Protection and Fraud	Yes	Human Resources							
32	3125	Personnel	Uniforms and Protective Clothing	Yes	Human Resources	3/14/2023	3/21/2023	4/18/2023	5/10/2023			
33	3130	Personnel	Conferences	Yes	Human Resources							
34	3135	Personnel	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
			Succession and Workforce									
N/A	3136	Personnel	Planning	Yes	Human Resources							
35	3140	Personnel	Respiratory Protection Program	Yes	Human Resources							
			Driver Training and Record									
36	3145	Personnel	Review	Yes	Human Resources	3/14/2023	3/21/2023	3/21/2023	4/12/2023	4/12/2023	4/12/2023	23-10
37	3150	Personnel	District Vehicle Usage	Yes	Human Resources							
38	3151	Personnel	Personal Vehicle Usage		Human Resources							
			HIPAA Compliance and Security									
39	3160	Personnel	Officer	Yes	Human Resources							
40	3165	Personnel	Tobacco Use	Yes	Human Resources							

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**Policy Approval Tracking
BCVWD Policy Manual Project**

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
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	5/9/2023	5/16/2023					
N/A	3231	Personnel	Accommodations for Disability	No	Human Resources	5/9/2023	5/16/2023					
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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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	4/28/2023	4/18/2023	5/16/2023				
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 10/13/2021	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	4/28/2023	4/18/2023	5/16/2023				
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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