



POLICY MANUAL

Table of Contents

- 1. INTRODUCTION..... 4
 - 1.1 Purpose of Board Policies 4
 - 1.2 Adoption/Amendment of Policies 4
- 2. EMPLOYMENT POLICIES..... 4
 - 2.1 Equal Employment Opportunity 4
 - 2.2 At-Will Employment..... 5
- 3. ANTI-DISCRIMINATION AND ANTI-HARASSMENT 5
 - 3.1 Harassment; Discrimination..... 5
 - 3.2 Mandatory Training 6
 - 3.3 Reporting and Investigating Complaints of Discrimination or Harassment..... 6
 - 3.4 Additional Resources 6
 - 3.5 Retaliation..... 7
 - 3.6 Workplace Violence 7
 - 3.7 Sexual Assault, Domestic Violence & Stalking 7
 - 3.8 Abusive Conduct and Bullying..... 8
- 4. CONFLICT OF INTEREST 8
- 5. BUSINESS CONDUCT AND ETHICS 10
 - 5.1 Conduct..... 10
 - 5.2 Dishonest Acts..... 10
 - 5.3 Conducting Non-District Business..... 10
- 6. BOARD OF DIRECTORS AND OFFICERS..... 11
 - 6.1 Board President & Vice President..... 11
 - 6.2 Board Stipend..... 11
 - 6.3 Ethics Training..... 12
 - 6.4 Credit Card Use 12
- 7. BOARD MEETINGS AND BROWN ACT PROCEDURES 12
 - 7.1 Rules of Order for Board Meetings..... 12
 - 7.1.1 General..... 12
 - 7.1.2 Obtaining the Floor 12
 - 7.1.3 Motions 13
 - 7.1.4 Order of Business 13
 - 7.1.5 Decorum..... 14
 - 7.1.6 Parliamentary Procedures; Amendment of Rules of Order..... 14
 - 7.2 Minutes of District Proceedings..... 14

7.3	Board of Directors Meeting Agenda	15
7.4	Special Meetings	15
7.5	Board Actions and Decisions.....	15
7.6	Tie Votes	16
7.7	Board Vacancy Policy	16
7.7.1	Vacancies.....	16
7.7.2	Appointments	16
7.8	Public Comments	16
7.8.1	Time Limitations.....	17
7.8.2	Speaker Cards and Procedures	17
7.8.3	Additional Procedures for Public Comment on Agenda Items	17
8.	DISTRICT ADVOCACY	18
9.	COMMITTEES	18
9.1	Committees of the Board of Directors.....	18
9.2	Committee Selection.....	19
10.	CONTRACTS.....	19
11.	FINANCIAL	19
11.1	District Purchases.....	19
11.2	Fund Balances/Fund Balance Policy.....	20
11.3	Reimbursements	20
11.4	Financial Reports and Auditing	20
12.	RECORDS RETENTION.....	21
13.	DISTRICT OBLIGATIONS.....	23
13.1	General Manager Responsibilities and Functions.....	23
13.2	Media Relations	23
13.3	Training, Education, and Conferences Policy.....	23
14.	PUBLIC RECORDS ACT	24
14.1	Methods to Assist the Public in Making Requests.....	24
14.2	Receiving a Request	24
14.3	Responding To A Request	25
14.4	Providing Responsive Documents.....	26

1. INTRODUCTION

1.1 Purpose of Board Policies

It is the intent of the Board of Directors of the Bell Canyon Community Services District (“District”) to maintain a policy manual. Contained herein is a comprehensive listing of the Board’s current policies, which are the rules and regulations enacted by the Board. The Policy Manual will serve as a resource for Directors, staff, and members of the public in determining the manner in which matters of the District business are to be conducted.

If any policy or portion of a policy contained within the Policy Manual is in conflict with rules, regulations, or legislation having authority over the District, said rules, regulations, or legislation shall prevail.

1.2 Adoption/Amendment of Policies

Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Boardmember or the Policy Committee. The proposed adoption or amendment shall be submitted with all necessary attachments as an agenda item of the next appropriate meeting of the Board of Directors. At that time, the Board of Directors may take action on the proposed policy or amendment, or they may vote to refer the proposal to the Policy Committee for consideration and recommendation.

Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Boardmember for review in a manner that complies with the Brown Act, prior to any meeting at which the policy(ies) are to be considered.

2. EMPLOYMENT POLICIES

2.1 Equal Employment Opportunity

The District is an equal opportunity employer and makes decisions on the basis of merit. District policy prohibits unlawful discrimination based on race, color, creed, gender, gender expression or identity, religion, marital status, registered domestic partner status, age, national origin or ancestry, pregnancy, childbirth or related medical conditions, physical or mental disability, medical condition including genetic characteristics, sexual orientation, gender identity or expression or any other consideration made unlawful by Federal, State, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is unlawful and prohibited.

The District is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in District operations and prohibits unlawful discrimination by or against any employee of the District, including Supervisors and co-workers.

The primary objectives of this Policy are as follows:

- Ensure the recruiting, hiring and training for all job classifications are done without regard to sex, gender, race, creed, color, religion, class, disability, national origin, age, political or union affiliation, marital status, medical condition or sexual orientation.
- Ensure that employment decisions further the principle of Equal Employment Opportunity.
- Ensure that promotion decisions further the principle of Equal Employment Opportunity and that those criteria which are not discriminatory for promotions be used.
- Ensure that other policies and procedures are administered without regard to a protected class.

2.2 At-Will Employment

All District personnel are employed on an at-will basis and may be terminated with or without cause and with or without notice at any time by the District. Except as otherwise provided by a written employment agreement or other applicable local, state, or federal law or order, nothing in this Policy Manual creates a property right in, or an expectation of, continued employment at the District.

3. ANTI-DISCRIMINATION AND ANTI-HARASSMENT

The District is committed to providing an environment free of unlawful harassment and discrimination. District policy prohibits all forms of harassment and unlawful discrimination in the workplace. This includes harassment or unlawful discrimination based in regard to sex, gender, gender identity or expression, race, creed, color, religion, class, disability, national origin, age, political or union affiliation, military/veteran's status, marital status, medical condition, sexual orientation, or any other characteristic protected by federal, state or local law ("protected status").

This policy applies to all Boardmembers, employees, vendors, and visitors. The District does not tolerate sexual or other unlawful harassment at the work place or in any work-related situation by anyone. The District also prohibits unlawful discrimination and harassment of non-employees by employees in connection with any administration, enforcement, business, service or professional relationship with the District . If, after a prompt and thorough investigation, it is determined that an employee has engaged in discrimination and/or sexual or other harassment, that employee will be disciplined, up to and including discharge. The District will also seek to protect employees from harassment by non-employees in the work place or in work-related situations.

3.1 Harassment; Discrimination

The District strictly prohibits unlawful discrimination or harassment in the workplace against any protected status of person as set forth above. Unlawful discrimination is any action or conduct by which an employee or Boardmember is treated differently or less favorably than others similarly situated to him or her for the sole reason that he or she is a member of a legally protected class.

Harassment includes all forms of offensive or unwelcome physical or verbal conduct that interferes with an employee's or Boardmember's work or creates an offensive or hostile working environment, based on a protected status. Such conduct constitutes harassment when (a) submission to such conduct is made a condition of employment, either expressly or implied, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or (c) such conduct has the purpose or effect or unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. It is also unlawful to discriminate or harass based on the perception or association of a protected status.

Prohibited unlawful harassment includes, but is not limited to, the following behavior:

- • Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- • Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- • Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- • Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors; and
- • Retaliation for reporting or threatening to report harassment.

3.2 Mandatory Training

All Boardmembers and employees who are hired by the District will be given a copy of this Policy Manual and will receive guidance from the District on its provisions and the District's commitment to provide a workplace free from harassment, discrimination, and retaliation. In addition, all supervisors and employees will be trained in accordance with the requirements of FEHA (Government Code § 12950.1) and implementing regulations.

3.3 Reporting and Investigating Complaints of Discrimination or Harassment

Any Boardmember or employee who believes he or she has been unlawfully discriminated against or harassed should bring the matter to the attention of the General Manager or General Legal Counsel immediately and provide a full and accurate report of the underlying facts either verbally or in writing. Upon notification of a harassment complaint, the District shall promptly and in good faith commence or conduct an investigation of the complaint and supervise and/or investigate the complaint. The investigation will generally include interviews with (1) the complainant; (2) the accused harasser; and (3) any person that is believed to have relevant knowledge concerning the complaint. This may include victims of similar conduct.

All such reports will be kept confidential to the greatest extent possible, but some disclosure will be necessary to conduct a proper investigation. In each case, the employee reporting the problem will receive a written reply from the District on the results of the investigation and whether appropriate action has been taken.

3.4 Additional Resources

FEHA (California Govt. Code Sections 12940 *et seq.*) prohibits unlawful discrimination or harassment based on a protected status. Boardmembers or employees may file complaints about harassment or other illegal employment discrimination with the California Fair Employment and Housing Commission (FEHC), or with the California Department of Fair Employment and Housing (DFEH). The DFEH is authorized to accept and investigate complaints of employment discrimination, and to mediate settlements. The FEHC has authority to issue accusations against employers, conduct formal hearings, and award reinstatement, back pay, damages, and other affirmative relief. Boardmembers or employees may also file complaints with the federal Equal Employment Opportunity Commission (EEOC). Additionally, the EEOC can be reached at (800) 669-4000 or on the Internet at www.eeoc.gov, and the DFEH can be reached at (800) 884-1684 or (916) 478-7200 or on the Internet at www.dfeh.ca.gov.

3.5 Retaliation

The District prohibits retaliation because of the person's truthful and good faith opposition to a practice they reasonably believe to constitute employment discrimination or harassment or because of their participation in a discrimination investigation, proceeding, or hearing. Any retaliatory action because of such opposition or participation will not be tolerated; and may also be unlawful. Opposition to perceived harassment or discrimination includes threatening to file a discrimination complaint with the EEOC, the DFEH, or court, or complaining about alleged employment discrimination or harassment to a manager, co-worker, or other official. Opposition also includes a complaint or protest made on behalf of another employee or made by the employee's representative. Opposition in a manner which disrupts the workplace, or which constitutes an unlawful activity, or engaging in badgering or threatening of employees is not protected. Participation includes filing, testifying, or assisting in any manner in an investigation, proceeding, hearing, or litigation under federal or state employment discrimination statutes or at other hearings regarding protected employee rights.

Anyone who believes they have been retaliated against in violation of this Policy may inform the General Manager or General Legal Counsel, and investigation of complaints shall be conducted as provided in this policy. FEHA prohibits retaliation against employees because they have filed a complaint with the DFEH, participated in an investigation, proceeding, or hearing with either agency, or opposed by practice made unlawful by the FEHA.

Malicious Complaint: While the District vigorously defends one's right to work in an environment free of harassment and/or discrimination, it also recognizes that false accusations of harassment/discrimination can have serious consequences. Accordingly, anyone who is found, through the District's investigation, to have knowingly falsely accused another person of harassment/discrimination will be subject to appropriate disciplinary action, up to and including termination, or other legal proceeding.

3.6 Workplace Violence

The District does not tolerate any act or behavior which can be perceived as threatening, hostile, and/or violent. No Boardmember or employee shall make any threat, either physical or verbal, against another Boardmember or employee or member of the public. No one, other than those required by their position, shall bring a weapon (exclusive of personal defense chemical spray) of any type to a District facility, outside or immediately adjacent to a District building or place in a District vehicle or equipment.

All Boardmembers or employees are required to report immediately any threats or incidents of violence. All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. The District is required to investigate, or to cause to be investigated, incidents of violence or threats of violence. In appropriate circumstances, the District will inform the reporting individual of the results of the investigation. The District will not tolerate retaliation against any employee who reports workplace violence or participates in any investigation.

3.7 Sexual Assault, Domestic Violence & Stalking

The District shall comply with California Labor Code Sections 230 and 230.1 which prohibits discrimination or adverse employment action against an employee who is a victim of domestic violence, sexual assault, or stalking, for taking time off from work to address such domestic violence, sexual assault, or stalking, for seeking medical attention, counseling, participating in safety planning or obtaining services from a domestic violence shelter program or rape crisis center.

As a condition of taking time off for the purposes set forth under Labor Code Section 230 and 230.1, the employee is required to give their supervisor reasonable advance notice of the employee's intention to take time off, unless the advance notice is not feasible. In the event of an unscheduled absence due to domestic violence, sexual assault and/or stalking, the District will not take any action against the employee if the employee, within a reasonable time after the absence, provides [a] written certification to the employer.

3.8 Abusive Conduct and Bullying

It is the policy of the District to maintain a workplace free from any form of abusive conduct or bullying. The receiving of any complaints of alleged acts of abusive conduct or bullying will be taken seriously and will be promptly and objectively investigated, and offenders will be appropriately disciplined.

"Abusive conduct" is defined under Government Code Sections §12950.1(g)(2) as conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employee's legitimate business interests. For example, abusive conduct may take the form of, but not limited to, repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. A single act shall not constitute abusive conduct, unless especially severe or egregious.

Another form of abusive conduct may also be referred to as bullying. In addition to the above definition, examples of workplace bullying may include, but not limited to the spreading of malicious rumors, or insulting someone by word or behavior, ridiculing or demeaning someone, picking on someone or setting them up to fail, exclusion or victimization, unfair or discriminatory treatment, overbearing supervision or other misuse of power or position, making threats or comments about job security without basis, slapping, pushing, shoving, punching, or otherwise physically attacking someone, or deliberately undermining a competent worker by unnecessarily overloading their work and constant criticism.

The District shall provide training against abusive conduct/bullying, as required by law.

4. CONFLICT OF INTEREST

The District maintains a commitment to conducting business according to the highest achievable ethical standards. State law (California Government Code § 53235, et seq.) requires public officials to complete two hours of training in ethics principles and laws every two years. In addition to Boardmembers, the District requires the training of its General Manager.

PURPOSE: The Political Reform Act (California Government Code §81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes.

STATEMENTS OF ECONOMIC INTEREST: District Board members and designated employees, contractors, and officers shall file statements of economic interest with the Bell Canyon Community Services District using the forms provided by the FPPC in accordance with the regulations referred to herein. Designated employees, contractors, and officers are those who make or participate in the making of decisions which may foreseeably have a material effect on economic interests. Upon receipt of the statements filed by persons holding designated positions as defined hereinafter, the Secretary,

acting as the Filing Official, shall forward a copy of each such statement to the Ventura County Clerk-Recorder, who shall be designated as the Filing Officer.

DESIGNATED POSITIONS: Persons occupying the following designated positions must file Statements of Economic Interests on forms provided by the FPPC for the specified disclosure categories listed after the position name, and make those disclosures consistent with California Code of Regulations §18730 et seq.:

Board Members (Categories 1, 2, 3, 5)

General Manager (Categories 1, 2, 3, 5)

General Counsel (Categories 1, 2, 3, 5)

Consultants (Category 2)

Each of the above positions must file a Statement of Economic Interests for each of the Categories of Disclosure set forth hereinafter. The Board may require different levels of disclosure for consultants and other persons employed by the District.

CATEGORIES OF DISCLOSURE: For listing the categories of disclosure, the following terms shall have the meanings set forth herein:

- “Business entity” means a commercial, for-profit entity.
- “Business position” means a position with a business entity. The threshold for reporting is an interest with fair market value of \$2,000 or more or such different amount as the FPPC regulations shall specify.
- “Business income” means income from a business entity in excess of \$500 annually other than income which is exempt from being reported pursuant to FPPC regulations.

Each of the above persons must file a Statement of Economic Interests for each of the categories of disclosure that the position has been designated to disclose. Categories of disclosure are listed hereinafter:

- Category 1: Interests in real property that are located within the boundaries of the District including any leasehold, beneficial or ownership interest or option to acquire such interest in real property. This does not include the filer’s primary residence.
- Category 2: Business positions or investments in or income from persons or business entities engaged in appraisal, acquisition or disposal of real property within the boundaries of the District.
- Category 3: Business positions or investments in business entities and income from any sources, if the business entities or sources of income provide services, supplies, materials, machinery or equipment to or for the use of the District.
- Category 4: Business positions or investments in business entities and income from any sources, if the business entities or sources of income are subject to the regulation or supervision of the District, including but not limited to, the issuance or granting of franchises or permits or land use control or regulation.
- Category 5: Business positions or investments in business entities and income from any sources, if:
 - a. The Business entities or sources of income have filed a claim or have a claim pending against the District.

- b. The designated employee's duties involve the handling or processing of such a claim.

ADDITIONAL POSITIONS: Additional positions may be designated by the Board of Directors by amending this policy when it has been determined that persons in these additional positions make or participate in the making of decisions which may foreseeably have a material effect on economic interests. The Board of Directors shall determine the required disclosure categories at the time of designation.

CONFLICTS OF INTEREST; GOVERNMENTAL DECISIONS: No Boardmember or person holding a designated position shall make, participate in making, or in any way use or attempt to use their official position to influence a governmental decision in which they know or have reason to know they have a disqualifying conflict of interest. A public official has a conflict of interest if the decision will have a reasonably foreseeable material financial effect on one or more of their economic interests unless the public official can establish either 1) that the effect is indistinguishable from the effect on the public generally, or 2) a public official's participation is legally required.

DETERMINATION OF CONFLICT OF INTEREST; GOVERNMENTAL DECISIONS: For this Policy, a determination of whether a conflict of interest exists shall be made through an analysis of the facts and circumstances in accordance with the provisions of California Code of Regulations §18700-18709, together with any amendments hereinafter adopted.

CONFLICTS OF INTEREST; CONTRACTS: District directors, officers, and employees shall comply with California Government Code §1090 et seq.

EMPLOYEES AND CONSULTANTS: No employee or consultant of the District shall make, participate in making, or in any way use or attempt to use their official position to influence a governmental decision in which they know or have reason to know that they have a disqualifying conflict of interest.

5. BUSINESS CONDUCT AND ETHICS

Public confidence is important to any organization. For a special district entity, public confidence is vital. To warrant continued public trust, public entities and their employees and officials must be above reproach, steadfastly adhering to the highest ethical standards and business practices. The District expects each employee and Boardmember to follow such standards and practices at all times.

5.1 Conduct

Each Boardmember and employee should adhere to high standards of professional and personal behavior on and off the job. Deficiencies in personal or business conduct can result in termination of employment, removal as a volunteer, or public censure.

5.2 Dishonest Acts

Committing a dishonest act, attempting to defraud the public, shoplifting, theft, etc. or a breach of trust is not permitted. Boardmembers and employees cannot use District funds for personal use. Discharge from employment or official removal for certain dishonest, fraudulent, and criminal acts is required by certain regulatory agencies and governing laws.

5.3 Conducting Non-District Business

Boardmembers and employees may not conduct personal business, non-District-related business (including business for the Bell Canyon Homeowner’s association that is not related to the District) or business for another employer during their scheduled working hours or with District equipment or materials.

6. BOARD OF DIRECTORS AND OFFICERS

Fundamentally, the powers of the Board of Directors are to be utilized for the good of the community and its residents; to provide for the health, safety, and general welfare of the citizenry.

The Board of Directors is the policy-making and law-making body of the District. State law and local ordinances define the powers and responsibilities of the Board.

It is important to note that the five members of the Board of Directors acts as one body. No member has any extraordinary powers beyond those of other members. While the President has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by a majority vote of the Board. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Board to a course of action. Boardmember should respect adopted Board policy.

6.1 Board President & Vice President

The President of the Board of Directors shall serve as the presiding officer at all Board meetings. They shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions. During Board proceedings, the President facilitates discussion, gauges direction, and listens for majority support prior to calling for a vote on a motion. The President does not possess any power of veto. State law allows the President to move or second an action.

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

The President and Vice President shall be elected once each year at the regularly scheduled meeting in December.

Should either the office of the President or Vice President become vacant, the Board shall elect a successor at the next regular meeting or at a special meeting called for that purpose and such election shall be for the unexpired term of that office.

6.2 Board Stipend

Each member of the Board of Directors may receive compensation for each Board meeting attended, at an amount established by District resolution. Such compensation is subject to the maximum amount in Government Code Section 61047. The Board shall vote annually before June 1 of each year whether or not to accept any compensation authorized by resolution or the By-Laws.

6.3 Ethics Training

In satisfaction of Government Code sections 53232.2 and 53232.3 (AB 1234), the District has adopted a travel reimbursement policy and an ethics training policy.

6.4 Credit Card Use

The General Manager and each Boardmember may be issued a District credit card, upon request. Currently, the General Manager and the Boardmember authorized to sign checks is issued a District credit card for District official business use.

Use of the credit card is restricted only for official District business. Any expenses associated with travel and meetings must be in compliance with the Travel and Reimbursement and Ethics Training Policy. Any purchases of supplies or services must be in compliance with the procurement requirements and purchasing policies, as applicable. Use of credit cards for any personal or non-District-related business is strictly prohibited and in violation of State law (e.g., Gov. Code § 8314; Penal Code § 424, Political Reform Act, as applicable).

All purchases and use of the District credit card shall be accompanied by a receipt and description of the District-related purpose within one month of the credit card charge.

Use of a District credit card in violation of this policy may result in any or all of the following:

- Loss of card privileges;
- A demand for restitution to the District;
- For District employees, disciplinary action, up to and including termination, dependent upon severity and frequency; and
- For the misuse of public resources and/or fraud, civil or criminal actions or other legal proceeding.

7. BOARD MEETINGS AND BROWN ACT PROCEDURES

7.1 Rules of Order for Board Meetings

7.1.1 General

In accordance with this policy, action items shall be brought before and considered by the Board by motion. These rules of order are intended to be followed to ensure the effective discussion, debate, and decision making of all items before the Board.

If a Boardmember believes that the rules of order are not being maintained or procedures are not adequate, then the Boardmember should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Boardmember, then it may be appealed to the Board for consideration. A majority of the Board will govern and determine the point of order.

7.1.2 Obtaining the Floor

Any Boardmember desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

7.1.3 Motions

Any Boardmember, including the President, may make or second a motion. A Boardmember should not make a motion until the public in attendance has had an opportunity to comment on the agenda item being considered. A motion shall be introduced and considered as follows:

A Boardmember makes a motion; another Boardmember seconds the motion; and the President states the motion.

Once the motion has been stated by the President, it is open to discussion and debate. After the [motion] has been fully debated, and after the public in attendance has had an opportunity to comment [on the main motion], the President will call for the vote.

Any Boardmember may move to immediately bring the question being debated to a vote, suspending any further debate, as long as the public in attendance has had an opportunity to comment on the proposed action. The motion must be made, seconded, and approved by a majority vote of the Board.

Secondary Motions. Generally, only one motion can be considered at a time and a motion must be disposed of before any other motions or business are considered. In a few exceptions, a secondary motion concerning the main motion may be made and considered before voting on the main motion.

Motion to Amend – A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

Motion to Table – A main motion may be indefinitely tabled before it is voted on by a motion made to table, which is then seconded and approved by a majority vote of the Board.

Motion to Postpone – A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

Motion to Refer to Committee – A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

Motion to Close Debate and Vote Immediately – As provided above, any Boardmember may move to close debate and immediately vote on a main motion.

Motion to Adjourn – A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

7.1.4 Order of Business

The established order for conduct of the official business of the Board of Directors is as follows. The Board, at any time, by simple majority of those present, vote to consider items in a different order. This section summarizes each meeting component.

1. Call to Order / Roll Call
2. Public Comments and Suggestions – This time is provided for people to address the Board or submit written communications on matters *not* on the agenda. At the conclusion of *all* oral communications, the Board may respond to statements. Any request that requires Board action

will be set for a future agenda or referred to staff. Speakers addressing the Board may be limited to **three** minutes, with a maximum of **five** minutes, with total time allotted not to exceed 45 minutes unless the presiding officer extends. No resident shall be denied the right, personally or through counsel, to present grievances at any regular meeting of the Board, or offer suggestions for the betterment of District affairs.

3. New Business
4. Board of Directors and General Manager Communications/Committee Reports/Report on Meetings - All reports shall be specifically limited to items relating to District business. Boardmembers shall govern themselves as to the length of their comments, but shall, generally, not exceed 10 minutes.
5. Closed Session: Litigation and/or Personnel and /or Real Estate consideration
6. Adjournment

7.1.5 Decorum

The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons making statements that are not germane to items under the subject jurisdiction of the District, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.

The President may also declare a short recess during any meeting.

7.1.6 Parliamentary Procedures; Amendment of Rules of Order

Parliamentary procedures set the agreed-upon standard for conducting business. For general guidance, the Board of Directors will follow Roberts' Rules of Order and Rosenberg's Rules of Order, which are an abbreviated version of Roberts'. Certain processes are subject to state code and must be complied with. The Board will accept direction from the General Manager and General Legal Counsel on the code. When necessary to resolve issues that may arise over the process, the presiding officer will refer to the General Legal Counsel who will act as the parliamentarian. Upon such advice, the Board will vote and follow the decision of the majority. However, no ordinance, resolution, or any other action of the Board shall be invalidated or the legality thereof otherwise affected by the failure or omission of the Board to observe any such rules.

By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting:

- temporarily suspend these rules in whole or in part;
- amend these rules in whole or part; or
- both.

7.2 Minutes of District Proceedings

The General Manager of the Board shall keep minutes of all regular and special meetings of the Board of Directors.

The minutes of the Board shall include:

- a. Date, place, and type of each meeting

- b. Directors present and absent by name
- c. Call to order
- d. Arrival of tardy Directors by name, or if absence takes place when any agenda items are acted upon
- e. Adjournment of the meeting
- f. Complete information as to each subject including the roll call record of the vote on a motion
- g. A record of all contracts entered into
- h. Adoption of the annual budget
- i. Financial reports
- j. Approval of all policies and Board-adopted regulations

The Secretary shall distribute draft copies of the minutes to members of the board at the same time that they distribute the Agenda for the next Regular Meeting.

All resolutions and ordinances adopted by the Board shall be numbered like so: (Fiscal Year)- (Consecutive numbering, beginning with 01) – E.g: 23-01

7.3 Board of Directors Meeting Agenda

The General Manager, in collaboration with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Boardmember may contact the General Manager and request that an item be placed on the agenda no later than 96 hours prior to the meeting time.

At least 72 hours prior to the time of all regular meetings, and 24 hours prior to the time of a special meeting, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the site of the meeting and on the District's bulletin boards.

7.4 Special Meetings

The Presiding Officer or a majority of the Board may, when they deem it necessary, call a special meeting of the Legislative Body for the purpose of transacting the business designated in the call.

7.5 Board Actions and Decisions

The Board shall act only by ordinance, resolution, or motion.

Action can only be taken by the vote of the majority of the board of directors. A majority of the current number of directors holding office constitutes a quorum for the conduct of business. For example, if there are four seats filled and one vacant, three votes are required to take action and three directors constitute a quorum. Except as otherwise specifically provided by law, a majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.

Some actions of the Board require a 2/3-majority vote of the Board and are specified by Code, Statute, and/or District Policy.

7.6 Tie Votes

Tie Votes shall be lost motions unless an additional motion is made which obtains a majority vote to break the tie. When all Legislative Body members are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal. In such case the findings in support of the decision shall be those of the lower body. If a tie vote results at a time when less than all members of the Legislative Body are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Legislative Body, unless otherwise ordered by the Legislative Body.

7.7 Board Vacancy Policy

7.7.1 Vacancies

Vacancies shall be deemed to exist as provided in [Government Code § 1770](#).

Directors intending to vacate their seat should notify the General Manager with a formal written letter of resignation.

Once a vacancy exists, the District has a total of sixty (60) days in which to take action. If the Board fails to take action within sixty (60) days or if there is a lack of a quorum to take action, Government Code §1780 provides that the Ventura County Board of Supervisors may appoint a successor to fill the vacancy.

The General Manager shall publish the notice of vacancy within three (3) business days from the time they receive the written letter of resignation. The Board will then appoint a new director no sooner than fifteen (15) days after the vacancy has been published. The notice shall appear on the District's website, social media, and the local paper. It shall outline the appointment process, due date, and require a résumé detailing qualifications and experience from all candidates seeking appointment.

7.7.2 Appointments

All applications for the vacant Board position shall be included in the agenda packet for the regular meeting of the Board of Directors taking place at least fifteen (15) days after the posting, and all candidates shall be encouraged to attend. The Board may hear candidate statements and shall vote to select the new Boardmember.

A Boardmember appointed to fill a vacancy that occurs in the first half of a term of office and at least 130 days prior to the next general district election shall serve until the next scheduled election that takes place. The winner of the election then serves the remainder of the term.

A Boardmember appointed to fill a vacancy that occurs during the first half of a term of office but less than 130 days prior to the next general district election, or that occurs during the second half of a term of office, shall serve until the expiration of the vacated term of office.

The General Manager shall notify the Ventura County Elections Official within fifteen (15) days of the appointment.

7.8 Public Comments

At the beginning of any Board of Directors meeting the public shall be afforded the right to comment on any and all issues not on the agenda within the subject matter jurisdiction of the Board. Such general public comment on non-agendized issues shall be taken at the beginning of the meeting under a "General Public Comment" heading. With regard to matters not on the agenda, the Board may ask questions of persons who raise new matters during the General Public Comment period or otherwise, and the Presiding Officer should handle such matters. However, all Board questions must be limited to facts-only informational inquiries, and the Board may not discuss the merits, express any opinions or ask questions that convey opinions or thought processes with respect to any non-agendized issue. The public shall also be afforded the right to comment on every item appearing on the agenda prior to the Board's consideration of that item.

7.8.1 Time Limitations

The Presiding Officer has the full prerogative to maintain meeting order and decorum, and so long as public speakers are provided reasonable and fair opportunities to speak, public speakers are to be given three to five minutes for public comment, however, at the prerogative of the Presiding Officer, time limits may be shortened to accommodate a lengthy agenda or lengthened to allow additional time for discussion on a complicated matter.

7.8.2 Speaker Cards and Procedures

Any member of the public upon being recognized, must identify the subject or subjects (whether agendized or not) upon which they intend to speak, and state their name unless the speaker desires comments to be anonymous. Speakers shall not be required to give any other information as a condition of speaking. All remarks and questions shall be addressed to the Board and not to any individual Boardmember, the audience, staff member or other person.

At the close of the speaker's comments, or the close of the period for public comment members of the Board may ask staff to respond to the speaker's comments. Thereafter, members of the Board may refer the matter to staff for investigation and/or response; or request that the matter be placed on an agenda for a subsequent meeting for action by the Legislative Body.

7.8.3 Additional Procedures for Public Comment on Agenda Items

Members of the public shall have the opportunity to address the Board of Directors on each and every item listed on the agenda. Public comments on an agenda item may be heard either in combination with the General Public Comment period at the start of the meeting, or at the time the Board opens the item, or both, as determined by the Board and set forth in the agenda.

The purpose of the public comment period is to receive input from the public, not to create a debate between the members of the Board and the public. Members of the Board should generally refrain from debating members of the public during the period for public comment, but if members of the Board desire to clarify comments by members of the public, they may ask factual questions, and if necessary, should do so during the public comment period.

The Presiding Officer should clearly open and close the public comment period.

No signs of partiality, prejudice or disrespect should be evident on the part of individual Public Officials toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

The Presiding Officer shall be fair and equitable in allocating public hearing time to individual speakers. The Presiding Officer will determine and announce limits on speakers at the start of the public comment period. After the close of the public hearing, no more public testimony will be accepted unless the Presiding Officer reopens the public hearing.

The Presiding Officer/Legislative Body should engage in active listening. The members of the Board of Directors should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

8. DISTRICT ADVOCACY

The Board of Directors may only take action to advocate for or against legislative, regulatory, or other government agency proposals if such proposals impact the lives of District constituents and directly relate to the authorized powers or services of the BCCSD. Members of the public may request that the Board of Directors take action to advocate for such proposals by requesting that an item be placed on the agenda of a Board of Directors meeting. Directors and District Staff may also request that items related to advocacy be placed on the agenda of a Board of Directors meeting.

9. COMMITTEES

9.1 Committees of the Board of Directors

The Board shall appoint standing and ad hoc committees as may be deemed necessary or advisable by the Board. The duties and membership of each committee shall be determined at the time of formation, subject to change by a majority vote of the Board. A standing committee shall exist in perpetuity to carry out its function, unless otherwise directed by the Board of Directors. An ad hoc committee shall be considered dissolved when its final report has been made, or upon the date certain specified upon creation.

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

At the first meeting of the committee, the members of the committee shall elect a Committee Chairperson. The Committee Chairperson, may choose, in their own discretion, to conduct the meeting in accordance with the Rules of Order for Board Meetings (as specified in this manual) or in any other way that complies with all applicable public meeting laws.

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

9.2 Committee Selection

Committees may, at their prerogative, declare an interest in having public membership on their committee. This can be recommended to the Board of Directors, which may choose to appoint members of the public to the committee for a term length chosen by the Board. Upon this decision, (a) committee position(s) will be declared “open”.

Upon the declaration of “openings”, the Board shall solicit applications from the public and will determine a deadline for the receipt of these applications. Applications shall be received for at least three weeks.

Openings for District committees shall be posted on both Bulletin Boards, and if directed, on the District’s website, for at least two weeks. At any Board meetings during this period, openings will be announced on the agenda. Openings will be advertised through an official press release. Openings will also be advertised through any other means as directed by the Board of Directors. The application deadline and the length of term shall be included in all advertising.

Applications for District committees shall consist of a one page maximum letter from the applicant that details why they should be considered to be a member of the committee and, if directed by the Board of Directors, a completed FPPC Form 700 (financial conflict of interest statement). The application details shall be included in all advertising and posting.

Within four weeks of the application deadline, the Board of Directors shall appoint an applicant to fill the opening unless a majority of the Board votes to restart the process with a new deadline to obtain more applications, consistent with the policy described herein. Existing applicants will be considered automatically as part of the new process.

10. CONTRACTS

Upon a decision of the Board of Directors to solicit qualifications and proposals from interested parties, the Board of Directors shall appoint an ad hoc committee to be responsible for reviewing and recommending proposers to the Board of Directors for selection. The committee shall be made up of no more than two members of the Board of Directors, the General Manager, but may also include a member of the public.

Upon the close of the acceptance period of proposals, the General Manager will meet and review all proposals submitted. The committee will narrow down the proposals received, select finalists, conduct interviews with those finalists, and then refer the list of finalists along with its preferred choice to the Board of Directors.

The committee shall be responsible for preparing a written report to the Board of Directors detailing the qualifications, merit, and proposal of the recommended proposer. The Board of Directors will then be responsible for taking action to execute an agreement.

11. FINANCIAL

11.1 District Purchases

The General Manager will be in charge of purchases for the District. The General Manager may make purchases up to \$1,500 at their discretion *to pay for expenses as consistent with the direction of the Board*; purchases for larger amounts must be approved by the Board of Directors.

11.2 Fund Balances/Fund Balance Policy

The District requires that sufficient funds be available to provide a stable financial base throughout the District's fiscal and budget cycles. The goal of the policy is to maintain adequate levels of fund balance (reserves) to mitigate any current or future financial risks the District may encounter. To retain a stable financial base, the District needs to maintain unrestricted fund balance sufficient to fund cash flows of the District and to provide reserves for funding capital projects, unanticipated program expenditures, revenue shortfalls of an emergency nature or other unforeseen events.

The District currently operates with a General Fund. The General Fund may have both Restricted and Unrestricted Fund Balance. Restricted fund balances are generally imposed by legal restrictions on the expenditure of the funds. Unrestricted Fund balance can include committed, assigned and unassigned fund balance. Committed and assigned fund balance indicate amounts set aside by the Board of Directors for a specific purpose. Committed and assigned fund balances shall be spent for the approved purpose but may be redirected by majority approval of the Board of Directors.

The Board of Directors is establishing the following designated fund balance accounts (reserves) to assist in the five-year start-up phase for the District.

11.3 Reimbursements

Whenever District employees or Directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) purchased to carry out the official business of the District, or "Training Education and Conferences Policy" related expenses, a request for reimbursement may be submitted to the General Manager.

Cash advances for these purposes is not permitted.

Those seeking reimbursement shall submit their requests on a reimbursement form approved by the General Manager. Stipulations of the reimbursement form will be:

- Submission within thirty days of the expense.
- An explanation of the District-related purpose for the expenditure(s); and,
- Receipts evidencing each expense shall be attached.

The General Manager will review and approve reimbursement requests. Reimbursement requests by the General Manager will be reviewed and approved by a designee of the Board.

11.4 Financial Reports and Auditing

The General Manager shall have a recognized auditing firm audit the district's book annually at the end of each fiscal year.

Annual audits shall be clearly posted on the District website within fourteen days of its completion and received by the General Manager.

12. RECORDS RETENTION

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

The General Manager, or his or her designee, is authorized by the Board to interpret and implement this policy, and to cause to be destroyed any or all such records, papers, and documents that meet the qualifications listed in this policy.

Pursuant to Government Code Section 60200, *et seq.* the following qualifications will govern the retention and destruction of District records.

1. The General Manager shall be the official custodian of all District records. No records shall be removed from the District, deleted, or destroyed without express authorization of the General Manager given in accordance with this policy, provided that the General Manager may delegate the authority under this Policy to another employee of the District.
2. District records shall be retained for the period of time indicated on the Record Retention Schedule (attached as Attachment 1). In some instances, circumstances may exist which justify the retention of a particular record for a longer period of time.
3. District records (whether originals or reproductions) may be destroyed at the end of their applicable retention period unless the General Manger, or his or her designee, determines there is a compelling reason to continue retention of the document.
4. Any duplicate record may be destroyed at any time so long as the original or a permanent electronic or other permanent record of which is maintained in accordance with this policy.
5. All original records to be destroyed must be listed. Requests for the destruction of original records must be approved by the General Manager and the General Counsel prior to destruction. A Request for Records Destruction/Certificate of Destruction and listing of documents to be destroyed, and copy of the appropriate page(s) from the records retention schedule shall be filed in the District.
6. The following records shall be retained permanently in their original form, unless the Record Retention Schedule expressly authorizes the records to be preserved in a permanent electronic format or other permanent method of preserving a copy:
 - a. Records that relate to the formation, change of organization, or reorganization of the District;
 - b. Ordinances and resolutions adopted by the Board;
 - c. Minutes of any meeting of the Board;
 - d. Records that relate to the title to real property in which the District has an interest;

- e. Records determined by the Board or the General Manager to be of significant and lasting historical, administrative, engineering, legal, fiscal, or research value; and
 - f. Records required by law to be permanently retained.
7. Regardless of the retention periods indicated on the Record Retention Schedule, the following records shall continue to be retained:
- a. Records that are the subject of any pending request made pursuant to the California Public Records Act, whether or not the District maintains that the record is exempt from disclosure, until the request has been granted or two years have elapsed since the District provided written notice that the request has been denied;
 - b. Records that relate to any pending construction that the District has not accepted or to which a stop notice claim legally may be presented;
 - c. Records that relate to any nondischarged debt of the District;
 - d. Records that relate to any pending claim or litigation or any settlement or other disposition of litigation within the past two years;
 - e. Records that relate to any nondischarged contracts to which the District is a party;
 - f. Records that have not fulfilled the administrative, fiscal, or legal purpose for which it was created or received;
8. All records authorized for destruction shall be destroyed and disposed of in a commercially reasonable manner.
9. The District may utilize alternative storage methods for those records which are not required to be maintained in their original form. Upon Board authorization, District records may be photographed, microphotographed, reproduced by electronic video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document. This preservation must comply with minimum standards or guidelines recommended by the American Standards Institute or the Association for Information on Image Management for recording of permanent records or non-permanent records.
- a. The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium shall be maintained in conveniently accessible files with provision being made by the District for preserving, examining, and using files.
 - b. The reproductions can be certified, and such certified reproductions shall be deemed to be original public records for all purposes pursuant to Government Code §60203. Certification of the record must comply with standards approved by the California Attorney General, including a statement of identity, description and disposition or location of the records reproduced and the date, reason, and authorization for such reproduction.

13. DISTRICT OBLIGATIONS

13.1 General Manager Responsibilities and Functions

The General Manager shall be responsible for all executive and administrative functions of the District and as consistent with the following provisions of Government Code 61051:

- a. The implementation of the policies established by the board of directors for the operation of the district.
- b. The appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors.
- c. The supervision of the district's facilities and services.
- d. The supervision of the district's finances.

13.2 Media Relations

The Board President, General Manager, or their designees, are the only persons authorized to provide comment to members of the media on behalf of the Bell Canyon Community Services District.

Board members may make their own personal position known about any matter, which is pertinent to the business of the District, including Board decisions, provided that they are not speaking on behalf of the District.

Board members, the General Manager, and District employees will refrain from making personal statements to the media without clearly prefacing such remarks that they are their personal views and not those of the District.

Official press statements of the District shall not include any adverse reflection on the Board of Directors, General Manager, Employees, or Board decisions.

All Board members shall be able to inspect and/or obtain a copy of any press release so filed.

Media statements and press releases must not include information for the purpose of personal promotion.

Press releases will be made available to the general public by publishing on the District's website and social media accounts on the day of release.

A media release should not quote Board members, the General Manager, or District employees without their prior knowledge.

13.3 Training, Education, and Conferences Policy

District staff and members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation.

Given Board approval, there is no limit as to the number of Directors attending a particular conference or seminar when it is determined that their attendance is beneficial to the District.

Attendance at training, education, and conference events that has been pre-approved for reimbursement is eligible for receipt of reimbursement for travel, meals, lodging, and event fees, as detailed in the Reimbursement Policy. Pre-approval for Board Directors or the General Manager is performed by the Board of Directors. Pre-approval for District staff, other than the General Manager, is performed by the General Manager.

Reimbursements for attendance for which pre-approval was not obtained can be approved only at the discretion of the Board of Directors and should only happen under extenuating circumstances.

The Board of Directors will consider payment for the cost of certification renewal for the certifications deemed pertinent and beneficial to the activities of the board and/or its employees, less any late fees or penalties due to individual negligence.

Education or training required by the District as a condition of continued employment in the employee's present position shall be reimbursable at one-hundred percent (100%) or paid directly by the District and shall take place on District time.

14. PUBLIC RECORDS ACT

The purposes of this Policy are: (1) to establish regulations for members of the public to follow when submitting a request to inspect and/or copy public records to the District pursuant to the California Public Records Act ("PRA"); (2) to provide guidance to staff regarding preparing responses to all PRA requests received; (3) to clearly set forth the District's policies and procedures for handling requests to inspect and/or copy public records; and (4) is designed to be in compliance with the PRA and all existing laws pertaining to disclosure of public records in order to facilitate the public's right of access as prescribed by law.

The General Manager, or their designee, is authorized by the Board to interpret and implement this Policy, and to develop any forms or other administrative procedures necessary and proper to carry out the purposes of this Policy.

Pursuant to Government Code Section 7920.000, et seq., the following qualifications will govern the District's response to a request for inspection or copying of records pursuant to the PRA.

If any provision of this Policy conflicts with current State or federal law, the law shall take precedence.

14.1 Methods to Assist the Public in Making Requests

The General Manager will create and maintain, or cause to be created and maintained, a District email address for the receipt of PRA requests via email.

The General Manager will create and maintain, or cause to be created and maintained, a form consistent with the requirements of the PRA, to assist in the making of PRA requests by the public, whether by email or other written means.

14.2 Receiving a Request

The General Manager fulfills the function of the Board Secretary and acts as the District's official Custodian of Records. As such, the General Manager is responsible for overseeing the administrative processing of PRA requests to ensure compliance with the response requirements of the PRA. All PRA

requests must be directed to the General Manager. If a member of the public attempts to submit a PRA request to anyone other than the General Manager, the requesting person must understand and accept that the District's response may be delayed. All PRA requests received by anyone other than the General Manager must be directed to the General Manager as soon as possible after receipt, and in any event, no later than 24 hours after receipt.

PRA requests may be submitted verbally or in writing. The requestor may access public records by inspecting public records at a location designated by the General Manager during normal business hours. The General Manager may promulgate reasonable procedures to control access consistent with any declared emergency. The requestor may also request copies of public records. The District shall not delay or obstruct the inspection or copying of public records. Copies of public records to be created by the District will incur a charge per the District's fee schedule, and any copying charges must be paid prior to release of the copies of the requested records. Electronic records will not incur any copying charges but may incur other charges depending on the types of electronic records requested, as provided in the PRA.

A PRA request should describe the requested records with enough focus, specificity, and clarity that the General Manager can identify and locate the records being sought. For example, the PRA request should include dates, names, locations, addresses, departments, forms, or reports sought. A requestor might not know how to clearly state his/her request. If a request is unclear or overly broad, the General Manager has a duty to make a reasonable effort to assist the requestor with clarifying or narrowing the PRA request. To the extent reasonable, the General Manager should also describe the physical location of the potentially responsive records and whether the records are stored electronically as well. The General Manager should also provide suggestions for overcoming any practical basis for denying access to the records.

When the General Manager receives a PRA request from a requestor, the General Manager shall attempt to ensure that the PRA request includes:

- The requestor's name and contact information for purposes of replying to the request;
- Whether the PRA request is for inspection of records or copying of records;
- If the requestor wants copies, the requestor should indicate whether he/she wants the responsive records in electronic format or as hard copies, understanding that hard copies will incur charges per the District's fee schedule;
- As detailed of a description of the records requested as practicable; and
- A date range for the requested records.

14.3 Responding To A Request

The District has 10 days to respond to a PRA request with the District's determination of what documents exist, and what documents are exempt from disclosure, if any. If a PRA request is received after business hours or on a weekend or holiday, then the next business day will be considered the date of receipt. If the tenth day falls on a weekend or holiday, then the next business day is considered the deadline for responding to the PRA request.

The PRA specifies four "unusual circumstances" under which the District may extend the 10-day response period by an additional 14 days:

- i. The District needs to search for and collect the requested records from field facilities or other establishments;
- ii. The District needs to search for, collect, and appropriately examine a voluminous amount of separate and distinct records demanded in the requestor's PRA request;
- iii. The District needs to consult with another agency that has a substantial interest in the request (such as a State agency), or among multiple departments with a substantial interest in the request; or
- iv. In the case of electronic records, the District needs to compile data, write programming language or a computer program, or construct a computer report to extract data.

If the District is having difficulty responding to a PRA request within the 10-day response period, and the circumstances do not justify a 14-day extension on the response period, the District may obtain an extension if the requester agrees. Contact the requestor to ask for an extension. If the requestor agrees, try to obtain the consent in writing.

14.4 Providing Responsive Documents

If a PRA request asks for the inspection of public records, then within the first 10 days of receiving the PRA request (or more days if an extension applies), the General Manager shall respond to the PRA request and notify the requestor whether responsive records exist and when those responsive records will be available for inspection. The General Manager's response shall also invite the requestor to contact the General Manager to set an appointment for inspecting the responsive records during the District's regular business hours. In the alternative, the General Manager may post the responsive records on the District's website and direct the requestor to that website for inspection. The District does not have to allow the inspection of public records to occur within a certain time period, but the District may not unreasonably delay or obstruct the requestor's opportunity to inspect the records.

Although the General Manager must respond to a PRA request within 10 days of receipt (or more days if an extension applies), the General Manager is not required under the PRA to provide the responsive public records along with that 10-day response (or post-extension response). When the General Manager provides the responsive records, the General Manager shall explain any redacted or withheld records and cite the applicable Government Code Sections. The District may charge a reasonable fee for the direct costs of duplication, or a statutory fee, if applicable. A "direct cost of duplication" generally does not include search and retrieval time, but does include maintenance costs and the salary of the staff person for time spent copying or scanning records. Fees may be waived, as applicable, at the discretion of the General Manager.

Category	Subcategory	Retention Period	Additional Requirements	Additional Notes
Administrative/General	Board meeting agendas and packets	2	Original agendas and special meeting notices, including certificates of posting, original summaries, original communications and action agendas.	
Administrative/General	Board meeting minutes	P	GC 60201	
Administrative/General	Board meeting recordings, audio/video	3 months	GC 34090.7	
Administrative/General	Bylaws	P	For districts that have Bylaws	May destroy 5 years after superseded (repealed)
Administrative/General	Claims	C+5	GC 25105.5	
Administrative/General	Conflict of Interest Code	S + 7	May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years	
Administrative/General	Contract, services or goods provided to District (not including construction contracts)	T+4	GC 60201	
Administrative/General	Correspondence, general	2	Letters; emails; memos [note GC provides 2 years; AB 1184 would be 2 years for public agency e-mails]	
Administrative/General	Expense reimbursement	3		
Administrative/General	FPPC - Form 700	7	FPPC filings; May be kept in permanent electronic format or other permanent	
Administrative/General	FPPC - other forms	7	FPPC Regs. 18944; FPPC filings; May be kept in permanent electronic format or other permanent 18944.1; GC 82015 method for preserving a	
Administrative/General	Formation records	P	GC 60201	
Administrative/General	Grant application, successful	C+5		
Administrative/General	Grant funding records	C+5		
Administrative/General	Judgments; court orders; settlement agreements	P		
Administrative/General	Ordinances	P	GC 60201	May destroy 5 years after superseded (repealed, invalid, or unenforceable)
Administrative/General	Policies and procedures	S+3		
Administrative/General	Public Records Act requests	C+2		
Administrative/General	Resolutions	P		May destroy 5 years after superseded (repealed, invalid, or unenforceable)

Administrative/General	Rules and regulations	S+3	
Administrative/General	Software license agreement and documentation	C+3	
Administrative/General	Staff reports	2	
Board of Directors	Campaign disclosure, elected	7	GC 81009(c), (g) FPPC filings; May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years
Board of Directors	Campaign disclosure, not elected	E+5	GC 81009(b), (g) FPPC filings; May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years
Board of Directors	Election records	E+4	Candidate statements; nomination papers
Board of Directors	Ethics training certificates	7	GC 53235.2
Board of Directors	Expense reimbursement	3	
Board of Directors	FPPC - Form 700	7	GC 81009(e) FPPC filings; May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years
Board of Directors	FPPC - other forms	7	FPPC Regs. 18944; FPPC filings; May be kept in permanent electronic format or other permanent 18944.1; GC 82015 method for preserving a copy after 2 years
Board of Directors	Oath of office	T+6	
Board of Directors	Travel records	7	
Construction/Purchasing	Bid packages (successful)	C+2	
Construction/Purchasing	Bids and proposals (unsuccessful)	C+2	
Construction/Purchasing	Bond, surety	T+3	
Construction/Purchasing	Construction records	C+10	GC 60201 All records related to construction projects, such as successful bids, contracts,
Construction/Purchasing	Contract, construction	P	

Construction/Purchasing	Correspondence, environmental review	C+3	
Construction/Purchasing	Developer agreements	P	
Construction/Purchasing	Environmental review	p	EIRs; negative declarations; notices of exemption; notices of determination
Construction/Purchasing	Planning documents	S+3	
Construction/Purchasing	Plans and specifications	P	District approved as-built records
Construction/Purchasing	Requests for proposals	C+2	
Finance - Accounting	Accounts payable	7	Invoices; check copies; supporting documents
Finance - Accounting	Accounts receivable	7	Invoices; check copies; supporting documents
Finance - Accounting	Asset records	D+7	
Finance - Accounting	Audit reports	P	
Finance - Accounting	Bank reconciliations	5	26 CFR 1.6001-1 Statements; summaries for receipts disbursements & reconciliation
Finance - Accounting	Bank statements	7	
Finance - Accounting	Billing records	4	Customer name, service address, meter reading, usage, payments, applications/cancellations
Finance - Accounting	Budget, adopted	P	Annual operating budget approved by legislative body
Finance - Accounting	Budget, operating	3	Operating budget and related updates
Finance - Accounting	Checks	4	CCP 337 Paid; cancelled; voided; payroll
Finance - Accounting	Correspondence, acctg., credit and collection	7	
Finance - Accounting	Deposit slips; receipts	4	CCP 337 Checks; coins; currency
Finance - Accounting	Expense reimbursement	3	
Finance - Accounting	Financial statements/reports	3	
Finance - Accounting	Invoices	7	
Finance - Accounting	Petty cash records	3	
Finance - Accounting	Purchase orders	3	

Finance - Accounting	Tax records and reports	C+4	29 USC 436; 26 CFR 31.6001.1-4
Finance - Accounting	Tax returns	C+5	CFR 31.6001.1; 29USC 436
Legal	Litigation; case files	T+5	GC 60201 All documentation pertaining to the claim
Legal	Legal memoranda and advice	4	CCP 340.6, 343
Personnel	Application for employment (hired)	T+3	LC 1198.5
Personnel	Application for employment (not hired)	2	GC 12946 Recruitment record, applications and interview documents for applicants not selected for hire; retention period from end of recruitment period plus 2 years
Personnel	Contract, employment	T+3	LC 1198.5
Personnel	Correspondence, personnel	T+3	LC 1198.5
Personnel	Disability claim	T+3	LC 1198.5
Personnel	Employee benefits records	T+6	29 USC 1027; 28 Benefit plans; health insurance programs; extension of benefits for separated employees; insurance policies (health, vision, dental, etc.) CCR 560; 29 CFR 1627.3(b)(2)
Personnel	Employee licenses/certifications, including certifications of	T+1	
Personnel	Employee manual	S+2	
Personnel	Expense reimbursement	3	
Personnel	Immigration records (I-9 forms)	3 or T+1	8 CFR 274a.2(b)(2)(i)(A)
Personnel	Paychecks	7	GC 60201
Personnel	Pension records	P	

Personnel	Personnel file	T+3	LC 1174, 1198.5, 1198.5	Applications; resumes; job descriptions; documents signed by employee; accident reports; injury claims; records of hiring, promotion, discipline & termination; May be kept in permanent electronic format or other permanent method for preserving a copy after end of employment	
Personnel	Recruitment records (hired)	T+3	LC 1198.5		
Personnel	Recruitment records (not hired)	2	GC 12946	Recruitment record, applications and interview documents for applicants not selected for hire; retention period from end of recruitment period plus 2 years	
Personnel	Salary and wage changes	T+3	LC 1198.5		
Personnel	Terms and Conditions of Employment	P			
Personnel	Time records	2	29 CFR § 516.6	Time cards, tickets and clock records	
Personnel	Unemployment claims	T+3			Recommended to be permanent due to possible future negotiations
Personnel	Wages; rates; payroll; earnings; deductions; garnishments	3	GC 60201	May be kept in permanent electronic format or other permanent method for preserving a copy after end of employment	
Personnel	Withholding certificates	T+3			
Personnel	Worker's compensation records	5	8 CCR 15400.2	Claim files; reports; working files; Claim files with awards for future benefits must not be destroyed, but may be kept in permanent electronic format or other permanent method for preserving a copy 2 years after the claim is closed or becomes inactive.	
Property	Agreements for purchase or sale	P	GC 60201	Supporting documents related to sale, purchase, reconveyance, exchange, lease, or rental	5 years from the date of injury or from the date on which the last provision of compensation benefits occurred as defined in Labor Code Section 3207,
Property	Deeds	P	GC 60201	Documents related to title to real property in which the	
Property	Easements and licenses	P	GC 60201	Documents related to title to real property in which the district has an interest	
Property	Equipment repair records	3			
Property	Fixed assets	D+4			

Property	Lease, equipment	T+4	CCP 337	
Property	Lease, real property	T+4	CCP 337.2	
Property	Maintenance records, buildings and machinery	4		
Property	Mortgages	T+4	CCP 337	
Property	Plans and specifications	P		
Property	Property tax and assessment records (paid to District)	P		
Property	Property taxes paid by District	10		
Property	Title reports	P	GC 60201	Documents related to title to real property in which the district has an interest
Risk	Accident reports (settled)	4		
Risk Management	Insurance policy	P		

LEGEND	
C = Completion/Closed	S = Supersede
D = Disposal of underlying asset	T = Termination
P = Permanent	

CITATIONS			
OSHA - Occupational Safety & Health Act	OSHA - Occupational Safety & Health Act	OSHA - Occupational Safety & Health Act	OSHA - Occupational Safety & Health Act
CAC - Calif Administrative Code Development	CFR - Code of Federal Regulations	H&S - Health & Safety	UFC - Uniform Fire Code
CCP - Code of Civil Procedure	EC - Election Code	HUD - Housing and Urban Development	USC - United States Code
CCR - Code of Calif Regulations	FMLA - Family & Medical Leave Act 1993	LC - Labor Code	