



**LE GRAND COMMUNITY SERVICES DISTRICT
POLICY HANDBOOK**

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Purpose of Board Policies

1000 Purpose of Board Policies

1000.1 **Intent in Creation of Policies:** It is the intent of the Board of Directors of the Le Grand Community Services District to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board of time to time. The Manual of Policies will serve as a resource of Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1000.2 **Subordination to Rules, Regulations and Legislation:** If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or legislation have authority over Le Grand Community Services District, said rules, regulations or legislation shall prevail.

POLICY TITLE: Purpose of Board Policies
POLICY NUMBER: 1000
LAST REVISED: March 5, 2009

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Adoption/Amendment of Policies

1010. Adoption and/or Amendment of Policies

1010.1 **Initiation of a New or Modified Policy:** Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, or by the District Manager. The proposed adoption or amendment is initiated by submitting a written draft of the proposed adoption or amendment to each Director and the District Manager through the District office, and requesting that the item be included for consideration on the agenda of the appropriate regular meeting of the Board of Directors.

1010.2 **Manner of Adoption:** Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a majority vote of the entire Board of Directors.

1010.3 **Prerequisites:** Before considering adopting or amending any policy, Directors shall have the opportunity to review the proposed adoption or amendment at the regular Board meeting prior to the meeting at which consideration for adoption or amendment is to be given. Copies of the proposed policy adoption or amendment shall be included in the agenda information packet for any meeting of consideration. The agenda information packets with said copies shall be made available to each Director for review at least three (3) days prior to any meeting at which the policy(ies) are to be considered. The requirement to review of a proposed new or amended policy prior to the meeting at which adoption is to be considered may be waived by a 4/5 affirmative vote of the entire Board, with the agenda specifying consideration of such action.

POLICY TITLE: Adoption/Amendment of
Policies
POLICY NUMBER 1010
LAST REVISED: March 5, 2009

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Conflict of Interest

1020 Conflict of Interest

1020.1 **Conflict of Interest Code:** The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. §18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which member of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the Le Grand Community Services District.

Designated employees shall file their statements of economic interest with the District who will make the statements available for public inspection and reproduction, (Government Code Section 81008.) Upon receipt of the statements of the District's Board and Secretary/Manager, the District shall retain the original of these statements.

1020.2 **Appendix to Conflict of Interest Code:** Designated positions include each of the following:

1020.2.1 Secretary/Manager

1020.2.2 Public Works Superintendent

1020.2.3 Consultants (any natural person who provides under contract information, advice, recommendation or counsel to any agency) shall be included in the list of designated employees. While this will necessarily include the General Counsel and determine in writing that a particular consultant, although in a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extend of the disclosure requirements, if any. The Secretary/Manager's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code.

POLICY TITLE: Conflict of Interest

POLICY NUMBER: 1020

LAST REVISED: March 5, 2009

Adopted: March 5, 2009

Last Revised: January 14, 2019

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Public Complaints

1030 Public Complaints

1030.1 **Board Preferences:** The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

1030.2 **Definition of a Public Complaint:** A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute of which the individual has been adversely affected.

1030.3 **Method of Resolution:** The method of resolving complaints shall be as follows:

1030.3.1 **Initial Step:** The individual with a complaint shall first discuss the matter with the District Manager with the objective of resolving the matter informally.

1030.3.2 **Second Step:** If the individual registering the complaint is not satisfied, then the individual shall prepare a written complaint and present it to the District Manager. The District Manager shall then meet with the person filing the complaint to determine what additional steps, if any, should be taken to resolve the matter. At the option of the District Manager, she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The individual filing the complaint may request a written decision from the General Manager.

1030.3.3 **Third Step:** If the individual filing the complaint is not satisfied with the disposition of the matter by the District Manager, within ten (10) days of receiving the District Manager's decision, a written complaint may be filed with the office for consideration by the Board of Directors. The Board may consider the matter at the next regular meeting, or it may call a special meeting. The Board will move expeditiously in trying to resolve the matter. In preparing to make the final decision, the Board may conduct conferences, hear testimony, as well as utilize tape recordings or written transcripts or other documentation. The Board's decision is the final action of the District concerning the complaint.

1030.3 **Not to Replace First Amendment Rights:** This policy is not intended to prohibit or deter a member of the community or staff member from appearing before the Board to verbally present testimony, complaint, or other statement regarding matters within the jurisdiction of the District's Board of Directors.

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POLICY TITLE: Public Complaints
POLICY NUMBER: 1030
LAST REVISED: March 5, 2009

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Water Conservation Regulations

1060 Water Conservation Regulations

1060.1 **Prohibited Acts.** The following uses of water are not allowed at any time:

1060.1.1 No person shall use water by means of an open hose or open faucet for irrigation purposes. Every hose used for irrigation purposes shall have attached thereto a spray nozzle or sprinkling device.

1060.1.2 No person, owner, or manager responsible for the day-to-day operation of any premises shall permit flagrant water waste or excessive runoff of water at any time.

1060.1.2 Every person whether the owner or the manager of property which receives water from the District, is responsible for the maintenance of all plumbing and irrigation systems on the property, the installation of water-conserving plumbing attachments in any dwelling or other building on the property, and control of all leaks within seventy-two (72) hours of the leaking becoming known to them.

1060.2 **Water Shortage Level 1.** From Midnight, March 31st, until Midnight, October 31st of each year:

1060.2.1. It is unlawful for any person to use water obtained from the District's water system for any of the following:

1060.2.1.1 The washing of sidewalks, driveways, filling station aprons, porches or other outdoor surfaces, except when necessary to protect the public health and safety;

1060.2.1.2 The washing of the exterior of dwellings, building, and structures, with the following exceptions:

- a. Window washing;
- b. Washing in conjunction with the painting of the exterior of a dwelling, building or structure;
- c. Washing a dwelling, building or structure may be allowed once every twelve months.

All such exceptions are if and only if the hose used is fitted with an automatic shutoff device if left unattended.

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1060.2.1.3 The washing of boats or motor vehicles with a hose that is not fitted with an automatic shut off device.

1060.2.2. Landscape plants may be watered using District water only between the hours of 7:00 p.m. and 10 a.m. Any watering of landscape plants during any time other than those hours will be in violation of this regulation unless the water is by means of a drip irrigation system or other similar technology.

1060.3 Water Shortage Level 2: Should the Board of Directors of the District determine that there is a greater scarcity of water available to the District than normally, it may declare a Level 2 Water Shortage emergency. If and when it does so, the following regulations apply until the Board determines that the emergency no longer exists. All Level 1 restriction continue to apply during a Level 2 Water Shortage Emergency.

1060.3.1. Landscapes, including residential, commercial, industrial, municipal, and other agencies or entities may be irrigated only in accordance with the following schedule:

1060.3.1.1 If the address of the property to which water service is being provided ends with an even number, then landscaping may be irrigated only on Tuesday, Thursday and Saturday, between the hours of 12:01 AM and 9:00 AM and between the hours of 8:00 P.M. and midnight.

1060.3.1.2 If the address of the property to which water service is being provided ends with an odd number, then landscaping may be irrigated only on Wednesday, Friday and Sunday, between the hours of 12:01 AM and 9:00 AM and between the hours of 8:00 PM and midnight.

1060.3.1.3 Notwithstanding the foregoing, landscaping may be watered at any time using drip irrigation or comparable technology.

1060.3.2 The washing of non-commercial sidewalks, driveways, porches or other outdoor surfaces is prohibited except in instances where the spill of a hazardous material or other substance which creates a public nuisance occurs and where it is not feasible to clean the affected areas in any other manner. The washing of non-commercial, outdoor, hard surfaces utilizing a bucket containing a limited amount of water is allowed at any time.

1060.3.3 The washing of commercial sidewalks, driveways filling stations, parking lots or other outdoor surfaces is prohibited.

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1060.3.4 The addition of water above the minimum level necessary to comply with health or operational requirements for pool, hot tub or Jacuzzi circulation, public or private is prohibited.

1060.3.5 Car washing is allowed only with the use of self-closing “trigger” spray nozzles.

1060.4 **Water Shortage Level 3:** Should the Board of Directors of the District determine that there is a greater scarcity of water available to the District than would warrant a Level 2 Water Shortage Emergency, it may declare a Level 3 Water Shortage emergency. If and when it does so, the following regulations apply until the Board determines that the emergency no longer exists. All Level 1 and Level 2 restrictions continue to apply during a Level 3 Water Shortage Emergency.

1060.4.1. The washing of cars and other vehicles is allowed only by using a bucket;

1060.4.2. No water will be added to any pool, hot tub or Jacuzzi.

1060.4.3. No washing of commercial sidewalks, driveways filling stations, parking lots or other outdoor surfaces is prohibited.

1060.4.4. No restrictions are made as to commercial laundromats.

1060.4.5. No restrictions are made as to commercial car washes employing the use of water recycling equipment.

1060.4.6. No restrictions are imposed with regard to “gray”, (reclaimed waste) water.

1060.5 **Water Shortage Level 4:** Should the Board of Directors of the District determine that there is a severe drought or that it is inadvisable to use the District’s supply of treated water for whatever reason, in addition to the restrictions set forth in Level 1, Level 2 and Level 3, the District may impose specific restrictions and reductions which may include but are not limited to:

1060.5.1. All water uses not required for public health and safety and fire protection are prohibited;

1060.5.2. No lawn and/or landscaping watering or irrigation uses are allowed;

1060.5.3. No recreational uses of water are allowed.

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1060.6 **Implementation.** A violation of these regulations will result, the first time, in a warning. The second violation may result in a fine of up to one hundred dollars, (\$100.00). More than two violations in any given dry season may result in the termination of water service. Water services will then be reinstated only upon the payment of a fine of one hundred dollars, (\$100.00). If water service has to be terminated a second time in the same season, the fine shall be doubled. A season for these purposes is defined as May 31st to October 31st.

POLICY TITLE: Water Conservation
Regulations
POLICY NUMBER: 1060
LAST REVISED: March 5, 2009

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Water Meters

1070 Water Meters

1070.1 **Benefits of Water Metering:** The metering of all water services connections and basing the billing for water services on the readings of those meters is in the best interest of the District because it promotes water conservation, which then reduces the demand on the District to construct and develop new water facilities.

1070.2 **Intent of the Board of Directors:** The Board of Directors of the Le Grand Community Services District intends to work for the day in the future that every water service connection in the District is metered and that each meter is read and used as the basis for billing the customer for water service.

1070.3 **New Water Services:** All new water service connections to the District shall be metered with the meter purchased at the expense of the water customer, even though not all meters will be read in the immediate future for the purpose of billing.

1070.4 **Practice of Retro-Fitting:** The Board of Directors will continue its practice of acquiring additional water meters, at a rate that the District can afford, and, as the District can afford it, having those meters installed on existing water service connection.

1070.5 **Efforts to Obtain Grant Funds:** The Board of Directors will continue its efforts to seek grant funding to allow for the more rapid retrofitting of all the water service connections in the District with water meters.

1070.6 **Billing by Meters in the Future:** It is the intention of the Board of Directors, once all or substantially all of the water services in the District are fitted with meters to have those meters read on a monthly basis and to use the meter readings as the basis for billing customers for water service.

POLICY TITLE: Water Meters
POLICY NUMBER: 1070
LAST REVISED: March 5, 2009

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Billing and Collections Procedures

1080 Billing and Collection Procedures

1080.1 **Billing Practice:** All District customers for domestic water and/or domestic sewer services shall be billed on a monthly basis on a unified or single statement billing system. All payments for services provided shall be credited first to sewer and any other sums owed and lastly to domestic water. If payment in full is not made for services in a timely manner as set forth in these policies, then pursuant to the procedures set forth below, domestic water services will be terminated, and if payment in full has not been made in an amount adequate to pay for domestic sewer services, those services shall also be terminated.

1080.1.1 **Extraordinary Services:** Extraordinary services include but are not necessarily limited to each of the following in response to a customer's request:

- a. Service calls to the location of a customer's service connection other than during normal business hours.
- b. Being required to go to a construction site more frequently than is necessary to inspect or make new water connections and/or new sewer connections.

1080.1.2 **Fees for Extraordinary Services:** Any customer to whom extraordinary services are provided shall be billed a flat amount for the extraordinary services in an amount set by the Board of Directors when it sets the water and sewer rates. Fees for extraordinary services shall be treated like any other sums owed to the District by the customer for the purposes of interpreting the meaning of Section 1080.1.

1080.2 **Procedure:** The District will mail or cause to be hand delivered a bill for domestic services to the customer once every month. The bill is due upon dispatch from the District.:

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1080.2.1 **Initial Notice of Termination of Service:** If the customer has not paid the bill within nineteen (19) days after the bill was mailed or hand-delivered to the customer, then the District shall give the customer a written notice, which gives the customer notice that his services will be terminated if his bill is not brought current. This notice shall be dispatched to the customer in such a manner that the customer is given at least, ten (10) days actual notice prior to the termination of utility services for non-payment. If this notice is given by mail, then ten-day time period shall not begin until at least five days after this notice is deposited in the mail. The notice, however dispatched, shall contain at a minimum, the following information.

- a. The name and address of the customer;
- b. The amount of the delinquency;
- c. The date by which payment or arrangement for payment must be made in order to avoid termination;
- d. The procedure by which a customer may initiate a complaint or request an investigation concerning their account, assuming that information is not on the bill (see the consequences of a customer requesting an investigation or making a complaint set forth below);
- e. The procedure by which a customer may request amortization of the unpaid charges, including the telephone number of a representative of the district who can provide additional information or institute arrangements for payment.

1080.2.2 **Second Notice of Termination:** If the customer has still not paid his bill in full two days before the end of this initial notice time period, the district shall give the customer a second notice which is dispatched to the customer in such a manner that the customer is given at least forty-eight (49) hours' notice prior to any termination of service. The second notice shall, at a minimum, contain each of the following:

- a. Then name and address of the customer;
- b. The amount of the delinquency;

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- c. The date by which payment or arrangement for payment must be made in order to avoid termination;
- d. The telephone number of a representative of the District who can provide additional information or institute arrangements for payment.

1080.2.3 **Final Notice of Termination:** Notwithstanding the nineteen (19) days and the ten (10) days actual notice requirements of subsection (a) above and notwithstanding the forty-eight (48) hour notice provision of subsection (b) above, the District shall be deemed to have complied with these provisions if the District's District Manager promulgates a billing and collection schedule which is substantial compliance with the foregoing provisions and the District in fact complies with the billing and collection schedule so promulgated by the District's District Manager.

1080.2.4 **Late Charge:** Any customers who do not pay their utility bill in a timely manner so that all or any portion of it remains unpaid sixty days after it is initially billed, shall incur a late charge which shall be calculated as ten percent of the unpaid balance, which shall be recalculated each month that any portion of it remains unpaid. All payments when made shall be credited against the late charge before being credited against the outstanding bill. In subsequent months only the amount of the unpaid bill shall be used for determining the amount of the late charge, not the unpaid late charges from prior months.

1080.3 **Rental Property in Which a Tenant Has Defaulted:** If rental property is provided water service in the name of the tenant, and the tenant whose name appears on the District's records as the customer, moves out still owing the District money for water service, sewer service or anything else, over and above what is paid by forfeiture of the tenant's deposit with the District, then neither water services nor sewer services nor any other services provided by the District shall be provided to that rental property again, except in the name of the owner of the property and then only after the owner has reified in writing to the District that he or she is in fact the current owner of the property and has paid all fees and deposits which would normally be required of a new customer, (other than facility fees, which would not normally be required). The District Manager may provide a system whereby, as a service to the owner, a copy of the bill is sent to both the owner and the tenant but this shall not relieve the owner of the duty to pay the bill nor any way compromise the District's ability to treat the owner only as the customer.

1080.4 **Amortization of Delinquent Charges:** The District Manager shall develop a procedure for a customer to request the amortization of delinquent charges for domestic water and/or domestic water and sewer services.

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1080.4.1 **Length of Repayment Period:** This procedure shall not allow for the amortization for a period longer than six months without specific authorization by the Board.

1080.4.2 **Creditworthiness:** This procedure must require a customer to need a credit test before the District extends credit to the customer in the form of an amortization agreement. The only exception to the credit test requirement is that the District shall offer an amortization agreement to a customer which is behind in their bill and provides both of the following.

- a. The certification of a licensed physician that to terminate the customer's utility would be life threatening to the customer; and
- b. The customer is financially unable to pay for the services within the normal time period and is willing to enter into an amortization agreement

1080.4.3 **Termination On Short Notice:** This procedure shall allow for termination of services with no more than a forty-eight-hour notice should a customer, during the term of the amortization agreement fail to both keep the current bill paid in full in a timely manner and make the payments on the back bill required by the amortization agreement.

1080.5 **Utility Customer Grievances:** The District Manager shall develop a procedure for a customer to pursue grievances with regard to disputed domestic water and/or sewer charges. The grievance procedure shall be separate and apart from and shall not satisfy requirements with regard to tort claims. The District Manager shall designate or ask the Board to designate a District employee to act as Review Manager for the purposes of this grievance process. This procedure shall, at a minimum, meet the requirements and parameters set forth herein.

1080.5.1 **Initial Step:** Any customer who wishes to dispute a bill for domestic water or sewer services may file a grievance to seek review of that bill. The grievance procedure shall be designed to give the customer an opportunity for his grievance to be reviewed by the Review Manager, (who shall be an employee of the District other than the person who prepared the billing) and, if in the opinion of the Review Manager it is appropriate, then the Review Manager shall, after his review of the complaint, investigate the customer's complaint. In addition to reviewing the complaint, the Review Manager shall determine whether it is appropriate to offer the customer who filed the grievance an opportunity to enter into an amortization agreement with the District.

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Suspension of Utility Termination During Pendency of Grievance: In such a grievance is filed in a timely manner, the customer may also request as a part of the review process, that District's procedure for termination of domestic water and/or sewer services due to the nonpayment of a bill, be suspended while the District considers the customer's grievance if the customer asserts that the bill is beyond his financial means to pay in full during the pendency of the grievance. Such a request may, in the appropriate case, be granted by the District's District Manager or the Review Manager. Filing of such a request will be considered to be timely if it is made, in writing at the District's office, either:

- a. within five days of the customer receiving the bill he wishes to dispute, or
- b. within thirteen (13) days of the dispatch by the District of a 10-day notice on a bill which the customer wishes to dispute.

1080.5.2 **Appeal:** The grievance procedure shall provide a process by which any customer whose complaint or request for an investigation has not been favorably decided by the Review Manager, has a right to appeal that adverse determination. This procedure may either provide for a direct appeal to the Board of Directors of the District or for an interim appeal to the District Manager, but the procedure shall ultimately allow for a review by the full Board of Directors.

1080.5.3 **No Stay of Utility Termination During Appeal:** If a request for suspension of the utility termination process was granted while the Review Manager considered the grievance, in the event of an adverse determination by the Review Manager, the utility termination procedure shall proceed, whether or not the customer requests a further review of his grievance by the District or by the District's Board of Directors.

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POLICY TITLE: Billing and Collection
Procedures
POLICY NUMBER: 1080
LAST REVISED: March 6, 2014

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Connections to the Water Delivery and Sewer Collections Systems

1090 Connection to Water and Sewer-Systems

1090.1 **Application for Service:** In order to connect to one or both of the District's utility systems the potential customer must file an application for services.

1090.1.1 **Written Plans:** When the application is filed, an applicant must furnish the District with a copy of any written plans the applicant has prepared for the project.

1090.1.2 **Application Processing Fee:** When the application is filed, an applicant must pay the District a fee for processing the application. The amount of this fee shall be set by the Board of Directors as a part of the process to set water rates.

1090.1.3 **Deposit for Review by District Engineer:** The applicant must pay a deposit to the District for the cost of the District having the District's Engineer review the plans and prepare a report to the District's Board. The current amount set for this deposit is five hundred dollars, (\$500.00). If the Engineer 's charges are greater than the fee, the applicant will be required to sign an agreement to reimburse the additional cost to the District. The Board of Directors cannot approve an application for a new connection without first obtaining an engineering report and it is against this policy for the District to pay for the engineer's report.

1090.2 **Board Action on the Application:** Once the Board receives the report it may consider the application and may deny the application or conditionally approve the application. If the Board approves the application, the conditions will include, but are not necessarily limited to each of the following:

1090.2.1 **Unpaid Balance:** The applicant, before being allowed to pick up a "will-serve" letter from the District, shall pay to the District any remaining balance owed on the District' s Engineer's report which was not covered by the applicant's deposit;

1090.2.2 **Capacity Fee:** As a condition of the capacity commitment, the applicant shall pay the District the capacity fee at or prior to the time of the actual connection of the property to the District's utility systems. Such payment will be made before the connection is complete and, if it is not for any reason, once this is discovered the District will sever the connection until the payment is made.

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1090.2.3 **Limited Duration of Capacity Commitment:** A commitment of capacity rights by the District is valid for a maximum time period of twelve (12) months from the date of board approval. At or before the end of the time period, the applicant may file a request with the District for an extension of up to an additional twelve (12) months. The capacity fees in effect at the time may be applied by the Board in considering the request for extension. If no time extension is requested or approved at the end of the twelve-month period, any funds deposited with the District in connection with the application will-serve letter will be refunded to the applicant upon written request.

1090.2.4 **Tentative Subdivision Map:** This paragraph applies only to a subdivision for which the County has not approved a Tentative Subdivision Map at the time of the application to the District for a letter of intent to provide service and the proposed service is for a new subdivision. In such a situation, the District will cooperate with the County to make the payment of the District's facility fees a condition for finalization of the Subdivision Map.

1090.2.5 **Major Subdivision:** This paragraph shall apply only after the District has issued a letter of commitment to provide either water service or sewer service or both water and sewer services to a Major Subdivision. The term "Major Subdivision" shall mean any proposed subdivision which proposes to create five or more parcels. When the proponent of the Major Subdivision initially requests services from the District Engineer, in his capacity as District Engineer, the District Engineer shall inform the District of the request and provide the District an estimate of costs for the services requested. The District shall then establish an amount for a revolving fund for such services. The proponent shall be required to deposit with the District the amount so determined. Once the services are performed the District shall deduct the cost of those services from the revolving fund as are necessary to bring the revolving fund balance up to the amount initially set by the District. If the proponent ever fails to bring the balance of the revolving fund up to the amount set by the District, the Board may direct District staff to take no further action on the Major Subdivision and the Board may consider terminating the commitment to provide service to that Major Subdivision.

1090.3 **Time of Actual Connection:** Once the applicant is prepared for the actual connection to the water and/or waste water collection and disposal service:

1090.3.1 **Facility Fee:** The applicant, if the applicant has not done so already, shall pay the District the facility fee. The applicant shall pay to the District, if one required by the District's policies in effect at the time, the sums required for a security or meter deposit.

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1090.3.2 **Fulfillment of Applicant's Obligations:** The District's District Manager shall determine whether the applicant has fulfilled the terms of his or her agreement to construct the necessary improvement to the water delivery system and/or the waste water collection system, (if the customer is for water service, has paid the security deposit) and has met the other conditions in the will-serve letter in a timely manner and, if he or she has, the District shall so certify in writing.

1090.4 **The Connection Itself:** The District and the applicant will then schedule the actual connection of the applicant's property to the district's respective system or systems. Only the District or a licensed master plumber may connect any new water line or water service to the District's water delivery system. The applicant will be responsible for making payment directly to the District or, if other than the District, the master plumber who actually makes the connections for the actual costs of the connection. Any connection made by anyone other than the District requires the party making the connection to give the District at least one full working day's advance notice of the time and place where the connection is to be made and adequate opportunity District staff to inspect the connection at the time it is being made.

1090.4.1 **Water Connection Inspection Fee.** Regardless of who installs the water service connection, a non-refundable water connection inspection fee shall be paid by the applicant to the District for each water service connection in the amount set by the Board of Directors as a part of the rates for water and sewer service.

1090.4.2 **Installation Charges.** If the District installs a water service connection, the applicant will pay the District the actual costs of all labor, materials and incidental expenses associated with such installation plus ten percent (10%). The District's officers shall estimate the amount of the installation charge and the applicant shall deposit said estimated charge with the District. After the installation is completed and the actual installation charge is determined, upon receipt of a final bill from the District, the applicant shall pay for any amounts due in excess of the estimated charge originally deposited, or the District shall refund any over payment.

1090.5 **Applicability of District Development Improvement Standards:** The District's Development Improvement Standards set forth in Title VI of this Policy Handbook shall apply.

POLICY TITLE: Connections to the Water
Delivery and Sewer
Collection Systems
POLICY NUMBER: 1090
LAST REVISED: March 6, 2014

Le Grand Community Services District Policy Handbook

Employees - Introduction

2000. Introduction: That portion of this Policy Handbook which starts at 2000 and ends at the last number before Section 3000 constitutes the Employee Handbook of the District. It is, to a large extent, addressed to each of the individual employees of the district.

This employee handbook contains the employment policies and practices of the district in effect at the time of publication. The Board of Directors of the Le Grand Community Services District reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by the Chairman of the Board of the District. Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook.

This handbook contains the entire agreement between you and the District as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this employee handbook or any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

POLICY TITLE: Employees - Introduction
POLICY NUMBER: 2000
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Employees - Policies and Standards

2100. Policies and Standards

2100.1 **Employment At Will Policy:** Employment with the Le Grand Community Services District is not for a definite period of time, but rather, is **At-Will**, unless the employee has an express, written contract for a specific term. Consequently, either the employee or the district can terminate the employment relationship, at any time, without any previous notice, for any reason whatsoever or for no reason.

2100.2 **Employment Status:** For the purpose of determining the applicability of various policies, practices, and benefits, employees are classified by the nature of the position to which they are assigned and by their normally scheduled hours of work. A change in classification will occur only if an employee is notified of such a change in writing. While additional work group classifications may be established by the District or by state or federal wage/hour laws, the definitions used most commonly by the District are as follows:

2100.2.1 **Regular Full-Time Employees:** Persons holding positions in the office or in maintenance or operations are generally required to work 40 hours per week plus such overtime as may be required, from time to time, to complete tasks in a timely manner.

2100.2.2 **Regular Part-Time Employees:** Persons holding positions generally intended to be a part of continuing operations but who are normally scheduled to work fewer than 40 hours per week.

2100.2.3 **Non-Regular Employees:** Persons employed to work on special projects for short periods of time, or those who have no regular schedule but who are periodically called to work on a fill-in or on-call basis. These positions are not necessarily intended to be a part of continuing operations.

Although “regular” positions are intended to be a part of continuing operations, there is no guarantee that the job will continue for any specified period of time or that work will be available on an everyday basis. Any position, whether regular or non-regular, may be eliminated at any time with or without notice.

A description of the eligibility requirements, waiting periods, and limitations applicable to the district’s benefit program is provided in the employee benefits section of this handbook and/or in other benefit booklets or information which may, from time-to-time, be distributed by the District.

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2100.3 Policy Against Harassment and Discrimination: It is the District's policy to employ, train, promote, terminate, and otherwise treat all employees and job applicants on the basis of his or her own individual merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, ancestry, age, marital status, sexual orientation, or any other legally protected status.

It is also District policy to provide a workplace free of unlawful and improper harassment and discrimination. Harassment and discrimination are considered acts of misconduct and may result in disciplinary action up to and including termination. All supervisors and managers are responsible for implementing and monitoring compliance with this policy. All employees are to be treated with respect and dignity.

"Harassment" is defined as unwelcome or unsolicited verbal, physical, or sexual conduct which is made a term of condition of employment, is used as the basis for employment decisions, or creates and intimidating, hostile, or offensive working environment. Examples of what may be considered harassment, depending on the fact and circumstances include, but are not limited to, the following:

2100.3.1 Verbal Harassment: Derogatory or vulgar comments regarding a person's race, sex, religion, ethnic heritage, physical appearance, or distribution of written or graphic material having such effects.

2100.3.2 Physical Harassment: Hitting, pushing, or other aggressive physical conduct, or threats to take action or unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis.

2100.3.3 Sexual Harassment: Unwelcome or unsolicited sexual advances, demands for sexual favors, or other verbal or physical conduct of a sexual nature. Threats or demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, or offers of employment benefits in return for sexual favors; and

2100.3.4 Retaliation: Retaliation for having reported or threatened to report harassment and/or discrimination.

Employees who violate this policy, or who overlook or allow the non-permissible harassment of others, are subject to disciplinary action up to and including immediate discharge.

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EMPLOYEE'S OBLIGATION: If an employee believes that the employee has been subjected to any form of unlawful discrimination, the employee must provide a written complaint to Secretary/Manager or the Chairman of the Board of Directors of the District. The employee's complaint should be specific and should include the names of the individuals involved and the names of any witnesses. Appropriate action will also be taken to deter any future discrimination, whatever action is taken will be made known to the employee and the District will take appropriate action to remedy any loss of eh employee as a result of the discrimination. The District will not retaliate against any employee for filing a complaint and will not knowingly permit retaliation by management employees or co-workers.

2100.4 Communication Policy: During an employee's tenure with the District, there may be times when an issue arises that will need to be resolved. The District maintains an open door policy at all times, and encourages all employees to come forward, when necessary, and let the management of the District know how we might be able to help with a particular situation.

The District has initiated certain steps to help an employee communicate the employee's concerns or thoughts in a safe and confidential manner. If an employee has questions, suggestions, or even complaints that the employee would like to bring to the attention of the District's management, the employee should inform the employee's supervisor right away. In most cases, the district will be able to give the employee an answer within three working days. If for some reason the issue cannot be taken care of in this time period, the employee's supervisor will get back to the employee promptly and let the employee know when the matter will be resolved. In all cases the employee will be kept informed of the status of the employee's issues.

If the employee does not feel comfortable talking to the employee's direct supervisor, the District suggests that the employee go to the Secretary-Manager. Management is always available to speak with employees and help. Employee questions, comments and complaints will be treated as confidentially as possible.

2100.5 Attendance Policy: The absence of any employee, including reporting late or quitting early, means additional workloads for other personnel. Therefore, PERFECT ATTENDANCE AND PUNCTUALITY ARE THE GOAL! It is expected that you will be PRESENT and ON TIME each day an employee is scheduled to work. Full or partial day absence, arriving late, or leaving early, for whatever reason, may result in counseling or disciplinary action up to and including suspension or discharge.

Le Grand Community Services District Policy Handbook

2100.5.1 **Reporting Absence:** If an employee is unable to report for work, regardless of the reason, the employee is to PERSONALLY report the nature of the absence as far in advances as possible, but in no case later than the employees' scheduled starting time. An employee will be expected to call each day the employee is absent; failure to do so in any instance may be interpreted by the District that the employee has abandoned the employee's position and voluntarily resigned employment with the District. If an employee's absence continues through the end of the workday, the employee should also call before the end of the day to report the probability of the employee return on the following day.

2100.5.2 **Proof:** If an employee's absence is due to illness or injury, the employee may be required to provide a physician's report supporting the necessity of the employee's absence and/or the employee's ability to return to work. It may also be required that the employee be examined by a physician appointed by the District. If the employee's absence is the result of personal emergency other than illness or injury, documentation showing proof that the absence was necessary may also be required.

2100.5.3 **Emergency Time Off:** In the event that personal emergency necessitates your absence from work, an employee may be granted time off if approval by the employee's supervisor. If possible, medical and other personal appointment should be scheduled at times when they do not interfere with work. Unless an employee's absence can be covered by unused vacation, time taken off is without pay. Requests should be infrequent and limited to emergency situations. Employees are granted 5 days per year family sick leave to attend to a close relative, this leave is charged to your sick leave.

2100.6 **Information:** It is the employee's responsibility to inform the employee's supervisor of any changes in the employee's basic information, such as your address, telephone number, social security number and next of kin as soon as the change occurs.

2100.7 **Standards of Conduct:** The District requires all employees to behave in a professional manner at all times. In dealing with members of the public, all employees shall endeavor to be courteous and, with regard to the business of the District, as helpful as the circumstances allow. In dealing with each other, District employees are expected to exhibit respect for each other and not to provoke or attempt to provoke angry responses and not, themselves, to respond in anger. All employees are expected to come to work on time, dressed and ready to work with any and all tools necessary for their job. They are expected to apply themselves to their work in an industrious manner and not engage in confrontational actions. All employees are expected to be truthful and honest in their dealings with each other and with the public.

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2100.8 Employee Grievances: An employee may pursue a grievance in accordance with the terms of this Policy Handbook. All grievances shall be submitted in writing and shall remain confidential insofar as the District's management's handling of the matter is concerned. Any grievance must be initiated in a timely manner with regard to the subject matter of the grievance and should be pursued expeditiously by both the grieving employee and the District's management. An employee who wishes to pursue a grievance against his or her supervisor or against District shall follow the procedures for Public Complaints which is set forth in Section 1030 of this Policy Handbook as interpreted in this section:

2100.8.1 Initial Step in Grievance Procedure: Subsection 1030.3.1 shall be interpreted as requiring the employee to first discuss the matter with his or her immediate supervisor.

2100.8.2 Second Step in Grievance Procedure: Subsection 1030.3.1 shall be interpreted as meaning that, if the employee is not satisfied with the action taken pursuant to Subsection 2100.8.1, then the employee shall submit a written grievance to the District's Secretary-Manager which shall then be treated by the District's Secretary-Manager as is set forth in subsection 1030.3.1.

2100.8.3 Time Limit on Taking an Appeal to the Board of Directors: The ten-day time limit set forth in Subsection 1030.3.3 shall be interpreted for these purposes as starting on the date which the Secretary-Manager announces her decision on this grievance, in writing to the grieving employee.

2100.8.4 Hearing Before the Board of Directors of the District: Any employee grievance reviewed by the District's Board of Directors shall take place in compliance with the Ralph M Brown Act as to notice, the right to have the review held in open or closed session and opportunity for the employee to be present.

POLICY TITLE: Employees - Policies and Standards
POLICY NUMBER 2100
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Employees - Wages and Taxes

2200. Wages and Taxes

2200.1 **Pay Period:** The Le Grand Community Services District is on a bi-weekly pay schedule and checks are either mailed to an employee's address or deposited into an employee's account at a financial institution. If there is an error in your check, it should be reported immediately. No one other than the employee to whom a check is written or management will be allowed to pick up a paycheck unless written authorization has been given for another person to do so.

2200.2 **Payroll Deductions:** In addition to required payroll taxes, insurance premiums, court ordered deductions, and other regular or periodic deductions the employee has authorized, the following items may be deducted from an employee's pay, whether during the employee's active employment or at the time of separation:

2200.2.1 Any account or other debt owed to the District.

2200.2.2 The value of District-owned property not returned upon demand or that which is returned in less than acceptable condition.

2200.2.3 Any loss to the District caused by your gross negligence, willful misconduct, or dishonesty.

2200.3 **Overtime:** Work schedules are assigned in response to the business needs of the District. Changes in the schedule, including the requirement to work additional overtime, may be made at the discretion of the District and normally are announced as far in advance as practical. If an employee's schedule does not require overtime, the employee must get any overtime work authorized by that employee's supervisor in advance. Time off with pay, for any reason, (including vacation, holiday, sick leave or any other reason), will not count as hours worked for the purposes of determining what is and is not overtime. The District does its best to comply with all applicable state and federal laws and regulations on overtime.

2200.4 **Work Week:** District facilities operate twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year. The District's work week runs from Monday through Sunday with normal employee work hours from 7:00 AM to 3:00 PM, Monday through Friday. Each employee's scheduled work hours may vary. The District's office is open to the public during our normal work hours.

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2200.5 **Reporting time:** A time card or time sheet is required for each employee's position. It is maintained by the employee's supervisor. The employee is to personally report to the employee's supervisor the hours that employee works to perform each job the employee performs. The employee must also report the employee's time at the beginning and end of any period of time that the employee is away from the premises on personal business. Having another person report an employee's time for an employee is not acceptable. An Employee's time on the job is the employee's responsibility and must be reported to the employee's supervisor.

2200.6 **Meals and Rest Periods:** Meal periods and rest breaks may be taken at a time approved by your supervisor; they must not disrupt the work flow. A meal period of 30 minutes is normally granted. One rest break of up to 10 minutes may be allowed for a mid-morning break and a 10-minute break in mid afternoon.

POLICY TITLE: Employees - Wages and
Taxes
POLICY NUMBER: 2200
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Employees - Safety

2300. Safety

2300.1 **Safety Policy Statement:** A good safety record is the result of safe working conditions combined with an alertness to common sense safety practices. The following General Safety Rules will help lead to accident prevention and efficient operations:

2300.1.1 Sound judgement and safe practices must be exercised in the work habits of all employees.

2300.1.2 Personal safety protection equipment must be used as a where required by management.

2300.1.3 Equipment is only to be operated by those authorized as a result of their knowledge, training and experience.

2300.1.4 Guards and other safety devices installed over the point of operation, moving parts, power transmission, or other electrical connections must be in place at all times.

2300.1.5 Fire protection and prevention practices, including the clearance of passage aisles and doorways, proper storage of flammable materials, and control of smoking and open flame, must be compiled with at all times.

2300.1.6 All employees are expected to comply with laws, rules, and regulations concerning safe practices as published by the District and by governmental agencies having jurisdiction over such matters.

2300.1.7 All work-related injuries and illnesses, regardless of their extent or nature, and any unsafe working conditions and/or practices must be immediately reported to management.

2300.1.8 Your job may have additional safety guidelines that are established for your protection and the protection of others. If so, you will be required to know and follow them carefully.

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2300.2 **Hazardous and Toxic Materials:** If an employee's assignment involves the use of hazardous or toxic materials, the employee must comply with all laws, rules, and regulations concerning their safe handling and disposal as published by the District and by governmental agencies having jurisdiction over such matters. The employee must consult the employee's supervisor for full details and refer to product labeling or material data sheets for information regarding exposure to such materials.

2300.3 **Equipment Operation:** Before operating equipment for the first time, an employee must have the approval of the employee's supervisor. **The employee must follow all instructions carefully!** If there is a mechanical problem, the employee should notify the employee's supervisor immediately; and must not make repairs without authorization.

2300.4 **Driver's Licenses and Driving Records:** Any employee who, as a part of his/her duties, has need to operate District-owned or personally-owned vehicles must hold a valid driver's license and possess an acceptable driving record. Any change in the status of the employee's driver's license and driving record must be immediately reported to management.

The District may, at its discretion, receive driving records on licensed employees from the State Department of Motor Vehicles. Having a driving record that is unacceptable to management or the District's insurance carrier or of a driver's license suspension or restriction may result in loss of driving privileges and/or disciplinary action up to and including discharge.

2300.4.1 **Safe Operation:** Vehicle operation in the course of the employee's employment with the District must display safe driving habits and not reflect exhibitions of speed or recklessness. Compliance with all local, state, and federal traffic laws is required.

2300.4.2 **Collision:** If during the course of employment, an employee is involved in a collision resulting in property or vehicle damage or personal injury, management must be immediately notified and a police report obtained.

2300.5 **Injury and Illness Prevention:** In accordance with our policy to provide a safe and healthy working environment, it is our intention to implement and maintain an injury and illness prevention program. This will include establishing the following items:

2300.5.1 Rules for safe practices of each function of District operations.

2300.5.2 Safe operating rules of operation of mechanical equipment based on manufacturer's operation instructions.

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- 2300.5.3 A system to encourage employees to report unsafe conditions.
- 2300.5.4 Conduct a thorough investigation of each accident, whether or not it results in an injury, to determine why it occurred and how to prevent recurrence.
- 2300.5.5 Ongoing training of supervisors and employees in their safety responsibility.
- 2300.5.6 Conducting scheduled periodic inspections of facilities, equipment and work areas to identify and correct unsafe conditions and work practices.
- 2300.5.7 Maintaining records of training, periodic inspections, correction actions, and accident investigations.

The compliance of all employees with the injury and illness prevention program is prescription and shall be considered to be a condition of employment. The failure of an employee to adhere to safety policies and procedures will be considered a violation of the conditions of employment. Accordingly, they will be subject to the disciplinary actions up to and including termination.

2300.6 **Drug & Alcohol:** The District has always been committed to providing its employees with a safe, efficient and productive work environment. The District desires to ensure that employees will perform their duties safely and efficiently in a manner that protects their interests and those of their co-workers. The District recognizes that being under the influence of any controlled substance and/or alcoholic beverage-while on the job poses serious risks to the health and safety of employees. **Therefore, all final candidates for employment must take and pass a drug and alcohol test after receiving an offer of employment, but prior to starting to work.**

It is the position of the District that persons who use, sell, transfer, distribute, or manufacture illegal drugs or who abuse the use of prescription drugs or alcohol create an employment risk and a negative influence on the workplace environment. It is, therefore, a violation of the Districts position on drugs and alcohol for an employee to:

- 2300.6.1 Sell, transfer, distribute, or manufacture illegal drugs on or off the job.
- 2300.6.2 Be on the premises, on duty, or in operation of a District-owned vehicle while in possession of alcohol or illegal drugs, with illegal drugs in one's system, or while under the influence of alcohol or unacceptable influence of prescription drugs

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To facilitate this policy, the District may require drug and/or alcohol testing under certain circumstances as outlined below. The District will pay the full cost of any testing requested of an employee, including the reasonable cost of any transportation to and from the designated testing facility. The District's Drug and Alcohol Testing Policy complies with the required standards of pertinent laws governing its function. A copy is to be distributed to all applicable employees.

Reasonable Suspicion of Being Under the Influence: In cases where an employee's supervisor or another member of management has reasonable suspicion to believe that an employee possesses or is under the influence of drugs and/or alcohol and such use or influence may adversely affect the employee's job performance or the safety of the employee, co-workers, or guests of the District, drug and/or alcohol screening may be ordered. "Reasonable suspicion" means objective symptoms, such as factors relating to the employee's appearance, behavior and/or speech. **Refusal to submit to screening as ordered may result in immediate termination.**

Drug and/or alcohol testing will be required if by supervisory discretion that any incidents conclude "reasonable suspicion" exists. Drug and/or alcohol screening will be required following a work-related accident or any violation of safety precautions or standards, if there is "reasonable suspicion" of a drug and/or alcohol causal connection, whether or not an injury resulted from the accident or violation. **Refusal to submit to screening as ordered may result in immediate termination.**

The District encourages employees who have questions about alcohol and drug use to talk to management in private. The District will refer employees who need information and assistance to treatment programs. It is the responsibility of each employee to seek assistance before drug and/or alcohol problems lead to disciplinary action. The employee's decision to seek prior assistance from the employee referral program will not be used as the basis for disciplinary action.

Legally prescribed medications are permitted only when the use of such medications does not adversely affect the employee's work ability, job performance, or the safety of that individual or others. If an employee is on medically prescribed medication, it is the employee's responsibility to advise his/her supervisor of this fact before reporting to work. Any prescription drugs and/or medications which impair the abilities of an employee to perform their job assignment and create an unsafe working environment shall not be used on-the-job. The District reserves the right to require medical verification of the effect a prescription drug and/or medicine will have on an employee's ability to perform his or her job. All medical information will be kept confidential, except as necessary to ensure safety concerns.

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Consent to Search: Entry onto District property is deemed consent to an inspection of your person, vehicle and/or personal property. Such inspections will be conducted only for reasonable suspicion and all such inspections will be conducted by the District, an independent security service, or the applicable law enforcement agency. In order to control the possession, use, transfer, and/or distribution of illegal drugs or alcohol, management may, at any time with or without announcement or probable cause, conduct or direct a comprehensive search and/or inspection of the premises, District-owned vehicles, and/or the contents of any article, container, storage area, desk, locker, or personal property located thereon or therein. Items discovered in a search may be taken into custody and turned over to law enforcement authorities.

2300.7 **Disciplinary Action:** Employees who engage in a prohibited activity as defined by this policy may be subject to disciplinary action up to and including immediate discharge. Violation of criminal statutes may result in referral of the matter to law enforcement authorities.

POLICY TITLE: Employees - Safety
POLICY NUMBER: 2300
LAST REVISED: March 5, 2009

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Employees - Benefits

2400 Employee Benefits: Every attempt has been made to provide an employee benefit program that is competitive in our area and industry. The time-off plans, insurance coverage, and other benefits outlined in this handbook represent a significant monetary value in addition to an employee's regular income.

2400.1 Vacation

2400.1.1 **Accrual:** Vacation accrual is as follows:

<u>Years of Service</u>	<u>Vacation Hours Accrued Per Year</u>
One to three years _____	40 Hours
Four and five years _____	80 Hours
Six years & over _____	120 Hours

2400.1.2 **Vacation pay:** Vacation pay for regular full-time employees is determined by normally scheduled hours.

2400.1.3 **Carryover:** While an employee's full vacation entitlement should be taken within the twelve months following the employee's anniversary date, unused vacation may be carried over for a maximum of one-hundred and twenty (120) hours.

2400.1.4 **Payment in Lieu:** In order to receive vacation pay, an employee must take their vacation as time off. Payment in lieu of time off WILL NOT be made.

2400.1.5 **Minimum Time Off:** The minimum vacation time that may be taken at any one time is four (4) hours. Personal appointments should be scheduled at times when they do not interfere with the employee's work. Unless the employee's absence can be covered by unused vacation, time taken off is without pay. Requests for use of vacation time that is less than four (4) hours may be approved on case-to-case basis. These requests should be infrequent and limited to emergency situations.

2400.1.6 **Scheduling:** Vacations are only to be scheduled with approval of management. Consistent with work requirements, every effort is made to give the employee the time off they prefer. In the event that two employees select the same time for their vacation and both of them cannot be off at the same time, length of service may be the determining factor. Vacation scheduling is normally completed a minimum of 30 days in advance.

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2400.1.7 **Vacation Pay at Separation:** In the event of termination of an employee's employment with the District, vacation pay will be prorated to the date of separation. If an employee leaves the District payroll, except for an authorized leave of absence, and is then re-employed by the District, previous employment will not be included in computing total employment time.

2400.2 **Holidays** Provided work conditions permit, working day time off with pay will be given all full time District employees for the following holidays. If work conditions do not permit the observance of the particular holiday, equal time off with pay will be given at a time convenient to the District.

<u>HOLIDAY</u>	<u>DATE</u>
New Year's Day	January 1
Martin Luther King Jr. Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day	November 11th
Thanksgiving Day	Fourth Thursday and Friday in November
Christmas	December 24th and 25th

If a holiday occurs on Saturday, the preceding Friday will be a day off or if a holiday occurs on a Sunday, the following Monday will be a day off. Any employee required to work on a holiday due to an emergency will be given compensating time off.

2400.2.1 **Holiday Pay:** Regular full-time employees receive holiday pay based on their normally scheduled straight time hours including overtime.

2400.2.2 **Restrictions:** In order to receive holiday pay, you must have worked, or been available for work, the day before and the day after the holiday, unless excused by management. If a holiday falls during your vacation, the holiday will not count as a day of your vacation.

2400.3 **Sick Leave:** The use of such leave is a privilege and not a right. Management is responsible for determining if sick leave credits are being used properly. Management may do this through communication with the employee or by requiring a doctor's verification. An absence of more than two (2) days requires verification by management of a doctor.

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Sick leave may be used for the following:

1. Any absence required by a bona fide illness or injury causing inability to work.
2. To obtain consultation or treatment by a medical, dental, or optometric practitioner.
3. No more than two (2) hours will be allowed for regular medical, and dental appointments, except travel time will be permitted for specialized treatment not available locally.

2400.3.1 **Accrual:** Regular full-time employees accrue eight (8) hours of paid sick leave per full month of service to a total of ninety-six (96) hours per year. Regular part-time employees and persons in non-regular positions do not accrue sick leave benefits.

2400.3.2 **Accumulation:** Unused sick leave may be accumulated to a maximum of four-hundred-eighty (480) hours.

2400.3.3 **Benefit Payment:** Sick pay benefits begin on the first day of absence due to any proven illness or injury. The minimum amount of sick leave payable to any one time is one hour. In order to receive sick pay, you must make prompt notification of your absence in accordance with established attendance policies. Benefits may be reduced by any other forms of disability insurance or worker's compensation payments to which you may be entitled.

2400.3.4 **Termination of Employment:** If you resign or your employment is terminated for any reason, no payment will be made for unused sick leave.

2400.4 **Bereavement Leave:** Sick leave, not exceeding forty (40) hours per year, may be authorized by management for the following:

1. Death of a member of the employee's immediate family (spouse, children, parents, brothers or sisters).
2. Illness of member of the employees' immediate household such as to require his care. Immediate household shall include any person to whom the employee is responsible for.

Accumulation: Bereavement leave will be applied as appropriate on a year-to-year basis and will not be accumulated.

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If an employee needs additional time: If additional time off is needed and approved, or is requested to attend the funeral of a relative or person, you may use sick leave if available, or may be given approval to take the time off without pay.

2400.5 Jury Duty: Any employee selected for jury duty will receive regular pay if all compensation received as a juror, except the portion paid for mileage or meals, is paid to the District. The employee will be expected to give advance notice of the employee's obligation to serve on a jury, supply a time verification slip from the clerk of the court as evidence of having served, and work as much of the day as possible for each day the employee is required to be at the court or jury assembly room.

2400.6 Other Benefits

2400.6.1 Health Insurance: The District provides regular full-time employees with medical, vision and dental insurance through the Association of California Water Agencies, (ACWA).

2400.6.2 Unemployment Insurance: Unemployment compensation is for the benefit of qualified persons who become unemployed through NO FAULT OF THEIR OWN and provides economic security for displaced employees in the event layoff becomes necessary due to lack of work. The entire cost of this protection is paid by the District.

2400.6.3 Workers' Compensation Insurance: Workers' Compensation Insurance pays medical expenses in the event of proven on-the-job injuries or work-related illnesses and may provide other benefits while you are unable to work.

2400.6.4 State Disability Insurance: State mandate disability insurance benefits assist in paying your medical expenses and/or paying a percentage of your lost earnings while absent due to non-work related illness or injury. It is your obligation to apply for benefits under this program.

2400.6.5 Social Security: Payment for the cost of Social Security is shared by you and the District, your portion being paid by payroll deductions. It provides monthly income when you retire at the age provided by the Social Security Act, or in certain cases of long-term disability.

POLICY TITLE: Employees - Benefits

POLICY NUMBER: 2400

LAST REVISED: January 14, 2019

Le Grand Community Services District Policy Handbook

Employees - Miscellaneous

2500 Miscellaneous Policies Affecting Employees

2500.1 **Personal Business and Telephone Calls:** Personal business is not allowed during work hours. Personal telephone calls should only be made or accepted in the case of emergency and should be kept short. Also, personal calls must not interfere with your work; personal long distance calls will be charged to the employee making the call.

2500.2 **Other Employment:** Taking a second job, including self-employment, is unacceptable if such work may interfere with your performance in your work with the District or create potential conflicts of interest.

2500.3 **Issuance and Responsibility:** All items that have been issued to an employee during the course of their employment remain the property of the District. The employee is responsible for their care, security and return.

2500.4 **Health:** For your safety and the safety of others, you should inform management if you have any health condition or are taking medication that may affect your ability to perform your job. In such cases, the name and telephone number of your physician should be on file with the District. At the discretion of management, you may be required to provide a statement from your physician or a physician appointed by the District certifying your ability to work.

2500.5 **Confidential Information:** All personnel records and files maintained by the District are the property of the District and are confidential. They are not to be copied or disclosed to any party except when authorized by management. Confidential information includes, but is not limited to personnel and pay roll records of present and past employees.

2500.6 **Employment Information:**

EMPLOYMENT INFORMATION REGARDING ANY PAST OR PRESENT EMPLOYEE IS NOT TO BE DISCLOSED TO ANY OUTSIDE PARTY EXCEPT AS SPECIFICALLY AUTHORIZED BY MANAGEMENT

2500.7 **Removal:** Before items of District-owned property (equipment, tools, scraps, waste, excess materials, etc.) may be removed from the premises, written authorization must be issued by management.

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2500.8 **Posters and Bulletin Boards:** Official items posted on the premises of the District are not to be tampered with in any way. Unless prior management approval has been granted, personal, political, commercial, and/or other promotional material and notices are not to be posted on the premises or on District-owned vehicles.

2500.9 **Termination of Employment:** All District-owned property (uniforms, keys, credit cards, equipment, etc.) must be returned at the time employment is terminated. The value of any such item not returned, or the cost of damage thereto may be deducted from your final pay. The balance of any debt owing the District may be similarly deducted. Personal expense reports must be submitted when you leave, late reports may not be honored. Employees who resign their employment are requested but not required to give advance notice.

2500.10 **District Vehicles:**

2500.10.1 **Driving Records and Insurance:** All employees whose job description requires the use of a District vehicle will periodically be required to show proof of a valid California Drivers License and current insurance. Any such employee will also be required to have and maintain a good driving record. Employee driving records will be checked periodically, but at least annually by the District. If an employee's driving record shows that the employee is a dangerous driver, he or she will be subject to reclassification into a different job position for which the employee is eligible is open, the employee may be terminated.

2500.10.2 **Vehicles Driven Home Overnight:** In certain situations, employees will be allowed to take district vehicles home over night because of a business necessity. In such a situation, the district's vehicles will be subject to the following restrictions:

1. Vehicles will be used only for district business, except when the vehicle is used to assist in an emergency;
2. Vehicles will only be operated by the District employee who was entrusted with the vehicle;
3. Employees shall not operate a district vehicle after consuming all or any part of an alcoholic beverage;
4. Employees shall not operate district vehicles if they are under the influence of drugs, whether prescription or not, which might cause an impairment of their driving ability;

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5. Employees shall obey all traffic laws while driving district vehicles; and
6. Employees shall do their best to secure district vehicles when they are not in use, including but not necessarily limited to making sure the vehicle is locked with the windows rolled up and parked in a safe location as is reasonably available.

2500.10.3 **Employee's Vehicles:** When an employee is authorized to use the employee's personal vehicle in the performance of District work, the employee shall be reimbursed by the District for the cost of said use on the basis of total miles driven at a rate which will be established by the Board of Directors of the District which shall be no higher than the rate set by the Internal Revenue Service. Use of personal vehicles shall not be authorized for the performance of District work if a suitable District vehicle is available and safely operational. Proof of adequate insurance covering collision, personal injury and property damage shall be required by the District of any employee using a personal vehicle in the performance of District work.

POLICY TITLE: Employees - Miscellaneous
POLICY NUMBER: 2500
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Employees - Disciplinary Action

2600 Disciplinary Action

2600.0 **Basis for Disciplinary Action:** Employees who engage in a prohibited activity as defined by this policy may be subject to disciplinary action up to and including immediate discharge. Violation of criminal statutes may result in referral of the matter to law enforcement authorities. Repeated prohibited activity after a disciplinary action can result in additional discipline at the same or a more severe degree being imposed.

2600.2 **Graduated Disciplinary Actions:** Employee disciplinary actions may include one or more of the following:

2600.2.1 Verbal warning

2600.2.2 Oral Reprimand

2600.2.3 Written Reprimand

2600.2.4 Suspension Without Pay

2600.2.5 Demotion or loss of pay grade

2600.2.6 Termination

2600.3 **Administration of Disciplinary Policy:** The District is not required to start with the lowest level of graduated discipline nor is it required to take each and every step of the graduated disciplinary actions in disciplining an employee. In the appropriate situation, an employee may be the subject of any of disciplinary action, up to and including termination, even for the employee's first offense. Any disciplinary action other than a verbal warning or an oral reprimand will result in written documentation prepared by the employee's supervisor who is imposing the discipline. A copy of that documentation will be given to the employee and a copy shall be placed in the employee's personnel file and may be considered in making future decisions with regard to salary increases or other advancement. Any disciplinary action other than a verbal warning may be the subject of an employee grievance following the procedure set out in Section 2100.8 of these policies. Neither a verbal warning, an oral reprimand or a written reprimand shall result in a loss of pay or a demotion or loss of pay grade.

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2600.4 **At Will Employees:** Nothing in this policy shall be interpreted as changing the status of any employee from that of be an employee at will or requiring cause for termination, demotion or loss in pay or suspension without pay.

POLICY TITLE: Employees - Miscellaneous
POLICY NUMBER: 2600
LAST REVISED: April 2, 2015

Le Grand Community Services District Policy Handbook

Fixed - Asset Accounting

3030 Fixed Asset Accounting

3030.1 **Purpose:** The purpose of this policy is to ensure proper accounting control resulting in the maintaining of accurate financial reports of fixed assets.

3030.2 **Annual Inventory and Accounting:** An accounting, or inventory, of all fixed assets shall be conducted on an annual basis. After the conclusion of said inventory, the District Manager and the Public Works Superintendent shall certify its completeness and report the results thereof to the Board of Directors at its next regular monthly meeting.

3030.3 **Assets Included:** Applicable purchases for inclusion in said accounting shall be the following:

3030.3.1 Equipment, tools, and vehicles that individually have an original total cost of more than \$1,000;

3030.3.2 All land and building acquisitions regardless of price; and,

3030.3.3 Additions or major improvements to the District's service infrastructure.

3030.4 **Tagging and Recording:** When any item defined in Section 3030.3.1 above is received, a tag with a unique identification number shall be affixed to said item, and the number recorded in the permanent inventory records.

3030.5 **Record of Inventory:** Permanent inventory records shall be maintained in either a paper file or electronic (computer data base) format. Said records shall be updated whenever a change in the status of a particular fixed asset occurs (e.g., original purchase, sale, destruction, loss, theft, etc.).

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3030.6 **Necessary Information:** Information to be maintained in said inventory records shall include at least the following:

- 3030.6.1 Asset number;
- 3030.6.2 Description;
- 3030.6.3 Manufacturer's serial number;
- 3030.6.4 Storage location;
- 3030.6.5 Original cost;
- 3030.6.6 Acquisition date;
- 3030.6.7 Life expectancy; and,
- 3030.6.8 Classification (e.g., office equipment, vehicle, etc.).

POLICY TITLE: Fixed-Asset Accounting

POLICY NUMBER: 3030

LAST REVISED: March 5, 2009

Adopted: March 5, 2009

Last Revised: January 14, 2019

Le Grand Community Services District Policy Handbook

Investment of District Funds

3035. Investment of District Funds

3035.1 **Purpose:** This statement is to provide guideline for the prudent investment of temporarily idle cash, trust funds and restricted monies in the District's possession, (the "Funds") and to outline a policy for maximizing the efficiency of its cash management system.

3035.2 **Objective:** The cash management system of the Le Grand Community Services District will be maintained to accurately monitor and forecast expenditures and revenues, thus assuring the Funds will be invested in such a manner as will provide the highest interest yield within the confines of this policy and legal statutes consistent with safety and liquidity.

3035.3 **Policy:** All investments will be made under the terms and conditions of Sections 53600 through 53683 and Sections 16429.1 through 16429.3 of the Government Code. The Criteria for selecting investments and the absolute order of priority in making investments are:

1. Safety
2. Liquidity
3. Yield

3035.4 **Authorized Investments:** Except for deferred compensation invested pursuant to Government Code Section 53609, the following instruments are authorized for investment of District funds:

1. To the extent permitted by law and as conditions dictate, in the State of California Local Agency Investment Fund (LAIF) in accordance with Section 16429.1 of the Government Code;
2. United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest;
3. To the extent otherwise permitted by law, in a bank or savings and loan association but only to the extent that the funds are insured by the Federal Deposit Insurance Corporation, (FDIC).

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4. To the extent otherwise permitted by law, in a National Credit Union Share Insurance Fund-insured account in a credit union, in one or more accounts insured or guaranteed pursuant to Section 14858 of the Financial Code.
5. To the extent otherwise permitted by law, in bonds, notes, warrants or other evidence of indebtedness of the District itself.

3035.5 Duration: This investment policy will remain in effect until rescinded or modified by the Board of Directors, but shall be reviewed annually insofar as such a review is required by law, including but not limited to the review required by Section 53646(a) of the Government Code.

3035.6 Quarterly Report: The Secretary shall render the report to the Board of Directors showing all investments as set forth in Section 83646(b) of the Government Code, on at least a quarterly basis. Such report, insofar as it is required by law, shall include:

1. For all securities, investments and moneys held by the District each of the following: (a) the type of investment, (b) issuer, © date of maturity par and (d) dollar amount invested.
2. A description of any of the District's funds, investments, or programs, that are under the management of contracted parties, including lending programs.
3. A statement of the extent to which the District's investments are or may be out of compliance with this policy.
4. The report shall include a statement denoting the ability of the District to meet its cash demands for the next six months or shall provide an explanation as to why sufficient cash shall, or may not be available.

To the extent all of the District's surplus or idle funds are invested in LAIF, or a bank or savings and loan association account insured by FDIC, a credit union account insured by the National Credit Union Share Insurance Fund in one or more accounts insured or guaranteed pursuant to Section 14858 of the Financial code or some combination thereof, the report may consist of the last statement of the institutions holding the funds plus each of the items set forth in paragraphs 2, 3 and 4 above.

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3035.7 **Investment Policy Review:** This Investment Policy shall be reviewed on an annual basis, and the Board of Directors must approve modifications.

POLICY TITLE: Investment of District Funds
POLICY NUMBER 3035
LAST REVISED: March 5, 2009

Adopted: March 5, 2009
Last Revised: January 14, 2019

Le Grand Community Services District Policy Handbook

Acquisition Policy

3040 Acquisition Policy

3040.1 **Acquisitions Not Requiring Competitive Bidding:** Acquisitions of supplies or equipment which are not subject to the competitive bidding requirements of the Public Contracts Code shall be made using the following procedures:

3040.1.1 **Less Than \$500.00.** In any case where the proposed acquisition is expected to cost less than five hundred dollars and is anticipated to cost the amount budgeted for its acquisition or less in the budget in effect at the time, staff may proceed with the acquisition without the necessity of Board action.

3040.1.2 **More Than Budgeted or Between \$500.00 and \$5,000.00.** If the acquisition is expected to cost more than the amount budgeted for it or if the acquisition is expected to cost five hundred dollars or more but less than five thousand dollars, then the purchase must be approved by the Board of Directors, however no competitive bidding will be required by these rules nor will staff have to prepare and submit to the Board a specific number of proposals from other suppliers, unless so instructed by the Board.

3040.1.3 **Between \$5,000.00 and \$25,000.00.** If the acquisition is expected to cost five thousand dollars or more, but less than twenty-five thousand dollars, then District staff is to obtain three different prices, preferably from three different suppliers and submit those different prices to the Board for its decision, however no competitive bidding will be required by these rules.

3040.1.1 **\$25,000.00 or More.** If the acquisition is expected to cost twenty-five thousand dollars or more then, to the extent that the law of the State of California requires competitive bidding, the supplies or equipment will be acquired by competitive bidding. If the law does not require competitive bidding, then the District will proceed as set forth in the immediately preceding paragraph.

3040.2 **Bidding Regulations.** Bidding regulations are to be provided by the District Engineer at the time that the District has a contract to put out to bid. The regulations will be adopted before any bids are due and furnished to prospective bidders.

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3040.3 **No Effect on Securing Professional Services.** Nothing contained in these rules shall be interpreted so as to compel competitive bidding for professional services to be provided to the District.

POLICY TITLE: Acquisition Policy
POLICY NUMBER 3040
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Outside Contractors and Consultants

3042. Outside Contractors and Consultants: The District employees outside contractors or consultants for construction and engineering projects, and for auditing purposes. The District's procedure is as follows:

3042.1 **Requests for Proposals:** When the District is required to comply with the competitive bidding requirements of state or federal law or, when the Board of the District decides to proceed by competitive bidding even if not required to do so, a request for proposals, including information with regard to their qualifications, will be circulated as the Board determines is appropriate considering the District's needs. If the need is related to construction projects, the projects will be advertised for bid in newspapers and the Contractors Exchange.

3042.2 **Selection of Consultants:** Consultants will be selected by the Board of Directors. The Board of Directors will make its selection based on the consultant's experience and qualifications. The consultant will also be required to make a cost estimate for his/her services that will be used in his/her evaluation in this selection process.

POLICY TITLE: Employment of Outside
 Contractors and Consultants
POLICY NUMBER: 3042
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Records Retention

3090. Records Retention This policy is to: provide guidelines to staff regarding the retention or disposal of Le Grand Community Services 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.

3090.1 **Vital and Important Records:** Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to the District.

3090.2 **Authority of the Manager to Interpret:** The General Manager is authorized by the Board of Directors to interpret and implement this policy, and 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 other than vital and important records as defined above.

3090.3 **Authority of the Manager to Destroy Records:** Without further consultation with the board, the General Manager of the District may destroy or cause the destruction of any written record of the District which is more than two years old and which the District is not required by law to keep for a period longer than two years and;

3090.4.1 Which is not part of a grant or loan project;

3090.4.2 Which is not relevant to any future review by a regulatory body;

3090.4.3 Which are not the subject of a pending request under the Public Records Act; and

3090.4.4 Which the District has no reason to believe are or will be relevant to any civil or criminal litigation which is currently pending or which is reasonable anticipated.

3090.5 **Destruction of Additional Records:** The Board may authorize the destruction of any other District records on a case-by-case basis or by amending this written policy.

POLICY TITLE: Records Retention
POLICY NUMBER: 3090
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Members of the Board of Directors

4000 **Members of the Board of Directors:** The Board shall consist of five members. It shall be elected in accordance with the applicable provisions of state law. Vacancies shall be filled, insofar as is allowed by law, by appointment of a replacement director by the remaining members of the Board of Directors within sixty days of a Board vacancy being declared.

4000.1 **Appointment of Manager:** The Board shall be responsible for appointing a Manager who shall be responsible to the Board as a whole for the operation and maintenance of the District.

4000.1.1 **Authority of Manager Over District Employees:** All District employees answer to the District's Manager unless the Board, by subsequent action, makes any particular employee answerable directly to the Board of Directors.

4000.1.2 **Manager Speaks for District:** When the Board is not in session, on all matters on which the Board of Directors has not yet taken a position, the Manager speaks on behalf of the District. For all matters on which the Board has taken a position, the Manager shall take implement the position taken by the Board.

4000.2 **Conduct of Board Members During Board Meetings:**

4000.2.1 **Courtesy:** Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4000.2.2 **Deference to Board President:** Directors shall defer to the Board President for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda.

4000.2.3 **Comments by Directors:** All comments by Directors should be brief and confined to the matter being discussed by the Board.

4000.2.4 **Requests for Inclusion in Minutes:** Directors may request for inclusion into minutes' brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4000.2.5 **Conflicts of Interest:** Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

Le Grand Community Services District Policy Handbook

4000.3 Limited Authority When Board is Not in Session: The authority of the Board does not rest with any individual Board member or members but may be exercised only by a majority vote of all of the Board members in office taken during a duly noticed Board meeting at which a quorum of the Board is present. This means but it not limited to the following:

4000.3.1. No Board member shall be given access to any District financial record, (whether computerized or in hard copy,) without having been authorized to do so by a motion adopted by the Board of Directors at a meeting of the Board of Directors.

4004.3.2. No Board member shall remove any original District financial records from the District's office without having been authorized to do so by a motion adopted by the Board of Directors at a meeting of the Board of Directors.

4004.3.3 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

POLICY TITLE: Directors and Their Duties
POLICY NUMBER: 4000
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Code of Ethics

4010 Code of Ethics

4010.1 **Purpose:** The Board of Directors of Le Grand Community Services District is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents. Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing this mission.

4010.2 **Standards of Behavior:** Directors should commit themselves to focusing on issues on not personalities. Cliques and voting blocs based on personalities rather than issues should be avoided. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. The presentation of the opinions of others should be encouraged, but once the Board of Directors takes action, Directors should commit to supporting that action and not to create barriers to their implementation.

4010.2.1 **Tolerance:** The dignity, style, values and opinions of each Director shall be respected.

4010.2.2 **Listening:** Responsiveness and attentive listening in communication is encouraged.

4010.2.3 **Needs of the District:** The needs of the District, as a whole, should be the priority of the Board of Directors.

4010.2.4 **Primary Duty:** The primary responsibility of the Board of Directors is the formulation and evaluation of policy.

4010.3 **Positive Attitude:** Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction. The work of the District is a team effort. Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively. Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortable and openly.

Le Grand Community Services District Policy Handbook

4010.4 **Procedures:** Directors should follow the following procedures:

4010.4.1 **Requests for Additional Information:** In seeking clarification on informational items, Directors may ask the District's Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making. Because of the potential cost to the District, when seeking clarification for policy-related concerns involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager who will then exercise judgement as to which matters should be forwarded to the District's consultants, such as the District's engineer, auditor or attorney.

4010.4.2 **Safety Concerns:** In handling items related to safety, concerns for safety or hazards should be reported to the District Manager or, the absence of the Manager, to the District office, as soon as possible. Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.4.3. **Personnel Issues:** When approached by district personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed. If a Board member has personal knowledge of a personnel dispute, in some circumstances, that Board member might be disqualified from participating in an administrative review of the matter by the full Board. Therefore, situations in which a Board member may receive such information outside of the setting of a Board meeting should be avoided.

4010.4.4 **New Agenda Items:** In presenting items for discussion at Board meetings, see Policy #5020.

4010.5 **Complaints from the Public:** When responding to requests and concerns from constituents and other members of the public, Directors should be courteous, responding to individuals in a positive manner and refer them directly to the District Manager.

POLICY TITLE: Code of Ethics
POLICY NUMBER: 4010
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Attendance at Meetings

4020 Attendance at Meetings - Resignation From the Board

4020.1 **Expectations of Board Members:** Members of the Board of Directors are expected to attend all regular and special meetings of the Board unless there is good cause for absence.

4020.2 **Resignation by Failure to Attend:** Any member who fails to attend any meeting of the Board, whether a regular meeting or a special meeting, for a period of three consecutive months shall have, at the discretion of the Board, resigned by non-attendance. Notice shall be mailed to that member at his or her last known address prior to the next scheduled meeting of the Board after the three months have passed, that if the Board member does not appear at the next meeting, that person's Board seat will be declared vacant by the Board.

4020.3 **Explicit Resignation:** Any member who no longer wishes to serve as a Board member is encouraged to submit a written resignation. The Board's acceptance of the written resignation will then serve as a declaration of a vacancy on the Board.

4020.4 **Good Cause Terminations:** The Board may, for good cause, terminate the membership of a Board member. "Good cause" may consist of conviction of a felony, willful disclosure of the Board's discussions in closed session, violation of the Brown Act, (whether or not such violation is criminally prosecuted), or such other grounds as are determined by the Board to be good cause. In order to terminate Board membership, a four-fifths vote of the Board at a duly noticed public meeting is required. Before voting to terminate a Board membership, the member in question shall give adequate notice of the proposed action, including the nature of the actions which are proposed to be "good cause" and an opportunity to be heard by the Board as a whole.

POLICY TITLE: Attendance at Meetings
POLICY NUMBER: 4020
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Director Fees

4030 Director Fees

4030.1 **Amount of Director Fees:** The Board of Directors shall set the amount of their Director's fees so that they are no more than is allowed by law. Members of the Board of Directors shall receive a monthly Director's fee, the amount of which shall be calculated based on the last schedule adopted by the Board of Directors which is still legally valid.

4030.2 **Expense Reimbursement:** Members of the Board of Directors shall be reimbursed for all legitimate expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized. Reimbursement for the cost of the use of a Director's vehicle shall be on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of the vehicle usage.

POLICY TITLE: Director Fees
POLICY NUMBER: 4030
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Officers of the District

4040 Officers of the District

4040.1 **Board Reorganization:** Once a year, the Board shall reorganize itself by electing from among the Board members one to serve as president. In election years where any seats on the Board are up for election, the Board shall elect its president at the meeting immediately following the certification of the public vote in all other years, election of the president by the Board shall occur on the one-year anniversary of the last board reorganization. The Board member so elected shall take office at the meeting in which the president was elected immediately upon the completion of the election.

4040.2 Responsibilities of Board President:

4040.2.1 **Chairman of the Board:** The president shall serve as the chairman of the Board of Directors and shall be responsible for calling special meetings of the Board, should the chair determine one to be necessary when none are yet scheduled. As the chairman of the meetings of the Board of Directors, the President shall determine the order in which agenda items shall be considered for discussion and/or action by the Board. Before and during the meeting, the chairman of the meeting shall, as chair, have the authority to control the meetings and shall determine who shall be allowed to speak at any given time. The chairman shall have the powers conferred by the Ralph M. Brown Act and any other applicable law to control the meeting, even to the extent of clearing the room, should that become necessary in the opinion of the chairman.

4040.2.2 **Signs for the District:** The president will be responsible for signing contracts, documents and other written instruments on behalf of the District once the Board has authorized the District entering into such contract or executing such other documents and written instruments. The president will sign all ordinances which have been adopted by the board of directors and the president's signature will be attested by the secretary

4040.2.3 **Additional Responsibilities:** The Board president shall have such additional responsibilities as are required by applicable law and as are assigned from time to time by a majority of the Board members at a duly noticed meeting of the Board of Directors in which a quorum of the Board is present.

4040.3 **Vice President:** At the same meeting at which the Board chooses a president, it shall also choose from among its members a member to serve as the vice-president. The vice-president shall fulfill all of the duties of the president when and if the president is either absent from a meeting or for any other reason is unable to do so.

Le Grand Community Services District Policy Handbook

4040.4 **Removal from Office:** Any officer of the Board may be removed from office, (but not from the Board), by a majority vote of the members present at any duly noticed meeting of the Board at which the action is on the agenda of the Board or at the Request of the Board member holding the office, and a different Board member may then be installed in that office by the same or a similar action at the same meeting.

POLICY TITLE: Board Officers
POLICY NUMBER: 4040
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Basis of Authority

4070 Basis of Authority

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

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

POLICY TITLE: Basis of Authority
POLICY NUMBER: 4070
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Board Meetings

5010 Board Meetings:

5010.1 **Time and Place of Regular Meetings:** Regular meetings of the Board of Directors shall take place on the first Thursday of each month starting at the hour of 6:00 o'clock p.m. at the District's principal place of business, which is located at 13038 Jefferson Street, Le Grand, California. If the first Thursday falls on a holiday, the regular meeting of the Board shall take place on the second Thursday of that month at the same hour as it would have had it been on the first Thursday and at the same location.

5010.2 **Special Meetings:** Special meetings of the Board may be called by the President of the Board of Directors or by a majority of the sitting members of the Board.

5010.3 **Adjourned Meetings.** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place, and the Manager shall cause a written notice of adjournment to be given to the extent that such a notice is required by the Ralph M. Brown Act.

5010.4 The Board President and the District Manager and staff shall insure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

POLICY TITLE: Board Meetings
POLICY NUMBER: 5010
LAST REVISED: March 5, 2009

Le Grand Community Services District Policy Handbook

Board Meeting Agenda

5020 Board Meeting Agenda All meetings of the Board shall be properly noticed as required by the Ralph M. Brown Act, or such other applicable law. The person who will be chairing the meeting shall be responsible, working with the District's manager, prior to the posting of the notice of the meeting, to formulate the agenda for the Board meeting.

5020.1 Agenda Items Requested by Board Members: Any Board member may add any item to the agenda of the Board so long as the agenda item is of a matter which is within the jurisdiction of the Board of Directors and is submitted to either the District's manager and/or the Board's chair sufficiently in advance of the meeting so as to allow adequate preparation of a District staff report, if one is deemed necessary by the chair.

5020.2 Agenda Items Requested by the Public: Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

5020.2.1 How to Make a Request: The request must be in writing and be submitted to the District Office together with supporting documents and information, if any, at least five business days prior to the date of the meeting;

5020.2.2 Must be Related to District Business: The District Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business."

5020.2.3 Closed Session Matters: Any matter which is properly a subject for consideration by the Board in closed session will be accepted under this policy. The determination of the propriety of a closed session shall be made in consultation with the District's legal counsel.

5020.2.4 Time Limitation on Such Requests: The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on such an issue at the meeting.

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5020.3 **Public Forum:** At every meeting there shall be an agenda item which will be the public forum during which any member of the public, including any member of the Board of Directors of the District, may address any item which is not on the agenda for the Board consideration at the meeting. Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:

5020.3.1 **Time Limits:** Three minutes may be allotted to each speaker and a maximum of 20 minutes to each subject matter.

5020.3.2 **Unruly Conduct:** No boisterous or unruly conduct shall be permitted at any Board meeting. Persistence in such conduct shall be grounds for summary termination of the agenda item, by the chairman of the meeting or such lesser action as the chairman deems necessary to proceed with the business of the District.

5020.3.3 **Charges Against District Employees:** No oral presentation shall include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify. All charges or complaints against employees shall be submitted to the Board of Directors under provisions contained in Policy #1030.

5020.4 **No Prevention of Testimony.** Nothing in this policy shall be interpreted so as to prohibit the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public and the members of the Board of Directors who are present may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

POLICY TITLE: Board Meeting Agenda
POLICY NUMBER: 5020
LAST REVISED: March 5, 2009

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Board Meeting Conduct

5030 Board Meeting Conduct:

5030.1 **Compliance with District Policies:** Meetings of the Board of Directors shall be conducted by the Board President in a manner consistent with the policies of the District.

5030.2 **Agenda:** All Board meetings shall commence at the time stated on the agenda and shall be guided by that agenda.

5030.3 **Purpose of the Conduct of the Meeting:** The conduct of meetings shall, to the fullest possible extent, enable Directors to:

5030.3.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

5030.3.2 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

5030.4 **Ralph M. Brown Act:** Pursuant to the Ralph M. Brown Act, (hereinafter referred to as the Brown Act) all meetings of the Board shall be open public meetings however the Board may hold all or any part of a meeting in closed session so long as the requirements of the Brown Act are met.

5030.4.1 **Discussion of Proceedings in Closed Session:** No Board member who is present at a closed session of the Board will discuss what occurred in the closed session with anyone outside of the closed session unless that person was also entitled to be present during the closed session and then only when the only people present and able to hear the discussion are others who were also entitled to be present during the closed session.

5030.4.2 **Personnel Matters in Closed Session:** No closed session will take place for the purpose of discussing a personnel matter if the employee whose performance is in question is present, except as may be required by law.

5030.4.3 **Pending Litigation:** No closed session will take place for the purpose of discussing pending litigation or the threat of litigation without the presence of an attorney who is representing the District. No closed session will take place for the purpose of discussing pending litigation with the opposing party or an attorney who is representing an opposing party being present.

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5030.5 Willful Disruption of Meeting: Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the chairman of the meeting finds that there is in fact willful disruption of any meeting to the Board, the chairman may order the room cleared and subsequently conduct the Board's business without the audience present.

5030.5.1 In such an event, only matters appearing on the agenda may be considered in such a session.

5030.5.2 After clearing the room, the chairman of the meeting may permit those persons who, in chairman's opinion, were not responsible for the willful disruption to re-enter the meeting room.

5030.5.3 Duly accredited representatives of the news media, whom the Board President finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

POLICY TITLE: Board Meeting Conduct
POLICY NUMBER 5030
LAST REVISED: March 5, 2009

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Board Actions and Decisions

5040 Board Actions and Decisions: No resolution or ordinance shall be adopted by the Board except with a roll call vote so that the vote of each member may be recorded in the minutes of the meeting.

5040.1 **Definition of Actions by the Board of Directors:** Actions by the Board of Directors do not include direction to staff, which may be accomplished through the consensus of the Board of Directors. Actions by the Board of Directors include but are not limited to the following:

5040.1.1 Adoption or rejection of a resolution;

5040.1.2 Adoption or rejection of an ordinance;

5040.1.4 Adoption or rejection of a motion.

5040.2 **Voting Requirements:** Action by the Board of Directors can only be taken by the vote of the majority of the Board of Directors. A majority of the directors currently holding office constitute a quorum for the conduct of business. Actions taken at a meeting where only a quorum, (but not all five of the Board members) is present, therefore, require three favorable votes to be effective (unless a 2/3 or 4/5 vote is required by policy or other law).

5040.2.1 **Abstentions:** A member abstaining in a vote is considered as absent for the vote.

5040.2.1.1 **Example # 1.** If three of five Directors are present at a meeting, a quorum exists and business can be conducted. However, if one Director abstains on a particular action and the other two cast “aye” votes, no action is taken because a “majority of the Board” did not vote in favor of the action.

5040.2.1.2 **Example #2.** If, at a meeting where all five of the Board members are present, an action is proposed requiring a two-thirds vote and 2 Directors abstain, the proposed action cannot be approved because 4 of the 5 Directors would have to vote in favor of the action.

5040.2.1.3 **Example #3.** If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three Directors must vote in favor of the appointment for it to be approved. If two of the four Directors present abstain, the appointment is not approved.

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5040.3 **Directions to Staff:** The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

5040.3.1 **Statement of Consensus:** The chairman of the meeting shall determine by consensus a Board directive and shall state it the directive for clarification. Should any two Directors challenge the statement of the Board President, a voice vote may be requested.

5040.3.2 **Disputed Directive:** A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the District Manager for review and recommendation, etc.).

POLICY TITLE: Board Actions and Decisions
POLICY NUMBER 5040
LAST REVISED: March 5, 2009

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Review of Administrative Decisions

5050 Review of Administrative Decisions:

5050.1 **Law Applicable:** The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.6 and shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

5050.2 **Scope:** This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

5050.3 **Purpose:** The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

POLICY TITLE: Review of Administrative
Decisions
POLICY NUMBER 5050
LAST REVISED: March 5, 2009

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Minutes of Board Meetings

5060 Minutes of Board Meetings:

5060.1 **Official Minutes of Board Meetings:** The Secretary of the Board of Directors shall keep minutes of all meetings of the Board. The secretary's draft minutes do not become the official minutes of the Board unless and until the Board adopts those minutes. Anyone, including the secretary, may make a tape recording of any meeting. If one or more tape recordings are made of a meeting, a tape recording may be used to assist the secretary in the preparation of the minutes but shall not be substituted as the minutes of the meeting. The official record of the meeting are the minutes as adopted by the Board.

5060.1. **Minute Book:** The District's manager shall keep or cause to be kept a minute book of the Board of Directors which shall contain, at a minimum, each of the following:

5060.1.1 A copy of the agenda for each meeting, as posted,

5060.1.2. The minutes for each meeting as those minutes were adopted by the Board and

5060.1.3. All resolutions and ordinances adopted by the Board, duly recording the vote adopting each and fully signed by the President and secretary.

5060.2 **How Draft Minutes Become Official Minutes:** Copies of the secretary's draft minutes of a meeting shall be distributed to Directors as a part of the information packet for the next regular meeting of the Board. At the regular meeting, the Board will consider approving the minutes either as presented or with modifications. Once approved by the Board, the official minutes shall be kept at the District Office.

5060.3 **Content of Minutes:** Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed, and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year.

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5060.3.1 In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

- Date, place and type, (i.e. regular, special, or emergency) of each meeting;
- Directors present and absent by name;
- Administrative staff present by name;
- Call to order;
- Time and name of late arriving Directors;
- Time and name of early departing Directors;
- Names of Directors absent during any agenda item upon which action was taken;
- Summary record of staff reports;
- Summary record of public comment regarding matters not on the agenda, including names of commentators;
- Approval of the minutes or modified minutes of preceding meetings;
- Approval of financial reports;
- Record by amount of all warrants approved for payment;
- Complete information as to each subject of the Board's deliberation;
- Record of the vote of each Director on every action item for which the vote was not unanimous;
- Resolutions and ordinances described as to their substantive content and sequential numbering;
- Record of all contracts and agreements, and their amendment, approved by the Board;
- Approval of the annual budget;
- Approval of all policies, rules and/or regulations;
- Approval of all dispositions of District assets;
- Approval of all purchases of District assets; and,
- Time of meeting adjournment.

5060.3.2 If the Board authorizes the payment of a bill which has not yet arrived, but the bill arrives subsequent to the meeting, and is paid, then the adoption of minutes of the meeting in which the payment was authorized, which reflect the actual amount of the bill, shall act as a ratification of the payment of the bill in the actual amount.

POLICY TITLE: Minutes of Board Meeting
POLICY NUMBER 5060
LAST REVISED: March 5, 2009

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Rules of Order of Board and Committee Meetings

5070 Rules of Order

5070.1 **General.** For each agenda item, the Board chair shall allow oral staff report to be presented, if there is one, and shall then open the meeting to the members of the Board. After a motion is made and a second, the chair shall allow any member of the public who is present and wishes to do so to address the Board on that agenda issue. At the close of the public comment time period, the chair shall allow the members of the Board who wish to do so to discuss the motion until the chair concludes that adequate discussion has taken place at which time the chair shall call for the vote. If the matter requires a simple majority to pass, the chair may take a voice vote. If the matter requires more than a simple majority of the members present to pass the chair shall have the secretary of the meeting call the roll of the member present at which time each member shall state how the vote when their name is called.

5070.2 **Obtaining the Floor.** Any Director desiring to speak should address the Board President and, upon recognition by he/she, may address the subject under discussion.

5070.3 **Decorum.**

5070.5.1 The Board member who is chairing the meeting shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The actions by the member of the Board chairing the meeting in order to preserve order and decorum may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the Board member chairing the meeting, or otherwise disrupting the meeting or hearing.

5070.5.2 If the Board member chairing the meeting determines that it is necessary in order to preserve or restore order, the chairman may order that the room be cleared of all spectators and, once it has been cleared, proceed with the conduct of the meeting.

5070.5.3 The Board member chairing the meeting may declare a short recess during any meeting.

5070.4 **Self Identification of Speaker.** The Board chair may ask anyone addressing the Board to state his or her name and address however, no person shall be denied the right to address the Board because of his or her refusal to provide any such information. The refusal of a person to give his or her name or address may be used by the Board or members of the Board to determine how much weight to give the person's comments.

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5070.5 Registration of Attendance. The Board chair may ask members of the public to register their attendance so that the minutes of the meeting may be complete, but no one shall be denied access to a meeting due to their failure or refusal to provide any such information.

5070.6 Use of Roberts' Rules of Order. The Board chair may rely upon Robert's Rules of Order to chair the meeting but such rules are not legally binding upon the chair and, if at any time, are not consistent with applicable law or these bylaws, shall not be followed.

5070.7 Use of English Language. All meetings of the Board shall be conducted in English and all resolutions and ordinances shall be written in the English language. The Board may allow but is not required to provide interpretation of its proceeding into another language during the meeting.

POLICY TITLE: Rules of Order
POLICY NUMBER 5070
LAST REVISED: March 5, 2009

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Development Improvement Standards

6000 Development Improvement Standards: The District Engineer shall develop and maintain written specifications and Standard Detail Drawings which shall be kept together in a binder or some other means and shall be referred to as the District's Development Improvement Standards. Because these documents are of a technical nature this section is intended only to create the legal authority for the creation and maintenance of such a document. The creation and maintenance of the technical drawings and written specifications are considered to be ministerial acts not requiring further action by the Board of Directors of the District except in extraordinary situations.

POLICY TITLE: Development Improvement Standards
POLICY NUMBER 6000
LAST REVISED: January 6, 2011

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Scope of Standards

6010 Scope of Standards

6010.1 **Purpose:** The Development Improvement Standards have been prepared by the District to aid all persons engaged in the construction of public water and/or sanitary sewer facilities within the district's boundary that are to be dedicated to or maintained by the District.

6010.2 **Distinguished from Contract Documents:** The information contained in the Improvement Standards is not intended for use as Contract Documents for contracts between the district and a contractor, or for contracts between a sub-divider or private person and a contractor. Rather, separate Contract Documents must be prepared for each project with each such contract containing a "Special Provisions" section applicable to that particular project.

6010.3 **Outside of the Scope of the Standards:** The Improvement Standards do not cover all of the work that may require acceptance by the District.

6010.3.1 As an unincorporated community in Merced County, work within the District is also governed by Merced County Department of Public Works *Improvement Standards & Specifications*. Where the work is discussed in both standards, the more stringent standard as determined by the District Engineer shall apply. Where the work is not covered in either standard, design shall be in accordance with generally accepted engineering principles.

6010.3.2 Design criteria for work that is to be accepted by the district that is not included in the District Improvement Standards shall be reviewed with the District Engineer to establish the acceptable design criteria prior to the actual design. Design criteria will be based on the current codes, the regulations applicable to the work and latest accepted principles of engineering. The design engineer may be required to submit applicable design calculations to verify that the proposed work meets the design criteria set forth by the District Engineer.

6010.3.3 Water supply facilities shall be designed in accordance with acceptable engineering principles, California Department of Health Services Regulations, California Waterworks Standards as codified at Title 22, Chapter 16 of the California Code of Regulations, California Occupational Health and Safety Administration, (CalOSHA) regulations and the District Improvement Standards.

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6010.3.4 When a matter is not covered by the District Improvement Standards, the County's *Improvement Standards & Specifications* or any provision of State or Federal law or regulation, the District Engineer may use as a basis for determining how to proceed the *Uniform Plumbing Code*, which is hereby adopted for this purpose.

6010.4 **Not to Contravene Federal, State or County Law.** Nothing in these Improvement Standards is intended to reduce or modify applicable federal, state or local laws. These Improvement Standards are not intended to be applied retroactively to existing improvements, except where specifically noted therein.

POLICY TITLE: Scope of Standards
POLICY NUMBER 6010
LAST REVISED: January 6, 2011

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Construction

6020 Construction

6020.1 **Necessity for Compliance.** All plans and specifications for construction of improvements to be accepted by the District shall be prepared in accordance with the applicable Improvement Standards. All improvements constructed to be dedicated to the District, in order to be acceptable to the District, must be constructed in a manner which is consistent with the Development Improvement Standards.

6020.2 **Capacity Commitment Notices.** All can-and-will-serve applications shall be reviewed by the District's Engineer before the Board considers the conditions by which it may approve the application. The District Engineer's review will set forth the requirements of this chapter 6020. The Board will condition any approval of an application for a can-and-will-serve letter on compliance with the District's Development Improvement Standards. The District's Development Improvement Standards will be made available to any member of the public but particularly to those who have applied for can-and-will-serve letters or who have such letters already issued to them by the District.

6020.3 **Familiarity with Improvement Standards.** Design engineers and construction contractors working for the District must be familiar with both the written specifications and Standard Detail Drawings contained in the District Improvement Standards. Unless specifically excepted by the Board of Directors, any improvements in either the sewer collection system or the water distribution system, constructed by the District shall be designed and constructed consistently with the District Development Improvement Standards.

6020.4 Construction in Rights of Way.

6020.4.1 In the event that an easement is required for the extension of the public sewer or water system or the making of connections, the applicant shall procure and have accepted by the Board of Directors, an easement or grant of right of way which the District's General Counsel determines to be sufficient in law to allow for the laying and maintenance of such extension and connection.

6020.4.2 Only properly licensed contractors shall be allowed to perform the work of public water and/or public sewer construction within the District. All terms and conditions of the can-and-will-serve letter issued by the District to the applicant shall be binding on the applicant's contractor. The requirements of this section shall apply to sewer laterals installed concurrently with public sewer construction and on water laterals installed concurrently with public water construction.

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6040.4.3 The applicant to whom a can-and-will-serve letter has been issued which requires construction in the public right-of-way shall maintain such barriers, lights and signs as are necessary to give warning to the public at all times that a sewer and/or water system improvement is under construction and of each dangerous condition to be encountered as a result thereof. He shall also protect the public in the use of the sidewalk against any such conditions in connection with the sewer and/or water. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in a manner satisfactory to the District and the County or any other person or governmental agency have jurisdiction therefore.

6020.5 **As Built Drawings.** Before the District accepts the dedication of an improvement to the District's water and/or sewer system, whether constructed by a holder of a can-and-will-serve letter or by a contractor for the District, "as-built" drawings showing the actual location of all mains, structures, Y's, T's, laterals and cleanouts shall be filed with the District's Engineer.

POLICY TITLE: Construction
POLICY NUMBER 6020
LAST REVISED: January 6, 2011

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Service Laterals

6030 Service Laterals

6030.1 **Water Service Laterals:** A water service means a lateral from the District's water main to a water meter.

6030.1.1 All water services shall be metered

6030.1.2 Each parcel shall have one or more water services which provide services to that parcel and that parcel alone. No water service lateral shall serve more than one building unless specifically approved by the Board of Directors of the District. In general, only one service shall be provided per parcel. The exceptions are as follows:

6030.1.2.1 For multi-family residential or non-residential developments with on-site public mains, one standard service may be provided per unit.

6030.1.2.2 On multi-family or non-residential parcels with separate buildings (where, for multi-family, there is only one family per separate building), one standard service per building may be provided.

6030.1.2.3 In non-residential developments and multi-family residential, separate water service or services shall be provided for landscaped areas.

6030.1.3 In all residential development, either all services shall be provided in the name of the landlord or each residential unit shall have a separately metered water connection and shall be constructed in such a way so as to allow the termination to each residential unit without affecting service to any other residential unit.

6030.1.4 Water laterals from the main to the curb are maintained by the District and all plumbing from the curb into and within the customer's property, (including but not limited to the meter,) are to be maintained by the land owner.

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6030.2 **Sewer Service Laterals.** Each parcel shall have one or more sewer service laterals which provide services to that parcel and that parcel alone. No sewer service line shall serve more than one building unless specifically approved by the Board of Directors of the District. In general, only one sewer service shall be provided per parcel.

POLICY TITLE: Service Laterals
POLICY NUMBER 6030
LAST REVISED: January 6, 2011

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Use of District Sewer System

7000 Use of District Sewer System

7000.0 **Disposal of Waste:** It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the District or in any area under the jurisdiction of the District any human or animal excrement, garbage or other objectionable waste.

7000.2 **Treatment of Wastes Required:** It shall be unlawful to discharge to any stream or watercourse any sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this policy and any applicable policies, ordinances or rules of the County of Merced and/or the California Environmental Protection Agency.

7000.3 **Unlawful Disposal:** Except as herein provided, it shall be unlawful to construct or maintain any privy, septic tank, cesspool, seepage pit or other facility intended or used for the disposal sewage within the jurisdictional boundaries of the District other than such facilities as are owned by the District or other public agencies.

7000.4 **Occupancy Prohibited:** No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all rules, regulations and policies of the District.

7000.5 **Sewer Required:** The owner of any building situated within the jurisdictional boundaries of the District requiring sewage disposal and abutting on any right of way or easement in which there is now located or may in the future be located a public sewer of the District, is hereby required at his expense to connect said building directly with the proper public sewer in accordance with the provisions of this policy within ninety days after the date of official notice to do so.

POLICY TITLE: Use of District Sewer System
POLICY NUMBER 7000
LAST REVISED: January 6, 2011

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Limitations on the Use of the District's Sewer System

7010 Limitations on the Use of District Sewer System

7010.1 **Drainage Into Sanitary Sewers Prohibited:** No leaders from roofs and no surface drains for rain water shall be connected to any sanitary sewer. No surface or subsurface drainage, rain water, storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method.

7010.2 **Types of Wastes Prohibited:** Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into the District's sewer system.

7010.2.1 Any liquid or vapor having a temperature higher one hundred fifty degrees Fahrenheit.

7010.2.2 Any water or waste which may contain more than one hundred parts per million, by weight of fat, oil or grease.

7010.2.3 Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

7010.2.4 Any garbage that has not been properly shredded. Properly shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow condition normally prevailing in the District's sewers, with no particle greater than one-half inch in any dimension.

7010.2.5 Any ashes, cinders, sand, mud straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

7010.2.6 Any waters or wastes have a ph lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the District's sewage collection and treatment system.

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7010.2.7 Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

7010.2.8 Any waters of wastes containing suspended solids or dissolved matter of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

7010.2.9 Any noxious or malodorous gas or substance capable of creating a public nuisance.

7010.2.10 Any septic tank sludge.

7010.3 **Interceptors:** Grease, oil and sand interceptors shall be provided when, in the opinion of the District Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for buildings used exclusively for residential purposes. All interceptors shall be of a type and capacity approved by the District and shall be located so as to be accessible for cleaning and inspection. All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

7010.4 **Preliminary Treatment of Waste:**

7010.4.1 The admission into the public sewers of any waters or wastes having any of the following characteristics shall be subject to review by the District and, if not approved, then shall subject the property to termination of District services if not corrected:

- a) a five-day biochemical oxygen demand greater than 300 parts per million by weight or
- b) containing more than three hundred parts per million by weight of suspended solids, or
- c) containing any quantity of substance having the characteristics described in section 7010.2, or

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- d) having an average daily flow greater than two percent of the average daily sewage flow of the District.

7010.4.2 Where necessary in the opinion of the District, the owner of property receiving sewer services from the District shall provide, at his expense, such preliminary sewage treatment as may be necessary to

- a) reduce the biochemical oxygen demand to three hundred parts per million or less and the suspended solids to three hundred parts per million or less by weight, or
- b) reduce objectionable characteristics or constituents to within the maximum limits provided for in section 7010.2 or
- c) control the quantities and rates of discharge of such waters or wastes.

7010.4.3 Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District Engineer and, if deemed necessary by the District Engineer, for the Regional Water Quality Control Board of the State of California and/or the California Department of Health Services and no construction of such facilities shall be commenced until said approvals are obtained in writing.

7010.4.4 Where preliminary pretreatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

7010.5 **Control Manholes:** When required by the District, the owner of any property served by a sewer lateral carrying industrial wastes shall install a suitable control manhole in the sewer lateral to facilitate observation, sampling and measurement of wastes. Such manhole, when required shall be accessibly and safely located and shall be constructed in accordance with plans approved by the District Engineer. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

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7010.6 Measurement and Tests: All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in section 7010.2 and section 7010.4.1 shall be determined in accordance with standard methods and shall be determined at the control manhole provided for in section 7010.5, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the District's sewer to the point at which the sewer lateral is connected. If the sample taken by the District shows that the sewage is in any way in violation of these standards or any other applicable standards, the landowner will be billed and required to pay for the cost of taking the sample and the cost of the laboratory analysis.

7010.7 Special Agreements: No statement contained in this chapter 7010 shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefor by the industrial concern and subject to such terms and conditions as might be required by the Board of Directors of the District.

7010.8 Swimming Pools: It is unlawful for anyone to discharge the contents of a swimming pool into a District sewer without first giving notice to and receiving written permission from the District.

POLICY TITLE: Limitations on the Use of the District's Sewer System
POLICY NUMBER 7010
LAST REVISED: January 6, 2011

Le Grand Community Services District Policy Handbook

Regulation of Drilling Water Wells Within the District

8030 Regulation of Drilling Water Wells Within the District

8030.1 Definitions: The following terms are defined for the purpose of this Section 8030 as follows :

8030.1.1 **Supply Well:** A well means of which water is removed to the surface from its natural position in the ground below the surface.

8030.1.2 **Drainage Well:** A well whereby water is returned from the surface to the underground water reservoir.

8030.1.3 **Monitoring Well:** Any well or other excavation for the purpose of monitoring the quality of underground waters of the concentration of contaminants in underground water.

8030.2 Well Drilling Prohibition: The drilling or digging of wells within the District, except by the District, for any other purpose than as a drainage well or a monitoring well is hereby prohibited, provided that the District Engineer may issue a permit for the drilling and completion of a well pursuant to the following requirements :

8030.2.1 **Wells Drilled for Domestic, Commercial or Industrial Purposes:** The District Engineer may issue a permit for these purposes for a temporary use only and only under the following circumstances:

- a. District water mains are not in place adjacent to the property involved;
- b. The District Engineer has determined that it is not economically feasible or desirable to extend the District's water mains to serve the property at the time the request for service is made by the owner or lessee; and
- c. The owner or lessee of the property has executed an agreement for the discontinuance of the use of the well and the capping of the well upon notice by the District Engineer. Such notice shall be given immediately following installation of water mains adjacent to the property on which the well has been drilled.

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8030.2.2 **Existing Wells:** The District Engineer may issue a permit for the drilling of a supply well to replace an existing well or to deepen an existing well supplying water for industrial or agricultural purposes, when, in the determination of the District Engineer, the existing well which heretofore has served such purposes has become impaired and unusable, providing such well shall be permanently capped and closed.

8030.2.3 **Standard Conditions:** Any permit issued by the District Engineer pursuant to this Section 8030, shall contain standard conditions promulgated by the District Engineer. Among these standard conditions will be the need for (1) a well drilling permit issued by the County of Merced unless the District Engineer determines that no County permit is required by the County and (2) the installation of a device to prevent back flow from the well permitted into the District's water supply and delivery system.

8030.2.4 **Additional Conditions:** Notwithstanding the foregoing, nothing in this Section 8030 shall be interpreted as prohibiting the District Engineer from imposing such conditions on the issuance of a permit hereunder so as to provide adequate protection of the public's health and safety.

8030.2.5 **Board Actions:** Notwithstanding the foregoing, nothing in this Section 8030 shall be interpreted as prohibiting the District's Board of Directors from issuing permits for the drilling of wells.

8030.3 **Enforcement:** The Board of Directors hereby declares that any well drilled within the District's boundaries after the effective date of the adoption of this section 8030, if not in compliance with the terms of this section 8030, is a public nuisance and the District's attorney's fees incurred to abate that nuisance shall become a lien on the land on which the well is drilled. In addition to the District's legal remedies for abating a public nuisance, this section 8030 shall be enforceable using the remedies set forth in Title X of this Policy Handbook.

8030.4 **Applicability of District Development Improvement Standards:** The District's Development Improvement Standards set forth in Title VI of this Policy Handbook shall apply.

POLICY TITLE: Regulation of Drilling Water Wells Within the District
POLICY NUMBER 8030
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Enforcement

10000 Enforcement

10000.1 **Violations Unlawful.** Following the effective date of the adoption of this Policy Handbook, and then following the effective date of any amendment to this Policy Handbook, except as provided herein, it shall be unlawful for any person to:

10000.1.1 construct, install or provide, maintain and use any other means of sewage disposal from any building in the District except by connection to the District's sewage collection and treatment system in the manner set forth in this Policy Handbook; or

10000.1.2 Construct, install or provide, maintain and use any other source of domestic water to any building in the District except by connection to the District's water delivery system in the manner set forth in this Policy Handbook.

10000.2 **Investigative Powers:**

10000.2.1 The District may obtain a search warrant pursuant to Section et seq. of the Code of Civil Procedure, which shall state the location which it covers and shall state its purposes. Such a warrant may authorize District employees or agents to enter property to do one or more of the following:

- a. to inspect to determine the presence of a public nuisance that the District has the authority to abate;
- b. to abate public nuisances, either directly or by giving notice to the property owner to abate the public nuisance;
- c. to determine if a notice to abate a public nuisance has been complied with.

10000.2.2 Notwithstanding the foregoing, District employees or agents, after identifying themselves as such, may go onto private property within the jurisdictional boundaries of the District, without first obtaining a warrant for the following purposes:

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- a. to do any of the things set forth in subsection 10000.2.1 where there is no reasonable expectation of privacy and subject to the limitations of the United States Constitution and California law;
- b. with the consent of the property owner for any legitimate District purpose;
- c. for the purpose of reading the water meter;
- d. for the purpose of stopping the flow of water which has been delivered by the District which possess an immediate threat or risk of harm to property or the health or safety of the public at large or an individual or group of individuals; or
- e. for the purpose of stopping the flow of raw sewage from a sewer lateral or District sewer main which possess an immediate threat or risk of harm to property or the health or safety of the public at large or an individual or group of individuals.

10000.3 **Violation.**

10000.3.1 No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District's sewage collection system or water delivery system. To do so is a crime subject to prosecution by the District Attorney.

10000.3.2 No person shall damage or tamper with a water meter used by the District to determine the amount of a customer's water usage. To do so is a crime subject to prosecution by the District Attorney.

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10000.3.3 Any violation of any provision of this Policy Handbook, or any amendments to this Policy Handbook, or any other ordinances, rules of regulations of the District, may be subject to the enforcement of said policy, ordinance, rule or regulation, as a violation or as a misdemeanor or may be subject to any other means of enforcement set forth in this Policy Handbook including but not necessarily limited to an action to abate a public nuisance and/or termination of utility services. The District hereby declares that these procedures are established as a means of enforcement of the terms and conditions of this Policy Handbook or its ordinances, rules and regulations and not as a penalty.

10000.4 **Notice of Violation.** Any person found by the District to be violating any provision of this Policy Handbook or any other ordinance, rules or regulations of the District, shall be served by the District's employee or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The time limit stated in the notice shall be not less than two nor more than ten days unless specifically directed by the District's Board of Directors or pursuant to specific provisions of this Policy Handbook. The offender shall, within the time period stated in the notice, permanently cease all violations. All persons shall be held strictly accountable for any provisions of this or any other ordinance, rule or regulation of the District. Upon being notified by the District of any defect arising in any sewer or water system or of any other violation of this Policy Handbook, or other ordinance, rule or regulation of the District, the person having charge of said work shall immediately correct the defect or violation which is the subject of the notice.

10000.5 **Discontinuation of Utility Services.** As an alternative and non- exclusive method of enforcing the provisions of this Policy Handbook or other ordinance, rule or regulation of the District, in addition to any other enforcement method, after giving written notice as set forth above, the District shall have the power:

10000.5.1 to disconnect the user or subdivision sewer and/or water system from the District's mains. Upon disconnection, the District Engineer shall estimate the cost of disconnection from and re-connection to the system and such user shall deposit the cost, as estimated, of disconnection and re-connection before such user is reconnected to the system. The District will refund any part of the deposit remaining after payment of all costs of disconnection and re-connection; and/or

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10000.5.2 to cause District water service to the property in question to be terminated. In order to have water services to the property re-established the user may be required to pay a fee to defray the costs incurred by the District in terminating and re- establishing services.

10000.6 **Nuisance Abatement.** Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this Policy Handbook or any other ordinance, rule or regulation of the District is hereby declared to be a public nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation. During any period that property has no water and/ or sewer services, habitation of such building shall constitute a public nuisance, whereupon the District may cause proceedings to be brought for the abatement of the occupancy of said premises by human beings until the respective utility services are reestablished. In such event, as a condition of re-connection, there is to be paid to the District a reasonable attorney's fee and costs of suit arising in said action.

10000.7 **Liability for Violation.** Any person violating any of the provisions of this District Policy Handbook or any other District ordinance, rule or regulation shall be liable to the District for any expenses, loss or damage occasioned by the District by reason of such violation including but not necessarily limited to the enforcement of said policy, ordinance, rule or regulation.

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