

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
VISTA IRRIGATION DISTRICT

December 17, 2014

A Regular Meeting of the Board of Directors of Vista Irrigation District was held on Wednesday, December 17, 2014, at the offices of the District, 1391 Engineer Street, Vista, California.

1. CALL TO ORDER

President Dorey called the meeting to order at 8:30 a.m.

2. ROLL CALL

Directors present: Miller, Vásquez, Dorey, and MacKenzie.

Directors absent: None.

Staff present: Roy Coox, General Manager; Marian Schmidt, Assistant Board Secretary; Eldon Boone, Assistant General Manager; Don Smith, Director of Water Resources; Angela Morrow, Water Resources Manager; Brett Hodgkiss, Administrative Services Manager; Al Ducusin, Engineering Department Manager; Dan Dambach, Field Services Manager; Frank Wolinski, Operations Manager; and Marlene Kelleher, Finance Manager. General Counsel Joel Kuperberg was also present.

Other attendees: Family members of retiring employee Dan Dambach and many VID employees were present to congratulate and wish Mr. Dambach well in his retirement.

Also present were two members of the public, Mr. Rick Poggemeyer, and Mr. Randy Reznicek.

3. PLEDGE OF ALLEGIANCE

President Dorey led the pledge of allegiance.

4. APPROVAL OF AGENDA

14-12-107	<i>Upon motion by Director Vásquez, seconded by Director Miller and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors approved the agenda as presented.</i>
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5. PUBLIC COMMENT TIME

No public comments were presented on items not appearing on the agenda.

6. CONSENT CALENDAR

14-12-108 *Upon motion by Director MacKenzie, seconded by Director Vásquez and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors approved the Consent Calendar, including Resolution No. 14-34 approving disbursements.*

A. Paving services contract change order

See staff report attached hereto. Staff recommended and the Board authorized the General Manager to execute a contract change order with Medina Construction for paving services on Oceanview Drive and Crest Drive.

B. Minutes of Board of Directors meetings on November 19, 2014 and December 8, 2014

The minutes of November 19, 2014 and December 8, 2014 were approved as presented.

C. Resolution ratifying check disbursements

RESOLUTION NO. 14-34

BE IT RESOLVED, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 48868 through 49141 drawn on Union Bank totaling \$783,906.78.

FURTHER RESOLVED that the Board of Directors does hereby authorize the execution of the checks by the appropriate officers of the District.

PASSED AND ADOPTED unanimously by a roll call vote of the Board of Directors of Vista Irrigation District this 17th day of December 2014.

7. **RESOLUTION COMMENDING RETIRING VID EMPLOYEE DANIEL DAMBACH**

See staff report attached hereto.

General Manager Roy Coox said the employees are here to recognize and honor Dan Dambach for his many years of service. He thanked Dan for his years of service and gave a brief snapshot of his career which began in 1979 as he began working his way up through the ranks to his current position as Field Services Manager. Mr. Coox stated that Dan has done a great job over the years and as a result the District's reputation in the industry has benefitted. Mr. Coox noted that Dan has been a tremendous asset which will be impossible to replace. He wished Dan and his family a long, healthy and happy retirement.

Assistant General Manager Eldon Boone thanked Dan for his 36 years of service and commended him for working his way up through eight different progressive positions, starting as an entry level Utility Worker I, and moving up to his current position which is one of the highest level management positions in the District. Mr. Boone mentioned that Dan is not only leaving the District with 36 years of good service, but also leaving a legacy that future generations of workers will follow.

President Dorey stated that he worked with Dan, who has been an inspiration to the new employees and a very good leader in the construction industry. President Dorey said that he appreciates

what Dan has done for the District, and he will be missed. Director Vásquez said to Dan that he is a true example of enjoying his job and he thanked him for all of his humor and the way he has expressed himself before the Board. Director MacKenzie commented that Dan is leaving big footprints behind and big shoes to fill. Director Miller commended Dan for his 36 years of service and for his perseverance, guidance, and advancements within the District. Director Miller said that Dan will be greatly missed.

Operations Manager Frank Wolinski, Facilities Supervisor Donald Gordon, Director of Water Resources Don Smith, and Engineering Department Manager Al Ducusin all shared tributes and anecdotes regarding Mr. Dambach, and thanked him for all he's done in his career with the District.

14-12-109 *Upon motion by Director MacKenzie, seconded by Director Vásquez, the Board of Directors adopted Resolution 14-35 honoring Daniel Dambach, Field Services Manager, for 36 years of service to the District and its customers, by the following roll-call vote:*

AYES: Directors Miller, Vásquez, MacKenzie, and Dorey
NOES: None
ABSTAIN: None
ABSENT: None

A copy of Resolution 14-35 is on file in the official Resolution Book of the District.

President Dorey read aloud the Resolution and presented a framed copy to Mr. Dambach. Mr. Dambach thanked the Board and mentioned that during his tenure at the District, there have been 22 Board members and he has enjoyed every one of them. He credited the District for being an outstanding agency for its employees. He thanked Mr. Coox and Mr. Boone for their support over the years and mentioned that it's been uplifting and encouraging to hear them say "do what you do best", words which he was happy to be able to say to his staff members as well. Dan encouraged his fellow employees to continue providing outstanding customer service because the District is a great place to be. Dan concluded that it's been wonderful to work with everyone and he gave his thanks.

A brief break was taken from 8:55 a.m. to 9:12 a.m.

Upon return from break, present in the audience were Al Ducusin, Frank Wolinski, Marlene Kelleher, Don Smith, Angela Morrow, Brett Hodgkiss, Phil Zamora, and members of the public Rick Poggemeyer and Randy Reznicek.

8. DIVISION REPORTS

See staff report attached hereto.

Director Miller requested an update on the recycled water project. Mr. Coox reported that an update will be on the agenda for the January 21st Board meeting. Mr. Coox stated that in terms of the partnership with Oceanside and potentially with Carlsbad, staff has been meeting with Oceanside staff and moving forward with purchasing water from Oceanside. Mr. Coox stated that the staff report will lay out all of the specifics on the joint recycled water project with Oceanside. There was brief discussion on the expansion of the Weese Water Treatment Plant and the cost of receiving treated potable water. Mr. Boone stated that the contract with the Weese Water Treatment Plant has minimum quantities of water that Oceanside must deliver and the District must take. He stated that the District has taken significantly more than the minimum quantities of water to date, which has been in the District's best interest.

Director Vásquez requested an update on the financial system software. Finance Manager Marlene Kelleher reported that the system is operating efficiently. Ms. Kelleher clarified that in the earlier part of the implementation, the consultants were on site to assist in carrying the data over to prepare for the July 1, 2014 changeover to the new software. The changeover went without a glitch and both systems have been audited. Ms. Kelleher expects to receive an unqualified opinion from the auditors and it will be presented to the Board in January. She stated that the system is fully operational and the District has received great service from the vendor.

Director MacKenzie inquired about the entry permits for SDG&E on the Warner Ranch and if the District is still receiving copies of the biological surveys from everyone who receives permits. Mr. Don Smith responded that staff requests and receives the surveys for any significant project on the Ranch.

9. VACANCY OF DIRECTOR'S SEAT – DIVISION 4

See staff report attached hereto.

Mr. Coox stated that this is the opportunity for the Board to make a decision on how to proceed with filling the vacancy. He stated that he has had preliminary discussions with General Counsel regarding the legal aspects. Mr. Coox recalled that in 2007 the District had a vacancy with the passing of Director Campo, and the Board decided to move forward with an appointment process at that time. The vacancy was posted and advertised in local newspapers and interested candidates were instructed to contact the Board Secretary for a Statement of Qualifications questionnaire. The Board conducted interviews and made an appointment was made.

General Counsel Kuperberg stated that immediately after the vacancy is created, the District was required by law to notify the Registrar of Voters of the vacancy, which has been done. Mr. Kuperberg outlined the two main choices now available to the Board. If the Board decides to have a special election, there will be no further choices to be made. He continued that if the Board decides to make an appointment, the Board will have to decide what process to use, and when to make the appointment. Mr. Kuperberg stated that if the Board elects to appoint a candidate, a Notice of Vacancy would need to be prepared and posted in three prominent locations within the District at least 15 days before the date of the appointment.

The Board discussed the appropriate timing to fill the vacancy. Mr. Kuperberg clarified that regardless of whether the Board chooses to make an appointment or hold an election, it has a 60-day period in which to fill the vacancy. The 60-day period begins with the date of the declaration of the vacancy, which in this case was December 9, 2014. Director Miller stated that the Board needs to decide whether it will fill the vacancy by election or by appointment. Director Vásquez recommended that the Board fill the vacancy by appointment and set an appointment date.

Director Miller suggested that the Board establish a deadline for applications to be January 6, 2015 and agendize the matter for discussion at the January 7 Board meeting. At January 7 Board meeting the Board can determine how to proceed based on the number of applications received.

Mr. Coox reviewed through the previous Statement of Qualifications questionnaire. Director MacKenzie requested to add one more question, "how many years have you been a Vista resident". Mr. Coox stated that staff will post the Notice of Vacancy at the District headquarters, at Vista City Hall, and at the Vista Library, as well as issue a news release regarding the vacancy and the application process.

14-12-110 *Upon motion by Director Vásquez, seconded by Director MacKenzie and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors elected to fill the Division 4 vacancy through an appointment process and set the deadline for applications to be submitted to the District on or before January 6, 2015 at 3:00 p.m.*

Director MacKenzie also requested to post the Notice of Vacancy on the District's web site.

10. PERSONNEL POLICY MANUAL

See staff report attached hereto.

Mr. Boone recalled that in April 2013, the Board approved changes to the Personnel Policy with the understanding that staff would report back with further revisions to the Personnel Policy following labor negotiations. He explained that this current revision is laid out in a way that makes it easier for employees to follow and find the information they are seeking. Staff incorporated all of the Addendums and Side Letters into the Personnel Policy document and grouped them with similar topics, so it's simpler to use. This Policy Manual has been reviewed by the District's Labor Counsel, and has been negotiated with the Teamsters. The Teamsters agreed to the District providing a copy to all employees, and employees will be signing an acknowledgement that they received it.

Human Resources Manager Phil Zamora reviewed specific areas of the Personnel Policy in which language was updated to comply with labor law changes. He stated that this revised Personnel Policy Manual provides an added value for the District and provides good information for the District's employees. Director Vásquez commended the way in which the Table of Contents was laid out, adding that by placing the applicable items all in sequence it lets the employees know what is expected of them.

14-12-111 *Upon motion by Director Miller, seconded by Director Vásquez, the Board of Directors adopted Resolution 14-36 revising the Personnel Policy Manual, by the following roll-call vote:*

AYES: Directors Miller, Vásquez, MacKenzie, and Dorey
NOES: None
ABSTAIN: None
ABSENT: None

A copy of Resolution 14-36 is on file in the official Resolution Book of the District.

Director MacKenzie inquired as to the time frame for the employees to sign the acknowledgement of receipt of the manual. Mr. Boone stated employees will be asked to submit the acknowledgment by March 31, 2015. Mr. Zamora added that there will be a training session regarding the newly revised manual, and it will be provided to employees in both electronic and hard copy formats. Director MacKenzie requested to have an electronic copy of the Personnel Policy Manual.

11. COMPENSATION SCHEDULE EFFECTIVE JANUARY 1, 2015

See staff report attached hereto.

Mr. Boone provided an overview of the CalPERS rules which include a requirement that the governing bodies of all public member agencies approve a salary schedule for all employees in an open

public forum. Mr. Boone informed the Board that the District's salary schedule will be presented to the Board on an annual basis, or when a change is required for a re-classification of a position due to reorganization or restructuring.

14-12-112 *Upon motion by Director Miller, seconded by Director Vásquez, the Board of Directors adopted Resolution 14-37 approving the Compensation Schedule effective January 1, 2015 for all employees to facilitate CalPERS reporting requirements under current state pension law, by the following roll-call vote:*

*AYES: Directors Miller, Vásquez, MacKenzie, and Dorey
NOES: None
ABSTAIN: None
ABSENT: None*

A copy of Resolution 14-37 is on file in the official Resolution Book of the District.

12. LOCAL AGENCY FORMATION COMMISSION (LAFCO) SPECIAL DISTRICTS ELECTION

See staff report attached hereto.

Mr. Coox reported that there are two seats up for election and that Director MacKenzie is running unopposed for the regular special district member seat. He reported that two candidates, Edmund K. Sprague of Olivenhain Municipal Water District and Alvin W. Gebhart of Fallbrook Public Utility District are seeking election for the alternate special district member position.

14-12-113 *Upon motion by Director Dorey, seconded by Director Vásquez and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors authorized President Dorey to cast the District's vote in the LAFCO 2014 Special Districts Election for Jo MacKenzie of Vista Irrigation District for the Regular Member position and for Edmund K. Sprague of Olivenhain Municipal Water District for the Alternate Member Position.*

13. MATTERS PERTAINING TO THE ACTIVITIES OF THE SAN DIEGO COUNTY WATER AUTHORITY

See staff report attached hereto.

Director Miller reported that no Water Authority meeting was scheduled for December. He reported on his attendance at a meeting of the Pumped Storage Task Force where it was reported that the City of San Diego and the Water Authority are moving forward with the Pump Storage Project. Director Miller stated that this Pumped Storage Project will be presented to the Water Authority Board in February to consider the next phase of studies. Director Miller reported that he continues to be the Vice-Chair of the Engineering and Operations standing committee, and will also remain on the Water Planning, and the Small Contractor Outreach and Opportunities Program (SCOOP) committees. Director Miller noted that the next Water Authority Board meeting would be in January and that there will be two meetings in February, one of which will be concerning the Pumped Storage Project.

Mr. Coox reported that the Water Authority Fiscal Sustainability Committee continues to deliberate regarding rate structures and how to pay for desalinated water from the Carlsbad Desalination Project. At the most recent meeting more proposals were presented and recommendations being developed for presentation to the Water Authority Board in January. Mr. Coox noted that VID Finance Manager Marlene Kelleher has been representing the District in this group. Mr. Coox reported that the Water Authority has also formed a Member Agency Advisory Team to discuss water supply issues and allocations.

14. REPORTS ON MEETINGS AND EVENTS ATTENDED BY DIRECTORS, AND AUTHORIZATION FOR DIRECTOR ATTENDANCE AT UPCOMING MEETINGS AND EVENTS

See staff report attached hereto.

Director Vásquez reported on his attendance at the recent ACWA conference. He reported that Jeremy Jungreis of Rutan and Tucker made a presentation at the Clean Water sub-committee meeting, which is a sub-committee of the Water Quality Committee. Mr. Jungreis reviewed new changes in the rules regarding water discharge which will affect water districts. Director Vásquez also reported on his attendance at a session on Delta dam site feasibility studies where new software was discussed which can model different scenarios to come up with a preferred dam site. Director Vásquez reported on his attendance at the Region 10 Board of Directors meeting. He noted that the Region 10 planning session is scheduled for the last Monday in January.

Director Miller reported on his attendance at ACWA where he attended a session on the Steelhead recovery plan in Southern California. The presentation addressed the implications of Steelhead recovery in both the Santa Margarita and San Luis Rey Rivers. Director Miller reported that he also attended the JPIA symposium moderated by Director MacKenzie. Director Miller stated that he also attended a symposium on hydro power and the placing of turbines over aqueducts and canals, allowing the turbines to naturally spin with the flow of water to generate power. Director Miller stated that he thought this could be somewhat relevant for the District due to its flume and water going down the Escondido Canal.

Director MacKenzie reported on her attendance at the ACWA conference stating that she attended many of the same sessions as Director Vásquez and her notes were the same as what was reported by Director Vásquez. Director MacKenzie stated that she also attended the human resources workshops on Employee Evaluation and Performance Management by Liebert Cassidy Whitmore, which she thought were interesting and informative.

Director MacKenzie reported on her attendance at the Local Government Committee meeting where a presentation was made by Elsinore Valley Municipal Water District and Eastern Municipal Water District. Over a 2 ½ year period the two districts pushed for legislation that allowed them to annex a mutual water company that had not done any maintenance. This legislation is being considered as a template for other districts that may do the same thing. Director MacKenzie commented on the Local Government Committee Program on Joint Powers Authorities which she moderated. The program included a panel of three speakers: the General Manager of Glen-Colusa Irrigation District, the General Manager of Encina Wastewater Authority, and an attorney who provided an overview of the formation of JPAs.

Director MacKenzie reported on her attendance at the Colorado River Water Users Association conference in Las Vegas. She reported that to date Las Vegas has invested \$205M in the landscape turf removal program, pool cover rebates, and car wash coupons. Director MacKenzie reported that Mike

Connor from the Department of Interior was the speaker on Friday and his speech was informative, but that no information was mentioned about the Indian settlements. There were a number of discussions relevant to the drought and what the various agencies are doing about it.

President Dorey reported on his attendance at the ACWA conference. He reported that at the JPIA session, Tom Sher was the speaker on the Affordable Care Act as it unfolds in the next year or two. He felt this information will become very useful. President Dorey also attended the ACWA Groundwater Committee meeting where the speaker from the Department of Water Resources provided information on the groundwater law that was passed. President Dorey reported that he also attended a meeting of the San Luis Watershed Council. He noted that invoices for the annual dues will be forthcoming.

Director MacKenzie requested to attend the ACWA Legislative Symposium on March 4, 2015 in Sacramento, noting that if she is authorized to attend she will be absent at the March 4, 2015 Board of Directors meeting.

14-12-114	<i>Upon motion by Director Miller, seconded by Director Vásquez and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors authorized Director MacKenzie to attend the ACWA Legislative Symposium in Sacramento on March 4, 2015.</i>
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15. ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

See staff report attached hereto.

None were presented.

16. COMMENTS BY DIRECTORS

Director Vásquez commented on the November 19th article he read regarding the Salton Sea which mentioned that Imperial Valley has challenged the state to comply with their promises for saving the Salton Sea. He also reported on an article he read that the water usage in the county and state had gone up in October. He mentioned another article about the earthquake fault that runs under the Henshaw Dam that characterized it as a very active fault. He referenced the article that was provided in the Board packets about the “end of the dispute” with the Indians even though the District’s settlement has yet to go to Congress.

On behalf of the Board, President Dorey thanked the staff for the previous day’s employee appreciation event.

17. COMMENTS BY GENERAL COUNSEL

Mr. Kuperberg wished the Board of Directors a happy, healthy, and safe holiday season.

18. COMMENTS BY GENERAL MANAGER

Mr. Coox informed the Board that Lake Henshaw had approximately 6” of rain in December, which translated to approximately 500 acre feet of water.

Mr. Coox informed the Board about an inquiry which came in through the District’s website from the Pride of Vista Lions Club. It specifically mentioned Jo MacKenzie and Paul Dorey and asked if either would be available to judge this year’s student speakers contest because the topic this year is water

conservation. The date of the contest is February 5, 2015. Director MacKenzie stated that she is not able to judge due to her husband being active within the Lions Club. President Dorey told Mr. Coox that he would let him know if he's available that date.

Mr. Coox thanked the Board for attending the holiday recognition event the previous day, noting that it was a big success. Mr. Coox reminded the Board about the retirement luncheon for Dan Dambach the following day in the board room. Mr. Coox wished the Board happy holidays.

Director MacKenzie asked General Counsel about an item that came up in the ACWA Local Government Committee which is a sub-committee of the State Legislative Committee regarding low income water rate assistance programs. She stated they are trying to find districts that offer low income water rate assistance programs. ACWA would like to show legislators examples of what is being done to assist low income customers. Mr. Kuperberg stated that he doesn't know of any way to gather that information other than for ACWA to do a survey. Mr. Coox stated that the City of San Diego conducted a survey on low income assistance programs and presented the results at the General Managers meeting. The survey found that there are a number of low income assistance programs in existence; however a majority of them are outside of California. Director MacKenzie requested that this information to be forwarded to her so that she could forward it to ACWA.

A brief break was taken from 11:30 a.m. to 11:40 a.m.

19. CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL

President Dorey adjourned the meeting to closed session at 11:40 a.m. for a conference with legal counsel per Paragraph (1) of subdivision (d) of Government Code section 54956.9 to discuss the following pending litigation:

- A. San Luis Rey Indian Water Rights Litigation (Settlement)
- B. Quantification Settlement Agreement (QSA)

The meeting reconvened in open session at 12:43 p.m. President Dorey declared that no reportable action had been taken.

20. ANNUAL ORGANIZATIONAL MEETING

See staff report attached hereto.

President Dorey presided over the Board elections for the upcoming 2015 year. The Board nominated Director MacKenzie for President, Director Vásquez for First Vice President, and Directors Miller and Dorey as Vice Presidents. The Board also reaffirmed the current slate of other Board officers, namely Treasurer, Assistant Treasurer, Board Secretary, and Assistant Board Secretaries.

14-12-115	<i>Upon motion by Director Vásquez, seconded by Director Miller and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors elected Director MacKenzie as Board President.</i>
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14-12-116	<i>Upon motion by Director Dorey, seconded by Director Miller and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors elected Director Vásquez as First Vice President in the absence of the President, and designated Directors Miller and Dorey as Vice-Presidents.</i>
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14-12-117 *Upon motion by Director MacKenzie, seconded by Director Vásquez and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors designated Directors Miller and Dorey as Vice-Presidents.*

14-12-118 *Upon motion by Director MacKenzie , seconded by Director and unanimously carried (4 ayes: Miller, Vásquez, MacKenzie, and Dorey), the Board of Directors designated Lisa Soto to serve as Secretary of the Board, with Roy Coox and Marian Schmidt designated as Assistant Secretaries of the Board. Eldon Boone was designated to serve as Treasurer, with Roy Coox and Farrokh Shahamiri designated as Assistant Treasurers.*

20. ADJOURNMENT

There being no further business to come before the Board, at 12:45 p.m. President Dorey adjourned the meeting to January 7, 2015 at 8:30 a.m.



Paul E. Dorey, President

ATTEST:



Marian Schmidt, Assistant Secretary
Board of Directors
VISTA IRRIGATION DISTRICT



STAFF REPORT

Agenda Item: 6.A

Board Meeting Date:	December 17, 2014
Prepared By:	Dan Dambach
Reviewed By:	Eldon Boone
Approved By:	Roy Coox

SUBJECT: PAVING SERVICES CONTRACT CHANGE ORDER

RECOMMENDATION: Authorize the General Manager to execute a contract change order with Medina Construction for paving services on Oceanview Drive and Crest Drive.

PRIOR BOARD ACTION: At the August 20, 2014 meeting, the Board authorized the General Manager to enter into a contract with Medina Construction for paving services on Oceanview Drive and Crest Drive.

FISCAL IMPACT: The amount of the contract change order is \$8,973.44.

SUMMARY: The District entered into a contract with Medina Construction for the final asphalt repairs for this pipeline replacement project in the amount of \$59,827.96. District forces replaced approximately 3,800 feet of 4" & 6" steel pipe on Oceanview Drive and Crest Drive. During the construction of this large project, it was determined that additional pipe needed replacement due to age and deterioration. As a result of replacing the additional pipe, an additional 1,873 square feet of asphalt repairs were necessary to complete the project.

DETAILED REPORT: The District's purchasing policy authorizes the General Manager to execute change orders not exceeding ten percent (10%) of the contract amount or \$100,000, whichever is less. Change orders that exceed these amounts must be formally approved by the Board of Directors. The amount of this change order for additional paving services exceeds the ten percent threshold; therefore, it is recommended that the Board provide formal approval as required.



Cash Disbursement Report

Payment Dates 10/30/2014 - 11/26/2014

Payment Number	Payment Date	Vendor	Description	Amount
48868	11/05/2014	ACWA/JPIA	Back School Training 02/03 - 2/04/2014	250.00
48869	11/05/2014	Airgas USA LLC	Acetylene Regulator Repair - Truck 46	74.40
48870	11/05/2014	AT&T	Service 09/13/2014 - 10/12/2014	2,240.17
48871	11/05/2014	Blue Shield of CA Life & Health	Health Insurance 11/2014 VID	1,561.82
	11/05/2014		Health Insurance 11/2014 R Vasquez	13.83
	11/05/2014		Health Insurance 11/2014 P Dorey	13.83
	11/05/2014		Health Insurance 11/2014 M Mller	13.83
	11/05/2014		Health Insurance 11/2014 J MacKenzie	13.83
	11/05/2014		Health Insurance 11/2014 J Franklin	13.83
48872	11/05/2014	BluePrint Technologies	Professional Services - Remote	67.50
48873	11/05/2014	Cecilia's Safety Service Inc	Traffic Control - Deer Springs	1,008.00
	11/05/2014		Traffic Control - Oceanview Dr	3,505.00
	11/05/2014		Traffic Control Design - Breeze Hill Rd	185.00
	11/05/2014		Traffic Control Design - West Dr	185.00
	11/05/2014		Traffic Control Design - West Bobier Dr	555.00
	11/05/2014		Traffic Control Design - South Melrose Dr	185.00
48874	11/05/2014	Central Voice	Answering Service 10/20/2014 - 11/19/2014	46.00
48875	11/05/2014	Chase Pacific	Customer Refund / Closing	142.14
48876	11/05/2014	Chris & Rikki Hess	Customer Refund / Closing	145.10
48877	11/05/2014	Chris Humphries	Customer Refund / Closing	31.92
48878	11/05/2014	City of Vista	Customer Refund / Closing	14.09
	11/05/2014		Paseo Santa Fe Project 08/01/2014 - 09/08/2014	38,963.70
48879	11/05/2014	Colfin AI -CA 4, LLC	Customer Refund / Closing	134.25
48880	11/05/2014	CSMFO	Membership Dues 2015	110.00
48881	11/05/2014	Dan Dambach	Reimburse - Battery Pack for 2 Way Radios	84.63
	11/05/2014		Reimburse - Battery Pack for 2 Way Radios	73.74
48882	11/05/2014	David Mejia	Customer Refund / Closing	47.11
48883	11/05/2014	David Parry	Customer Refund / Closing	37.47
48884	11/05/2014	Delta Dental Insurance Company	Dental Insurance 11/2014	40.46
	11/05/2014		Dental Insurance 11/2014 VID	204.21
48885	11/05/2014	Delta Dental of California	Dental Insurance 11/2014	84.50
	11/05/2014		Dental Insurance 11/2014 VID	9,598.21
	11/05/2014		Dental Insurance 11/2014 M Miller	84.50
	11/05/2014		Dental Insurance 11/2014 J Franklin	84.50

Payment Number	Payment Date	Vendor	Description	Amount
	11/05/2014		Dental Insurance 11/2014 P Dorey	84.50
	11/05/2014		Dental Insurance 11/2014 R Vasquez	84.50
	11/05/2014		Dental Insurance 11/2014 J MacKenzie	84.50
48886	11/05/2014	Dennis Chapman	Customer Refund / Closing	58.75
48887	11/05/2014	Diamond Environmental Services	Portable Restroom Service	135.57
	11/05/2014		Portable Restroom Service	84.88
48888	11/05/2014	Electrical Sales Inc	Wire for Station 12	110.92
	11/05/2014		Material for Lupine Hills Reservoir	200.65
48889	11/05/2014	Estate of Craig Allen Heiller	Customer Refund / Closing	64.44
48890	11/05/2014	Fastenal	Cable Ties, Bolts, Washers, Nuts - Shop	64.81
48891	11/05/2014	Ferguson Waterworks	Coupling 6" Repair XR501	473.06
48892	11/05/2014	Glennie's Office Products Inc	Office Supplies	289.13
48893	11/05/2014	Grainger	Black Spray Primer (4) - Shop	41.96
	11/05/2014		Heat Shrink Tube Label	240.61
48894	11/05/2014	Granite Ranch Opportunities	Customer Refund / Closing	100.02
48895	11/05/2014	Henry A Shimer	Customer Refund / Closing	48.04
48896	11/05/2014	Hydro-Scape Products Inc	Pump Parts - Station 12	132.85
48897	11/05/2014	IDAC West Inc	Pechstein SCADA Project	15,430.00
48898	11/05/2014	Jackie Matson	Customer Refund / Closing	77.85
48899	11/05/2014	Kara Calderon	Customer Refund / Closing	120.28
48900	11/05/2014	Lightning Messenger Express	Messenger Service 10/03/2014	29.00
48901	11/05/2014	Maricris Guanga	Customer Refund / Closing	144.37
48902	11/05/2014	Midas	Tires & Mounting (2) - Truck 37	318.00
	11/05/2014		Tires & Alignment (2) - Truck 35	300.06
48903	11/05/2014	Mike Epps	Customer Refund / Closing	144.43
48904	11/05/2014	Moody's	Dump Fee (3)	150.00
	11/05/2014		Dump Fee	50.00
	11/05/2014		Dump Fee	50.00
48905	11/05/2014	Nancy Russell Prop Mgmt LLC	Customer Refund / Closing	23.18
48906	11/05/2014	NAPA Auto Parts	Seat Assembly - F1	141.47
	11/05/2014		Casters- Shop, Socket - Truck 66	22.17
	11/05/2014		Oil & Oil Filter - Truck 24	68.12
	11/05/2014		Brake Pads and Grease Seals - Truck 42	71.71
	11/05/2014		Brake Pads - Truck 35	61.04
48907	11/05/2014	Neil Galluci	Customer Refund / Closing	695.85
48908	11/05/2014	North County Auto Parts	Oil. Fuel & Air Filters - B19	78.83
	11/05/2014		Oil Filter - Truck 42	3.88
	11/05/2014		Radi Cap - Truck 21	4.70
	11/05/2014		Oil & Air Filter - Car 12	15.56

Payment Number	Payment Date	Vendor	Description	Amount
	11/05/2014		Turn Brake Rotors - Truck 42	37.00
48909	11/05/2014	Oceanside Transmission Incorporated	Rebuilt Transmission & Installation	3,575.28
48910	11/05/2014	O'Reilly Auto Parts	Steering Wheel Cover- Truck 65	10.84
	11/05/2014		Battery Terminal Ends - Shop	4.33
	11/05/2014		Air Fresheners - Shop	32.69
	11/05/2014		Bumper Paint- Truck 42	26.02
48911	11/05/2014	Pacific Pipeline Supply	Materials for Cut & Cap - Park Dr	570.53
	11/05/2014		Gasket Meter Full Face Neoprene 1/8"thk 1-1/2"	215.92
	11/05/2014		Gasket Meter Full Face Neoprene 1/8"thk 2"	224.59
48911	11/05/2014		Fire Hydrant Check Valve	10,220.06
48912	11/05/2014	Pickford Realty LTD., OCLA	Customer Refund / Closing	143.50
48913	11/05/2014	PK II Melrose Village Plaza LP	Customer Refund / Closing	65.74
48914	11/05/2014	Randall Hickman	Customer Refund / Closing	58.60
48915	11/05/2014	Robert L Peterson	Customer Refund / Closing	106.92
48916	11/05/2014	S & J Supply Company Inc	Curb Stop .75" Compression (10)	661.85
	11/05/2014		Gate Valve 2" Blow Off Cast Iron	3,248.71
48917	11/05/2014	San Diego Chapter of RIMS	"Just Drive" Presentation	35.00
48918	11/05/2014	San Diego Gas & Electric	Gas 10/2014	232.95
	11/05/2014		Electric 10/2014	20,237.21
	11/05/2014		Electrical Transmission 10/2014	3,939.22
48919	11/05/2014	Sherry Thorpe	All Hands & Health Fair Refreshments, Tablecloth	132.85
	11/05/2014		Costume Contest Giftcards (4)	20.00
	11/05/2014		Table Cloths for Events	283.86
48920	11/05/2014	Teri Garr	Customer Refund / Closing	143.26
48921	11/05/2014	Terry & Tamara Page	Customer Refund / Closing	309.52
48922	11/05/2014	The Corrales Family Irrevocable Trust	Customer Refund / Closing	94.11
48923	11/05/2014	The Dumbell Man Fitness Equipment	Maintenance of Fitness Equipment	150.00
48924	11/05/2014	WorkPartners Occupational Health Specialists	Flu Vaccines	1,133.00
48925	11/05/2014	TS Industrial Supply	Cutter .5" to 1.25" PVC (4)	253.67
	11/05/2014		Blade Replacement VP-30 PVC (4)	103.73
	11/05/2014		Channel Lock 16" (3)	96.35
	11/05/2014		Wrench 6" Adjustable (2)	29.19
	11/05/2014		Wrench 1.25" One Hand (3)	348.29
	11/05/2014		Wrench 15/16" Combination (4)	110.67
	11/05/2014		Channel Lock 12" (3)	58.59
	11/05/2014		Ratchet .5" Short Handle (3)	155.26
	11/05/2014		Cutter 7" Wire (3)	48.83
	11/05/2014		Wrench 10" Adjustable (4)	104.38
	11/05/2014		Abrasive Roll 180G (3)	45.57

Payment Number	Payment Date	Vendor	Description	Amount
	11/05/2014		Hose 100' Garden Heavy Duty (3)	323.87
	11/05/2014		Measuring Tape .5"x100' Reel (4)	82.46
48926	11/05/2014	Tyler Technologies Inc	CAFR Consulting 10/09/2014	750.00
48927	11/05/2014	Verizon Wireless	Cellular Service 09/16/2014 - 10/15/2014	1,481.16
48928	11/05/2014	Vinje & Middleton Engineering Inc	Compaction Test	715.00
48929	11/05/2014	Vista Chamber of Commerce	2014 Christmas Parade Entry Fee	40.00
48930	11/05/2014	Vista Firestone Brake & Smog	Tires, Mounting & Alignment (2) - Truck 42	464.15
48931	11/05/2014	Vortex Industries Inc	Door Repair	282.00
48932	11/13/2014	ABABA Bolt	Hardware & Cutting Wheel	49.26
48933	11/13/2014	Accurate Measurement Systems Inc	Block & Bleed Valves	597.54
48934	11/13/2014	Airgas USA LLC	Welding Rod & Welding Gloves	161.49
48935	11/13/2014	Allied Electronics Inc	Switches for Pechstein	901.25
48936	11/13/2014	American Water Works Association	Membership Dues 01/01/2015-12/31/2015	5,924.00
48937	11/13/2014	Armstrong Feed & Supply Inc	Gates (8)	1,179.27
48938	11/13/2014	AT&T Mobility	Air Card	38.77
48939	11/13/2014	Benchmark Landscape Services Inc	Palo Verde Tree Trimming	565.00
48940	11/13/2014	Benetrac	Employee Benefits Tracking 11/2014	400.00
48941	11/13/2014	Boot World Inc	Footwear Program	159.39
48942	11/13/2014	California Special Districts Association	Membership Renewal 2015	5,691.00
48943	11/13/2014	Cal-Mesa Steel Supply Inc	Sheet Metal to Repair Water Feature	181.44
48944	11/13/2014	Calolympic Safety	One Way Directional Sign	80.04
48945	11/13/2014	Cal-State Auto Parts Inc	Rear Brake Shoes - Truck 27	110.26
48946	11/13/2014	Cannon Pacific Services Inc	Street Sweeping - Vista Bonita Dr	405.00
	11/13/2014		Street Sweeping - Live Oak , Topez Dr	405.00
48947	11/13/2014	Capital One Commercial	Warehouse Supplies	744.99
	11/13/2014		Warehouse Supplies	25.33
	11/13/2014		Floor Tiles	2,516.89
48948	11/13/2014	Cecilia's Safety Service Inc	Traffic Control - West Dr	1,081.00
	11/13/2014		Traffic Control - Ridge Road	819.00
	11/13/2014		Traffic Control - Oceanview Dr	1,081.00
	11/13/2014		Traffic Control - Deer Springs Rd	876.00
	11/13/2014		Traffic Control - Breeze Hill Rd	819.00
	11/13/2014		Traffic Control - Indiana, Eucalyptus	1,460.00
	11/13/2014		Traffic Control - Indiana, Eucalyptus	4,224.00
48949	11/13/2014	City of Vista	Paseo Santa Fe Project 09/2014	4,093.16
	11/13/2014		Row Permits 09/2014	4,020.00
48950	11/13/2014	Coastal Chlorination & Backflow	Chlorination - Oceanview Dr	344.00
48951	11/13/2014	Collimore Family Trust	Customer Refund / Closing	124.94
48952	11/13/2014	Diamond Environmental Services	Portable Restroom Service	135.00

Payment Number	Payment Date	Vendor	Description	Amount
48953	11/13/2014	Dion International Trucks Inc	Batteries (3) - Truck 22	315.51
48954	11/13/2014	EDCO Waste & Recycling Services Inc	Trash/Recycle 10/2014	204.01
48955	11/13/2014	Electrical Sales Inc	Misc Electrical, Conduit - Station 12	479.49
48956	11/13/2014	Fastenal	Nuts, Bolts, Washers, Ties - Shop	97.10
48957	11/13/2014	Ferguson Waterworks	Coupling 6" Repair XR501 (6)	1,419.18
48958	11/13/2014	First Bankcard	CSDA Conference -R Vasquez	334.89
	11/13/2014		CRWUA Conference -R Vasquez	117.60
	11/13/2014		GRA Mtg & Conference - P Dorey	217.68
	11/13/2014		CSDA Conference - E Boone	446.52
48959	11/13/2014	Garza Paving	Road Repair - Caren Road	548.80
	11/13/2014		Road Repair - Avalon	796.00
	11/13/2014		Road Repair - Highland Dr	394.55
	11/13/2014		Road Repair - Longfellow	1,226.60
	11/13/2014		Road Repair - Reese Road	922.05
	11/13/2014		Road Repair - Phillips Dr	617.00
	11/13/2014		Road Repair - Calle Bienvenido	1,211.70
48960	11/13/2014	Gemini Pest Control Inc	Bee Removal (4)	340.00
48961	11/13/2014	Glennie's Office Products Inc	Office Supplies	86.56
	11/13/2014		Office Supplies	126.93
48962	11/13/2014	Grainger	Disposable Cone Cups (20 packages)	185.76
48962	11/13/2014		Heat Shrink Tube Label for SCADA Panel	343.72
48963	11/13/2014	Hardy Diagnostics	Lab Supplies Distilled Water	122.95
48964	11/13/2014	HD Supply Waterworks	Fire Hydrant Spool 6x12 (4)	336.35
48964	11/13/2014		Air Vent Screen 2" (10)	200.73
48964	11/13/2014		Fire Hydrant Spool 6x24 (5)	640.15
48964	11/13/2014		Gate Valve 2" Brass (5)	122.06
48964	11/13/2014		Nipple 2x12 Brass (5)	172.46
48964	11/13/2014		Nipple 4x6 Black (10)	98.74
48964	11/13/2014		Fire Hydrant 6" Break Off Spool for Check Valve (6)	1,009.05
48964	11/13/2014		Bushing 4x3 Black (5)	42.86
48964	11/13/2014		Ball Valve 1.5" FPT x FPT SA	28.10
48964	11/13/2014		Meter Box 4.5 Concrete (20)	295.12
48964	11/13/2014		4" Coupling -Indiana/Broadway	286.64
48965	11/13/2014	Home Depot Credit Services	Saw	199.61
48965	11/13/2014		Extension Cords & Storage Container	34.05
48965	11/13/2014		Material for Water Feature	18.88
48965	11/13/2014		Repair Material - Plant 3	57.88
48965	11/13/2014		Caulk & Razor Knife	18.94
48965	11/13/2014		Supplies for Building & Grounds	28.55

Payment Number	Payment Date	Vendor	Description	Amount
48965	11/13/2014		Material for Flume Repair	336.31
48965	11/13/2014		Material to Repair Takeoff Box - Baumgartner Bench	80.88
48965	11/13/2014		Electric Crimp Connectors	30.16
48965	11/13/2014		Tools	418.91
48965	11/13/2014		Liquid Chlorine	10.68
48965	11/13/2014		Electrical Supplies - C Reservoir	100.62
48965	11/13/2014		Flume Turret Repair Supplies	47.17
48965	11/13/2014		Concrete Form Supplies	87.57
48965	11/13/2014		PVC & Misc Supplies	214.97
48966	11/13/2014	Hong Ng	Customer Refund / Closing	68.38
48967	11/13/2014	Injury Prevention Partners	Employee Training Manuals	113.66
48968	11/13/2014	Inland Water Works Supply Co	Meter 100W ERT (147)	11,962.13
48969	11/13/2014	Mark and Lisa Smith	Customer Refund / Closing	71.50
48970	11/13/2014	Merwan Irani	Reimbursement for Property Damage 11/2014	500.00
48971	11/13/2014	Moody's	Dump Fee (3)	150.00
48972	11/13/2014	Networks 2000	HP Care Pack for 1/8 G2 LTO5 SAS Autoloader	776.57
48973	11/13/2014	North County Auto Parts	Service Filters - L4	101.22
48973	11/13/2014		Oil & Air Filter - Truck 11	13.70
48973	11/13/2014		Cleaners, Fuel Additive, Starting Fluid - Shop	113.75
48973	11/13/2014		Oil Filter - Truck 27	4.12
48973	11/13/2014		Turn Brake Rotors	37.00
48973	11/13/2014		Oil, Air, Trans Filters - Truck 48	70.74
48974	11/13/2014	North County Lawnmower Inc	Weed Wacker String	35.59
48975	11/13/2014	OCHS Oil Co	Fuel 10/2014	13,821.66
48976	11/13/2014	One Source Distributors	Epoxy	(20.22)
	11/13/2014		Panduit, Covers for SCADA Panel - STA 12	183.00
48977	11/13/2014	Pacific Pipeline Supply	Repair Couplings (2)	127.16
	11/13/2014		Coupling 1" Repair for Copper (10)	169.80
	11/13/2014		Ball Valve 1" swing away (6)	79.36
	11/13/2014		Hex Bars HBW-4 (5)	67.81
	11/13/2014		Fire Hydrant 6x4x2.5 (5)	8,538.95
48978	11/13/2014	Pacific Safety Center	Annual Luncheon 11/06/2014 (9)	370.00
48979	11/13/2014	R J Supply Co Inc	Vest Lime Hi-Viz XL	111.43
	11/13/2014		Vest Lime Hi-Viz MED	111.43
	11/13/2014		Vest Lime Hi-Viz 2XL	111.43
	11/13/2014		Vest Lime Hi-Viz 4XL	33.43
	11/13/2014		Vest Lime Hi-Viz 3XL	111.43
	11/13/2014		Cowhide Leather Gloves - Unlined Medium (25)	116.64
	11/13/2014		Goliath Safety Glasses Black Frame gray lens (48)	158.88

Payment Number	Payment Date	Vendor	Description	Amount
	11/13/2014		Cowhide Leather Gloves - Unlined Small (20)	93.31
48980	11/13/2014	Ramona Disposal Service	Trash Service 10/2014	147.53
48981	11/13/2014	Red-D-Arc Inc	Battery Charger PC Board - W4	120.55
48982	11/13/2014	Rincon del Diablo MWD	Water Service - MD Reservoir 10/14	40.47
48983	11/13/2014	San Diego Gas & Electric	Electric 10/2014	85.65
	11/13/2014		Electric 10/2014	54.44
48984	11/13/2014	San Diego Union-Tribune LLC	Recruitment Advertisement / Welder	450.00
48985	11/13/2014	Sherry Thorpe	Recruitment Ads/Craigs List, Brown & Caldwell	250.00
48986	11/13/2014	Sunrise Materials Inc	Pallets Returned	(221.34)
	11/13/2014		Concrete 5 GL SpeedCrete (15)	676.79
	11/13/2014		Water Plug Tub 10lb Quickcrete (60)	1,336.43
	11/13/2014		Cement - Oceanview Dr	44.49
48987	11/13/2014	TS Industrial Supply	Air Hose Whipcheck (6) - Shop	75.67
	11/13/2014		Abrasive Roll 180G (12)	182.28
	11/13/2014		Measuring Tape Holder 25' (6)	85.95
	11/13/2014		Hose 50' 5/8" Garden Heavy Duty (4)	243.13
48988	11/13/2014	UniFirst Corporation	Uniform Services	376.76
48989	11/13/2014	United Rentals (North America) Inc	Multiquip Rammer Rental for demo	(81.81)
	11/13/2014		Powder Puff Air Inlet Pipe - Truck 68	89.79
48990	11/13/2014	Verizon Wireless	SCADA Remote Access 10/2014	55.57
48991	11/13/2014	Vista Pacific Properties, LLC	Customer Refund / Closing	17.55
48992	11/13/2014	Walters Wholesale Electric Co	Conduit & Fittings - Well 14A	459.25
48993	11/19/2014	ABC Construction	Customer Refund / Closing	1,513.56
48994	11/19/2014	Airgas USA LLC	Oxygen & Acetylene Tanks	478.62
48995	11/19/2014	Alignment Plus	Suspension Track Arm Repaired - Truck 68	1,079.87
48996	11/19/2014	Allied Electronics Inc	Pechstein Area UPS & Relays	1,420.26
48997	11/19/2014	Allie's Party Equip Rental Inc	Tables & Chairs Rental for Wellness Fair	337.60
48998	11/19/2014	Aquajet Art	Drain Plate for Water Feature	212.50
48999	11/19/2014	Association of California Water Agencies	Membership Dues 2015	21,208.00
49000	11/19/2014	Benchmark Landscape Services Inc	Landscape Services @ VID 10/2014	988.00
	11/19/2014		Landscape Services @ VID 11/2014	988.00
49001	11/19/2014	Big Apple Bagels	All Hands Mtg 10/30/14	58.97
49002	11/19/2014	Boot World Inc	Footwear Program	172.02
	11/19/2014		Footwear Program (5)	661.95
49003	11/19/2014	Build.Com, Inc	Bottle Filling Stations (3)	5,466.38
49004	11/19/2014	Cal-Osha Reporter	Subscription Renewal	395.00
49005	11/19/2014	Carousel Properties	Customer Refund - Closing	51.89
49006	11/19/2014	Category Five Technologies, Inc	Drinking Fountains (2)	1,331.12
49007	11/19/2014	Cecilia's Safety Service Inc	Traffic Control - Oceanview	2,099.00

Payment Number	Payment Date	Vendor	Description	Amount
	11/19/2014		Traffic Control - Nettleton Rd	1,134.00
	11/19/2014		Traffic Control - S Melrose	567.00
	11/19/2014		Traffic Control - Bobier Dr	1,592.00
	11/19/2014		Traffic Control - Ridge Rd	567.00
49008	11/19/2014	CI Solutions	ID Badges	108.99
49009	11/19/2014	City Of Escondido	Onsite Chlorine Generation 07/2014 - 09/2014	9,228.20
49010	11/19/2014	City of Oceanside	Weese Treatment 10/14	72,333.20
49011	11/19/2014	Coastal Chlorination & Backflow	Chlorination - Oceanview Dr	338.00
49012	11/19/2014	Council of Water Utilities	Mtg 11/18/2014 - R Vasquez	25.00
	11/19/2014		Mtg 11/18/2014 - P Dorey	25.00
	11/19/2014		Mtg 11/18/2014 - R Coox	25.00
49013	11/19/2014	Crozier's Flowers	Flowers	81.92
49014	11/19/2014	Department of Consumer Affairs	CPA License Renewal/ E Boone	50.00
49015	11/19/2014	El Camino Rental	Concrete - Lime Place	143.22
	11/19/2014		Concrete for Sidewalk Repair - South Melrose	143.22
49016	11/19/2014	Electrical Sales Inc	Exhaust Fan Rain Hoods (6) - Station 10	380.50
	11/19/2014		Exhaust Fan Rain Shields (4)	253.65
	11/19/2014		Material for SCADA Panel - Station 10	70.83
	11/19/2014		Communications Cable	783.72
	11/19/2014		Materials - Station 12	167.30
	11/19/2014		Fuses - C Reservoir	39.45
49017	11/19/2014	Evoqua Water Technologies LLC	HP Relief Flow Meter	2,678.87
49018	11/19/2014	EVP Systems Inc	Investment Valuation 07/2014 - 09/2014	65.00
49019	11/19/2014	Ferguson Waterworks	36" Materials for Valve Installation	5,634.41
	11/19/2014		Coupling 6" Repair XR501 (7)	1,655.71
49020	11/19/2014	Fleet Pride	Pump & PTO Control	233.55
	11/19/2014		Bolts for Crane Mount - Truck 7	227.80
49021	11/19/2014	FreeWave Technologies Inc	Radio - Well 79	516.73
49022	11/19/2014	GEI Consultants Inc	Henshaw Calcs 11/2014	324.00
49023	11/19/2014	Geib Lumber Company	Forms for Fire Hydrant Pad	8.50
	11/19/2014		Nails for Form & Pulling Copper	14.63
49024	11/19/2014	Gemini Pest Control Inc	Pest Control - Facilities	85.00
49025	11/19/2014	D.H. Maintenance Services	Janitorial Service @ VID Headquarters	1,850.00
49026	11/19/2014	GLC-(CA) Vista LLC	Solar Usage 10/2014	4,493.26
49027	11/19/2014	Glennie's Office Products Inc	Office Supplies	27.10
	11/19/2014		Office Supplies	792.32
	11/19/2014		Office Supplies	95.33
	11/19/2014		Office Supplies	76.35
49028	11/19/2014	Golden State Graphics	Warehouse Issue Forms	787.71

Payment Number	Payment Date	Vendor	Description	Amount
49029	11/19/2014	Grainger	Flange Wedge 7 x 2	406.44
	11/19/2014		Flange Wedge 7 x 2	325.15
49030	11/19/2014	Groundwater Resources Assoc of CA	Membership Dues 2015	315.00
49031	11/19/2014	HD Supply Waterworks	Packing Plate for Valve Repair	74.88
	11/19/2014		O Rings	17.25
	11/19/2014		Bushing 3/4 x 1/2 Black	9.77
	11/19/2014		3/4" Ell Brass 90 degree	42.86
	11/19/2014		Plug 3/4" Black	11.94
	11/19/2014		Ell 1" Copper 90 Degree Street	96.55
	11/19/2014		Nipple 1 x 8 Black	20.51
	11/19/2014		3/4" x 1/2" Black Bushing	4.88
	11/19/2014		Plug 2" PVC Sch 80	143.76
	11/19/2014		2" Coupling Sch 80	33.64
	11/19/2014		Plug 1/2" Black	11.94
	11/19/2014		1/2" Slip-Fix PVC	26.58
	11/19/2014		1-1/4" Slip-Fix PVC	65.64
	11/19/2014		Bushing 2 x 1 Black	20.07
	11/19/2014		1-1/2" Slip-Fix PVC	71.07
	11/19/2014		Cover 8" Valve Cast Iron water (12)	279.93
	11/19/2014		Ball Valve .75" Lockwing (25)	1,320.72
	11/19/2014		Coupling 1.25 x 1 Female Flare X Super Grip (10)	244.14
49032	11/19/2014	Herbert Hafter	Customer Refund / Closing	237.80
49033	11/19/2014	Hidden Valley Pump Sys Inc	Hitachi 60 HP motor	6,230.52
	11/19/2014		Subcable	2,964.60
	11/19/2014		Gould Submersible Pump	3,490.56
49034	11/19/2014	IGOE	Flexible Benefit Fee 11/2014	195.00
49035	11/19/2014	InfoSend Inc	Postage 10/2014	5,812.92
	11/19/2014		Mailing 10/2014	2,303.09
	11/19/2014		Support/Storage Fee 10/2014	851.55
49036	11/19/2014	Iron Mountain Records Management	Offsite Data Storage 10/2014	233.25
49037	11/19/2014	Juan Castaneda	Customer Refund / Overpayment	1,064.36
49038	11/19/2014	Juan Perez	Computer Loan Program 11/2014	1,351.92
49039	11/19/2014	Ken Grody Ford Carlsbad	Steering Spindle End - Truck 76	148.39
49040	11/19/2014	Language Translation Inc	CCR Translation	715.76
49041	11/19/2014	Leon Perrault Trucking & Materials	Trucking & Material 10/2014	3,687.25
	11/19/2014		Trucking & Material 10/2014	6,934.25
49042	11/19/2014	Lightning Messenger Express	Messenger Service 10/17/2014 & 10/31/2014	58.00
49043	11/19/2014	MailFinance Inc	Annual Meter Lease	2,237.30
49044	11/19/2014	Midas	Tire & Mounting	175.10

Payment Number	Payment Date	Vendor	Description	Amount
49045	11/19/2014	Mobile Hydraulics, Inc	Crane Hydraulic Hoses - Truck 5	142.88
	11/19/2014		Safety Decal Kit for Crane - Truck 5	99.93
49046	11/19/2014	Moody's	Dump Fee (20)	100.00
49047	11/19/2014	NAPA Auto Parts	Battery Core - W4	(8.10)
	11/19/2014		Hydro Decals - Shop	13.45
	11/19/2014		Air, Oil Filter - Truck 76	13.09
	11/19/2014		Strobe Switch - Truck 76	22.07
	11/19/2014		Intake Clamps (2) - Truck 30	28.65
	11/19/2014		Power Steering Hose - Truck 30	31.92
49048	11/19/2014	Nissho of California Inc	Landscape Services @ 4 District Reservoirs 11/2014	1,006.00
49049	11/19/2014	North County Auto Parts	Radi Cap & Air Filter - Truck 68	18.03
	11/19/2014		Transmission Filter - Truck 69	25.69
	11/19/2014		Fuel Filter - Truck 69	6.35
	11/19/2014		Transmission Filter & Oil - Truck 76	81.00
	11/19/2014		Shocks (2) - Truck 16	95.07
	11/19/2014		Sprayer Motor Spark Plugs (4) - AZ1	6.55
	11/19/2014		Oil, Air, Trans Filters - Truck 30	57.77
	11/19/2014		Oil & Air Filter - Truck 30	30.67
	11/19/2014		Engine Idle Air Control - Truck 34	48.01
	11/19/2014		Engine Throttle Sensor - Truck 34	35.08
49050	11/19/2014	OCHS Oil Co	Fuel 10/2014	62.95
49051	11/19/2014	On Hold Marketing Systems	On Hold Telephone Message	220.00
49052	11/19/2014	Pacific Pipeline Supply	Gate Valves for Water Meters	204.57
	11/19/2014		Parts for HP Relief Flow Meter Install	423.89
	11/19/2014		Adapter, AV Suction, Gasket	250.36
	11/19/2014		5/8" x 2-1/2" Brass Bolts	284.27
	11/19/2014		5/8" Brass Nuts	53.71
	11/19/2014		Valves for Meter Install	297.64
	11/19/2014		Material - 2" AV Upgrade	3,557.14
49053	11/19/2014	Pacific Technical Products Corp	SCADA Panel Controller - Station 12	1,474.51
49054	11/19/2014	Pacific West Homes Mtg	Customer Refund / Closing	287.06
49055	11/19/2014	Packard Government Affairs	Indian Water Settlement 10/2014	1,262.50
49056	11/19/2014	Pauley Equipment Rental Inc	Trailer Data Plate/Decal - T11	21.33
49057	11/19/2014	R J Supply Co Inc	Vest Lime Hi-Viz 4XL	22.29
49058	11/19/2014	Ramco Petroleum	Fuel 11/2014	1,158.94
49059	11/19/2014	Ramdas Menon	Customer Refund - Overpayment	200.00
49060	11/19/2014	RC Auto & Smog	Smog Test - Truck 49	50.00
	11/19/2014		Smog Test - Truck 53	50.00
49061	11/19/2014	San Diego Chapter-CSDA	Meeting 11/13/2014 - M Miller	39.00

Payment Number	Payment Date	Vendor	Description	Amount
49062	11/19/2014	San Diego County Water Authority	Water Audits	953.00
49063	11/19/2014	San Diego IPMA-HR	Employment Law Update 11/20/14 (2)	50.00
49064	11/19/2014	San Diego Union-Tribune LLC	Subscription (52 Weeks)	291.31
49065	11/19/2014	Sekarina Perry	Customer Refund / Closing	52.00
49066	11/19/2014	Serak & Lena Simonian	Customer Refund / Closing	283.71
49067	11/19/2014	Shred-it San Diego	Document Destruction	76.26
49068	11/19/2014	Silvia Urganiak	Customer Refund / Closing	40.06
49069	11/19/2014	Wonderware West	SCADA Wonderware Support 12/22/2014 - 12/22/2015	6,105.18
49070	11/19/2014	State Water Resources Control Board	Water Rights Fee- 07/01-2014 - 06/30/2015	150.00
	11/19/2014		Permit Fee 07/01/2014 - 06/30/2015	1,996.00
49071	11/19/2014	Steve Wuerth	Hydraulic Valve Repair Kit - Plant 9	185.27
49072	11/19/2014	Technology Unlimited	Maintenance & Software 12/29/2014 - 12/28/2015	3,028.00
49073	11/19/2014	The UPS Store 0971	Shipping 10/2014	15.57
49074	11/19/2014	Theodore E Spence	Customer Refund / Closing	15.28
49075	11/19/2014	WorkPartners Occupational Health Specialists	Medical Services/Exams	515.00
49076	11/19/2014	TS Industrial Supply	Grey Multi Purpose Primer Paint Zynolyte (24)	82.03
	11/19/2014		Flexovit Concrete 12" Masonry Blade (10)	56.81
	11/19/2014		3" Wall Scraper (12)	64.45
	11/19/2014		4" Paint Brush (48)	121.35
	11/19/2014		Blue Striping Paint (60)	232.95
	11/19/2014		Retractable Utility Knife (36)	164.05
	11/19/2014		2" Paint Brush (48)	33.85
	11/19/2014		Utility Knife Replacement Blade (20)	27.99
	11/19/2014		1/2 Teflon Tape	106.33
	11/19/2014		Duct Tape 2 x 60YD	107.42
	11/19/2014		1" Teflon Tape	46.87
49077	11/19/2014	Underground Service Alert of Southern California	USA Tickets 10/2014 (307)	460.50
49078	11/19/2014	UniFirst Corporation	Uniform Services	363.42
	11/19/2014		Uniform Services	385.38
49079	11/19/2014	VG Donuts & Bakery Inc	Board Meeting 11/05/2014	31.44
49080	11/19/2014	Vista Firestone Brake & Smog	Tires & Mounting (2) - Truck 60	451.74
49081	11/19/2014	Vulcan Materials Company and Affiliates	Cold Mix	2,034.50
49082	11/19/2014	Western Fuel Group, Inc	Customer Refund / Closing	227.21
49083	11/25/2014	Active Auto Collision	Rear Bumper Repair - Truck 13	468.30
49084	11/25/2014	ABABA Bolt	Hardware - Station 12	41.86
	11/25/2014		Stainless Hardware for Flume Turret	88.44
	11/25/2014		Hardware	17.26
49085	11/25/2014	Airgas USA LLC	Oxygen & Acetylene	123.00
49086	11/25/2014	Angela Morrow	CA Professional Engineer License Renewal	115.00

Payment Number	Payment Date	Vendor	Description	Amount
49087	11/25/2014	AT&T	Cisco Services 07/20/14 - 06/2015	11,105.25
49088	11/25/2014	Berlin Packaging LLC	Bottles for Lab	102.11
49089	11/25/2014	Big Apple Bagels	Bagels for All Hands Mtg 11/18/14	58.97
49090	11/25/2014	Big Drip Plumbing	Meter Tie Backs	12,499.00
49091	11/25/2014	Brithinee Electric	Soft Starter for Station 12	2,398.58
49092	11/25/2014	Cal-State Auto Parts Inc	Radiator Cap Truck 66	7.64
49093	11/25/2014	Cecilia's Safety Service Inc	Traffic Control - Sycamore	1,245.00
49094	11/25/2014	City Of Escondido	OSG Project @ EVWTP - Fiscal Year 2011	9,982.00
	11/25/2014		EVWTP Treatment 09/2014 - 10/2014	246,925.00
49095	11/25/2014	Clinical Lab of San Bernardino Inc	THM/HAAS Stage #2 Sample Analysis	920.00
49096	11/25/2014	Coast Equipment Rentals	MTX-60 Rammers (2)	4,597.15
49097	11/25/2014	Dennis Bauman	Customer Refund / Closing	12.18
49098	11/25/2014	Diamond Environmental Services	Portable Restroom Service - Pechstein Reservoir	137.31
49099	11/25/2014	Dick's Sporting Goods Inc	Footwear Program	86.39
49100	11/25/2014	Donna Childs	Customer Refund / Closing	28.98
49101	11/25/2014	Ellen Marie Christensen	Customer Refund / Closing	43.64
49102	11/25/2014	Evoqua Water Technologies LLC	DI Water Bottle Exchange 11/01/14 - 001/31/2015	234.29
49103	11/25/2014	Feast California Cafe LLC	Lunch - Indian Settlement Mtg (4)	53.57
49104	11/25/2014	FedEx	Express Shipping	22.19
49105	11/25/2014	Fleet Pride	Engine Turbo Hose & Clamps - Truck 30	99.36
49106	11/25/2014	Fredricks Electric Inc	Electrical Repair and Maintenance	731.05
49107	11/25/2014	Gemini Pest Control Inc	Pest Control - Facilities	85.00
	11/25/2014		Bee Removal (6)	510.00
49108	11/25/2014	Glennie's Office Products Inc	Office Supplies	744.90
49109	11/25/2014	Grainger	Flange Wedge 8x1-1/2	411.32
	11/25/2014		Flange Wedge 8x1-1/2	329.05
49110	11/25/2014	Gregory Kirkorowicz	Refund Deposit - Fairview Dr	2,000.00
49111	11/25/2014	Groundwater Data Inc	Videos of Wells 14A & 34A	1,200.00
49112	11/25/2014	Interstate Battery of San Diego Inc	Batteries (2) - T1 & AZ1	210.93
49113	11/25/2014	James & Donna Hodous	Customer Refund / Closing	19.13
49114	11/25/2014	Judi L. Bates	Stop Payment on Check #100162	291.23
49115	11/25/2014	Julie Snyder	Customer Refund / Closing	35.71
49116	11/25/2014	Kathleen Hopf	Customer Refund / Closing	19.13
49117	11/25/2014	Ken Grody Ford Carlsbad	Coolant Overflow Hose - Truck 30	24.48
	11/25/2014		Horn / Air bag Module - Truck 34	622.93
49118	11/25/2014	Larna Dunn	Customer Refund / Closing	27.15
49119	11/25/2014	Liebert Cassidy Whitmore	Legal Services	2,641.50
	11/25/2014		Legal Services	97.50
49120	11/25/2014	Linda Neely	Customer Refund / Closing	36.25

Payment Number	Payment Date	Vendor	Description	Amount
49121	11/25/2014	Midas	Tire & Mounting (4)	884.41
	11/25/2014		Tire Road Hazard	(26.00)
49122	11/25/2014	Moody's	Dump Fee (2)	100.00
49123	11/25/2014	NAPA Auto Parts	Radi Hose, Thermostat/ Housing, Radiator- Truck 30	227.82
	11/25/2014		Engine Coolant Radiator Hose -Truck 30	13.52
	11/25/2014		Engine Coolant Radiator Hose - Truck 30	(13.49)
	11/25/2014		Engine Belt Idler Pulley - Truck 66	34.09
49124	11/25/2014	North County Auto Parts	Battery - Car 50	101.10
	11/25/2014		Battery Core - Car 50	(19.53)
	11/25/2014		Wipers Degreaser, Lube, Carpet Cleaner - Shop	57.32
	11/25/2014		Oil & Fuel Filters	41.00
	11/25/2014		Washer Solvent - Shop	8.46
49125	11/25/2014	Pacific Pipeline Supply	Ball Valves for HP relief regulators	54.33
	11/25/2014		Adapter Fire Hydrant Brass 2.5"x1"	109.02
	11/25/2014		Adapter Fire Hydrant Brass 1.5"x1.5"	67.00
49125	11/25/2014		Ball Valve 1.5" Brass Flange	1,496.87
	11/25/2014		Curb Stop 2"	2,329.60
49126	11/25/2014	R & C Properties	Deposit - Developer	137.00
	11/25/2014		Water Sales - Unmetered	(116.20)
49127	11/25/2014	R J Supply Co Inc	Vest Lime Hi-Viz 5XL	55.71
	11/25/2014		Clear Faceshield	53.34
	11/25/2014		K-10 Ratchet Headgear	107.21
49128	11/25/2014	RC Auto & Smog	Engine Computer Relearn Procedure - Truck 34	91.00
49129	11/25/2014	Rutan & Tucker LLP	Legal 10/2014	3,964.05
	11/25/2014		Legal 10/2014	288.00
	11/25/2014		Legal 10/2014	3,206.50
	11/25/2014		Legal 10/2014	456.00
	11/25/2014		Legal 10/2014	1,305.00
	11/25/2014		Legal 10/2014	86.00
	11/25/2014		Legal 10/2014	86.00
	11/25/2014		Legal 10/2014	154.61
	11/25/2014		Legal 10/2014	3,905.60
49130	11/25/2014	San Diego Gas & Electric	Electric 11/2014	34.01
	11/25/2014		Electric 09/2014	214.09
	11/25/2014		Electric 09/2014	117.63
	11/25/2014		Electric 09/2014	7,121.38
	11/25/2014		Electric 09/2014	101.96
49131	11/25/2014	SimplexGrinnell	Fire Sprinkler System Repair	519.27
49132	11/25/2014	Spok, Inc	Pager Service 11/2014	28.97

Payment Number	Payment Date	Vendor	Description	Amount
49133	11/25/2014	The Lincoln National Life Insurance Co	Life/STD/LTD Insurance 11/2014	4,995.53
49134	11/25/2014	TigerDirect Inc	Machine Stand	188.06
49135	11/25/2014	TS Industrial Supply	2-1/2" x 20ft DJ Fire Hose (5)	439.43
	11/25/2014		2-1/2" x 50ft DJ Fire Hose (4)	625.09
49136	11/25/2014	UniFirst Corporation	Uniform Services	306.34
49137	11/25/2014	Verizon Wireless	Wireless Charges 10/13/2014 - 11/12/2014	80.02
49138	11/25/2014	VG Donuts & Bakery Inc	Board Meeting 11/19/2014	31.44
49139	11/25/2014	Vista Firestone Brake & Smog	Fleet Tires & Repairs	259.99
49140	11/25/2014	VSS International	Customer Refund / Closing	255.29
49141	11/25/2014	Walters Wholesale Electric Co	Electrical Supplies	146.40
Grand Total:				783,906.78



STAFF REPORT

Agenda Item: 7

Board Meeting Date: December 17, 2014
Prepared By: Eldon Boone
Approved By: Roy Coox

SUBJECT: RESOLUTION COMMENDING RETIRING VID EMPLOYEE DANIEL DAMBACH

RECOMMENDATION: That the Board adopt a resolution honoring Daniel Dambach, Field Services Manager, for thirty-six years of service to the District and its customers.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: None.

SUMMARY: Dan will retire with thirty-six years of exemplary service to the District and its customers on December 31, 2014. The District would like to honor Dan by passing the attached resolution.

DETAILED REPORT: Dan started his career at VID on January 2, 1979 as a Utility Worker I. Shortly thereafter, Dan progressed up through the positions of Utility Worker II, Equipment Operator I, Utility Worker III, Construction Supervisor, Construction Superintendent, Construction Manager and Field Services Manager. Dan's career progression exemplifies the District's Workforce Planning and Career Development Program that Dan has taken a leadership role in developing for other employees to follow. He has promoted the growth and development of his staff and championed their safety on the job. Throughout his career at VID, Dan has maintained a high standard of professionalism, work ethic and positive attitude.

Dan has been responsible for constructing, repairing and maintaining all of the District's infrastructure, facilities and equipment. The fact that the District has earned an impeccable reputation for managing its infrastructure despite having one of the oldest systems around is a testament to Dan's efforts over the last thirty-six years.

Dan is a people person and has helped many employees and members of the community over the years. He has always cared for the people he works with and District customers. His commitment to service has been unwavering over the years. His devotion to the District and its customers will be sorely missed.

Following retirement, he plans on spending more time with his family and also hopes to find ample time to enjoy his hobbies, such as fishing, golfing and traveling. We wish Dan health and happiness as he embarks into retirement.

ATTACHMENT: Draft resolution.

RESOLUTION NO. 14-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT
HONORING DANIEL DAMBACH
FOR 36 YEARS OF SERVICE TO THE DISTRICT

WHEREAS, Daniel Dambach has been employed with the District for 36 years, starting as a Utility Worker I and culminating as the Field Services Manager; and

WHEREAS, in this capacity, Daniel has been responsible for constructing, repairing and maintaining all of the District's infrastructure, facilities and equipment, resulting in the District's reputation for proactive and quality infrastructure management; and

WHEREAS, Daniel has improved safety and working conditions in the field by providing employees with sufficient resources to perform their jobs, including high quality, state-of-the-art tools, equipment and software; and

WHEREAS, Daniel has raised the bar in terms of expectations from our employees for job performance and customer service; and

WHEREAS, his unflagging support and abiding concern for the personal and professional development of staff at VID has been instrumental in the development of a capable and motivated workforce, as evidenced by his leadership of the District's workforce planning program; and

WHEREAS, Daniel has continually demonstrated a remarkable service ethic and dedication to the District, the water industry, the community, and his family; and

WHEREAS, Daniel's honesty, integrity and interpersonal skills have provided high quality and responsive customer service to the District's ratepayers; and

WHEREAS, Daniel's professionalism, strong work ethic and positive attitude will be missed by everyone at the District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Vista Irrigation District does hereby wish Daniel a long, healthy and prosperous retirement and expresses its appreciation for Daniel's dedication to the District and its customers for the past thirty-six years.

PASSED AND ADOPTED by the following roll call vote of the Board of Directors of Vista Irrigation District this 17th day of December 2014.

AYES:

NOES:

ABSTAIN:

ABSENT:

Paul E. Dorey, President

ATTEST:

Lisa R. Soto, Secretary
Board of Directors

VISTA IRRIGATION DISTRICT



STAFF REPORT

Agenda Item: 8

Board Meeting Date: December 17, 2014
Prepared By: Eldon Boone, Brian Smith
Don Smith
Approved By: Roy Coox

SUBJECT: DIVISION REPORTS

RECOMMENDATION: Note and file informational report.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: None.

SUMMARY: Previous month's and anticipated activities are reported by each division.

ENGINEERING DIVISION

November

- Continued working on design of main replacement projects.
- CWA Projects: Carlsbad Desalination Project (Contractor Kiewit Shea Desalination, KSD) Completed inspection within Carlsbad Segment – Melrose Drive and Faraday Ave.
- Met with Oceanside staff to discuss a potential alternative recycled water project being studied by Oceanside that could bring recycled water through proposed Oceanside facilities to locations near the Shadowridge area.
- Attended meeting of the North County Recycled Coalition.

December

- Mainline Replacement Projects in Design (current projects): Buena Creek Road, Canyon Drive, Ocean View (Park Avenue to Crest Drive), Alley Way (North Santa Fe and Indiana Avenue), S. Melrose Drive (storm drain crossings), E. Vista Way, Mason Road, E. Vista Way (Larkhill to Corvalla), N. Citrus Avenue, Nevada Avenue, Lemon Avenue, Lado De Loma, Eddy Drive, Peters Drive, Rancho Vista Drive, Bandini Place.
- AB Line Replacement (Esplendido Avenue and Companero Drive) and Meyers Siphon Replacement Projects – Staff has reviewed proposals from three consultants and selected Infrastructure Engineering Corporation (IEC) to design replacement/rehabilitation options. Staff is in the process of negotiating fees and a final scope of work for consideration by the Board at a future Board meeting.
- Mainline Replacement Projects in Planning (future projects): Buena Creek Road, E. Vista Way (Foothill Dr. to Arcadia Ave.), HN Line (Gopher Canyon to Fairview), Peach Grove Lane, Palomar Place, Oak Drive, Ora Avo Drive, Shale Rock, McGavran Drive, Camino Patricia, Camino Corto, Primrose Avenue, Las Flores Drive, La Mirada Drive, Descanso Avenue, S. Santa Fe Pipeline (Mar Vista Dr. to Montgomery Dr.), Phillips Street, Pump Station No. 10 by-pass (Blue Bird Canyon Road), Mar Vista Dr., Rockhill Rd., San Clemente Ave., Taylor Street, Goodwin Dr.
- City of Vista Projects: Paseo Santa Fe Streetscape Improvements- Phase I along South Santa Fe Avenue from Main Street to Oceanview Dr. (D-2242, CIP 8232) - Downtown Redevelopment Project. Staff to continue to provide inspection of water facilities affected by street improvements.
- CWA Projects: Carlsbad Desalination Project: Pipeline 3 Relining Project, Portal 5 (Contractor L.H. Woods & Sons, Inc.)- Contractor utilizing District leased property near Pechstein reservoir.
- Attend meeting of the North County Recycled Coalition.

WATER RESOURCES DIVISION

VID Water Production October 2014

Description	Current Month Production		Average Production of Last 12 Months		Total, Fiscal Year-to-Date
	(mgd)	(af)	(mgd)	(af)	(af)
<i>VID's EVWTP Production</i>					
Local Water	1.21	114.70	1.28	120.73	1,060.10
SDCWA Raw Water	7.66	728.90	7.89	736.17	3,101.30
Subtotal (EVWTP Production)	8.87	843.60	9.17	856.90	4,161.40
Oceanside Contract Water	5.67	539.80	5.24	489.66	2,379.60
SDCWA Treated Water	3.73	354.40	3.26	305.72	1,077.30
TOTAL WATER PRODUCTION	18.27	1,737.80	17.68	1,652.28	7,618.30

Lake Henshaw and Warner Ranch Wellfield statistics are summarized as follows:

Lake Henshaw

Storage as of November 30, 2014:	3,083 af (6% of 51,774 af capacity)
Current releases:	0 cfs
Change in storage for month of October:	109 af (gain)
Total releases for month of October:	110 af
Hydrologic year-to-date rain total:	1.75 inches (November 30, 2014)
Percent of yearly average rain:	7% (30-year average: 24.75 inches)
Percent of year-to-date average rain:	41% (30-year average through November: 4.30 in.)

Warner Ranch Wellfield

Number of wells running in October:	14
Total production for month of October:	625 af
Average depth to water table (November):	96 ft

November

- Pechstein SCADA CIP – completed SCADA panel construction for Plant # 3 and Station # 10.
- Installed a new 10” magnetic flow meter and electronic pilot controls at HP-relief regulator.
- Station # 10 – removed pump and motor # 3 from service to be refurbished.
- Analyzed 100 routine (reportable to SWRCB) bacteriological samples. All samples were negative for total coliforms (TC-) with the exception of one. Test Point # 4 on November 18th was total coliform positive (TC+). Repeat and bracket samples were negative. The average chlorine residual for November was 2.54 mg/L.
- Fourth Quarter Stage 2 Disinfection Byproduct (DBP) samples were collected on November 8, 2014. Compliance for the Stage 2 DBP rule is determined based on a Locational Running Annual Average (LRAA). For THMs, each LRAA must be below 80 ug/L and HAAs must be below 60 ug/L. THM tests results ranged from 29-42 ug/L and HAAs ranged from 13-19 ug/L.
- WQ Calls/Incidents for November – received one discolored water call via public inquiry. The discolored water call was related to a recent system shut down.
- Training/Development – conducted in-house Cla-val refresher training for all Distribution staff.
- Took a video of wells 14A and 34A as part of their rehabilitation.
- Replaced three wellhead flow meters with new magnetic flow meters.

December

- Complete draft site sampling plan revision.
- Conduct triennial CalARP (California Accidental Release Prevention) program compliance audit with County Health Department.

WARNER RANCH, SAN LUIS REY RIVER, FERC and ESCONDIDO ISSUES

- EVWTP On-Site Chlorine Generation and Electrical Upgrades Project: Attended the first construction meeting at the EVWTP. The Contractor has submitted several RFI's and submittals, and is working on the detailed construction sequencing. He anticipates mobilizing onsite by the end of the year.
- Prepared for and conducted the Henshaw Dam Emergency Action Plan (EAP) annual orientation meeting.
- Issued two entry permits to Pangea Biological to conduct field surveys in advance of SDG&E power pole replacements.
- Cattle counts for November: Hettinga – 1,293 Mendenhall – 7 (short term minimum).
- See the attached reports on activity for September 2014 for the Lake Henshaw Resort, Inc.

ATTACHMENTS: Lake Henshaw Resort, Inc., Activity Reports – September 30, 2014

ADMINISTRATION AND FIELD SERVICES DIVISION

November

- Coordinated participation in the 2014 Vista Christmas Parade.
- Held a Public Affairs Committee meeting to review California Special Districts Association (San Diego Chapter) educational grant applications, District Scholarship Contest materials and website design and development request for proposal, and discuss information to be contained in the 2014 Annual Report and Spring Newsletter.
- Presented information on water supply/drought conditions and water conservation programs to Shadowridge Homeowners Association Greenbelt Committee.
- Prepared and mailed information about agricultural water program options to Transitional Special Agricultural Water Rate participants.
- Continued implementation of Tyler Financial System.
- Began recruitment for Welder I position.
- Coordinated an All Hands employee meeting on Fire Safety. Employees participated in a fire drill, practicing the District's emergency evacuation procedures.
- Coordinated a Traffic Control class for field employees. This class was open to other water districts.
- Continued main line installation on Ocean View Drive (Phase 2) – 1,800' of 8" pipe, 36 services and 3 fire hydrants.

December

- Coordinate participation in the 2014 Vista Christmas Parade.
- Distribute materials regarding the District scholarship program to local high schools. Post an electronic copy of the application materials on the web site.
- Conduct annual review of the District's Investment Policy as required by State law.
- Complete implementation of Tyler Financial System.
- Organize the annual Employee Appreciation Event (December 16).
- Continue recruitment for Welder I position.
- Continue main line installation on Ocean View Drive (Phase 2) – 1,800' of 8" pipe, 36 services and 3 fire hydrants.
- Begin main line installation on East Vista Way and Corvalla Drive – 1,000' of 10" pipe, 9 services and 1 fire hydrant.



**LAKE HENSHAW RESORT, INC.
ACTIVITY REPORT
AS OF SEPTEMBER 30, 2014**

	2013 Sep	2013 Oct	2013 Nov	2013 Dec	2014 Jan	2014 Feb	2014 Mar	2014 Apr	2014 May	2014 Jun	2014 Jul	2014 Aug	2014 Sep	12 MO AVG
Fishing Permits	437	287	205	101	171	242	267	619	776	797	681	725	323	433
Boat Launches	2	0	2	14	9	6	5	34	46	44	23	12	5	16
Motor Boats (full day rental)	30	15	9	32	32	19	19	47	73	81	66	55	32	39
Motor Boats (half day rental)	5	4	2	0	3	3	1	4	10	21	8	14	5	6
Campground/Head Count	1,191	776	365	158	264	307	411	693	2,077	859	2,249	2,413	1,275	1,003
Campground/Cars, Trucks, etc.	260	278	77	25	54	75	108	179	765	253	560	719	423	290
Campground/Recreational Vehicles	15	6	20	7	10	11	12	13	20	10	32	3	12	13
Mobile Home/Spaces	66	66	63	63	61	61	60	61	59	59	59	59	59	61
M.H.P. Daily (Visitors/Head Count)	123	102	119	115	76	88	107	134	127	94	123	119	98	110
M.H.P. (Residents/Head Count)	93	93	86	86	85	85	83	85	82	82	82	82	82	85
Storage	9	9	8	8	6	6	6	6	6	8	8	8	5	7
Cabins	126	118	150	93	141	166	167	230	188	150	201	217	203	165
Hunters	0	0	0	175	171	0	0	0	0	0	0	0	0	27



STAFF REPORT

Agenda Item: 9

Board Meeting Date: December 17, 2014
Prepared By: Lisa Soto
Approved By: Roy Coox

SUBJECT: VACANCY OF DIRECTOR'S SEAT – DIVISION 4

RECOMMENDATION: Take action as appropriate to establish procedure for filling the Division 4 seat, vacated on December 9, 2014 when Director Franklin took office as a Council member of the City of Vista.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: To be determined.

SUMMARY: On December 9, 2014, Director Franklin, Division 4 Board Director submitted his resignation prior to taking the Oath of Office as a Council member of the City of Vista. Consequently, a vacancy was created on the Board of Directors for Division 4. Government Code §1780 provides a number of options which the Board could consider in bringing the Board up to its full complement. These options are summarized below.

DETAILED REPORT: The first requirement of the District has been met. On December 10, 2014, the District's Board Secretary formally notified the San Diego County Registrar of Voters of the Division 4 vacancy. At this point, §1780 allows the VID Board much discretion in filling the open position within 60 days following the effective date of the vacancy (i.e., by approximately February 8, 2015). Within that prescribed time period, the Board may fill the vacancy by:

- **Appointing an eligible candidate.** Eligibility remains the same as if that person were to actually be running for the seat, i.e. he or she must reside within the boundaries of the Division to be served, and must be a registered voter. If the Board chooses to make an appointment, G.C. §1780 requires that the District post a notice of the vacancy in three or more conspicuous places in the District at least 15 days before the date the Board expects to make the appointment.
 - This can be accomplished by conducting a search of eligible and qualified individuals (accepting applications, etc.) or by the simple appointment of someone known to the Board to be eligible and willing to serve. An appointee will serve the remainder of the four-year Division 4 term, which is due to expire in December 2016.
- **Call for a special election.** Within 60 days of the vacancy effective date, the Board may call for a special election. The San Diego County Registrar of Voters has projected the cost of a special election to be \$85k - \$110k for a traditional "polls" election, or \$35K – \$60K for a special "vote-by-mail" election.
- **Do nothing.** If the Board fails to act to make an appointment or call for an election within sixty days, the matter of filling the vacancy would defer to the San Diego County Board of Supervisors which would then make an appointment or call a special election.

ATTACHMENTS: Government Code §1780
VID Division boundary map

1780. (a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d) (1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e) (1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f) (1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of

supervisors calls the election.

(g) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

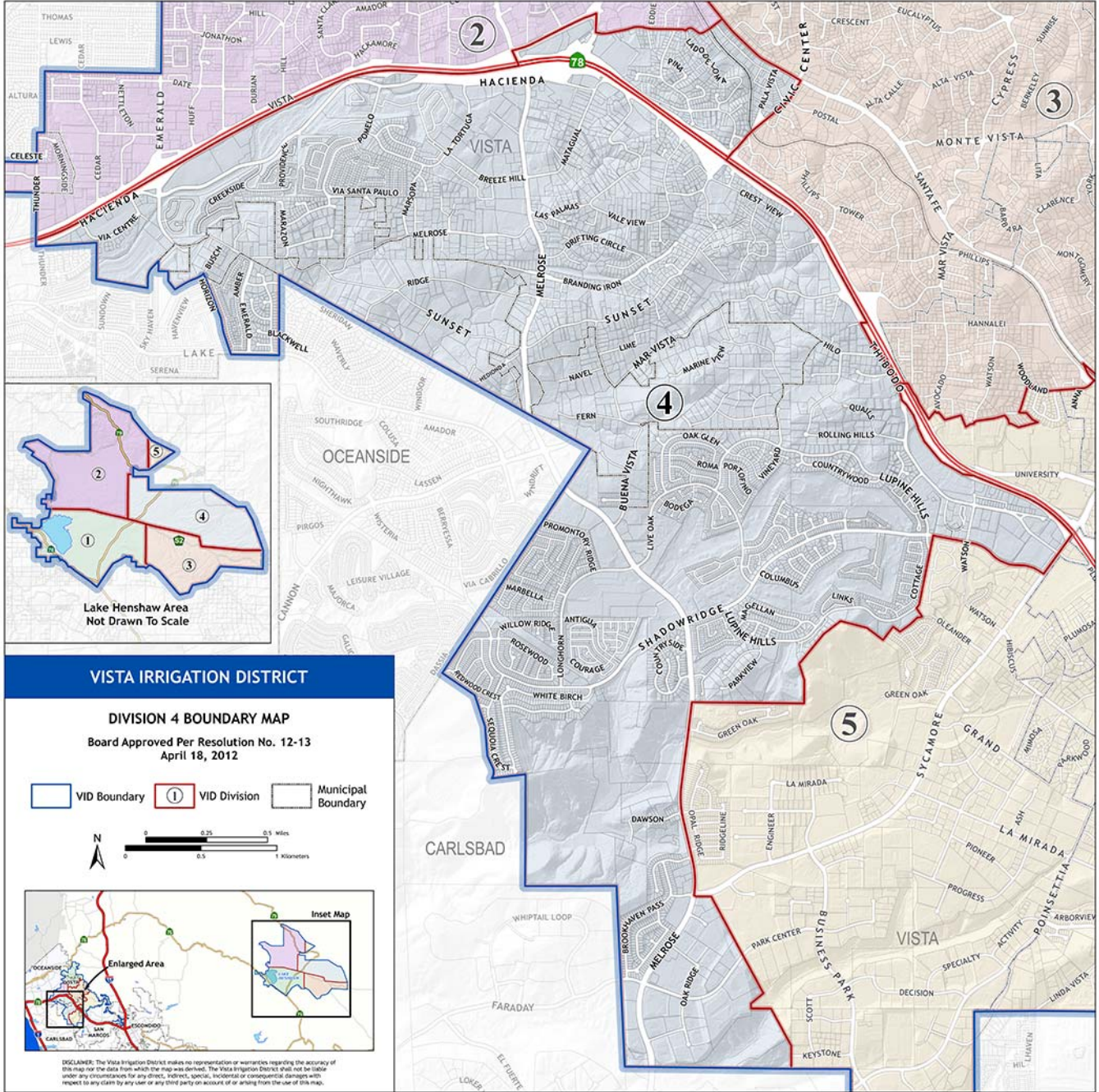
(h) (1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.





STAFF REPORT

Agenda Item: 10

Board Meeting Date: December 17, 2014
Prepared By: Phil Zamora
Reviewed By: Eldon Boone
Approved By: Roy Coox

SUBJECT: PERSONNEL POLICY MANUAL

RECOMMENDATION: That the Board adopt a resolution revising the Personnel Policy Manual.

PRIOR BOARD ACTION:

- 04/03/2013 Adopted Resolution No. 13-20 approving additions, deletions, and updates to the Personnel Policy Manual and Related Addendums, including adopting a new Computer and Electronic Communication Policy, a revised and updated Drug and Alcohol Policy, a new Nepotism and Fraternization Policy and a new Social Media Policy.
- 10/08/2014 Adopted Resolution No. 14-26 approving Memorandum of Agreement with Teamster's Union for Non-Supervisory Unit Employees for the calendar years 2015, 2016 and 2017.
- 10/08/2014 Adopted Resolution No. 14-27 approving salary, benefits, and other terms and conditions of employment for Confidential and Management Employees for the calendar years 2015, 2016 and 2017.

FISCAL IMPACT: None.

SUMMARY: The District's negotiating team finalized negotiations with the Teamsters Union in June of 2014 regarding labor proposals involving the renewal of the existing labor agreements for 2015, 2016 and 2017. The Vista Irrigation Supervisory Association (VISA) agreed to decertify their employee group and become unrepresented, exempt employees. The negotiating team also consulted with and finalized terms with unrepresented Confidential and Management employees. We are currently in the final year of a three year agreement with the terms of a successor agreement having been agreed to beginning January 1, 2015.

Under Board direction, the negotiating team raised issues involving proposed changes to the District's policies and addendums after negotiating the labor agreements for the 2012 through 2014 term. At that time it was agreed by all parties that the revisions and updates to the Personnel Policy Manual and Addendums would be a two part process. The initial phase was approved in April of 2013 with the Board approving revisions to the Personnel Policy Manual Addendums including adding an updated Drug and Alcohol Policy, a new Computer and Electronic Communications Policy, a new Nepotism and Fraternization Policy and a new Social Media Policy. The second phase of the project was to completely update the Personnel Policy Manual itself. That process was completed in November of 2014.

DETAILED REPORT: The negotiated changes to the Personnel Policy Manual are presented in the attachment in a revised final format. The Personnel Policy Addendums have been eliminated and incorporated into the body of the Personnel Policy Manual itself. All Side Letter Agreements pertaining to Pay in Lieu of Vacation, Pay in Lieu of Sick Leave, Policy Changes Regarding Employee/Employer Coordination of Sick Leave and California State Disability Insurance (CASDI), and the agreement pertaining to identified employees being able to promote into terminal steps, have been assimilated into the body of the Manual. The revised Personnel Policy Manual has been reviewed and approved by District labor counsel.

The District has negotiated agreements with all of its employees which establish the following changes to the existing Personnel Policy as highlighted below:

- Deleted, rearranged and added new sections to improve the logical flow of the document and improve the administration of District personnel rules.
- Revised Section One, Administration of Personnel Rules, to improve administration of recruitment and hiring and incorporate changes to the law regarding felony convictions and employees' access to their personnel files.
- Completely updated Section Two, Attendance and Leaves, to reflect ongoing changes in the law specifically pertaining to Family Medical Leave (FMLA/CFRA), Military Leave and Health Leave.
- Created new Section Four, entitled Personal Rights and Responsibilities to include Nepotism and Fraternalization, Social Media, and Computer and Electronic Communication, incorporating and updating previous addendums.
- Revised and updated Section Ten, Employer – Employee Relations, to include changes in state law pertaining to the meet and confer process and impasse procedures.

ATTACHMENT: Draft Resolution 14-XX of the Board Revising the Personnel Policy Manual

RESOLUTION NO. 14-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT REVISING
THE PERSONNEL POLICY MANUAL

WHEREAS, the Vista Irrigation District's negotiation team completed meet and confer labor negotiations for 2015, 2016, and 2017 salaries and benefits as set forth in a Memorandum of Agreement for represented employees and a Board Resolution for unrepresented employees; and

WHEREAS, the District has established a Personnel Policy Manual and related Policy Addendums further governing the employment relationship as between the District and its employees; and

WHEREAS, the District is required, from time to time, to update, amend, add and delete portions of the Personnel Policy Manual.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Vista Irrigation District does hereby approve revising said Personnel Policy Manual and incorporating Policy Addendums and related Side Letter Agreements into the body of the document as set forth in the attached "Exhibit A", incorporated herein by reference.

BE IT FURTHER RESOLVED that the Board of Directors has authorized execution of documents by the General Manager, Assistant General Manager, and Human Resources Manager that may be required to carry out this Resolution.

PASSED AND ADOPTED by the Board of Directors this 17th day of December 2014, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Paul E. Dorey, President

ATTEST:

Lisa R. Soto, Secretary
Board of Directors
Vista Irrigation District

PERSONNEL POLICIES MANUAL

(Revised 2014)

**VISTA IRRIGATION DISTRICT
1391 Engineer Street
Vista, CA 92081**

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SECTION ONE - ADMINISTRATION OF PERSONNEL RULES

If a provision of these rules conflicts with any provision of an applicable collective bargaining agreement entered into by the Vista Irrigation District (District) and a recognized employee organization, to the extent of such conflict, the provision of the collective bargaining agreement shall be deemed controlling unless the provision of these rules has been negotiated more recently.

THESE RULES DO NOT CREATE ANY CONTRACT OF EMPLOYMENT, EXPRESSED OR IMPLIED, OR ANY RIGHTS IN THE NATURE OF A CONTRACT.

FAILURE TO COMPLY WITH ANY OF THE POLICIES/PROGRAMS CONTAINED IN THE PERSONNEL POLICIES MANUAL MAY BE CAUSE FOR DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION.

PURPOSE AND APPLICATION

These rules establish the personnel system for the Vista Irrigation District. These rules apply to all employees of the District, except those employees or employee groups excluded in this paragraph or except where the rules specifically provide otherwise. Excluded employees and employee groups are as follows:

Part time Regular Employees normally scheduled to work less than 40 hours in a bi weekly payroll period.

1. Employees whose positions are funded under a state or federal employment program
2. Employees designated as volunteer, temporary, per diem, provisional, or seasonal
3. Any regular employee when acting in her/his capacity as an Officer of the Board of Directors.

Except as provided by law or where these Policies establish otherwise, these employees or employee groups hold their positions at the will of either the General Manager or the Board of Directors and are not obligated by or entitled to benefits provided by these rules.

The Vista Irrigation District maintains a non-discrimination and non-retaliation policy, which applies to all categories of employees, as follows: the Vista Irrigation District prohibits discrimination against employees or applicants for employment on the basis of race, color, religion, sex, gender, sexual identity, national origin, ancestry, citizenship, age, marital status, physical or mental disability, medical condition, sexual orientation, or any other basis protected by law. The District will afford equal employment opportunity to all qualified employees and applicants as to all terms and conditions of employment, including compensation, hiring, training, promotion, transfer, discipline, and termination. Employees who believe they have experienced any form of employment discrimination are encouraged to report this immediately, using the complaint procedure provided in these personnel rules.

1.1 DEFINITIONS

The following definitions shall apply to personnel policies unless the context requires another meaning. These definitions are meant to standardize and ensure common understanding with reference to employees.

Section One – Administration of Personnel Rules

- A. “Appointment” refers to the hiring of an individual or the fixing or setting of an individual into a particular position.
- B. “At-Will Employees” refer to employees who serve in positions designated as At-Will who serve at the pleasure of the General Manager and who may be terminated at any time without cause with or without prior notice and without any right of appeal.
- C. “Domestic Partner” means a registered domestic partner as defined by the Family Code section 297 and 299.2, who is also entitled to be treated in the same manner as a spouse in his/her eligibility for District benefits, such as health, dental, vision care, etc.
- D. “Employee” refers to any person currently employed or on an approved leave of absence. Not included under this term are applicants for employment, contracted agents, independent contractors, or others.
- E. “Exempt Employee” refers to employees who are exempt from the minimum wage, overtime and other provisions of the Fair Labor Standards Act (wage-hour law) as amended. These employees do not receive overtime pay.
- F. “Nonexempt Employees” refer to employees who are not exempt from minimum wage, and other provisions of the Fair Labor Standards Act (wage-hour law) as amended. These employees receive overtime premium pay for over forty (40) hours worked per week.
- G. “Part-Time Regular Employees” refer to employees who are hired into positions regularly scheduled to work at least twenty (20) to thirty-nine (39) hours per week. Part-time employees shall be eligible for health benefits at District expense and shall earn and accrue vacation, sick leave, and holidays on a reduced basis proportionate to their percentage of full time work. Thus, an employee regular scheduled to work twenty hours per week will earn one-half of the vacation, sick leave, and holiday accrual rates of full-time employees.
- H. “Probationary Employees” are employees who are hired to fill a full-time or part-time position and are serving the probationary period for that position. A probationary period is considered to be an extension of the selection process.
- I. “Provisional Employees” are employees appointed to positions for a period of not more than six months prior to the commencement of a formal recruitment. Provisional employees are eligible to compete in the subsequent recruitment.
- J. “Regular/Full Time Employees” refers to employees who are hired to fill a full-time position, regularly scheduled to work at least forty (40) hours per week, and have completed the probationary period for that position.
- K. “Spouse” means a husband or wife as defined under California State law for purposes of marriage.
- L. “Temporary Employees” refers to employees hired for a specific time period on a temporary basis as recommended by the Division Head and approved by the General Manager. Temporary employees are not eligible for any employee benefits with the exception of workers' compensation. Temporary employees may serve for a maximum period of up to one year and/or may be rehired on seasonal basis thereafter, provided there is a one-month break in service before reappointment.

- M. “Terminal or Terminal Status” refers to an incumbent(s) who is grandfathered into a position or an employment/pay status that will be eliminated when the incumbent(s) vacates the position. No future incumbent(s) will be eligible for the same status as the Terminal incumbent. Employees in Terminal Status are eligible for wage adjustments scheduled in memorandums of agreement (MOAs) or resolutions covering unrepresented employees.

1.2 AUTHORITY OF GENERAL MANAGER TO EMPLOY PERSONNEL

The General Manager shall employ personnel as may be necessary to administer, operate and maintain the system for the purpose of proper distribution of water. Each department head shall have charge of his/her respective department and be responsible to the General Manager.

1.3 RECRUITING AND HIRING

Whenever an open (i.e. public, non-promotional) competitive recruitment is to be undertaken for a position, the Human Resources Manager or designee shall, at least 10 calendar days prior to the final filing date, issue an appropriate advertisement regarding the position. Unless exempted by the General Manager, all regular District employees must initially enter District services as a result of an open (i.e., publicly advertised and published) job announcement. The General Manager can approve exemptions for promotional recruitments that may be excused from the open recruitment requirements. During a period of business necessity, the Human Resources Manager can recommend provisional appointments (for General Manager approval) provided that the regular position is subsequently filled via an open recruitment.

A. APPLICATION FORMS

Job applications must be made on forms or in the manner described by the Human Resources Manager or designee. All applications must be completed in full and signed by the person applying. The Human Resources Department will not process any application which is not fully completed and signed. Any such application may be disqualified from further consideration.

B. DISQUALIFICATION OF APPLICATIONS

The Human Resources Manager or designee may reject an application, or after examination, may disqualify or remove the applicant’s name from an eligibility list, if the applicant:

1. Has made false statements of any material fact, or practiced any deception or fraud on the application, declarations or in securing eligibility or appointment;
2. Is found to lack any of the requirements, certifications, or qualifications for the position involved;
3. Is physically or mentally unable to perform the essential functions of the job, with or without reasonable accommodation if disabled;
4. Is a current user of illegal drugs in violation of the District Drug and Alcohol Policy (Section 9);
5. Is a relative of an employee, and is subject to a violation of the District Nepotism and Fraternalization Policy (Section 4 – Personal Rights and Responsibilities; Subsection 4.5).

Section One – Administration of Personnel Rules

6. Used or attempted to use political pressure or bribery to secure an advantage in the examination or appointment;
7. Directly or indirectly obtained information regarding examinations;
8. Refuses to execute the loyalty oath;
9. Failed to submit the employment application correctly or within the prescribed time limits;
10. Has had his or her privilege to operate a motor vehicle in the State of California suspended or revoked or is otherwise deemed uninsurable by the District's liability carrier if driving is job related; or
11. For any material cause which in the judgment of the Human Resources Manager or designee would render the applicant unsuitable for the position, including a prior resignation from the District, termination from the District, or a significant disciplinary action in any employment.

C. NOTICE OF REJECTION OF APPLICATION

After reviewing the number of available applicants to determine whether sufficient qualified candidates exist, at the sole discretion of the Human Resources Manager, defective applications may be returned to the applicant with notice to amend and re-file, provided that the time limit for receiving applications has not expired. Whenever an internal or external application is rejected, notice of such rejection shall be made to the applicants by the Human Resources Manager or designee within a reasonable time after the completion of the recruitment.

D. EXAMINATION

After the time limit for receiving applications for a particular position has expired, the Human Resources Manager or designee will determine the total number of applicants who meet the minimum qualifications for the position and determine whether a competitive written or practical (or both) examination is necessary. If the Human Resources Manager or designee determines that giving an examination of the nature and type appropriate to all the qualified applicants would unnecessarily burden the District, the Human Resources Manager or designee may rank, for qualifying purposes only, the applications submitted on the basis of the applicants' experience, education, training, and work history as related to the particular position, and may ordinarily choose at least 10 applicants whom he or she determines would best fit the position. The chosen applicants may then be given a screening review by subject matter specialist(s) and/or an examination in order to obtain ranking on the eligibility list.

E. SCORING AND QUALIFYING GRADE

Failure in one part of the recruitment (ranking, interview, or examination) process or the failure to meet established standards described in the job announcement may be grounds for declaring such applicant as failing the entire recruitment process or as disqualified for subsequent parts of an examination. A passing grade is defined as correctly answering seventy percent (70%) or higher of the questions on a written exam which is equivalent to a letter grade of "C".

F. NOTICE OF RESULTS

Each applicant will be notified of the results.

G. INSPECTION OF EXAMINATION PAPERS

Any candidate has the right to inspect his or her own written examination paper, if any, during normal working hours within 5 calendar days after the notices of examination results are mailed. Any error in computation, or incorrectly scored written test answers that are called to the attention of and confirmed by the Human Resources Manager or designee shall be corrected and the final score shall be adjusted accordingly. Such corrections will not, however, invalidate appointments previously made. Examination papers of applicants are not subject to inspection by the public or by other applicants.

H. ELIGIBILITY LIST

After completion of an open or promotional examination, the Human Resources Manager or designee may prepare an eligibility list consisting of the names of candidates who passed the interview/examination process, arranged in order of final score, from the highest to the lowest [or arranged alphabetically]. Notwithstanding any other provision of these rules, if there are less than 3 names on an eligibility list, the Human Resources Manager or designee may declare such list void and fill the position(s) by any method permitted by these Personnel Rules, including, but not limited to, undertaking new recruiting and testing procedures. Eligibility lists will become effective upon the certification by the Human Resources Manager or designee.

An eligibility list is used for internal purposes only and is used to contact qualified applicants in order of priority in the event there is an additional vacancy for that particular position. Placement on the eligibility list does not guarantee the applicant an “offer of employment” in the event of a vacancy but only that the applicant **may be** contacted for additional consideration. The District retains complete discretion regarding the use of eligibility lists as it pertains to the recruitment process, including the removal of an applicant’s name(s) from an existing eligibility list.

I. ELIGIBILITY LIST DURATION

Eligibility lists remain in effect 12 months, unless the General Manager or the Human Resources Manager or designee abolishes the list, the list is exhausted, or the list is extended by the Human Resources Manager or General Manager or their designee. The Human Resources Manager or General Manager or their designee may abolish or extend, the list at any time prior to the expiration of the list if they determine that it is in the best interest of the District to do so. Employees included on the eligibility list will be notified if the eligibility list is abolished.

J. REMOVAL OF NAME

The name of any person appearing on an eligibility list will be removed by the Human Resources Manager or designee if the applicant so requests in writing, or fails to respond to a notification of an opening from the Human Resource Manager or designee. It will be the responsibility of the eligible candidates to keep the Human Resources Manager informed of their current status including their address and telephone number.

K. TYPE OF APPOINTMENTS

Section One – Administration of Personnel Rules

Vacancies may be filled by re-employment, promotion, transfer, demotion, appointment of hourly employees, or from the appropriate eligibility list, if available. The District shall maintain a single eligibility list at a time for each job title. No specific list shall have priority over other lists. The General Manager or designee will decide in what manner the vacancy is to be filled.

L. APPOINTMENTS

The Human Resources Manager or designee will recommend appointments. When a position is to be filled from a promotional or open eligibility list, the Human Resources Manager or designee will choose from the specified list one of the top candidates on the final eligibility list and submit the recommendation to the appointing authority. If top candidate does not indicate a willingness to accept the appointment, the Human Resources Manager or designee may make the appointment from among the remaining names on the eligibility list, may request a new recruitment and establish a new eligibility list, or may fill the position by any other method authorized by these personnel policies and/or rules;

The person accepting an appointment, after satisfactorily completing pre-employment testing, must report to the Human Resources Manager or designee on the date designated by the Human Resources Manager or designee; otherwise, the applicant will be deemed to have declined the appointment.

M. REGULAR EMPLOYEE

1. Regular Full-Time Employment

An employee who successfully completes the probationary period and who regularly works forty (40) hours per week, the maximum number of hours scheduled by a department or division.

2. Regular Part-Time Employee

An employee who regularly works less than forty (40) hours per week and twenty (20) or more hours per week and who successfully completes the probationary period.

Employees working less than 20 hours per week do not acquire regular status and are not entitled to benefits. Such employees serve at the pleasure of the appointing authority.

N. TEMPORARY, PROVISIONAL OR SEASONAL EMPLOYEE

An employee who is assigned to work on a particular project or for a job of limited or definite duration is a temporary, provisional or seasonal employee. A temporary or seasonal employee: (a) does not hold regular status, (b) does not serve a probationary period, (c) can be dismissed at-will from District employment at any time without right of procedural due process, appeal, grievance or hearing, and (d) is not entitled to earn, accrue, or participate in any District employee benefit plans, or paid or unpaid leaves.

O. HIRING OF FORMER EMPLOYEES

It shall be the policy of the District not to rehire former District employees. The General Manager may grant exemptions to this policy if s/he deems that it is in the District's best interest to rehire a former employee. This hiring restriction does not apply to retired employees who may be rehired in accordance with PERS regulations to work no more than 960 hours in any fiscal year.

Section One – Administration of Personnel Rules

The General Manager may make an exception to this policy to rehire or reinstate a regular employee who has resigned, or has otherwise been separated while in good standing. The employee may be reinstated to the salary range and step held at the time of resignation or separation and shall receive a new anniversary date which shall be the first date of employment upon reinstatement. All rehired employees shall not be given credit for prior service for purposes of calculating accrued leaves (i.e. accrual rate) including sick and vacation. The employee will serve a new probationary period. All rehired employees shall also **not** be eligible to participate in any District sponsored Retiree Health Insurance Plan.

Unless otherwise prohibited by law, after determining that an applicant meets the minimum employment qualifications for the applied-for position, the Vista Irrigation District reserves the right to obtain criminal-history record information, i.e., conviction records, on applicants where appropriate for the job positions and only if the management staff has been authorized to do so by the applicant. Further, unless otherwise prohibited by law, the District may remove a potential applicant, who meets the minimum employment qualifications, from an eligibility list if that applicant has been convicted of a crime that relates to the position or duties that the applicant would perform.

1.4 IMMIGRATION CONTROL & REFORM

A. PURPOSE

The purpose of this policy is to assure that every newly hired District employee is either a U.S. citizen or an alien authorized to work in the United States.

B. POLICY

In compliance with federal immigration laws, the District shall not:

1. Knowingly hire an alien without the proper authority to work in the United States,
2. Hire anyone without verifying the individual's legal employment status, or
3. Continue the employment of an alien who was properly hired but subsequently became unauthorized to work.
4. The District shall not discriminate in its employment practices against any person because of national origin or citizenship status.

C. LEGAL COMPLIANCE

The District's employment practices will, at all times, be consistent with the Immigration Reform and Control Act of 1986 and any amendment or revision of such law, and applicable administrative regulations.

District employees shall fully comply with the aforementioned laws and regulations and shall establish appropriate procedures to demonstrate full compliance with law. In order to verify eligibility for employment and to establish identity all newly hired employees must complete the forms required by law. They must further attest on said form that they are qualified for employment.

1.5 CONFLICT OF INTEREST CODE

A. PURPOSE

Pursuant to Government Code, Sections 1125-1127, and District Conflict of Interest Code, the District has formulated rules specifying the activities for compensation, outside of District duties, which are inconsistent and incompatible with the duties as District employees.

B. POLICY

The following outside activities have been determined to be incompatible with functions and responsibilities of District employees and are prohibited:

1. Any activity which involves the use of District time or facilities for private gain or advantage, including the following:
 - a. Any outside employment which results in receipt of frequent telephone calls or visitors for the employee while the employee is on duty at his/her District employment.
 - b. Use of District facilities to conduct non-District business.
 - c. Use of District facilities to repair or manufacture items which are not to be used for District purposes.
2. Any activity which involves the use of the uniform, prestige, or influence of the individual's District employment for private gain or advantage, including the following:
 - a. Directly or indirectly soliciting, seeking, or accepting personal loans, gifts, gratuities, business, compensation, or favors from business firms or their agents who deal with this District.
 - b. Using official information not readily available to the general public, gained in the course of District employment, for private gain or advantage or the gain or advantage of another.
 - c. Using District employment to contact and/or solicit customers for the private enterprise of any District employee.
3. Any activity which involves the receipt by the employee of more or other consideration from private parties for the performance of acts which the employee is expected to render in the regular course of his/her duties as a District employee, including the following:
 - a. Any consultation work for a fee concerning the application or interpretation of orders of the District.
 - b. Retention of a fee for testimony prepared and/or presented during the course of regular District employment.
4. Any activity which is in conflict with the duties and responsibilities of the employee's District employment including the following:

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- a. Any outside employment which will impair the employee's independence of judgment as to his/her District duties.
 - b. Any outside activity which will require or induce the employee to disclose confidential information acquired by the employee in the course of his/her District duties.
5. The following activities in which a part of the employee's efforts may be subject to approval, review, control, or audit by another District officer, or the board.
- a. Employment full-time or part-time by any organization which is under contract to the District.
 - b. Serving or consulting, in a private capacity, for any firm or organization which is registered as a District consultant.
 - c. The performance of an act which may later be subject to the control inspection, review, audit, or enforcement of any other officer or employee of the District.

These activities will be subject to review by the Department Head and Human Resources Manager, and exceptions may be granted on a case-by-case basis.

6. Any activity involving time demands which render the performance of District duties less efficient.
- a. Private work by a full time employee will be reviewed by the Department Head and/or the Human Resources Manager. Employees are required to report private employment, including self-employment, within thirty days of engaging in the private employment activities.

1.6 DISABILITY AND REASONABLE ACCOMMODATION

The District provides employment-related reasonable accommodations to qualified individuals with disabilities within the meaning of the California Fair Employment and Housing Act and the Americans with Disabilities Act.

A. PROCEDURE

1. Request for Accommodation

An employee who desires a reasonable accommodation in order to perform essential job functions for their position should make such a request in writing to the Human Resources Department. The request must identify: a) the job-related functions at issue; and b) the desired accommodation(s).

2. Reasonable Documentation of Disability

Following receipt of the request, the Human Resources Department may require additional information, such as reasonable documentation of the existence of a disability.

3. Fitness for Duty Examination

The District may require an employee to undergo a fitness for duty examination to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation. The District may also require that a District-approved physician conduct the examination.

4. Interactive Process Discussion

After receipt of the results of a reasonable documentation of disability and/or a fitness for duty report, the District will arrange for a discussion, in person (an interactive process meeting) or via telephone conference call, with the employee, and his or her representatives, if any. The purpose of the discussion is to work in good faith to fully discuss all feasible potential reasonable accommodations.

5. Case-by-Case Determination

The District determines, in its sole discretion, whether reasonable accommodation(s) can be made, and the type of accommodation(s) to provide. The District will not provide accommodation(s) that would pose an undue hardship upon District finances or operations, or that would endanger the health or safety of the employee or others. The District will inform the employee of its decision as to reasonable accommodation(s) in writing.

1.7 PERSONNEL FILES AND RECORDS

A. GENERAL

The District maintains a personnel file on each employee. An employee's personnel file shall contain only material that is necessary and relevant to the administration of the District's personnel program. Personnel files are the property of the District, and access to the information they contain is restricted.

B. NOTIFYING DISTRICT OF CHANGES IN PERSONAL INFORMATION

Each employee is responsible to promptly notify the Human Resources Department of any changes in relevant personal information, including

- Mailing address
- Telephone number
- Persons to contact in emergency
- Number and names of dependents

C. LOCATION OF PERSONNEL FILES

The District will maintain personnel files under lock and key.

D. MEDICAL INFORMATION

1. Separate Confidential Files

All medical information about an employee or applicant is kept separately and is treated as confidential, in accordance with applicable state or federal law.

2. Information in Medical Files

The District will not obtain medical information about an employee or applicant except in compliance with the California Confidentiality of Medical Information Act. To enable the District to obtain certain medical information, the employee or applicant may need to sign a District form authorizing the release of medical information.

3. Access to Medical Information

Access to employee or applicant medical information shall be strictly limited to only those with a legitimate need to have such information for District business reasons, or if access is required by law, subpoena or court order. In the case of an employee with a disability, managers and supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

The District will not provide employee or applicant medical information to a third party (except as permitted under the California Confidentiality of Medical Information Act) unless the employee signs a form authorizing the release of medical information. The District will release only the medical information that is identified in the employee's authorization. If the employee's authorization indicates any limitations regarding the use of the medical information, the District will communicate those limitations to the person or entity to which it discloses the medical information.

4. Privacy of Medical Information

a. Policy

It is the policy of the Vista Irrigation District to fully comply with applicable state and federal laws protecting the privacy of protected health and medical information when the District acts in capacity as sponsor of a health insurance plan or in its Flexible Spending Account (FSA) Program, and in any other plans or programs that are, or become subject to law. The District shall:

- i. adopt comprehensive procedures to protect the privacy of health and medical information protected by law,
- ii. train appropriate staff and provide notice to all employees of their rights under law, and
- iii. designate a privacy officer, and/or a privacy complaint officer and staff, to act as responsible parties in assuring that all privacy safeguards are in place and enforced.

The District shall not intimidate, retaliate, or take any other action for the purpose of preventing an individual from exercising his or her rights under the Privacy of Medical Information Policy or the administrative procedures protecting employee privacy. The District will make its comprehensive procedures manual readily available for review of employees and any other covered individuals. This manual will be published, maintained and available for review in the Human Resources Department

b. Legal Compliance

The District's use and disclosure of applicable protected health information,

records and data will, at all times be consistent with and only as permitted by state law and the Health Insurance Portability and Accountability Act of 1996, as amended ("HIPAA") and the regulations issued thereunder including Parts 160 and 164 (the "Privacy Regulations") of Title 45 of the Code of Federal Regulations. The District's Privacy Procedures were effective on April 14, 2004. This compliance recognizes that information obtained when staff act in their capacity as employer (e.g., when obtaining doctor's verification of illness, Family and Medical Leave verification, in the course of managing worker's compensation injuries, etc.) rather than in their capacity as sponsor of a group health plan, may be exempt from HIPAA requirements but remains subject to other state and federal privacy or health and medical information laws.

The District and its employees acting on its behalf shall fully comply with the aforementioned laws and regulations and shall establish appropriate procedures to demonstrate full compliance with law. The Human Resources Manager is designated as Privacy Officer and he or she may designate a Privacy Complaint Contact Officer to receive complaints.

E. REFERENCES AND RELEASE OF INFORMATION IN PERSONNEL FILES

1. Public Information

Upon request, the District will release to the public information about its employees as required by the Public Records Act. The District will not disclose personnel information if it believes doing so would constitute an unwarranted invasion of personal privacy.

2. Reference Checks

All requests from outside the District for reference checks or verification of employment concerning any current or former employee must be referred to Human Resources. Information will be released only if the employee signs a District form authorizing the release of employment information, except that without such authorization, the following limited information will be provided: dates of employment, and salary upon departure. Department heads and supervisors should not provide information in response to requests for reference checks or verification of employment, unless specifically approved by the Human Resources Manager on a case-by-case basis.

3. Medical Information

Medical information will be released only in accordance with subsection D.4.-Access to Medical Information above.

F. EMPLOYEE ACCESS TO PERSONNEL FILE

1. Inspection of File

An employee or a former employee (or the employee or former employee's authorized representative) may inspect the employee or former employee's personnel file, to the extent defined in California Labor Code section 1198.5, at reasonable times and at reasonable intervals. An employee who wishes to review his or her file should contact the Human Resources Department to arrange an appointment. The review must be done in the presence of the Human Resources Manager or his/her designee.

2. Copies

On request, an employee or former employee (or his or her authorized representative) is entitled to receive a copy of the employee or former employee's personnel file. Employees are entitled to receive one copy of their personnel file at no cost. Subsequent copies and copies for all former employees are at their expense. An employee or former employee (or his or her authorized representative) who wishes to receive such a copy should contact the Human Resources Department.

1.8 RESIGNATION AND SEPARATION FROM DISTRICT SERVICE

Once accepted, resignations or other notices of an employee's intent to leave District service (such as retirement notices) are considered final decisions and may not be rescinded without the written permission of the General Manager. Employees who resign or otherwise separate from District service are not eligible to take leave at the conclusion of District service (terminal leave), except in the case of approved family and medical leave granted in accordance with state or federal law, or for an approved sick leave absence. Employees who are otherwise absent at the conclusion of District service will have their paid leave approval revoked and be placed upon leave without pay back to the date of their last work day.

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SECTION TWO - ATTENDANCE AND LEAVES

2.1 VACATION

- A. All eligible employees are entitled to paid vacation in accordance with the applicable Memorandum of Agreement or Board Resolution.
- B. All payments for vacation time taken shall be made at the employee's current rate of pay.
- C. Upon approval of the supervisor, vacation may be taken as accrued.
- D. The transferring (sharing) of accrued vacation balances between employees is prohibited.
- E. Vacation leave will be granted at the discretion of the supervisor and Department Head with consideration given to District's operational needs and the desire of the employee. Approved vacation leave may be cancelled or postponed in bona fide business or operational emergencies and after other alternatives have been found to be unsatisfactory.
- F. Requests for vacation leave shall be submitted and approved in advance on the District's Time Off Request Form (Appendix A). Vacation requests that are not submitted with sufficient advance notice may be deferred to an alternative time acceptable to the District and employee. When more than one request is received from multiple employees, consideration shall be given to granting leave to the employee having submitted the earliest request.

Excess hours (Compensatory time off) worked during a week may be taken on shorter notice as "flex time" with the mutual agreement of employee and supervisor.

- G. Vacation time may be used for any lawful purpose, in any amount (in minimum increments of a half hour or more), for time off, at the employee's discretion. The scheduling of time off, but not purpose of the vacation leave, is subject to prior approval by the supervisor.
- H. Vacation time may be taken after accrued balances are reflected on employee's pay stub.
- I. Paid holidays occurring during an employee's scheduled vacation shall not be charged against employee's vacation benefits and the employee shall receive holiday pay of eight hours for the District's designated paid holidays.
- J. Vacation accrual rate will be calculated from the individual employee's anniversary date as required by the Memorandum of Agreement or Board Resolution. Since an employee may not accrue vacation beyond 480 hours, an employee may not be paid for vacation hours which are not earned because the employee's vacation accrual cap is at the 480 hours maximum cap.
- K. The anniversary date for an employee is the date the employee was last hired, regardless of the time the employee was on a probationary status. Anniversary dates do not apply to temporary employees, as they do not earn benefits. If a temporary employee is subsequently hired into a regular position opening of the District, the anniversary date would be that date of hire without regard to prior service while in a temporary status.

2.2 SICK LEAVE

A. DEFINED

1. Sick leave is leave from duty which may be granted by the District to an employee because of illness, injury, exposure to contagious disease, illness or injury of a member of the employee's immediate family and family (including step children) residing in the employee's household requiring the employee's attendance, and medical, dental and optical appointments to the extent that such appointments cannot be scheduled outside the work day. Sick leave may also be granted to care for a domestic partner (as defined under section 297 of the California Family Code) or for his/her children to the extent required by law.
2. Up to forty (40) hours of sick leave in a calendar year may be granted to care for the sickness, injury, or disability of an employee's natural or adoptive mother or father not living in the employee's immediate household.
3. The transferring (sharing) of accrued sick leave balances between employees is prohibited.

B. SICK LEAVE USE

1. An employee may be granted sick leave only in case of actual sickness as defined above. In the event that an employee or a member of the employee's immediate family recovers from any such sickness after being granted sick leave, and during the regularly scheduled hours of work, then such employee shall notify the appropriate immediate supervisor and be available to return to duty.
2. In order to apply for sick leave use, an employee shall notify the appropriate immediate supervisor prior to the time established as the beginning of the employee's work day, unless the District determines that the employee's duties require more restrictive reporting. Failure to do so without good reason shall result in that day of absence being treated as leave of absence without pay. Each request for sick leave shall be set forth on the District's Time Off Request Form (Appendix A).
3. If the employee is absent on sick leave for more than one (1) day, the employee will keep the immediate supervisor informed as to the date the employee expects to return to work.
4. Sick leave will not be granted to any employee absent from duty as a result of any sickness, injury or disability purposely self-inflicted or caused by willful misconduct.
5. Sick leave will not be granted to any employee absent from duty after separation from District service, or during a District authorized leave of absence without pay, or any other absence from duty not authorized by the District.

Sick leave will not be granted to any employee to permit an extension of the employee's vacation. However, if illness occurs while an employee is on vacation, sick leave may be substituted for vacation at the request of the employee, upon presentation of proof of illness, and subject to the approval of the employee's supervisor.

Section Two – Attendance and Leaves

6. The District may require a physician's certification at any time regarding the sickness or injury of the employee or their immediate family member and the date of the employee's intended return to work. This may be required in those cases where misuse of sick leave is suspected or for all sick leave absences in excess of three days or in any and all cases when sick leave balances become exhausted on the date of the absence. If the employee is unable or refuses to produce timely and acceptable documentation of illness, the absence will be treated as unexcused.
7. Supervisors have the discretion to place employees on sick leave when, in the judgment of the supervisor, the presence of the employee at work would endanger the health and welfare of other employees or where the illness or injury of the employee interferes with the performance of such employee's duties.
8. In the event employee has exhausted all sick leave, unless otherwise prohibited by applicable state or federal laws, accrued compensatory time off will be used, and then accrued vacation will be used for authorized sick leave.
9. In the event of a work-related injury, employee's accrued sick leave may be used to supplement workers' compensation benefits up to but not exceeding the amount of employee's base wage rate.
10. With the prior written permission of the employee, accrued compensatory time off and then vacation time will be used by the District in an attempt to maintain employee's pay status after all sick leave has been utilized. Vacation and sick leave may be used in conjunction or combined with State Disability Insurance (SDI) or Paid Family Leave payments up to but not to exceed the employee's basic wage rate.
11. In cases where the employee's absence may be related to the employee's ability to perform the essential functions of his/her job description, a doctor's release may be required prior to the employee's return to work.
12. In the event that the District has good cause to believe that an employee may not be able to safely or reliably perform his/her duties, the District may require a medical or psychological examination to ascertain the employee's fitness for duty. This examination will be provided at District expense and by a District designated health care provider.

C. SICK LEAVE ACCRUAL

1. All full-time employees will accrue 2.15 hours of sick leave each pay period while on paid status throughout the entire pay period. Such accrual shall take place on a bi-weekly basis after the completion of the pay period. No accrual shall take place for any pay period in which the employee has performed less than a full pay period of service (or paid leave, i.e. paid status).
2. Sick leave may be accrued to a maximum of one thousand hours except as provided below:
3. Sick leave granted by the District and used by an employee shall be deducted from the employee's accrued sick leave balance. Sick leave shall be used in minimum increments of a half hour.

Section Two – Attendance and Leaves

4. Employees granted a leave of absence with pay or other approved leave with pay shall accrue sick leave as provided herein.
5. Sick leave will not be accrued by an employee absent from duty after separation from District service, or during a District authorized leave of absence without pay, or any other absence from duty not authorized by the District.

D. REIMBURSEMENT FOR ACCRUED SICK LEAVE

Upon termination of employment for other than disciplinary reasons, employee shall receive payment in accordance with the applicable Memorandum of Agreement or Board Resolution. Upon retirement, employee shall receive payment in accordance with the applicable Memorandum of Agreement or Board Resolution

E. EXCESSIVE USE OF SICK LEAVE/ABUSE/MISUSE OF SICK LEAVE

An employee shall be subject to disciplinary action for abuse of sick leave that is a claim of entitlement to sick leave when the employee does not meet the requirements of sick leave as defined in Section 1. Excessive use of sick leave is defined as sick leave exceeding three separate absences in any month, six in any three months, or usage in excess of District averages. Calculations of excessive usage shall exclude family and medical leave absences, workers' compensation absences or absences normally excluded from such calculations by law.

F. EVALUATION OF SICK LEAVE USAGE

Abuse of sick leave will be considered in establishing the performance rating.

G. RETURN TO WORK

Regular employees unable to perform the essential functions of their position, with or without reasonable accommodation, as a result of a physical or psychological illness or injury for a period of twelve (12) months (see Health Leave) from the first date of the absence shall:

1. Be terminated from employment. Employees who are separated pursuant to this section shall be accorded procedural due process (i.e., notice and an opportunity to respond to the separation) in accordance with the appeal procedures for disciplinary actions outlined in these rules and procedures. or,
2. If disabled, be retired under the Public Employees Retirement System, or;
3. Be offered the opportunity to resign from the position and be placed on a rehire list for a period not to exceed one (1) year. Any employee returning to work pursuant to this section shall provide to the Human Resources office verification from a medical practitioner of his/her ability to return to work and perform the essential functions of his/her position, with or without accommodation.
If during the period in which the employee is on the rehire list, the employee is physically and/or psychologically able to resume the duties of his/her previous position and there is a vacant position in the employee's classification, the employee will be entitled to return to that position with all the rights, benefits, and responsibilities of a regular employee. However, an employee on a rehire list shall not accrue seniority. Thus, the employee will

Section Two – Attendance and Leaves

return to work with the same amount of seniority held prior to being placed on the rehire list.

Placement on the rehire list does not preclude an employee from applying for a disability retirement.

4. **Medical Leaves of Absence:** Employees on family and medical care leave, pregnancy disability leave or other statutory leaves will not be terminated or offered the rehire list option in lieu of separation during such leave if separation during such leave would be precluded by law.

2.3 TARDINESS

If an employee is not on the District premises and available for work at the beginning of the assigned work period, the employee shall be deemed to be tardy. After two hours of absence, tardiness is considered an unexcused absence (See Unexcused Absence).

An employee may be deemed to be tardy even if the employee calls in and the call is received after the beginning of the assigned work period.

An employee shall be deemed to be tardy even though the employee calls in or causes to have a report made prior to the start of the normal work period, if the cause is not a reasonable or a bona fide excuse.

2.4 UNEXCUSED ABSENCE

An unexcused absence of an employee may be defined as any time the employee fails to report to work, on any assigned duty, without prior arrangements and approval of the supervisor. If the employee reports for work within two hours of the assigned starting time, the absence shall be considered to be tardiness. The General Manager may excuse an absence if there is sufficient evidence that the employee was legitimately unable to contact the District.

A. PENALTIES

1. For first offense, not exceeding four (4) hours (except when failing to report for emergency service duty) employee shall receive a written warning, with a copy of said report placed in the employee's personnel file.
2. For first offense, exceeding four (4) hours employee shall be suspended for one day without pay.
3. For first offense, where employee has failed to report for work after being called to report for emergency service duty, employee shall be suspended for two full days without pay.
4. For the second offense, when employee has failed to report for work after being called for emergency service duty, employee shall be discharged or suspended without pay for a minimum of five (5) working days at the discretion of the General Manager. Consideration shall be given to the employee's overall work record in setting the level of discipline.
5. In all cases, for the third offense within two (2) years, the employee shall be discharged.

2.5 ADMINISTRATIVE LEAVE

The District has the right to place an employee on leave at any time with or without full pay. An employee may be placed on Administrative Leave pending investigation of an employee's ability to safely perform his/her duties, misconduct, potential disciplinary action, or other reasons that the Human Resources Manager, in his/her discretion, believes warrant such leave for a period of up to three days. Administrative Leave in excess of three days can be approved by the General Manager, Acting General Manager or Acting Appointing Authority.

2.6 DISCRETIONARY LEAVE OF ABSENCE

In cases where an employee is not entitled to a leave of absence under the law, a leave of absence, or leave without pay, up to but not to exceed ninety (90) days, may be granted for good cause at the discretion of the General Manager. Such leave would commence upon exhaustion of all vacation and compensatory time off accruals. Requests for leave of absence will be considered while weighing factors such as an employee's length of employment, the performance and work record, the reason for the request of a leave, and the position occupied by the employee. These factors will be weighed against concerns relating to the potential disruption that would occur if the leave were granted. A leave of absence in excess of ten (10) working days will change the employee's anniversary date by the amount of time absent. No benefits accumulate and no holidays are paid while the employee is on a leave of absence without pay in excess of ten days.

During a discretionary leave of absence, the employee's health, dental, vision care, long-term disability, and life insurance will be continued by the District if the employee pays the applicable employee portion for group benefits where the employee has exhausted his or her accrued balances or his or her balances are insufficient to cover the employee contribution.

2.7 HEALTH LEAVE

The District's health leave policy is intended to be administered consistent with all applicable Memoranda of Agreement and Board Resolutions and as required by law.

Employees on approved health leave shall be responsible for the expense of health benefit premiums after the period of Family and Medical Leave has been exhausted. Employees on health leave in excess of the period of Family and Medical Leave shall earn no benefits, including accrual of vacation, sick leave and holidays; and accrue no seniority.

2.8 BEREAVEMENT LEAVE

Employees with District approval, are eligible to receive paid time, not to exceed five (5) days, to be absent from duty because of the verified death of the employee's parents, grandparents, step-parents, parents-in-law, siblings, spouse (including registered domestic partners), children, stepchildren, grandchildren, step-grandchildren, or a qualified domestic partner. Upon the employees' request, and with prior approval of the District, an employee shall use the necessary portion of his/her available sick leave, compensatory time off, or vacation for the purpose of extending bereavement leave.

2.9 FAMILY CARE AND MEDICAL LEAVE

A. POLICY

To the extent not already provided for under current leave policies and provisions, the Vista Irrigation District will provide family and medical care leave for eligible employees as required by state and federal law. The following provisions set forth certain of the rights and obligations with respect to such leave. Rights and obligations which are not specifically set forth below are set forth in the Department of Labor regulations implementing the Federal Family and Medical Leave Act of 1993 (“FMLA”), and the regulations of the California Family Rights Act (“CFRA”). Unless otherwise provided by this article, “Leave” under this article shall mean leave pursuant to the FMLA and CFRA.

B. DEFINITIONS

1. “12-Month Period” means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.
2. “Child” means a child under 18 years of age, or 18 years of age and older who is incapable of self-care because of a mental or physical disability. An employee’s child is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster or step-child.

A child is “incapable of self-care” if he/she requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living or instrumental activities of daily living—such as, caring for grooming and hygiene, bathing, dressing and eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, etc.

3. “Parent” means the biological parent of an employee or an individual who stands or stood in loco parentis (in place of a parent) to an employee when the employee was a child. This term does not include parents-in-law.
4. “Spouse” means a husband or wife as defined or recognized under California State law for purposes of marriage.
5. “Domestic Partner,” as defined by Family Code §§ 297 and 299.2, shall have the same meaning as “Spouse” for purposes of CFRA Leave.
6. “Serious health condition” means an illness, injury impairment, or physical or mental condition that involves:
 - a. Inpatient Care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (i.e., inability to work, or perform other regular daily activities due to the serious health condition, treatment involved, or recovery therefrom); or
 - b. Continuing treatment by a health care provider: A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

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- i. A period of incapacity (i.e., inability to work, or perform other regular daily activities) due to serious health condition of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 1. Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision by a health care provider, or by a provider of health care services (e.g., a physical therapist) under orders of, or on referral by a health care provider; or
 2. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider. This includes for example, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. If the medication is over the counter, and can be initiated without a visit to a health care provider, it does not constitute a regimen of continuing treatment.
- ii. Any period of incapacity due to pregnancy or for prenatal care. (This entitles the employee to FMLA leave, but not CFRA leave. Under California law, an employee disabled by pregnancy is entitled to pregnancy disability leave.)
- iii. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
 1. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
 2. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 3. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.). Absences for such incapacity qualify for leave even if the absence lasts only one day.
- iv. A period of incapacity which is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.
- v. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

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7. “Health Care Provider” means:
 - a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State of California;
 - b. Individuals duly licensed as a physician, surgeon, or osteopathic physician or surgeon in another state or jurisdiction, including another country, who directly treats or supervises treatment of a serious health condition;
 - c. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in California and performing within the scope of their practice as defined under California State law;
 - d. Nurse practitioners and nurse-midwives and clinical social workers who are authorized to practice under California State law and who are performing within the scope of their practice as defined under California State law;
 - e. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; and
 - f. Any health care provider from whom an employer or group health plan’s benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits.

C. REASONS FOR LEAVE

Leave is only permitted for the following reasons:

1. The birth of a child or to care for a newborn of an employee;
2. The placement of a child with an employee in connection with the adoption or foster care of a child;
3. Leave to care for a child, parent, spouse, or domestic partner who has a serious health condition; or
4. Leave because of a serious health condition that makes the employee unable to perform the functions of his/her position.
5. For a “qualifying exigency” arising out of the fact that an employee’s spouse, son, daughter, or parent is on covered active duty or call to active duty status.
6. To care for a spouse, son, daughter, parent, or “next of kin” who is a covered servicemember of the United States Armed Forces, who has a serious injury or illness incurred in the line of duty while on active military duty or existed before the beginning of the member’s active duty, and was aggravated by service in the line of duty on active duty in the Armed Forces. Under the FMLA, this specific leave can run up to 26 weeks of unpaid leave during a single 12-month period.

D. EMPLOYEES ELIGIBLE FOR LEAVE

An employee is eligible for leave if the employee:

1. Has been employed for at least 12 months; and
2. Has been employed for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

E. AMOUNT OF LEAVE

1. Maximum Duration of Leave

Eligible employees are entitled up to a total of 12 workweeks of leave during any 12-month period for:

1. The employee’s own serious health condition;
2. To care for a family member with a serious health condition;
3. For the birth or placement of a child for adoption or foster care: or
4. To address a “qualifying exigency” involving an employee’s family member on covered active military duty

An eligible employee is entitled to up to 26 weeks of leave during a single 12-month period to care for a family member, or “next of kin” who is a covered service member in the United States Armed Forces, including National Guard or Reserves, who incurred a serious injury or illness while on active duty, or aggravated an existing or preexisting injury by service in the line of duty. This leave is in addition to, and separate, from FMLA/CFRA leave for other reasons.

2. Minimum Duration of Leave

If leave is requested for the birth, adoption or foster care placement of a child of the employee, leave must be concluded within one year of the birth or placement of the child. In addition, the basic minimum duration of such leave is two weeks. However, an employee is entitled to leave for one of these purposes (e.g., bonding with a newborn) for at least one day, but less than two weeks duration on any two occasions.

If leave is requested to care for a child, parent, spouse or the employee him/herself with a serious health condition, there is no minimum amount of leave that must be taken. However, the notice and medical certification provisions of this policy must be complied with.

3. Parents Both Employed By Vista Irrigation District

In any case in which both parents are employed by the Vista Irrigation District and are entitled to leave, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks during any 12-month period if leave is taken for the birth or placement for adoption or foster care of the employees’ child (i.e., bonding leave). Similarly, where married spouses both work for the Vista Irrigation District, they

may be limited to a total of 12 weeks FMLA leave for bonding leave.

In any case in which parents are employed by the Vista Irrigation District are entitled to leave, the aggregate number of workweeks of leave to which both may be entitled may be limited to 26 workweeks during any 12-month period if leave is taken to care for a covered service member.

This limitation on leave amounts does not apply to any other type of leave under this policy, except as noted below.

F. EMPLOYEE BENEFITS WHILE ON LEAVE

Leave under this policy is unpaid, except as provided in Section G below. While on leave, employees will continue to be covered by Vista Irrigation District's group health insurance to the same extent that coverage is provided while the employee is on the job.

Employees are required to make the appropriate employee contributions for group benefits for continued coverage, in advance [via a payroll deduction or an individual agreement]. Depending on the particular plan, Vista Irrigation District will inform employees whether the premiums should be paid to the carrier or to the District. Employee coverage on a particular plan may be dropped if an employee is more than 30 days late in making a premium payment.

However, employees will receive a notice at least 15 days before coverage is to cease, advising them that they will be dropped if their employee contribution for group benefits is not paid by a certain date. Employee contribution rates are subject to any change in rates that occurs while the employee is on leave.

If an employee fails to return to work after his/her leave entitlement has been exhausted or expires, Vista Irrigation District shall have the right to recover its share of health plan premiums for the entire leave period, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member which would entitle the employee to leave, or because of circumstances beyond the employee's control. Vista Irrigation District shall have the right to recover premiums through deduction from any sums due the District's (e.g. unpaid wages, vacation pay, etc.).

G. SUBSTITUTION OF PAID ACCRUED LEAVES

While on leave under this policy, as set forth herein, an employee may elect to concurrently use paid accrued leaves. Similarly, Vista Irrigation District may require an employee to concurrently use paid accrued leaves after requesting FMLA and/or CFRA leave, and, where permissible by law) will also require an employee to use family and medical care leave concurrently with a non-FMLA/CFRA leave (such as Health Leave or Worker's Compensation Leave) which is FMLA/CFRA-qualifying.

1. Employee's Right to Use Paid Accrued Leaves Concurrently With Family Leave

Where an employee has earned or accrued paid vacation, executive leave, or compensatory time, that paid leave may be substituted for all or part of any (otherwise) unpaid leave under this policy.

Section Two – Attendance and Leaves

As for sick leave, an employee is entitled to use sick leave concurrently with leave under this policy if:

- a. The leave is for the employee's own serious health condition; or
- b. The leave is needed to care for a parent, spouse or child with a serious health condition, and would be permitted as sick leave under the District's sick leave policy.

2. Employee Use of Paid Leave When Using FMLA/CFRA Leave

Unless prohibited by law or agreement, employees may use their accrued leaves concurrently with FMLA/CFRA leave, including sick, vacation, and compensatory time off. Employees are required to use accrued sick leave during FMLA/CFRA leave if the leave is for the employee's own serious health condition.

3. Vista Irrigation District's Right To Require An Employee To Exhaust FMLA/CFRA Leave Concurrently With Other Leaves

If an employee takes a leave of absence for any reason which is FMLA/CFRA-qualifying, the District's may designate that non-FMLA/CFRA leave as running concurrently with the employee's 12-week FMLA/CFRA leave entitlement.

4. Vista Irrigation District's and Employee's Rights If an Employee Requests Accrued Leave without Mentioning Either the FMLA or CFRA

If an employee requests to utilize accrued vacation leave or other accrued paid time off without reference to a FMLA/CFRA-qualifying purpose, the District may ask the employee if the leave is for a FMLA/CFRA-qualifying purpose. If the District denies the employee's request and the employee provides information that the requested time off is for a FMLA/CFRA-qualifying purpose, the District may inquire further into the reason for the absence. If the reason is FMLA/CFRA-qualifying, the District may require the employee to exhaust accrued leave as described above.

H. MEDICAL CERTIFICATION

Employees who request leave for their own serious health condition or to care for a child, parent or a spouse who has a serious health condition must provide written certification from the health care provider of the individual requiring care if requested by Vista Irrigation District.

If the leave is requested because of the employee's own serious health condition, the certification must include a statement that the employee is unable to work at all or is unable to perform the essential functions of his/her position.

1. Time To Provide A Certification

When an employee's leave is foreseeable and at least 30 days notice has been provided, if a medical certification is requested, the employee must provide it before the leave begins. When this is not possible, the employee must provide the requested certification to the District's within the time frame requested by the District's (which must allow at least 15 calendar days after the employer's request), unless it is not practicable

under the particular circumstances to do so despite the employee's diligent, good faith efforts.

2. Consequences For Failure To Provide An Adequate Or Timely Certification

If an employee provides an incomplete medical certification the employee will be given a reasonable opportunity to cure any such deficiency. However, if an employee fails to provide a medical certification within the time frame established by this policy, the District's may delay the taking of FMLA/CFRA leave until the required certification is provided.

3. Recertification

If Vista Irrigation District has reason to doubt the validity of a certification, the District may require a medical opinion of a second health care provider chosen and paid for by the District. If the second opinion is different from the first, the District may require the opinion of a third provider jointly approved by the District and the employee, but paid for by the District. The opinion of the third provider will be binding. An employee may request a copy of the health care provider's opinions when there is a recertification.

4. Intermittent Leave Or Leave On A Reduced Leave Schedule

If an employee requests leave intermittently (a few days or hours at a time) or on a reduced leave schedule to care for himself/herself or for an immediate family member with a serious health condition, the employee must provide medical certification that such leave is medically necessary. "Medically necessary" means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

I. EMPLOYEE NOTICE OF LEAVE

Although Vista Irrigation District recognizes that emergencies arise which may require employees to request immediate leave, employees are required to give as much notice as possible of their need for leave. If leave is foreseeable, at least 30 days' notice is required. In addition, if an employee knows that he/she will need leave in the future, but does not know the exact date(s) (e.g. for the birth of a child or to take care of a newborn), the employee shall inform his/her supervisor as soon as possible that such leave will be needed. Such notice may be orally given. If the District determines that an employee's notice is inadequate or the employee knew about the requested leave in advance of the request, the District may delay the granting of the leave until it can, in its discretion, adequately cover the position with a substitute.

J. REINSTATEMENT UPON RETURN FROM LEAVE

1. Right to Reinstatement

Upon expiration of leave, an employee is entitled to be reinstated to the position of employment held when the leave commenced, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Employees have no greater rights to reinstatement, benefits and other conditions of employment than if the employee has been continuously employed during the FMLA/CFRA period.

If a definite date of reinstatement has been agreed upon at the beginning of the leave, the

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employee will be reinstated on the date agreed upon. If the reinstatement date differs from the original agreement of the employee and District's the employee will be reinstated within two business days, where feasible, after the employee notifies the employer of his/her readiness to return.

2. **Employee's Obligation to Periodically Report on His/Her Condition**

Employees may be required to periodically report on their status and intent to return to work. This will avoid any delays to reinstatement when the employee is ready to return.

3. **Fitness-for-Duty Certification**

As a condition of reinstatement of an employee whose leave was due to the employee's own serious health condition, which made the employee unable to perform his/her job, the employee must obtain and present a fitness-for-duty certification from the health care provider that the employee is able to resume work. Failure to provide such certification may result in denial of reinstatement.

4. **Reinstatement of "Key Employees"**

Vista Irrigation District may deny reinstatement to a "key" employee (i.e., an employee who is among the highest paid 10 percent of all employed by the District within 75 miles of the work site) if such denial is necessary to prevent substantial and grievous economic injury to the operations of the District, and the employee is notified of the District's intent to deny reinstatement on such basis at the time the employer determines that such injury would occur.

K. REQUIRED FORMS

Employees must fill out the following applicable forms in connection with leave under this policy:

1. "Request for Family or Medical Leave Form" prepared by the District to be eligible for leave.

NOTE: EMPLOYEES WILL RECEIVE A DISTRICT RESPONSE TO THEIR REQUEST WHICH WILL SET FORTH CERTAIN CONDITIONS OF THE LEAVE;

2. Medical certification—either for the employee's own serious health condition or for the serious health condition of a child, parent, spouse or domestic partner;
3. Authorization for payroll deductions for benefit plan coverage continuation; and
4. Fitness-for-duty to return from leave form.

2.10 WORKERS' COMPENSATION

Workers' Compensation Leave may be requested and granted to employees for the purpose of recovery from a job related illness or injury that renders them unable to perform their regular duties. Workers' compensation leave shall run concurrently with Family and Medical Leave for those employees who are eligible. Employees on workers' compensation leave may coordinate their Workers' Compensation disability benefits with their accrued leaves (sick and vacation) not to exceed the employee's basic wage rate. Compensation payments begin from the first day of hospitalization or after the third day following

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an injury where hospitalization was not necessary. Available vacation, sick leave, or compensatory time off may be used during the three day waiting period. All follow up medical appointments, including therapy (physical, etc.) will be charged to the employee's sick leave balance unless the employee notifies Payroll of the desire to use another available leave balance.

- A. Employees are responsible for the following:
 - 1. Immediately reporting any injury or illness to their supervisor no matter how minor;
 - 2. Completing the required paperwork and submitting the documentation to either their supervisor or Human Resources/Safety personnel. This documentation should be completed the same day as the incident unless the employee is hospitalized;
 - 3. Timely submitting Work Status Reports provided by the physician to Human Resources/Safety personnel;
- B. Employees shall not qualify for Workers' Compensation benefits, even if the employee was injured on the job, if any of the following conditions occurred:
 - a. the employee was unlawfully using controlled substances;
 - b. the employee intentionally inflicted the injury or committed suicide;
 - c. the employee was engaged in an "altercation" in which he or she was the initial physical aggressor;
 - d. the employee was engaged in the commission of a felony, for which he or she has been convicted;
 - e. the employee was engaged in "horseplay" or "skylarking" on the employer's premises during a period when the employee is being compensated;
 - f. the employee was engaged in a voluntary off-duty recreational, social or athletic activity not constituting his or her work-related duties; or
 - g. the employee was going to or coming from work, unless the District exercises control over the employee's route, the employee's activities during the commute or the employee's mode of transportation.
- C. Employees found to be permanent and stationary and, thus, unable to return to work, shall no longer be eligible for inactive status and shall be separated from employment with the District or, when applicable, the District may apply for PERS disability retirement on the employee's behalf. The District will consider reasonable accommodation for any qualified individual with a disability or qualifying condition, as that term is defined under state and federal laws.
- D. When practical, the District may permit modified or light-duty assignments that accommodate the particular restrictions imposed by the treating physician. Light duty assignments are assignments that include modifications to job duties that go beyond reasonable accommodation obligation. Employees have no right to light duty assignments, but may work at light duty assignments when they are made available. Employees receiving Workers' Compensation benefits shall qualify for District provided health benefits at the District's expense during the period of Family and Medical

Section Two – Attendance and Leaves

Leave and when working at their regular duties or in a light duty capacity for at least forty work hours (40) in a calendar month. Light duty assignments will be made on a temporary basis and reviewed for confirmation regularly. No period of light duty will exceed four months in any consecutive twelve month period.

- E. Employees on Workers' Compensation Leave shall have the right to continuation of health benefits at District expense during the period of Family and Medical Leave. At the expiration of the period of Family and Medical Leave, employees shall be eligible to continue health benefits at their own expense consistent with the requirements of COBRA.

2.11 MILITARY LEAVE

Qualifying military leave shall be granted in accordance with the California Military & Veterans Code section 389 et. seq. and the federal Uniformed Services Employment and Reemployment Rights Act (“USERRA:” 38 U.S.C. Section 4301 et. seq.).

An employee employed for a minimum of one year with the District, who is called into military service with the United States Armed Forces, shall receive a paid leave of absence for the first thirty (30) days of military service. An employee who is called into military service with the National Guard, regardless of his/her length of employment with the District, may receive a paid leave of absence, and accrue vacation and holiday privileges, for the first thirty (30) days of active service with the National Guard.

Employees with at least one year of employment with the District, or at least one year of combined service with the District and the United States Armed Forces or National Guard, are entitled to pay for the first 30-days of temporary military leave with the United States Armed Forces or National Guard, and may continue to accrue the same vacation, sick leave, and holiday privileges for up to a maximum of 180 days. Temporary military leave is defined as ordered military duty for a period which by the order is not to exceed 180 calendar days, including travel time, for purposes of active military training, encampment, naval cruises, special exercises or similar activity as a member of the reserve corps or force with the United States Armed Forces, National Guard or Naval Militia.

An employee who is on military leave for less than 31 days will continue to receive health insurance through the District as he/she normally would at the time of leave and is only required to pay the employee’s normal share of cost. Employees on military leave for a longer period have the option to continue coverage for up to a 24-month period if the employee pays the full premium.

An employee will be entitled to reinstatement after military services depending on several factors, including, but not limited to, (1) whether the employee provided advance notice to the District of the military leave; (2) the length of the leave; and (3) after the leave, whether the employee reports to work, or submits a reemployment application within applicable statutory notice provisions.

An employee serving in active duty during war or national emergency, upon release from active duty, shall have the right of reemployment at any time within six (6) months, but not later than six (6) months after the end of the war or national emergency. The right to reemployment does not extend to an employee who fails to return to his or her position within 12 months after the first date he or she could terminate his or her active service.

Section Two – Attendance and Leaves

An employee on military leave for reasons other than war or national emergency must seek reinstatement with the District within a manner and time frame depending on length of his or her military leave as follows:

1-30 Days of Leave - The employee must report to the District no later than the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of the period of service.

31-180 Days of Leave - The employee must submit an application for reemployment with the District not later than 14 days after the completion of the period of service.

More Than 180 Days of Leave - The employee must submit an application for reemployment with the District within 90 days after the completion of the period of service.

2.12 JURY DUTY LEAVE

District employees ordered to serve on jury duty are entitled to regular pay for up to two weeks of jury duty leave per calendar year. Time served on jury duty leave is not chargeable to employee's accumulated vacation, sick leave, or compensatory time off and the fee received from the court for serving on jury duty shall be retained by the employee. Employees on jury duty may be absent on paid District jury duty leave for up to eighty hours of jury service per calendar year. (An extension beyond the two week maximum of paid jury duty may be made by the General Manager when an employee is serving on a jury that extends beyond the anticipated maximum duration of the trial.) Jury service falling on a District holiday or on employee's regularly scheduled day off is not payable as jury duty.

During the period of jury duty service, employees are expected to report either to their assigned work at the District or to the court during working hours. For example, if an employee is required to report to court at 10:00 AM, he/she must report to work at the District at his/her starting time. It is the responsibility of the employees on jury duty to advise their immediate supervisors of their jury schedule, which includes starting and ending on a daily basis.

2.13 COURT APPEARANCES

- A. District employees required to appear in court on a matter wherein the Vista Irrigation District is named shall be paid their regular pay for all time involved with said court appearance.
- B. District employees required to appear in court on personal matters not involving the District shall do so at their own expense. Accrued compensatory time off or accrued vacation time shall be used when available.
- C. District employees called as witnesses or subpoenaed on a matter deemed, in the opinion of management, in the public interest, may be granted paid District release time at the discretion of the General Manager.
- D. Any employee found guilty of a misdemeanor or felony may be terminated if the conviction is job related or if serving a sentence requires a request for a leave of absence without pay.

2.14 TIME OFF TO VOTE OR TO SERVE AS AN ELECTION OFFICER

Employees who are registered voters may request time off to vote at an election if the employee does not have sufficient time outside of his/her regular working hours to vote. The employee may, without loss of pay, take up to two (2) hours of time off to vote. The time off for voting shall be only at the beginning or the end of the regular work shift, whichever allows the most free time to vote and the least time off from work. The employee shall give his/her supervisor at least two (2) working days' notice of the need for time off to vote.

Employees will be given time off without pay (after first exhausting available compensatory time and vacation balances) after providing proof of their service as an election officer on Election Day.

2.15 TIME OFF FOR VOLUNTEER FIREFIGHTERS

Employees will be given time off without pay (after first exhausting available vacation and compensatory time off balances) to perform emergency duty as volunteer firefighters.

2.16 HOLIDAY ELIGIBILITY

Employees who are on paid status the entire work day before as well as the entire work day after a holiday shall receive compensation for eight (8) hours of holiday time, which shall be considered as hours worked. Regular part-time employees compensated holiday time shall receive the equivalent to one-tenth (1/10) the number of regular scheduled hours in that employee's biweekly pay period during which the holiday occurred. Paid status includes regular time worked, light duty, and paid District leave only.

2.17 LEAVE TO PARTICIPATE IN MISCELLANEOUS ACTIVITIES

Employees who give reasonable notice will be permitted to request leave and be granted leave for any instances in which the District is required by law to permit leave. These activities include leave for the purposes of: meeting about their child's suspension, for participation in certain school activities with their child, for certain victims of domestic violence and for other purposes required by state or federal laws. These leaves will be limited to the leave periods required by law and no period of leave may exceed the limits provided in law, unless such leave is approved in advance by the General Manager. If paid leave (compensatory time off, then vacation) is not available, then leave without pay may be used for these purposes to the extent required by law.

SECTION THREE - BENEFITS

3.1 GENERAL

The anniversary date for determining accrual of benefits shall be the date of employment for a regular employee and the date hired into regular status for a temporary employee. Temporary employees receive no fringe benefits except coverage by Workers' Compensation while on the job. Probationary employees will become eligible for certain benefits based on the applicable Memorandums of Agreement or Board Resolutions with the District. These are: the first of the month following hire date for health insurance, life insurance, vision care insurance, long-term disability coverage, and dental insurance; immediate participation in Public Employees' Retirement System (PERS); and immediate coverage under workers' compensation. Probationary employees accrue vacation, sick leave and holiday leave in accordance with the regular schedule from the first day of employment. Temporary employees do not accrue leave time of any nature.

- A. Definitions of active employees and active directors for the Purpose of Eligibility for Medical Insurance Coverage are as follows:
1. An active employee of Vista Irrigation District is a person who is employed in a regular position with a regularly scheduled work week of a minimum of 20 hours each week.
 2. An active director of Vista Irrigation District is a person who has been elected or appointed to a seat on the Board of Directors representing a division within the District boundaries for a specific term of office.
 3. Vista Irrigation District has contracted with various medical insurance carriers to provide medical insurance to the active employees and active directors in accordance with the terms of the medical insurance company(s) contract.
 4. Vista Irrigation District pays the premiums for active employees and active directors in accordance with the terms as specified in the current Memorandums of Agreement and Board Resolutions.
 5. Vista Irrigation District offers no medical coverage through the contracted group plan(s) after an employee or Director has separated from the District other than conversion privileges that may be offered by the group plan carrier(s) in effect at the time of separation (*or access to retiree medical coverage in accordance with Memorandum of Agreement [1991 MOA], including subsequent amendments), or provided under Federal and State laws (i.e., Cobra).

3.2 LENGTH OF DISTRICT SERVICE

Length of service for all purposes (except service [longevity] awards calculation which are defined in the next paragraph), includes employment without interruption, including all days of attendance at work and authorized leaves of absence. Length of service does not include unauthorized absences or periods of suspension or layoff.

For purposes of service (longevity) awards calculations only, length of service includes all time served in regular District employment (excluding temporary employment), including all days of attendance at work and authorized leaves of absence, even if that service was interrupted by employment termination

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and reemployment at the District. Length of service for purposes of service awards does not include unauthorized absences or periods of suspension or layoff.

3.3 CONTINUATION OF BENEFITS

Employees and/or their dependents who would normally lose their health benefits due to changes in family or employment status may be eligible to continue in the District's group plan health benefits. Continuation would be for a limited time at the employee's or dependent's expense in accordance with federal (COBRA) and state law. Details of this program are available from the Human Resources Department.

3.4 CREDIT UNION

Employees are eligible for membership in the San Diego County Credit Union. Membership is voluntary. Payroll deductions may be arranged.

3.5 SOCIAL SECURITY

Federal Social Security (FICA) is required by law for every District employee. The District and the employee both make contributions to Social Security, and the amount paid by each is the prevailing rate as prescribed by Federal Law.

3.6 DEFERRED COMPENSATION PLAN

Regular employees are eligible to participate in deferred compensation plans as outlined in the applicable Memorandum of Agreement or Board Resolutions. Participation is voluntary by employee authorized payroll deductions.

3.7 DISCOUNT CARDS

Employees may be eligible for discount cards at various places of entertainment. These vary from time to time depending upon availability.

3.8 DISTRICT VEHICLES

District vehicles will be assigned on a 24-hour per day basis to individuals serving in positions that are approved for home storage of District vehicles by the General Manager. Employees may be assigned vehicles on a situational basis, such as while serving "on-call", or they may be assigned vehicles for their regular use and to be home-stored. Employees assigned District vehicles must use the vehicles for their commute to work, whenever they are assigned on a 24-hour per day basis, whether situational or for regular home-storage.

- A. Employees assigned a District vehicle on a 24-hour per day basis are also authorized to use the vehicle for transportation to and from their residence and to store the vehicle at their residence when the vehicle is not being used for District business. These employees may also use the

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vehicle for de minimis personal uses, such as educational activities, personal errands during lunch breaks and on their way to and from work, and for medical appointments occurring during work hours.

- B. Employees assigned a District vehicle for “on-call” duty may use the assigned District vehicle in lieu of their personal vehicles for transportation to places/events to facilitate their availability during their authorized “on-call” duty as long as the response time to the District offices does not exceed 45 minutes. However, District vehicles may not be parked at or near bars, casinos, adult entertainment establishments or other locations likely to reflect poorly on the District.
- C. Employees assigned a District vehicle, whether on a 24-hour or “on-call” basis, are prohibited from hauling large personal purchases or items in the District vehicle.
- D. Employees assigned District vehicles on a 24-hour per day basis, shall be required to account for an appropriate amount (as determined by the IRS) for the commuting value (personal use) of the assigned vehicle. Each employee assigned a District vehicle on a 24-hour per day basis is responsible for Social Security and income taxes relating to the commuting value and must comply with Internal Revenue Service regulations relating to de minimus use.
- E. Transportation of non-District personnel in District vehicles for other than District business requires the approval of the General Manager or Assistant General Manager.
- F. Unless otherwise specified in this Personnel Policies Manual, District employees may use District vehicles only for transportation required to perform their official District duties.
- G. Employees must comply with all District policies and procedures and must remain sensitive to the public's perception of them while using District vehicles. The transportation of firearms, alcoholic beverages or illegal drugs is prohibited.
- H. Use of any District vehicle outside of San Diego and Riverside Counties may be made only to attend trainings, or to represent the District at meetings or events with the prior approval of the employee's Division Director.
- I. Exceptions to this policy can only be made through written authorization by the General Manager or in the absence of the General Manager, the Assistant General Manager.

3.9 LICENSE REIMBURSEMENT

The District will reimburse eligible employees for the cost of renewal of a license, registration or certification that the employee is required to possess as a condition of District employment, and which the employee is required to renew to maintain eligibility for District employment.

With the exception of District provided training or tuition refund, the reimbursement shall not cover any costs to the employee of becoming eligible for, or initially obtaining, such license, registration or certification. Reimbursement shall not apply to any regular (Class C or equivalent) driver's license, or any license, certification, or registration not required in the employee's job description as a condition of employment.

Reimbursement is limited to renewal fees directly associated with the license, registration, or certification required in the employee's job description as a condition of employment.

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The District shall maintain a list of job classifications eligible for renewal reimbursement and of the licenses, registrations, and certifications applicable to a specific District job classification.

3.10 **TRAVEL AND EXPENSE REIMBURSEMENT**

A. **OVERVIEW**

The District reimburses staff for reasonable and necessary expenses incurred in connection with approved travel and training on behalf of the District. Employees should incur the lowest reasonable travel expenses and exercise care to avoid impropriety or the appearance of impropriety. If a circumstance arises that is not specifically covered in this section, the most conservative course of action should be adopted.

B. **DEFINITIONS**

1. **“Training”**

Training is defined as job-related instruction or professional enhancement, which is usually provided to an employee during regular work hours at District expense. Regular, standing meetings of a professional organization (of which the District is a member) do not constitute training, but special training events or seminars sponsored by such an organization are covered under this section. Training includes attendance at conferences, seminars and professional or trade organization events.

2. **“Travel”**

Travel is defined as all modes of transport necessary for authorized attendance at meetings, conferences, seminars, training and professional functions that take place away from the District offices.

Travel outside of California, Nevada or Arizona requires authorization from the General Manager and Board of Directors. For the purposes of this paragraph, attending meetings as a representative of the District does not constitute travel and shall be considered an assigned duty.

C. **AUTHORIZATION AND RESPONSIBILITY**

The District will compensate employees for reasonable time spent in travel and reimburse the expenses resulting from lodging, dining, transportation and other authorized expenses reasonably incurred during District business. Travel must be authorized and employees should verify that planned travel is eligible for reimbursement prior to making travel arrangements. Employees should review reimbursement rules before spending personal funds for District travel to determine if such expenses are reimbursable. The District reserves the right to deny reimbursement of travel expenses for failure to comply with these rules.

So that reimbursement for District related travel expenses will not be considered taxable income to the employee for income tax purposes, the District’s reimbursement plan meets the rules of being an Accountable Plan in accordance with the Internal Revenue Code (IRC). As an Accountable Plan all expenses must have a business connection that is included in the supporting documentation accompanying the reimbursement request, the reimbursement request must be

submitted within a reasonable period of time and should any excess reimbursement occur, it must be returned to the District within a reasonable period of time.

1. Travel Arrangements

All travel arrangements that can practically be made in advance, such as reservations for airfare, lodging and rental cars, will be made by the District unless otherwise approved by the General Manager. This will facilitate the ability to meet reservation deadlines, standardize methods of transportation, and minimize travel costs by using advance planning and group discounts. Known expense amounts may be authorized and paid by the District in advance of the employee's travel. Hotel accommodations, transportation, conference registrations and meal functions, are examples of these prepaid expenses.

2. Wages

The District will compensate eligible employees for reasonable time spent in travel in accordance with the Fair Labor Standards Act. Reasonable travel time is the time spent in a cost-effective means of customary business travel to the selected location.

3. Overnight Travel

Non-exempt employees traveling and staying overnight are normally authorized to work only the total number of hours they were regularly scheduled to work, exclusive of applicable travel time. However, all employees traveling and staying overnight are considered by the District to be on flexible schedules. During flexible schedules, employees' starting times, meal period, rest periods, etc. may be adjusted in order to accomplish work without incurring overtime.

4. Transportation

The mode of transportation will be at the District's discretion. Some factors used in determining the mode will be cost, timeliness, time away from work, and reasonable employee preference. It is possible that these factors will conflict. The best choice for the District may not be the least expensive when other factors are considered. The employee's supervisor will decide which mode is in the District's best interest, which will hereby be referenced as the "preferred mode" of transportation. The preferred mode of transportation may be different from one event to the next or from one traveler to another.

a. Air Transportation

The District will endeavor to purchase all airline tickets in advance, taking advantage of any and all available discounts and low airfares.

b. Automobile

i. **District Owned:** Whenever practicable, and when auto travel is the preferred mode, the District will provide a vehicle to accommodate the trip. When this occurs, VID will reimburse the employee for tolls, parking, gasoline and other maintenance that may be required during the course of use.

- ii. **Personal Auto:** When a District vehicle is not available or practicable, employees may use their personal vehicle. District will reimburse employee at the current rate/mile as established by IRS, plus tolls, parking, etc. Gasoline, collision and liability insurance, and maintenance will be provided by the employee and is deemed covered in the rate/mileage reimbursement. Employees using personal vehicles on District business must maintain the automobile insurance coverage required by the State of California.

Adequate Accounting of miles reimbursed is required in accordance with IRC in order to substantiate the mileage reimbursement. Adequate Accounting for purposes of mileage reimbursement includes either a statement of the beginning and ending odometer reading for each business purpose or an online mapping source (such as MapQuest) showing beginning travel point and destination. The employee's normal daily commute to the District should be subtracted from the total miles requested for reimbursement.

- iii. **Rental Cars:** District will provide a rental car when practicable; often in conjunction with another mode, i.e., air transportation or rail transportation. Such rental car shall be of a similar size and class of District owned cars, unless upgrades are offered at no additional cost to the District. The District, through its insurance carrier, provides additional insurance coverage for collision.
- iv. **Miscellaneous Transportation:** Whenever practicable, bus, taxi, rail, shuttle, etc. transportation shall be used in lieu of or in conjunction with modes above.

If, for personal reasons, an employee prefers an alternate means of transportation over the determined preferred mode, reimbursement will be made at the District's preferred mode and after taking into account all factors used under "transportation" above.

5. Meals and Lodging

- a. Meals and Beverages

The District will reimburse employee or pay for prearranged meal functions and tips for reasonably priced meals during the course of travel. The maximum daily amount reimbursable for meals, including beverages, is \$85, plus service charges, room service fees and maximum 20% gratuities. The District will not approve alcohol purchases.

- b. Lodging

The District will reimburse employee or pay for prearranged accommodations in single rooms at conference hotels or in close proximity when applicable. Or, in the absence of conference accommodations, normal single room business, government or commercial class accommodation may be obtained. Any lodging costs in excess of these standards, whether based on location, type of

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accommodations, number of occupants, etc., will be the sole responsibility of the employee.

6. Entertainment

The District will not cover expenses incurred for recreation or entertainment, except when such entertainment is part of a function of the event, i.e., meal functions that include entertainment with the meal.

7. Incidental Expenses

Unavoidable, necessary and reasonable authorized expenses will be fully reimbursed by the District. Some examples of allowable expenses are:

a. Telephone Calls (Business)

All calls placed by the employee, to the District office, or for the purpose of conducting District business;

b. Telephone Calls (Personal)

Personal phone calls are to be paid by the employee. Employee will be reimbursed for 1 (one) brief call to his or her residence for each day away from home;

c. Telephone Calls (Local)

Charges for local calls for meal or transportation reservations, or for area information related to travel;

d. Reasonable transportation to local restaurants and to optional functions which are a part of conference events.

e. Room Service is not generally reimbursable except:

i. Upon late night arrival at a hotel;

ii. During illness of the employee requiring in-room convalescence.

iii. Other bona fide reasons. If room service is used for employee convenience, District will reimburse for food costs only; all service charges will be the employee's responsibility.

f. Shared expenses

When appropriate and available, modifications and exceptions to this procedure will be allowed when sharing expenses is reasonable and economical. Such sharing may be among District employees, or involve personnel from other agencies. Such advantageous exceptions may involve reduced (e.g. two-for-one) airfares, larger auto rentals to accommodate a number of people, or taxicab or van usage in lieu of multiple bus or shuttle fares, etc.

8. Employee's Responsibility

- a. District employees must submit a detailed statement for reimbursement. Reimbursement statements should be supported by vouchers and itemized receipts of all expenditures greater than \$10 for which reimbursement is being requested. Reimbursement statements must be submitted within 60 days after the expense was incurred. If a receipt is not provided or is lost, an explanation of the expenditure shall be included with the expense claim form.
- b. When two or more employees combine an expense on one receipt, the employee requesting reimbursement shall indicate, on or attached to the "Request for Reimbursement" form, the identity of the other persons sharing expenses. This will facilitate approval of reimbursable expenses.

It is not necessary to separate the "actual" combined expenses incurred by multiple persons that appear on one receipt.

- c. Expenses incurred by spouses or guests in excess of employee's expenses are the responsibility of the employee.

9. Approving Officer's Responsibility

Supervisors are responsible for approving the travel expense reimbursements of their subordinate staff. It is their responsibility to assure that all employees have correctly applied all provisions of the above and other applicable District policies.

3.11 EDUCATIONAL ASSISTANCE

The purpose of the District's tuition refund program is to encourage employees to obtain education that enhances their job skills. The District will reimburse employees for satisfactory completion of college, trade or vocational school courses related to their current position, or to position(s), including promotions, closely related to the employee's current job. In order for an employee's tuition refund to be approved, the classes must benefit the District by providing or enhancing a needed job-related skill of the District. The tuition refund program provides annual reimbursement not to exceed \$3,200 per calendar year for tuition, parking, and books. The District will pay a one-time bonus of \$500 to employees receiving a job related Degree (Associate's, Bachelor's, Master's or Doctorate). The one-time bonus of \$500 will be applicable once for each Degree awarded to the individual employee.

Under the tuition refund program, employees may be reimbursed, up to the authorized maximum per calendar year, for classes, books and parking. In order to be eligible for reimbursement, classes must be taken at appropriately accredited colleges, universities, trade or vocational schools and completed with a grade of C or better. The tuition refund program does not provide fees for conventions, conferences, symposia, or seminars sponsored by professional, technical, or other non-educational organizations.

Classes related to the employee's current job that are strictly necessary for the retention of that job, status or pay rate, are eligible for reimbursement without resulting in taxation withholdings. This includes the refunding tuition, parking and transportation costs, and is applicable to the extent permissible by IRS law or regulation. In order to be eligible for reimbursement that is not subject to taxation, employees must complete the appropriate form(s) and meet all requirements of IRS law or regulation. Otherwise, all other

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tuition reimbursements are subject to taxation in accordance with IRS law and regulation.

For the purposes of this policy, Associate's Degrees or Bachelor's Degrees are considered job-related for all technical, supervisory, professional and managerial jobs ("B" and "C" Band positions, or equivalent, in the District's Decision Band Method [DBM] classification system, which includes A, B, C, and D Band positions). In order to qualify for tuition refund, the class must be related to the employee's position or to a degree in a field with a nexus to the employee's job, or to a District job that would be a reasonable career promotion (this nexus is interpreted in a broad sense, e.g., "A" Band employees might reasonably prepare for promotion to a "B" Band District position, "B" Band employees might reasonably prepare for promotion to a "C" Band District position, and "C" Band employees might reasonably prepare for promotion to a "D" Band District position). However, the degree being pursued must be in a field that might benefit the District. Advanced degrees (graduate degrees) are considered job-related for all Director level positions ("D" Band positions) provided that the advanced degree is awarded in some field that might benefit the District. In order to qualify for advanced degree tuition refund, the degree must have a nexus to the employee's job or to a District job that is a reasonable related career promotion.

Regular, full-time employees are eligible to participate in the tuition refund program, if they have met or exceeded expectations on their most recent (not more than 12 months old) performance report in their ratings for attendance and tardiness. Employees desiring to participate must obtain an Education Assistance Request Form and obtain written permission from their supervisor, Department Head and Human Resources Manager prior to class attendance. Reimbursement for fees will be made after the satisfactory completion of the class with a grade of C or better. Employees must submit proof of satisfactory class completion within thirty (30) days of receipt of their grades. District reimbursement is limited to employee's out-of-pocket expenses when other coinciding reimbursements such as scholarships or veteran's benefits are taken into account.

The District reserves the right to suspend the tuition reimbursement program at any time for budgetary reasons. Such suspension will not apply to those classes already approved by the Human Resources Manager.

A. CLASS APPROVAL PROCEDURES:

1. The employee must complete a **Request for Class Approval Form (Appendix B)** in advance of class attendance and include a brief justification of the relevance of the class to their current job or a closely related position. If the class is relevant to a promotional opportunity, the employee must specify the job title of the promotional classification closely related to the employee's current job. Employee must include a description of the class from catalogs or other school publications. Employee should be prepared to provide additional information if requested at any step in the approval process. If the class is required to maintain employee's current job, status, or pay rate, employee must indicated the applicable job requirement.
2. The supervisor shall review the description of the class and justification, to determine its relevance to the performance of the employee's duties or the duties of a closely related promotional position. In general, a supervisor's approval is assurance of the following: 1) that the class is relevant to the employee's District employment, 2) that the employee's attendance of the class is in the best interest of the District, and 3) that the employee has no documented attendance or tardiness problems that might be exacerbated by participation in night classes.
3. The supervisor shall submit the employee's request and background material to the

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Department Head for review and approval.

4. The Department Head will forward the approved request to the Human Resources Manager for approval and processing.
5. The Human Resources Manager will review the request, and if approved, return a signed copy of the form to the employee.

B. REIMBURSEMENT PROCEDURES:

1. Employees must complete and submit to the Human Resources Office a **Request for Tuition Reimbursement Form (Appendix C)** and attach an approved copy of the **Request for Class Approval Form (Appendix B)**. After class completion, employees must submit their grade and receipts for their compensable expenses to the Human Resources Office.
2. The Human Resources Manager will review the submitted materials and process the request for reimbursement.

Failure to follow all of the above procedures may result in disallowance of all or portions of their reimbursement claim.

3.12 COMPUTER PURCHASE PROGRAM

A. PURPOSE

The goal of this program is to elevate the computer skills of participants by encouraging the purchase and use of personal computers and software.

B. ELIGIBILITY

Any full-time VID employee who has satisfactorily completed his/her initial probationary period or Board member is eligible for a loan under the program.

C. LOAN TERMS

1. The maximum of \$1,500 will be loaned at any one time.
2. A promissory note (Appendix E) between the District and the participant is required. The promissory note will outline the responsibilities of the participant, terms of loan, payroll deduction arrangements and other conditions of the program. Participants should read the promissory note carefully and sign and date it before returning their application.
2. Upon approval, the participant may purchase computer hardware and/or software and then submit the receipt(s) for reimbursement. A check will be made payable to the participant for the amounts of receipts submitted. Computer system purchases made prior to receiving approval will not be reimbursed.

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3. Loan payments will be made through payroll deduction on a bi-weekly basis at a rate of \$50.00 per pay period. Loans will be made for a period of 30 pay periods, but may be paid earlier at the participant's request without prepayment penalties.
4. Loans are due and payable in full upon termination of employment for any reason. The participant hereby authorizes District, to the extent permitted by law, to withhold from his or her final pay, including sick leave and vacation pay-off, any amount remaining under this agreement.
5. No changes will be made to the original loan amount or the original promissory note after the loan is issued.
6. A new loan will not be granted earlier than three years from the effective date of the previous loan.
7. Participant agrees not to sell, trade, return or otherwise dispose of the hardware or software until the loan has been paid in full. Participant also agrees the usage of the hardware/software will be limited to the participant's own use and that of his/her immediate family and any reassignment or transfer of the hardware/software or the promissory note will result in the cancellation of this loan. Violation of these provisions will require participant to immediately pay the District the remaining amount due on the loan.
8. The District does not assume any liability for damage or theft of equipment.

D. HARDWARE AND SOFTWARE REQUIREMENTS

1. **Hardware.** Computers purchased under this program must be capable of running the District's office applications. Eligible hardware purchases include new computer systems (desktops, laptops, and fully functioning net books and tablets), modems, scanners, printers, uninterruptible power supplies (UPS), related recycling fees, taxes and shipping charges, and extended warranty agreements offered at the time of purchase.
2. **Software.** Microsoft office applications are eligible for purchase under this program. Anti-virus software is recommended and is also eligible to purchase under this program. No other software purchases are eligible under this program; however, all participants must comply with all software licensing requirements for their use of any hardware purchased under this program.

Note: Microsoft Office may be available to purchase at a discounted price under Microsoft's "Home Use Program." Check with the Information Systems staff for details.

3. **Non-eligible purchases.** Used hardware or software is not eligible to be purchased under this program. Digital cameras, smart phones, GPS units, mp3 players, personal digital assistants (PDAs), or any other stand-alone electronic devices are not approved for purchase under this program. Additionally, costs related to installation, training, repairs, telephone or cable lines, on-line services, furnishings, or any other initial or ongoing costs are not eligible for funding under this program, and are the sole responsibility of the participant.

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4. Participants are solely responsible for installing, maintaining and supporting items purchased under this program. Further, resolving vendor or delivery problems with the hardware or software purchased under this program is the sole responsibility of the participant.

E. PROCEDURES

1. Obtain price quote(s) from vendor(s) for hardware and software to be purchased.
2. Complete Computer Purchase Program Loan Request form (Appendix D). This requires the participant to list the type of hardware and software to be purchased and the price. Attach a copy of the price quote.
3. Submit all loan request and support materials to the Administrative Services Manager for review and approval *PRIOR* to purchasing the hardware and software to ensure loan approval.
4. Once the loan is approved, the participant may purchase the hardware and software and then submit for reimbursement using the Computer Purchase Program Loan Request form. Receipts listing the hardware and software purchased and the prices must be submitted with the form to the Administrative Services Manager. Packing slips must also be submitted for hardware and software being ordered via mail order catalog or on-line through the internet.
5. Complete and sign the Promissory Note/Authorization for Payroll Deduction form (Appendix E).
6. Payroll deductions (per pay period) will begin at the beginning of the first pay period following the issuance of the funds to the participant.

F. IRS/TAX QUESTIONS

Participant is responsible for reporting any sales and use tax not paid at the time of purchase on their California Franchise Tax Board form (e.g. Form 540).

Questions regarding tax consequences of participation in this program should be directed to a reputable tax advisor.

G. LIMITATIONS

1. Loans will be made to participants on a first-come, first-serve basis, until the loan fund is depleted. As funds become available through loan repayment, additional loans will be processed.
2. Total loans outstanding under this program will not exceed \$25,000.

3.13 RETIREE GIFTS FROM THE BOARD OF DIRECTORS

The Board of Directors, under the authority of the General Manager, has customarily made gifts to retiring employees who are present to receive the gift at a Board Meeting. Eligibility is limited to employees retiring from the District and from PERS. The gifts are purchased by the Purchasing Agent. Purchases should be tasteful and in keeping with the decorum of the Board. Gift cards, credit or cash are not acceptable gifts. The General Manager has established guidelines for these expenditures and all gifts are considered taxable compensation, unless exempted by the IRS. Gift limits can be adjusted from time to time by the General Manager. The amounts available for gifts are \$20 per full year of District Service, to a maximum of 20 years or \$400. The minimum gift is \$100. As this is, in effect, an official gift, employees may not contribute to augment the amount available.

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SECTION FOUR – PERSONAL RIGHTS AND RESPONSIBILITIES

4.1 APPEARANCE

- A. Employees are expected to utilize good judgment in determining their dress and appearance. Appearance should be neat, clean, in good business taste, and not constitute a safety hazard. Likewise, clothing should be in good business taste, neat, clean, free of wrinkles, not torn, appropriate in size, and not constitute a safety hazard.
- B. Certain positions at the District require that a uniform be worn. The uniform identifies the individual as a District employee. Uniforms should always be neat and clean. Uniforms furnished by the District are to be worn during working hours unless otherwise approved by the District.
- C. Employees who are in positions that do not require uniforms are expected to wear business/professional attire Monday through Thursday. In choosing their business/professional attire, employees are expected to utilize good judgment. Clothing in general should be neat, clean, free of wrinkles, not torn, appropriate in size and be in good business taste. Clothing should also not constitute a safety hazard.
- D. Examples of clothing articles that are not appropriate business/professional attire in most work environments would include, but are not limited to, sportswear such as shorts, jeans, halter or tank tops, T-shirts, sweatpants, sweatshirts, athletic shoes, tops revealing cleavage or a décolletage neckline and flip-flops. Also, clothing with bare backs or midriffs or any other revealing or extreme attire is not considered appropriate.
- E. While business/professional attire will be worn by non-uniformed employees on Monday through Thursday, Fridays are designated as “Casual Day.” On Fridays non-uniformed staff is allowed to wear District-issued T-shirts, jeans, and athletic shoes as long as they are neat, clean, free of wrinkles, appropriate in size, and not faded and/or torn. Casual Day attire is not appropriate on other days, unless exceptions are approved by the Division Head on special occasions such as office cleaning day or other similar reasons.
- F. The General Manager may designate “Special Attire Days” to permit attire reflective of local professional sport teams, holidays, etc.
- G. The implementation of these guidelines will recognize the differences in men's and women's clothing, e.g. dress sandals may be appropriate for a woman but not a man, or likewise, a blouse or shirt without a collar may be appropriate for a woman but not a man.
- H. Exceptions to the above guidelines may be made when working in the field or performing certain strenuous activities at the authorization of an employee's supervisor.
- I. Employees of the District are expected to project a professional appearance while at work. Therefore, all employees are expected to adhere to the following policies with regards to tattoo and body piercing:
 - 1. No employee is permitted to display tattoos on the head, face, or neck. In addition, non-uniform employees are further restricted, in that they are required to cover all tattoos while at work. Uniformed employees who are required to work in temperature conditions where short sleeve shirts or shorts are permitted shall not display any tattoo that is

Section Four – Personal Rights and Responsibilities

obscene, sexually explicit, discriminatory or harassing based on any protected class under the law and/or gang-related. An employee with any non-conforming visible tattoo is required to cover the tattoo.

2. With the exception of earrings, no other visible body piercing such as eyebrow and/or nose rings, barbells, and plugs are allowed. An employee wearing visible body piercing that is non-conforming or one that constitutes a safety hazard must wear a clear plastic piercing or remove or cover the piercing at work.
- J. Employees are advised that the District has the right to enforce this policy consistent with its discipline policies outlined in this Manual. Employees that violate the dress code on multiple occasions will be subject to progressive discipline.

4.2 USE OF TOOLS, SUPPLIES, MATERIALS AND EQUIPMENT

- A. The District provides, at no cost to the employee, all tools, supplies, materials and equipment necessary for the performance of job functions and duties, except for District Mechanics, who shall provide their own tools.
- B. Employees are responsible for all tools and equipment assigned to him/her.
- C. Each employee to whom tools and equipment are assigned shall immediately report to his/her supervisor any repairs required or damaged incurred to any said tools or equipment.
- D. Any tools stolen or broken will be repaired or replaced by the District unless such theft or breakage is the result of gross negligence of the employee.
- E. Each employee shall utilize District owned tools, equipment, supplies and materials for District work only.
- F. District owned tools, equipment, supplies or materials shall not be willfully or negligently destroyed, misused, or rendered unfit for their intended use by an employee. To do so will be deemed sufficient cause for appropriate disciplinary action.

4.3 PERFORMANCE

- A. Employees are expected to perform their duties to the best of their abilities.
- B. Employees will be evaluated individually on their job performance according to established procedures, included but not limited to quality and quantity of work produced, employee's work habits, attitude, and attendance.
- C. All District employees are subject to being called out for emergencies.

4.4 PERFORMANCE FEEDBACK PROCEDURES

A. THE METHOD OF PERFORMANCE FEEDBACK

Performance Feedback is the on-going dialogue between supervisors and employees to improve performance and work habits. It is a mutually beneficial process in which supervisors and employees alike benefit from improved communication and understanding of day to day work activities. The District encourages supervisors to converse and give regular feedback to employees, to coach, offer advice, and provide comments on performance and work habits. The primary purpose of regular feedback is to provide employees with prompt notice of both positive and negative performance and work habits.

While positive feedback is usually appreciated, discussions with employees about substandard performance can be difficult. No one enjoys hearing that they aren't doing the job. Still when performance falls below an expected level, supervisors must take action. To make these discussions easier and more effective, supervisors are encouraged to develop the foundation for successful communications long before problems arise. Working relationships that are based upon mutual respect and open communications are sound foundations for effective feedback communications. For these reasons, the District redefined its “performance evaluation” system into a more dynamic process of interaction called Performance Feedback.

In the final analysis, supervisors are responsible for judging, and creating a lasting record of their judgments, of the quality and quantity of work as well as the work habits of employees. The Performance Feedback Form and rating method is intended to summarize feedback sessions, coaching, counseling, discipline and both positive and negative significant events in the employee's work history. The Performance Feedback Form is not intended to be a disciplinary document by itself; however, it must include and document all significant disciplinary actions that have occurred during the rating period. While supervisors are encouraged to provide prompt and on-going verbal feedback to employees, they are required by the District to provide formal written feedback in accordance with these procedures.

1. Performance Feedback Forms are completed at minimum intervals of one year and are intended to provide objective, consistent and fair work performance feedback to employees.
2. The rating considerations and the standards of performance are intended to be similar for all employees in the same class, and should bear a fair relationship to the duties and responsibilities of each employee. While standards for rating performance are similar, individual employees may have wide differences in their interpersonal styles and learning preferences. Therefore, supervisors have wide discretion to use various tools to improve communication and learning effectiveness. For example, some supervisors may find it useful to discuss and develop mutually agreed upon performance standards with employees holding the same or similar positions. Others may wish to use tools such as mutual ("360 degree") feedback instruments or alternative teaching and learning methods. For employees in management, supervisory and certain other positions, supervisors may establish and review on a periodic basis: goals and objectives related to the mission of the department, division or the District itself (it is recommended that these sessions occur separately from the formal Performance Feedback session). Supervisors are encouraged to discuss where the employee's position fits into the overall organization and how they help accomplish the missions of the department and District. None of these suggested "tools" is required and this is not intended to be an all-inclusive list of options. The

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above are provided merely as examples of means that may be useful to improve communication effectiveness. However, in general, ratings should be based upon understood expectations of performance for the rated position.

3. Supervisors (Raters) should prepare a draft Performance Feedback Form and collaborate on the rating with the supervisor's immediate supervisor (Reviewer). Draft Performance Feedback Forms are based upon the judgment of the immediate supervisor with input from the Reviewer prior to the interview with the employee. The draft Performance Feedback Form is then discussed with the employee at the formal feedback interview and the employee is invited to comment upon the feedback. The draft ratings may change based upon this discussion. If there are any substantial changes in the ratings as a result of this discussion, they must be presented for approval by the Reviewer. In cases of unreconciled differences of opinion, the Reviewer's decision shall ordinarily prevail and the employee shall receive a copy of the Performance Feedback Form that is modified to reflect the Reviewer's final decision. The employee, Rater and Reviewer must then acknowledge the modification to the final document by initialing any changes.
4. The formal feedback interview is a private review and discussion between the employee and the Rater.
5. The employee is entitled to receive a copy of his/her Performance Feedback Form and any narrative or special reports, or draft versions that were presented.
6. The Performance Feedback Form can be considered as a tool in the guidance, training, and general development of individual employees. The Performance Feedback Form is also used as evidence of an employee's positive and negative work history in subsequent disciplinary actions, grievances or hearings.
7. A Performance Feedback Form that has been improperly processed may be appealed through administrative channels. Employees must follow the "chain-of-command" ultimately to the General Manager. The General Manager will review the investigation on the processing of the form and make a final disposition of the case. The General Manager may confer with the employee prior to the final disposition. An appeal may be based only on the following:
 - a. The employee was not rated; or
 - b. The Performance Feedback Form was not discussed with the employee; or
 - c. The rating or comments were changed without the employee's knowledge; or
 - d. If a normal step increase (based upon the normal intervals of service) was unfairly withheld (not for reason of substandard performance or work habits).

B. FORMAL FEEDBACK SCHEDULES

Supervisors complete employee Performance Feedback Forms in accordance with the following schedule:

1. Regular employees shall receive Performance Feedback Forms once per year on the anniversary of their last formal Performance Feedback rating period (or immediately

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before any step increase). While more frequent feedback is highly encouraged, a schedule of more frequent "formal" Performance Feedback Forms is usually not desirable. In the event of substandard performance that continues at unacceptable levels (in spite of supervisory efforts to correct the performance), or if there is a single significant incident or a series of events that is clearly demonstrative of substandard performance, supervisors should resort to warnings or other discipline. Supervisors should consult the District disciplinary policies when considering the level of discipline that is appropriate to call the seriousness of the concern to the attention of the employee. The Performance Feedback Form is not intended to be the first means of calling a problem to the attention of an employee.

2. New (probationary) employees are considered to be undergoing continuous testing and evaluation that is a continuation of the hiring process of interviews and testing. They receive formal Performance Feedback Forms at three months, six months, and at the completion of their one-year probationary period.
3. Regular employees who are promoted serve probationary periods similar to new employees. They, too, are subject to a formal testing and evaluation period and receive Performance Feedback Forms at three months, six months and at the completion of their one-year probationary periods.
4. Supervisors shall prepare a draft Performance Feedback Form and submit it for approval of the reviewer; Human Resources Manager and General Manager prior to the denial of scheduled step increase or before an employee's receipt of a step increase or merit increase.
5. The Human Resources Manager can authorize exceptions to the annual "formal" feedback sessions and issue more frequent Performance Feedback Forms. This is usually undesirable, as progressive discipline may be the appropriate means of correcting patterns of substandard performance or work habits. In addition, for more routine performance lapses, employees may more easily accept regular informal coaching. Supervisors may elect to conduct informal "evaluations" of an employee as a means of providing on-going coaching. These coaching evaluations should be summarized on the next annual Performance Feedback Form. When performance does not improve as a result of coaching or other assistance, it is more appropriate to warn the employee (or use other discipline) rather than to issue a series of formal Performance Feedback Forms.

C. PROCESSING PERFORMANCE FEEDBACK FORMS

1. Performance Feedback Forms are prepared for each employee by the Human Resources Department, and distributed to the immediate supervisor (Rater) two to four weeks prior to the end of the rating period (or before a step anniversary). Current job descriptions will be provided at the same time.
2. If an employee has served sufficient time in the position, an Employee Pay Status Change Form will also be forwarded to the supervisor. This form should be completed when the employee has performed in a satisfactory manner and the supervisor is recommending a step or merit increase (advancement of a step). The signed Employee Pay Status Change Form should be attached to the draft Performance Feedback Form (which, if applicable, includes text recommending/denying a step or merit increase). These forms are

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submitted via the chain of command to the level of General Manager for approval prior to the Rater's interview with the employee.

3. The Performance Feedback Form should be completed within thirty days after the end of the rating period. The Human Resources Manager can approve exceptions to this deadline for good cause; such as illness; leave; or by prior agreement between the rater and employee, or for some compelling business reason that is explained to the employee. The rating period (ordinarily an immutable period that is one year from the conclusion of the last rating period—or immediately before a step increase is due) can be adjusted by the Human Resources Manager for good cause.
4. Employees may refuse to sign the Performance Feedback Form, even though signing the form is not an admission or agreement with its content. If a refusal occurs, the supervisor should allow the employee to have until the conclusion of the next business day in order to reconsider the decision. If the employee again refuses to sign, the supervisor must note the employee's refusal to sign and include a notation that the employee had been given an opportunity to reconsider the decision. The supervisor must verbally read the Discrimination/Harassment Free Workplace Acknowledgement and note the employee's response. It is often desirable to have the reviewer witness the refusal and initial the notation of refusal. No further action is required, as the form will then be processed as though the employee had signed the document.
5. The Human Resources Department will provide each Division Head with a summary schedule of upcoming due dates of Performance Feedback Forms.
6. Upon completion of the interview with the employee, the final Performance Feedback Form should be signed by the employee (including signing the Discrimination/Harassment Free Workplace Acknowledgement) and the supervisor. The employee should be given a copy of this form, even though it is a draft document until it has been approved and signed by the Reviewer. The Reviewer is not required to approve any revisions to the form if it contains substantial changes from the previously version agreed upon with the Rater. If the Reviewer does not approve the changes, s/he may strike out the changes, note the date changed and initial them. The form is then promptly returned to Rater to explain and discuss modifications with the employee. This discussion should be completed in an expedited manner and the employee should initial the changes. If this results in delay of more than thirty days after the close of the rating period, this delay should be explained to the Human Resources Manager and a notation explaining the delay shall be included on the form or as a cover memo in the employee's personnel file. The original executed forms must be returned to the Human Resources Department for processing. If a step increase has been approved, a signed change of payroll status form should accompany the Performance Feedback Form.
7. The Human Resources Manager reviews and initials all Performance Feedback Forms. Copies will be forwarded to the employee and supervisor with the original forwarded to the employee's personnel file. Pay changes, if any, will be forwarded to Payroll.

D. PREPARATION OF THE PERFORMANCE FEEDBACK FORM

1. The Rater should prepare the draft Performance Feedback Form, preferably in pencil or stamped "draft" to reinforce that the form is a changeable document, and review the suggested form with the Reviewing Supervisor/Manager prior to meeting with the

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employee. After the Rater and Reviewer agree upon a draft form, the employee is presented the draft and invited to enter into a discussion of the form's content and ratings. The employee's responses must be taken into consideration before finalizing the document.

2. When considering the various factors on the Performance Feedback Discussion Guide, the Rater needs to take into account the following:
 - a. The employee should be rated based upon the Rater's (supervisor's) judgment as to the level of proficiency reasonably expected of a worker holding the position at the journey level (typically Step E). However, in the case of newer employees, Raters should take into account the time it takes to become proficient. In these cases, employees who are otherwise performing in a satisfactory manner should not be rated as unsatisfactory unless the progress of learning and acquisition of new skills is unacceptable.
 - b. The overall rating should take into account all of the relevant factors included in the Performance Feedback Discussion Guide. However, it is not necessary or required to rate employees in each individual category considered in the "discussion guide" section of the form. In general, for ratings of the individual categories or for comments in general, it is advisable to give specific examples of performance and work habits. In particular, it is useful to reference previous discussions, counseling or coaching that occurred during the rating period.
 - c. The rating must be based only upon actions and events that took place during the period of time covered on the form (rating period). As the rating period is not over until completion of the last day, no Performance Feedback Form can be issued to the employee until the rating period is concluded.
3. The overall rating is based on the following:
 - a. **Satisfactory Performance**

In order to qualify for an overall satisfactory rating, an employee must have achieved performance expectations and demonstrated suitable work habits relevant to the position. For employees learning new positions, a satisfactory rating does not mean that an employee is fully qualified--it is confirmation that progress has been satisfactory. However, an employee should not be placed at the E step of the range until the employee is fully functioning at the "journey" level for the position, in all aspects of performance and work habits. An employee receiving an overall satisfactory rating who has served sufficient time in grade is eligible for step advancement.
 - b. **Unsatisfactory Performance**

If in the Rater's and Reviewer's judgment an employee has demonstrated a pattern of unacceptable performance or work habits (or even a single significant instance or event of substandard performance), it is permissible and advisable to rate the employee as unsatisfactory. Employees who receive a disciplinary notice at the level of written warning or higher, are not to be rated as satisfactory in the applicable rating period. Employees who receive lesser discipline may receive a satisfactory rating if the discipline is considered to be minor in comparison with the overall performance of the employee during the entire rating period.

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Expectations of performance should be based on the performance of an experienced worker holding the position in a Step E (except as previously noted for employees learning new positions). It may be useful to note significant and specific performance deficiencies under the appropriate categories on the Performance Feedback Discussion Guide. Probationary employees may have a number of areas needing improvement and still be rated satisfactory overall while they are in an initial period of intense learning.

c. **Step Increase**

In order to receive a step increase, a regular employee must be recommended for advancement on the Performance Feedback Form. For a regular step increase, the employee must have worked in the position (exclusive of time on leave without pay) a sufficient time in accordance with the District's Memorandums of Agreement or Board Resolution. Step increases can be accelerated (Merit Increase) for outstanding performance documented by the supervisor on the Performance Feedback Form. Any recommendation for step increase is reviewed via the "chain of command" to the level of General Manager. Normally, the time worked requirement is six months for an increase from Step A to Step B, and one year for steps B through E. Leave time is not considered as time worked for purposes of completion of probationary periods. Unpaid leave is not considered to be time worked for purposes of step advancement (unless, in certain cases subject to law, a specific type of unpaid leave is required to be counted as paid leave). For regular employees (non-probationary employees), incidental periods of paid leave are usually not sufficient to delay step increases unless the overall performance of the employee is not satisfactory. Supervisors are not authorized to offer step or merit increases to employees until approved by the General Manager.

4.5 NEPOTISM AND FRATERNIZATION

A. **PURPOSE**

The purpose of this section is to establish the nepotism and fraternization policy for the Vista Irrigation District. This section is intended to avoid conflicts of interest between work-related and personal/family obligations; reduce favoritism or even the appearance of favoritism; prevent personal/family conflicts from affecting the workplace; and decrease the likelihood of sexual harassment and/or gender discrimination in the workplace.

B. **DEFINITIONS**

The following definitions apply to each section:

1. A "romantic and/or sexual relationship" exists when two District employees become personally involved with each other to the point that there is dating, exchange of personal affection, sexual or physical intimacy and/or cohabitation.
2. The term "dating" includes but is not limited to one or more social meetings under circumstances that may lead to exchange of personal affection, and sexual or physical intimacy.

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3. “Cohabitation” applies to those employees who live together, share room and board or sire children, without being married to one another. Employees that live together in a strictly platonic relationship (i.e. based on economic considerations) are excluded from the definition of “Cohabitation”.
4. A “significant other” means a relationship between an employee of the District and another individual and includes the terms spouse or domestic partner.
5. The terms “department(s) and divisions” are defined as those units of employees commonly recognized as working together as a group within the District and include but are not limited to, the Departments within the Administration and Field Services Division, Engineering Division, and Water Resources Division.
6. A “supervisor” is defined as any individual appointed by the District within a Division, Department or unit to assign, oversee, reward or discipline employees within their reporting authority and empowered to use independent judgment. For purposes of this policy, the term may also include Manager and Director job titles.
7. A “subordinate” is defined as an employee within a direct “chain-of-command” of a recognized Division, Department or unit that reports to a supervisor responsible for assigning him/her work, administering discipline or completing their Performance Feedback.

C. FRATERNIZATION

1. Romantic Relationships Between Supervisors and Subordinate Employees Are Prohibited.

Public trust, safety and District morale require that employees avoid the appearance of a conflict between their professional responsibilities and any involvement that they may have in a romantic or sexual relationship with other District employees. In order to promote efficient operation of the District and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security, morale, and possible claims of sexual harassment and/or gender based discrimination, romantic and/or sexual relations between supervisors and subordinate employees are prohibited. This policy shall apply to all employees in the direct “chain of command” wherein the supervisor is responsible for assigning, overseeing, rewarding, disciplining or completing the performance feedback for the subordinate employee.

2. Romantic Relationships between Co-Employees in the Same Department Are Prohibited

Public trust, safety and District morale require that employees avoid relations that may negatively impact the efficient operation of the District. In order to promote efficient operation of the District and to avoid formation of cliques and factions, claims of sexual harassment and gender based discrimination, and the blurring of professional and personal responsibilities and relationships in the workplace, romantic and/or sexual relationships between co-employees in the same Department are prohibited.

3. Enforcement

The District reserves the right to investigate situations in the workplace to determine whether a romantic and/or sexual relationship exists and therefore presents a possible violation of this Policy. If the District determines that a proscribed relationship (as

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defined by this policy) exists, remedial and/or disciplinary measures, including but not limited to a transfer, reassignment, or dismissal, shall be utilized to mitigate issues that arise relevant to the enforcement of this policy.

- a. The District retains the right to refuse to place employees engaged in relationships prohibited by this policy in the same department where it has the potential for creating adverse impact on supervision, safety, security or morale or involves potential conflicts of interest.
- b. In order to implement such policies, and where the above circumstances exist and mandate that employees shall not work in a prohibited relationship, the District will attempt to transfer one party to the proscribed relationship to a similar classified position in another District Department, should such a position exist, be available, and should the employee possess the skills and qualifications necessary to perform the essential duties of the position. Although the wishes of the involved parties as to which individual will be transferred will be given consideration by the District, the controlling factor in determining who is to be transferred shall be efficiency of the District. If any such transfer results in a reduction in salary or compensation, the transfer shall not be considered disciplinary in nature and shall not be the subject of any form of administrative appeal.
- c. In lieu of a transfer from one department to another, or in situations where no similar counterpart classification exists to which an employee in a proscribed relationship can be transferred, that employee may continue to be employed within the same District department subject to approval by the Department Director and the General Manager or his/her designee. However, any such continuing employment is predicated upon both subject employees not reporting to the same immediate supervisor; not being supervised by each other; not working the same shift at the same work site; or, otherwise becoming involved in a work environment having the potential for adverse impact on supervision, safety, security or morale.
- d. If continuing employment of employees in a relationship prohibited by this Policy cannot be accommodated consistent with the District's interest in promotion of safety, security, morale and efficiency, then the District retains sole discretion to separate one of the parties from District employ. Absent resignation by one affected employee the higher level employee, of the involved employees shall be subject to separation. In the event of separation, applicable and governing due process procedures shall be applied.
- e. All employees are subject to any and all employment-related actions by the District, that are permissible pursuant to existing District policies and procedures, to address conduct related to nepotism and fraternization that may be negatively impacting the work environment.

D. NEPOTISM

It is an express finding of the District that the situation specified in this section, the employment of relatives as that term is defined herein, is contrary to appropriate District goals of safety and

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efficiency. The purpose of this section is to define those specific circumstances and to delineate the manner in which such employment issues will be addressed.

For purposes of this policy, “relative” means spouse, domestic partner, child, step-child, parent, step-parent, grandparent, grandchild, brother, sister, step-brother, step-sister, aunt, uncle, niece, nephew, parent-in-law, brother-in-law, sister-in-law, legal guardian and/or significant other as defined herein and in the fraternization policy, and/or any other individual related by blood or marriage living in the same household as the District employee.

An employee, for purposes of this section, is defined as any person who receives a District payroll check for services, full or part time, rendered to the Vista Irrigation District.

Relatives of employees shall not be employed in the same Division, Department or unit of such a relative at any time by the District as further proscribed below.

As of the effective date of this Policy, District employees who are related (as defined herein) shall not be affected in their current job status except when the General Manager or his/her designee determines that the circumstances of that employment raises an undue hardship upon the other employees within the particular work unit and that such continued employment is detrimental to the supervision, safety, security and/or morale of the particular work unit.

It is found by the District that a business purpose exists and dictates that a prohibition on employment of relatives within District departments is essential to safety and efficiency when such employment result in any of the following:

- a supervisor-subordinate relationship; the employees having job duties, which authorize performance of shared duties on the same or related work assignment;
- both employees being under the jurisdiction of the same immediate supervisor; or
- an adverse impact on supervision, safety, security and/or morale.

E. EFFECT OF POST-EMPLOYMENT MARRIAGE OR CREATION OF OTHER “RELATIVE” STATUS OF DISTRICT EMPLOYEES

In determining rules and regulations governing the employment of District employees who become related, as defined herein, after commencement of District employ, the District is guided by the principles enunciated in the California Fair Employment and Housing Act (FEHA) which prohibits discrimination on the grounds of marital status. However, FEHA and its Regulations defining the same do authorize restrictions being placed upon married District employees (or upon people deemed related as a result of marriage [i.e., in-laws]) where for business reasons of supervision, safety, security or morale, the employer may refuse to place one spouse or other relative under the direct supervision of another spouse or other relative and refuse to place both spouses or other relatives in the same department, division or facility if the work involves potential conflicts of interest or other hazards greater for married couples or other relatives than for other persons. (Cal. Code Reg., tit. 2, section 7292.5; Government Code section 12940(a) (3)).

Recognizing the principles stated above, the District determines that “marital status” is defined as an individual’s state of marriage, non-marriage, divorce or dissolution, separation, widowhood,

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annulment, or other marital state for purpose of this policy. Further, a “spouse” is defined as a partner in marriage.

The District retains the right to refuse to place one spouse or other relative under the supervision of the other spouse or relative where there is a potential for creating adverse impact on supervision, safety, security or morale.

The District retains the right to refuse to place both spouses or other relatives in the same department where doing so has the potential for creating adverse impact on supervision, safety, security or morale or involves potential conflicts of interest.

In order to implement these policies, and where the above circumstances exist and mandate that two spouses or other relatives shall not work in a prohibited relationship, the Human Resources Department will attempt to do any of the following: Attempt to redefine the job responsibilities of the related employees within the Department to minimize the conflict, if the redefinition of job status is not feasible, will attempt to transfer one spouse or other relative to a similar classified position in another District department. Although the wishes of the involved parties as to which spouse or other relative is to be transferred will be given consideration by the District, the controlling factor in determining who is to be transferred shall be operating efficiency of the District. If any such transfer results in a reduction in salary or compensation, the transfer shall not be considered disciplinary in nature and shall not be the subject of any form of administrative appeal.

In lieu of a transfer from one department to another, or in situations where no similar counterpart classification exists to which a spouse or other relative can be transferred, the District may request the voluntary resignation of one of the employees and if one of the employees does not voluntarily resign, the employee with the least employment experience/service with the District may be discharged by the General Manager. Married or other related employees may continue to be employed within the same District department subject to approval by the Department Director and the General Manager or his/her designee. However, any such continuing employment is predicated upon both spouses or other similarly situated relative as defined in this Policy not reporting to the same immediate supervisor, not being supervised by each other, not working the same shift at the same work site; or, otherwise becoming involved at a work environment having the potential for adverse impact on supervision, safety, security or morale.

It is the duty of all involved employees who are in a situation prohibited under this policy to immediately notify their supervisor either in person or through the chain of command that a situation exists in which the involved employee may be in violation of this policy. The District reserves the right to reasonably investigate the situation and determine whether the employee has violated this policy.

4.6 POLITICAL ACTIVITY

Employees shall not engage in political activity of any kind during working hours. Prohibited activity shall include, but is not limited to, soliciting money, influence, service, or any other valuable thing to aid, promote, or defeat any political committee or the nomination or election of any person to public office, while on the job during working hours. No person shall attempt to coerce, command, or require a person holding, or applying for, any position, office, or employment with the District to influence or give money, service, or other valuable thing to aid, promote, or defeat any political committee, or to aid, promote, or

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defeat the nomination or reelection of any person to public office. The rights of District employees to register and vote as they choose shall not be infringed.

4.7 FRAUD IN THE WORKPLACE

A. PURPOSE

Vista Irrigation District's fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against Vista Irrigation District ("the District"). It is the intent of the District to promote consistent organizational behavior by providing guidelines to clarify what acts are considered to be fraudulent, describing the steps to be taken when fraud or other related dishonest activities are suspected, and providing procedures to follow in accounting for missing funds, restitution, and recoveries.

B. SCOPE

Vista Irrigation District is committed to protecting its assets against the risk of loss or misuse. It is the District's intent to fully investigate any suspected acts of fraud, misappropriation, or other similar irregularity. Accordingly, it is the policy of the District to identify and promptly investigate any possibility of fraudulent or related dishonest activities against the District and, when appropriate, to pursue legal remedies available under the law.

This policy applies to any irregularity, or suspected irregularity, involving employees in the course of District employment. Any investigations required will be conducted in accordance with the District's discipline policy.

C. POLICY

Management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud is defined as the intentional, false representation, or concealment of material fact for the purpose of personal gain or inducing another to act upon it to his or her detriment or injury. Each member of the management team will be familiar with the types of improprieties that might occur within his or her areas of responsibility, and be alert for any indication of irregularity. Any irregularity that is detected or suspected must be reported immediately to both the Assistant General Manager and the Human Resources Manager, who will coordinate all investigations with the District's Counsel and other affected parties, both internal and external.

D. DEFINITIONS

1. "Fraud" and other similar irregularities include, but are not limited to:
 - a. Claim for reimbursement of expenses that are not job related or authorized under established policies and procedures.
 - b. Forgery or unauthorized alteration of documents (checks, timesheets, leave forms, agreements, purchase orders, budgets, promissory notes, etc.)
 - c. Misappropriation or unauthorized use of District assets (funds, securities, supplies, furniture, equipment, etc.)

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- d. Improprieties in the handling or reporting of any cash transaction.
 - e. Obtaining profit or personal gain as a result of "insider" knowledge of District activities.
 - f. Disclosure of confidential information to outside parties.
 - g. Authorizing or receiving payment for goods not received or services not performed.
 - h. Computer related activity involving the unauthorized copying, alteration, destruction, or manipulation of data, of or within District owned software or databases.
 - i. Misrepresentation of information on documents.
 - j. Any violation of Federal, State, or Local laws related to dishonest activities or fraud.
 - k. Making decisions based on receiving anything of material value from those doing, or wishing to do, business with the District including vendors, consultants, contractors, lessees, applicants, and grantees.
 - l. Supervisors directing subordinates to perform actions that could be construed as dishonest or fraudulent activities.
 - m. Any other dishonest or fraudulent act or similar or related irregularity.
- 2. "Employee" in the context of this policy refers to any individual or group of individuals who receive compensation, either full-time, part-time, or on a temporary basis from Vista Irrigation District. The term also includes any volunteer who provides services to the District through an official arrangement with the District.
 - 3. "Management" in the context of this policy refers to any director, manager, supervisor, or other individual who manages or supervises funds or other resources, including human resources.
 - 4. "Investigator" in the context of this policy refers to any person or persons assigned by the General Manager or his/her designee to investigate any fraud or similar activity.
 - 5. "External Auditor" in the context of this policy refers to independent audit professionals who perform annual audits of the District's financial statements.

E. GENERAL CONSIDERATIONS

- 1. Each department of the District is responsible for instituting and maintaining a system of internal control to provide reasonable assurance for the prevention and detection of fraud, misappropriation, and other irregularities. Management should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indication of such conduct.

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2. The Investigator, in conjunction with the District's Counsel, has the primary responsibility for the investigation of all activity as defined in this policy.
3. Employees will be granted protection from retaliation when acting in accordance with this policy. When informed of a suspected impropriety, neither the District nor any person acting on behalf of the District shall take any retaliatory action to:
 - a. Dismiss or threaten to dismiss the employee.
 - b. Discipline, suspend, or threaten to discipline or suspend the employee.
 - c. Impose any penalty upon the employee.
 - d. Intimidate or coerce the employee in any manner.
4. Upon conclusion of the investigation, the results will be reported to the General Manager.
5. The General Manager, following the review of the investigation results, will take appropriate action regarding employee misconduct. Disciplinary action can include termination, and referral of the case to the District Attorney's Office for possible prosecution.
6. The District will pursue every reasonable effort, including court ordered restitution, to obtain recovery of District losses from the offender, or other appropriate sources.

F. PROCEDURES

1. Board of Directors

- a. If a member of the Board of Directors has reason to suspect that fraud or impropriety has occurred, he or she shall immediately contact the General Manager and inform him or her of the facts and circumstances.
- b. The Board of Directors shall not attempt to investigate the suspected fraud or impropriety or discuss that matter with anyone other than the General Manager.
- c. The alleged fraud or resulting investigation shall not be discussed with the media by any person other than the General Manager in consultation with the District's Counsel and the Investigator.

2. Management Responsibilities

- a. Management is responsible for being alert to, and reporting, fraudulent or related dishonest activities in their area of responsibility.
- b. Each manager should be familiar with the types of improprieties that might occur within his or her areas of responsibility and be alert for any indication of improper activity, misappropriation, or dishonest activity that is or was in existence in their area.

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- c. When an improper activity is detected or suspected, management should determine whether an error or mistake has occurred, or if there may be dishonest or fraudulent activity.
- d. If management determines a suspected activity may involve fraud or related dishonest activity, they should contact both the Assistant General Manager and the Human Resources Manager. If management cannot determine or is not sure as to whether an item is an error or mistake as opposed to dishonest or fraudulent activity, they should contact their immediate supervisor.
- e. Management should not attempt to conduct individual investigations, interviews, or interrogations. However, management is responsible for taking appropriate corrective actions to ensure adequate controls exist to prevent reoccurrence of improper actions.
- f. Management should support the District's responsibilities and cooperate fully with the Investigator, other involved departments, and law enforcement agencies in the detection, reporting, and investigation of criminal acts, including the prosecution of offenders.
- g. Management shall give full and unrestricted access to any and all necessary records and personnel. All District furniture and contents, including desks and computers, are open to inspection at any time. There is no assumption of privacy.
- h. In dealing with suspected dishonest or fraudulent activities, great care must be taken. Therefore management should avoid the following:
 - i. Incorrect accusations
 - ii. Alerting suspected individuals that an investigation is underway
 - iii. Treating employees unfairly
 - iv. Making statements that could lead to claims of false accusations or other offenses.
- i. In handling dishonest or fraudulent activities, management has the responsibility to:
 - i. Make no contact (unless instructed to do so) with the suspected individual to determine facts or demand restitution. Under no circumstances should there be any reference to “what you did”, “the crime”, “the fraud”, “the misappropriation”, etc.
 - ii. Avoid discussing the case, facts, circumstances, suspicions, or allegations with anyone outside the District, unless specifically directed to do so by the General Manager or District's Counsel.
 - iii. Avoid discussing the case, facts, circumstances, suspicions, or allegations with anyone inside the District other than employees who have a need to know such as the General Manager, Assistant

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General Manager, Human Resources Manager, Investigator, or the District's Counsel.

- iv. Direct all inquiries from the suspected individual, or his/her representative, to the General Manager or District Counsel. All inquiries by an attorney of the suspected individual should be directed to the District's Counsel. All inquiries from the media or any other outside source should be directed to the General Manager.
- v. Take appropriate corrective and disciplinary action, up to and including dismissal, after consulting with the Human Resources Department in conformance with the District's Rules and Regulations and the appropriate Memorandum of Agreement.

3. Employee Responsibilities

- a. A suspected dishonest act, fraudulent incident or practice, observed by or made known to an employee must be reported to the employee's supervisor as soon as possible for reporting to the proper management official.
- b. When the employee believes the supervisor may be involved in the inappropriate activity, the employee shall make the report directly to the next higher level of management and/or the General Manager.
- c. The reporting employee or employees shall refrain from further investigation of the incident, confrontation with the alleged violator, or further discussion of the incident with anyone, unless requested or instructed to do so by the General Manager, the District's Counsel, Investigator, or law enforcement personnel.

4. Investigator Responsibilities

- a. Upon assignment by the General Manager or his/her designee, the Investigator will promptly investigate the fraud.
- b. In all circumstances where there appears to be reasonable grounds for suspecting that an illegal act has taken place, the Investigator, in consultation with the District's Counsel, will contact the appropriate law enforcement personnel.
- c. The Investigator shall be available and receptive to receiving relevant, confidential information to the extent allowed by law.
- d. If evidence is uncovered showing possible dishonest or fraudulent activities, the Investigator will proceed as follows:
 - i. Discuss the facts, circumstances, and findings with management and the relevant Division Head for the purpose of obtaining as much information as possible regarding the alleged or possible dishonest act or fraudulent activity.

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- ii. Advise management, if the case involves staff members, to meet with the Human Resources Manager (or designated representative) to determine if disciplinary actions should be taken.
- iii. Report to the External Auditor such activities in order to assess the effect of the illegal activity on the District's financial statements.
- iv. Coordinate with the District's Risk Manager regarding notification to insurers and filing insurance claims if appropriate.
- v. Take immediate action, in consultation with the District's Counsel, to prevent the theft, alteration, or destruction of evidentiary records.
- vi. At the conclusion of the investigation, the Investigator will make recommendations to the appropriate department(s) for assistance in the prevention of future similar occurrences, to the extent possible.
- vii. Upon completion of the investigation (including all legal and personnel actions), all records, documents, and other evidentiary material obtained from the department under investigation will be returned by the Investigator to that department.

5. Exceptions

There will be no exceptions to this policy unless provided and approved by the General Manager and the District's Counsel.

4.8 SOCIAL MEDIA

A. PURPOSE

The Vista Irrigation District (District) acknowledges that its employees use social media sites in their personal lives. This policy is intended to provide direction in their use of social media sites when they are off duty and participating in social media activities that could impact the District, including the potential inappropriate use of social media and texting as it pertains to employees, customers, and/or possibly clients.

B. DEFINITIONS

“Social Media” and “Web 2.0” are umbrella terms encompassing the various activities that integrate technology, social interaction, and content creation. Through social media, individuals can create Web content, can organize, edit or comment on content, as well as combine and share content. Social media and Web 2.0 use many technologies and forms, including Web feeds, blogs, wikis, photo and video sharing, podcasts, social networking, fansites, mashups, and virtual worlds.

C. POLICY

1. Do not use District time or property for personal social networking activities.
2. Be honest and transparent about your identity when you are posting or blogging. Be clear to your audience that you are blogging or posting as a private individual and not representing the District.
3. Include appropriate disclaimers that you are not speaking on behalf of the District when blogging or posting about topics that may be identified with the District.
4. Do not promote the District anonymously. If you are authorized by your supervisor to represent the District in social media, say so.
5. Do not disclose, post or blog about confidential or proprietary District information. If you discuss a work situation, do not identify individual co-workers or District customers or clients in a manner that violates their rights, including their privacy rights.
6. Use good and ethical judgment. To the extent your social media use impacts District employees, customers and clients, follow District policies and regulations as applicable, including but not limited to those that protect individual privacy rights, anti-discrimination and harassment policies, and other relevant District policies.

This policy is not intended to and will not be applied to improperly restrict employees from engaging in concerted union activity, including discussing their wages, hours and working conditions with other employees while off duty.

4.9 COMPUTER AND ELECTRONIC COMMUNICATION

A. PURPOSE

The objective of this policy is to provide clear and concise direction regarding use of the Vista Irrigation District's computers, electronic mail (e-mail) system, and other electronic communication resources.

B. POLICY

The Vista Irrigation District (District) encourages the use of computers and other electronic communications resources to share information in support of its mission of public service and to conduct its business. This policy governs all computers, laptops and other electronic communications resources including, but not limited to, the Internet, the Intranet, electronic mail (e-mail), texting, voice-mail, cellular telephones, pagers, personal digital assistants, telecommunications devices, video and audio equipment, wireless networks, data systems telecommunications equipment, transmission devices, data processing or storage systems, computer systems, servers, networks, input/output and connecting devices, software, and documentation that supports electronic communications services.

1. Computer Software and Hardware

The District prefers that all software purchases and installations be coordinated through Information Systems. Users may be required to purchase software on an exception basis.

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Users shall not install any software application on District computers. Users may request special software applications be installed (by assigned District personnel) on District computers through their Division Head. The District adheres to all applicable software copyright policies and will not install software without a license.

Users shall not attempt to change the configurations or set-ups on any District computers or workstations. This is the sole responsibility of assigned District personnel.

2. Electronic Communications (e-mail)

The District's e-mail system is an official communication tool for District business and is intended for District-related purposes only. All e-mail communications regarding District business are the property of the Vista Irrigation District. The District reserves the right to retrieve and make proper and lawful use of any and all communications transmitted through the e-mail system.

The District respects the individual privacy of its employees. However, an employee cannot expect privacy rights to extend to work-related conduct or the use of District-owned equipment or supplies. Consequently, e-mail users shall have no expectation of privacy in communications sent over the District's e-mail network. This is true even of e-mail that is personal in nature and is unrelated to District work. Use of the District's system for personal e-mail is at the employee's sole risk.

The District may access any messages in the e-mail system at any time. Access may occur for reasons of, but not be limited to, random review, situations indicating impropriety, violation of District policy, legal requirements, suspected criminal activities, breach of electronic mail security, locating substantive information that is not more readily available by some other means, or for the performance of routine maintenance.

Confidential communications with attorneys of the District for the purposes of facilitating legal work or legal advice should have protection of the attorney-client privilege. Such e-mail should bear the legend "Confidential: Attorney-Client Privilege" in the subject line. Please Contact the Human Resources Manager if you have any questions about whether to treat particular e-mail communications as subject to attorney-client privilege or other legal protections.

In addition, applicable law, including the Public Records Act, may under certain circumstances require disclosure of materials even if they are designated as PRIVATE.

An official e-mail address is established and assigned by the District to each employee. All District communications sent via e-mail will be sent to this address. District employees must use the official District e-mail, instead of their private e-mail address (such as yahoo, Hotmail, etc.) when communicating District business via e-mail.

The District uses spam and obscenity filters to protect users from unwanted and unsolicited e-mails. Occasionally a valid business related e-mail will be inadvertently blocked. Upon request, Information Systems staff will release business related e-mail. E-mail without a valid business purpose, which has been blocked by these filters, will not be released.

Computers and other electronic communications resources must be used in compliance with applicable statutes, regulations, and District's policies including those that require a

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work environment free from discrimination and harassment. Electronic communications should conform to the same standards of propriety and respect as any other verbal or written communication at the District. Employees are expected to use common sense and judgment to avoid any communication which is disrespectful, offensive or illegal.

The District, as the provider of access to computers and electronic communications resources, reserves the right to specify how those resources will be used and administered to comply with this policy. It is important to realize that the message content sent from the District's account reflects upon the District (positively or negatively) to those who receive the message. Employees may be subject to disciplinary action for using District computers and electronic communications resources in a manner other than for their intended purposes, or in a manner that violates applicable laws, rules and policies.

Electronic communications to recipients on systems outside of District pass through systems and networks not managed by the District. The privacy and confidentiality of these messages is, therefore, not assured. In addition, some delivery methods and networks impose legal restrictions regarding the nature of messages allowed. Users are expected to comply with all such regulations. Employees and other users of District computers and electronic communications resources may create criminal and civil liability for themselves and the District by using outside or third party systems in an offensive, defamatory or illegal manner and in such event employees and other users may be subject to disciplinary action up to and including termination.

3. Incidental Personal Use

Computers and electronic communication resources are provided by the District to facilitate the performance of District work. Incidental personal use is secondary, and should not (i) interfere with the District's operation of computers and/or electronic communications resources; (ii) interfere with the user's employment or other obligations to the District, or (iii) burden the District with noticeable incremental costs. Incidental use of the District computers and electronic communications resources should clearly indicate that the use is personal. Users of computers and electronic communications resources shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the District unless appropriately authorized to do so. The District is not responsible for any loss or damage incurred by an individual as a result of personal use of District computers and electronic communications resources.

4. Privacy Limits

The California Public Records Act requires the District to disclose specified public records. In response to requests for such disclosure, it may be necessary to examine electronic communications records that users may consider to be personal to determine whether they are public records that are subject to disclosure.

All communications transmitted using District computers and/or electronic communications resources, whether or not related to personal or confidential matters, are subject to monitoring, at the District's discretion. The District monitors communications transmitted using District computers and electronic communications resources in the ordinary course of business for purposes that include ensuring their reliability and security. The existence of passwords and "message delete" functions do not restrict or eliminate the District's ability or right to access electronic communications.

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Employees should *not* communicate their private, privileged, or confidential information, including but not limited to personal attorney client communications, financial or medical information and other privileged information, using District computers and/or electronic communications resources. Employees who do communicate their private, privileged or confidential information using District computers and/or electronic communications resources will be deemed to have waived any privilege or privacy rights in those communications, even where those communications are made via personal password-protected accounts using the District computers and/or electronic communications resources.

Additionally, the District may be required to produce information transmitted or stored on its computers and/or electronic communications resources pursuant to a court order, subpoena, or statute.

5. **Retention**

Electronic mail should *not* be kept, either electronically or in hard copy, unless retention is required by law or where its retention would serve a useful purpose for the District.

Employees are responsible for the management of their mailboxes. All users of District computers and/or electronic communication resources should review electronic mail at least weekly and any permanent electronic communications that are needed for District business should be filed appropriately either in a separate folder, network location, or printed out and filed in the appropriate subject file. Non-work-related electronic mail messages should be immediately and permanently deleted (the same day the message is received).

All incoming, sent, deleted and junk electronic mail that is older than ninety (90) days may be deleted AUTOMATICALLY from the electronic mail system. Employees that are required to retain specific emails for business purposes longer than ninety (90) days shall transfer emails of a confidential nature to their personal drive (H:\) and operational emails to the department drive (Z:\drive).

Electronic mail is not backed-up on a permanent basis. The District stores electronic mail only to the degree that allows the District to restore current electronic mail in the event of a systems failure. Although deleted e-mail sometimes can still be retrieved by forensic means, it is extremely burdensome to do so. You should not assume that deleted e-mail can be retrieved.

6. **Restrictions**

The information sources accessible via the Internet are worldwide and constantly growing in kind and number. It is not possible for any Internet access provider to fully manage the types of information accessible by its systems and users, especially with regard to content limitations. Nonetheless, the District reserves the right to restrict access to any data source, at its sole discretion. These restrictions do not constitute an implication of approval of other non-restricted sources.

Without exhausting all the possibilities, the following are examples of inappropriate use of the District computers and electronic communications resources:

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- a. Exposing others unwillingly, either through carelessness or intention, to material which is offensive, obscene or in poor taste. This includes information which could create an intimidating, offensive or hostile work environment.
- b. Any use that may, for a reasonable person, create or further a hostile attitude or give offense on the basis of race, color, religion, national origin, citizenship, ancestry, marital status, gender, disability, age, veteran's status or sexual orientation.
- c. Communicating confidential District information to unauthorized individuals within or outside of District.
- d. Sending messages or information which is in conflict with applicable law or District policies, rules or procedures.
- e. Sending messages to mailing groups (e.g. All VID Employees, IS Department, etc.) that are not business related.
- f. Sending messages, making statements or forwarding written or graphical material in e-mail that may harm the District's reputation because the message was sent from a District's computer system that may in turn be mistaken for an official statement of the District's position on an issue.
- g. Sending messages for any private, profit-making activity (e.g., "for sale" notices, want ads, etc.).
- h. Sending messages in support or opposition to campaigns for candidates for elected offices or ballot measures.
- i. Sending messages of a religious nature unlawfully promoting or opposing religious beliefs.
- J "Snooping" or obtaining access to the files or electronic mail of others for the purpose of satisfying idle curiosity, with no substantial business purpose.
- k. "Spoofing" or constructing an e-mail so it appears to be from someone else.
- l. Attempting to access unauthorized data or break into any District or non-District system.
- m. Engaging in theft or the unauthorized copying of electronic files or data.
- n. Performing acts that are wasteful of computing resources or unfairly monopolize resources to the exclusion of others is prohibited. These acts include, but are not limited to: sending mass mailings or chain letters and creating unnecessary network traffic.
- o. Intentionally misrepresenting one's identity for improper or illegal acts.
- p. Engaging in unlawful activities;

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- q. Engaging in commercial activity or activity for financial gain, not under the auspices of the District;
- r. Engaging in recreational use of the District computers and electronic communications resources that interfere with the ability of the employee or other users to conduct District work. This includes, but is not limited to, downloading or uploading software, games, or shareware and using streaming audio or video (e.g. radio station, music services, television broadcasts, videos, etc). Employees are also prohibited from downloading and using instant messenger (IM).

4.10 SMOKING (SMOKE FREE WORKPLACE ACT 1995)

Smoking is not permitted in any enclosed structures or buildings.

Smoking will be allowed outdoors in designated areas only. Smoking will not be allowed in vehicles on official District business unless the employee driving is alone. Employees may not smoke in common or "pool" vehicles under any circumstances.

4.11 PERSONAL TELEPHONE USE

Employees are encouraged to keep all personal phone calls, faxes, and e-mail communications to a minimum. Friends and relatives should be discouraged from calling or interrupting work flow unnecessarily during working hours. Personal calls, faxes, or e-mails should be made/sent during break periods or lunch whenever possible. Personal long distance, fax, or toll calls are to be charged to the employee's own telephone number or long distance calling card or otherwise paid for by the employee.

4.12 DISCIPLINE

A. PURPOSE AND DEFINITION

It is important that all employees perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a rule, policy, or procedure, or commit an act that is inappropriate. Discipline is a means of calling unsatisfactory performance or conduct to an employee's attention and of resolving such concerns by the use of punitive notices, loss of pay, or dismissal.

B. POLICY

Unless otherwise specified by a memorandum of understanding, the following constitutes the District's policy regarding disciplinary actions. District Policy provides that formal discipline shall consist of the following actions: discharge, demotion, and suspension.

C. THE DECISION TO DISCIPLINE

In the event formal discipline is proposed, the District will consider the reason(s) for discipline, and, at its discretion, exercise the level of discipline, if any, that is most appropriate to resolve the situation. Some of the factors that should be considered in making a decision about the use of discipline are: the facts and circumstances surrounding the case, including the risk to the public

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and the risk to the safety, property, efficiency or reputation of the District, or to individuals in its employ; and the employee's work history, including any previous discipline or corrective actions. Consideration will be given to the employee's service history, performance record, and explanation or response to the proposed reason for discipline. These factors will be contemplated and determinations will be made concerning the employee's amenability to various levels of discipline, and the likelihood that the conduct or unsatisfactory work performance will recur.

The District does not limit itself to pursuing a fixed progression of disciplinary actions. After consideration of the facts and circumstances, the District reserves the right to take any disciplinary action, up to and including discharge. However, the District recognizes that most performance or conduct problems are amenable to actions lesser than discharge.

D. AUTHORITY TO DISCIPLINE

Supervisors have the authority to issue written warnings and may request and recommend more serious disciplinary actions. Formal disciplinary notice such as suspensions, disciplinary demotions, and discharges must be issued under the authority of the District's General Manager.

E. PROGRESSIVE DISCIPLINE

Efficient utilization of discipline may often involve a process called "progressive discipline". In progressive discipline each disciplinary action builds upon the last related disciplinary action, often with increasing consequence to the employee, until the problem is resolved. The progressive discipline process is the preferred approach of the District in resolving most disciplinary concerns.

The range of disciplinary options available to correct employee performance problems includes informal discipline, which includes: Counseling (Memo), Oral Warning and Written Warning. Formal discipline commonly occurs in the progression of suspension, (oftentimes followed by a second suspension) and discharge. The District may, however, proceed directly to any step in this progression, or skip steps in the common progression after consideration of the factors leading to a decision to discipline. Although one or more steps may be taken in connection with a particular employee, no formal order or system is obligatory in the District's administration of discipline.

Formal disciplinary actions are, in effect, notices that the employee's performance or conduct is unacceptable and, particularly in the case of suspension that the employee is in jeopardy of discharge should performance problems or inappropriate conduct recur. The exercise of formal discipline should occur when the facts and circumstances merit severe action, or after progressive approaches have been attempted and found to be unsuccessful. The District has the sole discretion to determine under what circumstances discipline and dismissal are appropriate.

Although discipline is considered to be one method of improving performance problems or inappropriate conduct, it is not the only method available to the District. The District may decide that it is best to train and counsel employees to improve their performance or work habits, refer employees to the Employee Assistance Program for personal problems, and if necessary, orally or verbally warn employees without resorting to formal disciplinary action.

F. DESCRIPTION OF THE TYPES OF DISCIPLINE

The types of personnel actions and/or discipline are:

- 1. Counseling Memo**
A counseling memo shall be retained in the employee’s personnel file, and may not be appealed under this policy.
- 2. Oral Warning**
An oral warning or admonishment shall be memorialized in writing and may not be grieved or appealed under this policy.
- 3. Written Warning**
The supervisor may warn an employee by furnishing him/her with a written statement of the specific reasons for the warning. A copy of the warning will be retained in the employee’s personnel file, and may not be grieved or appealed. The employee has the right to have a written rebuttal attached to the warning in the employee’s personnel file.
- 4. Suspension**
The General Manager, or designee, may suspend an employee from his or her position for cause. Documents related to a suspension shall become part of the employee’s personnel file when the discipline is final. An employee subject to suspension will receive prior written notice and appeal as provided herein. FLSA-exempt employees are not subject to suspension except for violation of a workplace conduct rule.
- 5. Demotion**
The General Manager, or designee, may demote an employee from his or her position for cause. Documents related to a demotion shall become part of the employee’s personnel file when the discipline is final. An employee subject to demotion shall be entitled to the prior written notice and appeal as provided herein.
- 6. Discharge**
The General Manager, or designee, may discharge an employee from his or her position for cause. Documents related to discharge shall become a part of an employee’s personnel file when the discipline becomes final. A discharged employee is entitled to prior written notice and appeal based upon the terms described herein.

G. PROBATIONARY AND AT-WILL EMPLOYEES

The following categories of persons can be terminated at-will and have no rights to any of the pre- or post-disciplinary processes or procedures in this Policy: (1) temporary employees, (2) provisional or seasonal employees, (3) probationary employees, (4) any person who serves pursuant to a contract, and (5) any person who is designated “at-will” in any District policy, document, acknowledgement, resolution or ordinance. Notwithstanding any provision in this policy, any regular employee who is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) is not subject to any disciplinary penalty which is inconsistent with his or her FLSA overtime-exempt status.

H. REASONS FOR DISCIPLINE

In general, the District may, at its sole discretion, discipline employees for unsatisfactory performance or work habits, violation of a rule, policy, or procedure, or committing an act that is inappropriate.

It is not possible to provide employees with a complete list of every possible reason for discipline. However, in order to provide employees with guidance concerning unacceptable behavior, the following are some examples of types of conduct considered impermissible. Employees who engage in any misconduct or whose performance is unsatisfactory may be subject to disciplinary action, up to and including the possibility of immediate discharge. The list below is not intended to be all inclusive, it is intended to simply provide some examples of reasons for discipline, including:

1. Falsification of or making a material omission on sheets, records, or verbal or written reports, including time sheets, application materials, business records, and investigatory reports or statements;
2. Actual, threatened, or implied physical violence toward a District employee;
3. Possession or bringing of firearms, contraband, weapons, alcohol, illegal drugs, explosives, or chemicals on or to District property;
4. Insubordination: refusing to follow a supervisor's lawful directions, undermining a supervisor's authority, repeated expressions to subordinates of disdain and disrespect for the District or superior staff, refusing to cooperate with an investigation, or other disrespectful conduct to a supervisor;
5. Unauthorized possession or removal of District property or employee property, records or other materials;
6. Destroying or damaging District or employee property, records or other materials;
7. Violating safety or health rules or practices or engaging in conduct that creates a safety or health hazard;
8. Disclosing confidential District or District employee information;
9. Failing to disclose knowledge of a condition, situation, or event that renders an employee (including one's self) unsafe or unlawful in the performance of a function of an employee's job;
10. Using, possessing, distributing, transferring, or being under the influence of alcohol or drugs, while on duty, while on company property, or while operating a company owned or leased vehicle;
11. Sleeping, carelessness, or inefficiency while on duty;
12. Inappropriate use of leave or leaving the work site without approval prior to the end of a scheduled work shift;

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13. Unlawful harassment of another employee or groups of employees;
14. Tardiness;
15. Engaging in horseplay;
16. Engaging in non-District employment or any outside business practices or other such enterprises or activities that conflict with or are inimical to District employment. This shall include any outside business or enterprise that impedes employees from devoting all their time and efforts, during their assigned work hours, to their assigned duties;
17. Improper use or misrepresentation of the office or position of District employment or of District authority for personal gain, or to discredit the District or District employees;
18. Making false statements or spreading false rumors or innuendo that is contrary to the maintenance of good order, damaging to the District's reputation, or the morale of District employees;
19. Unexcused absences or job abandonment. (Abandonment of one's job in the absence of compelling circumstances is considered a resignation or a reason for immediate termination);
20. Unsatisfactory performance or work habits;
21. Violation of a District's regulation, policy or resolution; or violation of any department rule or procedure;
22. Absence without authorized leave;
23. Excessive absenteeism and/or tardiness as defined by the Human Resources Manager these Policies, or Memorandum of Agreement;
24. Use of disability leave in a manner not authorized or provided for pursuant to the disability leave policy or other policies of the District's;
25. Providing wrong or misleading information or other fraud in securing appointment, promotion or maintaining employment;
26. Malfeasance or misconduct, which shall be deemed to include, but shall not be limited to the following acts or omissions:
 - a. Conviction of a felony. "Conviction" shall be construed to be a determination of guilt of the accused by a court, including a plea of guilty or nolo contendere, regardless of sentence, grant of probation, or otherwise.
 - b. The damaging of District's property, equipment, or vehicles, or the waste of District's supplies through negligence or misconduct;
27. Dishonesty;
28. Theft;

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29. Disobedience;
30. Misuse of any District's property, including, but not limited to: physical property, tools, equipment, District's communication systems, or Intellectual Property;
31. Mishandling of public funds;
32. Discourteous treatment of the public or other employees;
33. Failure to cooperate with employee's supervisors or fellow employees;
34. Violation of the District's Alcohol and Drug-Free Workplace Policy;
35. Violation of a District policy or procedure about the use of equipment;
36. Violation of the District's Policy Against Harassment, Discrimination and Retaliation;
37. Violation of a District workplace security policy or procedure;
38. Any conduct that impairs, disrupts or causes discredit to the District's, the employee's employment, to the public service, or other employee's employment;
39. Failure to comply with OSHA Safety Standards and District's safety policies;
40. Failure to report to his or her supervisor any contact with criminal authorities (such as police) which may affect employment with the District;
41. Altering, falsifying, and tampering with time records, or recording time on another employee's time record; or working overtime without prior authorization.

4.13 DISTRICT HEARING PROCEDURES FOR EMPLOYEES

The following procedures will be used in applicable post-disciplinary hearings (suspensions/terminations).

A. HEARING OFFICER

The General Manager shall appoint an uninvolved hearing officer. In cases of suspensions, the General Manager may appoint a District manager selected by the appellant from a list approved by the General Manager of at least three available, appropriate VID managers. In cases of dismissal, the General Manager may appoint a manager from another governmental employer selected by the appellant from a list approved by the General Manager of at least three available hearing officers.

B. CONDUCT OF HEARINGS

Hearings will be conducted in the following manner:

1. A time for an appeal hearing shall be established which shall not be less than twenty (20) working days, nor more than forty-five (45) working days, unless this period is extended

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by mutual agreement, from the date of the filing of the appeal. All interested parties shall be notified in writing of the date, time, and place of the hearing at least ten (10) working days prior to the hearing.

2. All hearings shall be public; provided, however, that either party may request a private hearing. Any request for a private hearing shall be submitted five (5) days prior to the hearing date.
3. The Hearing Officer or General Manager shall, if legally authorized, issue subpoenas at the request of either party prior to the commencement of such hearing. After the commencement of such hearing, subpoenas shall be issued only in the discretion of the Hearing Officer.
4. Five (5) working days prior to the date set for the hearing; each party shall serve upon the other party and submit to the Human Resources Manager a list of all witnesses and all exhibits.

The employer's exhibits shall be designated by number. The employee or association/union exhibits shall be designated by alphabetical letter. Neither party will be permitted to call during the hearing a witness not identified pursuant to this section nor use any exhibit not provided pursuant to this section unless that party can show that they could not reasonably have anticipated the prior need for such witness or exhibit. If witnesses can be made available without unduly interfering with the operations of the District, the General Manager shall cause such person to be present at the time of the hearing. The General Manager may continue the hearing for a reasonable period until such persons can be present.

The employee shall, at least five working days before the hearing, also identify and notify the General Manager of his/her formal representative or counsel of record, if any, at the hearing.

5. The hearing need not be conducted in accordance with technical rules relating to evidence and witnesses but hearings shall be conducted in a manner most conducive to determination of the truth. Any relevant evidence may be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules dealing with privileges shall be effective to the same extent that they are now or hereafter may be recognized in civil actions and irrelevant and unduly repetitious evidence may be excluded. Decisions made by the Hearing Officer shall not be invalidated by any informality in the proceedings, and the Hearing Officer shall not be bound by technical rules of evidence.
6. The Hearing Officer shall rule on the admission or exclusion of evidence.
7. Each party shall have these rights: To be represented by legal counsel or other person of his or her choice; to call and examine witnesses; to introduce evidence; to cross-examine opposing witnesses on any matter relevant to the issues; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence

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- against him/her. If the employee does not testify in his or her own behalf, he or she may be called and examined as if under cross-examination.
8. Oral evidence shall be taken only on oath or affirmation.
 9. The hearing shall proceed in the following order, unless the Hearing Officer, for special reason, otherwise directs.
 - a. The party imposing discipline shall be permitted to make an opening statement.
 - b. The appealing party shall be permitted to make an opening statement.
 - c. The party imposing disciplinary action shall produce their evidence.
 - d. The party appealing such disciplinary action may then offer his or her evidence.
 - e. The parties may then, in order, respectively offer rebutting evidence only, unless the Hearing Officer, for good reason, permits them to offer evidence upon their original case.
 - f. Arguments shall be permitted in the discretion of the Hearing Officer. The party with the burden of proof shall have the right to close the hearing by making the last argument.
 10. The Hearing Officer shall determine relevancy, weight, and credibility of testimony and evidence. The standard of proof shall be that the evidence in favor of discipline, when weighed against that opposed to it, had more convincing force and greater probability of truth (or the lowest threshold of proof on which responsible persons are accustomed to rely in the conduct of serious affairs). The Hearing Officer shall find whether or not the employee committed a violation of policy, performed unsatisfactorily or otherwise engaged in misconduct as charged by the District.
 11. During the examination of a witness, all other witnesses, except the parties, may be excluded from the hearing upon motion of either party.
 12. No still photographs, moving pictures, or television pictures shall be taken in the hearing chamber during a hearing.
 13. The Hearing Officer shall not permit any speaking objections.
 14. The Hearing Officer, prior to or during a hearing, may grant a continuance for any reason he or she believes to be important to reaching a fair and proper decision.
 15. The Hearing Officer shall render his or her findings and recommendations as soon after the conclusion of the hearing as possible, and in no event, later than ten (10) working days after conducting the hearing unless otherwise stipulated by the parties. His or her decision shall set forth the recommendations as to each of the charges and the reasons therefore.
 16. The Hearing Officer may recommend the sustaining or rejecting of any or all of the charges filed against the employee. He or she may recommend sustaining, rejecting, or

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modifying (including increasing or decreasing) the disciplinary action invoked against the employee. If the Hearing Officer recommends reinstatement of a terminated employee, the employee is only entitled to pay minus the sum the employee has earned during the period of absence.

17. The decision of the Hearing Officer is advisory only. The proposed decision shall be filed with the charged employee, the Acting Appointing Authority and the General Manager, and shall set forth all findings and conclusions. If a dismissal is not sustained, the proposed decision shall set forth the recommended effective date the employee is to be reinstated, which may be any time on or after the date the disciplinary action went into effect.
18. Either the appealing party or the Acting Appointing Authority may file a written appeal to the proposed decision, findings, and conclusions of the Hearing Officer within ten (10) working days of the Hearing Officer's decision. If the appealing party requests a transcript, that party shall pay the cost of the transcript.
19. The party desiring to contest the recommended decision of the Hearing Officer may request a transcript for review by the General Manager within ten (10) working days of the Hearing Officer's decision. If the appealing party requests a transcript, that party shall pay the cost of the transcript.

4.14 GENERAL MANAGER'S REVIEW

Within ten (10) working days of the filing of exceptions or receipt of the transcript, whichever is later, the General Manager shall review the decision of the Hearing Officer, any exceptions filed, and the record, if one is requested by the appealing party. The General Manager may ratify, modify, or reverse the proposed decision of the Hearing Officer. If the General Manager seeks to modify or reverse the Hearing Officer's decision, he/she shall review the transcript. The decision of the General Manager shall be final.

4.15 STATUS OF EMPLOYEE

During the period prior to the determination of the matter by the Acting Appointing Authority or the General Manager, the employee may continue in his/her duties, be placed on Administrative Leave or may be reassigned to other duties at the sole discretion of the Acting Appointing Authority or General Manager.

4.16 JUDICIAL REVIEW

Judicial review of any decision of the District, or of any commission, advisory officer, committee, board, officer or agent thereof dismissing or otherwise disciplining an employee, which decision is subject to review under Code of Civil Procedure section 1094.5, may be had pursuant to this section only if a petition for writ of mandate is filed in Superior Court within the time limits specified in Code of Civil Procedure section 1094.6.

SECTION FIVE - PAY

5.1 PAYROLL PERIOD AND PAY DAY

The District payroll is on a bi-weekly basis. Payday shall be every other Tuesday and include wages earned during the second half of the first Friday of the payroll period.

Advances on or against salary are strictly prohibited.

5.2 USE OF TIME SHEETS

- A. Unless exempted from this requirement, employees are required to use time sheets (paper or electronic) to report their time worked and types of leave requested.
- B. Employees required to use time sheets shall be responsible for the proper filling in of correct dates, account or job numbers on said time sheets.
- C. Time sheets should be completed at the end of the workday or prior to the start of the following day. Adequate time is normally provided at the end of the shift for this purpose.
- D. The supervisors in each department will check and sign each time sheet of employees under their direction.

5.3 FINAL PAYCHECK

Final paychecks will be issued on the next regularly scheduled pay day for both voluntary and involuntary separations. Final paychecks for employees subject to retirement, discharge, layoff or otherwise separating involuntarily will be paid in the same manner, as the District is exempt from a requirement for immediate payment under §220 (b) of the California Labor Code. Unused vacation, sick leave and compensatory time will be paid and calculated in accordance with the District policy, the applicable Memorandum of Agreement or Board Resolution, and state and federal law.

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SECTION SIX - WORK PERIOD

6.1 HOURS OF WORK

Working hours and rules shall be established to provide employees with consistent standards with which to comply. Working hours shall be based on the needs of the District. An employee who for any reason is not able to report to work at the scheduled time must contact his or her supervisor as soon as possible with an explanation of the absence and anticipated duration. The employee shall advise the supervisor of any changed condition during the absence.

Breaks are a rest during the work period and cannot be accumulated and cannot be used at the beginning or end of the work day, added to a lunch period or used in conjunction with other time off.

Alternative (e.g. 9/80) or irregular work schedules must be approved by the General Manager or his/her designee. Regularly moving on and off an alternative work schedule is prohibited. An approved alternative work schedule may be modified or discontinued at any time for any reason by the District.

6.2 EMERGENCY SERVICE

As a condition of employment, every employee is subject to report for work on an emergency basis. Efforts will be made to minimize the inconvenience to the employee; however, the final decision on whether to excuse an employee from being called for emergency service rests with the supervisor or Duty Officer who has made the request. Every qualified field employee may be required to work as "Duty Officer" or "Emergency Crew" as a condition of employment. Every field employee is subject to work as Duty Officer or Emergency Crew Person on a rotating basis covering holidays and weekends.

SECTION SEVEN – SAFETY AND SECURITY OF EMPLOYEES

7.1 PROGRAM

The District is committed to providing a safe and secure workplace for employees and the public. The District will not tolerate acts or threats of violence in the workplace. The workplace includes any location where District business is conducted, including vehicles and parking lots. Any violation of this policy will lead to criminal prosecution, and/or disciplinary action, up to and including termination.

7.2 PROHIBITED BEHAVIOR

Employees are prohibited from engaging in or promoting acts of intimidation, violence, threats, coercion, assault and/or abusive behavior toward any person while in the course of District employment. The District has zero tolerance for any conduct that references workplace violence, even if it was intended to be harmless, humorous, a prank, blowing off steam, or venting. Please refer to Section 8 - Discrimination and Harassment of this Personnel Policies Manual.

Employees engaged in District business are prohibited from carrying self-defense weapons in violation of any law or this policy unless weapons are required for performance of the job.

7.3 DEFINITIONS

“Workplace Violence” is any conduct that causes an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property. Specific examples of workplace violence include, but are not limited to, the following:

- Threats or acts of physical harm directed toward an individual or his/her family, friends, associates, or property.
- The destruction of or threat of destruction of District property or another employee’s property.
- Harassing or threatening phone calls
- Surveillance
- Stalking
- Possession of offensive or defensive weapons, unless specifically required or authorized and approved by the General Manager. Weapons are defined as firearms, pepper/chemical sprays, clubs or batons, and knives, and any other device, tool, chemical agent or implement that can cause bodily harm if used as a weapon or displayed in such a manner to cause harm or threaten a person with harm.
- Any conduct relating to violence or threats of violence that adversely affects the District’s legitimate business interests.

7.4 INCIDENT REPORTING PROCEDURES

- A. Employees must immediately report workplace violence to their supervisor or department manager or director. The supervisor, department manager or director will report the matter to Human Resources.
- B. The Human Resources Manager will document the incident, including the employee names(s), date/time, location, incident description, witness names and statements, description of unidentified parties, description of the act(s) and/or behavior arising from the incident, action taken, and provide any other relevant information regarding the incident.

The Human Resources Manager will take appropriate steps to provide security, such as:

- 1. Placing the employee alleged to have engaged in workplace violence on administrative leave, pending investigation;
- 2. Asking any threatening or potentially violent person to leave the site; or
- 3. Immediately contacting an appropriate law enforcement agency.

7.5 INVESTIGATION

The Human Resources Manager will see that reported violations of this policy are investigated as necessary.

7.6 MANAGEMENT RESPONSIBILITY

Each Manager working with the Human Resources Manager and Safety and Risk Manager has authority to enforce this policy by:

- 1. Training supervisors and subordinates about their responsibilities under this policy;
- 2. Assuring that reports of workplace violence are documented accurately and timely;
- 3. Notifying the Human Resources Manager and/or law enforcement authorities of any incidents;
- 4. Making all reasonable efforts to maintain a safe and secure workplace; and
- 5. Maintaining records and follow up actions as to workplace violence reports.

7.7 FOLLOW-UP AND DISCIPLINARY PROCEDURES

An employee found in violation of this policy will be subject to disciplinary action, up to and including termination of employment. The District may also direct that an employee submit to a fitness for duty examination. In addition, employees found in violation of this policy may be subject to criminal prosecution.

7.8 INJURY/ILLNESS PREVENTION POLICY

A. POLICY

The safety and health of all employees is of great importance to Vista Irrigation District. The prevention of occupational illness and injury is the primary objective. Important secondary objectives are the protection of property and the maintenance of working conditions that facilitate uninterrupted high quality performance.

Accordingly, the Board is committed to providing a safe and healthful work place. This shall be accomplished by the implementation and maintenance of an effective Injury/Illness Prevention Program (IIPP). Compliance with the standards and regulations therein is mandatory.

B. RESPONSIBILITIES

1. General Manager

The General Manager shall:

- a. Assign and authorize the Safety & Risk Manager to act as the administrator and have the authority to establish and implement the program.
- b. Ensure that all department heads, supervisors and employees comply with the requirements outlined by this policy.

2. Safety & Risk Manager

The Safety & Risk Manager is authorized to:

- a. Implement, and maintain safe work practices contained in the Safety Manual.
- b. Assist management, department heads, and supervisors in the implementation and maintenance of the IIPP.
- c. Periodically evaluate job hazards and recommend corrective actions to eliminate or mitigate the injury/illness potential.
- d. Remove from use any equipment or stop any operation which may create an imminent danger to employees or others.
- e. Conduct periodic inspections of work areas to identify unsafe conditions and work practices and direct appropriate corrective action.
- f. Investigate employee accidents, determine causes, and recommend remedial measures.
- g. Provide assistance in near-miss and property damage investigations.

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- h. Report violations of the IIPP and Safe Work Practices to the appropriate authority when necessary.
- i. Coordinate safety training for District employees.
- j. Administer Employee Safety & Service Incentive Program.
- k. Administer record keeping systems to document compliance with federal, state and local regulatory requirements.

3. Department Heads

Department heads shall:

- a. Assist the Safety & Risk Manager in the implementation, enforcement and maintenance of the IIPP.
- b. Ensure that all employees, including supervisors, follow safe work practices outlined in the Safety Manual.
- c. Take appropriate disciplinary action when violations of the IIPP or other established safe work practices occur.

4. Supervisors

Supervisors shall:

- a. Assist the Safety & Risk Manager and department heads in the enforcement and maintenance of the IIPP.
- b. Inform and train all new hires, employees, or transfers, including temporary workers, about safe work practices contained in the Safety Manual.
- c. Provide proper safety orientation and training prior to assigning new tasks to employees.
- d. Ensure that all employees comply with the requirements outlined by the Safety Manual.
- e. Take immediate action to suspend/shut down any activity, process or work operation in which the hazard potentially exposes employees to imminent danger or serious bodily injury.
- f. Routinely evaluate job hazards and conduct tailgate or other informal meetings to instruct employees in the hazards and corrective actions to be taken to prevent injury or illness.
- g. Routinely conduct work place inspections and observe employee work practices to ensure safe work procedures are followed.

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- h. Ensure that unsafe work conditions or reported work hazards are corrected in a timely manner.
- i. Conduct prompt, thorough accident investigations and make recommendations for prevention of future incidents.
- j. Attend the monthly general safety meeting and all applicable safety training.
- k. Field supervisors shall conduct safety tailgate meetings at least monthly. Documentation of the meetings will be submitted to safety personnel and should include the subjects discussed and the names of the attendees.
- l. Ensure that employees receive medical care for incidents involving injuries and ensure that all such incidents are reported to safety personnel immediately.
- m. Submit Supervisor's Safety and Service Recognition Reports to Safety as part of the District's Safety & Service Incentive Program.
- n. Recommend appropriate disciplinary action when violations of the IIPP and safe work practices occur.

5. Employees

Employees shall:

- a. Comply with the requirements of the IIPP, including the use of personal protective equipment.
- b. Promptly report to their supervisor all incidents and injuries occurring within the course of their employment. Obtain prompt first aid or medical treatment for on-the-job injuries.
- c. Promptly report to their supervisor all unsafe conditions they observe and immediately correct such hazardous conditions if practicable.
- d. Avoid taking part in any operation that violates the IIPP and other established safe work practices.
- e. Employees will not be disciplined or discriminated against when they exercise their legal rights as defined by federal, state or local laws or regulations. These legal rights include refusal to work in unsafe conditions.
- f. Attend and participate in tailgate sessions and safety training.

C. ELEMENTS

- 1. The IIPP shall contain:
 - a. Procedures used to:
 - i. Ensure compliance with IIPP safe work practices.

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- ii. Communicate safety and health information to employees.
 - iii. Identify and evaluate workplace hazards.
 - iv. Investigate occupational injuries and illnesses.
 - v. Correct workplace hazards.
 - b. Safety Training Guidelines
 - c. Record Keeping Procedures
2. Safe work procedures will be developed to provide guidance and training to employees.
 3. The IIPP safe work practices shall meet federal, state and local regulatory requirements.

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SECTION EIGHT – DISCRIMINATION AND HARASSMENT

8.1 POLICY

The District is an equal employment opportunity employer. There shall be no discrimination or harassment against any employee or applicant for employment with respect to race, religion, color, sex, gender identity, sexual orientation (including heterosexuality, homosexuality and bisexuality), ethnic or national origin, ancestry, citizenship status, uniformed service member status, marital status, family relationship, pregnancy, age, qualified medical conditions (as defined by the Americans with Disabilities Act), genetic characteristics, and physical or mental disabilities (whether perceived or actual) or any other basis protected by federal, state or local law, ordinance or regulation. The District is also committed to preventing retaliation in employment.

This policy applies to all phases of the employment relationship, including recruitment, testing, hiring, reclassification, promotion, demotion, transfer, layoff, termination, rates of pay, benefits, and all other conditions and terms of employment.

8.2 PURPOSE

The purpose of this policy is to establish a means to protect employees and applicants for employment from harassment, and to enforce the District's policy that all employees and applicants for employment should be able to enjoy a work environment that is free from all forms of unlawful discrimination, harassment, or retaliation.

8.3 LEGAL COMPLIANCE

The District will not tolerate harassment of its employees or applicants for employment by anyone, and will take appropriate disciplinary action against those who violate this policy. The District will similarly take appropriate remedial action against non-employees who are found to have harassed District employees.

8.4 DEFINITION OF HARASSMENT

Harassment is a form of misconduct which undermines the integrity of the employment relationship. No employee should be subjected to verbal, physical or visual harassment regarding his or her race, religion, color, sex, gender identity, sexual orientation (including heterosexuality, homosexuality and bisexuality), ethnic or national origin, ancestry, citizenship status, uniformed service member status, marital status, family relationship, pregnancy, age, qualified medical conditions (as defined by the Americans with Disabilities Act), genetic characteristics, and physical or mental disabilities (whether perceived or actual) or any other basis protected by federal, state or local law, ordinance or regulation.

It is a personal affront to the affected employee and negatively impacts morale, motivation and job performance. Prohibited unlawful harassment includes actions that might be inherently offensive or discriminatory to groups of individuals protected against discrimination by federal, state or local law ordinance or regulations. Such actions include, but are not limited to:

Section Eight – Discrimination and Harassment

- A. “Verbal Harassment” - Includes such matters as epithets, derogatory comments, slurs and jokes that denigrate or may be offensive to protected groups.
- B. “Physical Harassment” - Includes such activities as touching, assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual.
- C. “Visual Forms of Harassment” - Includes such things as posters, notices, bulletins, cartoons, or drawings that denigrate or may be offensive to protected groups.
- D. “Retaliation” - Any adverse conduct taken because an applicant, employee, or contractor has reported harassment or discrimination, or has participated in the complaint and investigation process described herein, is prohibited. “Adverse conduct” includes but is not limited to: taking sides because an individual has reported harassment or discrimination, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment or discrimination, or real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination. The following individuals are protected from retaliation: those who make good faith reports of harassment or discrimination, and those who associate with an individual who is involved in reporting harassment or discrimination or who participates in the complaint or investigation process.
- E. “Sexual Harassment” - Includes unwelcome sexual advances, requests for sexual favors, and other verbal, physical and visual conduct of a sexual nature when:
 - 1. Submission to such conduct is part of a manager's or supervisor's decision to hire or fire; or
 - 2. Submission to such conduct is used to make other employment decisions like pay, promotion, or job assignment; or
 - 3. It unreasonably interferes with the employee's work performance; or
 - 4. It creates an intimidating, hostile, or offensive work environment.
- F. Excluded from protection under this policy - Actions or behavior that is not related or has no nexus to race, color, national origin, ancestry, sex, sexual orientation, marital status, religion, age, physical or mental disability, qualified medical conditions or any other basis protected by federal, state or local law, ordinance or regulation are not covered by this policy.

8.5 HARASSMENT COMPLAINT PROCESS

- A. An employee who feels that he or she has been harassed on the job or who has knowledge of harassment or discrimination as described by this policy, should immediately submit a factual complaint to the Human Resources Manager, Human Resources Assistant or the General Manager, preferably in written form. Supervisors are required to report any and all informal and formal complaints of harassment or discrimination and to refer any complainant to the appropriate individuals.
- B. Allegations of harassment that contain sufficient information for investigation will be investigated appropriately by the Human Resources Manager, or his/her designee, to determine

Section Eight – Discrimination and Harassment

whether the conduct complained of occurred, and to assure corrective and preventative actions are taken when required. The District's investigation procedures shall include the following:

1. Investigations shall begin promptly, witnesses shall be interviewed in an appropriate manner and the investigation shall be completed within a period of time that is appropriate to the facts and circumstances.
 2. Witnesses' statements shall be appropriately documented and/or tape recorded.
 3. The alleged harasser shall be interviewed and given an opportunity to respond to the general allegations.
 4. The investigator shall attempt to interview or obtain statements from all witnesses sufficiently identified by the complainant, alleged harasser or disclosed by other witnesses.
 5. The investigator shall assess the validity of the complaint and determine whether violation of District policy has occurred.
 6. The investigator shall communicate the result of the investigation to the complainant, and if the complaint is validated, advise the complainant that proper remedial action will be taken.
 7. The investigator shall communicate the results of the investigation to the alleged harasser, and advise the individual that regardless of the outcome of the investigation, that no District employee can retaliate against the individual for coming forward with the complaint.
- C. Any employee found to be responsible for discrimination or harassment in violation of this policy will be subject to a level of corrective discipline appropriate to the nature and extent of the offense, up to and including termination.
- D. The privacy of parties involved will be held confidential by management during the investigation in so far as possible. This recognizes that only people who have a "need to know" will be advised of information. All related files are not public record.
- E. If the employee feels his or her complaint about harassment or discrimination has not been adequately addressed by the internal complaint process, the employee may seek legal relief by filing a complaint with federal or state authorities. For example, employees may file complaints with the California Department of Fair Employment and Housing (DFEH) within one year of alleged harassment. The DFEH will investigate the complaint and attempt to help the employee and the District to resolve the matter. If the DFEH finds evidence of unlawful conduct and conciliation efforts fail, it may file a formal accusation. This can lead to a hearing before the Fair Employment and Housing Commission ("FEHC"), which makes a final determination in the matter. If the FEHC finds a violation of the law, it can order appropriate remedies including back pay, limited emotional distress damages and administrative fines, an offer of the position denied, reinstatement, promotion and affirmative relief such as establishment of a sexual harassment policy and training. The local office of the DFEH can be contacted by consulting the government listings section of the telephone directory. Reference the **California Sexual Harassment Information Sheet (Appendix F)** for more information.

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SECTION NINE – DRUGS AND ALCOHOL

9.1 POLICY

It is Vista Irrigation District’s policy to provide a safe workplace and establish high standards of health and safety for employees and the public we serve. To promote and maintain a safe, healthy and productive work environment for all employees and the public, the District’s objective is to have a work force that is free from the influence of controlled substances and alcohol. The purpose of this Policy and Program is also to assure that District vehicles and heavy equipment are operated in a safe manner and the public is protected from risks associated with improper use of alcohol or the use of drugs in the operation of District vehicles and heavy equipment.

This Policy and Program is intended to comply with applicable federal and state laws governing drug-free workplaces, as well as the United States Department of Transportation’s (“DOT”) Controlled Substances and Alcohol Use Testing Regulations for persons performing safety- sensitive functions.

The District is also concerned about the possession, distribution, purchase or sale of illegal drugs and controlled substances in the workplace. These activities may adversely affect work performance, efficiency, safety and health. In addition, they constitute a potential risk to the welfare and safety of other, risks of injury to other persons, property loss or damage, or negative image for the District.

The District’s policy is designed to promote an alcohol and drug-free workplace and to comply with all applicable state and federal laws. This policy establishes the rules and procedures regarding the use of drugs and/or alcohol as it pertains to employment and the procedures to be used to test for drug and/or alcohol use.

The District provides reasonable accommodations as required by law to those employees whose drug or alcohol problem classifies them as disabled. While the District will be supportive of those who seek help voluntarily, the District will be equally firm in identifying and disciplining those whose continued drug and alcohol use, even if enrolled in counseling or rehabilitation programs, results in performance deficiencies, danger to the health and safety of others and themselves, and/or violations of federal, state or City laws and/or policies.

Employees are required to sign a statement certifying that he/she has received a copy of this policy and understand its contents. Any questions regarding rights and obligations under this Policy shall be referred to the Human Resources Manager.

9.2 DEFINITIONS

Words or phrases in this Policy and Program are defined as follows:

- A. “Accident” - an occurrence involving the operation of a motor vehicle or other non-motorized equipment which results in: 1) a fatality or bodily injury demanding immediate medical treatment away from the scene of the accident; or 2) resulted in property damage estimated at \$1,000 or more to any vehicle or other property (e.g. commercial or residential buildings, garages, trees, fences, shrubbery, landscaping, power lines, electrical boxes, hydrants, etc.). Accident does not include an occurrence involving only boarding or alighting from a stationary motor vehicle or an occurrence involving only the loading or unloading of cargo or other equipment.

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- B. “Alcohol”- the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohols.
- C. “Alcohol concentration” (or content) - the alcohol in a volume of breath expressed in terms of grams of Alcohol per 210 liters of breath as indicated by an Evidential Breath Testing Device (EBTD) as defined herein. For example, a breath alcohol content or concentration of .02 means .02 grams of alcohol in 210 liters of expired deep lung air.
- D. “Alcohol Test” or “Testing” - a method of detecting and measuring the Alcohol Concentration in a Covered Employee’s body in accordance with the requirements and procedure in the DOT Regulations or California law.
- E. “Alcohol Use” - the drinking or swallowing of any beverage, liquid mixture, or preparation, including any medication, involving Alcohol.
- F. “Breath Alcohol Technician” (BAT) - an individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing (EBT) device.
- G. “Commercial Motor Vehicle” (CMV) - a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property which requires a commercial driver’s license for operation in the State of California. Commercial driver’s licenses include, but are not limited to, California Class A, Class B, and Class C with endorsement.
- H. “Confirmation Test”
 - 1. In alcohol testing, it refers to a second test, following a screening test with a result of .01 or greater, that provides a quantitative data of alcohol concentration.
 - 2. In controlled substances testing it refers to a second test to identify the presence of a specific drug or metabolite.

In order to ensure reliability and accuracy, this test is separate from and uses a different technique and chemical principle from that of the screening test.
- I. “Controlled Substances” - the terms “drugs” and “controlled substances” are interchangeable and have the same meaning. Unless otherwise provided, these terms refer to marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines including methamphetamines, and other substances as categorized by state or federal laws as controlled substances.
- J. “Employee Assistance Program” (EAP) - a treatment and referral program provided by the District to assist employees and dependents with personal or familial difficulties, as well as problems with alcohol abuse or use of controlled substances.
- K. “Evidential Breath Testing” (EBT) - a device used for alcohol breath testing that has been approved by the National Highway Safety Administration.
- L. “Medical Review Officer” (MRO) - a licensed physician responsible for receiving laboratory results generated by an employer’s drug testing program. The MRO must have knowledge of substance abuse disorders and have appropriate medical training to interpret and evaluate positive test results.
- M. “Prescription Drug” - any substance that can lawfully be obtained or possessed pursuant to a

valid prescription by a licensed physician.

- N. “Reasonable Suspicion” - reasonable suspicion that an employee is under the influence of drugs and/or alcohol. Examples of indicators which can form a reasonable suspicion that an employee is under the influence of alcohol, drugs, or controlled substances include but are not limited to direct observation of the following:
- a. slurred speech;
 - b. glassy or bloodshot eyes;
 - c. odor of alcohol;
 - d. unsteady walking and movement;
 - e. an accident involving District property, employee or client;
 - f. a near accident or other safety violation;
 - g. physical or verbal altercation;
 - h. possession of alcohol, drugs, controlled substances, or drug paraphernalia;
 - i. sleeping on the job;
 - j. pattern of abnormal or erratic behavior;
 - k. information either provided by reliable and credible sources or independently corroborated;
 - l. conviction for a drug-related offense;
 - m. tampering with a previous drug test.
- O. “Substance Abuse Professional” (SAP) - a person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

9.3 COVERED EMPLOYEES

The prohibition against drug and alcohol use in the workplace applies to all District employees when they are on District property or when performing any District related business, or when driving a motor vehicle. This policy applies to all external applicants for District jobs, and to all employees, whether full-time, part-time, and temporary or volunteers.

There are special drug and alcohol testing requirements for safety sensitive employees, as mandated by the DOT regulations, and as set forth below in this policy. A safety sensitive employee is an employee who meets any of the criteria below and as designated by the District in its sole discretion:

Section Nine – Drugs and Alcohol

- A. One in any position that the District has designated as requiring the use of a Class "A" or Class "B" commercial driver's license.
- B. One who performs safety sensitive functions, the performance of which may affect the public safety, including:
 - 1. Driving the controls of a Commercial Motor Vehicle ("CMV");
 - 2. Spending time in a CMV;
 - 3. Loading or unloading a CMV, supervising or assisting in the loading or unloading, attending to a CMV being loaded or unloaded, remaining in readiness to operate the CMV, or giving or receiving receipts for shipments loaded or unloaded;
 - 4. Repairing, obtaining assistance, inspecting, maintaining, or attending to a CMV;
 - 5. Use of heavy equipment.

A safety sensitive employee is considered to be performing a safety sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety sensitive function, including while the employee is on an off-site lunch period or a break.

9.4 PROHIBITED SUBSTANCES

- A. **Alcohol**

This policy addresses alcohol use such that it is present in the body at a level in excess of that stated in the guidelines by the Department of Transportation, as amended, and other federal and state laws, as noted in this Policy.
- B. **Drugs or Controlled Substances**

This policy addresses any controlled substance which, in the opinion of competent medical professionals, causes or may cause significant impairment of job performance or which causes or may cause behavior that is a threat to the safety of the affected employee or others. All controlled substances listed in any federal, state or local controlled substance acts or regulations, including, but not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine, and those substances listed in Schedules I through V of the Section 202 of the federal Controlled Substances Act, are covered by this policy.
- C. **Prescription Drugs**

No prescription drug shall be possessed or used by an employee other than the employee for whom the drug is prescribed by a licensed medical practitioner. A prescription drug shall be used only in the manner, combination, and quantity prescribed. An employee must advise his/her supervisor of the use or influence of any prescription drug prior to beginning work, when taking the medication or drug could interfere with the safe and effective performance of duties, or the operation of a District vehicle or heavy machinery, such that the employee poses a direct threat to the health and safety of himself/herself or others. An employee's failure to provide this notice in a timely manner can result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician may be required.

9.5 PROHIBITED CONDUCT

The District prohibits the following acts:

- A. Being under the influence of, or in possession of alcohol, drugs, or controlled substances when reporting for work, during working hours (regular, overtime hours, etc.), and while traveling on District business during normal working hours;
- B. Ingesting, injecting, or otherwise using alcohol, drugs, or controlled substances while performing job duties, and during meal and rest break periods, except in accordance with above Section 9.4.C regarding prescription drugs where applicable;
- C. Being under the influence of alcohol, drugs, or any controlled substances while subject to being called to duty, including stand-by time;
- D. Performing a safety sensitive function within four hours of using alcohol or while using alcohol;
- E. Directly or through a third party, manufacturing, selling, distributing, dispensing, otherwise attempting to manufacture, selling, or distributing alcohol, drugs, or controlled substances during work hours, including rest breaks or while on District premises;
- F. Use of District property or premises to manufacture, sell or distribute alcohol, drugs, or controlled substances;
- G. Absence or tardiness as a result of having been under the influence of alcohol, drugs, or controlled substances during non-work time; and
- H. Refusing to submit immediately to any alcohol, drug or controlled substance test required by this Policy when directed by the District. Refusal includes but is not limited to:
 - 1. A refusal to provide a urine sample for a drug test;
 - 2. An inability to provide a urine sample without a valid medical explanation;
 - 3. A refusal to complete and sign a testing authorization form;
 - 4. An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
 - 5. Tampering with or attempting to adulterate or substitute the urine specimen;
 - 6. Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested;
 - 7. Obstructing the collection procedure or testing process in any way; or
 - 8. Leaving the scene of an accident without a valid reason as to why and no authorization from a supervisor or manager was obtained.
- I. Consuming alcohol, drugs, or controlled substances during the eight hours immediately following an accident in which the employee was involved, or until the employee undergoes a post-accident

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alcohol or drug test, whichever comes first.

- J. Refusal to submit to a search of personal property when directed by the District, and upon reasonable suspicion.

9.6 NOTIFYING THE DISTRICT OF ANY CRIMINAL DRUG STATUTE CONVICTION

In accordance with the Drug-Free Workplace Act of 1988, an employee must immediately notify the District of any criminal drug statute conviction of a violation that occurred in the workplace no later than five business days after such conviction. Any employee who fails to provide this notice will be subject to discipline, up to and including termination.

9.7 CONSEQUENCES FOR VIOLATION OF THIS POLICY

A. DISCIPLINE

Any violation of this Policy may result in discipline, up to, and including, termination. Discipline may be imposed regardless of whether or not an employee is convicted of any crime related to any violation of this Policy.

If an alcohol or drug test is positive for alcohol or drugs, the District shall conduct an investigation to gather all facts. The decision to discipline or discharge will be carried out in conformance with District's policies and procedures and due process rights of the employee. This policy does not limit the employees' or the District's rights. Appropriate District representatives will prepare and carry out appropriate disciplinary proceedings in accordance with full due process and representation rights, if applicable.

Any violation of this Policy that may constitute criminal conduct or violation of the DOT regulations may be reported to the appropriate law enforcement agencies and/or subject the employee to civil penalties.

B. REMOVAL FROM WORK SITE

Employees reasonably believed to be under the influence of alcohol, drugs, or controlled substances shall be immediately prevented from engaging in further work and shall be detained for a reasonable time until they can be safely transported from the work site.

Employees who test positive for substance or alcohol use may be removed from their duties or placed on leave, pending possible disciplinary action, and required to go to the Employee Assistance Program or a rehabilitation program of their choice approved by the District. Use of the EAP does not replace normal disciplinary procedures for unsatisfactory job performance or violation of this policy.

C. REMOVAL OF SAFETY SENSITIVE FUNCTIONS

A commercial driver whose alcohol test indicates an alcohol concentration level of .01 to .04 will be removed from his/her safety sensitive position for at least 24 hours. An employee who performs safety sensitive functions other than commercial driving whose alcohol test indicates an alcohol concentration level of .02 to .04 will be removed from his/her safety sensitive positions

for at least 24 hours. An employee whose alcohol test indicates an alcohol concentration level greater than .04 will be removed from his or her position for a period to be determined by the Human Resources Manager.

D. TERMINATION FOR INABILITY TO PERFORM ESSENTIAL FUNCTIONS

After the District has complied with any legal obligation to reasonably accommodate an employee's protected disability, the District may separate an employee who is unable to perform the essential functions of the job in accordance with state or federal law.

9.8 DRUG AND ALCOHOL TESTING POLICIES FOR SAFETY SENSITIVE EMPLOYEES

There are specific drug and alcohol testing requirements pursuant to the DOT regulations that are only applicable to safety sensitive employees, as defined by Section 9.3 of this policy above, and as set forth below. Drug and alcohol testing policies for non-safety sensitive positions is set forth in Section 9.9 of this policy.

A. PRE-EMPLOYMENT TESTING

Prior to the start of employment, the District may require applicants for positions to submit to a test for alcohol and drug use as a condition of employment. Any applicant who refuses to provide consent for this test, or who tests positive for drug and/or alcohol use will be disqualified from District employment.

Pursuant to the DOT regulations, the District is further required to conduct a records check and direct inquiry regarding all applicants for safety sensitive positions, as set forth below:

1. Requirement for Records Check for Applicants

As required by the DOT regulations, an applicant to a safety sensitive position will be required to provide written consent for the District to request alcohol and drug testing records from prior employers regulated by the DOT for the two-year period prior to the date of application. These records shall include any alcohol test results of .04 or higher alcohol concentration; refusals to be tested; verified positive drug tests; and documentation of the successful completion of return-to-duty requirements by the DOT.

2. Requirements for Direct Inquiry

The applicant also must provide information regarding whether he/she has tested positive or has refused to test on any pre-employment drug or alcohol test for any safety sensitive job applied for but not obtained during the prior two years, as required by the DOT regulations.

B. REASONABLE SUSPICION TESTING AND SEARCH

If the District reasonably suspects that an employee is under the influence of alcohol, drugs, or controlled substances while performing job duties or operating District equipment, the District may require the employee to submit to an alcohol and/or drug test. An employee's refusal to submit to such a test is cause for discipline, up to and including termination. Refusal to submit shall be equivalent to a positive drug or alcohol test.

Moreover, the District reserves the authority to search, without employee consent and, where

applicable, all areas of District property which the District maintains control or joint control with the employee. The search shall be approved by the Human Resources Manager. The Human Resources Manager or his/her representative shall conduct and witness the search. A designated employee representative (i.e. Senior Teamster Representative, VISA Representative, etc.) shall also witness the search. Areas in which District maintains full control include but are not limited to all District owned properties and buildings and District owned vehicles and equipment. Areas jointly controlled by the District and employee include, but are not limited to, desks, lockers, file cabinets, office cabinets, and bookshelves, except as otherwise limited by any section of the California Government Code. District may notify the appropriate law enforcement agency if it is believed that an employee may have illegal drugs in his or her possession.

C. POST-ACCIDENT TESTING

Any employee involved in an accident may be subject to an alcohol test within 2 hours of the accident or within 8 hours if this is not possible and the reasons for the delay must be documented by a supervisor. Any employee involved in an accident may be subject to a drug test within 32 hours following the accident. Not only may the operator of the vehicle be tested, but so may any other employee whose performance may have contributed to the accident, such as the employee who maintains the vehicle or work-site where the accident occurred. Employees subject to post-accident testing requests must make themselves available for testing as soon as reasonably possible after the accident. Failure to do so without a valid reason may result in disciplinary action up to and including termination.

An accident for purposes of this section, occurs while in a District commercial motor vehicle (“CMV”) on District property, when operating a personal vehicle for District business, or when operating a CMV on a public/private road or property in commerce and involves any of the following: 1) the accident involved a fatality or bodily injury demanding immediate medical treatment away from the scene of the accident; or 2) resulted in property damage estimated at \$1,000 or more to any vehicle or other property (e.g. commercial or residential buildings, garages, trees, fences, shrubbery, landscaping, power lines, electrical boxes, hydrants, etc.). The operator of the CMV must immediately report this accident to the appropriate authorities, as well as the District, so that the relevant drug/alcohol tests may be conducted.

D. TRANSFERS TO SAFETY SENSITIVE POSITIONS

1. Requirement for Records Check

As required by the DOT regulations, employees who transfer to a safety sensitive job will be required to provide written consent for the District to request alcohol and drug testing records from prior employers regulated by the DOT for the two-year period prior to the date of application. These records shall include any alcohol test results of .04 or higher alcohol concentration; refusals to be tested; verified positive drug tests; and documentation of the successful completion of return-to-duty requirements by the DOT.

2. Requirements for Direct Inquiry

Transferred employees also must provide information regarding whether he/she has tested positive or has refused to test on any pre-employment drug or alcohol test for any safety sensitive job applied for but not obtained during the prior two years, as required by the DOT regulations.

E. RANDOM TESTING

Safety sensitive employees will be subject to random alcohol and drug testing as required by the DOT guidelines. Depending on the random selection, some employees may be tested more than once in a year, while others are not tested at all. Testing will take place just prior to the employee performing a safety sensitive function, while the employee is performing a safety sensitive function, or just after the employee has stopped performing a safety sensitive function.

1. Alcohol Test

Unless otherwise amended by the DOT guidelines, the District will randomly test at least 10% of the total number of safety sensitive employees per year for alcohol.

2. Drug Test

Unless otherwise amended by the DOT guidelines, the District will randomly test at least 50% of the total number of safety sensitive employees per year for drugs.

F. RETURN-TO-DUTY TESTING

An employee who has violated this Policy may be subject to a return-to-duty test and up to six unannounced drug/alcohol tests during the first twelve months back to a safety sensitive position. The results must indicate an alcohol concentration of less than .01%, or in cases of a drug test, must indicate a verified negative result. This testing is separate from any random testing obligation.

If an alcohol or drug test is positive for alcohol or drugs, the District shall conduct an investigation to gather all facts. The decision to discipline or discharge will be carried out in conformance with District's policies and procedures and due process rights of the employee. Any violation of this return-to-duty testing may result in discipline, up to, and including, termination.

9.9 DRUG AND ALCOHOL TESTING POLICIES FOR NON-SAFETY SENSITIVE EMPLOYEES

All applicants for non-safety sensitive positions and current non safety sensitive employees are subject to drug and alcohol testing as follows:

A. PRE-EMPLOYMENT TESTING

The District has a special need to require certain job applicants to take a drug and alcohol test after a conditional job offer has been given. These applicants include those applying for jobs classified by the District as safety-sensitive positions that involve a danger to the public, or those applicants seeking jobs which can directly influence children. These applicants must take and pass a mandatory drug and alcohol test as soon as practical following their acceptance of an offer of employment that is conditioned upon passing a pre-employment physical and drug/alcohol test.

B. REASONABLE SUSPICION TESTING AND SEARCH

If the District reasonably suspects that an employee is under the influence of alcohol, drugs, or controlled substances while performing job duties or operating District equipment, the District reserves the right to conduct a reasonable suspicion drug test, without employee consent. An

employee's refusal to submit to such a test is cause for discipline, up to and including termination.

Moreover, the District reserves the authority to search, without employee consent and, where applicable, all areas of District property which the District maintains control or joint control with the employee. The search will be conducted only with the approval of the Human Resources Manager. Areas in which District maintains full control include but are not limited to all District owned properties and buildings and District owned vehicles and equipment. Areas jointly controlled by the District and employee include, but are not limited to, desks, lockers, file cabinets, office cabinets, and bookshelves, except as otherwise limited by any section of the California Government Code. District may notify the appropriate law enforcement agency if it is believed that an employee may have illegal drugs in his or her possession.

C. POST-ACCIDENT TESTING

Unless the District determines that the employee's performance was not a contributing factor, any employee involved in an accident, as defined in Section 9.2 of this policy, may be subject to an alcohol test within 2 hours of the accident, or within 8 hours if this is not possible and the reasons for the delay must be documented by a supervisor. An employee involved in an accident, as defined in Section 9.2 of this policy, may be subject to a drug test within 32 hours following the accident. Not only may the operator of the vehicle be tested, but so may any other employee whose performance may have contributed to the accident, such as the employee who maintains the vehicle or work-site where the accident occurred. Failure to do so without a valid reason may result in disciplinary action up to and including termination.

D. RETURN-TO-DUTY TESTING

Employees who test positive may not return to work until such time as another drug/or alcohol test is negative or a medical evaluation permits the employee to return, and the return is approved by the District.

Employees who have tested positive for drug and/or alcohol shall submit to random drug and/or alcohol testing for a period of 12 months following the negative test. If employee tests positive as a result of the random testing within this time period, he/she is subject to immediate termination and will be given full due process rights. Any violations of this return-to-duty testing may result in discipline, up to, and including, termination.

9.10 TESTING PROCEDURES

All testing will be conducted as required in 49 CFR Part 40, as amended.

Employees seeking specific details regarding the procedures and methodology of drug/alcohol testing under this Policy are referred to those DOT regulations set forth in 49 CFR PART 40. Employees who wish to review this information may contact the Human Resources Manager for assistance in securing a written copy of these regulations.

A. TESTING FOR DRUGS

In accordance with the DOT regulations, testing for drugs under this Policy shall only be conducted using urine specimens that will be collected in accordance with the DOT regulations (49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs,

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Subpart E, as may be amended from time to time). Employees may request a copy of these procedures from the Human Resources Manager.

Each urine specimen will be tested at a federally certified laboratory for the controlled substances and their respective detection levels contained in the regulation which may be amended from time to time. The testing laboratory is required to test all incoming primary specimens for dilution, substitution, and adulteration. The testing procedure is a two-step process. The first is a screening test. If the screening test is positive for one or more of the above substances, a confirmation test is performed for each identified drug using gaschromatography/mas spectrometry (GC/MS) analysis. All samples will also be examined to determine if it has been diluted or adulterated with any other substances designed to mask prohibited substance use.

Employees who are found positive for one or more of the above substances will be contacted by telephone by the MRO. The MRO will inform the individual of the finding and allow the individual to provide an explanation which may medically justify use of the identified substance. The use of other outside medical experts may be utilized in this process at the direction of the MRO. Unjustified use of the substance will result in the MRO reporting the finding as a “positive” to the District. Findings which are determined to be medically acceptable in the opinion of the MRO will be reported as “negative” to the District representative.

Any individual who has been tested and disagrees with the MRO’s determination that the specimen is “positive” or that the specimen has been adulterated or substituted, may request that the “split” specimen be sent to another certified laboratory for analysis. The employee must make this request within 72 hours of being notified by the MRO of the finding. The District will initially pay for the split sample to be tested upon an employee’s request for an appeal determination. In the event the MRO’s decision is not reversed, the employee will be responsible to reimburse the District for the second analysis.

Unless the District is otherwise directed to re-test an employee by an MRO, a dilute negative shall be accepted as a negative test result and the employee or applicant shall not be required to produce an additional sample for testing purposes.

B. TESTING FOR ALCOHOL

In accordance with DOT regulations, testing for alcohol is performed by a Breath Alcohol Technician (“BAT”) through the use of an evidential breath test (“EBT”) which measures the amount of alcohol concentration in the individual’s system. In order to perform the test, the employee will be asked to provide a breath sample into the device which then calculates the extent of alcohol inebriation. The machines used to perform these tests are required to be calibrated and the operators are required to undergo training and testing in order to meet the Federal criteria. Refusal to submit to an alcohol test as required by the Federal regulations will be presumed as a positive finding and will result in a physician referral to determine if there is any medical basis to justify the refusal to test.

Usually, two breath tests will be performed in order to determine if an individual has a prohibited alcohol concentration. A screening test is conducted first.

9.11 RECORD KEEPING AND CONFIDENTIALITY

The District is obligated to maintain records of the administration, including violations, of this Policy for a period of five years.

Any laboratory reports and test results shall not appear in an employee's general personnel folder but will be contained in a separate, confidential medical folder that will be securely kept under the control of the Human Resources Manager. The report or test results may be disclosed to District management on a strictly need-to-know basis and to the tested employee upon request.

With employee consent, the District may provide test results to the Employee Assistance Program. With employee consent, the EAP can report to an appropriate District representative the employee's progress in the following EAP recommendations.

Disclosures, without patient consent, may also occur under the following situations:

1. When the information is compelled by law or by judicial or administrative process;
2. When the information has been placed at issue in a formal dispute between the employer and employee
3. When the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure; or
4. When requested by the DOT or any state or local officials with regulatory authority over the District or any of its safety sensitive employees.

9.12 REHABILITATION

The District encourages employees to use the District-sponsored employee assistance program (EAP) voluntarily to assist them in resolving any alcohol, drug, or controlled substance problems. Employees should contact the Human Resources Manager for additional information, including further information concerning the dangerous effects of alcohol misuse and drug use on an employee's health, work, and personal life.

The District is committed to providing reasonable accommodation to those employees whose alcohol or drug problem classifies them as disabled under federal and/or state law.

While the District will be supportive of those who seek help voluntarily, the District will be firm in identifying and disciplining those who continue alcohol misuse or drug use and who do not seek help or continue alcohol misuse or drug use even while enrolled in counseling or rehabilitation programs.

Therefore, the District may require employees to use the EAP and in addition to mandatory referrals to an SAP where applicable.

9.13 TRAINING

The District will provide information concerning the District's procedures regarding drug use and alcohol misuse to supervisors and employees. The District will also provide alcohol and substance abuse training as required by state and federal law (i.e. DOT, etc.). The District has designated the Human Resources

Manager as the person responsible to answer questions about compliance with these procedures and concerning any materials supplied to employees.

9.14 MANAGER AND SUPERVISOR RESPONSIBILITIES

Managers and supervisors have the following additional responsibilities under this policy:

1. Managers and supervisors are responsible for reasonable enforcement of this policy.
2. Managers and supervisors may request that an employee submit to a medical evaluation, which may include drug and/or alcohol test, when they have a reasonable suspicion, as defined in Section 9.2 - Definitions, that an employee is under the influence of drugs or alcohol while on the job.
3. Managers and supervisors should seek a witness, if feasible, to verify reasonable suspicion. The employee should be approached and given an opportunity to explain the behavior before further action is taken.
4. Managers and supervisors who request an employee submit to a medical evaluation, which may include a drug and/or alcohol test, will document in writing, at the earliest possible opportunity, the facts constituting reasonable suspicion.
5. Where there is reasonable suspicion that the employee is under the influence of alcohol or drugs, managers and supervisors should notify the Human Resources Manager, and get approval to take the employee to a site for a medical evaluation, which may include an alcohol and/or drug test, and then transport the employee home. Managers and supervisors encountering an employee who refuses an order to submit to a drug and/or alcohol analysis upon request shall remind the employee of the requirements and disciplinary consequences of this policy.
6. Managers and supervisors shall not physically search employees, nor shall they search the personal possessions of employees, without the freely given consent of, and in the presence of, the employee and a responsible third party witness.
7. Managers and supervisors shall notify the Human Resources Manager when they have reasonable suspicion to believe that an employee may have alcohol and/or illegal drugs in his or her possession or in an area not jointly or fully controlled by the District. If the Human Resources Manager concurs that there is reasonable suspicion of illegal drug possession, the appropriate law enforcement agency will be notified.
8. Managers and supervisors must notify the Human Resources Manager immediately after an employee reports that he/she was convicted of any workplace drug crime. The District is required to report convictions of employees to the federal government within 10 days.
9. Managers and supervisors have the responsibility to encourage employees to use EAP when deteriorating or unsatisfactory job performance does not respond to usual supervisory action. A supervisor should not attempt to diagnose an employee's problem. The supervisor's role is to monitor job performance.

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SECTION TEN - EMPLOYER-EMPLOYEE RELATIONS

The District recognizes the California Teamsters Public, Professional and Medical Employees Union Local 911 as Exclusively Recognized Employee Organization representing the Non-Supervisory Unit. It is understood and agreed that all the terms and conditions as contained in the current Memorandums of Agreement between the Vista Irrigation Supervisors' Association and Teamsters Local 911 and the Vista Irrigation District and subsequent amendments thereto are incorporated into this Personnel Policies Manual and, by this reference, are made a part hereof.

It is understood and agreed that all the terms and conditions as contained in the current Board Resolution concerning all classes of unrepresented employees and the Vista Irrigation District and subsequent amendments thereto are incorporated into this Personnel Policies Manual and, by this reference, are made a part hereof.

10.1 ADMINISTRATION OF EMPLOYER-EMPLOYEE RELATIONS

A. PURPOSE

Section 10- Employer-Employee Relations (Policy) implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500 *et seq.*) captioned "Local Public Employee Organizations," by providing orderly procedures for the administration of employer-employee relations between Vista Irrigation District (VID) and its employee organizations. However, nothing contained herein shall be deemed to supersede the provisions of state law, ordinances, resolutions, policies and rules which establish and regulate the hiring and discipline of employees, or which provide for other methods of administering employer-employee relations. This Policy is intended, instead, to strengthen personnel or human resources policies and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communications between employees, employee organizations and VID.

It is the purpose of this Policy to provide procedures for meeting and conferring in good faith with Recognized Employee Organizations or Exclusively Recognized Employee Organizations regarding matters that directly and significantly affect and primarily involve the wages, hours and other terms and conditions of employment of employees in appropriate units and that are not preempted by federal or state law (or VID Resolution). However, nothing herein shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy, which include among others: The exclusive right to determine the mission of its constituent departments, commissions, and boards; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other lawful reasons; determine the content of job classifications; subcontract work; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

Section Ten – Employer-Employee Relations

B. DEFINITIONS

As used in this Policy, the following terms shall have the meanings indicated:

1. "Appropriate unit" means a unit of employee classes or positions, established pursuant to Subsection 10.2 – Representation Proceedings hereof.
2. "District" means Vista Irrigation District, and, where appropriate herein, refers to VID Board or any duly authorized District representative as herein defined.
3. "Confidential Employee" means an employee who, in the course of his or her duties, has access to confidential information relating to VID's administration of employer-employee relations.
4. "Consult/Consultation in Good Faith" means to communicate orally or in writing with all effected employee organizations, whether exclusively recognized or not, for the purpose of presenting and obtaining views or advising of proposed actions in a good faith effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of such meet and confer process, does not involve an exchange of proposals and counterproposals with an exclusively recognized employee organization in an endeavor to reach agreement in the form of a Memorandum of Agreement, nor is it subject to Subsection 10.4 – Impasse Procedures hereof.
5. "Day" means calendar day unless expressly stated otherwise.
6. "Employee Relations Officer" means the duly appointed representative of the General Manager.
7. "Recognized Employee Organization" means an employee organization which has been recognized by VID as an employee organization representing more than one employee and less than a majority of an appropriate unit. No employee organization may concurrently represent both supervisory and non-supervisory employees, except in cases where the representation of supervisory employees is separate and distinct from the representation of non-supervisory employees. The status of Recognized Employee Organization applies only to organizations recognized on or before July 1, 2002. After July 1, 2002, an employee organization that wishes to represent VID employees in meeting and conferring must follow the procedures pursuant to Subsection 10.2 – Representation Proceedings hereof, and obtain recognition as an Exclusively Recognized Employee Organization.
8. "Exclusively Recognized Employee Organization" means an employee organization which has been formally acknowledged by VID as the sole employee organization representing a majority of the employees in an appropriate representation unit and having obtained this acknowledgement in accordance with the Representation Proceedings pursuant to Subsection 10.2 – Representation Proceedings hereof, having the exclusive right to meet and confer in good faith concerning statutorily required subjects pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees.

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9. "Impasse" means that the representatives of VID and a Recognized Employee Organization or an Exclusively Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matters to be included in a Memorandum of Agreement, and concerning which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.
10. "Management Employee" means an employee having responsibility for formulating, administering or managing the implementation of VID policies and programs.
11. "Proof of Employee Support "means (1) an authorization card recently signed and personally dated by an employee, or (2) a verified authorization petition or petitions recently signed and personally dated by an employee, or (3) employee dues deduction authorization, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorizations for more than one employee organization for the account of any one employee shall not be considered as proof of employee support for any employee organization. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The words "recently signed" shall mean within ninety (90) days prior to the filing of a petition.
12. "Supervisory Employee" means any employee having authority, in the interest of VID, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. The term "supervisory employee" in this context, excludes confidential employees with supervisory or management authority, and any management employee who serves at the pleasure of the General Manager (at-will).

10.2 REPRESENTATION PROCEEDINGS

A. FILING OF RECOGNITION PETITION BY EMPLOYEE ORGANIZATION

An employee organization which seeks to be formally acknowledged as an Exclusively Recognized Employee Organization representing the employees in an appropriate unit shall file a petition with the Employee Relations Officer containing the following information and documentation:

1. Name and address of the employee organization.
2. Names and titles of its officers.
3. Names of employee organization representatives who are authorized to speak on behalf of the organization.
4. A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with VID.

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5. A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional, state, national or international organization, and, if so, the name and address of each such other organization.
6. Certified copies of the employee organization's constitution and bylaws.
7. A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose.
8. A statement that the employee organization has no restriction on membership based on race, color, religion, creed, sex, national origin, age, sexual orientation, mental or physical disability or medical condition.
9. The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.
10. A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of employees in an appropriate unit have designated the employee organization to represent them in their employment relations with VID. Such written proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party.
11. A request that the Employee Relations Officer formally acknowledge the petitioner as the Exclusively Recognized Employee Organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.
12. The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, correct and complete, under penalty of perjury, by the duly authorized officer(s) of the employee organization executing it.

B. DISTRICT RESPONSE TO RECOGNITION PETITION

Upon receipt of the Petition, the Employee Relations Officer shall determine whether:

1. There has been compliance with the requirements of the Recognition Petition, and
2. The proposed representation unit is an appropriate unit in accordance with Subsection 10.2.F. – Procedure for Decertification of Exclusively Recognized Employee Organization.

If an affirmative determination is made by the Employee Relations Officer on the foregoing two matters, he/she shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit and shall take no action on said request for thirty (30) days thereafter. If either of the foregoing matters are not affirmatively determined, the Employee Relations Officer shall offer to consult thereon with such petitioning employee organization and, if such determination

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thereafter remains unchanged, shall inform that organization of the reasons therefore in writing.

The petitioning employee organization may appeal such determination in accordance with Subsection 10.2.K. – Appeals.

C. OPEN PERIOD FOR FILING CHALLENGING PETITION

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty (30) percent and otherwise in the same form and manner as set forth in Subsection 10.2.A. – Filing of Recognition Petition by Employee Organization. If such challenging petition seeks establishment of an overlapping unit, the Employee Relations Officer shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards in Subsection 10.2.F. - Procedure for Decertification of Exclusively Recognized Employee Organization. The petitioning employee organizations shall have fifteen (15) days from the date notice of such unit determination is communicated to them by the Employee Relations Officer to amend their petitions to conform to such determination or to appeal such determination pursuant to Subsection 10.2.K. – Appeals.

D. GRANTING RECOGNITION WITHOUT AN ELECTION

If the proof of support shows that a majority of the employees in the appropriate unit have designated the petitioning employee organization to represent them, and if no other employee organization filed a challenging petition, the petitioning employee organization and the Employee Relations Officer shall request the California State Mediation and Conciliation Service, or another agreed upon neutral third party, to review the count, form, accuracy and propriety of the proof of support. If the neutral third party makes an affirmative determination, the Employee Relations Officer shall formally acknowledge the petitioning employee organization as the Exclusively Recognized Employee Organization for the designated unit.

E. ELECTION PROCEDURE

The Employee Relations Officer shall arrange for a secret ballot election to be conducted by a party agreed to by the Employee Relations Officer and the concerned employee organization(s), in accordance with such party's rules and procedures subject to the provisions of this Policy. All employee organizations who have duly submitted petitions, which have been determined to be in conformance with Subsection 10.2. – Representation Proceedings, shall be included on the ballot. The ballot shall also reserve to employees the choice of representing themselves individually in their employment relations with VID. Employees entitled to vote in such election shall be those persons employed in regular permanent positions within the designated appropriate unit who were employed during the pay period immediately prior to the date which ended at least fifteen (15) days before the date the election commences, including those who did not work

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during such period because of illness, vacation or other authorized leaves of absence, and who are employed by VID in the same unit on the date of the election. An employee organization shall be formally acknowledged as the Exclusively Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast; the rules governing an initial election being applicable to a run-off election.

There shall be no more than one valid election under this Policy pursuant to any petition in a 12-month period affecting the same unit.

In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by the California State Mediation and Conciliation Service.

Costs of conducting elections shall be borne in equal shares by VID and by each employee organization appearing on the ballot.

F. PROCEDURE FOR DECERTIFICATION OF EXCLUSIVELY RECOGNIZED EMPLOYEE ORGANIZATION

A Decertification Petition alleging that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in an established appropriate unit may be filed with the Employee Relations Officer only during the month of March of any year following the first full year of recognition or during the thirty (30) day period commencing one hundred twenty (120) days prior to the termination date of a Memorandum of Agreement then having been in effect less than three (3) years, whichever occurs later. A Decertification Petition may be filed by two or more employees or their representative, or an employee organization, and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, correct and complete:

1. The name, address and telephone number of the petitioner and a designated representative authorized to receive notices or requests for further information.
2. The name of the established appropriate unit and of the incumbent Exclusively Recognized Employee Organization sought to be decertified as a representative of that unit.
3. An allegation that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto.
4. Proof of employee support that at least thirty (30) percent of the employees in the established appropriate unit no longer desire to be represented by the incumbent Exclusively Recognized Employee Organization. Such proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party within the time limits specified in the first paragraph of this Policy.

An employee organization may, in satisfaction of the Decertification Petition requirements hereunder, file a Petition under this Section in the form of a Recognition

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Petition that evidences proof of employee support of at least thirty (30) percent, that includes the allegation and information required under paragraph (3.) of this Subsection 10.2.F. - Procedure for Decertification of Exclusively Recognized Employee Organization and otherwise conforms to the requirements of Subsection 10.2.A.- Filing of Recognition Petition By Employee Organization.

The Employee Relations Officer shall initially determine whether the Petition has been filed in compliance with the applicable provisions of Subsection 10.2 – Representation Proceedings. If his/her determination is in the negative, he/she shall offer to consult thereon with the representative(s) of such petitioning employees or employee organization and, if such determination thereafter remains unchanged, shall return such Petition to the employees or employee organization with a statement of the reasons therefore in writing. The petitioning employees or employee organization may appeal such determination in accordance with Subsection 10.2.K. – Appeals. If the determination of the Employee Relations Officer is in the affirmative, or if his negative determination is reversed on appeal, he/she shall give written notice of such Decertification or Recognition Petition to the incumbent Exclusively Recognized Employee Organization and to unit employees.

The Employee Relations Officer shall thereupon arrange for a secret ballot election to be held on or about fifteen (15) days after such notice to determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation. Such election shall be conducted in conformance with Subsection 10.2.E. – Election Procedure.

During the "open period" specified in the first paragraph of Subsection 10.2.F. - Procedure for Decertification of Exclusively Recognized Employee Organization, the Employee Relations Officer may on his/her own motion, when he/she has reason to believe that a majority of unit employees no longer wish to be represented by the incumbent Exclusively Recognized Employee Organization, give notice to that organization and all unit employees that he/she will arrange for an election to determine that issue. In such event any other employee organization may within fifteen (15) days of such notice file a Recognition Petition in accordance with this Subsection 10.2.F. - Procedure for Decertification of Exclusively Recognized Employee Organization, which the Employee Relations Officer shall act on in accordance within the same subsection.

If, pursuant to Subsection 10.2.F. - Procedure for Decertification of Exclusively Recognized Employee Organization, a different employee organization is formally acknowledged as the Exclusively Recognized Employee Organization, such organization shall be bound by all the terms and conditions of any Memorandum of Agreement then in effect for its remaining term.

G. POLICY AND STANDARDS FOR DETERMINATION OF APPROPRIATE UNITS

The Policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of VID and its compatibility with the primary responsibility of VID and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. With these objectives in mind, the District has determined that as provided in California Government Code, Section 3502, any employee of the Vista Irrigation District, excluding all confidential employees and any management or supervisory employee who serves at the pleasure of the General

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Manager (at-will), may choose to be represented by a Recognized Employee Organization in his/her employment relations with this District and any employee also shall have the right to refuse to be so represented or cease to be so represented unless the employee is a member of an appropriate unit that becomes represented by an Exclusively Recognized Employee Organization. Employees who are members of an appropriate unit that becomes represented by Exclusively Recognized Employee Organization shall have their bargaining interests represented by the employee organization until/unless the organization is decertified in accordance with the requirements of this resolution pursuant to Subsection 10.2.F. - Procedure for Decertification of Exclusively Recognized Employee Organization.

No recognized employee organization may concurrently represent both supervisory and non-supervisory employees. To the extent supervisory and non-supervisory employees designate the same organization, the representation of supervisory employees shall be separate and distinct from the representation of non-supervisory employees. The District will not recognize any employee organization as representing a group of employees if such group contains both supervisory and non-supervisory employees. Any meetings and/or agreements involving supervisory employees shall be separate and distinct from meetings or agreements involving non-supervisory employees. Managerial and confidential employees may not represent any employee organization which represents other employees of VID. Likewise, Managerial and confidential employees may not be represented by any employee organization which represents other VID employees.

A Recognized Employee Organization that demonstrates sufficient proof of employee support (in accordance with Subsection 10.2 – Representation Proceedings) that it represents a majority of employees in an appropriate unit, may be granted recognition as an Exclusively Recognized Employee Organization. The District has determined that the number of appropriate units at this time is limited to one supervisory and one non-supervisory unit each represented by an Exclusively Recognized Employee Organization.

H. POLICY AND STANDARDS FOR DETERMINATION OF ADDITIONAL APPROPRIATE UNITS FOR A WORKFORCE

If, at the discretion of the Employee Relations Officer additional units become necessary, determination of additional unit(s) shall be made in accordance with the policy objectives, herein. These policy objectives require that the proposed appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall be:

1. Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions.
2. History of representation in VID and similar employment; except however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.
3. Consistency with the organizational patterns of VID.
4. Effect of differing legally mandated impasse resolution procedures.
5. Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.

Section Ten – Employer-Employee Relations

6. Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing single or related classifications among two or more units.

Notwithstanding the foregoing provisions of this Policy, managerial and confidential responsibilities, as defined in Subsection 10.1.B. - Definitions, are determining factors in establishing appropriate units hereunder, and therefore managerial and confidential employees may only be included in a unit consisting solely of managerial and confidential employees. Managerial and confidential employees may not represent any employee organization which represents other employees.

The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate or delete modified classifications or positions from units in accordance with the provisions of this Section. The decision of the Employee Relations Officer shall be final.

I. PROCEDURE FOR MODIFICATION OF ESTABLISHED APPROPRIATE UNITS

Requests by employee organizations for modifications of established appropriate units may be considered by the Employee Relations Officer only during the period specified in Subsection 10.2.F. - Procedure for Decertification of Exclusively Recognized Employee Organization. Such requests shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth in Subsection 10.2.A. - Filing of Recognition Petition By Employee Organization, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Subsection 10.2.G. – Policy and Standards for Determination of Appropriate Units hereof. The Employee Relations Officer shall process such petitions as other Recognition Petitions under Section 10.2.- Representation Proceedings. .

The Employee Relations Officer may by his own motion propose that an established unit be modified. The Employee Relations Officer shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard. Thereafter the Employee Relations Officer shall determine the composition of the appropriate unit or units in accordance with Subsection 10.2.G. – Policy and Standards for Determination of Appropriate Units, and shall give written notice of such determination to the affected employee organizations. The Employee Relations Officer's determination may be appealed as provided in Subsection 10.2.K. - Appeals. If a unit is modified pursuant to the motion of the Employee Relations Officer hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the Exclusively Recognized Employee Organization for such new appropriate unit or units pursuant to Subsection 10.2.A.- Filing of Recognition Petition By Employee Organization hereof.

J. PROCEDURE FOR PROCESSING SEVERANCE REQUESTS

An employee organization may file a request to become the exclusive recognized employee organization of a unit alleged to be appropriate that consists of a group of employees who are already a part of a larger established unit represented by another recognized employee organization. The timing, form and processing of such request shall be as specified in Subsection 10.2.I. – Procedure for Modification of Established Appropriate Units for modification requests.

K. APPEALS

An employee organization aggrieved by an appropriate unit determination of the Employee Relations Officer; or an employee organization aggrieved by a determination of the Employee Relations Officer that a Recognition Petition (10.2.A.), Challenging Petition (10.2.C.), Decertification Petition (10.2.F.), Unit Modification Petition (10.2.I.) --- or employees aggrieved by a determination of the Employee Relations Officer that a Decertification Petition (10.2.F.) --has not been filed in compliance with the applicable provisions of this Subsection 10.2 – Representation Proceedings, may, within ten (10) days of notice of the Employee Relations Officer’s final decision, request to submit the matter to mediation by the State Mediation and Conciliation Service, or may, in lieu thereof or thereafter, appeal such determination to VID General Manager for final decision within fifteen (15) days of notice of the Employee Relations Officer’s determination or the termination of mediation proceedings, whichever is later.

Appeals to VID General Manager shall be filed in writing with the VID Board Secretary, and a copy thereof served on the Employee Relations Officer. VID General Manager shall commence to consider the matter within thirty (30) days of the filing of the appeal. VID General Manager Board may, in its discretion, refer the dispute to a third party hearing process. Any decision of VID General Manager on the use of such procedure, and/or any decision of General Manager determining the substance of the dispute shall be final and binding.

10.3 ADMINISTRATION

A. SUBMISSION OF CURRENT INFORMATION BY RECOGNIZED EMPLOYEE ORGANIZATIONS

All changes in the information filed with VID by an Exclusively Recognized Employee Organization under items (1.) through (8.) of its Recognized Petition under Subsection 10.2.A. – Filing of Recognition Petition by Employee Organization, of this Policy shall be submitted in writing to the Employee Relations Officer within fourteen (14) days of such change.

B. EMPLOYEE ORGANIZATION ACTIVITIES-USE OF DISTRICT RESOURCES

Access to District work locations and the use of District paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in Memoranda of Understanding and/or administrative procedures, shall be limited to lawful activities consistent with the provisions of this Policy that pertain directly to the employer-employee relationship and not such internal employee organization business as soliciting membership, campaigning for office, and organization meetings and elections, and shall not interfere with the efficiency, safety and security of District operations.

C. ADMINISTRATIVE RULES AND PROCEDURES

VID General Manager or his/her duly appointed Employee Relations Officer is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of this Policy after consultation with affected employee organizations.

10.4 IMPASSE PROCEDURES

A. INITIATION OF IMPASSE PROCEDURES

If the meet and confer process has reached impasse as defined in Subsection 10.1.B. - Definitions of this Policy, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such meeting shall be:

1. To review the position of the parties in a final effort to reach agreement on a Memorandum of Agreement; and
2. If the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.

B. IMPASSE PROCEDURES

The District operates consistent with the codified provisions of the Government Code, including sections 3505.4 *et seq*, and any applicable Memorandum of Agreement or Board Resolution, or agency rule.

Impasse procedures are as follows:

1. Before submitting the impasse to fact finding, the parties agree to first submit their dispute to mediation with the California State Mediation and Conciliation Service. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.
2. If mediator is unable to effect settlement of the controversy, the employee organization may present a request to the District and the Public Employment Relations Board (PERB) to submit the impasse to fact-finding. This request by the employee organization to submit the impasse to fact-finding must be made no sooner than 30 days, but no later than 45 days, following the selection of a mediator by the parties.
3. Within five (5) working days after PERB's determination that the request for fact-finding is sufficient, a fact-finding panel of three (3) shall be appointed in the following manner: One member of the panel shall be appointed by the Employee Relations Officer, and one member shall be appointed by the Exclusively Recognized Employee Organization. PERB will select the third member as follows: PERB shall, within five (5) working days after making its determination that the request for fact-finding is sufficient, submit the names of seven persons, drawn from the list of neutral fact-finders established pursuant to Government Code section 3541.3(d). PERB shall thereafter designate one of the seven persons to serve as the chairperson unless notified by the parties within five (5) working days that they have mutually agreed upon a person to chair the panel in lieu of a chairperson selected by PERB.4. The panel shall, within 10 days after its appointment, meet with the parties or their representatives, either jointly or separately, and may make inquiries and investigations, hold hearings, and take any other steps it deems appropriate. For the purpose of the hearings, investigations, and inquiries, the panel shall have the power to issue subpoenas

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requiring the attendance and testimony of witnesses and the production of evidence. Any stat agency, as defined in Section 11000, the California State University, or any political subdivision of the state, including any board of education, shall furnish the panel, upon its request, with all records, papers, and information in their possession relating to any matter under investigation by or in issue before the panel.

5. In arriving at their findings and recommendations, the fact finders shall consider, weigh, and be guided by all the following criteria, if applicable:
 - a. State and federal laws that are applicable to the employer.
 - b. Local rules, regulations, or ordinances.
 - c. Stipulations of the parties.
 - d. The interests and welfare of the public and the financial ability of the public agency.
 - e. Comparison of the ages, hours, and conditions of employment of the employees involved in the fact-finding proceeding with the wages, hours, and conditions of employment of other employees performing similar services in comparable public agencies.
 - f. The consumer price index for goods and services, commonly known as the cost of living.
 - g. The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays, and other excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.
 - h. Any other facts, not confined to those specified in paragraphs (a) to (g), inclusive, which are normally or traditionally taken into consideration in make the findings and recommendations.
6. The procedural right of an employee organization to request a fact-finding panel cannot be expressly or voluntarily waived.
7. Within thirty (30) days after the appointment of the fact-finding panel, or, upon agreement by both parties within a longer period, the panel shall make written findings of fact and advisory recommendations for the resolution of the issues in dispute, which shall be presented in terms of the criteria and limitations specified above. Any member of a fact-finding panel shall be accorded the right to file dissenting written findings of fact and recommendations. The fact-finder or chairperson of the fact-finding panel shall serve such findings and recommendations on the Employee Relations Officer and the designated representative of the Exclusively Recognized Employee Organization before they are made available to the public. If the parties have not resolved the impasse within ten (10) days after service of the findings and recommendations upon them, VID shall make these findings and recommendations publicly available.
8. The costs for the services of the panel chairperson agreed upon by the parties shall be equally divided between the parties, and shall include per diem fees, if any, and actual and necessary travel and subsistence expenses. The per diem fees shall not exceed the per diem fees stated on the chairperson's résumé on file with PERB. The chairperson's bill showing the amount payable by the parties shall accompany his or her final report to the parties and PERB. The parties shall make payment directly to the chairperson.

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9. Any other mutually incurred costs shall be borne equally by the parties. Any separately incurred costs for the panel member selected by each party shall be borne by that party.

10.5 MISCELLANEOUS PROVISIONS

A. CONSTRUCTION

This Policy shall be administered and construed as follows:

- a. Nothing in this Policy shall be construed to deny to any person, employee, organization, VID, or any authorized officer, body or other representative of VID, the rights, powers and authority granted by federal or state law.
- b. This Policy shall be interpreted so as to carry out its purpose as set forth in Subsection 10.1 – Administration of Employer-Employee Relations.
- c. Nothing in this Policy shall be construed as making the provisions of California Labor Code Section 923 applicable to District employees or employee organizations, or of giving employees or employee organizations the right to participate in, support, cooperate or encourage, directly or indirectly, any strike, sickout or other total or partial stoppage or slowdown of work. In consideration of and as a condition of initial and continued employment by VID, employees recognize that any such actions by them are in violation of their conditions of employment except as expressly otherwise provided by legally preemptive state or contrary local law. In the event employees engage in such actions, they shall subject themselves to discipline up to and including termination, and may be replaced, to the extent such actions are not prohibited by preemptive law; and employee organizations may thereby forfeit rights accorded them under District law or contract.

B. SEVERABILITY

If any provision of this Policy, or the application of such provision to any persons or circumstances, shall be held invalid, the remainder of this Policy, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

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SECTION ELEVEN - APPENDICES

APPENDIX A	TIME OFF REQUEST FORM
APPENDIX B	REQUEST FOR CLASS APPROVAL
APPENDIX C	REQUEST FOR TUITION REIMBURSEMENT
APPENDIX D	COMPUTER PURCHASE PROGRAM LOAN REQUEST FORM
APPENDIX E	COMPUTER PURCHASE PROGRAM PROMISSORY NOTE
APPENDIX F	CALIFORNIA SEXUAL HARASSMENT INFORMATION SHEET

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APPENDIX A TIME OFF REQUEST FORM

To: From:
 Re: **REQUEST FOR TIME OFF** Date:

SECTION 1: TYPE OF LEAVE*

Sick Leave (SL) (Prior to start of scheduled shift) Vacation (VAC)* (2 weeks notice) Compensatory Time Off (CTO) (2 weeks notice)

Other Leave (Please specify: jury, bereavement, executive leave or unpaid leave)

** If bereavement leave, name of person who passed away and their relationship to you

SECTION 2: DAYS OFF

1a. Please list any/all days in which you are requesting leave for all or any part of the day (for full weeks off, skip to part **1b**).
 For all leave requested also complete part **2**.

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1b. For Full Weeks of Leave From: To and Including:

2. Total Hours/Days Requested Total Days: Total Hours:

NOTE: 9/80 Friday's off require Division Head approval. Approval:

SECTION 3: SICK LEAVE

1a. Is this an absence due to injury or illness? **OR** **1b.** Health care appointment?

1c. Family and Medical Leave? (Serious Health Condition) ***

2. Worker's Compensation appointment? (Must have prior approval of the Safety Dept)

3. If the reason for sick leave is to care for another, please state the name of the person to whom you are providing care
 (if the request is for yourself, write "self" and go to Section 4):

4. What is this person's relationship to you (son, daughter, mother, father, etc.)
 and do they reside in your household? ****

SECTION 4: ADDITIONAL COMMENTS

Employee Signature: _____

SUPERVISOR APPROVAL (grants approval of time off, but not the type of leave)

Approved: _____

Date: _____

* The District may substitute flex time for CTO (or VA) requests with less than two (2) weeks notice (not applicable to Safety "call-offs").
 ** List the type of leave and an explanation, if applicable (i.e. bereavement leave). Note that unpaid leave can **only** be approved by order of the General Manager.
 *** Misuse or excessive use of sick leave can be cause for disciplinary action, unless the leave is for a serious health issue, work injury, or otherwise protected under law. If you have an absence that qualifies for one of these reasons the District recommends that you provide additional documentation by completing a Family and Medical Leave (FML) form. Please note, once approved, FML absences (and future sick leave absences) are hereby designated as counting toward the maximum annual allotment available to an employee.
 **** Under "Kin Care Laws" you may use 28 hours of SL per year to care for any of the following residing outside of your home: adult/minor children, adoptive/step-children, or a spouse. In addition, by policy, you may use 40 hours of SL per year to care for any of the following residing outside your home: parent, step and/or adoptive parent(s).

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APPENDIX B
VISTA IRRIGATION DISTRICT
REQUEST FOR CLASS APPROVAL

EMPLOYEE NAME: _____

COURSE TITLE: _____

DATE: FROM _____ TO: _____

COLLEGE OR UNIVERSITY: _____

ESTIMATED EXPENSES:

COURSE TUITION: _____

BOOKS: _____

PARKING: _____

TOTAL: _____

Please explain how this class will benefit you in the performance of your duties. (If the class is relevant to a closely related promotional opportunity, please also specify the job title of the promotional position related to the class).

Attach a description of the class from the college catalogue or other school publications.

Note: In order to be eligible for tuition refund, employees must have met or exceeded expectations on their most recent performance report in their ratings of attendance and tardiness. Employees are not eligible for tuition refund until they have completed their probationary period.

SUPERVISOR'S APPROVAL: _____ DATE: _____

SUPERVISOR'S JUSTIFICATION:

DIVISION HEAD APPROVAL: _____ DATE: _____

HUMAN RESOURCES APPROVAL: _____ DATE: _____

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APPENDIX C
VISTA IRRIGATION DISTRICT
REQUEST FOR TUITION REIMBURSEMENT

EMPLOYEE NAME: _____

COURSE TITLE: _____

DATE: FROM _____ TO _____

COLLEGE OR UNIVERSITY: _____

COURSE TUITION: \$ _____

BOOKS: \$ _____

PARKING: \$ _____

TOTAL: \$ _____

Attach the following:

- 1) *An approved copy of the Request for Class Approval Form,*
- 2) *A copy of the class registration,*
- 3) *All receipts, and*
- 4) *Class grade (Report Card).*

EMPLOYEE SIGNATURE: _____ DATE: _____

HUMAN RESOURCES APPROVAL: _____ DATE: _____

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APPENDIX D
VISTA IRRIGATION DISTRICT
COMPUTER PURCHASE PROGRAM LOAN REQUEST FORM

Name: _____ Dept. _____

Home Address: _____ Work Phone: _____

ITEM (specific items to be acquired) PRICE: _____

SUBTOTAL: _____

TAX: _____

GRAND TOTAL: _____

*****Please attach copies of price quotes to this request.*****

Participant's Signature: _____ Date: _____

THIS SECTION IS TO BE COMPLETED BY DISTRICT REPRESENTATIVE.

Approved

Disapproved

Comments: _____

District Representative _____ Date _____

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APPENDIX E
COMPUTER PURCHASE PROGRAM
PROMISSORY NOTE
Authorization for Payroll Deduction

Name _____ Employee Number _____

Department _____ Telephone Number _____

The above named ("Participant") of the Vista Irrigation District ("VID") has been provided a copy of the Vista Irrigation District Computer Purchase Program ("Program") policy and procedures and hereby elects to purchase a personal computer and certain related equipment and software ("Equipment") and participate in the financing arrangement offered under the Program, and further, agrees to and accepts the following terms and conditions:

1. The price of the Equipment to be purchased is \$_____ and is identified on the attached Loan Request.
2. Participant agrees to pay the VID the sum of \$_____ payable in biweekly installments by payroll deduction in the amount of _____ \$50.00 beginning _____.
3. Participant may elect to pay the remaining unpaid balance at any time prior to the last payroll deduction.
4. Participant agrees not to sell, trade or otherwise dispose of the Equipment until the loan has been paid in full. Participant also agrees the usage of the Equipment will be limited to the Participant's own use and that of his/her immediate family and any reassignment or transfer of the equipment or this Agreement will result in the cancellation of this Agreement. Violation of these provisions will require Participant to immediately pay to VID the remaining amount due on the loan.
5. Loans are due and payable in full upon termination of employment for any reason. The Participant hereby authorizes VID, to the extent permitted by law, to withhold from his or her final pay, including sick leave and vacation pay-off, any amount remaining under this agreement.
6. If, during the term of this Agreement, the Participant goes on leave without pay, or Participant's payroll amount is insufficient to cover the installment payment due, the Participant will receive a monthly bill from the VID for an amount equal to the monthly payment due under this Agreement. Such bill shall be due and payable upon receipt.
7. All warranties and service or maintenance contracts shall be between the vendor and the Participant. Participant shall deal directly with the vendor and in no event shall Participant look to VID for any claims relating to warranty, service or maintenance.
8. This Agreement may be changed only by a written document signed by VID and the Participant and supersedes any and all written or oral agreements, proposals and communications concerning the Program.
9. In the event either party hereto brings any suit against the other party to enforce any rights under this Agreement, then the prevailing party in any such suit shall recover from the other party its reasonable attorney's fees and costs incurred in connection therewith.

Participant Signature _____ Date _____

District Representative Signature _____ Date _____

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APPENDIX F
CALIFORNIA SEXUAL HARASSMENT INFORMATION SHEET
(SEE ATTACHED)



The definition of sexual harassment includes many forms of offensive behavior.



Department of Fair Employment and Housing

- such as a lead, supervisor, manager or agent;
- the employer had no knowledge of the harassment;
- there was a program to prevent harassment; and
- once aware of any harassment, the employer took immediate and appropriate corrective action to stop the harassment.

Filing a Complaint

Employees or job applicants who believe that they have been sexually harassed may file a complaint of discrimination with DFEH within **one year** of the harassment.

DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If DFEH finds sufficient evidence to establish that discrimination occurred and settlement efforts fail, the Department may file a formal accusation. The accusation will lead to either a public hearing before the Fair Employment and Housing Commission or a lawsuit filed by DFEH on behalf of the complaining party.

If the Commission finds that discrimination has occurred, it can order remedies including:

- Fines or damages for emotional distress from each employer or person found to have violated the law
- Hiring or reinstatement
- Back pay or promotion
- Changes in the policies or practices of the involved employer

Employees can also pursue the matter through a private lawsuit in civil court after a complaint has been filed with DFEH and a Right-to-Sue Notice has been issued.

For more information, see publication DFEH-159 “Guide for Complainants and Respondents.”

For more information, contact DFEH toll free at **(800) 884-1684**
 Sacramento area & out-of-state at **(916) 478-7200**
 TTY number at **(800) 700-2320**
 or visit our Web site at www.dfeh.ca.gov

In accordance with the California Government Code and ADA requirements, this publication can be made available in Braille, large print, computer disk, or tape cassette as a disability-related reasonable accommodation for an individual with a disability. To discuss how to receive a copy of this publication in an alternative format, please contact DFEH at the numbers above.



State of California
 Department of Fair Employment & Housing

DFEH-185 (11/07)

Sexual Harassment

The Facts About Sexual Harassment

The *Fair Employment and Housing Act* (FEHA) defines sexual harassment as harassment based on sex or of a sexual nature; gender harassment; and harassment based on pregnancy, childbirth, or related medical conditions. The definition of sexual harassment includes many forms of offensive behavior, including harassment of a person of the same gender as the harasser. The following is a partial list of types of sexual harassment:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Actual or threatened retaliation
- Leering; making sexual gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters
- Making or using derogatory comments, epithets, slurs, or jokes
- Sexual comments including graphic comments about an individual's body; sexually degrading words used to describe an individual; or suggestive or obscene letters, notes, or invitations
- Physical touching or assault, as well as impeding or blocking movements



The mission of the Department of Fair Employment and Housing is to protect the people of California from unlawful discrimination in employment, housing and public accommodations, and from the perpetration of acts of hate violence.

Employers' Obligations

All employers must take the following actions against harassment:

- Take all reasonable steps to prevent discrimination and harassment from occurring. If harassment does occur, take effective action to stop any further harassment and to correct any effects of the harassment.
- Develop and implement a sexual harassment prevention policy with a procedure for employees to make complaints and for the employer to investigate complaints. Policies should include provisions to:
 - Fully inform the complainant of his/her rights and any obligations to secure those rights.
 - Fully and effectively investigate. The investigation must be thorough, objective, and complete. Anyone with information regarding the matter should be interviewed. A determination must be made and the results communicated to the complainant, to the alleged harasser and, as appropriate, to all others directly concerned.
 - Take prompt and effective corrective action if the harassment allegations are proven. The employer must take appropriate action to stop the harassment and ensure it will not continue. The employer must also communicate to the complainant that action has been taken to stop the harassment from recurring. Finally, appropriate steps must be taken to remedy the complainant's damages, if any.
- Post the Department of Fair Employment and Housing (DFEH) employment poster (DFEH - 162) in the workplace (available through the DFEH publications line [916] 478-7201 or Web site).
- Distribute an information sheet on sexual harassment to all employees. An employer may either distribute this pamphlet (DFEH 185) or develop an equivalent document that meets the requirements of Government Code section 12950(b). This pamphlet may be duplicated in any quantity. **However, this pamphlet is not to be used in place of a sexual harassment prevention policy, which all employers are required to have.**
- All employees should be made aware of the seriousness of violations of the sexual harassment policy and must be cautioned against using peer pressure to discourage harassment victims from complaining.
- Employers who do business in California and employ 50 or more part-time or full-time employees *must* provide at least two hours of sexual harassment training every two years to each supervisory employee and to all new supervisory employees within six months of their assumption of a supervisory position.

- A program to eliminate sexual harassment from the workplace is not only required by law, but is the most practical way for an employer to avoid or limit liability if harassment should occur despite preventive efforts.

Employer Liability

All employers, regardless of the number of employees, are covered by the harassment section of the FEHA. Employers are generally liable for harassment by their supervisors or agents. Harassers, including both supervisory and non-supervisory personnel, may be held personally liable for harassing an employee or coworker or for aiding and abetting harassment.

Additionally, the law requires employers to take "all reasonable steps to prevent harassment from occurring." If an employer has failed to take such preventive measures, that employer can be held liable for the harassment. A victim may be entitled to damages, even though no employment opportunity has been denied and there is no actual loss of pay or benefits.

In addition, if an employer knows or should have known that a **non-employee** (e.g. client or customer) has sexually harassed an employee, applicant, or person providing services for the employer and fails to take immediate and appropriate corrective action, the employer may be held liable for the actions of the non-employee.

An employer might avoid liability if

- the harasser is not in a position of authority,



STAFF REPORT

Agenda Item: 11

Board Meeting Date: December 17, 2014
Prepared By: Phil Zamora
Reviewed By: Eldon Boone
Approved By: Roy Coox

SUBJECT: COMPENSATION SCHEDULE EFFECTIVE JANUARY 1, 2015

RECOMMENDATION: That the Board adopt a Resolution approving the attached Compensation Schedule for all employees to facilitate CalPERS reporting requirements under current state pension law.

PRIOR BOARD ACTION:

- 10/08/2014 Adopted Resolution No. 14-26 approving Memorandum of Agreement with Teamster's Union for Non-Supervisory Unit Employees for the calendar years 2015, 2016 and 2017.
- 10/08/2014 Adopted Resolution No. 14-27 approving salary, benefits, and other terms and conditions of employment for Confidential and Management Employees for the calendar years 2015, 2016 and 2017.
- 11/19/2014 Reaffirmed the terms of the General Manager's contract.

FISCAL IMPACT: This Resolution to approve the attached Compensation Schedule will memorialize the District's intent to implement successor employee agreements as approved by the Board on October 8, 2014. The total payroll cost for 2015 will be approximately \$7,804,000.

SUMMARY: CalPERS retirement law requires that the governing body of all public agencies approve a salary schedule for all employees in an open public forum.

DETAILED REPORT: The California Code of Regulations (CCR) at Section 570.5 requires public agencies to make duly adopted and approved pay schedules publicly available prior to CalPERS including the compensation as a part of the members retirement benefit. CCR Section 570.5 requires that the employee pay rate be limited to the amount listed on a pay schedule that has been duly approved and adopted by the employer's governing body in accordance with the requirements of applicable public meeting laws.

The District's negotiating team finalized a new Memorandum of Agreement (MOA) with the Teamsters Union, and established terms and conditions of employment for unrepresented employees, for a three year term beginning on January 1, 2015 and ending on December 31, 2017. The meet and confer process clarified several issues in the labor agreements including overtime and night work, bereavement leave, definition of y-rating, and incorporated several side letter agreements.

The economic terms that were negotiated with the new employee agreements included salary range adjustments over the three year term of the contracts. These changes will result in a 2.9% salary increase for all employees beginning on January 1, 2015. In succeeding years, salary adjustments will be limited to 95% of the San Diego Consumer Price Index CPI (CPI-U) for the 12 month period ending June 30th of the prior year.

ATTACHMENT: Resolution Approving the Compensation Schedule effective January 1, 2015

RESOLUTION NO. 14-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
VISTA IRRIGATION DISTRICT APPROVING THE
COMPENSATION SCHEDULE EFFECTIVE JANUARY 1, 2015

WHEREAS, the Vista Irrigation District's negotiation team completed meet and confer labor negotiations for 2015, 2016, and 2017 salaries and benefits as set forth in various Memorandum of Agreement for represented employees and a Board Resolution for unrepresented employees; and

WHEREAS, the District has previously negotiated and the Board has previously approved in each of these labor agreements certain adjustments to salary for each of the three years of the contract term; and

WHEREAS, California Code of Regulations (CCR) Section 570.5 requires public agencies to have a pay schedule duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meeting laws in order for CalPERS to consider pay as "compensation earnable" for purposes of calculating a member's retirement benefit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Vista Irrigation District does hereby approve and adopt the Compensation Schedule as set forth in the attached "Exhibit A", incorporated herein by reference.

BE IT FURTHER RESOLVED that the Board of Directors has authorized execution of documents by the General Manager, Assistant General Manager, and Human Resources Manager that may be required to carry out this Resolution.

PASSED AND ADOPTED by the Board of Directors this 17th day of December 2014, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Paul E. Dorey, President

ATTEST:

Lisa R. Soto, Secretary
Board of Directors
Vista Irrigation District

**Vista Irrigation District
Compensation Schedule
Effective January 1, 2015**

Job Title	Monthly Range	Non-Exempt	Exempt
Accounting Technician	\$5,659 - \$6,879	X	
Accounts Payable Clerk	\$4,245 - \$5,160	X	
Administrative Assistant	\$5,342 - \$6,493	X	
Administrative Secretary	\$4,442 - \$5,399	X	
Construction Worker (<i>New Series</i>)	\$4,245 - \$5,160	X	
Construction Worker (<i>Terminal</i>)	\$4,442 - \$5,399	X	
Customer Service Representative (<i>New Series</i>)	\$4,245 - \$5,160	X	
Customer Service Representative (<i>Terminal</i>)	\$4,442 - \$5,399	X	
Engineering Inspector	\$6,407 - \$7,787	X	
Engineering Office Assistant	\$4,442 - \$5,399	X	
Engineering Specialist II	\$6,407 - \$7,787	X	
Equipment Mechanic	\$5,108 - \$6,208	X	
Equipment Operator	\$5,108 - \$6,208	X	
Executive Assistant/Board Secretary	\$6,407 - \$7,787	X	
Facilities Locator	\$4,725 - \$5,744	X	
Facilities Office Assistant	\$4,442 - \$5,399	X	
Facilities Worker	\$5,108 - \$6,208	X	
Finance Associate	\$6,754 - \$8,210	X	
Financial Analyst	\$6,407 - \$7,787	X	
GIS Specialist	\$5,987 - \$7,277	X	
GIS Systems Associate	\$6,754 - \$8,210	X	
Heavy Equipment Operator	\$5,342 - \$6,493	X	
Human Resources Specialist	\$5,987 - \$7,277	X	
Human Resources/Safety Secretary	\$4,442 - \$5,399	X	
Information Technology Specialist	\$6,407 - \$7,787	X	
Information Technology Specialist - Network	\$6,754 - \$8,210	X	
Inventory Control Clerk	\$4,245 - \$5,160	X	
Laborer (<i>New Series</i>)	\$3,850 - \$4,680	X	
Laborer (<i>Terminal</i>)	\$4,245 - \$5,160	X	
Laborer Trainee	\$3,667 - \$4,457	X	
Maintenance Worker	\$4,245 - \$5,160	X	
Meter Reader	\$3,667 - \$4,457	X	
Meter Reader Trainee	\$3,492 - \$4,245	X	
Meter Repair Technician	\$4,442 - \$5,399	X	
Purchasing Agent	\$5,987 - \$7,277	X	
Receptionist/Cashier	\$4,245 - \$5,160	X	
Senior Accountant	\$6,754 - \$8,210	X	
Senior Construction Worker	\$5,987 - \$7,277	X	
Senior Customer Service Representative	\$4,725 - \$5,744	X	
Senior Equipment Mechanic	\$5,987 - \$7,277	X	
Senior Facilities Worker	\$5,987 - \$7,277	X	
System Controls Technician I	\$5,987 - \$7,277	X	
System Controls Technician II	\$6,407 - \$7,787	X	

**Vista Irrigation District
Compensation Schedule
Effective January 1, 2015**

Job Title	Monthly Range	Non-Exempt	Exempt
System Controls Technician III	\$6,754 - \$8,210	X	
System Operator I	\$5,342 - \$6,493	X	
System Operator II	\$5,659 - \$6,879	X	
Water Conservation Specialist I	\$5,987 - \$7,277	X	
Water Quality Operator I	\$5,342 - \$6,493	X	
Water Quality Operator II	\$5,659 - \$6,879	X	
Water Quality Operator III	\$5,987 - \$7,277	X	
Water Resources Aide	\$4,725 - \$5,744	X	
Water Resources Office Assistant	\$4,442 - \$5,399	X	
Welder Helper	\$5,108 - \$6,208	X	
Welder I	\$5,342 - \$6,493	X	
Welder II	\$5,659 - \$6,879	X	
Welder III	\$5,987 - \$7,277	X	
Administrative Services Manager	\$9,461 - \$12,679		X
Assistant General Manager	\$12,040 - \$16,134		X
Construction Supervisor	\$7,109 - \$9,527		X
Customer Service Manager	\$8,927 - \$11,963		X
Customer Service Supervisor	\$5,659 - \$7,584		X
Director of Engineering	\$12,040 - \$16,134		X
Director of Water Resources	\$11,755 - \$15,753		X
Engineering Services Manager	\$8,927 - \$11,963		X
Facilities Supervisor	\$7,109 - \$9,527		X
Finance Manager	\$9,461 - \$12,679		X
General Manager	\$18,626		X
Human Resources Manager	\$9,461 - \$12,679		X
Information Technology Supervisor	\$7,109 - \$9,527		X
Operations and Field Services Manager	\$9,901 - \$13,268		X
Safety/Risk Manager	\$8,509 - \$11,404		X
System Controls Supervisor	\$7,109 - \$9,527		X
Water Distribution Supervisor	\$7,109 - \$9,527		X
Water Resources Manager	\$8,927 - \$11,963		X
Water Resources Supervisor	\$5,659 - \$7,584		X



STAFF REPORT

Agenda Item: 12

Board Meeting Date: January 7, 2015
Prepared By: Lisa Soto
Approved By: Roy Coox

SUBJECT: LOCAL AGENCY FORMATION COMMISSION (LAFCO) SPECIAL DISTRICTS ELECTION

RECOMMENDATION: Select the candidates to vote for in the 2014 LAFCO Special Districts Election and authorize the Board President to cast the District's vote accordingly.

PRIOR BOARD ACTION:

9/19/12 Cast the District's vote in the LAFCO 2012 Special Districts Election for the Regular LAFCO Special District Member position for Bud Pocklington of South Bay Irrigation District.

FISCAL IMPACT: None.

SUMMARY: LAFCO has distributed its ballots for the upcoming Special Districts election. Open seats on LAFCO include one regular district member and one alternate district member. Director MacKenzie is unopposed on the ballot for the regular district member position. Director MacKenzie currently serves as an alternate district member since 2009.

There are two candidates for the alternate district member position. The eligible nominations were reviewed by the 2014 Nominating Committee, comprised of Augie Scalzitti of Padre Dam Municipal Water District, Judy Hanson of Leucadia Wastewater District, and Dennis Shepard of the North County Cemetery District. The Nominating Committee has prepared a report with its recommendations (attached).

DETAILED REPORT: LAFCO Commissioners all serve four-year terms. Completed ballots must be received by LAFCO by January 16, 2015.

ATTACHMENTS:

- LAFCO Election Packet
- Request for support for Edmund K. Sprague for the alternate district member position



San Diego Local Agency Formation Commission

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DEC 03 2014

VISTA IRRIG. DIST.

Chairman

Andrew Vanderlaan
Public Member

November 25, 2014

Vice Chairman

Vacant

TO: Independent Special Districts of San Diego County

Members

Bill Horn
County Board of
Supervisors

FROM: Executive Officer
Local Agency Formation Commission

SUBJECT: 2014 Special Districts Election

Dianne Jacob
County Board of
Supervisors

Bud Pocklington
South Bay
Irrigation District

Lori Zapf
Councilmember
City of San Diego

Jim Janney
Mayor
City of Imperial Beach

Sam Abed
Mayor
City of Escondido

Alternate Members

Greg Cox
County Board of
Supervisors

Sherri Lightner
Councilmember
City of San Diego

Jo MacKenzie
Vista Irrigation District

Lorraine Wood
Councilmember
City of Carlsbad

Harry Mathis
Public Member

Executive Officer

Michael D. Ott

Special Counsel

Michael G. Colantuono

By our letter of August 11, 2014, we solicited nominations for two Local Agency Formation Commission (LAFCO) positions: one LAFCO regular district member and one LAFCO alternate district member. By the deadline of October 3, 2014, two nominations for the regular member, and three nominations for the alternate member were received. After the nomination period, two candidates withdrew from the LAFCO election, because they were not reelected to their respective boards. Therefore, the attached ballots include one nomination for the regular member position and two nominations for the alternate position. As required by the Selection Committee Rules, all eligible nominations were forwarded to the Nominating Committee. The 2014 Nominating Committee was comprised of Judy Hanson (Leucadia Wastewater District), Augie Scalzitti (Padre Dam Municipal Water District), and Dennis Shepard (North County Cemetery District). After a Candidates Forum was held on November 20, 2014 in conjunction with the San Diego Chapter of the California Special District Association's Quarterly Dinner Meeting, LAFCO Consultant Harry Ehrlich and Michael Ott met with the Nominating Committee to discuss a recommended slate of nominees for the open positions. A copy of the Nominating Committee's Report and Recommendations is attached (**Attachment 1**). Regular and Alternate Special District Election Ballots and Vote Certification forms on which to record your votes are also attached (**Attachment 2**). A list of the eligible independent special districts is provided for your convenience in label format (**Attachment 3**). Please note that LAFCO staff has not included any of the candidates' promotional materials with the election materials. Lastly, attached are the Special District Summary of Nominations and copies of Nomination Forms (**Attachment 4**).

With respect to ballots, there is a separate ballot for each position: **yellow** for the LAFCO regular special district member, and **blue** for the

LAFCO alternate special district member. **Be sure each ballot is marked only for the number of positions to be voted for in that category. A ballot that is cast for more than the indicated number of positions will be disregarded.**

The ballots should be considered by your full district board. State Law and the Selection Committee Rules require a district's vote to be cast by its presiding officer, or an alternate member of the legislative body appointed by the other members. Therefore, the certification form has been incorporated with the ballot forms to be signed by the person who casts your district's votes. **A ballot received without a signed certification form will not be counted.**

All nominees are listed on the respective ballot. An asterisk indicates the nominating committee recommendations, and incumbents have been *italicized*. Write-in candidates are permitted, and spaces have been provided for that purpose.

The deadline for receipt of the ballots by LAFCO is **January 16, 2015**. The Selection Committee Rules require that marked ballots be returned **by certified mail, return receipt requested**. Facsimile (FAX) ballots and certification forms will be accepted, **if necessary to meet the ballot deadline**, but originals must be submitted as soon as possible thereafter.

The Selection Committee Rules stipulate that a majority of the districts shall constitute a quorum for the conduct of committee business. There are 61 independent special districts in the county; therefore, a minimum of **31** ballots must be received to certify that a legal election was conducted. A candidate for the LAFCO member position must receive at least a majority of the votes cast to be elected. The ballots will be kept on file in this office, and will be made available upon request.

Please call me or Tamaron Luckett if you have any questions.



MICHAEL D. OTT
Executive Officer

MDO:trl

Attachments:

- (1) Nominating Committee Report and Recommendations
- (2) Special District Election Ballot and Vote Certification Forms:
Regular Member-Yellow and Alternate Member-Blue
- (3) Independent Special District List
- (4) Independent Special District Summary of Nominations and Copies of Nomination Forms



Chairman

Andrew Vanderlaan
Public Member

November 25, 2014

Vice Chairman

Vacant

TO: Independent Special Districts in San Diego County

Members

Bill Horn
County Board of
Supervisors

FROM: 2014 Special Districts Election Nominating Committee

Dianne Jacob
County Board of
Supervisors

SUBJECT: Nominating Committee Report and Recommendations

Bud Pocklington
South Bay
Irrigation District

Lori Zapf
Councilmember
City of San Diego

Jim Janney
Mayor
City of Imperial Beach

Sam Abed
Mayor
City of Escondido

In 2014, independent special district nominations were solicited for: one regular district member on the Local Agency Formation Commission (LAFCO) with a term expiring in 2016 and one alternate district member with a term expiring in 2019. By the deadline of October 3, 2014, our office received two nominations for the LAFCO regular member position, and three nominations for the LAFCO alternate position. After the nomination period, two candidates withdrew from the LAFCO election, because they were not reelected to their respective boards. Therefore, the attached ballots include one nomination for the regular member position and two nominations for the alternate position.

Alternate Members

Greg Cox
County Board of
Supervisors

Sherri Lightner
Councilmember
City of San Diego

Jo MacKenzie
Vista Irrigation District

Lorraine Wood
Councilmember
City of Carlsbad

Harry Mathis
Public Member

As required by the Selection Committee Rules, a nominating committee was appointed to review the nominations submitted, and to prepare a list of recommended candidates. According to the Selection Committee Rules, the nominating committee is appointed by the chairperson or vice chair of the Special Districts Advisory Committee. A Candidates Forum, conducted by LAFCO Consultant Harry Ehrlich and Executive Officer Michael Ott was scheduled on November 20th as part of the quarterly dinner meeting of the San Diego Chapter, California Special Districts Association. All candidates were invited to attend and present a brief statement of qualifications. In the interest of impartiality, the Nominating Committee decided to conclude its deliberations after the Candidates Forum. In evaluating the nominations, the committee considered special district experience, interest, and knowledge of LAFCO issues. For those nominees who are incumbents, the committee further considered attendance records and meeting participation. The committee also wanted to ensure representation from those types of districts that most often are involved in making recommendations to LAFCO. The nominating committee's recommendation for each category follows:

Executive Officer

Michael D. Ott

Special Counsel

Michael G. Colantuono

2014 Nominating Committee Report
November 25, 2014
Page Two

NOMINATING COMMITTEE RECOMMENDATIONS

LAFCO Regular Special District Member

The Nominating Committee recommended **Jo MacKenzie** (Vista Irrigation District)

LAFCO Alternate Special District Member

The Nominating Committee recommended **Edmund K. Sprague** (Olivenhain Municipal Water District)

Copies of all nominations are attached following this report.

2014 NOMINATING COMMITTEE

**AUGIE SCALZITTI
PADRE DAM DISTRICT**

**JUDY HANSON
LEUCADIA WASTEWATER DISTRICT**

**DENNIS SHEPARD
NORTH COUNTY CEMETERY DISTRICT**

**2014 SPECIAL DISTRICTS ELECTION
BALLOT and VOTE CERTIFICATION
FOR REGULAR LAFCO SPECIAL DISTRICT MEMBER**

VOTE FOR ONLY ONE

* **Jo MacKenzie** []
(Vista Irrigation District)

Write-In

_____ []
(Print Name)

I hereby certify that I cast the votes of the _____
(Name of District)
at the 2014 Special Districts Selection Committee Election as:

- [] the presiding officer, or
[] the duly-appointed alternate board member.

(Signature)

(Title)

(Date)

* = Nominating Committee's Recommendation

**Return Ballot and Vote Certification Form to:
San Diego LAFCO
Taron Lockett
9335 Hazard Way, Suite 200
San Diego, CA 92123
(858) 614-7755 (office) · (858) 614-7766 (FAX)**

**2014 SPECIAL DISTRICTS ELECTION
BALLOT and VOTE CERTIFICATION
FOR ALTERNATE LAFCO SPECIAL DISTRICT MEMBER**

VOTE FOR ONLY ONE

* **Edmund K. Sprague** []
(Olivenhain Municipal Water District)

Alvin W. Gebhart []
(Fallbrook Public Utility District)

Write-In

_____ []
(Print Name)

I hereby certify that I cast the votes of the _____
(Name of District)

at the 2014 Special Districts Selection Committee Election as:

[] the presiding officer, or

[] the duly-appointed alternate board member.

(Signature)

(Title)

(Date)

Please note: The order in which the candidates' names are listed was determined by random selection.

* = Nominating Committee's Recommendation

**Return Ballot and Vote Certification Form to:
San Diego LAFCO
Tameron Luckett
9335 Hazard Way, Suite 200
San Diego, CA 92123
(858) 614-7755 (office) • (858) 614-7766 (FAX)**

**2014 SPECIAL DISTRICTS ELECTION
BALLOTS LIST
SENT: NOVEMBER 25 2014**

ALPINE FIRE PROTECTION DISTRICT
1364 TAVERN ROAD
ALPINE CA 91901

BONITA-SUNNYSIDE FPD
4900 BONITA ROAD
BONITA CA 91902

BORREGO SPRING FPD
PO BOX 898
BORREGO SPRINGS CA 92004

BORREGO WATER DISTRICT
PO BOX 1870
BORREGO SPRINGS CA 92004

CANBRAKE WATER DISTRICT
140 SMOKETREE LANE
JULIAN CA 92036

CUYAMACA WATER DISTRICT
PO BOX 609
JULIAN CA 92036-0609

DEER SPRINGS FPD
8709 CIRCLE R DRIVE
ESCONDIDO CA 92026

DESCANSO CSD
DAN DEMOS
4131 NORTHGATE ROAD
SACRAMENTO CA 95834

FAIRBANKS RANCH CSD
DUDEK & ASSOCIATES
605 THIRD AVENUE
ENCINITAS CA 92024-3513

FALLBROOK HEALTHCARE DIST
577 EAST ELDER STREET UNIT U
FALLBROOK CA 92028

FALLBROOK PUD
PO BOX 2290
FALLBROOK CA 92088-2290

GROSSMONT HEALTHCARE DIST
9001 WAKARUSA STREET
LA MESA CA 91942-3300

HELIX WATER DISTRICT
7811 UNIVERSITY AVENUE
LA MESA CA 91941-4927

JACUMBA CSD
PO BOX 425
JACUMBA CA 91934-0425

JULIAN CSD
PO BOX 681
JULIAN CA 92036

JULIAN-CUYAMACA FPD
PO BOX 33
JULIAN CA 92036

LAKE CUYAMACA REC AND PARK DIST
15027 HIGHWAY 79
JULIAN CA 92036

LAKESIDE FPD
12216 LAKESIDE AVENUE
LAKESIDE CA 92040

LAKESIDE WATER DISTRICT
10375 VINE STREET
LAKESIDE CA 92040

LEUCADIA WASTEWATER DIST
1960 LA COSTA AVENUE
CARLSBAD CA 92009

LOWER SWEETWATER DISTRICT
2725 B GRANGER AVENUE
NATIONAL CITY CA 91950

MAJESTIC PINES CSD
PO BOX 266
JULIAN CA 92036

MISSION RCD
1588 S MISSION ROAD SUITE 100
FALLBROOK CA 92028

MOOTAMAI MWD
PO BOX 812
PAUMA VALLEY CA 92061-0812

MORRO HILLS CSD
PO BOX 161
FALLBROOK CA 92088-0161

NORTH COUNTY CEMETERY DIST
2640 GLEN RIDGE ROAD
ESCONDIDO CA 92027

NORTH COUNTY FPD
330 SOUTH MAIN AVENUE
FALLBROOK CA 92028-2938

OLIVENHAIN MWD
1966 OLIVENHAIN ROAD
ENCINITAS CA 92024-5699

OTAY WATER DISTRICT
2554 SWEETWATER SPRING BLVD
SPRING VALLEY CA 91978

PADRE DAM MWD
PO BOX 719003
SANTEE CA 92072-9003

PALOMAR HEALTH
975 S ANDREASEN DRIVE
ESCONDIDO CA 92029-1934

PAUMA MUNICIPAL WATER DIST
PO BOX 706
PAUMA VALLEY CA 92061-9547

PAUMA VALLEY CSD
33129 COLE GRADE ROAD
PAUMA VALLEY CA 92061

PINE VALLEY FPD
PO BOX 130
PINE VALLEY CA 91902

POMERADO CEMETERY DISTRICT
14361 TIERRA BONITA ROAD
POWAY CA 92064

QUESTHAVEN MWD
20560 QUESTHAVEN ROAD
SAN MARCOS CA 92078

RAINBOW MUNICIPAL WATER DIST
3707 OLD HIGHWAY 395
FALLBROOK CA 92028

RAMONA CEMETERY DISTRICT
532 ASH STREET
RAMONA CA 92065

RAMONA MUNICIPAL WATER DIST
105 EARLHAM STREET
RAMONA CA 92065

RANCHO SANTA FE CSD
DUDEK AND ASSOCIATES
605 THIRD STREET
ENCINITAS CA 92024-3513

RANCHO SANTA FE FPD
PO BOX 410
RANCHO SANTA FE CA 92067

RESOURCE CONSERVATION DIST
OF GREATER SAN DIEGO COUNTY
11769 WATERHILL ROAD
LAKESIDE CA 92040

RINCON DEL DIABLO MWD
1920 NORTH IRIS LANE
ESCONDIDO CA 92026-1399

RINCON RANCH CSD
PO BOX 882
PAUMA VALLEY CA 92061

SAN DIEGO RURAL FPD
14024 PEACEFUL VALLEY RANCH RD
JAMUL CA 91935

SAN LUIS REY MWD
5328 HIGHWAY 76
FALLBROOK CA 92028

SAN MIGUEL CONSLD FPD
2850 VIA ORANGE WAY
SPRING VALLEY CA 91978-1746

SANTA FE IRRIGATION DISTRICT
PO BOX 409
RANCHO SANTA FE CA 92067

SOUTH BAY IRRIGATION DISTRICT
PO BOX 2328
CHULA VISTA CA 91912-2328

TRI-CITY HEALTHCARE DISTRICT
4002 VISTA WAY
OCEANSIDE CA 92056

UPPER SAN LUIS REY RCD
PO BOX 921
PAUMA VALLEY CA 92061

VALLECITOS WATER DISTRICT
201 VALLECITOS DE ORO
SAN MARCOS CA 92069-1453

VALLEY CENTER CEMETERY DIST
PO BOX 645
VALLEY CENTER CA 92082

VALLEY CENTER PARKS AND REC
DIST
PO BOX 141
VALLEY CENTER CA 92082-0141

VALLEY CENTER FPD
28234 LILAC ROAD
VALLEY CENTER CA 92082-5413

VALLEY CENTER MWD
PO BOX 67
VALLEY CENTER CA 92082

VISTA FIRE PROTECTION DISTRICT
955 VALE TERRACE DRIVE #A
VISTA CA 92084

VISTA IRRIGATION DISTRICT
1391 ENGINEER ROAD
VISTA CA 92083

WHISPERING PALMS CSD
DUDEK AND ASSOCIATES
605 THIRD STREET
ENCINITAS CA 92024-3513

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expose Pop-up Edge™



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WYNOLA WATER DISTRICT
PO BOX 193
SANTA YSABEL CA 92070-0193

YUIMA MUNICIPAL WATER DISTRICT
PO BOX 177
PAUMA VALLEY CA 92061

ATTACHMENT 3

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**2014 SPECIAL DISTRICTS ELECTION
SUMMARY OF NOMINATIONS
REGULAR LAFCO COMMISSIONER and
ALTERNATE LAFCO COMMISSIONER POSITIONS**

LAFCO Regular Member Candidate

Jo Mackenzie *
(Vista Irrigation District)

LAFCO Alternate Member Candidates

Edmund K. Sprague*
(Olivenhain Municipal Water District)

Alvin W. Gebhart
(Fallbrook Public Utility District)

*= Incumbent

Please note: The order in which the candidates' names are listed was determined by random selection.

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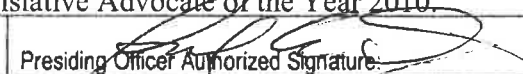
DATE RECEIVED
BY LAFCO:

AUG 27 2014

2014 LOCAL AGENCY FORMATION COMMISSION
INDEPENDENT SPECIAL DISTRICT MEMBER
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	Vista Irrigation District
District Phone:	760-597-3128
NAME OF NOMINEE:	
Name:	Jo MacKenzie
Address:	1578 Palomar Drive, San Marcos, CA 92069
Phone:	760-743-7969
NOMINATED FOR:	
<i>Please check <u>one</u> box</i>	<input checked="" type="checkbox"/> Regular Special District Member <input type="checkbox"/> Alternate Special District Member
DISTRICT EXPERIENCE:	<p>Elected to Board in 1992, served as President in 1993, 1994, 1999, 2004, 2008 and 2011. Currently serving as First Vice President, and Chair of the Warner Ranch Committee. Fiscal Policy Committee member 1996-2008, 2011, and 2014, Chair in 1996, 1997, 2003, 2004, 2007, 2008 and 2011. Other Committees served: Water Reuse (Chair), Water Rights, and Public Affairs.</p> <p>Alternate LAFCO Member since 2009. LAFCO Special District Advisory Committee 1994-2009, Chair 2005-09, Vice Chair 2001-04. Past member LAFCO Municipal Service Review Working Group. Land use planner (own firm since 1986) experienced in processing annexations, dissolutions, and reorganizations for water/sewer districts and cities of San Marcos, Escondido and Vista.</p> <p>CSDA Board since 2003, President 2011, Legislative Committee Chair 2006-09. ACWA Local Government Committee Chair; Past City of San</p>
LAFCO EXPERIENCE:	<p>Marcos: Planning Commission, Affordable Housing, Budget Review. Special District Official of the Year 2011 (Public CEO.com); CSDA Legislative Advocate of the Year 2010.</p>
ADDITIONAL INFORMATION:	
Print name: Paul E. Dorey	Presiding Officer Authorized Signature: 

**In accordance with Government Code Section 56332, LAFCO Regular and Alternate Special District Commissioners must be members of the legislative body of an independent Special District who reside in San Diego County.*

This form can be downloaded at the following link: <http://www.sdlafco.org/WhatsNew/2014Nomination.doc>

ATTACHMENT 1

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DATE RECEIVED
BY LAFCO:

SEP 15 2014

2014 LOCAL AGENCY FORMATION COMMISSION
INDEPENDENT SPECIAL DISTRICT MEMBER
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	Olivenhain Municipal Water District
District Phone:	760-753-6466
NAME OF NOMINEE:	
Name:	Edmund K. Sprague
Address:	1966 Olivenhain Road
Phone:	760-753-6466
NOMINATED FOR:	
<i>Please check <u>one</u> box</i>	<input type="checkbox"/> Regular Special District Member <input checked="" type="checkbox"/> Alternate Special District Member
DISTRICT EXPERIENCE:	Appointed to OMWD Board in 2008 to represent Division 5, providing him a great deal of experience managing water, wastewater, and parks and recreation services to over 80,000 customers. Served as President of the Board from 2009 to 2012. Currently serves as Treasurer of the OMWD Board of Directors. Currently serves on OMWD's Ad Hoc Finance, Ad Hoc Outreach, and Ad Hoc Facilities Committees. Currently serves on the California Special District Association's Education Committee. Served on the Board of Directors of the Special District Risk Management Authority in 2011. Earned the Recognition in Special District Governance certification from the Special District Leadership Foundation in 2010.
LAFCO EXPERIENCE:	Extensive experience in the fields of water, wastewater, parks and recreation, and fire protection and prevention, enabling him to bring a uniquely broad perspective to LAFCO.
ADDITIONAL INFORMATION:	Currently holds the position of Deputy Fire Chief for the North County Fire Protection District (NCFPD). The NCFPD is a California Special District that covers approximately 100 square miles of unincorporated northern San Diego County and contains a population of approximately 50,000. The NCFPD facilities include five career and one volunteer fire station, a fleet maintenance facility, radio repeater sites, and an administrative office. Ed's current responsibilities include District Finance, Human Resources, Facilities, Fleet, and Information Technology functions for approximately 110 full, part time, and volunteer employees. Ed has been selected to become the District's Fire Marshal and will assume the responsibility of managing code enforcement, inspection, plan check, public education, and development-related services in October. Nearly 30 years' experience in fire protection and prevention roles. Began his career in 1986 as a Cadet Firefighter with the City of Escondido Fire Department. Worked with the City of Carlsbad as a Firefighter, Fire Engineer, Fire Captain, Battalion Chief – Training Officer, and Shift Battalion Chief. During this 26 year period, was a Public Education Officer, and was a Liaison Officer with North County Dispatch JPA. Lifetime resident of northern San Diego County. Holds bachelors and master's degrees in public administration from San Diego State University and an associate's degree in fire science from Palomar College.
Print name: Lawrence A. Watt	Presiding Officer Authorized Signature: 

**In accordance with Government Code Section 56332, LAFCO Regular and Alternate Special District Commissioners must be members of the legislative body of an independent Special District who reside in San Diego County.*

This form can be downloaded at the following link: <http://www.sdlafco.org/WhatsNew/2014Nomination.doc>.

ATTACHMENT 1

RECEIVED

DATE RECEIVED
BY LAFCO:

SEP 26 2014

2014 LOCAL AGENCY FORMATION COMMISSION
INDEPENDENT SPECIAL DISTRICT MEMBER
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:

District Name:

Faulbrook Public Utility District

District Phone:

760-728-1125, ext. 1130

NAME OF NOMINEE:

Name:

ALVIN W. GEBHART

Address:

301 N. VINE ST FAULBROOK CA 92028

Phone:

760 731-9441

NOMINATED FOR:

Please check one box

- Regular Special District Member
- Alternate Special District Member

DISTRICT EXPERIENCE:

DIRECTOR of SEAT 5, 2006-2010
SAT ON Finance Committee
Seating current Director

LAFCO EXPERIENCE:

NONE, OTHER THAN going through the process now with the possible merger of Rainbow and Faulbrook WATER DISTRICTS.

ALSO HAVE BEEN a PART of merger of FPUD WATER & Sewer combination, to see it work first hand

ADDITIONAL INFORMATION:

PRIVATE business owner, Certified financial Planner
Have worked extensively with San Diego County government in the operation/development of ~~all~~ operations

Print name: Al Gebhart

Presiding Officer Authorized Signature: Al Gebhart

*In accordance with Government Code Section 56332, LAFCO Regular and Alternate Special District Commissioners must be members of the legislative body of an independent Special District who reside in San Diego County.

This form can be downloaded at the following link: <http://www.sdlafco.org/WhatsNew/2014Nomination.doc>

ATTACHMENT 1

Board of Directors

Lawrence A. Watt, President
Christy Guerin, Vice President
Edmund K. Sprague, Treasurer
Gerald E. Varty, Secretary
Robert F. Topolovac, Director



Municipal Water District

55 Years of Pure Excellence

1959 ~ 2014

General Manager
Kimberly A. Thorner, Esq.
General Counsel
Alfred Smith, Esq.

September 11, 2014

RECEIVED

SEP 12 2014

VISTA IRRIG. DIST.

Vista Irrigation District
1391 Engineer Street
Vista, CA 92083

Dear Board President:

At its September 10, 2014 regular meeting, Olivenhain Municipal Water District's board unanimously nominated Mr. Edmund (Ed) K. Sprague for the Special District Alternate Member position on LAFCO. I am writing to request your support of Mr. Sprague's nomination for this seat.

Mr. Sprague joined OMWD's board in 2008 and served as President from 2009 to 2012. He presently serves as Treasurer on the board of directors and concurrently participates on various district committees, including the Ad Hoc Finance Committee, the Ad Hoc Facilities Committee, and the Ad Hoc Outreach Committee. His tenure with OMWD has provided Mr. Sprague with a great deal of experience managing water, wastewater, and parks and recreation services to over 80,000 customers. In addition, Mr. Sprague serves on CSDA's Education Committee since 2013. Previous accomplishments include earning his Recognition in Special District Governance certification from the Special District Leadership Foundation in 2010 and serving on the board of directors of the Special District Risk Management Authority in 2011.

As a lifetime resident of northern San Diego County, Mr. Sprague has dedicated his life to serving and protecting the community in fire protection and prevention roles. His career began in 1986 as a Cadet Firefighter with the City of Escondido Fire Department. Later that same year, he had the opportunity to join the City of Carlsbad Fire Department as a full-time Firefighter. Over the next twenty-six years, Mr. Sprague rose through the ranks from Firefighter, Fire Engineer, Fire Captain, Battalion Chief - Training Officer, to Shift Battalion Chief. During that period, he spent ten years as a Rescue Specialist on USAR TF 8, was the department's Public Education Officer, Liaison Officer with North County Dispatch JPA, in addition to participating in numerous other projects and programs. Since 2012, he serves as Deputy Fire Chief for the North County Fire Protection District. Mr. Sprague holds bachelor's and master's degrees in public administration from San Diego State University and an associate's degree in fire science from Palomar College.

Mr. Sprague's **extensive experience in the fields of water, wastewater, parks and recreation, and fire protection and prevention will aid him in bringing a uniquely broad perspective to LAFCO.** For this reason, I encourage you to vote for Ed Sprague as Special District Alternate Member on LAFCO.

Sincerely,

Lawrence A. Watt
President of the Board
Olivenhain Municipal Water District



1966 Olivenhain Road • Encinitas, CA 92024
Phone (760) 753-6466 • Fax (760) 753-1578 • www.olivenhain.com





Agenda Item: 13

STAFF REPORT

Board Meeting Date: December 17, 2014
Prepared By: Roy Coox

SUBJECT: MATTERS PERTAINING TO THE ACTIVITIES OF THE SAN DIEGO COUNTY WATER AUTHORITY

SUMMARY: Informational report by staff and directors concerning the San Diego County Water Authority. No action will be required.



SUMMARY OF FORMAL BOARD OF DIRECTORS MEETING NOVEMBER 20, 2014

1. Treasurer's Report.
The Board noted and filed the monthly Treasurer's report.
2. Adopt Annual Statement of Investment Policy, as amended, and continue to delegate authority to the Treasurer to invest Water Authority funds for calendar year 2015.
The Board continued the consideration of revisions to the investment policy to the January 23, 2015 meeting, and the existing policy will remain in effect until a new policy is adopted.
3. Amendment to Professional Services Contract for Montague DeRose and Associates Financial Advisory Services.
The Board approved an amendment to the professional services contract with Montague DeRose and Associates (MDA) to provide financial advisory services for a total not-to-exceed contract amount of \$566,000.
4. Selection of an Investment Manager for Selected Asset Classes.
The Board approved the selection of Chandler Asset Management to manage investments in medium term corporate notes and municipal securities.
5. Amendment to professional services contract with WaterWise Consulting, Inc., for administration of the Water Authority's Turf Replacement Rebate Program.
The Board approved an amendment to the professional services contract with WaterWise Consulting, Inc. (WaterWise), to increase the contract value to a not-to-exceed amount of \$2,178,406.
6. Agreement with San Diego Gas and Electric for high-efficiency clothes washer incentive funding.
The Board authorized the General Manager to enter into a one year cooperative agreement to allow SDG&E to provide supplemental high-efficiency clothes washer (HEW) incentive funding in an amount not-to-exceed \$720,000.
7. Adopt Proposed 2015 Legislative Policy Guidelines.
The Board adopted the proposed 2015 legislative policy guidelines.



San Diego County Water Authority

8. Consideration of Water Authority Sponsorship of Legislation in the 2015 State Legislative Session.

The Board took action to: Sponsor or co-sponsor Legislative Proposal #1 to permanently extend the urban water management plan submittal dates. Sponsor or co-sponsor Legislative Proposal #2 to streamline the state's administration of the integrated regional water management program. Sponsor or co-sponsor Legislative Proposal #3 to authorize broader application of artificial turf in common interest developments.

9. Agreement for Sacramento Lobbying Services with the firms of Gonzalez, Quintana & Hunter; Lang, Hansen, O'Malley & Miller; and V. John White Associates.

The Board adopted an agreement with the following firms for a period of 48 months, from January 1, 2015 through December 31, 2018, for a total amount not to exceed \$1,557,000: Gonzalez, Quintana & Hunter: first-year fees of \$138,000 and reimbursable expenses of \$7,500 for a total first-year amount not to exceed \$145,500; fees will be increased by a fixed amount of \$750 per year in years two, three and four. Lang, Hansen, O'Malley & Miller: first-year fees of \$130,080 and reimbursable expenses of \$7,500 for a total first-year amount not to exceed \$137,580; fees will be adjusted in years two, three and four based upon CPI-U San Diego All Items. V. John White Associates: first-year fees of \$78,036 and reimbursable expenses of \$7,500 for a total first-year amount not to exceed \$85,536; fees will be adjusted in years two, three and four based upon CPI-U San Diego All Items.

10. Agreement for Washington D.C. Lobbying Services with the firm of Carpi & Clay.

The Board extended the agreement with the firm of Carpi & Clay, Washington, D.C., for a period of 48 months, from January 1, 2015 through December 31, 2018, for a total amount not to exceed \$577,284, with a total first-year amount not to exceed \$139,788 and an adjustment in the second, third, and fourth years based upon CPI-U San Diego All Items.

11. Authorize the advance of \$10 million to the QSA JPA against future scheduled contributions.

Contingent upon the adoption of advanced payments by the Imperial Irrigation District and Coachella Valley Water District, the Board :

1. Authorized the advance of up to \$10 million over six years beginning in fiscal year 2015-16 of the Water Authority's obligation to the QSA JPA to pay for environmental mitigation requirements.
2. Authorized the modification of Payment Schedules pursuant to the QSA JPA Creation and Funding Agreement (JPA Agreement).



San Diego County Water Authority

12. Professional services contracts for as-needed land survey services.
The Board authorized the General Manager to award five individual three-year professional services contracts in the amount of \$100,000 each to Aguirre & Associates, Nasland Engineering, Project Design Consultants, RBF Consulting, and Snipes-Dye Associates, for a not-to-exceed total of \$500,000 to provide as-needed land survey services.
13. Professional services contracts for as-needed appraisal services.
The Board authorized the General Manager to award three individual three-year professional services contracts for as-needed appraisal services to Anderson & Brabant in the amount of \$150,000, Hendrickson Appraisal Company in the amount of \$100,000, and Rasmuson Appraisal Services in the amount of \$50,000, for a total not-to-exceed amount of \$300,000.
14. Parallel encroachment permit for County of San Diego storm water facilities.
The Board authorized the General Manager to issue a parallel encroachment permit to the County of San Diego for the installation of a storm water drainage facility parallel to the Water Authority pipelines in the First Aqueduct right of way.
15. Professional services contract with Louis Berger Group for the Carlsbad Desalination Plant project.
The Board authorized the General Manager to approve Amendment No. 3 to the professional services contract with Louis Berger Group, formerly Leidos Engineering, LLC, for design and construction performance and compliance services during commissioning and start-up for the Carlsbad Desalination Plant project, in the amount of \$269,692 for a total contract value of \$994,692.
16. Retirement of Director.
The Board adopted **Resolution No. 2014-29** honoring Bud Pocklington upon his retirement from the Board of Directors.
17. Audit Committee Annual Report.
The Board accepted and filed the Audit Committee Annual Report pursuant to the Administrative Code, Section 2.00.066 and the Comprehensive Annual Financial Report (CAFR) for Fiscal Years ended June 30, 2014 and 2013.
18. Approve Employment of Retired Employee as Interim Director of Water Resources.
The Board adopted **Resolution No. 2014-30**, a resolution of the Board of Directors of the San Diego County Water Authority appointing a retired annuitant pursuant to the exception to the 180-day wait period under Government Code Sections 7522.56 and 21221(h).



STAFF REPORT

Agenda Item: 14.A

Board Meeting Date: December 17, 2014
Prepared By: Lisa Soto
Approved By: Roy Coox

SUBJECT: REPORTS ON MEETINGS AND EVENTS ATTENDED BY DIRECTORS

SUMMARY: Directors will present brief reports on meetings and events attended since the last Board meeting.



STAFF REPORT

Board Meeting Date: December 17, 2014
Prepared By: Marian Schmidt
Approved By: Roy Coox

SUBJECT: SCHEDULE OF UPCOMING MEETINGS AND EVENTS AND DIRECTORS ATTENDING

SUMMARY: The following is a listing of upcoming meetings and events. Requests to attend any of the following events should be made during this agenda item.

	SCHEDULE OF UPCOMING MEETINGS AND EVENTS	ATTENDEES
1	AB 1234 Ethics Compliance Training (CSDA) <i>Free through Mar. 2, 2015 on a computer of your choice.</i> <i>Contact Marian Schmidt for log-on instructions</i>	
2	Harassment Prevention Training AB 1825 Webinar (CSDA) <i>Jan. 14, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 1/9/15</i>	
3	Introduction to Good Governance Principles (CSDA) <i>Jan. 15, 2015 – Western Municipal Water District, Riverside</i> <i>Registration deadline: 1/12/15</i>	
4	Introduction to Good Governance Principles (CSDA) <i>Jan. 22, 2015 – Municipal Water District of Orange County, Fountain Valley</i> <i>Registration deadline: 1/20/15</i>	
5	Colorado River Aqueduct System Tour (SDCWA & MWD) <i>Jan. 24-25, 2015 – Meets at SDCWA</i> <i>Reservation deadline: Registration not open</i>	
6	Special District Leadership Academy Conference (CSDA) <i>Jan. 25-28, 2015 – Embassy Suites Napa Valley, Napa</i> <i>Registration deadline: 1/21/15</i>	
7	Rules of Order Made Easy Webinar (CSDA) <i>Jan. 29, 2015, 10 a.m. – 12:00 p.m.</i> <i>Registration deadline: 1/27/15</i>	
8	The Essential Guide to the Brown Act Webinar (CSDA) <i>Feb. 10, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 2/6/15</i>	
9	Understanding Board Member & District Liability Issues (CSDA) <i>Feb. 18, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 2/13/15</i>	
10	State Water Project/Bay Delta Tour (SDCWA & MWD) <i>Feb. 21-22, 2015 – Meets at SDCWA</i> <i>Reservation deadline: Registration not open</i>	
11	Introduction to Special District Finances Webinar (CSDA) <i>Feb. 26, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 2/24/15</i>	
12	Required Ethics Compliance Training AB 1234 Webinar (CSDA) <i>Mar. 4, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 3/2/15</i>	
13	Urban Water Institute Spring Water Conference <i>Mar. 4-6, 2015, Hilton Palm Springs Hotel</i> <i>Reservation deadline: TBD</i>	

14	WaterReuse California Annual Conference (Water Education Foundation) <i>Mar. 15-17, 2015 - Millennium Biltmore Hotel, Los Angeles</i> <i>Registration deadline: 1/29/15</i>	
15	State Water Project/Bay Delta Tour (SDCWA & MWD) <i>Mar. 20-22-2015 – Meets at SDCWA</i> <i>Reservation deadline: Registration not open</i>	
16	Governance Foundations (CSDA) <i>Mar. 24, 2015 – Hilton Sacramento Garden West, Sacramento</i> <i>Registration deadline: 3/20/15</i>	
17	Legislative Roundup Webinar (CSDA) <i>Mar. 26, 2015, 10:00 a.m. – 12:30 p.m.</i> <i>Registration deadline: 3/24/15</i>	
18	Introduction to Good Governance Principles (CSDA) <i>Apr. 16, 2015 – McKinleyville Community Services District, McKinleyville</i> <i>Registration deadline: 4/14/15</i>	
19	Hoover Dam & Colorado River Aqueduct Tour (SDCWA & MWD) <i>Apr. 18-19, 2015 – Meets at SDCWA</i> <i>Reservation deadline: Registration not open</i>	
20	Colorado River Aqueduct System Tour (SDCWA & MWD) <i>May 1-2, 2015 – Meets at SDCWA</i> <i>Reservation deadline: Registration not open</i>	
21	ACWA Spring Conference <i>May 5-8, 2015 – Sacramento Convention Center</i> <i>Reservations deadline: TBD</i>	
22	CSDA Special District Legislative Days <i>May 19-20, 2015 – The Grand (across from The Sheraton Grande, Sacramento)</i> <i>Registration deadline: 5/15/15</i>	
23	Staying in Compliance: Understanding Fundamental Laws (CSDA) <i>June 3, 2015 – CSDA Training Center, Sacramento</i> <i>Registration deadline: 6/1/15</i>	
24	Harassment Prevention Training AB 1825 Webinar (CSDA) <i>June, 10, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 6/8/15</i>	
25	Setting Direction/Community Leadership (CSDA) <i>July 22, 2015, 8:30 a.m. – 4:00 p.m. – CSDA Training Center, Sacramento</i> <i>Registration deadline: 7/20/15</i>	
26	Legislative Roundup Webinar (CSDA) <i>July 30, 2015, 10:00 a.m. – 12:30 p.m.</i> <i>Registration deadline: 7/28/15</i>	
27	Board Member & District Liability Issues Webinar (CSDA) <i>Aug. 12, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline 8/10/15</i>	
28	Understanding the Brown Act: Beyond the Basics Webinar (CSDA) <i>Aug. 20, 2015, 10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 8/18/15</i>	
29	CSDA Annual Conference <i>Sept. 21-24, 2015 – Hotel location TBD, Monterey</i>	
30	Urban Water Institute Annual Water Conference <i>Aug. 26-28, 2015 – Hilton San Diego Resort</i> <i>Registration deadline: TBD</i>	
31	ACWA Fall Conference <i>Dec. 1-4, 2015–Renaissance Esmeralda/Hyatt Grand Champions Hotel, Indian Wells</i> <i>Reservations deadline: TBD</i>	

* Non-per diem meeting except when serving as an officer of the organization

The following abbreviations indicate arrangements that have been made by staff:

A=Airline; R=Registration; C=Car; H=Hotel; T=Tentative



Agenda Item: 15

STAFF REPORT

Board Meeting Date: December 17, 2014
Prepared By: Lisa Soto

SUBJECT: ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

SUMMARY: This item is placed on the agenda to enable the Board to identify and schedule future items for discussion at upcoming Board meetings and/or identify press release opportunities.

Staff-generated list of tentative items for future agendas:

- Committee appointments
- Recycled water project update
- New groundwater legislation update
- District website
- Drought update



Agenda Item: 16

STAFF REPORT

Board Meeting Date: December 17, 2014
Prepared By: Lisa Soto

SUBJECT: COMMENTS BY DIRECTORS

SUMMARY: This item is placed on the agenda to enable individual Board members to convey information to the Board and the public not requiring discussion or action.



Agenda Item: 17

STAFF REPORT

Board Meeting Date: December 17, 2014
Prepared By: Roy Coox

SUBJECT: COMMENTS BY GENERAL COUNSEL

SUMMARY: Informational report by the General Counsel on items not requiring discussion or action.



Agenda Item: 18

STAFF REPORT

Board Meeting Date: December 17, 2014
Prepared By: Roy Coox

SUBJECT: COMMENTS BY GENERAL MANAGER

SUMMARY: Informational report by the General Manager on items not requiring discussion or action.



Agenda Item: 19

STAFF REPORT

Board Meeting Date: December 17, 2014
Prepared By: Roy Coox

SUBJECT: CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL

SUMMARY: Conference with legal counsel per paragraph (1) of subdivision (d) of Government Code section 54956.9 to discuss the following existing litigation:

- A. San Luis Rey Indian Water Rights Litigation (Settlement)
- B. Quantification Settlement Agreement (QSA)



STAFF REPORT

Agenda Item: 20

Board Meeting Date: December 17, 2014
Prepared By: Lisa Soto
Approved By: Roy Coox

SUBJECT: ANNUAL ORGANIZATIONAL MEETING

RECOMMENDATION: Conduct annual organizational meeting and review officer appointments. The Board may also review the committee appointments of 2014 in anticipation of new committee appointments to be made at a future Board meeting.

PRIOR BOARD ACTION: The District's last organizational meeting was on December 18, 2013.

FISCAL IMPACT: None.

SUMMARY: Per section 21375 of the California Water Code, Boards may reorganize (including election of President per section 21376) after the first Friday in December. According to Section 1.5.5.A of the District's Rules and Regulations, the President and First Vice President of the Board shall each serve a one-year term and shall be elected to such term by the members of the Board at the last meeting of the prior calendar year, provided that in an election year the meeting occurs after any newly elected members are sworn-in. The President shall preside over meetings of the Board of Directors. The First Vice President shall assume the duties of the President in his or her absence. The remaining directors shall serve equally as Vice Presidents for the same term.

DETAILED REPORT: The Board's practice has been to appoint officers at one meeting, and then to follow up with committee and other appointments at a subsequent meeting, in order to allow time for the incoming President to deliberate regarding the appointments. Staff will prepare a staff report for the second meeting in January for the District committee assignments and selection of representatives to outside organizations. For the convenience of the Board, the 2014 Board officers and Committee/d outside organization appointments have been included in this staff report, for review and discussion by the Board if desired.

The following is a list of the appointed officers for 2014:

OFFICERS:

President	Paul Dorey
First Vice President	Jo MacKenzie
Vice Presidents	Marty Miller, Richard Vásquez, and John Franklin
Secretary	Lisa Soto
Assistant Secretaries	Marian Schmidt; Roy Coox
Treasurer	Eldon Boone
Assistant Treasurers	Farrokh Shahamiri; Roy Coox

ATTACHMENT: 2014 Committees and Outside Organizations Appointments

STANDING COMMITTEES FOR 2014:

Water Sustainability

Programs related to water conservation and maintenance of current water sources. Development by VID and/or our supplier(s) of new sources such as desal, brackish water, and recycled water. Does not include Lake Henshaw and the Warner Ranch.

Vásquez, Chair; and Franklin

Fiscal Policy

District budget and finances, including rates.

Dorey, Chair; and MacKenzie

Warner Ranch

Contracts, leases, historical assets, environmental issues, long-range planning, and relations with neighboring property owners.

MacKenzie, Chair; and Dorey

Public Affairs

Public outreach on water conservation and legislation, and public education on major water issues.

Franklin, Chair; and Vásquez

AD HOC COMMITTEES FOR 2014:

Indian Settlement

Miller, Chair; and MacKenzie

OUTSIDE ORGANIZATIONS FOR 2014

Upper San Luis Rey Watershed Authority

A group representing the major stakeholders of the upper San Luis Rey watershed to monitor issues and pursue goals relevant to their common interests.

Dorey; Alternate-Angela Morrow

Lower San Luis Rey Watershed Council

A partnership of local landowners, agricultural growers, Native American bands, community and environmental organizations, government agencies and special districts with ties to this watershed. The Council's primary goal is to develop and implement a comprehensive resource management plan for the San Luis Rey River and its tributaries.

Dorey; Alternate-Angela Morrow

ACWA/JPIA

The insurance pool formed by ACWA member agencies; VID obtains liability, property and workers compensation insurance through ACWA/JPIA.

Dorey; Alternates-Eldon Boone & Roy Coox

Southern California Water Committee

A nonprofit, nonpartisan, public education partnership dedicated to informing Southern Californians about our water needs and our state's water resources; a cooperative effort of business, government, water agencies, agriculture, and public interests.

Dorey; Alternate-Vásquez

Groundwater Resources Association

Dedicated to resources management that protects and improves groundwater through education and technical leadership.

Dorey; Alternate-Vásquez