

VI. COMMENTS AND QUESTIONS FROM THE AUDIENCE

Up to fifteen minutes of this portion of the meeting are reserved for members of the public to address the Board on items not listed on the agenda and within the jurisdiction of the GSD Board. Speakers are limited to 3 minutes. The GSD Board is prohibited by law from taking action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the GSD Board does not respond to public comment at this time.

General Public / Community Groups ----*No Written Comments*

Remote Public Comments:

- 1. Submit public comments in writing or by Email to the Garberville Board of Directors and Staff prior to meeting, so Board and staff have time to review the information provided. All public Comments sent to office or by email, must be received prior to 1:00PM on day of meeting.**

VII. ANNOUNCEMENTS AND COMMUNICATIONS

REPORTS AND PRESENTATIONS – *Routine report of activities, operations, meetings / conferences held and/or attended by Board members, Staff, and General Manager*

Operations Staff- River Levels—Operational Demands

Office Staff-

Board Members-

Correspondence-

General Manager—Ralph Emerson Pg. 4

VIII. REGULAR AGENDA ITEMS

A. CONSENT AGENDA

Notice to the Public

All matters listed under Consent Agenda are considered to be routine and non-controversial, require no discussion and are expected to have unanimous Board support and may be enacted by the Board by one motion and voice vote. There will be no separate discussion of these items; however, before the Board votes on the motion to adopt, members of the Board may request that specific items be removed from the Consent Agenda for separate discussion and action. Any items will be considered after the motion to approve the Consent Agenda as time permits.

A.1 Approve Financials Date- No Financials

A.2 Approve **January 31st, 2023** Regular Meeting Minutes - Pg. 5-7

A.3 Operations Safety Report- Handout at Meeting

Motion:

Second:

Vote:

B. GENERAL BUSINESS – *Action items*

Notice to the Public

The Board of Directors will allow public comment on agenda items at the time the agenda item is considered. However We ask that any person who wishes to speak on an agenda item submit a request prior to the meeting being called to order. You will be given 3 minutes on each agenda item that you wish to comment on and the Board of Directors will discuss the item amongst themselves with no other public comment.

- B.1 Update on Water Tank Replacement Project Pg. 8-11
 (discussion-possible action) Jennie Short
Motion: **Second:** **Vote:**
- B.2 State Water Board AHO Denial of Ed Voice Request for Reconsideration Pg. 12-21
Of Water Rights Approval
 (discussion-possible action)
Motion: **Second:** **Vote:**
- B.3 Authorized Check Signers for Umpqua Bank Pg. 22-23
 (action requested) Resolution #23-004
Motion: **Second:** **Vote:**
- B.4 Authorized Signers for Capital Project Expenses
 (discussion-possible action)
Motion: **Second:** **Vote:**
- B.5 Water Capacity Report
 (discussion-possible action) Jennie-Mary-Dan
Motion: **Second:** **Vote:**
- B.6 Mitchell Law Firm Rate Increase Pg. 24
 (discussion-action requested)
Motion: **Second:** **Vote:**
- B.7 Update on Minimum Wage Changes and Benefits
 (discussion-action requested) Mary
Motion: **Second:** **Vote:**

C. POLICY REVISION / ADOPTION

- C.1 Personnel Policy Review Pg. 25-77
 (discussion—no action)

XI. ITEMS FOR NEXT BOARD MEETING

1. Water Capacity Report
2. Changes in Garberville
3. Project Update
- 4.
- 5.

XII. ADJOURNMENT

The GSD Board meeting agenda will be posted at the District Office no later than. Date: Saturday, February 18th, 2023. The agenda will be on the GSD website and is emailed to the local newspapers and those who have requested an agenda in writing or e-mail.

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Garberville Sanitary District Office at (707)923-9566 at least 48 hours in advance.

Garberville Sanitary District

PO Box 211

Garberville, CA. 95542

(707)923-9566

remerson@garbervillesd.org

GENERAL MANAGER REPORT

Date: February 21, 2023

The water tank replacement project is proceeding, and will be discussed on the agenda, while meetings and research continue between all parties, including the property owner.

We will be meeting as staff and consultant on the 2023-2024 budget and have begun working on this but will have a budget committee meeting next month as we have more information. We have been looking at the increases in cost of services which include all contractors, vendors, consultants, legal advice and engineers, so we will factor those increases into the budget. There will be professional service increases proposed at the March meeting and during the budget planning process.

There have been multiple water leaks during this past month at customer properties, so we have been working with them and their contractor's to stop leak while making sure the work is performed to our standards.

I have been working with staff on an updated Operations and emergency procedures plan which will be brought to you next month for input.

Respectfully Submitted:

Ralph Emerson

**GARBERVILLE SANITARY DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES**

Date of Meeting: Tuesday, January 31, 2023
5:00 p.m. – Open Public Session

I. REGULAR MEETING CALLED TO ORDER

Doug called the meeting to order at 5:03 pm

II. ESTABLISHMENT OF QUORUM

Rio Anderson-Present
Doug Bryan-Present
Julie Lyon-Present
Dan Thomas-Present
Richard Landes- Present

III. APPROVAL OF AGENDA

*The board made a change to the agenda, the closed session was moved to the end of the meeting.
Motion: Rio Anderson Second: Dan Thomas Vote: 5-0*

IV. THE BOARD WILL ENTER CLOSED SESSION

IVa. Questions or Comments about Closed Session Items

1. Conference with Real Property Negotiators (Government Code § 54956.8):

Property: Approximately (*undetermined*) acres of land and is a portion of the parcel designated as Assessor's Parcel Numbers APN 032-211-035, APN 032-211-011, APN 032-211-021, APN 223-061-007, APN 032-211-034, APN 032-111-025 Garberville Sanitary District Negotiating Team with Russ Gans (GSD attorney) will participate and under negotiation: Price and/or terms of payment/conditions, Ground Lease and Development Agreement
(discussion—possible action)

V. RETURN TO OPEN SESSION

No action was taken during closed session.

VI. COMMENTS AND QUESTIONS FROM THE AUDIENCE

Meeting Attendance
Kristen Vogel
Lisa Music

**VII. ANNOUNCEMENTS AND COMMUNICATIONS
REPORTS AND PRESENTATIONS –
Operations Staff- Operational Demands**

Office Staff- 0

Board Members- 0

Correspondence- 0

General Manager—Ralph Emerson Pg. 4

A few customers have brought up questions concerning their service charges. One customer wrote a letter to the board. Laura has been working on updating the website and keeping the website compliant.

VIII. REGULAR AGENDA ITEMS

A. CONSENT AGENDA

A.1 Approve Financials Date September, October, November 2022 - pg. 5-39

A.2 Approve December 20, 2022 Regular Meeting Minutes – pg. 40-42

A.3 Operations Safety Report- pg. 43-44

Motion: Julie Lyon Second: Dan Thomas Vote: 5-0

B. GENERAL BUSINESS – Action items

B.1 Water Tank Replacement Project pg. 45-146

(discussion—possible action) Jennie

The board reviewed SHNS proposed addendum.

A motion was made to authorize Doug Bryan to sign the addendum to the engineering services contract with SHN.

Motion: Dan Thomas Second: Richard Landes Vote: 5-0

The board reviewed the final draft funding agreement with the State of California. The 4 ½ million dollars is for the planning and construction part of the project.

A motion was made to authorize Doug Bryan to sign the Final executable version of the agreement when it arrives.

Motion: Dan Thomas Second: Rio Anderson Vote: 5-0

The board reviewed the letter to RCSD regarding the possible consolidation and to authorize Doug Bryan to sign the letter on behalf of the District. The board voted to send the signed letter and emails to RCSD.

Motion: Julie Lyon Second: Dan Thomas Vote: 5-0

B.2 Final Audit 2022 pg. 147-175

(discussion-possible action) Jennie

Final Audit- Motion: Dan Thomas Second: Julie Lyon Vote: 5-0

Resolution 23-003 Motion: Julie Lyon Second: Dan Thomas Roll Call Vote: 5-0

B.3 River and Rain Update Past 20 Years

(discussion-possible action) Dan and Brian

- B.4 Arrearage Code and LIHWAP Update
 (discussion-possible action) Mary
The District has had 8 customers apply for this funding. That brings the total to \$5,157.66.
- B.5 Pine Street Apartments-Building Project **pg. 176-178**
Information only.
- B.6 Developer Projects Update
 (discussion—no action)
- B.7 Authorized Check Signers **pg. 179-180**
 (action requested) Resolution 23-001
Table. Bring back with the changes to the Resolution that Umpqua Bank needs.

C. POLICY REVISION / ADOPTION

- C.1 Amend Brown Act Policy **pg. 181-242**
 (discussion—Action Requested)
- The board adopted the amended brown act policy.
Motion: Richard Landes Second: Dan Thomas Vote: 5-0
- C.2 Billing Procedures-Sec 9.5 **pg. 243-253**
 (discussion-possible action) 3rd reading
 Resolution #23-002
Motion: Dan Thomas Second: Richard Landes Roll Call Vote: 5-0

VIII. ITEMS FOR NEXT BOARD MEETING

1. Water Tank Replacement Project
2. River and Rain Update
3. Developer Project Update
- 4.
- 5.

The Next Board Meeting is February 21st, 2023

IX. ADJOURNMENT

Doug Bryan ended open session at 7:04 pm. The board entered into closed session at 7:06 pm



GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

BOARD OF DIRECTORS MEETING MEMORANDUM

Meeting Date: February 21, 2023
To: Board of Directors
From: Jennie Short, Consultant Project Manager
Subject: Robertson/Wallan/Hurlbutt Tank Replacement Project

GENERAL OVERVIEW

It has only been two weeks since the last Board Meeting, but the Project Team has been working on:

- Communicating with Swaffars about the terms of the property acquisition for the field, access, and waterline easements.
- RCSD received GSD's letter regarding consolidation and provided a copy of the letter they had sent to the state outlining why they don't want to pursue a physical intertie.
- The final base maps for Wallan Tank, Robertson Tank, and Hurlbutt tank and field have been completed by Points West and were transmitted to SHN for use on the preliminary engineering report figures.
- SHN has been working on preparing the Draft Preliminary Engineering Report
- As the Board requested, I attended and provided comments during the Waterboard Meeting on February 7th that contained the workshop for the Expedited Drinking Water Grant Funding Program Guidelines for possible additional construction funding for the expanded project should it be needed
- Coordination with SWRCB-DFA staff to amend the Prop 68 funding agreement to include SHN's additional efforts has begun and will continue as the preliminary engineering efforts continue to proceed.

Attached is the updated Project Tracking Report summarizes these FA items with their associated deliverables and the SHN tasks with estimated due dates and comments on the progress. These numbers have all be updated to reflect the DWR Funding Agreement and the amended contract with SHN.

The next major milestone will be SHN's presentation of the preferred alternative for the project at the March Board meeting. Once the Board has concurred with this preferred alternative, the Draft Preliminary Engineering Report can be submitted to DFA and DDW for review and approval.

FINANCIAL IMPLICATIONS

There is no new information for financial considerations beyond that presented in the Project Tracking Report as attached.

RECOMMENDATIONS

None

ATTACHMENTS

Project Tracking Report

Robertson/Wallan/Hurlbutt Tank Replacement Project Tracking Report

FA Item SHN Task # Description	DFA Funding Agreement \$	Reimb. Amount \$	DWR Funding Agreement \$	SHN Contract \$	SHN Billed \$	Points West Contract	Estimated Completion Date	Completion Status *	Comments
1 Project Evaluation, Alternative Analysis and Pre-design 1 Data Collection & System Evaluation 5 Draft PER Deliver: Draft Preliminary Engineering Report	35,000	30,037	60,000						
				28,000	27,983			C	
				87,500	48,140		03/31/23	U	
2 Surveying and Geotechnical Investigation 3 Survey 4 Geotechnical Investigation and Geologic Hazards Evaluation Deliver: Geotechnical Report	20,000	1,133	40,000	4,500	1,820	53,000	02/28/23		Prep for field survey
	15,000		42,000	60,000	710		07/31/23		Prep for geotech
3 Final Preliminary Engineering Report 5 Final PER portion of Task 5 6 30% Plans Deliver: Final Preliminary Engineering Report Preliminary Design	55,000								
				35,000			05/31/23		
				138,500	18,791		05/31/23	U	
							05/31/23		
							05/31/23		
4 Environmental Documents (CEQA) 2 Special Studies - Wetlands, Biological, Botany, Cultural Resources 7 CEQA Document + NOD Permitting Deliver: Draft Environmental Documents Final Environmental Documents	60,000	24,997	63,000	71,250	25,699		10/31/22	U	
	20,000		45,000	50,000			01/31/24		
							12/01/23		
							03/31/24		
5 Plans & Specifications Deliver: Draft Plans, Specifications & Bid Documents (60%) Final Plans, Specifications & Bid Documents (100%)	70,000		220,000						
							08/31/23		
							12/31/23		
6 Technical, Managerial and Financial Deliver: Draft TMF Assessment form & supporting documentation Final TMF Assessment form & supporting documentation	20,000								
							10/31/23		
							12/31/23		

Robertson/Wallan/Hurlbutt Tank Replacement Project Tracking Report

FA Item SHN Task # Description	DFA Funding Agreement \$	Reimb. Amount \$	DWR Funding Agreement \$	SHN Contract \$	SHN Billed \$	Points West Contract	Estimated Completion Date	Completion Status *	Comments
7 Water Rate Study Deliver: Draft Rate Study Final Rate Study	10,000							C	June 2020 Increases implemented June 2021 & 2022
8 Administration Deliver: Quarterly Progress Reports	20,000	7,841	15,000				12/31/25	P	Rpt#3 Submitted Reimbursement Req #1
9 Work Completion (Planning Phase)							03/31/24		
TOTAL:	\$ 325,000	\$ 64,008	\$ 485,000	\$ 474,750	\$ 123,143	\$ 53,000			
Post Planning Phase Major Milestones									
Right of Way Acquisition			140,000					U	Coord w/ prop owners
Issuance of Federal, State & County permits									
Application for Construction Funding								U	Researching Sources
Execution of FA for Construction Phase									
Bid Project			10,000						
Award Project									
Begin Construction Work									
Construction			3,675,000						
CM, DA, CPM			235,000						
Complete Construction Work									
Final Funding Reimbursement							12/31/25		
Total:	325,000	64,008	4,545,000						
* Notes: Completion Status Key: C = Task Complete U = Task Underway P = Periodic Task for duration of project									



GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

BOARD OF DIRECTORS MEETING MEMORANDUM

Meeting Date: February 21, 2023
To: Garberville Sanitary District Board of Directors
From: Jennie Short, Consultant Project Manager
Subject: SHCP Water Service Request
SWRCB DWR POU Petition Update

GENERAL OVERVIEW

The State Water Resources Control Board held a meeting on February 7, 2023, at which they unanimously denied Mr. Voice's request for reconsideration of their approval of our petition to change the place of use. The notification of their action is attached to this memo. This was the last action for their process and we are now ready to complete the last few steps to activate water service to the Park. The remaining steps are:

1. Updating of the Water Service Agreement between GSD and SHCP documenting the additional conditions that were included by the State Water Resources Control Board as part of their approval of our revised license and permit. This updated agreement will need to be notarized so that it can be recorded with the County Recorder.
2. The SHCP will need to install the necessary onsite waterlines along with the pressure reducing backflow preventor.
3. The SHCP will need to finish paying off the balance of \$2,473.93 in 5 monthly installments.
4. The SHCP will need to pay for the GSD costs associated with making connection from the watermain to the meter.
5. The meter still needs to be set by GSD (or our contractor), connected to SHCP's line and turned on.

FINANCIAL CONSIDERATIONS

At the September 27, 2022 GSD Board meeting, the Park requested that the Board modify the terms of the agreement to extend the time frame for making the final payment, and the Board agreed to allow them to make nine monthly payments on the first of every month in an amount of \$494.78 instead of one final payment. The Park has made four payments so far. The statement of the account is attached through January 31, 2023.

Since then, GSD incurred part of the expenses associated with installation of the service line in February.

ATTACHMENTS

Letter and Order from SWRCB denying petition for reconsideration
Statement to SHCP - January 31, 2023



State Water Resources Control Board

February 15, 2023

Dear Interested Parties:

On February 7, 2023, the State Water Resources Control Board adopted Order WR 2023-0006, which denied Edward Voice's petition for reconsideration of the Board's Order WR 2022-0152. A copy of Order WR 2023-0006 is enclosed.

Now that the State Water Board has adopted Order WR 2023-0006, the Administrative Hearings Office's proceedings on Garberville Sanitary District's water-right change petitions are completed, and we will be closing our files for this proceeding. Please do not send any more communications to the Administrative Hearings Office about this proceeding, and please do not include the Administrative Hearings Office's e-mail address in the cc line of any e-mails you send to anyone else.

If you have any further questions about the State Water Board's actions regarding Garberville Sanitary District's water-right License 3404 or water-right Permit 20789, then please direct them to the Board's Division of Water Rights by e-mail to dwr@waterboards.ca.gov or by telephone to 916-341-5300.

Sincerely,

Administrative Hearings Office
State Water Resources Control Board
AdminHrgOffice@waterboards.ca.gov
P. O. Box 100
Sacramento, CA 95812-0100

Encls:

- Service List (all copies sent by e-mail only, except to addressee without listed e-mail address; paper copies mailed to that addressee)
- Order WR 2023-0006

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WR 2023-0006

In the Matter of the petition of

Edward Voice

for reconsideration of Order WR 2022-0152,
order on petitions of Garberville Sanitary District
to change water-right License 3404 (Application A009686)
and water-right Permit 20789 (Application A029981),
which authorize diversions of water from the South Fork Eel River
in Humboldt County

ORDER DENYING PETITION FOR RECONSIDERATION

BY THE BOARD:

1.0 INTRODUCTION

This matter came to the State Water Resources Control Board (State Water Board or Board) on the petition of Edward Voice for reconsideration of the Board's Order WR 2022-0152. Order WR 2022-0152 granted the petitions of Garberville Sanitary District (Garberville SD) to change its water-right License 3404 (Application A009686) and water-right Permit 20789 (Application A029981), which authorize Garberville SD to divert water from the South Fork of the Eel River in Humboldt County for municipal uses within the authorized place of use.

In his petition for reconsideration of Order WR 2022-0152, Mr. Voice alleges that the State Water Board's adoption of this order did not comply with the California Environmental Quality Act (CEQA) or the CEQA Guidelines.

For the reasons stated in this order, we deny Mr. Voice's petition for reconsideration.

2.0 GROUND FOR RECONSIDERATION OF A BOARD ORDER; TIMING OF BOARD'S ORDER ON PETITION FOR RECONSIDERATION

Any interested person may petition the State Water Board for reconsideration of a water rights order within 30 days after the date on which the Board adopted the order.

(Wat. Code, § 1122.)

The applicable Board regulation (Cal. Code Regs., tit. 23, § 768) provides that a petition for reconsideration may address any of the following causes:

- (a) Irregularity in the proceedings, or any ruling, or abuse of discretion, by which the person was prevented from having a fair hearing;
- (b) The decision or order is not supported by substantial evidence;
- (c) There is relevant evidence which, in the exercise of reasonable diligence, could not have been produced;
- (d) Error in law.

The State Water Board adopted Order WR 2022-0152 on June 21, 2022. Mr. Voice filed his petition with the Clerk of the Board on July 18, 2022, which was before the 30-day deadline for petitions specified in Water Code section 1122.

Water Code section 1122 provides that the State Water Board shall order or deny reconsideration on a petition within 90 days from the date on which the Board adopts the decision or order. The Board's Administrative Hearings Office (AHO) did not receive a copy of this petition until late August 2022. This delay and other AHO and Board workload issues caused delays in the processing of this petition by the AHO and the Board. For these reasons, we were not able to act on Mr. Voice's petition within 90 days of the date of the Board's adoption of Order WR 2022-0152.

If the State Water Board does not act on a petition for reconsideration within the 90-day period specified in Water Code section 1122, the petitioner may seek judicial review, but the Board is not divested of jurisdiction to act upon the petition. (State Water Board Order WR 2009-0061, p. 2, fn. 1; see *California Correctional Peace Officers Assn v. State Personnel Bd.* (1995) 10 Cal.4th 1133, 1147-1148, 1150-1151.) We therefore have authority to issue this order on Mr. Voice's petition for reconsideration.

3.0 BACKGROUND

3.1 Division of Water Rights, AHO and Board Proceedings

Order WR 2022-0152 discusses the relevant facts regarding the Division of Water Rights, AHO and Board proceedings concerning License 3404 and Permit 20789. (See Order WR 2022-0152, pp. 2-14.)

Section 2.7 of Order WR 2022-0152 discusses the three CEQA documents that Garberville SD filed as hearing exhibits in this proceeding. These CEQA documents are: (a) the 2013 Garberville SD Annexation Project Initial Study/Mitigated Negative Declaration for Change in Jurisdictional Boundary and Place of Use; (b) the 2016 Humboldt County Environmental Impact Report for the Southern Humboldt Community Park Project; and (c) the 2019 Humboldt LAFCo Addendum to the 2013 Initial Study/Mitigated Negative Declaration. (See Order WR 2022-0152, pp. 7-10.)

In 2019, Humboldt LAFCo adopted Resolution Nos. 19-04 and 19-05, which relied on the 2013 Initial Study/Mitigated Negative Declaration and the 2019 Addendum for Humboldt LAFCo's CEQA compliance. Garberville SD was the CEQA lead agency for the project described in the district's 2013 Initial Study/Mitigated Negative Declaration. Humboldt LAFCo was a CEQA responsible agency for its adoption of these resolutions. As discussed in Section 3.1.5 of Order WR 2022-0152, Humboldt LAFCo's actions regarding the 2019 CEQA Addendum for its CEQA compliance for its adoption of these resolutions complied with CEQA Guidelines section 15164, and no one filed a legal challenge to these actions. (Order WR 2022-0152, pp. 19-20.)

For the purposes of considering whether to approve Garberville SD's petitions to change License 3404 and Permit 20789, the State Water Board was a CEQA responsible agency. The CEQA Guidelines provide that, in deciding whether and how to approve a project, a CEQA responsible agency must consider the environmental effects of the project as disclosed in the CEQA documentation prepared by the CEQA lead agency. (CEQA Guidelines, § 15096, subd. (f).) Except under limited circumstances when a CEQA responsible agency may assume CEQA lead agency status or prepare subsequent CEQA documentation, a CEQA responsible agency must

presume that the conclusions reached by the CEQA lead agency in its CEQA documentation regarding the environmental effects of the proposed project are adequate, or challenge the lead agency in court. (*Id.*, subds. (e) & (f).)

The CEQA Guidelines do not specifically address the situation where one agency prepares a CEQA document as a CEQA lead agency, a second agency then prepares a CEQA addendum as a CEQA responsible agency, and a third agency, here the State Water Board, then must comply with CEQA for its actions regarding the project described in the CEQA addendum. When we adopted Order WR 2022-0152, we interpreted the CEQA Guidelines as authorizing the Board to consider and rely upon Garberville SD's 2013 Initial Study/Mitigated Negative Declaration and Humboldt LAFCo's 2019 Addendum for the Board's CEQA compliance. (See Order WR 2022-0152, p. 20.)

3.2. Mr. Voice's Petition for Reconsideration

In his petition for reconsideration, Mr. Voice argues that Garberville SD's change petitions and 2019 Humboldt LAFCo CEQA addendum did not comply with CEQA. (2022-07-18 E. Voice notice of petition for reconsideration, with attachment (E. Voice petition), p. 2¹.) Mr. Voice included as an attachment to his petition a copy of the comments he submitted to the Board during its June 21, 2022 meeting. (*Id.*, pp. 5-9.) Mr. Voice's June 21, 2022 comments referred to footnote 15 on page 20 of the draft order that became Order WR 2022-0152. That footnote states:

¹⁵ Although section 2.6 discusses the 2016 Humboldt County EIR for the Southern Humboldt CP project, the proposed project described and analyzed in that EIR did not include proposed extensions of Garberville SD water service to Southern Humboldt CP, and the 2019 Humboldt LAFCo CEQA Addendum was not an addendum to that EIR. We therefore do not rely on the 2016 EIR for the Board's CEQA compliance for this order.

Mr. Voice argues that the State Water Board could not rely on the 2019 Humboldt LAFCo Addendum for the Board's CEQA compliance for Order WR 2022-0152,

¹ Mr. Voice's July 18, 2022 petition for re-consideration and his June 21, 2022 comments to the Board are in one composite pdf file in the administrative record. This order refers to the pdf page numbers of that file.

because the 2019 Addendum cited the 2016 Humboldt County EIR as a reference and included its mitigation, monitoring and reporting plan as an exhibit. (E. Voice petition, pp. 5-7; see exh. CEQA-18, pp. 19, 25-52.)²

Mr. Voice's argument is incorrect.

Humboldt LAFCo did not rely directly on Humboldt County's 2016 EIR for its CEQA compliance. Instead, Humboldt LAFCo relied on the 2013 Initial Study/Mitigated Negative Declaration and the 2019 Addendum to that document for its CEQA compliance. As discussed in section 3.1 of this order, that reliance complied with CEQA Guidelines section 15164, and no one filed a legal challenge to these actions.

After Humboldt LAFCo took these actions, we similarly relied on the 2013 Initial Study/Mitigated Negative Declaration and LAFCo's 2019 Addendum for the Board's CEQA compliance. Footnote 15 in Order WR 2022-0152 simply confirms that we did not rely directly on the County's 2016 EIR for the Board's CEQA compliance. Nothing in that footnote, CEQA or the CEQA Guidelines prevented us from relying on the 2019 Addendum for the Board's CEQA compliance. even though this addendum refers to and incorporates parts of the 2016 EIR.

We also reject Mr. Voice's argument that Humboldt LAFCo's 2019 Addendum was improper piecemealing or segmenting. (See E. Voice petition, p. 7.) Paragraph 3 of Appendix C to Order WR 2022-0152 summarizes Mr. Voice's and Ms. Sutton's prior argument on this issue and states our response:

2. Mr. Voice and Ms. Sutton argued to the AHO that the CEQA process for Garberville SD's petitions to change License 3404 and Permit 20789 was "piecemealed," confusing, incomplete and inadequate. (E. Voice Closing Brief, pp. 3-4; L. Sutton Closing Brief, p. 5.)

Response: Section 2.7 discusses Garberville SD's 2013 ID/MND, Humboldt County's 2016 EIR, and Humboldt LAFCo's 2019 CEQA Addendum. While this CEQA history is complicated, Garberville SD's 2013 IS/MND and Humboldt LAFCo's 2019 CEQA Addendum together

² Exhibit CEQA-18 is one of the exhibits Garberville SD filed with the AHO during the AHO's proceeding.

satisfy the applicable CEQA requirements for Garberville SD's petitions to change License 3404 and Permit 20789. As a CEQA Responsible Agency, the State Water Board may use these CEQA documents for the Board's CEQA compliance for this order. (See CEQA Guidelines, § 15096, subd. (e) & (f).)

(Order WR 2022-0152, App. C, pp. 1-2.)

4.0 CONCLUSION

Mr. Voice's petition for reconsideration basically repeats his prior arguments regarding the Board's CEQA compliance for Order WR 2022-0152. We considered and rejected those arguments before we adopted Order WR 2022-0152. Having reconsidered these arguments, we once again conclude that they are not valid and that we therefore should deny Mr. Voice's petition.

ORDER

IT IS HEREBY ORDERED that:

1. The Board denies Edward Voice's petition for reconsideration of Order WR 2022-0152.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 7, 2023.

AYE: Chair E. Joaquin Esquivel
Vice Chair Dorene D'Adamo
Board Member Sean Maguire
Board Member Laurel Firestone
Board Member Nichole Morgan

NAY: None

ABSENT: None

ABSTAIN: None



Courtney Tyler
Acting Clerk to the Board

Garberville Sanitary District

STATEMENT

P.O. Box 211
Garberville, CA 95542
(707)923-9566

INVOICE NO. 0014
DATE 01/31/23
CUSTOMER ID SHCP Water Service

TO **Southern Humboldt Community Park**
Laura Cochran
P.O. Box 185
Garberville, CA 95542

Due Date: 02/01/23

Payment Request	Expenses Incurred For:	Terms
13	July 2022 - Jan 2023	Monthly Payments of \$494.78

DATE	DESCRIPTION		AMOUNT
07/31/22	PREVIOUS BALANCE		\$4,453.05
10/13/22	Payment	Ck#1947	-\$494.78
12/08/22	Payment	Ck#1986	-\$494.78
12/22/22	Payment	Ck#2002	-\$494.78
01/19/23	Payment	Ck#2009	-\$494.78

TOTAL DUE TO DATE: \$2,473.93

Current Payment Amount: **\$2,473.93**



GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

RESOLUTION NO. 23-004

ESTABLISHING UPDATED CHECK SIGNING AUTHORIZATIONS WITH UMPQUA BANK

WHEREAS, the Board of Directors of the Garberville Sanitary District, (the District) has determined it to be in the best interest of the District to establish updated authorizations with Umpqua Bank, (the Bank).

WHEREAS, the District has one business checking account no. 991328238, two public funds money market accounts no. 991328220 and 991328212, and one public funds checking account no. 992322057, and two capital improvement project savings account no. 4862571330 and no. 4864706678 with Umpqua Bank,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that all checks shall require the following signatures for authenticity:

Minimum	Maximum	Signatures Required
\$0	\$2,000	One Signature
\$2,000	None	Two Signatures including one Board Member
All Payroll Checks Regardless of Value		Two Signatures including one Board Member

BE IT FURTHER RESOLVED AND ORDERED, that the District's independent accountant will perform all bank reconciliations and will notify the Board should any discrepancies be found; and

BE IT FURTHER RESOLVED AND ORDERED, that Doug Bryan, Chairperson of this District is hereby authorized and empowered to certify and to execute a signature card, or cards, including the following persons as authorized signatory on any or all of the above referenced accounts as well as written authorizations as needed or required by the Bank:

Name	Title	Name	Title
Ralph Emerson	General Manager	Soran Rio Anderson	Vice Chairperson
Mary Nieto	Administrative Assistant	Julie Lyon	Treasurer
Doug Bryan	Chairperson	Dan Thomas	Board Member
Richard Landes	Board Member		

Passed and adopted by the Garberville Sanitary District's Board of Directors on February 21, 2023 during a regular business meeting, by the following vote:

AYES: Directors

NOES: Directors

EXCUSED: Directors

ATTEST:

_____, Doug Bryan
Chair Person

_____, Ralph Emerson
Clerk of Board of Directors

We adopted a new rate structure here at the office.

I don't believe our law firm has requested a rate increase from GSD in over a decade. Do you have any objection to our office increasing the partner rate to \$225.00 per hour and \$185.00 per hour associates.

Those are our lowest rates that we charge public entities in the 2023 rate structure.

Let me know if these adjusted rates are okay.

Thanks, Russ.

GARBERVILLE SANITARY DISTRICT
P.O. Box 211 Garberville, CA 95542

PERSONNEL POLICY



Adopted June 6, 2006
Amended: September 17th, 2019

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INTRODUCTION

Welcome to the Garberville Sanitary District. The District was organized April 12, 1932, as a Special District to provide services to our community. The District is an independent special district governed by a five member Board of Directors elected by Garberville's voters.

The Garberville Sanitary District is committed to a standard of excellence in the services that it provides to its customers. GSD employees participate in efforts to meet this commitment to achieve a high level of service to the community.

Each employee is expected to uphold the GSD commitment to "professionalism" which is understood to be an integral part of each employee's position responsibilities.

"Professionalism" includes, but is not limited to, sharing expertise and assistance with other staff, working as a team player, maintaining a positive attitude, pitching in at time of crises, and providing customers, community, GSD Board Members and other GSD staff with the highest quality service and respect.

This Employee Policy is intended to help you get acquainted with the Garberville Sanitary District (GSD). It explains some of our philosophies and beliefs, and describes, in general terms, some of our employment guidelines. We hope that it will serve as a useful reference document throughout your employment at GSD. This policy supersedes and replaces all previous personnel policies and guidelines. To determine if this version of the policy is current, you are requested to contact the GSD office.

Adopted 6/6/06
Amended 9/17/2019

GARBERVILLE SANITARY DISTRICT

PERSONNEL POLICY

1.0 EMPLOYMENT AT WILL

Garberville Sanitary District is an “at-will” employer. GSD and GSD employees have the right to terminate the employment relationship at any time, with a minimum of two weeks written advance notice of the termination date, with or without cause. There are no express or limited covenants and no statements in this manual that shall in any way conflict with this mutual right and obligation. This type of employment is intended to be employment “at will” under California law. No one other than the Board of Directors has the authority to alter this arrangement, to enter into an agreement for employment for a specific period of time, or to make any agreement contrary to this “at will” policy. Any agreement that in any way alters the “at will” status of an employee must be authorized by a specific Resolution of the Board of Directors.

2.0 ORGANIZATION

2.1 Chain of Command

The chain of command is shown in the diagram in Appendix “A.” The General Manager or designee will be the Chief Executive Officer responsible for all day-to-day operations. If the General Manager or designee is not available then the Board Chair will be consulted and if the Board chair is not available, next in line is the Vice Chair, and then decision making authority extends to any Board Member that is available.

2.2 Absence of General Manager or Designee:

When the General Manager or designee is absent, or otherwise not available, his/her staff will report to the Board Chair, as per chain of command in all matters requiring a managerial decision, or as specified by their manager before his/her absence.

3.0 EMPLOYMENT PROCESS

3.1 Equal Opportunity

The Garberville Sanitary District will recruit, hire, train, promote and administer human resource activities without regard to age, sex, race, creed, color or national origin, or any other legally protected status, and shall comply with the intent and the letter of all applicable laws which prohibit discrimination and affirm equal opportunity.

3.2 Qualifications

- a. All employees must be at least 18 years of age.
- b. Other qualifications are listed in the job descriptions attached in Appendix “B.”

3.3 Employment Process

All individuals seeking employment with GSD must complete a written application. The General

Manager or designee will conduct an interview of candidates qualified for the position and may give applicant skills tests, which may include but are not limited to: communications, basic math, computer, and job-related licenses, and other qualifications.

The applications of acceptable candidates may be presented to the Board, who may also choose to interview these candidates. The General Manager or designee will make the final hiring

decision. Hiring is contingent upon the new employee's passing a physical exam and appropriate or necessary drug, background, or other screening deemed necessary by GSD.

3.4 Evaluation Period and Notice of Termination

Following successful completion of a 3-month evaluation period, the employee will be considered a permanent employee. Because GSD is an "at will" employer, notwithstanding that an employee becomes "permanent" in the sense that they have successfully completed their introductory 3-month evaluation period, both GSD and GSD employees have the right to terminate the employment relationship at any time, with a minimum of two weeks written advance notice of the termination date, with or without cause. Notwithstanding this absolute right on the part of GSD or the employee to terminate with or without cause and with or without notice, and without any intention to limit or restrict such rights, both GSD and the employee are encouraged by this policy to provide as much advance notice of termination as reasonable under the circumstances.

4.0 JOB DESCRIPTIONS

4.1 General Manager

The General Manager serves as the chief executive officer responsible for supporting the service, financial and capital improvement planning activity of the governing board, executing actions to cause operations to adjust to enacted policy changes, directing the allocation of responsibility and staffing to departments and managing the scheduling of approved work programs in conformance with applicable statutes, regulations and policies. A complete job description can be found in Appendix B.

4.1.1 Chief Operator

The Chief Operator reports to the General Manager or designee and is responsible for performing water and wastewater treatment processing and analysis work in conformance with regular procedures, approved treatment processing methods and regulatory prescribed techniques and verifying compliance with requirements and validating quality of completed work. The Chief Operator is responsible for all activities

in the operations, maintenance and construction of District facilities. The Chief Operator is also responsible for supervising Operators and Field Staff.

The Chief Operator is directly responsible to notify the General Manager or designee of any unusual occurrence or emergency situations. When the General Manager is not available, the Chief Operator will follow the chain of command. A complete job description can be found in Appendix B.

4.1.2 Water/Wastewater Operator

The Water/Wastewater Operator reports to the Chief Operator and is responsible for performing water and wastewater treatment processing work in conformance with routine processes, treatment methods and in conformance with regulations and standard work and safety techniques. A complete job description can be found in Appendix B.

4.1.3 Field Staff—Permanent and Part Time

Permanent and temporary part-time field staff report to and are supervised by the Chief Operator and are responsible for completion of all work assigned to them by the Chief Operator or General Manager.

4.1.4 Account Clerk/Administrative Assistant

The Account Clerk/Administrative Assistant reports to the General Manager and is responsible for performing accounting and bookkeeping work in conformance with routine processes, accounting and financial transaction processing methods and accounting operations scheduling and control techniques. Responsible for performing a wide variety of general administrative support work and secretarial duties in conformance with established procedures. A complete job description can be found in Appendix B.

4.2 Workweek

Because of the nature of our business, the District's work schedule may vary depending on the employee's job. The District's normal business hours are 9:00 a.m. to 5:00 p.m., Monday through Thursday. The water/wastewater operator's work 7:00 a.m. to 3:30 p.m., Monday through Friday.

4.2.1 Work Hours

The work week is defined as the 7-day period beginning at 00:01 Monday and ending at 24:00 the following Sunday.

The work day is defined as the period beginning at midnight and ending at the following midnight.

- a. The General Manager is a full time position unless the Board approves an alternative work schedule with requirements to fulfill the duties of this position. This General Manager is exempt from the Fair Labor Standards Act Overtime. The General Manager will attend all scheduled and special Board meetings.

- b. Part-time office staff will work as scheduled by the General Manager or designee, with hours not to exceed 8 hours per day or 30 hours per week.
- c. Office staff will schedule time so that at least one office staff person will be in the office during business hours.
- d. **The Chief Operator and Field Staff will work 40 hours per 7-day workweek, scheduled to avoid overtime.**
- e. **The Chief Operator will attend all scheduled Board meetings and special Board meetings as required, to be compensated by overtime if over 8 hours per day.**
- f. **Part-time Field Staff will work as scheduled by the Chief Operator, with hours not to exceed 30 hours per 7-day workweek, scheduled to avoid overtime.**

4.2.2 Meal Time and Breaks

A half-hour, unpaid meal break will be taken each day. Two, 15-minute breaks will be taken daily, one to be taken in the morning and one to be taken in the afternoon. These breaks are to be taken based on the employee's work schedule. The employee is to check with their supervisor if they have questions.

5.0 PAY AND BENEFITS

Sick leave, holiday leave, vacation leave, health, and retirement benefits are some of the benefits approved by the District. Employee compensation will be based on work performed, knowledge of position and education required.

5.1 Categories of Employment

5.1.1 Introductory period: Full-time and part-time employees are on an introductory period during their first three months of employment. Upon completion of the introductory period, the employee's performance will be reviewed.

5.1.2 Regular full-time employees (General Manager, Chief Operator, Water/Wastewater Operator, and Account Clerk/Administrative Assistant) work 30 or more hours each week and are eligible to receive the GSD employee benefits package after completion of the 3-month introductory period.

5.1.3 Regular part-time employees are wage-earning employees. They may work no more than 30 hours per week.

The General Manager or designee may limit a part-time position to less than 30 hours per week. If hours are to be more than 30 hours per week on a long term basis,

the General Manager or designee will determine if the additional hours were needed and inform the governing Board. Permanent part-time employees are entitled to limited benefits as described below.

5.1.4 Temporary part-time employees are wage-earning employees. They may work no more than 30 hours per week, as approved by the General Manager or designee. Temporary part time employees do not receive benefits.

5.2 Pay 5.2.1 Wages and Salaries: Wages and salaries shall be determined by the General Manager or designee unless they are unavailable and at such time, the Board of Directors will make that decision. The Board of Directors will determine the salary of the General Manager.

5.2.2 Time Cards

All employees are required to maintain an accurate record of time worked. All employees must complete time cards and submit them to the office prior to pay day as determined by the General Manager or designee.

5.2.3 Paydays

Paychecks shall be issued on the 5th and on the 20th. If this date falls on a weekend, holiday or day in which two signatures cannot be obtained, pay day will be moved to the closest day preceding these dates. Checks will be available at the office by 3:00 pm on payday.

5.2.4 Pay Advances: There will no pay advances given on work performed. All vacation hours accrued at end of December will be paid above 200 and must first be approved by the General Manager or designee.

5.2.5 Overtime

The District will pay overtime in accordance with California State Law. The General Manager is exempt from this law. All overtime must be approved in advance by the General Manager or designee. Hourly employees will be paid at a rate of time and one-half for hours worked over 8 in a day and/or 40 in a week. Hours in excess of 12 in one workday and in excess of eight on the seventh consecutive workday in a workweek shall be paid at double the regular rate of pay. Only actual hours worked count towards computing weekly overtime

5.2.6 On-Call Time

“On-Call” means the designated employee must respond to all emergencies and must be able to respond within 30 minutes to all call-outs.

- a. On-Call Work Week The on-call work week begins at 7:00AM Tuesday morning and ends at 6:59AM on Tuesday morning of the following week. These hours and days can be modified by Senior Operator, General Manager or designee.
- b. On-Call Compensation: Compensation for being on-call is \$25/day or \$175/week

5.2.7 Call-Out Time

“Call-Out” means an employee may be called to respond to emergencies on their scheduled time off. The District will pay a minimum of 2 hours pay, at the appropriate rate, if they are called out. This will be in addition to daily or “On-Call” compensation.

5.2.7a Call-Out Compensation:

Employees that are required to work on their days off or after the normal work day must have their overtime approved by the General Manager or designee prior to performing the after-hours work.

5.2.8 Compensatory Time

Employees that are called to work during vacations, holidays, emergencies, or when other staff are not available to complete necessary work, shall get paid at a rate of time and one-half for hours worked. Comp time may be accrued in lieu of pay if approved by the General Manager or designee. All comp time accumulated cannot exceed 80 hours or the amount over 80 hours will be paid at straight time, prior to closing out the fiscal year.

5.2.9 Raises

Depending upon the employee’s performance a pay raise may be made when there has been an improvement in or sustainment of an already good performance during the review period.

- a. Cost of Living: All permanent employees will be eligible to receive annual cost of living increases at beginning of the fiscal year, based upon the Consumer Price Index and at the discretion of the General Manager, designee or Board. Cost of Living increases will be reviewed prior to the fiscal year meeting of the Board. The General Manager or designee will provide information on cost of living increase in the packet for the Board Meeting.
- b. **Merit Pay Increase:** All permanent employees are eligible for an annual increase, over and above cost of living increases. When considering a Merit pay adjustment, the General Manager or designee will evaluate the employee’s willingness to work, ability to learn and record of accomplishments. The General Manager or designee will provide a recommendation to the Board of Directors for approval if the employee is to receive a Merit Pay Raise.

5.3 Time Off

Time off will be granted according to category specified below.

5.3.1 Vacation

Full-time employees are eligible for paid vacation. Vacation is calculated according to

Your anniversary date.

- a. Full-time employees shall be entitled to 10 working days paid vacation after completion of one year of employment, prorated upon average total hours worked from date of hire. Accrued vacation time (5 working days) may be taken after six months of employment from date of hire with prior General Manager approval. Employees are encouraged to take vacation days because time away from work allows employees to relax and rejuvenate, which is necessary to handle the stress which may come with a work environment. Employees will be allowed to accrue (bank) up to 240 hours (30 days). Vacation hours accrued above 240 will be paid to the employee in an annual check at end of calendar year.
- b. After 5 years of employment, a full-time employee shall be entitled to 15 days paid vacation.
- c. After 10 years of employment, a full-time employee shall be entitled to 20 days paid vacation.
- d. After 20 years of employment, a full-time employee shall be entitled to 30 days paid vacation.
- e. An employee eligible for paid vacation may request approval by the District Administrator to receive pay for up to ½ of the year's vacation time, in lieu of taking the time off.

- f. Full-time employees shall be entitled to 10 working days paid vacation after completion of one year of employment, prorated upon average total hours worked from date of hire. Accrued vacation time (5 working days) may be taken after six months of employment from date of hire with prior General Manager approval. Employees are encouraged to take vacation days because time away from work allows employees to relax and rejuvenate, which is necessary to handle the stress which may come with a work environment. Employees will be allowed to accrue (bank) up to 240 hours (30 days). Vacation hours accrued above 240 will be paid to the employee in an annual check at end of calendar year. Carry over of vacation time will be discouraged and only approved under extreme circumstances.

Adopted: June 27, 2017

- g. After 5 years of employment, a full-time employee shall be entitled to 15 days paid vacation. After 10 years of employment, a full-time employee shall be entitled to 20 days paid vacation.
- h. An employee eligible for paid vacation may request approval by the General Manager

or designee to receive pay for up to ½ of the year's vacation time, in lieu of taking the time off. Requesting pay in lieu of using vacation days is discouraged and may only be granted for specific circumstances as specified by the General manager or designee..

- i. Paid time off is to be requested in writing as far in advance as possible, so that management can plan for coverage by other staff members. Paid time off will be scheduled with management approval on a seniority basis.
- j. Management shall schedule his/her vacation time as well as all other employees so that all operations of the District are covered.
- k. Full-time employees are eligible to use accrued vacation after six months of employment.

Approved August 28, 2018

5.3.2 Holidays

- a. Full-time employees receive the following paid Federal holidays:

New Year's Day (Jan 1 st)	Labor Day (Sept-1 st Mon)
M. L. King Day (Jan-3 rd Mon)	Columbus Day (Oct-2 nd Mon)
Presidents' Day (Feb-3 rd Mon)	Thanksgiving Day (Nov-4 th Thurs)
Memorial Day (May-Last Mon)	Day after Thanksgiving
Independence Day (July 4 th)	Christmas Day (Dec 25 th)
- b. Permanent part-time employees, after 2 years of employment, receive 2 (two) 8-hour paid holidays: Thanksgiving and Christmas Day.
- c. Holiday Schedule: If one of the above holidays falls on a Saturday, the District will take Friday as the holiday. If one of the above holidays falls on a Sunday, the District will take Monday as the holiday.
- d. If an employee has to work on a Holiday, that employee will be paid at a rate of time and one-half for hours worked. The employee does not receive additional holiday pay on top of time worked. If an employee works a portion of the day, the hours worked will be paid at time and one-half and the remaining hours will be paid at straight holiday pay.
- e. When an employee is required to work on a holiday, the holiday time off will be added to vacation time or comp time and able to be used for time off when approved by General Manager or designee.
- f. A floating day for holidays is provided to employees who work non-standard workweeks. These employees are entitled to the same number of holidays per year as those employees who work a normal schedule. The General Manager will review, modify and approved the floating holiday day off schedule before it becomes effective.
- g. Full-time employees are eligible for paid holidays after completing their 3-month introductory period.

5.3.3 Sick Leave

Full-time employees are eligible for sick leave after completing their introductory period.

- a. Full time employees shall accrue one working day of sick leave for each month worked, prorated based upon average total hours worked. This may accrue to a total of 24 working days.

- b. Sick leave Use: Paid sick leave may be used for health related issues, including doctor or dentist visits but must be approved by General Manager or designee.
- c. Return to Work Authorization: Any employee, full-time or part-time, who is absent for more than 3 days, may be required by his/her supervisor or the Board of Directors to obtain a statement from a physician indicating ability to return to work.
- d. Family Members: Sick leave may be used to care for family members.
- e. Employees will not be paid for earned but unused sick leave upon termination.
- f. Full-time employees are eligible for paid sick leave after completing their 3-month introductory period.

5.3.4 Family Medical Leave

Family care leave will be granted in accordance with the Family Medical Leave Act (FMLA)

- a. FMLA is an unpaid leave that may be used by employees when they have a prolonged illness or physical condition that prevents them from working, or it may be used by employees to take time to care for family members with serious medical condition requiring their help, if the condition is expected to last more than three consecutive days.
- b. Under the FMLA employees are entitled to 12 weeks Family Medical Leave (FML) per fiscal year; if they have worked for the District for 12 months prior to requested leave, for a minimum of 1250 hours in the previous 12 months.
- c. Under FMLA, employees are entitled to fully paid benefits while on leave and are guaranteed re-instatement of their job if they are physically capable.
- d. FML begins as soon as the employee receives written notification from the District of activation of FML. This may be as early as the first day of an absence due to a medical condition of the employee or his/her family member. Neither the employee nor the District can declare FML retroactively.
- e. FML runs concurrently with worker's compensation, or disability payments.
- f. Employees do not accrue additional vacation time or new sick leave while on FML, but the District must continue to cover paid benefits, such as health insurance.
- g. If possible (such as for scheduled surgery), employees must give the District written advance notice of their intention to take FML, as soon as they know they will need to take the leave.
- h. The District may require documentation from the attending physician.

5.3.5 Military Leave

Employees who wish to serve in the military will be granted Military Leave in accordance with the Universal Military Leave Act. Employees are entitled to reinstatement upon completion of military service, provided they return or apply for reinstatement within the time allowed by law.

5.3.6 Bereavement Leave

GSD grants leave of absence to all employees in the event of the death of the employee's current spouse (or domestic partner), child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, or daughter-in-law. An employee with such a death in the family may take up to the following:

- a. Full-time employees will be granted 3 days bereavement leave with pay in the event of the death of an immediate family member, or at the discretion of the General Manager.

- b. Permanent part-time employees will be granted 3 days bereavement leave without pay under the same circumstances.
- c. The General Manager may approve additional unpaid time off.

5.3.7 Jury Duty

Full-time employees who are summoned for jury duty will be paid the difference between their normal rate of pay and the jury duty pay for a period of up to 10 working days per year. Employees must provide the District with a copy of the payment records from the court in order to be compensated. Should the employee have to serve more than 10 days, the employee may take unpaid time off.

The employee should make arrangements with their supervisor as soon as they receive the summons. In fairness to the District, employees are expected to return to their job if they are excused from jury duty during their regular working hours.

5.3.8 Time off for Voting

If an employee does not have sufficient time outside of working hours to vote in an official statesanctioned election, the employee may take off enough working time to vote. Such time shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give their supervisor at least two days notice.

5.3.9 Leave of Absence

Under special circumstances, an employee with three months of employment may be granted a leave of absence without pay. The granting of this type of leave is normally for compelling reasons and is dependent upon the written approval of the General Manager.

- a. Leave of absence for any purpose other than those listed above will be granted at the discretion of the General Manager.
- b. The employee must use all paid vacation and personal days off (but not sick leave) before taking an unpaid leave of absence.
- c. The employee must pay premiums on all insurance, and may elect to make retirement contributions while on leave of absence. The District will resume paying its contribution when the employee returns to work.
- d. If the employee does not return to work at the end of the leave, it will be considered a voluntary termination. The employee will then be entitled to COBRA and any other benefits of voluntary termination.
- e. Employees will not accrue any paid time off while on personal leave.

5.4 Benefits

GSD provides medical insurance and a retirement plan for eligible employees and their dependents on the first day of the month following the completion of the introductory period. Eligible employees may participate in the District's benefits. Information and enrollment forms may be obtained from the office.

5.4.1 Health Insurance

- a. Full-time employees, after 30 days of employment, may participate in the insurance benefits currently provided by the District. Coverage starts on the first day of the month following enrollment. To assist you with the cost of this insurance, the District will pay for the employee portion of a single contract chosen by the Board of Directors. (If the employee chooses a plan that is above the Board's budgeted amount, the employee is responsible for paying the difference.) The employee will be responsible for paying the entire cost of the dependent coverage. In the event of an increase in medical insurance premium rates, all employees maybe required to contribute to the cost of increased premiums to retain coverage.
- b. Permanent part-time employees may participate in the health insurance plan at their own expense, after 6 months of employment.

5.4.2 Retirement Benefits

The District provides eligible employees with a Board approved retirement plan. This plan is designed to be used in combination with the employee's Social Security benefits and personal resources to provide the employee with an assured income at retirement age.

Eligibility for this plan is the month following the completion of the introductory period. Employees who earned at least \$5,000 per calendar year during any two preceding years and who are expected to earn at least \$5,000 in the current year are eligible to participate in the plan.

GSD will contribute a dollar-for-dollar match up to 3% of each eligible employee's compensation. The employer match contribution is based on current IRS laws. Employee will be responsible for the start-up and maintenance fees of their retirement plan. The cost is \$10.00 per year for each employee to establish and maintain the plan. This is paid directly to the administration responsible for the plan.

The retirement program may be review yearly for modifications.

5.4.3 Workers Compensation

On-the-job injuries are covered by the District's Worker's Compensation Insurance Policy provided at no cost to the employee.

- a. All District employees are covered by workers' compensation through SDWCA if they are injured on the job.
- b. Employees must report on-the-job injuries to their supervisors immediately. SDWCA forms must be filled out within 24 hours of any injury requiring treatment. Forms and information are available at the GSD business office.

5.4.4 State Disability

- a. All District employees are eligible for a disability leave of absence due to illness, injury or pregnancy-related disabilities.
- b. Please provide the District written notice of disability, including a doctor's certificate stating the nature of the disability and the expected date of return to work.
- c. The employee is responsible for filing their claim and other forms promptly and accurately with the Employment Development Department (EDD). A claim may be obtained by calling EDD.
- d. The cost of this insurance is fully paid by the employee.
- e. The district will continue to provide medical insurance coverage for employees on authorized leave of absence due to physical disability for the first month of disability. When the above period expires, the employee may continue medical insurance coverage by making arrangements with the office to pay the appropriate monthly premium in advance each month.
- f. An employee's continued absence from work beyond their disability, as determined by their physician, will be deemed a voluntary termination of their employment.

5.4.5 Social Security

Social Security is more than a paycheck deduction. It offers financial security for the employee and their dependents. Although this is a federally established program, it is the employee's contributions, and the District's, that pay for this benefit.

Both the employee and the District contribute to provide the employee with monthly checks and medical coverage once the employee reach retirement age. These funds are then forwarded to the federal government to support the Social Security Program.

5.4.6 Water Service Discount

Full-time and permanent part-time employees residing in the District are entitled to water service at a discount equal to the base water rate during their employment with GSD.

6.0 PERSONNEL RECORDS

The employee has a right to inspect certain documents in their personnel file, as provided by law, in the presence of GSD representative at a mutually convenient time. No copies of documents in their file may be made, with the exception of documents that they have previously signed. The employee may add their comments to any disputed item in the file. GSD will restrict disclosure of their personnel file to authorized individuals with GSD. Any request for information contained in personnel files must be directed to the District Administrator. Only the General Manager is authorized to release information about current or former employees. Disclosure of personnel information to outside sourced will be limited. However, GSD will cooperate with requests from authorized law enforcement,

or local, state, or federal agencies conducting official investigations and as otherwise legally required.

6.1 Names and Addresses

GSD is required by law to keep current all employees' name and addresses. Employees are responsible for notifying the District in the event of a name or address change.

6.1.2 Employee References

All requests for references must be directed to the General Manager. No other person is authorized to release references for current or former employees. By policy, the District discloses the dates of employment, the title of the last position held, general description of last job duties, reason for termination, and any incidents of violence of former employees. If the employee authorizes the disclosure in writing, the District also will inform prospective employers of the amount of salary or wage they last earned.

7.0 POLICIES REGARDING EMPLOYEE CONDUCT

7.1 Safety Policy

The District recognizes its responsibility for providing the safest possible conditions for its employees and customers. This responsibility is met by means of a safety program that is applied through the development of safety awareness among employees, the use of up to date safety equipment, and the continual inspection of conditions and practices by all levels of supervision. It is the responsibility of every employee to develop safe working habits. The development of proper attitudes toward safety is the only method to improve safe working habits. Therefore, training sessions play a large part in the safety program. The District wants to protect all employees and the public from injury and accidents. To accomplish this goal, the safety program involves all employees, and requires the active participation and cooperation of all to make it operate effectively.

Safety training sessions are conducted for all District employees, and employees are expected to perform in a safe manner. Negligent or unsafe conduct by an employee will result in disciplinary action. All employees must follow the safety procedures established by management. The Chief Operator will report to the Board on annual completion of Safety training programs which he or she personally completes as well as certification of successful completion of the training program by all employees pursuant to the Chief Operator's job description set out in Appendix "B."

7.1(a) Hazardous Work Conditions

Despite a collective and diligent effort to ensure safe working conditions for all District employees, there are hazards that cannot be foreseen or avoided.

Employees are expected to be aware of their surrounding at all times and to act safely and responsibly in the work place. Employees who are unsure, uncomfortable or hesitant should immediately notify the General Manager before engaging in the potentially hazardous work. Employees are NOT required to perform any task they consider to be dangerous or hazardous.

All incidents MUST be documented regardless of what the hazard or incident.

The following is a non-exhaustive list of certain hazardous conditions that may arise and responsive actions.

- a. Animals biting or attacking---As a general rule, employees should keep a safe distance from stray or domestic animals. If an animal displays any tendencies perceived to be dangerous, do not come into contact with the animal, ready deterrent spray, contact the owner to control the animal, and call for assistance. If an employee is attacked, seek immediate medical attention and report the attack to a supervisor and law enforcement.
- b. Angry and threatening people---Employees are likely to encounter combative people during their employment. In such circumstances, employees should remain calm, professional, and respectful. Employees should remove themselves from the situation by leaving the area and should not, under any circumstances, respond aggressively. Employees should immediately report the incident to the General Manager or designee and law enforcement if needed.
- c. Needles and dangerous paraphernalia—Employees who encounter needles or drug paraphernalia should immediately notify law enforcement and the General Manager or designee. Employees should not attempt to remove the item, unless appropriate safety precautions are taken, including avoiding contact with bare skin by wearing protective gloves and ensuring proper disposal. If an employee is injured by any object, go directly to the emergency room and notify General Manager or designee.
- c. Being asked to do work for Customers—If a customer asked you to assist them, employees must first notify the General Manager or designee for prior approval. Employees should not provide assistance to customers if it involves going in private residences or on private property to perform work.
- d. Working alone---If conditions are dangerous, employees should stop, call for assistance, and notify General Manager or designee.
- e. Working in confined spaces or with chemicals---Employees should always notify a co-worker and the General Manager or designee in advance of performing the work in confined spaces or with any chemicals. Only employees who have obtained the proper training and certifications should perform any work with chemicals. If an employee is unsure, ask the General Manager or designee first. Employees should comply with any and all required precautions, such as the mandatory use of protective equipment.

7.2 Smoking Policy

GSD is committed to providing a safe and healthy environment for employees and visitors. Therefore, smoking is not permitted in the workplace.

7.3 Alcohol and Drug Use Policy

In accordance with our general personnel policies, whose overriding concern is a regard for the employee as an individual as well as a worker, GSD has adopted the following policy:

- a. We believe alcoholism and drug dependencies are illnesses and should be treated as such.
- b. We believe the majority of employees who develop these dependencies can be helped to recover, and the District shall offer or facilitate appropriate assistance for the employee.
- c. We believe the decision to seek diagnosis and accept treatment for any suspected illness is the responsibility of the employee. However, continued refusal of an employee to seek treatment when it appears that substandard performance may be caused by any illness is not tolerated.

- d. We believe it is in the best interest of employees and the District that when alcoholism or drug dependency is present, it should be diagnosed and treated at the earliest possible stage. The District requires all new employees to pass a drug screening, and may, at its discretion, require further drug screening.
- e. Confidential handling of the diagnosis and treatment of alcoholism or drug dependency will be the responsibility of the appropriate manager and the General Manager.
- f. The objective of this policy is to retain employees who may develop alcohol or drug dependency by helping them to arrest its further advance before the condition renders them unemployable.
- g. All employees should be aware that the use of alcohol or any drugs interfering with safe and efficient functioning on the job is a matter of District concern and will be dealt with in an appropriate manner.
- h. Employees are prohibited from drinking alcoholic beverages on company time or on company premises, reporting to work or driving a District vehicle while under the influence of alcohol or drugs. Employees are prohibited from working, driving a District vehicle or appearing on Garberville Sanitary District premises under the influence of or in the possession of alcohol, illegal drugs, controlled substances, prescription drugs, or over-the-counter remedies that may impair the employee's ability to function, or that may endanger the safety of others.
- i. Substantial evidence of illegal actions on the job, including the use of illegal drugs, when such actions can be traced to specific employees, will be reported to the appropriate authority and will result in disciplinary action by the District.
- j. Employees convicted of illegal drug traffic charges will be immediately terminated. Employees found to be involved in such traffic on company premises or during working hours will be terminated and reported to the appropriate authorities.
- k. All employees must pass a drug and alcohol screen prior to beginning their duties. (See section 3.3.) The District reserves the right to screen employees for drug use as permitted by law including random drug screening of all employees, including managers, as well as drug and alcohol testing of individuals for cause.

7.4 Non-Harassment Policy

GSD is committed to providing a work environment free of unlawful harassment. GSD's policies prohibit sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or harassment or any other basis protected by federal, state or local law, ordinance or regulation. GSD's anti-harassment policies apply to all persons involved in the operation of the organization and prohibit unlawful harassment by any employee, including supervisors and co-workers.

By way of example, prohibited unlawful harassment may include, but is not limited to, the following behavior:

- a. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments.
- b. Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures.
- c. Physical conduct such as assault, unwanted touching (including unwanted hugging), or blocking normal movement or interfering with work for reasons motivated by sex, race or any other protected status.
- d. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors.
- e. Retaliation for having reported or threatened to report harassment. If you believe that you have been unlawfully harassed, provide a written complaint to your own or any other GSD Management personnel or Chairperson or Member of the Board of Directors. To the extent permitted by law, due process, and fairness, written or oral complaints shall remain confidential. In the event a written complaint can not be prepared, it shall be made orally and then reduced to writing and signed by the complainant. A complaint should be specific and for each occurrence should include the date(s), time(s), location(s), names of the individuals involved and the names of any witnesses. An immediate, thorough and objective investigation of the harassment allegations shall be initiated by the appropriate manager or by the Chairperson of the Board of Directors.
- f. If GSD determines that unlawful harassment has occurred; effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by GSD to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. A GSD representative will advise all parties concerned of the results of the investigation. GSD will not retaliate against anyone for filing a complaint and will not knowingly tolerate or permit retaliation by management, employees or co-workers. GSD encourages all employees to report any incidents of harassment immediately so that complaints can be quickly and fairly resolved.

7.5 Standards of Conduct

Following is a list of standards that GSD expects of its employees while on the job. Violation of these standards could lead to disciplinary action, including possible termination. Note: Both employee and the employer have the right to terminate the employment relationship at any time with or without cause. The standards are as follows:

- a. Courteous treatment of the public and fellow employees.
- b. Following all lawful and reasonable regulations and orders given by the supervisor. C. Attention to duty.
- d. Careful use of District property.
- e. Honesty.
- f. Promptness and consistent attendance.
- g. Appropriate use of sick leave.
- h. Professionalism.
- i. Compliance with the Alcohol and Drug Use Policy stated above.

7.6 General Office and Field Policies

- a. Only Board Members, District employees, or authorized visitors are permitted in the office area behind the counter or on District property.

- b. Unauthorized or excessive personal use of telephones, Internet, and other office equipment, or District property, is not allowed.
- c. District Vehicle Usage: During working hours, trips for personal purposes will be avoided. Occasionally, stopping at a store en route to a business destination, or going to a restaurant (within close proximity of your work location) for lunch is permitted. While going to or from work, occasionally stopping to buy groceries, pick up laundry, medication, etc., is not appropriate.
- d. Other than the foregoing uses, District Vehicles will not be used for any personal purposes without prior written approval. This means that weekend or after-hour trips to the store (regardless of how close to home), trips back to the office to retrieve forgotten personal items, or any other non-business usage will not be permitted.
- e. Personal Vehicle Usage: When an employee is authorized to use his/her personal vehicle in the performance of GSD work, he/she shall be reimbursed for the cost of said use on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of said usage.
- f. Use of personal vehicles shall not be authorized for the performance of GSD work if a suitable GSD vehicle is available and safely operational.
- g. Every attempt shall be made to coordinate work so that GSD vehicles are available and operational for the performance of said work.
- h. Proof of adequate insurance coverage for collision, personal injury, and property damage shall be required by the GSD of any employee using a personal vehicle in the performance of GSD work.
- i. Tools will be inventoried annually by field staff. Employees are expected to use all tools and equipment with care and good judgment. Damage to tools and equipment must be reported to the Chief Operator or General Manager as soon as possible.
- j. Dress will be appropriate for the work to be performed. Employees must maintain a clean, neat appearance when working with the public.
- k. GSD reserves the right to inspect all GSD property to insure compliance with its rules and regulations, with or without notice to employee and/or in the employee's absence.
- l. GSD may keep a record of all passwords or codes used for any GSD electronic or other equipment, and GSD may at any time access any and all information on such equipment.

7.7 Approval of Expenditures

- a. Total expenditures for one calendar day by any employee for any single item or group of related items, may not exceed \$200.00, without advance General Manager's approval. Managers may set lower limits for expenditures by their staff.
- b. Exceptions to the above limits are chemical, materials and services for routine operation of water and wastewater plants and systems, and routine office supplies and expenses.
- c. Employees must follow the chain of command to obtain approval for emergency expenditures.
- d. The General Manager shall prepare a written report to the Board for all emergency expenditures exceeding \$2,000.00 for any single item for the next Board Meeting.

7.8 Questions regarding Board Members

- a. All Questions regarding the Board of Directors, such as conflict of interest and questions about the interests or conduct of an individual Board Member should always be referred to the General Manager. The General Manager shall contact the Fair Political Practice

Commission (FPPC) on all issues concerning conflict of interest for guidance. Staff should not attempt to respond to questions or comments on issues that are the sole responsibility of the General Manager.

- b. For security reasons, inquiries regarding plant design or operational specifics may be referred to the Board at management's discretion.

7.9 News Media Contacts

Employees may be approached for interview or comments by the news media. Only the General Manager may comment to news reporters on GSD policy or events relevant to GSD.

7.10 Seminars and Workshops

Attendance at seminars or workshops by GSD staff must be approved by the General Manager. Per Diem and other costs associated with seminars and workshops will be approved on an individual basis for each seminar or workshop, based upon current Humboldt County reimbursement schedules.

7.11 Conflict of Interest

Employees must comply with Garberville Sanitary District's conflict of interest code set out in Appendix "D."

PERFORMANCE EVALUATION

The employee's performance is important to the District. The performance evaluations are guides to help the employee improve in needed areas and confirm their strengths in other areas. Once each year, on or about their anniversary date, the employee's supervisor will review their job progress within the District and help them to set new job performance plans. New employees will be reviewed at the end of their introductory three month period and then annually.

8.1 Annual Evaluation

The appropriate manager will evaluate all employees, permanent and temporary, full-time and part-time at least annually.

- a. Management will evaluate their staff members and review the evaluation with the employee. Each employee evaluation shall be in writing: written by the appropriate manager and signed by the employee.
- b. The Chief Operator will be evaluated by the General Manager. The evaluation shall be in writing and signed by both the General Manager and Chief Operator.
- c. The General Manager will be evaluated based on the Agreement signed by the Board and the General Manager.
- d. The Board will consider a merit in grade raise based on General Manager's recommendation and evaluation of employees.

8.2 Interim Evaluations and Counseling

Management may evaluate or counsel their staff as needed between annual evaluations to help employees improve their performance. The Board may evaluate or counsel the General Manager as needed between annual evaluations to help with his/her performance.

8.3 Positive Performance Guidelines

Management will follow the Positive Performance Guidelines when evaluating or counseling their staff. Because GSD is an “at will” employer, both employee and employer have the right to terminate the employment relationship at any time with or without probable cause. Results of evaluations do not affect or modify the “at will” status of employment.

9.0 GRIEVANCE PROCEDURE

Any employee may obtain consideration of a grievance without jeopardizing the security of his/her position with the District by following the steps below:

- a. Discuss the grievance with the appropriate manager and try to reach a resolution.
- b. If the grievance is unresolved within 7 days, the employee may present his/her case in writing to the Board member appointed as Employee Liaison.
- c. The employee will meet with the appointed Board Employee Liaison to discuss, and if possible, resolve the grievance.
- d. If the grievance is not resolved within 7 days of the meeting with the Board Employee Liaison, the liaison or the employee may request in writing that this matter be presented to the Board within 15 days.
- e. Board of Directors' consideration of employee grievances will be conducted according to the Brown Act of the State of California. The employee bringing the grievance may choose whether discussion will be conducted in open or in executive (closed) session.
- f. In the event that the determination of the Board is not accepted by the Employee, the employee may request and the Board shall refer the matter to the Dispute Resolution Committee under Section 9.0. This grievance procedure is set out as a general method for the District and employees to resolve issues. However, nothing in this grievance procedure is intended to, or shall change the “at will” status of employment.

10.0 DISPUTE RESOLUTION PROCEDURE

Garberville Sanitary District will follow the dispute resolution procedure set forth in Appendix “C.” As a condition of employment, ALL employees will be required to sign the dispute resolution.

11.0 RIGHT TO REVISE

This personnel policy manual contains the employment policies and practices of Garberville Sanitary District in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

Garberville Sanitary District reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this manual or in any other document, except for the policy of “at-will” employment. However, any such changes must be in writing and must be approved by the Board of Directors of Garberville Sanitary District.

Any written changes to this manual will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this manual.

This Personnel Policy Manual sets forth the entire agreement between the employee and Garberville Sanitary District. Nothing in this manual or in any other personnel document, including benefits plans descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

12.0 CONFIRMATION OF RECEIPT

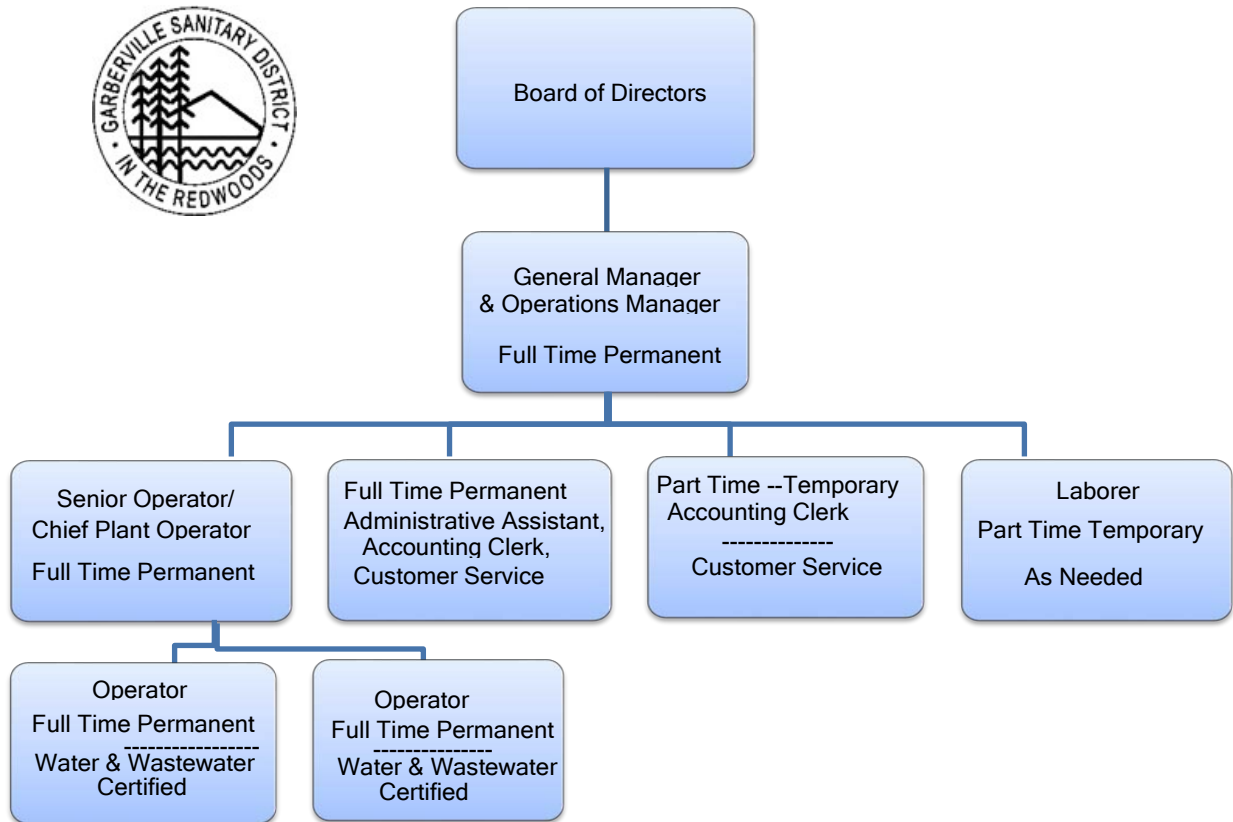
By signing below the employee acknowledges receiving a copy of the District's Personnel Policy Manual. The employee understands and agrees that it is their responsibility to read and familiarize themselves with the policies and procedures contained in the manual.

The employee understands that except for employment "at-will" employment status, any and all policies or practices can be changed at any time by the District. Garberville Sanitary District reserves the right to change the employee's hours, wages, and working conditions at any time. The employee understand and agree that other than the General Manager, no other person has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than "at-will"; only the General Manager has the authority to make any such agreement and then only in writing.

The employee understand and agree that nothing in the Personnel Policy Manual creates or is intended to create a promise or representation of continued employment and that employment at Garberville Sanitary District is employment "at-will;" employment may be terminated at the will of the District. The employee's signature certifies that they understand that the foregoing agreement on "at-will" status is the sole and entire agreement between Garberville Sanitary District and the employee concerning the duration of their employment and the circumstances under which their employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning their employment with Garberville Sanitary District.

EMPLOYEE SIGNATURE _____ DATE _____

APPENDIX A, Chain of Command



APPENDIX B, Job Descriptions

TITLE:

GENERAL MANAGER

ESSENTIAL FUNCTION

Under policy direction, serves as the chief executive officer responsible for supporting the service, financial and capital improvement planning activity of the governing board, executing actions to cause operations to adjust to enacted policy changes, directing the allocation of responsibility and staffing to departments and managing the scheduling of approved work programs in conformance with applicable statutes, regulations and policies.

PRIMARY DUTIES

Service Planning: Gather and accumulate information to describe federal, state and regional legislative policy trends in allocating responsibilities, resources, financing and regulation of water and wastewater delivery and processing systems. Direct the development and adoption of long term capital improvement plans, associated services, and financing strategies. Identify industry trends; options and alternatives; recommend long term goals and short term objectives. Direct the development and preparation of budget requests including the description and quantification of service activity and justification of funding requirements for services, personnel, and supplies, routine operating capital equipment and facilities, and special projects.

District Operations: Direct interagency coordination and response to emergency or disastrous events. Establish standards for procedures, systems, equipment, personnel and other means by which operations are conducted. Direct the implementation of policy changes to services, funding levels, position allocations, operating policies, standards, procedures and rules. Coordinate response to claims and litigation in consultation with district counsel and indemnity coverage. Assure that all employment and safety, legal property records, titles and registrations, insurance and permit renewal actions are accomplished in conformance with federal, state, regional laws and regulations and District ordinances, policies and procedures.

District Organization: Recommend the allocation of operating responsibilities to major organizational components. Assign responsibilities and duties to all positions; approve all assignment of internal departmental organization responsibilities and duties to departmental positions. Justify the merits, necessity and organization of responsibility assignments and obtain governing board approval of organization structure. Assure positions are funded and allocated in relation to the approved structure. Initiate employment policy actions to fill all personnel positions. Select and hire all employees. Direct training and formally evaluates employee performance. Take formal commendation, discipline and discharge actions involving personnel.

Work Program Management: Present regular status reports and relevant recommendations on work program status to the governing board. Monitor progress of planning, design and construction of approved capital improvement projects; operating and reporting status of regulatory compliance activities; cash management, budget and service contract performance levels; and status of general operations. Direct the preparation of information and materials for presentation to the governing board, assure compliance with all public agency noticing requirements and applicable policies. Initiate action to cause proper records to be made and follow-up actions from governing board meetings to be accomplished.

Appendix B 1

Garberville Sanitary District

Classification Specifications

Established: 10/03/06

Public and Staff Relations: Respond to inquiries from the public, press, customers, local officials, outside agencies, community organizations, and industry counterparts. Prepare or cause the preparation of analyses, reports, recommendations and position papers on water and wastewater matters pending before legislative or regulatory bodies. Participate in the activities of professional water and wastewater organizations on behalf of the District. Participate in District related committees, civic events and activities of community organizations. Participate in governing board and staff social functions.

Other Assigned Duties: Perform other duties assigned by the governing board which are consistent with the responsibilities of the position and necessary to the operations of the District.

Knowledge of the following is required to perform the essential function:

- Principles, practices, methods and technical support functions of special district services.
- Fundamental intent and basic provisions of federal, state and local financing mechanisms of special district.
- Specific application of federal, state and local legislative enactments applicable to special district utility operations.
- Techniques used for gathering, evaluating and summarizing special district service data and information in preparing budgets and supporting policy decision making processes.
- Personnel and operating practices as they apply to special district operations.

Ability to do the following is required to perform the essential function:

- Interpret and apply the general intent and specific provisions of multiple laws and regulations and professional practices to specific issues.
- Develop and implement design and construction standards and operating policies and procedures for multiple functional programs and personnel.
- Provide verbal and written directives, information and advice to a wide variety of people and officials.
- Persuasively communicate ideas and assert a point of view in complex or controversial situations.
- Exhibit and instill in subordinates a high public service priority.
- Establish and maintain open and honest communications with co-workers at all levels of the organization.

Qualifying Training and Experience:

A combination of training and experience which demonstrates that a person has obtained the required knowledge and is able to perform the required work.

Employment Conditions:

Specifications Approved by Board of Directors.

Fair Labor Standards Act Overtime:

Exempt.

Appointment and Removal Authority:

Board of Directors.

ACCOUNT CLERK/ADMINISTRATIVE ASSISTANT

ESSENTIAL FUNCTION

Under direct supervision, responsible for performing accounting and bookkeeping work in conformance with routine processes, accounting and financial transaction processing methods and accounting operations scheduling and control techniques. Responsible for performing a wide variety of general administrative support work and secretarial duties in conformance with established procedures.

PRIMARY DUTIES

This is an entry level accounting and administrative support clerical classification. This position reports to the General Manager. This position is responsible for a full range of financial record keeping transactions including accounts receivable, accounts payable, utility billing, and collection. This position performs the full array of duties assigned by providing responsible, secretarial and administrative support. Demonstrates a full understanding of all applicable policies, procedures and work methods associated with assigned duties.

Billing and Collections: Maintains cash receipts log. Prepares and generates billings to customers in conformance with procedures applicable to each customer. Generate invoices, updates billing and payment information in customer accounts, generate statements and other collection documentation. Manage and audit all records. Receive and process payments on account and service connection payments for bank deposit. Prepare and present financial records of customer accounts for annual audit.

Payable: Administer full payables cycle (purchase order, encumbrances, vendor invoices, and issue check). Manage and audit all records.

General: Assist management staff with operation of accounting system and accounts receivable. Audit and reconcile accounting records. Assist with the preparation of Board agenda packets including researching and preparing reports for meetings. Perform secretarial duties such as generating correspondence for the District & Board of Directors. Order office supplies and keeping inventory control of all supplies and equipment. Processing mail, copying, filing and related work as required. Assist in maintaining public records. Operate under the guidelines of the District's Policies.

Other Assigned Duties: Perform other duties assigned which are consistent with the responsibilities of the position and necessary to the operations of the District.

Knowledge of the following is required to perform the essential function:

Knowledge of basic principles and practices of bookkeeping and financial record keeping; basic accounting principles; utility billing procedures and practices, and purchasing procedures.

Knowledge of administrative and office practices

Modern office practices, procedures and equipment usage including computer, printers, fax machine and 10 key calculator.

Public relations abilities, verbal communication, as well as letter writing skills. Proper English, spelling and grammar.

Public and agency desk procedures and methods of providing services and information. Methods and technique for record keeping and report preparation.

Ability to do the following is required to perform the essential function:

Exhibit a high customer service priority.

Establish and maintain cooperative relations with those contacted in the course of work.

Ability to manage multiple projects at the same time.

Ability to work with others and accept delegated tasks.

Establish and maintain open and honest communications with co-workers at all levels of the organization.

Ability to maintain a variety of financial records; independently make mathematical calculations quickly and accurately.

Ability to plan, coordinate, organize, and prioritize work to meet deadlines. Ability to work independently and use good judgment Operate standard office equipment.

Basic Qualifications: A high school diploma or G.E.D. equivalent. Two years of experience involving financial record keeping and administrative/secretarial experience.

Employment Requirements: Must be lawfully allowed to work in the United States. A valid California State Class C license must be maintained at all times. Pass illegal drug screen. Be available to attend monthly evening Board meetings as needed. Participate in the Safety Program.

Qualifying Training and Experience:

A combination of training and experience which demonstrates that a person has obtained the required knowledge and is able to perform the required work.

Employment Conditions:

Specifications Approved by Board of Directors.

Fair Labor Standards Act Overtime:

Non-Exempt, receives overtime compensation.

Appointment and Removal Authority:

General Manager.

CHIEF OPERATOR

ESSENTIAL FUNCTION

Under supervision of General Manager, responsible for performing water and wastewater treatment processing and analysis work in conformance with regular procedures, approved treatment processing methods and regulatory prescribed techniques and verifying compliance with requirements and validating quality of completed work.

PRIMARY DUTIES

This position reports to the General Manager and will direct and assist in the maintenance and operations of all district facilities. Make routine purchases of materials and maintain inventory of equipment. Coordinate with Regulatory Agencies for the operations of District facilities. Responsible for all reports and communication with Regulatory Agencies under the direction of the General Manager.

System Operation: Identify operational needs and make adjustments indicated by current conditions and variations to control and alter flow and/or treatment processes. Operate controls of manual and automatic equipment to start and stop pumps, engines, generators, valves and other equipment and devices which control and adjust power, water or wastewater conveyance, flow, treatment, discharge and biosolids removal processes. Controls the application of hazardous materials and chemicals such as chlorine. Records shift operating information on standard logs and checks lists. Will assign work, provide on the job instruction, and supervise field staff learning water or wastewater treatment operations.

System Monitoring: Reviews readings, logs and test results to determine current status of systems and plant processes. Reads, records, interprets and monitors meters, gauges, control panels and laboratory tests results to assess system functions and determine processing requirements. Extracts water and wastewater samples; prepares and maintains associated chain of custody and quality control records; transfers samples to laboratory and performs routine laboratory tests and analyses.

Service and Facilities Maintenance: Identifies and assists in diagnosing existing and potential repair requirements to plant, wells, pump stations, power generators and all related facilities and equipment. Performs routine scheduled preventive maintenance work and maintenance on equipment. Prepares maintenance and repair service requests and suggests changes to preventive maintenance schedules and actions. Establish or amend operational procedures and maintenance procedures to be approved the General Manager. Assists external contractors and internal repair crews to locate, evaluate, adjust, maintain and/or replace equipment, systems and facilities. Maintains central and remote work places. Performs maintenance work on facilities and grounds as needed. Administers safety program, performs monthly safety inspections. Responds to service requests and complaints from service users. Conducts field investigations and/or inspections of service conditions at user locations. Takes actions needed to resolve service needs. Prepares reports of service calls and complaints. Responds to utility service alerts.

General: Participates in the general housekeeping and administrative record keeping operations of the operations section. Prepares and presents monthly formal reports, including cost proposals for major equipment purchases and recommendations as appropriate. Prepares employee performance reviews on field staff for the General Manager. Maintain records required by all regulatory agencies, ordinances and policies. Assist the General Manager preparing annual budget, and coordinate field operations with office operations. Reports all emergencies with the operations of facilities to both the General Manager and the Board Chairperson.

Other Assigned Duties: Perform other duties assigned by the General Manager which are consistent with the responsibilities of the position and necessary to the operations of the District

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Knowledge of the following is required to perform the essential function:

- Current practices, equipment and procedures applied to water and wastewater conveyance and treatment systems in the State.
- Federal, State and local legal and regulatory provisions and related technical terminology applicable to water and wastewater treatment processes.
- Chemical and biological procedures and tests applied in water and wastewater treatment.
- Basic construction, assembly and operational norms of hydraulic equipment, power generators, pumps and controls.
- Safety practice procedures applicable to all aspects of treatment and conveyance systems operations; procedures for using protective gear; and specific procedure applicable in handling and using hazardous materials and chemicals.

Ability to do the following is required to perform the essential function:

- Extract water and wastewater samples and perform standard laboratory tests.
- Observe, interpret and record measurements indicated on gauges, meters and similar measuring devices.
- Perform maintenance on water and wastewater equipment and facilities.
- Understand, retain and apply written procedures.
- Understand and explain specific provisions and procedures contained in technical manuals, drawings, specifications, blueprints, layouts and schematics.
- Exhibit a high customer service priority.
- Establish and maintain open and honest communications with co-workers at all levels of the organization.
- Instruct others in specific processes and procedures applied in treatment and equipment operations.
- Operate vehicles, office computers and field communications equipment.
- Operate water and wastewater equipment and process controls.
- Tolerate physical presence of height.
- Ascend and descend ladders and stairs.
- Within CALOSHA guidelines, withstand periods of physical exposure to the presence of fumes, odors, dust and pollen without incapacitating adverse effect.
- Safely enter and leave confined spaces.
- Safely transport and lift bulky objects.

Basic Qualifications: Must possess proper certification for operating the Water Treatment Plant and Wastewater Treatment Plant. At least three (3) years experience in the operation and maintenance of Water and Wastewater systems. Computer skills, ability to use word processing, spread sheets, and data processing is required.

Employment Requirements: A valid California State Class C license must be maintained at all times. Pass physical examination and illegal drug screen. Maintain telephone service and reside within 30 minutes response time to GSD. Be available to assist "on call" operator after normal scheduled work hours as needed.

Qualifying Training and Experience:

Personnel Policy

Appendix D

Adopted 6/6/06

- 9 -

Amended 9/17/2019

A combination of training and experience which demonstrates that a person has obtained the required knowledge and is able to perform the required work.

Employment Conditions:

Specifications Approved by Board of Directors.

Fair Labor Standards Act Overtime:

Non-Exempt, receives overtime compensation.

Appointment and Removal Authority:

General Manager.

SENIOR OPERATOR

ESSENTIAL FUNCTION

Under supervision, responsible for performing water and wastewater treatment processing and analysis work in conformance with regular procedures, approved treatment processing methods and regulatory prescribed techniques and verifying compliance with requirements and validating quality of completed work.

PRIMARY DUTIES

This position reports to the General Manager and will direct and assist in the maintenance and operations of all district facilities. Make routine purchases of materials through administration and maintain inventory of equipment. Coordinate with all Regulatory Agencies the operations of District facilities.

System Operation: Identifies adjustments indicated by current conditions and variations to control and alter flow and/or treatment processes. Operates direct and remote controls of manual and automatic equipment to start and stop pumps, engines, generators, valves and other equipment and devices which control and adjust power, water or wastewater conveyance, flow, treatment, discharge and biosolids removal processes. Controls the application of hazardous materials and chemicals such as chlorine. Records shift operating information on standard logs and checks lists. Will provide on the job instruction and train field staff learning water or wastewater treatment operations.

System Monitoring: Reviews readings, logs and test results to determine current status of systems and plant processes. Reads, records, interprets and monitors meters, gauges, control panels and laboratory tests results to assess system functions and determine processing requirements. Extracts water and wastewater samples; prepares and maintains associated chain of custody and quality control records; transfers samples to laboratory and performs routine laboratory tests and analyses.

Service and Facilities Maintenance: Identifies and assists in diagnosing existing and potential repair requirements to plant, wells, pump stations, power generators and all related facilities and equipment. Performs routine scheduled preventive maintenance work and maintenance on equipment.

. Prepares maintenance and repair service requests and suggests changes to preventive maintenance schedules and actions. Establish or amend operational procedures and maintenance procedures to be approved the General Manager. Assists external contractors and internal repair crews to locate, evaluate, adjust, maintain and/or replace equipment, systems and facilities. Maintains central and remote work places. Performs maintenance work on facilities and grounds as needed. Administers the hazard material safety program, performs monthly safety inspections. Responds to service requests and complaints from service users. Conducts field investigations and/or inspections of service conditions at user locations. Takes actions needed to resolve service needs. Prepares reports of service calls and complaints. Responds to utility service alerts.

General: Participates in the general housekeeping and administrative record keeping operations of the operations section. Prepares and presents monthly formal reports, including cost proposals for major equipment purchases and recommendations as appropriate. Maintain records required by all regulatory agencies, ordinances and policies. Assist the General Manager preparing annual budget, and coordinate field operations with office operations. Reports all emergencies with the operations of facilities to both the General Manager and the Board Chairperson.

Other Assigned Duties: Perform other duties assigned by the General Manager which are consistent with the responsibilities of the position and necessary to the operations of the District

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Knowledge of the following is required to perform the essential function:

- Current practices, equipment and procedures applied to water and wastewater conveyance and treatment systems in the State.
- Federal, State and local legal and regulatory provisions and related technical terminology applicable to water and wastewater treatment processes.
- Chemical and biological procedures and tests applied in water and wastewater treatment.
- Basic construction, assembly and operational norms of hydraulic equipment, power generators, pumps and controls.
- Safety practice procedures applicable to all aspects of treatment and conveyance systems operations; procedures for using protective gear; and specific procedure applicable in handling and using hazardous materials and chemicals.

Ability to do the following is required to perform the essential function:

- Extract water and wastewater samples and perform standard laboratory tests.
- Observe, interpret and record measurements indicated on gauges, meters and similar measuring devices.
- Perform maintenance on water and wastewater equipment and facilities.
- Understand, retain and apply written procedures.
- Understand and explain specific provisions and procedures contained in technical manuals, drawings, specifications, blueprints, layouts and schematics.
- Exhibit a high customer service priority.
- Establish and maintain open and honest communications with co-workers at all levels of the organization.
- Instruct others in specific processes and procedures applied in treatment and equipment operations.
- Operate vehicles, office computers and field communications equipment.
- Operate water and wastewater equipment and process controls.
- Tolerate physical presence of height.
- Ascend and descend ladders and stairs.

Within CALOSHA guidelines, withstand periods of physical exposure to the presence of fumes, odors, dust and pollen without incapacitating adverse effect.
Safely enter and leave confined spaces.
Safely transport and lift bulky objects.

Basic Qualifications: Must possess proper certification for operating the Water Treatment Plant and Wastewater Treatment Plant. At least three (3) years experience in the operation and maintenance of Water and Wastewater systems. Computer skills, ability to use word processing, spread sheets, and data processing is required.

Employment Requirements: A valid California State Class C license must be maintained at all times. Pass physical examination and illegal drug screen. Maintain telephone service and reside within 30 minutes response time to GSD. Be available to assist “on call” operator after normal scheduled work hours as needed.

Qualifying Training and Experience:

A combination of training and experience which demonstrates that a person has obtained the required knowledge and is able to perform the required work.

Employment Conditions:

Specifications Approved by Board of Directors.

Fair Labor Standards Act Overtime:

Non-Exempt, receives overtime compensation.

Appointment and Removal Authority:

General Manager.

OPERATOR I

ESSENTIAL FUNCTION

Under direct supervision, responsible for performing water and wastewater treatment processing work in conformance with routine processes, treatment methods and in conformance with regulations and standard work and safety techniques.

PRIMARY DUTIES

This is an entry level technical water and wastewater treatment classification. This position reports to the Chief Operator.

System Operations: Reviews readings, logs and test results to determine current status of systems and plant processes. Reads, records, interprets and monitors meters, gauges, control panels and laboratory test results to assess system functions and determine processing requirements.

Operates direct and remote controls of manual and automatic equipment to start and stop pumps, engines, generators, valves and other equipment and devices which control and adjust power, water or wastewater conveyance, flow, treatment, discharge and biosolids removal processes. Extracts water and/or wastewater samples; prepares and maintains associated control records; transfer samples to laboratory and performs routine laboratory tests and analyses. Assists in applying chemicals to treatment processes.

Facilities Maintenance: Identifies and assists in diagnosing existing and potential repair requirements to plant, wells, pump stations, power generators and all related facilities and equipment. Performs routine scheduled preventive maintenance work and maintenance on equipment. Prepares maintenance and repair service requests. Assists external contractors and internal repair crews to locate, evaluate, adjust, maintain and/or replace equipment, systems and facilities. Maintains central and remote work places. Performs maintenance work on facilities and grounds as needed. Responds to customer service calls. Assists in conducting field investigations and/or inspections of service conditions at user locations. Takes actions needed to resolve service needs. Prepares reports of service calls and complaints. Responds to utility service alerts. Assists in housekeeping maintenance of work places.

General: Participates in the general housekeeping and administrative record keeping operations of the operations section. Prepares and presents formal reports and recommendations as appropriate. Inform if new or additional equipment is needed and maintain an inventory of equipment. Perform daily laboratory test and data entries on plant performance and equipment logs. Reports all emergencies with the operations of facilities to the Chief Operator.

Other Assigned Duties: Perform other duties assigned which are consistent with the responsibilities of the position and necessary to the operations of the District.

Knowledge of the following is required to perform the essential function:

- Current practices, equipment and procedures applied to water and wastewater conveyance and treatment systems in the State.
- Federal, State and local legal and regulatory provisions and related technical terminology applicable to water and wastewater treatment processes.
- Chemical and biological procedures and tests applied in water and wastewater treatment.
- Basic construction, assembly and operational norms of hydraulic equipment, power generators, pumps and controls.

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- Safety practice procedures applicable to all aspects of treatment and conveyance systems operations; procedures for using protective gear; and specific procedure applicable in handling and using hazardous materials and chemicals.

Ability to do the following is required to perform the essential function:

- Extract water and wastewater samples and perform standard laboratory tests.
- Observe, interpret and record measurements indicated on gauges, meters and similar measuring devices.
- Perform maintenance on water and wastewater equipment and facilities.
- Understand, retain and apply written procedures.

Understand and explain specific provisions and procedures contained in technical manuals, drawings, specifications, blueprints, layouts and schematics.

Exhibit a high customer service priority.

Establish and maintain open and honest communications with co-workers at all levels of the organization.

Instruct others in specific processes and procedures applied in treatment and equipment operations.

Operate vehicles, office computers and field communications equipment.

Operate water and wastewater equipment and process controls.

Tolerate physical presence of height.

Ascend and descend ladders and stairs.

Within CALOSHA guidelines, withstand periods of physical exposure to the presence of fumes, odors, dust and pollen without incapacitating adverse effect.

Safely enter and leave confined spaces.

Safely transport and lift bulky objects.

Basic Qualifications: Must possess Grade I certification for operating Water Treatment. At least two (2) years experience in the operation and maintenance of Water Treatment systems. Must obtain Grade II Water Treatment certificate within one (1) year and a Grade II Wastewater Treatment certificate in three (3) years. Computer skills, ability to use word processing, spread sheets, and data processing is desirable.

Employment Requirements: A valid California State Class C license must be maintained at all times. Pass physical examination and illegal drug screen. Maintain telephone service and reside within 30 minutes response time to GSD. Be available to assist "on call" operator after normal scheduled work hours as needed. Participate in the Safety Program and be physically able to use safety equipment.

Qualifying Training and Experience:

A combination of training and experience which demonstrates that a person has obtained the required knowledge and is able to perform the required work.

Employment Conditions:

Specifications Approved by Board of Directors.

Fair Labor Standards Act Overtime:

Non-Exempt, receives overtime compensation.

Appointment and Removal Authority:

General Manager.

Garberville Sanitary District

Job Description

Job Title: Business Manager

Reports to: Board of Directors

Date: August 2012

Position summary

Responsible for the overall operations, management and finances of the organization. Under the general supervision of the board of directors, establishes policies and procedures for directing all internal and external affairs of the organization. Responsible for operating the district in accordance with all applicable state and federal laws and requirements.

Managerial duties

- Provides assistance to the board and committees as requested
- Supervises office personnel in the performance of their assigned duties
- Implements all board policies, including rates, service provision, personnel, and purchasing
- Plans, develops and implements organization policies and goals
- Generates monthly operations and finance reports for board review
- Prepares annual budget for submission to board for review and approval
- With the Operations Manager recommends system improvements and expansion to the board
- Responds to customer complaints and emergency conditions according to adopted procedures
- Prepare and submit required water agency reports in a timely manner

- Identify industry trends, options and alternatives, recommend long term goals and short term objectives.
- Establish standards for procedures, systems, equipment, personnel and other means by which operations are conducted.
- Assure that all employment and safety, legal property records, titles, and registrations, insurance and permit renewal actions are accomplished in conformance with federal, state, regional law, regulations and district ordinances, policies and procedures.
- Select, hire and evaluate employees
- Prepare of analyses, reports, recommendations and position papers on water and wastewater matters pending before legislative or regulatory bodies
- Perform other duties assigned by the governing board which are consistent with the responsibilities of the position and necessary to the operations of the district.
- Establish and maintain open and honest communications with co-workers at all levels of the organization.



Garberville Sanitary District
Job Description

Job Title: Operations Manager

Reports To: Board of Directors

Date: August 2012

Job Duties and Responsibilities

- The Operations Manager will supervise the Water Distribution and Wastewater Collections operators to coordinate all field activities necessary to effectively maintain and operate the District.
- The Operations Manager will work with the Business Manager to assure District policies are implemented.
- The Operations Manager will work with the Business Manager and Project Manager to assist in the review of projects, designs, technical issues, and project management.
- The Operations Manager shall schedule jobs, assign tasks, and coordinate all aspects of each operation ensuring safety, efficiency, cost-effectiveness, and timely completion of projects or assignments.
- The Operations Manager will be required to attend meetings during other than normal work hours. And may be called back to work before or after regularly scheduled work hours or on scheduled days off.

- The Operations Manager shall complete annual performance evaluations on those employees he supervises. He/she shall make recommendations for hiring, firing, promotions, raises, and disciplinary action.
- Commitment to teamwork among peers and subordinates.
- Promotes worker professionalism – Serve as a role model, mentor, and coach to ensure employees treat each other and the customers we serve with respect.
- Maintains knowledge and ensures compliance with current employment laws and regulations.
- Performs customer service tasks along with construction and maintenance work.
- Assures that all necessary repairs and maintenance are scheduled and completed on vehicles and equipment
- Oversees the work order system to assure proper record keeping is completed and filed.
- Schedule and assigns daily work to the operation personnel.
- Keeps the Business Manager and Board of Directors informed of field operations and potential operational problems.
- Assures the water storage facilities (tanks) are properly operated, maintained, and cleaned.
- Assures the water distribution system (mains, valves, hydrants, and appurtenances) is properly operated, maintained, and cleaned.
- Assures that the cross connection program is up to date and in accordance with State regulations.
- Assures the wastewater facilities (pump stations and buildings) are properly operated, maintained, and cleaned.
- Assures that mapping is maintained and up-to-date.
- Assures that developer extensions of the water system are in accordance with the District approved plans and are inspected by District personnel.

- Assures District contract improvements are inspected and completed as per plans and specifications.
- Assures that customer complaints are responded to in a timely manner, investigated as necessary, and coordinated with the Office Manager ➤ Supervises the District safety program.
- Assure subordinate employee compliance with all District policies.
- Prepares reports as needed.

- Schedule training for the operations and maintenance employees, as provided for in the District budget.
- Performs other duties as assigned.



Garberville Sanitary District
Capital Projects Manager

Project Manager will work independently from home managing the water project.
Project manager will commute to Garberville when necessary.

Project Manager
Responsibilities
See following job description

GSD Position Description

TITLE: CAPITAL PROJECTS MANAGER

Type of Position: Part time temporary employee paid bi-monthly hourly

Description of Duties

- Implementation of capital improvement projects for the District

- Participate in preparation of the short and long term capital improvement project program
- Perform general project management and oversight for assigned projects
- Coordinate with District Counsel for legal review of documents and actions as needed
- Manage the overall project scheduling
- Provide financial oversight, accounting, and reimbursement services for project costs
- Advise the Business Manager on changes in project costs and needed capital funding levels
- Complete and coordinate applications for funding Business Manager
- Participate in periodic fiscal budgeting processes as related to CIP projects assigned
- Coordinate with funding agencies and permitting agency for project
- Communicate with the funding agencies to reconcile issues or receive direction associated with implementation of capital improvement projects
- Coordinate with stakeholders, permitting, and regulatory agencies as related to projects assigned
- Solicit, negotiate, recommend award, and manage consultant contracts for Design and Construction Engineering Services for project assigned
- Review consultant contract invoices for services rendered and recommend payment to the General Manager
- Manage milestones and deliverable by consultants on projects assigned
- Review construction plans and specifications as submitted by consultants
- Evaluate design decisions in conjunction with Chief Operator and Business Manager, and communicate decisions to consultant
- Coordinate property acquisition for projects assigned

- Coordinate with consultant and agencies for CEQA and NEPA compliance on projects assigned.
- Apply for and coordinate acquisition of permits as necessary for projects assigned
- Provide construction management assistance as needed
- Set up an auditable organization system for the construction contract paperwork to meet the funding program's requirements
- Conduct review of monthly construction contractor payments, contract change orders, contractor progress schedule, and time delays in conjunction with consultant contractors
- Prepare Notice of Award, Notice to Proceed, Notice of Substantial Completion, and Notice of Completion for General Manager's signature
- Create an approved Labor Compliance Program or contract with a consultant to Review and Certify State and Federal Prevailing Wages
- Verify compliance with Buy American requirements
- Oversee submittal, request for information, and contract change order processes
- Oversee completion of environmental monitoring for construction activities
- Prepare Board memos for actions and updates on projects assigned
- Prepare GIS figures as needed for projects assigned • Create GIS shape files as needed for
 - projects assigned

APPENDIX C, Dispute Resolution Procedure

APPENDIX "C"

DISPUTE RESOLUTION PROCEDURE

In the event any issue or dispute arising under or involving any provision under this Personnel Manual or any issue regarding an employee's employment with the Garberville Sanitary District ("District") or the termination of employment, except for claims for worker's compensation, unemployment insurance, or any matter within the jurisdiction of the California Labor Commissioner, the issue or dispute shall be submitted to voluntary and confidential mediation if agreed to by the employee and the District. This procedure is in addition to the Grievance Procedure for employees set out in Section 9.0 of the Personnel Policy. It is intended to provide direct access to members of the Board as an alternative and additional procedure for resolving any disputes within the District.

The party initiating the mediation shall notify the Chairperson of the Board of Directors. All communications arising out of or related to the mediation shall be confidential in compliance with California Evidence Code Section 1115 to 1128. The mediation shall cover any issue raised by either party. The Chair shall then appoint two members of the Board to serve as an ad hoc Dispute Resolution Committee one of whom will be designated as Chair of the Dispute Resolution Committee (DRC). The Chair of the DRC will contact all parties to the dispute, arrange for meetings and use appropriate mediation and facilitation skills to resolve the dispute.

All discussions will be kept confidential and will result in no recommendation for actions by either member of the DRC. In the event that the dispute is not resolved, the Chairperson shall declare an impasse. If the impasse causes harm either to the District or any party to the dispute, the case shall be referred to private and binding under Title 9, Arbitration, and California Code of Civil Procedure Sections 1280, et seq. The designated arbitrator is authorized to award attorney fees and or costs to either or neither party. Arbitration shall be the exclusive method for resolving any issue or dispute. Any party may request equitable relief from the Arbitrator, including but not limited to injunctive relief, which then may, if necessary, submit the award for confirmation from a court of competent jurisdiction. The claims that are to be arbitrated under this agreement include but are not limited to any and all claims related to employee's employment, or termination.

Except as otherwise provided by law, this Dispute Resolution Procedure through arbitration precludes either the employer or employee or any party to the arbitration from bringing a civil action for issues or disputes relating to, among other things, termination of employment, alleged discriminatory conduct, or alleged sexual or other harassment, and thereby precludes the employer or employee from having such disputes or allegations tried before a judge or a jury.

Arbitration and/or mediation proceedings will be held at a location mutually convenient to the employee, party, and the District. Within thirty (30) days following the hearing and the submission of the matter to the arbitrator, the arbitrator shall issue a written opinion and award, which shall be signed and dated. The arbitrator's award shall decide all issues submitted by the parties and the arbitrator may not decide any issue not submitted. The arbitrator shall be permitted to award only those remedies in law or equity, which is requested by the parties. The cost of the arbitrator and other incidental costs of arbitration may be equally shared between the employee and the District subject to the Arbitrator's power to award of attorney fees and costs.

Personnel Policy Appendix C Adopted 6/6/06 - 1 - Amended 11/07/06

The General Manager and Employees of the District shall sign the following declaration and acceptance:

I _____ (employee), and the District, hereby confirm that we understand and consent to the foregoing Dispute Resolution Procedure. We understand that our agreement to use this procedure means that, except as specifically excepted in the Procedure, we cannot bring civil claims arising out of employment in court, before a judge or a jury, and as such this document constitutes a waiver of our rights to have matters heard by a judge or jury. We have fully considered the effects of this waiver and the procedure provided herein, have consulted with or waived consultation with our own private attorney, and willingly acknowledge, understand, and consent to this Dispute Resolution Procedure.

EMPLOYEE:

Signed _____ Dated _____

Print _____

DISTRICT:

Signed _____ Dated _____

Print _____

Title _____

APPENDIX D, Conflict of Interest Code

APPENDIX "D"

CONFLICT OF INTEREST CODE

Section 1 Introduction

In compliance with the Political Reform Act of 1974, California Government Code Sections 81000, et seq., and specifically with Sections 87300 et seq., the GARBERVILLE SANITARY DISTRICT (GSD) hereby adopts this Conflict of Interest Code, which shall be applicable to all designated employees of the agency. The requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

Section 2 Definition of Terms

The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

Section 3 Designated Employees

The Board Chair, all Board Members, General Manager and the Chief Operator are persons holding positions that are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may foresee-ably have a material affect on financial interests.

Section 4 Disclosure Statements

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employee's disclosure category are the types of financial interest which he or she foreseeable can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category.

Section 5 Place of Filing

All designated employees required to submit a statement of economic interest shall file the original with the General Manager of GSD, who shall be the filing officer for all designated employees and officers. Upon receipt of the statement of economic interest the General Manager of GSD shall make and retain a copy and forward the originals of these statements to the Humboldt County Board of Supervisors, who shall be the filing officer, within five days of the filing deadline or five days of the receipt in the case of statements filed late.

Section 6 Time of Filing

- A) Initial Statements. All designated employees employed by the District on the effective date of this Code shall file statements within thirty days after the effective date of this Code.
- B) Assuming Office Statements. All persons assuming designated positions after the effective date of this Code which are elected or appointed positions, shall file statements within thirty days after assuming the designated positions.
- C) Annual Statements. All designated employees shall file statements no later than January 31.

- D) Leaving Office Statements. All persons who leave designated positions shall file statements within thirty days after leaving office.

Section 7 Contents of Statements

- A) Contents of Initial Statements. Initial statements shall disclose any reportable investments and interests in real property (and management positions) held on the effective date of the Code.
- B) Assuming Office Statements. Assuming office statements shall disclose any reportable investments and interests in real property and management positions held on the date of assuming office (or on the date of nomination, whichever is earlier).
- C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, and income (and management positions) held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office, whichever is later.
- D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property and income or management positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 8 Manner of Reporting

Disclosure statements shall be made on Standard Form 700, and shall contain the following information:

- A) Contents of Investment and Real Property Reports. When an investment or interest in real property is required to be reported, (For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer). The statement shall contain the following:
- 1) A statement of the nature of the investment or interest;
 - 2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
 - 3) The address or other precise location of the real property;
 - 4) A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).
- B) Contents of Personal Income Reports. When personal income is required to be reported, the statement shall contain:
- 1) The name and address of each source of income aggregating to two hundred and fifty dollars (\$250) or more in value, or twenty-five (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.
 - 2) A statement whether the aggregate value of income from each source was one thousand dollars (\$1,000) or less, greater than one thousand dollars, or greater than ten thousand dollars (\$10,000);
 - 3) A description of the consideration if any, for which the income was received;
 - 4) In the case of a gift the name and address of the donor: a description of the gift, the amount or value of the gift, and the date on which the gift was received.
- C) Contents of Business Entity Income Reports. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

- 1.) The name, address, and general description of the business activity of the business entity.
 - 2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata. Share of fees from such person was equal to or greater than one thousand dollars (\$1,000);
 - 3) In the case of a business entity not covered by paragraph 2), the name of every person from whom the share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).
- D) Contents of Management Position Reports
- 1) When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged and the designated employee's position with the business entity.
 - 2) Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interest in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investments or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10% or greater.
 - 3) A designated employee's income includes his or her community property interest in the income of his or her spouse.
 - 4) Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer, spouse and dependent children in the business entity aggregates a 10% or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the source is within one of the disclosure categories of the filer.
- E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 9 Disqualification

Designated employees must disqualify themselves from making, participating in the making or using their official positions to influence the making of any governmental decision which will foreseeable have a material financial effect, distinguishable from its effect on the public generally, on:

- A) Any business entity in which the designated employee has a direct or indirect investment worth more than one thousand dollars (\$1,000) ;
- B) Any real property in which the designated employee has a direct or indirect interest worth more than one thousand dollars (\$1,000);
- C) Any source of income other than loans by a commercial lending institution in the regular course of business aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or,
- D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management. No designated employee shall be

prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. (The fact that a designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section.)

Section 10 Manner of Disqualification

A designated employee required to disqualify him or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the General Manager who shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee. In the case of a designated employee who is a Board Member, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of the Board.

Conflict of Interest Designated Employees - Appendix A

Any and all employees in supervisory, or management capacity; Specifically the District Administrator, Chief Operator, Fiscal Officers, Board Chair, Board Members, and Consultants.*

*The Board may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination is a public inspection in the same manner and location as this conflict of interest code.

Disclosure Categories - Appendix B

All designated employees shall complete the same Form 700 -Statement of Economic Interests, as provided by the Fair Political Practices Commission.

EMPLOYEE:

Signed _____ Dated _____

Print_____

DISTRICT:

Signed _____ Dated _____

Print_____

Title_____