



## BIGHORN-DESERT VIEW WATER AGENCY

### **FINANCE/PUBLIC RELATIONS & EDUCATION/ PERSONNEL COMMITTEE MEETING WITH BOARD OF DIRECTORS\* AGENDA**

**BOARD MEETING OFFICE  
1720 N. CHEROKEE TR.  
LANDERS, CALIFORNIA**

**May 13, 2009  
WEDNESDAY  
4:00 P.M.**

\*The BDVWA Finance/Public Relations & Education/Personnel Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act. Members of the Board who are not assigned to the Finance/Public Relations & Education/Personnel Committee will participate as observers at the meeting.

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ROLL CALL**
- **APPROVAL OF THE AGENDA**

**Public Participation**-Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment, please state your name and have your information prepared. Due to time constraints, a three minute time limit may be imposed. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

1. **PUBLIC PARTICIPATION**- Any person may address the Committee on any matter within the District's jurisdiction on items not appearing on this agenda.
2. **EMPLOYEE HANDBOOK UPDATE**- Committee to review proposed changes to the Employee Handbook with Agency attorney and staff.
3. **RESERVOIR MAINTENANCE CONTRACT OVERVIEW**- Committee to receive reservoir inspection report and service contract options available from Utility Services Co.
4. **FISCAL YEAR 2009/2010 BUDGET OVERVIEW** – Committee to receive and discuss status report on FY2009/2010 budget.

- 5. LEVY AND COLLECTION OF TAXES WITHIN IMPROVEMENT DISTRICT NO 1 FOR FISCAL YEAR 2008/2009-** Committee to review and discuss background for the levy and collection of the taxes within the Improvement District No. 1 for Fiscal Year 2009/2010 and make a recommendation to the full Board as to the appropriate assessed valuation.
- 6. STANDING COMMITTEE PROJECT LIST**
- 7. DIRECTORS' COMMENTS/REPORTS**
- 8. ITEMS FOR NEXT AGENDA**
- 9. ADJOURNMENT**

**Materials related to an item on this Agenda submitted to the Committee Members after distribution of the agenda packet are available for public inspection in the Bighorn-Desert View Water Agency office at 622 S. Jemez Tr., Yucca Valley, CA during normal business hours.**

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** May 13, 2009

**To:** Financial/PR/Education/Personnel Comm.  
Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** N/A

**Funding Source:** N/A

**From:** Marina D. West

**General Counsel Approval:** Obtained

**CEQA Compliance:** N/A

**Subject:** Employee Handbook Update

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**SUMMARY**

In 2007, Agency special counsel for labor and employment matters recommended the Employee Handbook be updated to comply with current procedures and legal requirements applicable to the Agency. Staff has completed the update, received approval from legal counsel and is bringing the document before the Personnel Committee for explanation of changes and to clarify any questions or concerns.

**RECOMMENDATION**

Agendize for the January 27 Board Meeting:

1. Rescind Ordinance No. 050-02 Adopting the Employee Handbook for the Purposes of Establishing the Rules and Procedures for the Conduct of Personnel/Human Resource Matters and Authorizing the Modification thereof by Resolution of the Board of Directors of the Bighorn Desert View Water Agency
2. Adopt Resolution 09R-XX Adopting the Employee Handbook for the Purposes of Establishing the Rules and Procedures for the Conduct of Personnel/Human Resource Matters and Authorizing the Modification thereof by Resolution of the Board of Directors of the Bighorn Desert View Water Agency.

**BACKGROUND/ANALYSIS**

In 2007, Agency special counsel for labor and employment matters recommended the Employee Handbook be updated to comply with current procedures and legal requirements applicable to the Agency. Staff has completed the update, received approval from legal counsel and is bringing the document before the Personnel Committee for explanation of changes and to clarify any questions or concerns.

The Employee Handbook contains Appendix A Job Classifications. Since there is one vacant position at this time, the Executive Secretary/Personnel Administration job description is proposed for adoption in this update. Staff will bring the other job descriptions to the Board as they are finalized.

Appendix B in the Employee Handbook update is the current range and step scale last approved by the Board in January 2008.

Appendix C in the Employee Handbook update is the proposed organizational chart for the Agency.

Agency attorney for labor and employment matters will be available via conference call to review the handbook changes and answer any questions the Committee may have pertaining to the Employee Handbook update. If satisfactory, then the matter will be brought before the full board for consideration and adoption.

### **PRIOR RELEVANT BOARD ACTION(S)**

1/22/08 Resolution No. 08R-01A Authorizing a Cost of Living Percentage Adjustment to the Range and Step Scale Employee Handbook.

12/20/05 Ordinance No. 05O-02 Adopting the Employee Handbook for the Purposes of Establishing the Rules and Procedures for the Conduct of Personnel/Human Resource Matters and Authorizing the Modification thereof by Resolution of the Board of Directors of the Bighorn Desert View Water Agency

DRAFT #1  
APRIL 8, 2009

# Bighorn-Desert View Water Agency



## EMPLOYEE HANDBOOK

Adopted \_\_\_\_\_, 2009

**Deleted:** December 20, 2005

BIGHORN-DESERT VIEW WATER AGENCY EMPLOYEE HANDBOOK

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CLASSIFICATION: Executive Secretary/Personnel Administration

APPENDIX B RANGE AND STEP SCHEDULE

APPENDIX C Organizational Chart

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## ARTICLE 1.0 GENERAL STATEMENTS

### 1.1 SHORT TITLE

This Resolution shall be known as "The Bighorn-Desert View Water Agency Employee Handbook".

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### 1.2 WORDS AND PHRASES

For the purpose of this Resolution, all words used herein in the present tense shall include the future; all words used in the plural shall include the singular; all words used in the singular shall include the plural; and all words used in the masculine gender shall include the feminine.

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### 1.3 SEPARABILITY

If any section, article, clause, or phrase of this Resolution is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of this Resolution.

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### 1.4 EFFECTIVE DATE

This Resolution shall become effective upon the date of its adoption and supersede all other Resolutions, or Policies or Ordinances in conflict there within.

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### 1.5 SUBSEQUENT REVISIONS

That the Board of Directors of the Agency may, by Resolution duly passed upon the affirmative vote of the majority of the members of the Board of Directors, modify and amend the Employee Handbook at any time and from time to time.

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## ARTICLE 2.0 INTRODUCTORY POLICIES

### 2.1 INTRODUCTORY STATEMENT

This Employee Handbook sets forth the terms and conditions of the “at will” employment of all full and part-time employees. Individual written employment contracts may supersede some of the provisions of this handbook. This handbook is designed to familiarize you with our major policies. Your supervisor or manager can answer any questions you may have.

**Deleted:** Welcome! As an employee of the Bighorn-Desert View Water Agency, you will find your employment to be both rewarding and challenging. Because the quality of our employees is the key to our success, we carefully select our new employees. In turn, we expect employees to contribute to the success of the Agency.

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### 2.2 INTEGRATION CLAUSE AND THE RIGHT TO REVISE

The Agency reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this handbook or in any other document. All amendments become effective immediately upon their adoption by the Agency Board of Directors. Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook. This handbook contains the terms and conditions of your “at will” employment. Nothing in this employee handbook, or any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

### 2.3 EQUAL EMPLOYMENT OPPORTUNITY

This Agency is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. Agency policy prohibits unlawful discrimination based on race, color, creed, sex, religion, marital status, age, national origin or ancestry, physical or mental disability, medical condition, sexual orientation, gender identity or any other consideration made unlawful by federal, state or local laws. All such discrimination is unlawful. The Agency is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the Agency and prohibits unlawful discrimination by any employee of the Agency, including supervisors and co-workers.

If you believe you have been subjected to any form of unlawful discrimination, you should provide a written complaint to your supervisor or the individual with day-to-day personnel responsibilities. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The Agency will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation.

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If the Agency determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination, whatever action is taken will be made known to you and the Agency will take appropriate action to remedy any loss to

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you as a result of the discrimination. The Agency will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management employees or your co-workers.

## 2.4 UNLAWFUL HARASSMENT

1. Policy Statement. The Agency strictly prohibits unlawful harassment. This includes harassment on the basis of sex, sexual orientation, race, color, ancestry, religious creed, disability, medical condition, age (over 40), marital status, gender identity or any other protected class under applicable law.
2. Application.
  - A. This policy applies to all phases of the employment relationship, including recruitment, testing, hiring, upgrading, promotion/demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training.
  - B. This policy applies to all officers and employees of the Agency, including, but not limited to, full- and part-time employees, per diem employees, temporary employees, and persons working under contract for the Agency.
3. Harassment Defined.
  - A. Harassment may consist of offensive verbal, physical, or visual conduct when such conduct is based on or related to an individual's sex and/or membership in one of the above-described protected classifications, and:
    - (1) Submission to the offensive conduct is an explicit or implicit term or condition of employment;
    - (2) Submission to or rejection of the offensive conduct forms the basis for an employment decision affecting the employee; or
    - (3) The offensive conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.
  - B. Examples of what may constitute prohibited harassment include, but are not limited to, the following:
    - (1) Kidding or joking about sex or membership in one of the protected classifications;
    - (2) Hugs, pats, and similar physical contact;

**Deleted:** The Agency is committed to providing a work environment free of unlawful harassment. Agency policy prohibits sexual harassment and harassment because of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful. The Agency's anti-harassment policy applies to all persons involved in the operation of the Agency and prohibits unlawful harassment by any employee of the Agency, including supervisors and co-workers.¶

¶ Prohibited unlawful harassment because of sex, race, ancestry, religion, physical or mental disability, medical condition, marital status, age or any other protected basis includes, but is not limited to, the following behavior:¶

¶ <#>Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;¶

<#>Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures;¶

<#>Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;¶

<#>Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors;¶

<#>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 Agency supervisor, General Manager or the President of the Board of Directors of the Agency as soon as possible after the incident. Your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. Supervisors will refer all harassment complaints to the General Manager, investigative officer, or the president of the Agency. The Agency will immediately undertake effective, thorough a... [1]

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- (3) Assault, impeding or blocking movement, or any physical interference with normal work or movement;
- (4) Cartoons, posters, e-mails and other materials referring to sex or membership in one of the protected classifications;
- (5) Threats intended to induce sexual favors;
- (6) Continued suggestions or invitations to social events outside the workplace after being told such suggestions are unwelcome;
- (7) Degrading words or offensive terms of a sexual nature or based on the individual's membership in one of the protected classifications;
- (8) Prolonged staring or leering at a person;
- (9) Similar conduct directed at an individual on the basis of race, color, ancestry, religious creed, disability, medical condition, age (over 40), marital status, sexual orientation, gender identity or any other protected classification under applicable law.

4. Procedure.

A. Internal Reporting Procedure

- (1) Any employee who believes that he or she has been the victim of sexual or other prohibited harassment by coworkers, supervisors, clients or customers, visitors, vendors, or others should immediately notify his or her supervisor or, in the alternative, the General Manager, depending on which individual the employee feels most comfortable in contacting.
- (2) Additionally, supervisors who observe or otherwise become aware of harassment that violates this policy have a duty to take steps to investigate and remedy such harassment and prevent its recurrence.

B. External Reporting Procedure

- (1) Any employee who believes that he or she has been the victim of sexual or other prohibited harassment by coworkers, supervisors, clients or customers, visitors, vendors, or others may file a complaint with the California Department of Fair Employment & Housing or the Fair Employment & Housing Commission ("DFEH"). The phone number for DFEH is located in the phone book under government agencies.

5. Investigation.

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A. Upon the filing of a complaint with the Agency, the complainant will be provided with a copy of this policy. The General Manager is the person designated by the Agency to investigate complaints of harassment. The General Manager may, however, delegate the investigation at his/her discretion. In the event the harassment complaint is against the General Manager, an investigator shall be appointed by the Board of Directors and the Board will assume the role of the General Manager throughout the process.

B. Charges filed with the DFEH are investigated by the DFEH.

6. Internal Documentation Procedure.

A. When an allegation of harassment is made by an employee, the person to whom the complaint is made shall immediately prepare a report of the complaint according to the preceding section and submit it to the General Manager.

B. The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of harassment, witnesses interviewed during the investigation, the person against whom the complaint of harassment was made, and any other person contacted by the investigator in connection with the investigation. The investigator's notes shall be made at the time the verbal interview is in progress. Any other documentary evidence shall be retained as part of the record of the investigation. Upon completion of the investigation, the results shall be given to the complainant, the alleged harasser, and the General Manager.

C. Based on the report and any other relevant information, the General Manager shall, within a reasonable period of time, determine whether the conduct of the person against whom a complaint has been made constitutes harassment. In making that determination, the General Manager shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question; the context in which the conduct, if any, occurred; and the conduct of the person complaining of harassment. The determination of whether harassment occurred will be made on a case-by-case basis by the General Manager.

7. Confidentiality. All records and information relating to the investigation of any alleged harassment and resulting disciplinary action shall be confidential, except to the extent disclosure is required by law, as part of the investigatory or disciplinary process, or as otherwise reasonably necessary.

8. Remedies.

A. Disciplinary Action.

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- (1) If the General Manager determines that the complaint of harassment is founded, the General Manager shall take immediate and appropriate disciplinary action consistent with the requirements of law and any personnel rules or regulations pertaining to employee discipline. Other steps may be taken to the extent reasonably necessary to prevent recurrence of the harassment and to remedy the complainant's loss, if any.
- (2) Disciplinary action shall be consistent with the nature and severity of the offense, the rank of the harasser, and any other factors relating to the fair and efficient administration of the Agency's operations.

B. In the event a complaint is filed with the DFEH, and the DFEH finds that the complaint has merit, the DFEH will attempt to negotiate a settlement between the parties. If not settled, DFEH may issue a determination on the merits of the case.

- (1) Where a case is not settled and the DFEH finds a violation to exist, it can prosecute the charging party's case before the Fair Employment & Housing Commission ("FEHC"). Legal remedies available through DFEH and FEHC for a successful claim by an applicant, employee, or former employee include possible reinstatement to a former job; award of a job applied for; back pay; front pay; attorneys' fees; and under appropriate circumstances, actual damages and/or administrative fines.
- (2) In the alternative, DFEH may grant the employee permission to withdraw the case and pursue a private lawsuit seeking similar remedies.

9. Retaliation. Retaliation against anyone for opposing conduct prohibited by this policy or for filing a complaint with or otherwise participating in an investigation, proceeding or hearing conducted by the Agency, DFEH, or FEHC is strictly prohibited by the Agency and state regulations. It may subject the offending person to, among other things, disciplinary action, up to and including, termination of employment.

10. Employee Obligation.

- A. Employees are not only encouraged to report instances of harassment, they are obligated to report instances of harassment.
- B. Employees are obligated to cooperate in every investigation of harassment, including, but not necessarily limited to:
  - (1) Coming forward with evidence, both favorable and unfavorable to a person accused of harassment; and

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(2) Fully and truthfully making a written report or verbally answering questions when required to do so during the course of a Agency investigation of alleged harassment.

C. Knowingly, falsely accusing someone of harassment or otherwise knowingly giving false or misleading information in an investigation of harassment shall be grounds for disciplinary action, up to and including, termination of employment.

**ARTICLE 3.0 EMPLOYMENT POLICIES AND PRACTICES****3.1 AT-WILL EMPLOYMENT**

Bighorn-Desert View Water Agency personnel are employed on an at-will basis, (only employees hired prior to December 20, 2005 are not "at will"). Employment at-will may be terminated with or without cause and with or without notice at any time by the employee or the Agency. Nothing in this handbook shall limit the right to terminate at-will employment, with or without cause, or prior notice. No individual Board member, manager, supervisor, or employee of the Agency has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the General Manager of the Bighorn-Desert View Water Agency has the authority to make any such agreement, which is binding only if it is in writing and approved by the Board of Directors.

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**3.2 NEW HIRES**

After an offer of employment has been made and prior to the commencement of employment duties, each applicant for any position with the Agency must be examined by a medical doctor, designated by the Agency, to determine the applicant's ability to perform the physical activity requirements of the job. Additionally the Agency will require you to pass a drug screening test at the time of your physical examination if you are in a "safety-sensitive" position.

Upon successful completion of the required physical examination the supervisor of each new hire employee will administer an orientation process. The orientation process is the familiarization of the new hire employee with the Agency's practices, policies, and benefit plan. It includes their initial safety training, initial job training, the completion of required forms and documents, and any other job related information. A checklist of the topics covered in the orientation process must be completed by the new hire employee, signed by the employee and their supervisor, and will be maintained as part of the employee's personnel records.

The first ninety (90) days of continuous employment at the Agency is considered a training period. During the training period training employees do not accrue and are not eligible for benefits described in this handbook, unless required by law. During this time you will learn your responsibilities, get acquainted with fellow employees and determine whether you are happy with your job. Also, during this time, your supervisor will closely monitor your performance. Upon completion of the training period, the General Manager will review your performance. Completion of the training period does not entitle you to remain employed by the Agency for any defined period of time as employment is "at will". Both you and the Agency are free, at any time, to end the employment relationship. After completion of the training period, eligible employees will receive the benefits described in this handbook.

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### 3.3 REGULAR EMPLOYEES

Employees who have completed their training period shall be known as "regular" employees. Such employees may be either full-time or part-time. The distinction between full-time and part-time depends upon the number of hours that an employee works.

### 3.4 FULL-TIME EMPLOYEES

Regular full-time employees are those normally scheduled to work 40 hours per week. Following the completion of the training period, regular full-time employees are eligible for the employee benefits described in this handbook.

### 3.5 PART-TIME EMPLOYEES

Regular part-time such employees may be assigned a work schedule in advance or may work on an as-needed basis. Regular part-time employees are eligible for employee benefits only as expressly provided for in this handbook.

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### 3.6 TEMPORARY EMPLOYEES

Temporary employees are those employed for short-term assignments. Temporary employees are not eligible for employee benefits except where mandated by applicable law. The physical examination for temporary employees may be waived by the General Manager.

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### 3.7 JOB DUTIES

During the training period, your supervisor will explain your job responsibilities and the performance standards expected of you. (See Exhibit A- Job Classification Schedule). Be aware that, within the parameters of your job class, your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects or to assist with other work necessary or important to the operation of your department or the Agency. Your cooperation and assistance in performing such additional work is expected. The Agency reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

### 3.8 WORK SCHEDULES

The Agency's office is normally open for business between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Your supervisor will assign your work schedule. All employees are expected to be ready to work at the start of their scheduled shifts. If for some reason you are unable to be at work when your shift begins, you are required to notify your supervisor at least one half hour before your scheduled reporting time, failure

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to do so may result in disciplinary action by the Agency. Exchanging work schedules with other employees is discouraged. However, if it is necessary to exchange schedules, notify your supervisor, who may authorize an exchange if possible.

### 3.9 MEAL AND REST PERIODS

Employees are provided with a meal period, to be taken approximately in the middle of the workday. Employees are allowed ten minute rest periods for every four hours of work or major portion thereof. Your supervisor will schedule your meal and rest periods.

### 3.10 PERSONNEL RECORDS

You have a right to inspect your personnel file, as provided by law, in the presence of an Agency representative at a mutually convenient time. You may add your version of any disputed item to the file. The Agency will restrict disclosure of your personnel file to authorized individuals within the Agency (i.e., employee, employee supervisor, or General Manager). Any request for information from personnel files must be directed to the General Manager. Only the General Manager or his/her designee is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be restricted to cooperation with authorized law enforcement or local, state or federal agencies conducting official investigations.

### 3.11 EMPLOYEE REFERENCES

All requests for references must be directed to the General Manager or his/her designee. No other manager, supervisor or employee is authorized to release references for current or former employees. The Agency's policy as to references for employees who have left the Agency is to disclose only the dates of employment and the title of the last position held. If you authorize disclosure in writing, the Agency will also provide a prospective employer with the information on the amount of salary or wage you last earned.

### 3.12 PERFORMANCE EVALUATIONS

Employees will receive periodic performance reviews. The review will be conducted by your supervisor who will discuss it with you. Your first performance evaluation will be after completion of your training period. After that review, performance evaluations will be conducted annually, on or about the anniversary date of your employment with the Agency. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties or recurring performance problems. Performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, initiative, work attitude and attitude toward others. The performance evaluation should help you become aware of your progress, areas for improvement and objectives or goals for future work performance.

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Positive performance evaluations do not guarantee increases in salary. Salary increases are solely within the discretion of the Agency, and depend upon many factors in addition to performance. After the review you will be required to sign the evaluation report simply to acknowledge that it has been presented to you and discussed with you by your supervisor, and that you are aware of its contents. Promotions are solely within the discretion of the Agency.

### 3.13 GRIEVANCE PROCEDURE

The purpose of the grievance procedure is to provide a means by which employee grievances may be considered, discussed and resolved at the closest possible level to the point of origin. A grievance is any dispute concerning the interpretation or application of the rules or regulations governing personnel practices or working conditions, or of the practical consequences of a decision on wages, hours, and other terms and conditions of employment. Grievances shall be waived for all purposes if not presented to the supervisor within ten working days from the date the aggrieved employee knew, or by reasonable diligence could have known, of the occurrence of the act or omission on which the grievance is based. Grievances shall be presented in accordance with the procedures set forth below. The time period for review of the grievance may be extended at any level of the procedure by mutual written consent of both parties.

**INFORMAL PROCEDURE:** An employee with a grievance shall first discuss it with their immediate supervisor without delay. If the problem is not answered to their satisfaction, they shall have the right to discuss it with the supervisor's immediate superior. Every effort shall be made to resolve the problem in this manner.

**FORMAL PROCEDURE:** If informal efforts have not been successful in resolving an employee's problem, they may avail themselves of this formal procedure by submitting their appeal in writing within five working days of the final answer given in the informal procedure. The written appeal shall include a detailed nature of the grievance and their expectations for resolution. The procedure is as follows:

- **FIRST LEVEL OF APPEAL:** The written appeal shall be submitted to the employee's immediate supervisor who shall hold a meeting within five working days and shall render a decision and comments in writing within five working days of the meeting.
- **GENERAL MANAGER REVIEW:** If the employee does not agree with the decision, or if no answer has been received within six working days, he/she may forward the original appeal in writing to the General Manager. Failure of the employee to take further action within ten working days after receipt of the first level decision, or within a total of ten working days if no decision is rendered, will bar further consideration. The General Manager shall discuss the grievance with the employee and with other appropriate persons, if any. The General Manager shall render his/her decision regarding the original appeal and comments in

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writing and return them to the employee within ten working days after receiving the written appeal. The only appeals that can go beyond the General Manager level are appeals from actions where "punitive discipline" was imposed. "Punitive discipline" is defined as termination, suspension without pay of three (3) days or more or demotion. (For employees hired prior to December 20, 2005, "major disciplinary actions," including "punitive discipline," shall be administered as set forth in Section 3.17 and the grievance procedure shall not apply to such actions.) Performance appraisals shall not be appealed beyond the General Manager level.

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- **BOARD REVIEW:** If the employee does not agree with the decision made at the General Manager level where punitive discipline was imposed the employee may within five working days, present their appeal in writing to the General Manager requesting a hearing before the before the Board. All evidence and supporting documents must be submitted with the appeal letter. At the employee's request, this hearing may be in either open or closed session. The decision of the Board of Directors shall be final and binding on all parties.

The grievance is considered resolved at any step in the procedure when the employee is satisfied that the problem has been resolved.

Throughout the duration of the grievance process the employee shall remain in their current classification at their current rate of compensation whether placed on leave status or not. The grievance procedure is the right of every regular employee and no punitive action of any kind shall be assessed against any regular employee for legally and professionally utilizing the grievance process.

### 3.14 EMPLOYMENT OF RELATIVES

The Agency will not hire relatives where actual or potential problems may arise regarding supervision, security, safety or morale, or where potential conflicts of interest exist. "Relatives" are defined to include spouses, registered domestic partners, children, siblings, parents, in-laws and step-relatives. If two employees marry, become registered domestic partners, or become related, causing actual or potential problems such as those described above, only one of the employees will be retained with the Agency unless reasonable accommodations can be made to eliminate the actual or potential problems. The employees will have 30 days to decide which relative will stay with the Agency. If this decision is not made in the time allowed, the General Manager of the Agency will make the decision, taking the employment history and job performance of both employees into account.

### 3.15 CONFLICTS OF INTEREST

Situations of actual or potential conflict of interest are to be avoided by all employees. Personal or romantic involvement with a competitor, supplier or subordinate employee of the Agency, which impairs an employee's ability to exercise good judgment on behalf of

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the Agency, creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his/her immediate supervisor, or any other appropriate supervisor, for a determination as to whether a potential or actual conflict exists. If an actual or potential conflict is determined, the Agency may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

### 3.16 REDUCTIONS IN FORCE

Under some circumstances, the Agency may need to restructure or reduce its work force. If it becomes necessary to restructure our operations or reduce the number of employees, the Agency will attempt to provide reasonable advance notice, if possible, so as to minimize the impact on those affected. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.

The Agency will abide by any and all labor laws relative to reductions in force. In determining which employees will be subject to layoff, the Agency will take into account, among other things, operation requirements, the skill, productivity, ability and past performance of those involved and also, where feasible, the employee's length of service.

### 3.17 TERMINATION AND PROGRESSIVE DISCIPLINE

Violation of Agency policies and/or rules may result in disciplinary action. The Agency may follow a system of progressive discipline which may, but need not, include verbal warnings, written warnings, suspension, and/or termination. All disciplinary action taken shall be recorded in the employee's personnel file.

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For employees hired prior to December 20, 2005, the following disciplinary process will apply to "major disciplinary actions" (defined as terminations, demotions or suspensions without pay:

1. Prior to imposing a major disciplinary action, the employee shall be provided with a notice of proposed disciplinary action which shall include the documents upon which the disciplinary action is based. The notice shall indicate that the employee shall have up to seven (7) calendar days to schedule a "Skelly" hearing with the General Manager. Following the Skelly hearing, or seven (7) days if the employee does not choose to schedule one, the General Manager shall issue the employee a notice of disciplinary action. If the disciplinary action is a termination, demotion or suspension without pay for five (5) days or more, the employee shall have seven (7) calendar days

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to file an appeal. The appeal shall be in writing and delivered to the General Manager. Following receipt of the appeal, a hearing shall be scheduled before the Board of Directors, or its designee(s). Failure to file a request for appeal within the time specified shall be deemed a waiver of all appeal rights. Appeal hearings need not be conducted in strict conformity with the Rules of Evidence as applied in a court of law, but all parties shall observe the substance of the Rules of Evidence, to the end that the matter may be fully heard and determined upon evidentiary matter which reasonable people rely on in the conduct of serious business affairs. Following the hearing, the Board or its designee(s) shall issue a written decision upholding, reducing or rejecting the discipline imposed. (If the Board delegates the hearing to a designee(s), the decision shall be advisory only.) The decision of the Board will be final and binding on all parties. The hearing shall be held in Closed Session unless the employee requests otherwise.

2. In cases of suspensions without pay of four (4) days or less, the employee shall be entitled to notice of the suspension and a Skelly hearing with the General Manager either prior to, during or within seven (7) days following the suspension without pay. The decision of the General Manager following the Skelly hearing shall be final and binding and the employee shall have no further appeal rights.

### 3.18 VOLUNTARY TERMINATION

Any employee may voluntarily terminate their employment with the Agency at their convenience. All Agency owned property (vehicles, keys, uniforms, identification badges, credit cards, etc.) must be returned immediately upon termination of employment. A Property Return Agreement must be completed and signed by each new employee during the orientation process as Agency equipment is issued.

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## ARTICLE 4.0 SALARY AND WAGE ADJUSTMENTS

### 4.1 SALARY RANGE AND STEP SCHEDULE

The Board shall adopt a Salary Range and Step Schedule for all positions which shall be identified in Appendix "B" attached.

### 4.2 SALARY ADJUSTMENTS

All merit salary adjustments shall be made by the General Manager with the aid of the employee's performance review on or about the employee's annual anniversary date. Merit salary adjustments are granted only after a satisfactory period of service, and are not to be considered an automatic annual salary increase.

The Range and Step Salary Schedule, attached as Exhibit B, is adopted by the Board of Directors setting forth the salary alignment for regular hourly employees. Each range in the Range and Step Salary Schedule shall have a corresponding job classification description which is attached as Exhibit A - Job Classification Schedule.

### 4.3 OTHER SALARY ADJUSTMENTS

The Board, at its discretion, may grant a percentage cost of living adjustment to the Range and Step Exhibit B each year to be effective on or about January 1. The cost of living index and the overall financial condition of the Agency shall be considered when determining any adjustment.

### 4.4 OVERTIME

As necessary, employees may be required to work overtime. For purposes of determining which hours constitute forty (40) hours in a workweek for overtime eligibility, only actual hours worked, the three (3) hour facility inspection pay, paid holidays, pre-approved vacation and reasonable sick leave will be counted. The Agency will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by a supervisor. The Agency provides compensation for all overtime hours worked by hourly employees in accordance with state and federal law as follows:

- a. All hours worked in excess of 40 hours in one workweek will be treated as overtime. A workday begins at midnight and ends 24 hours later. A workweek begins each Friday at midnight.
- b. Compensation for hours in excess of 40 for the workweek shall be paid at a rate of 1½ times the employee's regular rate of pay.

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**Deleted:** in a given workday or workweek

**Deleted:** 8 hours in one workday or

**Deleted:** , or in excess of 8 for the workday and not more than 12 for the workday, and for the first eight hours on the seventh consecutive day of work in one workweek,

**Deleted:** <#>Compensation for 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; and¶

¶ Overtime compensation for hours worked in excess of eight hours per day or forty hours per week shall apply in all cases provided that the employee worked the entire standard work week or was on paid Agency authorized leave (for example-vacation) for the days not worked during the standard work week in question. ¶¶

¶ To be eligible for Holiday Overtime pay, you must be regularly scheduled to work on the day on which the Holiday is observed and must work your regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by your supervisor. If you are required to work on a paid scheduled holiday you will receive double the regular rate of pay.

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#### 4.5 OPERATIONS STANDBY

**THREE HOUR FACILITY INSPECTION:** The employee on-call shall perform the normal three hour facility inspections on Saturday, Sunday, and all Agency authorized Holidays as required. The "three hour facility inspection" is defined as the daily duties in which the Agency facilities are inspected and production data recorded. Three hours are allotted to perform these duties, and employees will be paid a minimum of three (3) hours.

**Deleted:** and will be compensated per sections 4.4

**ON CALL TIME:** Answer information only calls, carry the pager for the entire shift, and be available for any emergency call-out that may arise during the hours of their on-call shift.

**CALL OUT TIME:** Call-out time refers to the time an employee is called out after regular working hours when that employee has on-call duty. Call-out time does not include the time required to make the three hour facility inspection each day, information only calls or carrying the pager for the entire shift. Call-out time shall be compensated at overtime rates for actual time worked with a minimum of one hour compensation.

Employees on stand-by duty on Monday, Tuesday, Wednesday, Thursday or Friday will be paid one (1) hour of their base pay rate for each day of service. Employees on stand-by duty on Saturday, or Sunday, or Agency authorized Holidays will be paid three (3) hours of their base pay rate.

In addition to the hours paid in the preceding paragraph the employee called out during their on call shift will be paid one and one half (1½) times that employee's regular hourly rate for duties that fall outside of the three hour facility inspection time frame.

#### 4.6 COMPENSATORY TIME

An employee may elect compensatory time in lieu of overtime. Those employees eligible for compensatory time may accrue such time to a maximum of forty (40) hours. Compensatory time shall be calculated at one and one-half (1½) times the number of hours worked over forty (40) hours in a workweek. Compensatory time must be reported on the employee's time card and submitted to the payroll department. (Compensatory time must be elected by the employee prior to performing the work.) Compensatory time used shall also be reported on the employee's time card and submitted to the payroll department. Unused compensatory time shall be paid at termination.

**Deleted:** Holiday overtime compensation shall apply when an on-call shift includes an Agency authorized Holiday and when the call-out occurs outside of the three hour facility shift.

**Deleted:** scheduled hours during the established work day

**Deleted:** Employees shall use their compensatory time within the same pay period or it shall be paid at then end of the pay period.

#### 4.7 PAYMENT OF WAGES

All employees of the Agency are paid every other Thursday for work performed during the previous two-week pay period. If a regular payday falls on a holiday, every effort will be made to pay the employees on the preceding workday. Paychecks are normally

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available by 4:00 p.m. at the Jemez office. If there is an error on your check, please report it immediately to your supervisor and it will be corrected within four working days. All payroll deductions shall be in accordance with applicable laws.

#### 4.8 ADVANCES

The Agency does not permit advances against unearned wages or against unaccrued vacation.

#### 4.9 SPECIAL ASSIGNMENT COMPENSATION

Special Assignment Compensation is a concept which allows for increases in pay beyond that which is normally allowed when duties performed support such additional pay for special periods of time. The General Manager may grant the Special Assignment Compensation for duties assigned an employee at a rate of compensation at the bottom of range for the new position or five percent (5%) of the employee's pay in their regular position, whichever is greater, of the employee's based pay rate when duties assigned are above and beyond the normal classification of an employee and under other circumstances as determined by the General Manager.

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## ARTICLE 5.0 STANDARDS OF CONDUCT

### 5.1 PROHIBITED CONDUCT

The following conduct is prohibited and will not be tolerated by the Agency. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and the Agency's operations also may be prohibited.

- a. Failure to uphold the Constitution and laws of the United States and the State of California.
- b. Failure to perform employment duties in accordance with all applicable governing authorities and regulations of the Agency including but not limited to the provisions of this handbook.
- c. Falsification of employment records, employment information or other Agency records.
- d. Theft, deliberate or careless damage of Agency property or the property of any employee or customer.
- e. Removing or borrowing Agency property without prior authorization.
- f. Unauthorized use of Agency equipment, time, materials, or facilities.
- g. Provoking a fight or fighting during working hours or on Agency property.
- h. Participating in horseplay or practical jokes on Agency time or on Agency premises.
- i. Using abusive language at any time on Agency premises or in the performance of employment duties.
- j. Engaging in criminal conduct whether or not related to job performance.
- k. Creating or participating in a disruption of any kind which could result in the impedance of the normal work day routine during working hours on Agency property.
- l. Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
- m. Failure to be punctual in reporting for work and efficient with the use of their time while on duty. All employees are encouraged to live close to the area and employees having on-call responsibilities are required to live within a thirty (30) minute drive of the Agency office.
- n. Failure to notify a supervisor when unable to report to work.
- o. Unreported absences.
- p. Failure to obtain permission to leave work for any reason during normal working hours.
- q. Failure to provide a physician's certificate when requested or required to do so.
- r. Sleeping or malingering on the job.
- s. Making or accepting personal telephone calls during working hours, except in cases of emergency.
- t. Working overtime without authorization, or refusing to work assigned overtime.
- u. Violation of any safety, health, security or Agency policies, rules or procedures.
- v. Committing a fraudulent act or a breach of trust under any circumstances.

**Deleted:** of three (3) consecutive scheduled workdays

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- w. Unlawful harassment or discrimination.
- x. Discourteous treatment of others.
- y. Violation of Agency rules or policies.

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## 5.2 DRUG AND ALCOHOL ABUSE/DRUG TESTING PROGRAM

The Agency is concerned about the use of alcohol, illegal drugs or controlled substances as it affects the workplace. Use of these substances whether on or off the job can adversely affect an employee's work performance, efficiency, safety and health and therefore seriously impair the employee's value to the Agency. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the Agency to the risks of property loss or damage, or injury to other persons. Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and seriously impair the employee's value to the Agency.

The following rules and standards of conduct apply to all employees either on Agency property or during the work day (including meals and rest periods). The following are strictly prohibited by the Agency:

- a. Possession or use of alcohol, or being under the influence of alcohol while on the job.
- b. Driving an Agency vehicle while under the influence of alcohol.
- c. Distribution, sale or purchase of an illegal or controlled substance while on the job.
- d. Possession or use of an illegal, or controlled substance or being under the influence of an illegal or controlled substance while on the job.

Violation of the above rules and standards of conduct will not be tolerated. The Agency also may bring the matter to the attention of appropriate law enforcement authorities. Except as prohibited by law, an employee's conviction on a charge of illegal sale or possession of any controlled substance while off Agency property will not be tolerated because such conduct, even though off duty, reflects adversely on the Agency. In addition, the Agency must keep people who sell or possess controlled substances off the Agency's premises in order to keep the controlled substances themselves off the premises.

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Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work. (This does not require disclosure of the reason for taking the drug.) The employee may be required to provide a physician's statement confirming their fitness for duty.

The Agency is required to implement a drug testing program for all of its employees whose job classification requires them to have a commercial drivers license and perform

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safety-sensitive functions regulated by Title 49 of the Code of Federal Regulations. The Agency's Drug and Alcohol Testing Policy is for those safety-sensitive positions.

**Deleted:** Policy Statement No. 97P-07 sets forth t

### 5.3 OFF-DUTY CONDUCT

While the Agency does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Agency's legitimate business interests. For this reason, employees should be aware of the following policies: Employees are expected to conduct their personal affairs in a manner that does not adversely affect the Agency's or their own integrity, reputation or credibility. Illegal off-duty conduct on the part of an employee that adversely affects the Agency's legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

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While employed by the Agency, employees are expected to devote their energies to their jobs with the Agency. For this reason, second jobs are discouraged. The following types of outside employment are strictly prohibited:

- a. Employment that conflicts with an employee's work schedule, duties and responsibilities;
- b. Employment that creates a conflict of interest or is incompatible with the employee's employment with the employer;
- c. Employment that impairs or has a detrimental effect on the employee's work performance with the Agency;
- d. Employment that requires the employee to conduct work or related activities on the employer's property during the employer's working hours or using the employer's facilities and/or equipment;
- e. Employment that directly or indirectly competes with the business or the interests of the employer.

### 5.4 PUNCTUALITY AND ATTENDANCE

As an employee of the Agency, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent, your workload must be performed by others, just as you must assume the workload of others who are absent.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized Agency business. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

If you are unable to report for work on any particular day, you must call your supervisor at least one half hour before the time you are scheduled to begin working for that day. In all cases of absence or tardiness, employees must provide their supervisor with an

**Deleted:** Employees who wish to engage in outside employment that may create a real or apparent conflict of interest must submit a written request to the Agency explaining the details of the outside employment. If the outside employment is authorized, the Agency assumes no responsibility for the outside employment. The Agency shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of outside employment. Authorization to engage in outside employment can be revoked at any time.¶

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honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Unless there are extenuating circumstances, you must call in on any day you are scheduled to work that you will be absent or tardy.

Excessive absenteeism or tardiness (whether excused or not) will not be tolerated.

If you fail to report for work without notification to your supervisor and absence continues for a period of three consecutive days, the Agency will consider that you have abandoned your employment and have voluntarily terminated.

## 5.5 PERSONAL STANDARDS

Employees are expected to wear clothing appropriate for the nature of our business and the type of work performed. Clothing should be neat, clean and tasteful. Avoid clothing that can create a safety hazard. Department managers may issue more specific guidelines.

Field employees shall be issued uniforms which they are required to wear daily. It is the responsibility of the employee to launder their own uniforms.

Field employees are required to wear approved steel toe safety shoes at all times and will be reimbursed up to \$150 for one pair each year by the Agency. It is the responsibility of the employee to purchase properly fitting foot wear prior to reimbursement.

**Deleted:** The uniform shall consist of denim trousers and shirt bearing the Agency's name and logo. Field employees shall be issued T-shirts for use during summer months and long sleeve heavy cotton blend T-shirts for use in cooler winter months. The Agency will reimburse field employees for up to four pairs of denim trousers per year.

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Employees and visitors are required to wear safety equipment when visiting or working in an area designated as a "hard hat area".

Field employees, when leaving the Agency's employees, shall return all uniforms to the Agency. Violation of the Agency's dress code policy could result in disciplinary action up to and including termination.

## 5.6 CUSTOMER RELATIONS

We are a service oriented business and we must remember that the customer is our first priority. Customers are to be treated courteously and given proper attention at all times. Never regard a customer's question or concerns as an interruption or an annoyance. Customer inquiries, whether in person or by telephone, must be addressed promptly and professionally. Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received. Employees are expected to be polite, courteous, prompt and attentive to every customer. When a situation arises where the employee does not feel comfortable or capable of handling the problem, the supervisor or General Manager should be called immediately.

## 5.7 CONFIDENTIALITY

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Each employee is responsible for safeguarding confidential information obtained in connection with his or her employment. In the course of your work, you may have access to confidential information regarding the Agency, its suppliers, its customers or perhaps even fellow employees. Employees shall not reveal or divulge any such confidential information. This obligation to maintain the confidentiality of information shall continue even after employment with the Agency ends. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by the Agency.

#### 5.8 BUSINESS CONDUCT AND ETHICS

No employee may accept a gift or gratuity from any customer, vendor, supplier or other person doing business with the Agency that may give the appearance of influence regarding their business decision, transaction or service. Please discuss expenses paid by such persons for business meals or trips with the General Manager in advance.

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## ARTICLE 6.0 OPERATIONAL CONSIDERATIONS

### 6.1 EMPLOYER PROPERTY

Lockers, desks, vehicles and tools are Agency property and must be maintained according to Agency rules and regulations. The Agency reserves the right to search all Agency property. They must be kept clean and are to be used only for work-related purposes. Prior authorization must be obtained before any Agency property may be removed from the premises.

### 6.2 USE OF ELECTRONIC MEDIA

The Agency uses various forms of electronic communication including, but not limited to computers, e-mail, telephones, Internet, cell phones, & PDAs. All electronic communications, including all software, databases, hardware, and digital files, remain the sole property of BDVWA and are to be used only for Agency business and not for any personal use. Employees therefore have no expectation of privacy in their personal use of Agency computers and other electronic communications equipment.

Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against Agency policy, or not in the best interest of the Agency.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment, or related actions will be subject to discipline and/or immediate termination.

Employees may not install personal software on Agency computer systems.

All electronic information created by any employee using any means of electronic communication is the property of the Agency and remains the property of the Agency. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the Agency's ownership of the electronic information.

The Agency will override all personal passwords if necessary for any reason.

The Agency reserves the right to access, audit and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of Agency policy or any law occurs.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by Agency management.

No employee may install or use anonymous e-mail transmission programs or encryption of e-mail communications, except as specifically authorized by the General Manager.

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Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, and voice mail communications are required to use these methods in strict compliance with the trade secrets and confidential communication policy established by the Agency. These communications tools should not be used for communicating confidential or sensitive information or any trade secrets.

Access to the Internet, websites, and other types of Agency-paid computer access are to be used for Agency-related business only. Any information about the Agency, its products or services, or other types of information that will appear in the electronic media about the Agency must be approved by the General Manager before the information is placed on an electronic information resource that is accessible to others.

Questions about access to electronic communications or issues relating to security should be addressed to your immediate supervisor.

### 6.3 OFF-DUTY USE OF FACILITIES

Employees are prohibited from making use of Agency facilities while not on duty. Employees are expressly prohibited from using Agency facilities, Agency property or Agency equipment for personal use.

### 6.4 HEALTH AND SAFETY

Every employee is responsible for the safety of him or herself as well as others in the workplace. To achieve our goal of maintaining a safe workplace, everyone must be safety conscious at all times. In compliance with California law, and to promote the concept of a safe workplace, the Agency maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives in the General Manager's office.

**Deleted:** However, use of facilities for employee association meetings is permitted provided the established rules for facility use are adhered to.¶

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In compliance with Proposition 65, the Agency will inform employees of any known exposure to any hazardous material.

### 6.5 HOUSEKEEPING

All employees are expected to keep their work areas and vehicles clean and organized. Common areas such as lunch rooms, locker rooms and rest-rooms should be kept clean by those using them. Please clean up after meals. Dispose of trash properly.

### 6.6 SOLICITATION AND DISTRIBUTION OF LITERATURE

In order to ensure efficient operation of the Agency's business and to prevent annoyance to employees, it is necessary to control solicitations and distribution of literature on Agency property. All employees are expected to follow the following rules regarding solicitation or distribution of literature. Any employee who is in doubt concerning the application of these rules should consult with his or her supervisor immediately.

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- No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom such activity is directed.
- No employee shall distribute or circulate any written or printed material in work areas at any time, or during his or her working time or during the working time of the employee or employees at whom such activity is directed.
- Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on Agency property.



**ARTICLE 7.0 EMPLOYEE BENEFITS****7.1 HOLIDAYS**

The Agency observes the following paid holidays for regular full-time employees:

- January 1 (New Years Day)
- Third Monday in January (Martin Luther King Day)
- Third Monday in February (Presidents Day)
- Last Monday in May (Memorial Day)
- July 4 (Independence Day)
- First Monday in September (Labor Day)
- Second Monday in October (Columbus Day)
- November 11 (Veterans Day)
- Thanksgiving Day
- The Day Following Thanksgiving Day
- December 25 (Christmas Day)

When a holiday falls on a Saturday, the previous Friday will be observed. When a Holiday falls on a Sunday, the following Monday will be observed.

Eligibility for holiday pay begins after completion of the training period, unless otherwise approved by the General Manager.

**7.2 VACATIONS**

It is the intent of the Agency that paid vacation leave be provided to the Agency's employees to facilitate time for rest and relaxation. Therefore, it is in the best interest of the Agency and the employee for them to use their vacation leave and not be paid for it in lieu of time off.

Regular full-time employees accrue paid vacation time in accordance with the following schedule:

LENGTH OF SERVICE FROM BENEFIT DATE	ANNUAL VACATION ALLOWANCE	ACCRUAL RATE PER STRAIGHT TIME HOUR	MAXIMUM ALLOWED UNUSED BALANCE
Date of hire through 4 <sup>th</sup> year:	80 hours per year	.0385	160 hours
5 <sup>th</sup> year (1461 <sup>st</sup> day) through 10 <sup>th</sup> year (3285 <sup>th</sup> day):	120 hours per year	.0575	240 hours
11 <sup>th</sup> year (3286 <sup>th</sup> day) and thereafter:	160 hours per year	.0770	320 hours

Vacation Definition: Vacation is a leave of absence with pay for the recreation and well-being of the employee. If an employee has exhausted sick leave, vacation leave may be used for sick leave purposes upon special request of the employee and with the written approval of the General Manager.

**Deleted:** right, earned as a condition of employment, to a

As set forth above, vacation shall be available for use on the first day following the pay period in which it is earned, provided an employee has completed ninety (90) days of continuous service.

**Deleted:** Accumulation Definition: Employees in regular positions shall accrue, on a pro-rata basis, vacation leave for completed pay periods. Such

Temporary and part-time employees do not accrue paid vacation time.

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**Deleted:** thirteen (13) pay periods or its equivalent

Vacation periods should be taken annually with the approval of the General Manager at such time as will not impair the work schedule or efficiency of the Agency but with consideration given to the well-being of the employee. No employee shall lose earned vacation leave time because of work urgency. If an employee has reached the maximum allowed unused balance and is unable to take vacation leave the employee shall be compensated for up to fifty percent (50%) of the accrued vacation balance with the remaining amount remaining available for use. Otherwise, employees are not allowed to "cash out" vacation.

**Deleted:** from the employee's benefit date. Employees in regular positions budgeted less than eighty (80) hours per pay period or job-shared positions shall receive vacation leave accumulation on a pro-rata basis; provided, however, that there shall be no proration of maximum accumulations

**Deleted:** ,

**Deleted:** and

**Deleted:** in their training period

Vacations shall be scheduled to provide adequate coverage of job responsibilities and staffing requirements. The General Manager will make final determinations and all vacation leave must be approved two (2) weeks in advance. The General Manager may, at his/her discretion, grant vacation leave in the event of an unforeseen emergency without applying the two (2) week advance notice requirement.

**Deleted:** Full-time employees begin to accrue vacation time at the rate of .0385 hours per straight time hour worked. An employee who is scheduled to and does work 40 hours per week will normally accrue 10 working days or 80 hours vacation time from their date of hire through their 4th year of continuous employment.¶

Employees on unpaid leave do not accrue vacation time. If a holiday occurs during your vacation period, you will be granted one additional day of vacation, to be taken at a time approved in advance by your supervisor.

¶ In the fifth through tenth years of continuous employment, full-time employees begin to accrue vacation time at the rate of .0575 hours per straight-time hour worked. An employee who is scheduled to and does work an average of 40 hours per week will normally accrue 15 working days or 120 hours of vacation in the 5th through 10th year of employment.¶

An employee whose employment terminates will be paid for accrued unused vacation days.

¶ In the eleventh and following years of continuous employment, full-time employees begin to accrue vacation time at the rate of .0769 per straight-time hour worked. An employee who is scheduled to and does work an average of 40 hours per week will normally accrue 20 days or 160 hours of vacation in the 11th and following years of employment.¶

### 7.3 INSURANCE BENEFITS

**MEDICAL INSURANCE:** The Agency provides a comprehensive medical, vision, dental, and life insurance plan for full and eligible part time employees. Medical insurance for employee dependents is provided on a cost sharing basis. An employee becomes eligible within one (1) month following the successful completion of their training period and at that time the employee and their dependents may begin to take advantage of the insurance benefits. In the event of an increase in medical insurance premium rates, all employees may be required to contribute to the cost of increased premiums to retain coverage.

**Deleted:** on a pro-rata basis

**DISABILITY INSURANCE:** Each employee contributes to the state of California to provide disability insurance pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. Disability insurance is payable when you cannot work because of illness or injury not caused by employment. Specific rules and regulations governing disability are available from the Employment Development Department.

**Deleted:** The Agency pays seventy five percent (75%) and the employee pays twenty five percent (25%) of employee dependent health premium cost.

**Deleted:** at the Agency or when you are entitled to temporary workers' compensation at a rate less than the daily disability benefit amount

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**UNEMPLOYMENT COMPENSATION:** The Agency contributes each year to the California Unemployment Insurance Fund on behalf of its employees.

**WORKERS COMPENSATION:** At no cost to you, you are protected by the Agency's workers' compensation insurance policy while employed by the Agency. The policy covers you in case of occupational injury or illness.

**RETIREMENT PLAN:** The Agency contracts with the Public Employees Retirement System to provide a plan for eligible employees in order to assist in planning for their retirement. For information regarding eligibility, contributions, benefits and tax status, contact the General Manager. All eligible participants will receive a summary plan description.

#### 7.4 SICK LEAVE

It is the intention of the Agency that sick leave be provided to each regular employee for use in the event of illness. Sick leave shall accrue for all eligible employees at the rate of eight (8) hours per month of service. Accrued sick leave shall be awarded at the end of each accrual period. An employee using sick leave shall, on a daily basis, notify their supervisor that they will be absent from work due to illness at least one half hour before you are scheduled to report for work.

There is no limit on the amount of sick leave that may be accrued. Upon retirement or termination, an employee shall be entitled to payment for any accrued but unused sick leave in excess of 200 hours based on each two (2) hours of accrued sick leave being converted to one (1) hour of vacation leave or upon retirement unused accrued sick leave may be applied to the employee's retirement service credit with the Public Employees Retirement System.

Any employee who has used all their accrued sick leave and is still unable to return to work due to illness must make arrangements with the General Manager for additional time off. All employees shall provide written verification from a physician of sickness or injury if sick leave continues for more than three (3) consecutive days.

The use of sick leave applies to, but may not be limited to the following:

- a. Any bona fide illness or injury.
- b. Quarantine due to exposure to a contagious disease.
- c. Any required treatment or examination for medical, dental or ocular purposes.
- d. Sickness or injury in the immediate family which includes your child, parent, spouse, registered domestic partner or registered domestic partner's child

Sick leave is a benefit provided by the Agency, not a right earned by the employee. Abuse of this benefit will not be tolerated. Excessive abuse of the sick leave benefit could result in disciplinary action up to and including termination.

#### 7.5 LEAVES OF ABSENCE

The Board shall have the authority to grant leaves to the General Manager. The General Manager shall have the authority to grant leaves to all other Agency employees in accordance with the provisions under which eligible leaves may be granted. All leaves shall be requested on a form provided by the Agency prior to the start of the requested leave. Failure to return promptly from authorized leave without prior authorization from the General Manager may result in disciplinary action up to and including termination.

A leave of absence, not to exceed thirty (30) consecutive days, may be requested in writing by any regular Agency employee. The General Manager may grant the leave provided that the leave is in the best interest of the Agency and the employee. The leave shall be without pay and no benefits shall accrue or be paid during the term of the leave. However, the employee may self-pay the premiums under the provisions of "COBRA." Your supervisor can give you additional information on this subject.

A leave of absence requested for a period longer than thirty (30) consecutive days shall be reviewed by the Agency personnel committee and may or may not be granted by the Board of Directors.

## 7.6 MEDICAL LEAVES

A medical leave of absence may be granted for non-work related temporary medical disabilities (other than pregnancy, childbirth, and related medical conditions) for up to four months with a doctor's written certificate of disability. Requests for leave should be made in writing as far in advance as possible. If you are granted a medical leave the Agency will pay you sick pay for the period of time equivalent to your accumulated sick pay earned. You also may use any paid vacation time previously accrued. If you are a disabled individual pursuant to the Fair Employment and Housing Act and the Agency does not grant the leave of absence, an interactive process meeting will be scheduled.

A medical leave begins on the first day your doctor certifies that you are unable to work and ends when your doctor certifies that you are able to return to work or after a total of four months of leave, whichever occurs first. Your supervisor will supply you with a form for your doctor to complete, showing the date you were disabled and the estimated date you will be able to return to work. An employee returning from a medical disability leave must present a doctor's certificate showing fitness to return to work.

If returning from a non-work-related medical leave you will be offered the same position held at the time of leaving, if available. If this position is not available due to an "undue hardship," a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. There are no guarantees of reinstatement and your return will depend on your qualifications for existing openings.

California workers' compensation laws govern work-related illnesses and injuries. The Agency will fully comply with these laws.

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## 7.7 PREGNANCY-RELATED DISABILITY LEAVE

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Pregnancy, childbirth or related medical conditions will be treated like any other disability, and an employee on leave will be eligible for temporary disability benefits in the same amount and degree as any employee on leave.

All female employees should advise their supervisor of their intent to take pregnancy disability leave as soon as possible. The individual should make an appointment with the General Manager to discuss the following conditions:

- a. Employees who need to take pregnancy disability must inform the Agency when a leave is expected to begin and how long it will likely last. If the need for a leave or transfer is foreseeable, employees should provide notification at least 30 days before the pregnancy disability leave or transfer is to begin. Employees should consult with the General Manager regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Agency. Any such scheduling is subject to the approval of the employee's health care provider.
- b. If 30 days advance notice is not possible, notice must be given as soon as practical.
- c. If requested by the employee and recommended by the employee's physician, the employee's work assignment may be changed as required to protect the health and safety of the employee and her child.
- d. Requests for transfers of job duties will be reasonably accommodated only if the job and security rights of others are not breached.
- e. Temporary transfers due to health considerations will be granted where possible. However, the employee will receive the pay that accompanies the job, as is the case with any other temporary transfer due to temporary health reasons.
- f. Pregnancy leave will usually begin when ordered by the employee's physician. Employees must provide the Agency with a certification from a health care provider. The certification indicating disability should contain:
  - The date on which the employee became disabled due to pregnancy;
  - The probably duration of the period or periods of disability; and
  - A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- g. Leave returns will be allowed only when the employee's physician sends a release indicating fitness to return to work.
- h. An employee will be allowed to utilize accrued vacation and/or sick leave during a pregnancy disability leave.

Duration of the leave will be determined by the advice of employee's physician, but employees disabled by pregnancy may take up to four months. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth or related medical condition. This includes leave for severe morning sickness and for prenatal care. Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed.

An employee returning from a pregnancy disability leave will be offered the same position held at the time of leaving, unless the job no longer exists, or the job has been filled in order to avoid undermining the Agency's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities. If your former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or your filling the available position would substantially undermine the Agency's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities.

If you are on pregnancy disability leave and are not eligible for continued paid coverage after 12 work weeks, you may continue your group health insurance coverage through the Agency in conjunction with "COBRA" guidelines by making monthly payments to the Agency for the amount of the relevant premium.

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## 7.8 BEREAVEMENT LEAVE

In the event of a death in your immediate family, you may apply for and receive up to a maximum of five (5) days of bereavement leave per incident with pay. The immediate family is defined as your current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, grandchild, or mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law.

## 7.9 MILITARY LEAVE

Military leave will be granted in accordance with applicable law.

## 7.10 JURY DUTY LEAVE

Any employee who is required to serve on jury duty, and has completed their training period, will receive full pay while serving up to ten (10) days of jury duty per calendar year. A leave of absence without pay will be granted if jury duty exceeds the ten (10) day limit. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of having served. If work time remains after any day of jury duty you will be expected to return to work. Any mileage allowance paid by the court for jury services is to be retained by you.

## 7.11 TIME OFF FOR VOTING

In the event that an employee does not have sufficient time outside of working hours to vote in a statewide election, the employee may take off enough working time to enable him or her to vote. Such time off 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. Under these circumstances an employee will be allowed a maximum of two hours on the election day

**Deleted:** If you are a regular full-time employee and you leave the Agency for active military service, you are considered to be on military service leave of absence. You are entitled to reinstatement upon completion of military service provided your application for reinstatement is made within 90 days of your discharge.¶

¶ An employee returning from active military service within 90 days of discharge will be offered the same position held at the time of leaving, unless the job no longer exists, or the job has been filled in order to avoid undermining the Agency's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities. If your former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or your filling the available position would substantially undermine the Agency's ability to operate safely and efficiently or you are not capable of performing the job responsibilities.¶

¶ If you are ordered on military duty for 17 days or less per year, you will not be placed on military service leave, but will be given an excused absence without pay.¶

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without loss of pay. Where possible, the employee shall give his or her supervisor at least two working days' notice that time off to vote is needed.

#### 7.12 SCHOOL CONFERENCES INVOLVING SUSPENSION

If it becomes necessary for an employee who is the parent or guardian of a child to attend the child's school to discuss possible suspension, the employee should alert his or her supervisor as soon as possible so that alternative arrangements may be made. No discriminatory action will be taken against the employee for taking time off for this purpose.

#### 7.13 EXTERNAL EMPLOYEE EDUCATION

It may be necessary for employees to attend training programs, seminars, conferences, lectures, meetings or other outside activities for the benefit of the Agency or the individual employees. Attendance at such activities may be required by the Agency or requested by individual employees. However, attendance will not be considered an officially authorized activity, subject to the following policies on reimbursement and compensation, unless prior written approval has been issued by the General Manager. To obtain approval, employees wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses, and nature, purpose and justification for attendance.

Where attendance is required or authorized by the Agency, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Reimbursement for required or authorized educational classes will be awarded after successful completion of the educational class and the receipt of a passing grade (C or better). Customary and reasonable expenses generally may include registration fees, materials, meals, transportation and parking. Reimbursement policies regarding these expenses should be discussed with the General Manager in advance.

Employees will also be reimbursed following successful completion of examinations for certificates that are required by their job descriptions. Similarly, renewals for required certificates will be reimbursed by the Agency.

Employee attendance at authorized outside activities, during normal working hours, will be considered hours worked for hourly employees and will be compensated in accordance with normal payroll practices.

This policy does not apply to an employee's voluntary attendance, outside of normal working hours, at formal or informal educational sessions, even if such sessions may generally lead to improved job performance. While the Agency generally encourages all employees to improve their job skills and promotional qualifications, such activities will not be subject to this policy regarding reimbursement or compensation unless prior written approval is obtained as discussed above.

#### 7.14 RECREATIONAL ACTIVITIES AND PROGRAMS

The Agency or its insurer will not be liable for the payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

## 7.15 WORKERS' COMPENSATION

The Agency, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- a. medical care,
- b. cash benefits, tax free, to replace lost wages,
- c. vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- a. Immediately report any work-related injury to your supervisor.
- b. Seek medical treatment and follow-up care if required.
- c. Complete a written Employee's Claim Form (DWC Form 1) and return it to the General Manager.
- d. Employees must provide the Agency with a certification from their health care provider regarding the need for workers' compensation disability leave and the employee's ability to return to work from the leave.

Deleted: Administrative Supervisor

The Agency provides for medical treatment for work-related injuries through an Agency designated medical provider.

Employees who are injured in a work-related incident will be referred to the Agency's designated medical treatment provider, unless prior to a work-related injury, the Agency has received from the employee a written notice that the employee wishes to be treated by his/her own physician. Employees who do not designate their own physician will be treated by the Agency's designated medical treatment provider for work-related injuries, for at least 30 days, if required. Employees may seek treatment from their own physician after 30 days, should they so desire.

Upon submission of a medical certification that you are able to return to work, you will be offered the same position held at the time of leaving, unless the job has been filled in order to avoid undermining the Agency's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities upon return. If your former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or filling the available position would substantially

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undermine the Agency's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities.

The law requires that this Agency notify the workers' compensation insurance company of any concerns of false or fraudulent claims. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony. A violation of this law is punishable by imprisonment for one to five years, or by a fine not exceeding \$50,000 or double the value of the fraud, whichever is greater, or both. Additional civil penalties may be in order.

**APPENDIX A JOB CLASSIFICATIONS SCHEDULE**

APPENDIX B RANGE AND STEP SCHEDULE

APPENDIX C ORGANIZATIONAL CHART

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# BIGHORN-DESERT VIEW WATER AGENCY

## CLASS DESCRIPTION

Revised: April 7, 2009

Salary Range: 04

**TITLE: EXECUTIVE SECRETARY/PERSONNEL ADMINISTRATION**

Page 1 of 2

Status: Non-Exempt

### **Summary**

Under limited supervision, performs a variety of skilled confidential administrative and human resources duties related to supporting the Board of Directors and Management of the Agency.

### **Distinguishing Characteristics**

This position is characterized by the confidentiality requirements, the high level of skills required to perform the principal duties of the position, the frequency of contact with the Board and general public at meetings, as well as the low level of supervisory oversight provided to this position on a routine basis. Position exercises regular and substantial independent judgment and procedural knowledge in performing work requiring interpretation of rules, regulations, procedures, policies and guidelines. Position reports directly to the General Manager and has no supervisory duties.

### **Examples of Duties/Essential Functions**

The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to this class.

**Support to General Manager:** Provide confidential administrative and clerical assistance to the General Manager (e.g., correspondence composition and typing; calendar/scheduling appointments/meetings; maintenance of correspondence files; screen and prioritize telephone calls, meetings). Independently prepares correspondence for the General Manager and routinely provides grammatical review to correspondence generated by others. Makes travel arrangements for General Manager and Board of Directors. Provides central contact for routine inquiries from the media and general public including Public Information Requests. Obtains and monitors information regarding community activities on issues that may affect the District.

**Board of Directors/Committee Meetings:** Prepare and mail/fax meeting notices and agendas to ensure meeting Brown Act requirements. Assembles staff information for agenda. Attends night meetings; takes and prepares minutes of meetings. Provide point-of-contact for customers at meetings. Composes simple resolutions. Maintain/update minute library, motion order index and other related Board records. Maintains current and other water district agendas, minutes and industry/legal updates. Administers Conflict of Interest code, Form 700 and other filings. Provides confidential administrative and clerical support to the Board of Directors.

**Personnel Administration:** Assists with hiring, promotion, disciplinary and termination process (e.g., writing advertisements, conducting interviews, checking references, conducting investigations) for all District employees. Conducts new employee orientations. Monitors administrative compliance with personnel policies. Administers employee benefits program (including workman's compensation) and transmits information to payroll as needed. Maintains various confidential employee records including personnel files, performance evaluations, leave records, medical records, disciplinary actions, certifications, training and safety. Oversees DOT drug testing program. Acts as backup for payroll processing. Arranges and oversees training programs. Conducts personnel studies as needed. Assists with grievance resolution and compliance with all Federal and

# BIGHORN-DESERT VIEW WATER AGENCY

## CLASS DESCRIPTION

Revised: April 7, 2009

Salary Range: 04

**TITLE: EXECUTIVE SECRETARY/PERSONNEL ADMINISTRATION**

Page 2 of 2

Status: Non-Exempt

State employment laws.

Customer Service: Assists with review and resolution of customer complaints/problems. Deals with customers in a courteous and professional manner. Provides backup to customer service to receive payments. Provides direction and training to staff in the effective application of the Agency's policies and procedures.

General Administrative: Maintain clearinghouse of information related to District projects and activities. Maintain audio records libraries, prepare/revise district procedures and forms, monitor supplies, update District files and archives, assist with mailings and phone coverage backup.

Special Projects: Researches, prepares reports, and makes presentations and recommendations on special projects such as new office equipment purchases, employee benefit coverage, Agency newsletter, special event arrangements. Performs other projects as requested by Board of Directors and/or supervisor.

Safety: Follows proper safety practices at all times.

### **Job Requirements**

Education, Training & Experience: Graduation from high school or equivalent, and any combination of experience, education and/or training that could likely provide the required knowledge including business and general education coursework, and possess the ability to perform the job duties (e.g., five years of general secretarial experience). Notary Public Commission beneficial.

Skills and Abilities: Ability to work efficiently and productively when completing work tasks. Ability to responsibly and accurately perform skilled and confidential administrative and clerical functions using independent judgment. Knowledge of laws, ordinances, statutes, regulations regarding the management of a water district and the maintenance of records. Knowledge of Brown Act, Public Records Act and Conflict of Interest filing requirements. Ability to interact with the public and Board of Directors in a patient, polite and productive manner. Ability to type accurately at a minimum of 65 words per minute. Proficient at using word processing, presentation and spreadsheet software. Working knowledge of all office equipment. Ability to understand and carryout verbal instructions. Ability to read and understand water district terminology. Ability to make mathematical calculations with speed and accuracy. Ability to establish and maintain cooperative and respectful working relationships with those contacted in the course of work. Ability to maintain accurate records.

Physical: Subject to reasonable accommodation in accordance with the requirements of the Fair Employment and Housing (FEHA), possess the ability to lift and/or carry objects (no greater than 20 lbs) on an infrequent basis. Ability to bend, twist, turn, push, pull and reach routinely, as well as perform repetitive motion tasks. Ability to stoop, kneel and crouch routinely. Sits for extended time periods and uses office equipment such as computer terminals, copies and fax machines on a regular basis. Requires normal range hearing and vision.

Other: Maintain valid California Class C Driver's License. Position subject to extended work hours, evening meetings, and periodic travel.

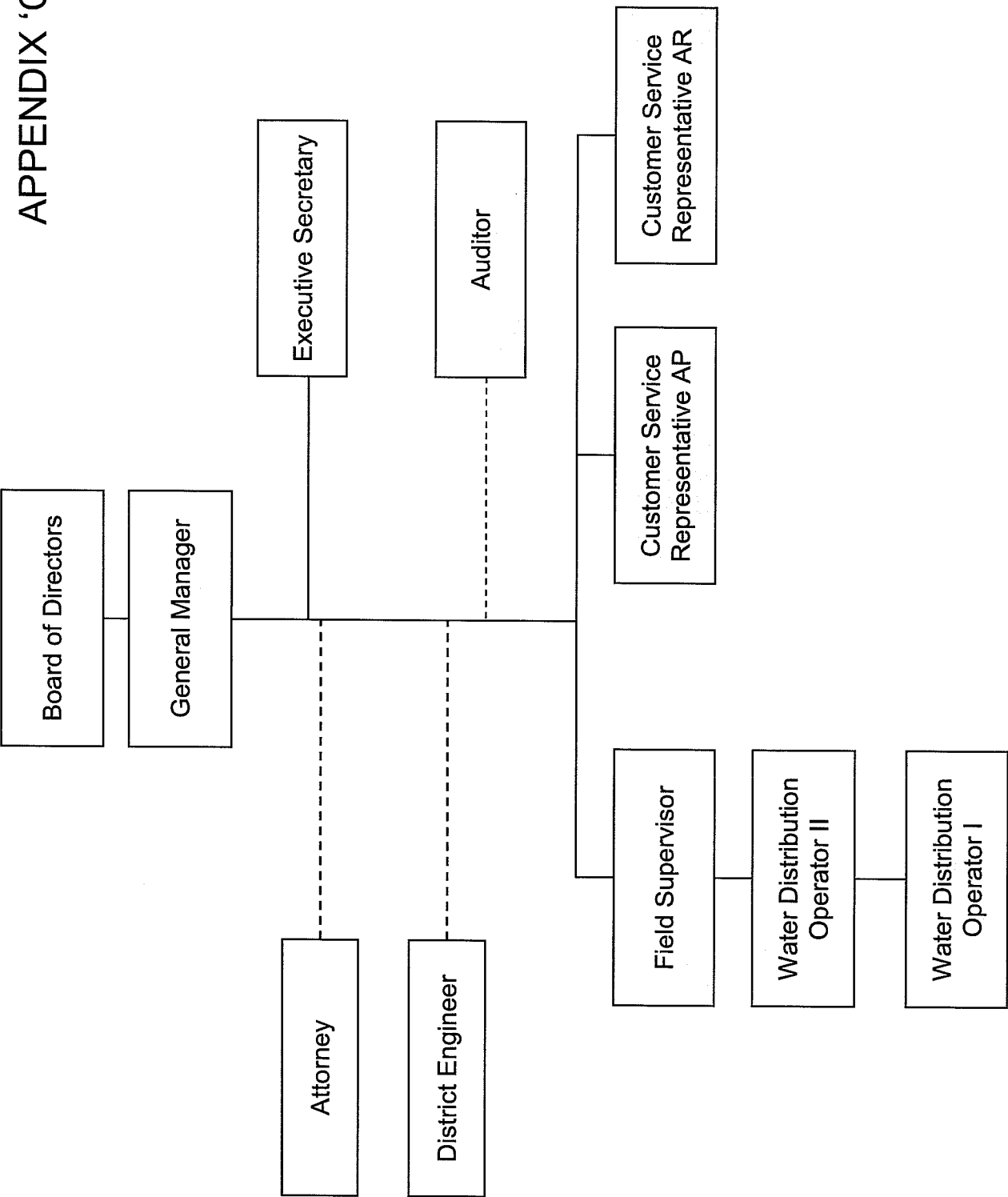
2008/2009

RANGE	STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP
NO	A	B	C	D	E	F	G			
1										
Per Hour Rate	11.679	12.263	12.876	13.520	14.196	14.906	15.651			
Monthly	2,024.401	2,125.622	2,231.903	2,343.498	2,460.673	2,583.706	2,712.892			
Annually	24,292.82	25,507.46	26,782.83	28,121.97	29,528.07	31,004.48	32,554.70			
2										
Per Hour Rate	12.404	13.024	13.675	14.359	15.077	15.831	16.622			
Monthly	2,150.015	2,257.516	2,370.391	2,488.911	2,613.356	2,744.024	2,881.225			
Annually	25,800.177	27,090.186	28,444.695	29,866.930	31,360.277	32,928.291	34,574.705			
3										
Per Hour Rate	15.349	16.116	16.922	17.768	18.656	19.589	20.569			
Monthly	2,660.425	2,793.447	2,933.119	3,079.775	3,233.764	3,395.452	3,565.224			
Annually	31,925.105	33,521.360	35,197.428	36,957.299	38,805.164	40,745.423	42,782.694			
4										
Per Hour Rate	20.150	21.158	22.216	23.326	24.493	25.717	27.003			
Monthly	3,492.718	3,667.354	3,850.722	4,043.258	4,245.421	4,457.692	4,680.577			
Annually	41,912.621	44,008.252	46,208.665	48,519.098	50,945.053	53,492.306	56,166.921			
5										
Per Hour Rate	21.587	22.666	23.799	24.989	26.239	27.551	28.928			
Monthly	3,741.685	3,928.769	4,125.208	4,331.468	4,548.042	4,775.444	5,014.216			
Annually	44,900.220	47,145.231	49,502.493	51,977.618	54,576.499	57,305.324	60,170.590			

Appendix B

Revised 2008 following COLA increase

# APPENDIX 'C'



## Organizational Chart Breakdown

Executive Secretary

Employee: Vacant (Michelle Corbin – Interim)  
Job Description Status: Final Draft Completed

Customer Service  
Representative AP

Employee: Mary Jo Cleveland  
Job Description Status: Background compiled, draft description in progress

Customer Service  
Representative AR

Employee: Michelle Corbin  
Job Description Status: Background compiled, draft description in progress

Field Supervisor

Employee: Richard Estrada  
Job Description Status: Existing description available, compiling data for new description

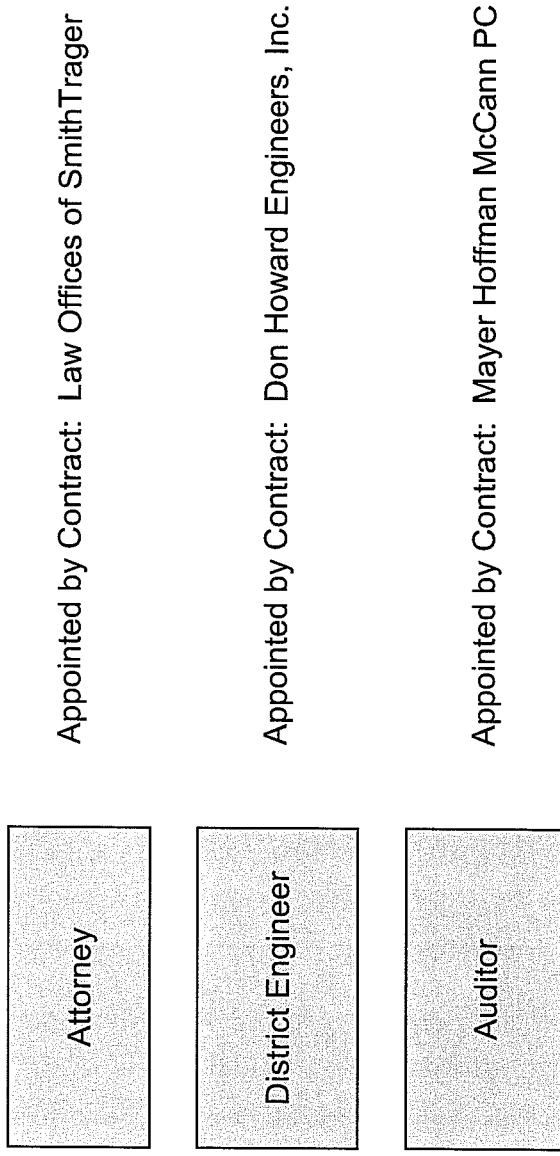
Water Distribution  
Operator II

Employee: James “Kit” Boyd, David Rewal  
Job Description Status: Background compiled, awaiting employee input

Water Distribution  
Operator I

Employees: Mike Caruso  
Job Description Status: Background compiled, awaiting employee input

## Organizational Chart Breakdown, cont.





**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** May 13, 2009

**To:** Financial/PR/Education/Personnel Comm.  
Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** N/A

**Funding Source:** N/A

**From:** Marina D. West

**General Counsel Approval:** Obtained

**CEQA Compliance:** N/A

**Subject:** Reservoir Maintenance Services Available from Utility Services Co.

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**SUMMARY**

Utility Services Co. is the largest provider of water reservoir related services in the United States has worked with the entities like Bighorn Desert View Water Agency on long-term maintenance contracts and new construction. Utility Services Co. performed a comprehensive reservoir inspection in 2003 and more recently in 2008. Mr. John Hake, Water Systems Consultant with Utility Services Co. will present the findings of the reservoir inspections, answer questions from the committee and discuss maintenance services available should the Board wish to proceed with such a project in the future.

**RECOMMENDATION**

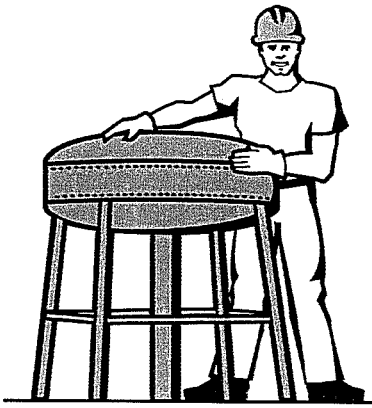
Information and discussion only.

**BACKGROUND/ANALYSIS**

No further analysis provided.

**PRIOR RELEVANT BOARD ACTION(S)**

none



# Utility Service Co.

40301 Nido Court  
Palmdale, CA. 93551  
Phone: (661) 400-1634  
Fax: (661) 722-9890

## BIGHORN DESERT VIEW WATER AGENCY POTABLE WATER STORAGE TANK PROJECT OVERVIEW

Upon receipt of authorization from the Bighorn Desert View Water Agency, the Utility Service Co., mobilized on site and inspected 8 welded steel water storage tanks in June 2003. Accessible interior and exterior surfaces of each tank were inspected and documented accordingly. Documentation was compiled regarding logistical accessibility, structure proximity, safety compliancy, foundation integrity, sanitary compliancy, security compliancy and heavy metal content in the interior and exterior coatings.

Based on the results of this inspection program the Agency implemented a limited repair program addressing interior deficiencies as they related to localized coating failures.

Pursuant to addressing the remaining original deficiencies, new deficiencies resulting from regulatory changes and new deficiencies resulting from the continuation of coating failure, the subject tanks were re-inspected in February 2009.

The following information addresses the existing deficiencies as they pertain to the following regulatory requirements and industry standards:

- AWWA D.100-05 "Welded Steel Tank Construction"
- AWWA D.102-06 "Coating Steel Water Storage Tanks"
- AWWA M-42 'Manual for Steel Water Storage Tanks'
- 29 CFR 1910 - Fall Protection Requirements
- CA Dept. of Health Services - Sanitary Condition of Water Tanks
- HR 3448 Bio-terrorism Risk - Water Tank Security

### INSPECTION PLAN:

Each of the subject tanks were physically accessed and inspected from the ground, exterior roof, and through the roof hatch and roof vents, when accessible. Ladder configurations, roof railing, ventilation screen integrity, overflow configuration, man way design, silt concentrations, site security, and roof hatch locations were verified. Additionally the general integrity and constituency of each tank's interior and exterior coating system was evaluated, along with the frequency of active corrosion cells and the severity of accessible corrosion cells, as determined by rust tubercle formation. Coating samples were removed from interior and exterior surfaces of each tank and analyzed by atomic absorption technology to determine lead constituency and inferred spectrography to determine generic coating type.

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## INSPECTION RESULTS:

The Bighorn Desert View Water Agency possesses 8 welded steel tanks. All tanks appear to have been constructed in accordance with the version of the AWWA D.100 Welded Tank Construction Standard that was in effect at the time of construction. All tanks appear to have been coated in accordance with the applicable version of the AWWA D.102 standard.

### INTERIOR COATING CONDITION:

All tanks possess one of the following two interior coating systems:

- Coal Tar Cutback on Roof and Shell / Coal Tar Enamel on Floor
- Solvent Based Epoxy on All Interior Surfaces.
- Hot Dipped Galvanizing

The coal tar based system is in place on Tanks B-1, B-2, B-3, B-4, and C-1. This system was most likely applied at the time of original construction in 1977 - 1979 on Tanks B-3, B-4, and C-1. Tanks B-1 and B-2 appear to have been recoated with the coal tar system in the early to mid 1990's. The natural aging and embrittlement of these coatings is resulting in significant concentrations of failure and the onset of base metal degradation. Tank B-4 exhibits the greatest concentrations of coating failure and is the only tank that possesses aggressive corrosion cells on the bolted roof rafter connection points. Tanks B-1, B-2, B-3, and C-1 do not exhibit significant roof corrosion but are exhibiting coating failure throughout the interior shell.

Within the last 3-4 years a touch-up coat of a solvent based epoxy was applied over failing areas as identified above. The incompatibility of these epoxy systems with the existing coal tar systems has resulted in a failure of all repaired areas. This failure is not limited to the epoxy coatings but has caused the underlying coal tar systems to delaminate as well. This delamination is occurring adhesively between the coal-tar coating and the steel substrate and cohesively within the matrix of the coat-tar system.

Three tanks (A-2, C-2, and D-1) possess a multiple coat solvent-based epoxy system that is approximately 20 years old. The typical service life expectation of newer epoxy coating systems is 15 years. The high quality and forgiving nature of these older epoxy coatings manufactured without VOC restrictions has permitted their continued serviceability over this extended timeframe. These tanks exhibit minor to moderate concentrations of corrosion or other types of coating irregularities.

### REGULATORY COMPLIANCY:

This inspection program assesses safety, security, structural and sanitary compliancy with various criteria established by the following organizations:

- CAL-OSHA
- Federal OSHA
- Office of Homeland Security Resolution #3448 (Bioterrorism Risk)
- AWWA Water Security Congress
- Dept. of Health
- National Sanitation Foundation Rule 61
- Zone 4 Seismic Constraints

The following deficiencies are applicable to each tank:

B-1

- Exterior ladder accesses roof directly in front of roof hatch opening
- Roof hand rail does not comply with current fall protection requirements
- Roof Vent configuration is not vandalism resistant
- Exterior ladder does not have self closing gate at roof access point
- Overflow does not have flapper valve protection
- Interior ladder is not equipped with fall protection equipment
- Inlet/outlet piping needs seismic resistant coupling

B-2

- Exterior ladder accesses roof directly in front of roof hatch opening
- Roof hand rail does not comply with current fall protection requirements
- Roof Vent configuration is not vandalism resistant
- Exterior ladder does not have self closing gate at roof access point
- Overflow does not have flapper valve protection
- Interior ladder is not equipped with fall protection equipment
- Inlet/outlet piping needs seismic resistant coupling

B-3

- Exterior ladder accesses roof directly in front of roof hatch opening
- Roof hand rail does not comply with current fall protection requirements
- Roof Vent configuration is not vandalism resistant
- Exterior ladder does not have self closing gate at roof access point
- Overflow does not have flapper valve protection
- Interior ladder is not equipped with fall protection equipment
- Fill rodent holes extending under tank
- Inlet/outlet piping needs seismic resistant coupling

B-4

- Exterior ladder accesses roof directly in front of roof hatch opening
- Roof hand rail does not comply with current fall protection requirements
- Roof Vent configuration is not vandalism resistant
- Exterior ladder does not have self closing gate at roof access point
- Overflow does not have flapper valve protection
- Interior ladder is not equipped with fall protection equipment
- Inspect, repair and replace rafter/shell connection clips
- Inlet/outlet piping needs seismic resistant coupling

C-1

- Roof hatch lid needs to be re-hinged and supported when open
- Fill rodent holes extending under tank
- Roof vent configuration is not vandalism resistant
- Exterior ladder does not have self closing gate at roof access point
- Overflow does not have flapper valve protection
- Inlet/outlet piping needs seismic resistant coupling
- Fill rodent holes extending under tank

## C-2

- Roof vent configuration is not vandalism resistant
- Exterior ladder does not have self closing gate at roof access point
- Overflow does not have flapper valve protection
- Inlet/outlet piping needs seismic resistant coupling
- Fill rodent holes extending under tank

## A-2

- Exterior ladder accesses roof directly in front of roof hatch opening
- Roof hand rail does not comply with current fall protection requirements
- Roof vent configuration is not vandalism resistant
- Exterior ladder does not have self closing gate at roof access point
- Overflow does not have flapper valve protection
- Interior ladder is not equipped with fall protection equipment
- Inlet/outlet piping needs seismic resistant coupling

## D-1

- Roof elbows require new screen
- Exterior ladder does not have self closing gate at roof access point
- Interior ladder is not equipped with fall protection equipment
- Bolts on anchor chairs need tightened
- Rehabilitate ladder gate to be tamper proof
- Caulk foundation/tank interface
- Install earthquake rods between rafters to prevent deformation

In addition to the above noted items, all tanks possess significant concentrations of silt and sludge deposited in the floor. The floor silt issue can be easily rectified through the employment of a regular scheduled washout program as included in this proposal.

## SITE CONSTRAINTS:

Access to each tank site was relatively unrestricted. Single-family homes are in close proximity to some of the tanks so noise abatement procedures will need to be implemented.

## EXTERIOR COATING CONDITION:

All tanks possess the following exterior coating system:

- Multiple Coat Alkyd Enamel

All tanks possess relatively intact exterior coating systems. Adhesion testing per ASTM D.3357 Option "A" discovered satisfactory underlying surface preparation and good adhesive and cohesive strengths within the existing systems. The natural breakdown of the alkyd coatings through ultraviolet exposure is occurring on all tanks. If this breakdown is allowed to continue for an extended period of time the prime coat will become exposed. Prime coat exposure will accelerate the breakdown process and necessitate a complete removal of all exterior coatings.

Since lead and chromium has been detected in all exterior coatings this removal will involve full lead abatement procedures. To avoid the expense and difficulty of full abatement, all 8 tanks should be placed on a prioritized over-coating schedule over the next year.

#### HEAVY METAL CONCENTRATIONS:

All 8 tanks possess moderate to high concentrations of lead (3,300ppm – 40,000ppm) and/or chromium in the interior and/or exterior coatings. These concentrations are consistently above all regulatory threshold limits including lead concentrations as defined per Federal OSHA 29CFR1926.62. This Regulation applies to the disturbance and particulation of lead and the resulting levels of worker contamination. Since this Regulation is only applicable when work is ongoing that disturbs the interior or exterior coatings, compliancy requirements will be imposed on the Utility Service Company.

All work proposed in this report or otherwise undertaken by the Utility Service Company will be performed in strict compliance with all regulatory requirements.

#### PRIORITIZATION:

##### PRIORITY #1:

- Tank B-4
- Tank B-1
- Tank B-2
- Tank B-3
- Tank C-1

The priority #1 tanks possess a completely spent interior coal tar based coating system with evidence of aggressive interior corrosion. These tanks are considered to be in need of immediate inspection and renovation to maintain its water containment capabilities and minimize existing structural deficiencies. Exterior coatings are heavily chalked. If the tank exterior is not over-coated prior to the onset of major failure, a complete abatement operation will be required.

##### PRIORITY #2:

- Tank A-2
- Tank C-2
- Tank D-1

Priority #2 tanks possess a marginally intact interior coating system exhibiting minor concentrations of pinpoint rusting. Metal loss on these tank interiors is considered negligible at this time. The typical service life of a properly applied interior epoxy coating is 15 years. The age of these coatings suggest that a significant increase in the degree of failure is imminent. On this basis and in conjunction with the simplicity (and cost savings) of re-installing a coating system prior to wide spread corrosion degradation, the immediate renovation of this tank is recommended. Exterior coatings are in satisfactory condition and are exhibiting typical heavy chalking. These tanks should be over-coated immediately.

## **WORK SCOPE:**

The Utility Service Co. proposes to implement the following work scope with the intent of insuring the continued serviceability of all 8 tanks indefinitely.

### **Priority #1 Tanks:**

Removal of all interior coatings achieving an SSPC-SP10 "Near White Metal" blast cleanliness and a 1.5 mil surface profile. All hazardous materials and hazardous waste generated during this operation will be handled, stored, and disposed in strict accordance with State, Federal, and Local requirements. All interior surfaces will receive a thorough engineering inspection after abrasive blasting is performed. The inspection will include corrosion pit depth measurements and ultrasonic steel thickness measurements. Photographic and narrative documentation will be provided to the District for evaluation. Utility Service in-house engineering review services will be provided as part of this work scope. Rework will be performed in accordance with engineering recommendations and will include rafter bolt replacement, followed by a re-blasting operation and the application of a multiple coat epoxy system carrying NSF-61 approval and applied in accordance with AWWA D.102. Interior surfaces will be disinfected in accordance with AWWA C.652.

Exterior surfaces will receive a pressurized (3,500psi) water wash-down with run-off containment. All areas of spot damage, corrosion, or delamination will be power tool cleaned per SSPC-SP 3 using HEPA filtered, vacuum attached equipment. A rust inhibitive acrylic primer will be applied to all spot repaired areas followed by a full coat application of an acrylic topcoat. Containment and disposal of all hazardous waste generated during this operation will be in accordance with State, Federal, and Local requirements.

All safety and security modifications will be performed as necessary in conjunction with the interior and exterior coating renovation.

Upon completion of the interior coating, exterior coating, safety, and security renovation work scope a pro-active maintenance program will be implemented on the tank. This program will provide for annual inspections on the tank to precisely document existing conditions. Biennial washout inspections will be performed with the intent of documenting and repairing any defect condition. If interim operator inspections discover any defect condition resulting from premature coating failure, acts of vandalism, or any other source an emergency mobilization and repair operation will be initiated.

Future interior and exterior re-coating will be scheduled as necessary to insure the indefinite sustainability of these important infrastructure assets

### Priority #2 Tanks:

The work scope for priority #2 tanks is identical to that of the priority #1 tanks with the exception that the interior and exterior renovation will be performed within the next 12-months.

The immediate implementation of the full service maintenance program will be in effect. This program, at a minimum, will provide for an additional inspection prior to initiating the interior and exterior recoating operations. Additionally, emergency mobilization and repair for vandalism damage or coating failures occurring prior to the initiation of the interior and exterior recoating operations are included.

### CONCLUSION:

The remediation and maintenance program designed by the Utility Service Co. in response to the previously noted inspection findings focuses on five objectives:

- Objective #1: Remediation of metal degradation and structural compromises that will be impacting the serviceability and operational safety of priority #1 tanks.
- Objective #2: Achieving and maintaining the best possible aesthetic appearance of each tank utilizing unobtrusive work practices to assure positive community relations.
- Objective #3: Re-establish and maintain the sanitary water containment capabilities of all 8 tanks in accordance with Health Department Standards.
- Objective #4: Insure that all 8 tanks are reasonably protected from bioterrorism attack per the House of Representatives Resolution #3448.
- Objective #5: Insure that all 8 tanks are rehabilitated and maintained in good condition. By insuring sustainability, these assets are not categorized as a depreciating capital asset and re-categorized as an appreciating capital asset as defined by the Governmental Accounting Standards Board, Statement 34.

The goal of the Utility Service Company is to offer solutions to the Agency that will achieve the above noted objectives in a timely, cost effective, and efficient manner. As the largest provider of water tank related services in the United States, we fully understand the importance and complexity of our commitment to the Agency. We look forward to earning the Agency's trust and fulfilling these commitments in the near future.



**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** May 13, 2009

**To:** Financial/PR/Education/Personnel Comm.  
Board of Directors

**Budgeted:** n/a  
**Budgeted Amount:** n/a  
**Cost:** n/a  
**Funding Source:** n/a

**From:** Marina D. West

**General Counsel Approval:** n/a  
**CEQA Compliance:** n/a

**Subject:** Fiscal Year 2009/2010 Budget Overview of Projected Revenues and Expenses

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**SUMMARY**

Staff will present Committee with a draft FY 2009/10 budget for information and discussion purposes. Feedback from the Committee will be incorporated into the formal draft budget to be presented to the Board in May. Staff is confident that a balanced budget can be adopted in June with some monies available for either Capital Improvements or Replacement/Refurbishment projects in the coming fiscal year.

**RECOMMENDATION**

Information and discussion only

**BACKGROUND/ANALYSIS**

No further analysis provided.

**PRIOR RELEVANT BOARD ACTION(S)**

5/27/08 08R-05 Resolution Providing for the Levy and Collection of Taxes with Improvement District No. 1 for Fiscal Year 2008/2009

## REVENUE COMPARISON

REVENUE		FY projected 2009/10	FY projected 2008/09
Account	Description	Amount	Amount
41000	Meter Connect Fees (SL Install Fees)	0	4,500
41001	Basic Facilities Charge (Buy In)	0	9,500
41100	Metered Water Sales	443,451	459,500
49400	MWA Pipeline Surcharge	0	0
41600	DV FMHA Surcharge	48,490	43,189
41300	Basic Service Charge	566,940	508,530
41700	Customer Charges	21,600	21,600
49200	Interest Income	8,000	18,500
49100	General Tax Income (1%) BH GA02	45,650	49,565
49101	BH Debt Income BH FMHA DA01	125,500	106,315
49102	General Tax Income (1%) DV GA01	42,100	48,847
49600	Other Non Operating Income	1,000	1,000
Total Revenue		\$1,302,731	\$1,271,046

# ADMINISTRATIVE EXPENSE COMPARISON

FY  
2009/10

FY  
2008/09

## ADMINISTRATIVE EXPENSE

Account	Description	Amount	Amount
56001	Directors Fees	10,000	10,000
56002	Director Meeting Expense	10,000	10,000
56003	Administrative Compensation	215,000	212,550
56005	Administrative Meeting Expenses	1,000	1,000
56006	Contractual Services- Auditor	28,000	9,500
56007	Contractual Services- Legal	80,000	70,000
56008	PERS	37,000	33,600
56009	Payroll Tax	9,300	8,800
56011	Telephone & Fax	6,250	6,250
56012	Mailing Expenses	7,900	7,500
56014	Contractual Services- Other	30,600	25,100
56016	Property/Liability Insurance	32,600	38,000
56017	Workers Comp. Insurance	13,000	12,500
56018	Dues & Subscriptions	7,050	6,500
56020	Power- Office & Yards	5,200	7,000
56022	Bad Debt Expense	6,000	6,000
56025	Propane	1,000	1,750
56030	Office Supplies	3,000	7,500
56100	Employee Benefits Insurance	77,550	63,358
56110	Employee Education	6,000	6,000
56200	Office Equipment Expense	3,450	6,000
56300	Customer Relations	1,000	1,000
56400	Other Administrative Expenses	2,000	4,000
57360	MWA Pipeline OMP&R	0	0
58100	Elections Costs	15,000	0
	Total Administrative Expense	\$607,900	\$553,908

OPERATIONS EXPENSE COMPARISON

Account	OPERATIONS EXPENSE Description	FY 2009/10 Amount	FY 2008/09 Amount
54102	Operations Compensation	199,000	185,853
54103	Uniforms	2,420	2,675
54105	Auto Controls	4,500	4,500
54106	Vehicle/Tractor/Equip Expense	9,000	9,000
54107	Vehicle Expense- Fuel	20,000	27,000
54109	Field Materials and Supplies	45,000	45,000
54111	Water Testing	15,000	10,000
54112	Contractual Services- Engineering	10,000	5,000
54114	Water System Repairs	12,000	12,000
54115	Building Maintenance/Repair	6,680	4,750
54117	Ames Basin Monitoring	4,000	3,000
54119	Communications Expense	3,200	3,200
54121	Disinfection Expense	4,000	6,500
54125	Power- Wells/Booster Pumps	62,000	60,000
54130	Other Operations Expense	13,520	12,500
	Total Operations Expense	\$410,320	\$390,978

# 2009/2010 BUDGET - REVENUE ACCOUNTS

## EXHIBIT "A"

REVENUE		ACCOUNTS	ADDITIONAL INFORMATION	08/09
41000		SERVICE LINE INSTALLATION FEE- Revenues to cover the actual cost of customer ordered service line installation.	Estimate 5 service line installations @ \$900	-
41001		BASIC FACILITIES CHARGE- This fee is charged to brand new service line customers as a buy in to the system already partially funded by previous and current customers. \$1900 per service line installation.	Estimate 5 service line installations @ \$1900	-
41100		WATER SALES CHARGES- Revenues from the sales of water to metered customers.	Based on Feb 07 to Mar 08 consumption at 90% at \$3 per one hundred cubic feet	443,451
41300		BASIC SERVICE CHARGE- Bi monthly billing to cover fixed O&M costs plus capital projects	Based on \$40 per customer per billing cycle	566,940
41600		FMHA SURCHARGE-Revenues generated via the bi-monthly billing of the Desert View customers to fund the debt service for the FMHA Revenue Bond. Issued in 1979 for \$700,000 for the purpose of constructing a water system. Term is 40 years at 5%. Annual Payment is approximately \$41,000. Payments due September (Interest approx. \$10,650) and April (Interest approx \$10,650 and principle \$20,000).	Based on \$9.30 per customer per billing cycle	48,490
41700		INCOME OTHER- Delinquent water billing revenues, unlock charges, non sufficient funds check charges, clean and show charges, scrap metal sales, customer PIR fee, SCE refunds	Delinquent Charges \$14,000 year, Miscellaneous \$4000 year, UL&NSF \$3600	21,600
49100		INCOME GENERAL TAX ID BH 1%- This revenue is the portion of the County 1% tax which is passed on to special districts for general operating expenses. Can be used for any purpose. Coded on the property tax apportionment schedule as GA02.	General tax projection, no significant property value increase expected.	45,650
49101		INCOME BOND DEBT BH FMHA- This revenue is generated through the issuance of an annual advalorem tax and assessed to all properties within the Bighorn (north side of the Agency). In 2008/2009 this amount is assessed at .21 per \$100 of assessed valuation. Issued in 1979 for \$1,875,000 for the purpose of constructing a water system. Term is 40 years, at 5%. Annual payment is approximately \$106,000. Payments are due December (Interest approx. \$25,325) and June (Interest \$25,325 and principle \$55,000).	Based on .21 cents per \$100 of assessed valuation. Current year payment will be supplemented by the debt service reserve fund.	125,500
49102		INCOME GENERAL TAX ID DV 1%- This revenue is the portion of the County 1% General tax which is passed on to special districts for general operating expenses. Can be used for any purpose. Coded on the property tax apportionment schedule as GA01.	General tax projection, no significant property value increase expected.	42,100
49200		INTEREST INCOME- Interest revenue from our Local Agency Investment Fund account. Interest posted to this account is earned on the non-restricted, non-bond monies.	Interest income Anticipate <5% interest	2,000
49201		INTEREST INCOME BOND FUNDS- Interest revenue from our Local Agency Investment Fund Account. Interest earned on the restricted bond revenues variance is posted to this account.	Interest income on restricted bond funds Anticipate <5% interest	6,000
49600		OTHER NON OPERATING INCOME- Revenues from delinquent property tax payments. Ames testing reimbursement. Misc other non operating revenues	Miscellaneous outstanding standby fee penalties.	1,000
<b>TOTAL</b>				<b>1,302,731</b>

**2009/2010 BUDGET - EXPENSE ACCOUNTS**  
**EXHIBIT "A"**

EXPENSE	ACCOUNTS	PROJECTED BUDGET	STAFF NOTES
54102	OPERATIONS COMPENSATION*	Five field employees with additional overtime and standby hours	
54103	UNIFORMS	Shoes \$750, Uniform Lease Service \$1550; jackets \$375	\$ 199,000.00 projected 0% COLA and 1 step increase merit for all eligible employees. Includes standby and OT (\$30,000)
54105	VERIZON-TELEMETRY	375 X 12 months-36 month fixed lease	\$ 2,420.00
54106	VEHICLE/TRACTOR/ EQUIP EXPENSE*	Includes new tires for fleet, routine maintainece, large equipment repairs, lower costs based on newer vehicles efficiency, vehicle decals	\$ 4,500.00
54107	VEHICLE EXPENSE- FUEL	Projections based on prior 7 month trend.	\$ 9,000.00
54109	FIELD MATERIAL & SUPPLIES*	All materials and supplies used in the maintenance of the water distribution system, safety/traffic control and small tools.	\$ 20,000.00 2008/09 Fuel Costs down
54111	WATER TESTING	BacT \$3360, Nitrates all wells '08 \$160, General Phy at SS \$2400, GP @ Wells \$160, Pb/Cu testing cycle in 2009/10 \$XX, T22	\$ 45,000.00 Increase to cover WIP project inventory including meter replacement program.
54112	ENGINEERING-IN HOUSE	Engineering/ Hydrogeologic consultant services	\$ 15,000.00
54114	SYSTEM REPAIRS	Routine repairs/maintenance for wells, pumps, boosters, pressure reducing stations costs, etc.	\$ 10,000.00 Conj. Use Review
54115	BUILDING REPAIR AND MAINT	Trash \$900, Security \$500, Shop Sec. \$480, Fire extinguisher maintenance \$600, Miscellaneous repairs \$2000, cleaning service \$2200.	\$ 12,000.00 Increase to cover WIP project repairs such as airvac's, valves, hydrants, etc.
54117	AMES BASIN MONITORING	Hanson about \$3000 plus misc water testing	\$ 6,680.00 Increases to all line items. Increased building maintenance for needed improvements
54119	COMMUNICATIONS EXP	AT&T Cell phones	\$ 4,000.00
54121	DISINFECTION EXPENSE	Chlorine \$3500, Misc \$500	\$ 3,200.00 5 field + 1 Board Sec.
54125	POWER WELLS & BOOSTER	Based on prior 12 months usage (56,017)	\$ 4,000.00
54130	OTHER OPER EXPENSES	Dump charges \$600, misc petty cash \$500 ,misc. visa expenses \$500, SWRCB \$920, bee service \$500, DHS - \$4000, LAFCO 2009-2010 Budget Allocation thru. Co of SB Treasurer \$5,500, BLM rent for system \$1000	\$ 62,000.00 Increased 3% LAFCO budget share outlined in April 16, 2009 LAFCO staff report
56001	DIRECTORS FEES	Regular Meeting \$6000, Misc \$800, Committee Meetings \$1200	\$ 13,520.00
56002	DIRECTOR MEETING EXPENSE	Miscellaneous Director education seminars and associated expenses	\$ 10,000.00 no change
56003	ADMINISTRATION COMP*	Three full time office staff & General Manager	\$ 10,000.00 no change
56005	ADMIN MEETING EXPENSE	Miscellaneous meetings with DWR, MWA, etc.	\$ 215,000.00 Projected 0% COLA and 1 step increase merit.
56006	CONTRACTUAL SERVICES- AUDITOR	Auditor	\$ 1,000.00
56007	CONTRACTUAL SERV- LEGAL	Legal Fees	\$ 28,000.00
56008	PERS	All Employees.	\$ 80,000.00 Increase to support Ames and CEQA issues
56009	PAYROLL TAXES*	Unemployment \$3500, Medicare match \$5800	\$ 37,000.00
			\$ 9,300.00

**2009/2010 BUDGET - EXPENSE ACCOUNTS**  
**EXHIBIT "A"**

EXPENSE	ACCOUNTS	PROJECTED BUDGET	STAFF NOTES
56011	PHONE, FAX LINES, INTERNET	Main office phones \$4500, Internet access \$720; website maint. \$1000	
56012	MAILING EXPENSE	Routine metered postage \$480 per month (\$5800), equip rental \$930, UPS-FedEx \$400, CCR mailing \$800	\$ 6,250.00
56014	CONTRACTUAL SERV- OTHER	Copier maintenance agreement \$3300, payroll processing \$3000, UBOC \$2400, Credit Card Processing \$4800, Datastream contract \$2,600, Datastream Programming \$1,200; Misc DataStream/Admin temp labor \$12,000, Safety Training Consultant \$2,500	\$ 7,900.00
56016	PROPERTY/LIABILITY EXPENSE	Property and Liability	\$ 30,600.00
56017	WORKERS COMP INS	All Employees	\$ 32,600.00
56018	DUES & SUBSCRIPTIONS and ANNUAL FEES	AWWA \$350, ACWA \$3,800, DigAlert \$375, Hi Desert Star \$33, CRWA \$550, Weinhoff \$250, CSDA \$1575, Misc \$100	\$ 13,000.00
56020	POWER OFFICE & YARDS	Based on prior 8 months usage	\$ 7,050.00
56022	BAD DEBT EXPENSE/WATER RELIEF	Bad debt and water bill relief	\$ 5,200.00
56025	PROPANE	Office and Shop	\$ 6,000.00
56030	OFFICE SUPPLIES	Printed items such as water bills, delinquent bills, envelopes, business cards, checks, for toner refills, printer ribbons, inks for printer supplies, consumable office supplies.	\$ 1,000.00
56100	EMPLOYEE BENEFITS INS*	\$7585 x 12 months (9 employees) excludes copays	\$ 3,000.00
56110	EMPLOYEE EDUCATION	Miscellaneous employee education training (\$3,000 for GM per contract)	\$ 77,550.00
56200	OFFICE EQUIPMENT EXPENSE	Computer repairs \$500, Misc office equipment, furniture & software \$2500, Postage ink \$450	\$ 6,000.00
56300	CUSTOMER RELATIONS	Misc customer relations exp \$1000	\$ 3,450.00
56400	OTHER ADMIN EXPENSES	County charges for property tax collection, employment advertising including bid recruitment and legal advertising, employee drug testing	\$ 1,000.00
57360	MWA PIPELINE OMP&R		\$ 2,000.00
58100	ELECTION COSTS	General Election	\$ - Deleted
<b>TOTAL EXPENSES</b>			\$ 15,000.00 Election November 2009 w/additional candidate
			\$ 1,018,220.00

A portion of these expenses are allocated to capitalized projects (main extensions, SL installs).

STATEMENT OF REVENUE AND EXPENSE  
PERIOD ENDING 03/31/09

## GENERAL FUND

		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
		-----	-----	-----	-----	-----
REVENUE						
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OPERATING REVENUE						
01 41000	SERVICE LINE INSTALLATION FEES	4,500.00	0.00	4,920.00	-420.00	109.33%
01 41001	BASIC FACILITIES CHARGE	9,500.00	0.00	9,500.00	0.00	100.00%
01 41100	INCOME METERED WATER	459,500.00	24,266.98	362,004.48	97,495.52	78.78%
01 41300	BASIC SERVICE CHARGE	508,530.00	48,817.85	343,123.59	165,406.41	67.47%
01 41600	INCOME REVENUE BONDS DV FMHA	43,189.00	-14.87	30,964.25	12,224.75	71.69%
01 41700	INCOME OTHER (OPERATING)	21,600.00	2,489.52	17,741.39	3,858.61	82.14%
TOTAL OPERATING REVENUE		1,046,819.00	75,559.48	768,253.71	278,565.29	73.39%
NON-OPERATING REVENUE						
01 49100	INCOME GEN TAX ID A 1% BH GA02	49,565.00	3,605.28	23,214.27	26,350.73	46.84%
01 49101	INCOME BOND DEBT BH FMHA DA01	106,315.00	15,857.83	44,604.68	61,710.32	41.96%
01 49102	INCOME GENERAL TAX 1% DV GA01	48,847.00	2,945.97	23,247.36	25,599.64	47.59%
01 49200	INTEREST INCOME	18,500.00	0.00	9,445.21	9,054.79	51.06%
01 49600	INCOME OTHER (NON OPERATING)	1,000.00	0.00	233.10	766.90	23.31%
01 49601	INCOME-CONT CAPTL WIP(NONOPER)	0.00	0.00	335.32	0.00	0.00%
01 49999	FEDERAL/STATE GRANTS FEMA/OES	0.00	0.00	41,018.93	0.00	0.00%
TOTAL NON-OPERATING REVENUE		224,227.00	22,409.08	142,098.87	82,128.13	63.37%
TOTAL REVENUE		1,271,046.00	97,968.56	910,352.58	360,693.42	71.62%

## EXPENSE

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## OPERATING EXPENSE

01 54102	OPERATIONS COMPENSATION	185,853.00	14,284.15	140,481.50	45,371.50	75.59%
01 54103	UNIFORMS	2,675.00	135.50	1,191.27	1,483.73	44.53%
01 54105	AUTO CONTROLS	4,500.00	767.96	3,237.97	1,262.03	71.95%
01 54106	VEHICLE/TRACTOR/EQUIP EXPENSE	9,000.00	75.36	4,002.54	4,997.46	44.47%
01 54107	VEHICLE EXPENSE - FUEL	27,000.00	2,245.54	17,282.59	9,717.41	64.01%
01 54109	FIELD MATERIALS & SUPPLIES	45,000.00	1,260.12	18,489.61	26,510.39	41.09%
01 54111	WATER TESTING	10,000.00	321.00	5,368.00	4,632.00	53.68%
01 54112	CONTRACTUAL SERV- ENGINEERING	5,000.00	0.00	0.00	5,000.00	0.00%
01 54114	WATER SYSTEM REPAIRS	12,000.00	0.00	3,396.86	8,603.14	28.31%
01 54115	BUILDING MAINTENANCE/REPAIR	4,750.00	1,463.19	4,881.27	-131.27	102.76%
01 54117	AMES BASIN MONITORING	3,000.00	0.00	0.00	3,000.00	0.00%
01 54119	COMMUNICATIONS EXPENSE	3,200.00	210.09	1,791.92	1,408.08	56.00%
01 54121	DISINFECTION EXPENSE	6,500.00	0.00	2,891.48	3,608.52	44.48%
01 54125	POWER WELLS & PUMPS	60,000.00	4,331.12	38,609.28	21,390.72	64.35%
01 54130	OTHER OPERATIONS EXPENSES	12,500.00	55.53	11,839.74	660.26	94.72%
01 54150	PAYROLL LABOR TO PROJECTS	0.00	0.00	-11,150.29	0.00	0.00%
01 54160	VEH & EQUIP EXPENSE TO PROJECT	0.00	0.00	-6,901.37	0.00	0.00%
01 54170	INVENTORY EXP TO WIP PROJECTS	0.00	0.00	-40,890.58	0.00	0.00%



STATEMENT OF REVENUE AND EXPENSE  
PERIOD ENDING 03/31/09

## GENERAL FUND

		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
		-----	-----	-----	-----	-----
01 56001	DIRECTOR FEES	10,000.00	1,500.00	7,000.00	3,000.00	70.00%
01 56002	DIRECTOR MEETING EXPENSES	10,000.00	0.00	2,649.68	7,350.32	26.50%
01 56003	ADMINISTRATIVE COMPENSATION	212,550.00	14,155.13	137,580.32	74,969.68	64.73%
01 56005	ADMINISTRATIVE MEETING EXPENSE	1,000.00	48.41	737.66	262.34	73.77%
01 56006	CONTRACTUAL SERV-AUDITOR	9,500.00	4,627.50	9,345.00	155.00	98.37%
01 56007	CONTRACTUAL SERV-LEGAL	70,000.00	105.60	47,890.35	22,109.65	68.41%
01 56008	PERS CONTRIBUTION	33,600.00	2,415.88	22,037.74	11,562.26	65.59%
01 56009	PAYROLL TAXES	8,800.00	-468.90	7,467.57	1,332.43	84.86%
01 56011	TELEPHONE/FAX/INTERNET/WEB	6,250.00	950.64	5,130.17	1,119.83	82.08%
01 56012	MAILING EXPENSES	7,500.00	412.55	5,486.26	2,013.74	73.15%
01 56014	CONTRACTUAL SERV-OTHER	25,100.00	9,878.54	50,454.07	-25,354.07	201.01%
01 56016	PROPERTY/LIABILITY EXPENSE	38,000.00	2,946.38	26,517.42	11,482.58	69.78%
01 56017	WORKERS COMP INSURANCE	12,500.00	1,125.34	18,047.36	-5,547.36	144.38%
01 56018	DUES & SUBSCRIPTIONS	6,500.00	12.00	6,210.50	289.50	95.55%
01 56020	POWER OFFICES & YARDS	7,000.00	399.39	3,764.52	3,235.48	53.78%
01 56022	BAD DEBT EXPENSE	6,000.00	0.00	-6.50	6,006.50	-.11%
01 56025	PROPANE	1,750.00	461.19	799.89	950.11	45.71%
01 56030	OFFICE SUPPLIES	7,500.00	0.00	1,948.95	5,551.05	25.99%
01 56100	EMPLOYEE BENEFITS INSURANCE	63,358.00	5,114.84	54,032.43	9,325.57	85.28%
01 56110	EMPLOYEE EDUCATION	6,000.00	0.00	3,221.00	2,779.00	53.68%
01 56120	GROUNDWATER MGMT PLANNING EXP	0.00	0.00	19,018.04	0.00	0.00%
01 56121	NEMER METER UPGRADE EXP	0.00	0.00	335.32	0.00	0.00%
01 56150	PAYROLL FRINGE EXP TO PROJECTS	0.00	0.00	-4,014.11	0.00	0.00%
01 56160	OVERHEAD TO PROJECTS	0.00	0.00	-7,755.94	0.00	0.00%
		-----	-----	-----	-----	-----
	TOTAL OPERATING EXPENSE	933,886.00	68,834.05	612,419.49	321,466.51	65.58%
		-----	-----	-----	-----	-----
NON-OPERATING EXPENSE						
01 56200	OFFICE EQUIPMENT EXPENSE	6,000.00	220.20	1,958.32	4,041.68	32.64%
01 56300	CUSTOMER RELATIONS	1,000.00	0.00	458.67	541.33	45.87%
01 56400	OTHER ADMINISTRATIVE EXPENSES	4,000.00	74.57	1,322.80	2,677.20	33.07%
01 57000	INTEREST EXPENSE - BH BONDS	0.00	0.00	22,499.99	0.00	0.00%
01 57100	DEPRECIATION EXPENSE	0.00	18,179.13	163,911.34	0.00	0.00%
01 59100	INTEREST EXPENSE - DV BONDS	0.00	8,974.42	17,948.84	0.00	0.00%
		-----	-----	-----	-----	-----
	TOTAL NON-OPERATING EXPENSE	11,000.00	27,448.32	208,099.96	-197,099.96	1891.82%
		-----	-----	-----	-----	-----
	TOTAL EXPENSE	944,886.00	96,282.37	820,519.45	124,366.55	86.84%
		-----	-----	-----	-----	-----
	NET REV/EXP GENERAL FUND	326,160.00	1,686.19	89,833.13	236,326.87	27.54%
		=====	=====	=====	=====	=====

## GENERAL FUND

## ASSETS

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## CASH &amp; CASH EQUIVALENTS

01 13120	CASH UNION BANK OF CA	23,194.43
01 13130	CASH CASH DRAWERS BASE FUND	750.00
01 13400	CASH PETTY-CASH FUND	800.00
		-----
TOTAL CASH & CASH EQUIVALENTS		24,744.43

## INVESTMENTS

01 13303	CASH LAIF-UNRESTRICTED	496,737.18
		-----
TOTAL INVESTMENTS		496,737.18

## ACCOUNTS RECEIVABLE, WATER

01 13710	A/R WATER	114,063.14
		-----
TOTAL ACCTS RECEIVABLE, WATER		114,063.14

## ACCOUNTS RECEIVABLE, OTHER

01 13600	A/R INTEREST EARNINGS	4,072.42
01 13800	A/R PROPERTY TAXES	( 39,984.46)
		-----
TOTAL ACCTS RECEIVABLE, OTHER		( 35,912.04)

## INVENTORIES

01 14301	INVENTORY-WATER SYSTEM PARTS	61,614.90
01 14302	INVENTORY-DIESEL FUEL	1,230.37
01 14303	INVENTORY-UNLEADED FUEL	1,789.25
		-----
TOTAL INVENTORY		64,634.52

## PREPAID EXPENSES

01 14401	PREPAYMENTS WORKERS COMP INSUR	3,413.94
01 14402	PREPAYMENTS PL & PD LIAB INS	9,339.15
01 14403	POSTAGE	6,584.12
		-----
TOTAL PREPAID EXPENSES		19,337.21

## FIXED ASSETS

01 11130	FA ORGANIZATION	336,271.36
01 11140	FA LAND & BUILDINGS	298,457.41
01 11150	FA YARDS	57,934.48
01 11160	FA FUELS TANKS	16,604.30
01 11170	FA WATER SYSTEM	7,223,519.41
01 11180	FA SHOP EQUIPMENT	99,211.92
01 11181	FA MOBILE EQUIPMENT	424,831.47
01 11190	FA OFFICE EQUIPMENT	139,079.33
01 11400	ACCUMULATED DEPRECIATION	( 4,916,582.82)
		-----
TOTAL FIXED ASSETS		3,679,326.86

GENERAL FUND

WORK IN PROGRESS (FOR OTHERS)

01 12004	WIP BLUCKER ANNEXATION	111.52
01 12006	WIP FLAMINGO HTS ASSN, SEC35	14,597.53
TOTAL WORK IN PROGRESS(OTHERS)		14,709.05

WORK IN PROGRESS (AGENCY)

01 12005	WIP GRANTS CEQA/NEPA	67,969.04
01 12011	WIP WELL 9 REHAB (NTE\$89K)	102,558.17
01 12014	WIP PRV 7 INTERTIE	796.55
01 12016	WIP WELL 10 REHAB	81,230.21
01 12017	WIP METER REPLACEMENT PROGRAM	94,630.39
01 12020	WIP FUEL SPILL CLAIM	46,483.47
01 12022	WIP WELL 7	660.67
01 12025	WIP WELL 6-SHUT OFF VALVE REPL	567.41
TOTAL WORK IN PROGRESS(AGENCY)		394,895.91

DEBT ISSUANCE COST

01 15400	BOND ISSUE COSTS	4,022.49
TOTAL DEBT ISSUANCE COST		4,022.49

TOTAL ASSETS

4,776,558.75

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LIABILITIES

ACCOUNTS PAYABLE

01 22400	CAPITAL LEASE	19,955.48
01 22520	ACCRUED INTEREST PAYABLE	3,750.00
01 22700	ACCOUNTS PAYABLE	44,316.43
TOTAL ACCOUNTS PAYABLE		68,021.91

ACCRUED PAYROLL

TOTAL ACCRUED PAYROLL	0.00
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CUSTOMER DEPOSITS

01 22550	CUSTOMER DEPOSITS PENDING	1,150.00
01 22600	CUSTOMER DEPOSITS	50,134.00
TOTAL CUSTOMER DEPOSITS		51,284.00

WORK IN PROGRESS DEPOSIT

01 23004	WIP-DEP-BLUCKER ANNEXATION	7,500.00
01 23006	WIP DEP-FLAMINGO HTS ASSN S35	7,500.00
01 23020	WIP-DEP-FUEL SPILL CLAIM	43,378.72
01 23024	WIP DEP-RIGGS ID MODELLING	3,645.00

GENERAL FUND

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TOTAL WORK IN PROGRESS DEPOSIT		62,023.72
LIAB PYBL FRM RESTRICTD ASSETS		
01 22950	ACCRUED INT PAYABLE DV ID BNDS	4,487.21
01 22951	ACCRUED BONDS PAYABLE DV ID	2,000.00
-----		
TOTAL LIAB PYBL FRM REST ASSET		6,487.21
LONG TERM DEBT		
01 21101	REVENUE BONDS PAYABLE - DV	335,977.05
01 22300	REVENUE BONDS PAYABLE - BH	900,000.00
-----		
TOTAL LONG TERM DEBT		1,235,977.05
TOTAL LIABILITIES		1,423,793.89
EQUITY		
-----		
01 30109	CONTRIBUTED CAPITAL/HUD	291,035.88
01 30111	FMHA GRANTS	758,297.76
01 31000	FUND BALANCE	1,785,703.09
01 31001	FUND BALANCE FEMA & OES	427,895.00
01 31111	CURR YEAR NET REVENUE/EXPENSE	89,833.13
TOTAL EQUITY		3,352,764.86
TOTAL LIABILITIES & EQUITY		4,776,558.75
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**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** May 13, 2009

**To:** Financial/PR/Education/Personnel Comm.  
Board of Directors  
**Budgeted:** n/a  
**Budgeted Amount:** n/a  
**Cost:** n/a  
**Funding Source:** n/a

**From:** Marina D. West  
**General Counsel Approval:** n/a  
**CEQA Compliance:** n/a

**Subject:** Setting the Ad Valorem Tax Rate for 2009/2010 for the Property Tax Apportionment of the Bighorn Debt Service Area Improvement Zone 1

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**SUMMARY**

Each fiscal year Bighorn Desert View Water Agency must calculate the special assessment to the tax rolls to generate the revenue for annual bond payments and system repair/refurbishment to the water system constructed with a fixed interest rate forty year bond through FMHA. This year staff is uncertain as to the expected devaluation of property in the Bighorn Debt Service Area Improvement Zone 1 and the subsequent effect on the collection of revenue to meet the debt obligation and fund needed infrastructure maintenance. Staff would like to discuss these factors with the Committee before the final recommendation to the Board in May.

**RECOMMENDATION**

Provide staff with Committee recommendation for calculating the 2009/10 special assessment to the tax roles to generate revenue which is to be brought before the full Board in May for adoption by Resolution

**BACKGROUND/ANALYSIS**

Staff will discuss with the Committee the methodology behind the special assessment and ramifications of projected property devaluation estimates. In addition staff will review the purpose of the special assessment as it relates to both payment of bond principal and interest as well as maintenance of the BH water system constructed with the bond monies.

From this discussion, staff seeks concurrence as to the amount that should be assessed each property in the Bighorn Improvement Zone 1.

**PRIOR RELEVANT BOARD ACTION(S)**

5/27/08 08R-05 Resolution Providing for the Levy and Collection of Taxes with Improvement District No. 1 for Fiscal Year 2008/2009

# Advalorem Tax Rate FY 2009/2010

## Bighorn Improvement Zone 1

### 6% Property Devaluation Calculation

Secured Taxable Properties	44,310,637	*	99.80%
Unsecured Taxable Properties	88,979	*	0.20%
Total Taxable Properties	44,399,616	*	

\* These figures are as of September 2008

Assessed at	0.27	per \$100 of assessed value	Revenue
Assessed at	0.28	per \$100 of assessed value	119,879
Assessed at	0.29	per \$100 of assessed value	124,319
			<b>128,759</b>

Bond Principle	58,000
Bond Interest	47,900
Replacement/Refurbishment	20,000
Total Payment	125,900

Projected interest income on BH reserves 09/10	-
Projected Unitary Tax Revenue 09/10	-
Spend down some restricted reserves in LAIF	-
<b>Advalorem Revenue Required</b>	<b>125,900</b>
Total Revenue 2008/2009	125,900

## CONCLUSION

Staff recommendation will depend on the following factors:

- 1) Property Valuation data 18 months old
- 2) Actual property devaluation estimated between 6 - 15%
- 3) Funds for infrastructure and refurbishment are needed in FY09/10

Table 1

FINANCIAL/PUBLIC RELATIONS/EDUCATION/PERSONNEL STANDING COMMITTEE PROJECT LIST		
SUBJECT	STATUS	COMMENTS
Employee Relations		
Employee Handbook Update	5/13/2009	Recommended by Attorney
Job Descriptions	5/13/2009	Executive Secretary/Personnel Administration
Organizational Chart	5/13/2009	
Medical Benefits		Recommend that Medical insurance plans be investigated from the perspective of providing same benefit to employees at lowest cost to Agency
Water Loss Billing Relief Policy	introduce to Committee	Recommend that Committee address existing water loss relief policy
Board of Directors Compensation Policies	referred to committee	
Ordinance 08O-01 Revision		Sets Director "per diem" compensation policy
Official Duties Policy		Sets methods and practices for other types of Director compensation
Past Board Minutes	completed	
Mission/Vision/Value Statement	2/28/2009	Update mission statement from Workshop 2009
Inactive Meters	4/28/2009	Staff has calculated 95 customers on Desert View, and 129 customers in Bighorn have opted to keep meter connections and are paying. No communication from the remaining customers.
Guidelines for use of audio and visual recording equipment at Agency meetings.	9.10.2008	Chair McBride requested staff to look into guidelines. No progress to date.
Bulk Hauling Rates and Fees	done	New rate in place.
Agency Logo for Vehicles and Signs	introduce to committee	Review layout of various logo designs intended to be utilized on Agency vehicles and signs

Updated for 5/13/2009