

AGENDA
1106th MEETING OF THE BOARD OF TRUSTEES
OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT
OCTOBER 12TH, 2022

TIME: 5:00 P.M.
PLACE: Hybrid Meeting of the Board of Trustees
Physically held at the Office of the District
23187 Connecticut Street, Hayward, CA 94545 and
Teleconferencing at <https://us02web.zoom.us/j/85813339830>
see below for additional details.
TRUSTEES: Subru Bhat, President, City of Union City
Victor Aguilar, Vice-President, City of San Leandro
Cathy Roache, Secretary, County-at-Large
Tyler Savage, City of Alameda
Preston Jordan, City of Albany
P. Robert Beatty, City of Berkeley
Shawn Kumagai, City of Dublin
Courtney Welch, City of Emeryville
George Young, City of Fremont
Elisa Márquez, City of Hayward
Steven Cox, City of Livermore
Eric Hentschke, City of Newark
Jan O. Washburn, City of Oakland
Hope Salzer, City of Piedmont
Julie Testa, City of Pleasanton

1. Call to order.
2. Roll call.
3. President Bhat invites any member of the public to speak at this time on any issue relevant to the district (each individual is limited to three minutes).
4. Approval of the minutes of the 1105th Regular Meeting held September 14th, 2022 (**Board action required**).
5. Resolution 1106-1, a resolution approving the transfer of easements to the Alameda Flood Control and Water Conservation District (**Board action required**).
 - a. Staff Report
 - b. Minutes from the 116th meeting of the ACMAD Board of Trustees
 - c. November 1940 easement deed
 - d. Eden Township tract 819 record of deed transfers, July 1947
6. Report from the ad-hoc policy review committee on the first reading of revisions to district policy (Information Only).
 - a. Reference of policy changes
 - b. Proposed policy changes, excerpted redline version
 - c. ACMAD Policy Manual
7. Financial Reports as of September 30th, 2022 (Information only).
 - a. Check Register
 - b. Income Statement

- c. Investments, reserves, and cash report
 - d. Balance Sheet
8. Presentation of the Monthly Staff Report (Information only).
 9. Presentation of the Manager's Report (Information only).
 - a. Staff Anniversaries
 - b. CDPH Weekly Arbovirus report
 - c. Pleasanton Weekly article: *Complaints of small flies in Pleasanton push city leaders to find source of problem*
 - d. *to find source of problem*
 - e. Reappointment requests (Roache, Jordan, Testa) and upcoming council presentations
 - f. MVCAC (1/29/23-2/1/23, Anaheim) & AMCA (2/27/23-3/3/23, Reno, NV) Annual Conference registration interest
 - g. Training due: AB 1825: Kumagai
 10. Board President asks for reports on conferences and seminars attended by Trustees.
 11. Board President asks for announcements from members of the Board.
 12. Board President asks Trustees for items to be added to the agenda for the next Board meeting.
 13. Adjournment.

ANYONE ATTENDING THE MEETING MAY SPEAK ON ANY AGENDA ITEM AT THEIR REQUEST.

Please Note: Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting and access meeting-related materials should contact Ryan Clausnitzer at least 48 hours before the meeting at 510-783-7744 or acmad@mosquitoes.org.

IMPORANT NOTICE REGARDING MEETING PARTICIPATION:

All members of the public seeking to observe and/or to address the local legislative body may participate in the meeting by attending in person at the address listed above, telephonically, or otherwise electronically in the manner described below.

HOW TO OBSERVE THE MEETING:

In Person: Attend in person at the Office of the District located at 23187 Connecticut Street, Hayward, CA 94545.

Telephone: Listen to the meeting live by calling Zoom at **(669) 900-6833** Enter the **Meeting ID# 858 1333 9830** followed by the pound (#) key.

Computer: Watch the live streaming of the meeting from a computer by navigating to <https://us02web.zoom.us/j/85813339830>

Mobile: Log in through the Zoom mobile app on a smartphone and enter **Meeting ID# 858 1333 9830**

HOW TO SUBMIT PUBLIC COMMENTS:

Before the Meeting: Please email your comments to acmad@mosquitoes.org, write "Public Comment" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (not to exceed three minutes at staff's cadence), prominently write "Read Aloud at Meeting" at the top of the email. All comments received before 12:00 PM the day of the meeting will be included as an agenda supplement on the District's website under the relevant meeting date and provided to the Trustees at the meeting. Comments received after this time will not be read aloud but will be added to the record after the meeting.

During the Meeting: The Board President or designee will announce the opportunity to make public comments. Speakers will be asked to provide their name and city of residence, although providing this is not required for participation. Each

speaker will be afforded up to 3 minutes to speak unless another time is specified. Speakers should remain silent and/or will be muted until their opportunity to provide public comment.

In Person: Members of the public may raise their hand and wait to be recognized by the Board President or designee.

Telephone: Press star (*)9, which will alert staff that you have a comment to provide.

Computer or Mobile: Use the "raise hand" feature to alert staff that you have a comment to provide.

PUBLIC RECORDS:

Public records that relate to any item on the open session agenda for a meeting are available for public inspection. Those records that are distributed after the agenda posting deadline for the meeting are available for public inspection at the same time they are distributed to all or a majority of the members of the Board. The Board has designated the District's website located at <https://www.mosquitoes.org/board-of-trustees-regular-meetings> as the place for making those public records available for inspection. The documents may also be obtained by emailing acmad@mosquitoes.org.

MINUTES

1105th MEETING OF THE BOARD OF TRUSTEES OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT

September 14th, 2022

TIME: 5:00 P.M.
PLACE: Hybrid Meeting of the Board of Trustees
Physically held at the Office of the District
23187 Connecticut Street, Hayward, CA 94545 and
Teleconferencing at <https://us02web.zoom.us/j/83643352609>
TRUSTEES: Subru Bhat, President, City of Union City
Victor Aguilar, Vice-President, City of San Leandro
Cathy Roache, Secretary, County-at-Large
Tyler Savage, City of Alameda
Preston Jordan, City of Albany
P. Robert Beatty, City of Berkeley
Shawn Kumagai, City of Dublin
Courtney Welch, City of Emeryville
George Young, City of Fremont
Elisa Márquez, City of Hayward
Steven Cox, City of Livermore
Eric Hentschke, City of Newark
Jan O. Washburn, City of Oakland
Hope Salzer, City of Piedmont
Julie Testa, City of Pleasanton

1. Board President Bhat called the regularly scheduled board meeting to order at 5:00 P.M.
2. Board President Bhat along with Secretary Roache and Trustee Hentschke were present in-person at the district. Trustees Aguilar, Jordan, Beatty, Kumagai, Young, Márquez, Cox, Salzer, and Testa were present on the Zoom conference. Trustee Savage logged into the Zoom meeting at 5:08 P.M. Trustees Welch and Washburn were absent.
3. Board President Bhat invited members of the public to speak on any issue relevant to the district. Field Operations Supervisor Joseph Huston was present to speak on item 5 and the Monthly Staff Report. Vector Biologist Tom McMahon was present for item 5. Information Technology Director Robert Ferdan was present for technical support. Vector Biologist Jeremy Sette was present to record the minutes. No public comments were submitted.
4. Approval of the minutes of the 1104th meeting held August 10th, 2022.
Motion: Trustee Testa moved to approve the minutes
Second: Trustee Kumagai
Vote: motion carries: unanimous.
5. Resolution 1105-1 honoring Vector Biologist, Tom McMahon.
Discussion:

The General Manager and the Field Operations Supervisor gave a background of Vector Biologist Tom McMahon's remarkable achievements in his career with the district, expressed their pleasure working with McMahon, and congratulated him on his upcoming retirement. McMahon thanked the Board and staff while sharing his retirement plans.

Motion: Secretary Roache moved to approve Resolution 1105-1

Second: Trustee Marquez

Vote: motion carries: unanimous.

6. Appointment of an ad-hoc policy review committee to review proposed changes to district policy.

Discussion:

The General Manager gave a background of the recommended policy updates and asked the Board for a minimum of two trustees to volunteer for an ad-hoc policy review committee to review proposed changes to district policy. Trustees Beatty and Roache volunteered.

Motion: Trustee Hentschke moved to appoint Trustees Beatty and Roache to the policy review committee

Second: Trustee Beatty

Vote: motion carries: unanimous.

7. Review of CalPERS June 30th, 2021, valuation reports.

Discussion:

The General Manager gave a review of the CalPERS June 30th, 2021, valuation report and fielded the following discussion. Trustee Beatty asked if the board has a choice in funding CalPERS or if this is only for information (while there are required CalPERS payments, the district has funding options that are discussed during finance committee budgetary meetings in the spring). Trustee Jordan asked if the minimum payment was an interest payment (yes, in a way, driven by the health of the market at the time of the report) and asked how the UAL minimum payment is determined (this is a complex calculation that will require explanation from our CalPERS actuary). Trustee Jordan also asked if special districts have the equivalent of a tax-exempt municipal Bond (yes, but not mosquito abatement districts). President Bhat commented that the finance committee annually reviews pension financing options and did pass on the option of pension obligation bonds.

8. Financial Reports as of August 31st, 2022.

Discussion:

The General Manager presented the Financial Reports and thanked the Trustees who signed checks.

9. Presentation of the Monthly Staff Report.

Discussion:

Field Operations Supervisor Joseph Huston gave the Operations Report and fielded the following discussion. President Bhat asked for clarification on why service requests were near a 10-year low for the month of August, and if it was due to general lack of rain (explained variety of factors contributing to the low count). Trustee Márquez thanked Huston for his report and asked what kind of preparation goes into king tide events, operationally speaking (explained ditching program, predictive models used by Operations staff, and cross-department collaboration), asked how many technicians are involved with the treatments (depends on zones, most of field staff is involved, and explained A1 use and efficacy), and asked how many king-tide events occurred a month in a four-month period (varies by year and season, last year about two a month and this year at least one a month). Secretary Roache asked if the district will be involved with the Science in the Park event

(the General Manager will look into it). Field Operations Supervisor Huston gave a background of his work in East Oakland as a technician for 20+ years and noted that operations staff continuously monitors and treats large sources that would affect East Oakland if left untreated such as the marshes surrounding Oakland Airport. Huston explained his plans in conjunction with Lab staff in exploring current sources in East Oakland. The General Manager also explained the measurable uptick in calls for service already from recent outreach efforts in these areas. Trustee Testa appreciated the General Manager's report and asked for a narrative explaining ACMAD services that she could share with her city (will connect to outreach staff). Trustee Testa commented on the high number of flies currently in the Pleasanton area and expressed her appreciation for Erika Castillo's response to her questions. President Bhat asked if we could share the article that quoted Erika (yes). Trustee Salzer asked what the optimal intersection would be between the district and private pest control companies (gave a background of situations where invasive *Aedes* areas are handled by mosquito abatement districts along with private pest control companies). Huston commented on the business model of private pest control companies and the importance of how they should collaborate, which the district is working towards. Trustee Testa mentioned how helpful Vector Biologist John Busam's field education, "ride-along," was for her.

10. Presentation of the Manager's Report.

Discussion:

The General Manager presented the Manager's Report giving kudos to Financial & HR Specialist Michelle Robles for her involvement in the recruitment process for the newly hired Assistant Mosquito Control Technician, Pamela Wilde, and welcomed the latter to ACMAD. President Bhat commented on his experience at this year's CSDA conference and encouraged other Trustees to attend next year.

11. Board President Bhat asked for reports on conferences and seminars attended by Trustees. None besides the CSDA conference commented in item 10.

12. Board President Bhat asked for announcements from the Board. Trustee Hentschke commented on the recent HASPA meeting. The General Manager commented on an upcoming California CLASS meeting in October.

13. Board President Bhat asked trustees for items to be added to the agenda for the next Board meeting. The General Manager noted a report on our OPEB fund and policy will be forthcoming.

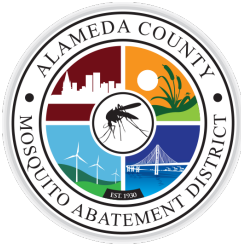
14. The meeting adjourned at 6:21 P.M.

Respectfully submitted,

Approved as written and/or corrected
at the 1106th meeting of the Board of
Trustees held October 12th, 2022

Subru Bhat, President
BOARD OF TRUSTEES

Cathy Roache, Secretary
BOARD OF TRUSTEES



23187 Connecticut Street
Hayward, CA 94545

T: (510) 783-7744
F: (510) 783-3903

acmad@mosquitoes.org

RESOLUTION NO. 1106-1

Board of Trustees

President

Subru Bhat

Union City

Vice-President

Victor Aguilar

San Leandro

Secretary

Cathy Roache

County at Large

Tyler Savage

Alameda

Preston Jordan

Albany

P. Robert Beatty

Berkeley

Shawn Kumagai

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Courtney Welch

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Hayward

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Livermore

Jan O. Washburn

Oakland

Eric Hentschke

Newark

Hope Salzer

Piedmont

Julie Testa

Pleasanton

Ryan Clausnitzer

General Manager

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT
APPROVING QUITCLAIM DEED FOR DRAINAGE EASEMENT TO ALAMEDA
COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

BE IT RESOLVED by the Board of Trustees of the Alameda County Mosquito Abatement District as follows:

1. Recitals. This resolution is made with reference to following background recitals:

a. In 1940, F. Stenzel Farms and others conveyed an easement to the Alameda County Mosquito Abatement District (“District”) to construct, operate, and maintain a storm drain ditch (now known as the Estudillo Canal) and related appurtenances, which easement is recorded at Alameda County Recorder’s Office Book 3991, pages 199-200 (the “Easement”). There now exists a concrete storm drain within the Easement area.

b. The District no longer is actively engaged in the business of operating, maintaining, and managing storm drains. In Alameda County, the Alameda County Flood Control and Water Conservation District (“Flood Control District”) is actively engaged in operating, maintaining, and managing storm drains. The Flood Control District has informed the District that it would accept a conveyance of the Easement. The District therefore has determined that it would be prudent and appropriate to transfer the Easement to the Flood Control District.

2. Deed Approval. The Board approves the transfer of the Easement to the Flood Control District. The Board authorizes and directs the General Manager to approve, sign, and deliver a quitclaim deed to the Flood Control District conveying the District’s rights, title, and interest in the Easement and to arrange for the deed to be recorded in the Alameda County Recorder’s Office.

3. Related Authorization. The Board authorizes and directs the General Manager and Secretary to prepare, sign, and deliver such other agreements, documents, and certificates, and take such other actions as may be necessary or appropriate to effectuate the transfer of the Easement to the Flood Control District.

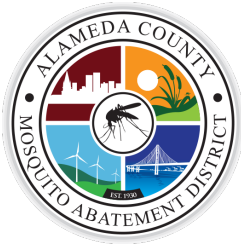
PASSED AND ADOPTED by the Board of Trustees of the Alameda County Mosquito Abatement District at a regular meeting held on the _____ day of _____, 2022, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

President, Board of Trustees
Alameda County Mosquito Abatement District

ATTEST:

Secretary, Board of Trustees
Alameda County Mosquito Abatement District



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Hayward, CA 94545

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Board of Trustees

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Oakland

Hope Salzer

Piedmont

Julie Testa

Pleasanton

Ryan Clausnitzer

General Manager

Transfer of easement to the Alameda Flood Control and Water Conservation District

Background:

The Alameda Flood Control and Water Conservation District (AFCWCD) recently contacted the district regarding a drainage ditch easement that the district acquired in 1940 for mosquito control purposes. The district is no longer actively engaged in the business of operating, maintaining, and managing storm drains as it was prior to the founding of AFCWCD in 1949 and therefore, has no further need for this easement.

Recommendation:

Staff recommends approval of resolution 1106-1 to quitclaim easement deed to AFCWCD.

Attachments:

- Minutes from the 116th meeting of the ACMAD Board of Trustees approving easement right-of-way agreement, April 1940
- November 1940 easement deed
- Tract 819 of Eden Township record of deed transfers, July 1947

**MINUTES OF THE 116TH MEETING
OF THE BOARD OF TRUSTEES
OF THE
ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT
APRIL 24, 1940**

Time: 5:05 p.m., Wednesday, April 24, 1940

Place: Office of the Alameda County Mosquito Abatement District, Room 1-A, Court House, 12th and Fallon Streets, Oakland, California.

Trustees Present: Trustee Nelson E. Clemens, D.V.M., President, Hayward
" Howard Bronstein, Vice Pres., San Leandro
" W. B. Herms, Berkeley
" R. V. Dell, Oakland
" Burnett Hamilton, Alameda
" Dr. H. J. Smith, Piedmont

Trustees Absent: Trustee C. G. Hyde, Secretary, County-at-Large

The reading of the Minutes of the 115th Meeting of the Board of Trustees was dispensed with.

Upon motion of Trustee Hamilton, seconded by Trustee Smith and passed by unanimous vote, Trustee Herms was directed to act as Secretary for this meeting and sign the drafts thereof, Trustee Hyde being absent in Kansas City.

Upon motion of Trustee Smith, seconded by Trustee Hamilton and passed by unanimous vote, payment of Drafts Nos. 5783-5814 both inclusive, (except No. 5810 which was cancelled) dated April 10, 1940, in the total amount of \$860.81 was approved. It was noted that Draft No. 5810 was issued in error. A list of said drafts is attached hereto and designated Exhibit "A".

Upon motion of Trustee Hamilton, seconded by Trustee Dell and passed by unanimous vote, payment of Drafts Nos. 5815-5839 both inclusive, dated April 24-30, 1940, in the total amount of \$2,152.56 was approved. A list of said drafts is attached hereto and designated Exhibit "B".

Upon motion of Trustee Hamilton, seconded by Trustee Smith and passed by unanimous vote, the Engineer of the District was directed to prepare the budget estimates for the fiscal year ending June 30, 1941 and present to the Board of

(2)

Trustees at the meeting of May 29, 1940, for consideration, with action thereon at the meeting of June 26, 1940.

Upon motion of Trustee Dell, seconded by Trustee Smith and passed by unanimous vote, the Engineer of the District was directed to call for proposals to furnish oil during the fiscal year ending June 30, 1941, proposals to be considered at the meeting of May 29, 1940.

Upon motion of Trustee Dell, seconded by Trustee Herms and passed by unanimous vote, the Engineer of the District was directed to call for proposals to furnish one new truck, and to purchase from the District International Truck, Serial No. C-1-40913, Engine No. HD-61186, proposals to be submitted at meeting of May 29, 1940.

At this point, Trustee Bronstein arrived and Trustee Hamilton asked to be excused and left the meeting.

The Engineer presented plans and documents pertaining to a right-of-way for a ditch on West Avenue 152 area, westerly from Washington Avenue to the Southern Pacific Railroad, the description of said right-of-way having been approved by the County Surveyor and the documents having been approved as to form by the District Attorney. Upon motion of Trustee Bronstein, seconded by Trustee Dell and passed by unanimous vote, these plans and documents were approved and ordered transmitted to the Chairman of the Board of Supervisors who has offered to obtain signatures to the right-of-way agreement. A copy of the indenture is attached hereto and designated Exhibit "C". *

Upon motion of Trustee Dell, seconded by Trustee Bronstein and passed by unanimous vote, the Engineer of the District was granted permission to attend the meeting of the California Sewage Works Association at Catalina, California, May 19, 20 and 21, 1940, without expense to the District.

Upon motion of Trustee Smith, seconded by Trustee Dell and passed by unanimous vote, the Acting Secretary was directed to sign and deliver a letter to the Mayor of Emeryville relating to appointment of a Trustee. A copy of said letter is attached hereto and designated Exhibit "D".

The Engineer of the District then presented a progress report of William C. Reeves, Research Assistant in Entomology, on research being conducted at the University of California under grant from the District. This report was, upon motion duly made, seconded and carried, accepted and ordered filed. A copy of this report is attached hereto and designated Exhibit "E". Duplicate copies of the report

(3)

were furnished to the members of the Board of Trustees.

There being no further business to come before the Board, the Board adjourned at 5:35 p.m.

ATTEST:

J. B. Burns

Acting Secretary

WBH'MAP

*Approved as read
May 29, 1940
Edw. Charles Edwards*

MINUTES OF THE 116TH MEETING OF THE
BOARD OF TRUSTEES OF THE ALAMEDA COUNTY
MOSQUITO ABATEMENT DISTRICT. 4-24-40.
EXHIBIT "A".

ALAMEDA COUNTY
MOSQUITO ABATEMENT DISTRICT
LIST OF BILLS AND WAGES
APRIL 10, 1940

<u>DRAFT</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
5783	B. Simon Hardware Co.	Batteries, Fendoll, Vise	6.03
5784	Bear Photo Service	Photo Finishing	1.69
5785	U. S. Rubber Co., Inc.	Boots	22.19
5786	Sears, Roebuck & Co.	Drill & Grinder	49.85
5787	Charles Grandjean & Co.	Tartar Emetic	1.38
5788	Dieterich-Post Co.	Pencils and Blueprinting	17.01
5789	The Pac. Tel. & Tel. Co.	Phones	10.18
5790	Shell Oil Company	Oil	38.13
5791	Durant Ave. Garage	Repairs and Grease	22.89
5792	Petersen Brothers	Volck, axe hdle., nozzles	4.22
5793	Central Chevrolet Co.	Lubr. and Repairs	2.30
5794	S. Friedman Co.	Pipe	5.15
5795	A. H. Miles	Phones	2.50
5796	Std. Oil Co. of Calif.	Gas, oil, grease, lubr., etc.	126.54
5797	City of Hay., Water Dept.	March-April	1.00
5798	Hay. Feed and Fuel	Gaviota	2.47
5799	Public Util. Calif. Corp.	Metered Service	1.50
5800	P. C. Hansen Lbr. Co.	Tools and Miscl.	7.07
5801	Smith Bros., Inc.	Cards, bands, clamps	2.73
5802	John A. Duffey	Wages	60.50
5803	Joe Baker	Wages	57.75
5804	George Fisher	Wages	57.75
5805	Ivan Best	Wages	57.75
5806	Rex C. Lyndall	Wages	50.00
5807	Roy E. Ramseier	Wages	49.50
5808	H. A. Dennis	Wages	60.50
5809	M. J. Bernardo	Wages	60.50
5810	J. Hamm	Wages	4.50
5811	Wm. McPherson	Wages	49.50
5812	Robt. E. Van Etten	Mileage 3/26-4/8	8.19
5813	J. E. Lateana	Machine & Operator	12.00
5814	Floyde McDaniels	Machine & Operator	12.00

TOTAL

\$865.31

Cash Balance - \$14904.16

Hurdell Perry
Engineer

APPROVED:

Nelson E. Clements

APPROVED:

Charles Julian Hyde

MINUTES OF THE 116TH MEETING OF THE BOARD OF TRUSTEES OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT. 4-24-40. EXHIBIT "B".

ALAMEDA COUNTY
MOSQUITO ABATEMENT DISTRICT
LIST OF BILLS AND WAGES
APRIL 24 1940

<u>DRAFT</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
5815	Smith Brothers, Inc.	Cards	2.12
5816	Carl Salbach	Dahlia 7 Don Fern	4.97
5817	J. E. Lettana	Projector 4/10-4/12	12.00
5818	Bay City Sanitary Bag Co.	Bags	7.47
5819	Harold P. Gray	Postage	25.00
5820	Pacific Gas & Electric Co.	3/8 to 4/9 Miles	1.30
5821	Pacific Gas & Electric Co.	3/13 to 4/10 Hayward	.93
5822	Durant Avenue Garage	Oil	1.35
5823	Harold P. Gray	Salary	500.00
5824	M. A. Prefontaine	Salary	150.00
5825	Robert B. Van Etten	Salary	225.00
5826	Albert H. Miles	Salary	260.00
5827	Roland Bendel	Salary	250.00
5828	L. P. Mapes	Salary	200.00
5829	John A. Duffey	Wages	63.83
5830	Joe Baker	Wages	61.19
5831	George Fisher	Wages	57.75
5832	Ivan Best	Wages	60.50
5833	Hex C. Lyndall	Wages	55.00
5834	H. A. Dennis	Wages	60.50
5835	M. J. Berrardo	Wages	60.50
5836	Wm. McPherson	Wages	51.75
5837	Emma Schneider	Garage Rental - April	10.00
5838	Robert B. Van Etten	Mileage 4/10-4/22	8.09
5839	General Auto Repair Shop	Repairs	13.95
Total			\$2,152.56

Cash Balance \$16,623.30


Engineer

APPROVED: Nelson E. Clements

APPROVED: J. B. Morris

MINUTES OF THE 116TH MEETING OF THE BOARD OF TRUSTEES OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT. 4-24-40. EXHIBIT "C".

THIS INDENTURE, made this _____ day of

_____, 1940 A.D., between

the parties of the first part, and the Alameda County Mosquito Abatement District, the party of the second part;

WITNESSETH, that the said parties of the first part, for and in consideration of the benefits resulting to said parties therefrom and for other valuable considerations, the receipt of which is hereby acknowledged, and the benefits to accrue to the said parties of the first part thereby, do hereby grant and convey to the said party of the second part an easement and right-of-way to construct, operate and maintain a drain ditch and appurtenances in, on, through and/or under the following described properties, together with the right of ingress thereto and egress therefrom at all times for the purpose of inspecting, repairing and maintaining the same, to have and to hold by the party of the second part forever:

A strip of land twenty (20) feet in width, the northerly and westerly boundary line of said strip of land, easement and right-of-way being particularly described as follows:

(2)

Beginning at the point of intersection of the Northeasterly line of the Right of Way of the South Pacific Coast Railroad (Southern Pacific Railroad) with a direct line drawn from a point on the center line of said Railroad Right-of-Way and distant thereon Northwesterly 10.4 feet from the center line of a trestle designated by said Railroad as culvert number 17.35, to the most Northerly corner of Lot K, as delineated and so designated on that certain Map entitled "MAP OF THE VEGETABLE LANDS BELONGING TO THE ESTATE OF WILLIAM ROBERTS, A BANKRUPT, FRANK A. LEACH TRUSTEE. Eden Township, Alameda Co., Cal." etc., and filed in the office of the County Recorder of Alameda County, California October 9, 1906 in Map Book No. 21 at page 64 thereof; said point of beginning being Southwesterly 1446 feet more or less from the point of intersection of said Northeasterly Right-of-Way line with the north line of Lot 11 Section 11 Township 3 South, Range 3 West, M.D.B. & M., as said Lot 11 is so designated on that certain Map entitled "SALE MAP NO. 10 of SALT MARSH AND TIDE LANDS Situate in the COUNTY OF ALAMEDA, STATE OF CALIFORNIA." etc., and filed in the office of the County Recorder of Alameda County, California June 9, 1888 in Map Book No. 17 at page 30 thereof, and running thence Easterly along said direct line drawn to the most northerly corner of said Lot K, to said most Northerly corner of said Lot K; thence Southeasterly along the Northeasterly boundary line of said Lot K, to the most Easterly corner thereof; thence Southeasterly in a direct line to a point on the Southerly boundary line of that certain piece or parcel of land conveyed to Peter Olsen

by deed dated November 23, 1857 and recorded in Liber "G" of Deeds at page 255 thereof, Alameda County Records, and distant thereon 100 feet Easterly from the Southwest corner of said lands of Peter Olsen; thence Easterly along the Southerly boundary line of said lands of Peter Olsen to the Southeast corner thereof, said Southeast corner being also the Southwest corner of that certain piece or parcel of land conveyed to Jane A. Allen and Hannah A. Allen by deed dated September 15, 1908 and recorded in Liber 1592 of Deeds at page 63 thereof, Alameda County Records; thence continuing Easterly along the Southerly boundary line of said lands of Allen, to the Southeast corner thereof, said Southeast corner being on the westerly boundary line of the tract shown on that certain map entitled "MAP OF THE DUNCAN CAMERON TRACT SAN LORENZO ALAMEDA CO., CAL." etc., and filed November 2, 1891 in the office of the County Recorder of Alameda County California in Map Book No. 12 at page 29 thereof; thence continuing Easterly along a line drawn parallel to the Southerly boundary line of lots 9 and 8 as said lots 9 and 8 are delineated and so designated on said MAP OF THE DUNCAN CAMERON TRACT to a point in said lot 8 on the westerly boundary line of that certain piece or parcel of land conveyed to Geneva Pascoe by deed dated May 31, 1929 and recorded in Volume 2116 of Official Records at page 384 thereof, Alameda County Records; thence Northeasterly along a direct line to a point on the Easterly boundary line of said lands formerly owned by Geneva Pascoe and distant thereon 350 feet Southerly from the Northeast corner thereof; thence Northerly along the Easterly boundary line of said lands formerly owned

(4)

by Geneva Pascoe and continuing Northerly along the direct extension thereof, to a point 147 feet Northerly from the point of intersection with the Southerly boundary line of that certain piece or parcel of land conveyed to John Wood dated June 27, 1857 and recorded in Liber "F" of Deeds at page 506 thereof, Alameda County Records; thence Northeasterly a distance of 274.6 feet along a direct line to a point on a line drawn parallel to, and distant 379 feet Northerly (measured at right angles) from the Southerly boundary line of said lands formerly owned by John Wood; thence Easterly along said line so drawn parallel to the Southerly boundary line of said lands formerly owned by John Wood (said line passing 5 feet south of a well enclosed in a 5' x 5' pump house) a distance of 533.7 feet; thence Southeasterly along a direct line drawn to the intersection of the Northerly line of West Avenue 150 or County Road No. 2831 with the Westerly line of Washington Avenue or County Road No. 725, a distance of 287.0 feet; thence easterly 280.8 feet more or less to a point on the Westerly line of Washington Avenue, or County Road No. 725, distant thereon 10 feet Northerly from its point of intersection with the direct extension Westerly of the center line of a concrete culvert under Washington Avenue, or County Road No. 725 and lying 178.8 feet more or less Northerly of the center line of West Avenue 150 or County Road No. 2831; said culvert being designated as number 7.60.

The aforesaid parties of the first part are the owners of record, as of the date of this Indenture, of property upon which the hereinbefore described easement and right-of-way is located and which it traverses.

And the said parties of the first part do hereby give and convey unto the party of the second part, the right, privilege and easement to enter in and upon that certain real property located adjacent to the hereinabove described easement and right-of-way and do any and all acts necessary for purposes of constructing, maintaining and operating said drain ditch and appurtenances, in, through and under said easement and right-of-way.

It is hereby further agreed and understood that the parties of the first part will not hold the party of the second part responsible, or in any way liable for any damages caused in the course of constructing, maintaining and operating said drain ditch and appurtenances thereto, or for water at any time draining therefrom, and will in no event request and/or require the party of the second part to erect and/or construct, and/or maintain, and/or operate, any improvement and/or any object whatsoever in any manner, shape or form, by virtue of the work herein authorized, and/or for any reason whatsoever.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and seals the day and year first above written.

F. Stenzel Farms, Incorporated, by

_____ and _____
Its President Its Secretary

Blank lined page with horizontal ruling lines.

MINUTES OF THE 116TH MEETING OF THE BOARD OF
TRUSTEES OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT
DISTRICT. 4-24-40. EXHIBIT "D".

C O P Y

April 24, 1940

Mr. Al J. Lacosta, Mayor,
City of Emeryville,
1052--43rd Street,
Oakland, California.

Dear Mr. Lacosta:

We most respectfully but earnestly request that the City Council of Emeryville appoint a Trustee of the Alameda County Mosquito Abatement District at the next meeting of the Council, which we understand is to be held this evening.

It is now nearly nine months since the death of your former Trustee, Ralph S. Hawley. During this interim the work of this Board of Trustees has been hampered by lack of a Trustee to succeed Mr. Hawley, particularly in the matter of obtaining quorums.

Please bring this matter before the City Council for immediate action, if possible.

Respectfully yours,

The Board of Trustees of the
Alameda County Mosquito Abatement District

by

Acting Secretary.

MINUTES OF THE 116TH MEETING OF THE BOARD OF
TRUSTEES OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT
DISTRICT. 4-24-40. EXHIBIT "E".

UNIVERSITY OF CALIFORNIA
College of Agriculture
Agricultural Experiment Station

Division of
ENTOMOLOGY AND PARASITOLOGY
Berkeley, California

April 24, 1940

Chairman of the Board of Trustees
Alameda County Mosquito Abatement District

Dear Sirs:

On submission of the accompanying report to the Alameda County Mosquito Abatement District I wish to express my personal gratitude to the Board of Trustees for making this work possible.

The initial stages of the work produced a great number of stimulating problems many of which have been answered, and others which can only be answered after further experimentation.

Thanking you again for your kindness.

Respectfully yours,

(SIGNED) WILLIAM C. REEVES

Research Assistant in Entomology.

Report of Progress in Research on Aedes varipalpus (Coq.)

1. Purpose of the research project

The purpose of this project as outlined at its beginning was to develop a procedure for rearing Aedes varipalpus (Coq.) in the laboratory, and to determine the methods and mechanism of hatching in Aedes eggs.

2. Value of the work

With a ready method developed for rearing this species in quantity under laboratory conditions further experimental work will be greatly facilitated.

- (1) With eggs produced by the laboratory colony it is possible to conduct experiments on ovicides under carefully controlled conditions.
- (2) A knowledge of the factors affecting egg hatching is necessary to explain the phenomenon of egg resistance as observed under field conditions, and such knowledge may ultimately lead to improved methods of mosquito control.
- (3) With laboratory colonies of the mosquito readily available experiments on the transmission of equine encephalomyelitis and other mosquito borne virus diseases may be undertaken either by this laboratory or by other appropriate laboratories to whom eggs may be shipped.

3. Acknowledgment

In April 1939 through the cooperation of the Alameda County Mosquito Abatement District and the Division of Entomology and Parasitology of the University of California it became possible for the writer to undertake this study of the "Pacific Coast tree-hole" mosquito Aedes varipalpus (Coq.). During the period April 10 to June 20, 1939 the work was conducted on an hourly employment basis by the District. During this time a total of 293 hours were devoted to the project. From August 15, to date, the work has been conducted on a Research Assistantship in Entomology the cost of which has been partially covered by a grant of \$300 made by the District to the Regents of the University of California.

4. Species concerned

Aedes varipalpus (Coq.) is the "Pacific Coast tree-hole" mosquito. From all available records, and observations this species appears to be adapted ecologically to an association

with tree-holes. It occurs throughout the Pacific Coast region from southern California northward to British Columbia. In California it is found wherever suitable trees occur for its breeding, and may become numerous and consequently troublesome in many instances. Such instances have occasionally occurred in our own Alameda County District. To date breeding records have been obtained in 15 species of trees, a rockpool, and a barrel. The latter two were beneath trees.

5. Outline of the plan of investigation

- (1) First semester - Development of a system for the establishment of a laboratory colony.
 - (a) Method employed, and source of material
 - (b) Results obtained
- (2) Second semester - Study of factors affecting the hatching of eggs.
 - (a) Observations on hatching
 - (b) Attempt to elucidate experimentally the factors that stimulate hatching

6. The development of a procedure for the establishment of a laboratory colony

- (a) A large number of larvae were collected in the field and brought into the laboratory where they were reared to adults. The adults were released in cages, and 35 inseminated females were isolated singly.

It was found that this mosquito was perfectly adapted to laboratory work as the adults fed, bred, and deposited eggs readily, even when isolated in small glasses. Records were kept of 35 females as regards oviposition and length of life. A maximum production of 327 eggs was observed with a single deposition maximum of 130 eggs. The longest life for a female was 95 days, and for a male 65 days. A piece of oak bark in a container of water was placed in the cage and egg deposition occurred very readily on this receptacle. The eggs were removed daily and transferred to stender dishes with moist celucotton pads in the bottom. Approximately 10,000 eggs were obtained by this method and have been used in the subsequent experiments.

(3)

(b) Results obtained

A developmental period under moist conditions of close to two weeks was found to be necessary before newly deposited eggs were capable of withstanding desiccation. Dissection of eggs during this two weeks period showed that it was the time necessary for larval development to a stage capable of living if released from the egg. Eggs which had been allowed to undergo this period of development were dissected at the end of nine months to determine the number containing living larvae. Of 30 eggs which had been kept in a dry condition 19 contained live larvae and 11 did not (63 per cent viable). Of 45 eggs kept under moist conditions 43 contained live larvae; two did not (95 per cent viable). Only a small percentage of the eggs may survive eleven months under dry conditions; however, it should be pointed out that in nature it is rare for eggs to be deposited in tree-holes and pass an eleven months' period without being moistened. The length of time during which these eggs will remain viable is a matter which can only be answered after further experimentation.

From this brief outline of the method employed in establishing a laboratory colony of Aedes varipalpus it is readily seen that the mosquito lends itself to this work, and a means of obtaining eggs for laboratory work has been successfully developed.

7. Study of factors affecting the hatching of eggs

Several workers have experimented with the factors affecting the hatching of Aedes mosquito eggs. Reports of this work are widely scattered in the literature and are difficult to find. Various chemicals have been successfully employed in breaking the diapause of dormant eggs. It has also been found that successive chilling and warming of eggs causes some emergence. A few workers have advanced theories supporting the idea that bacteria may be effective in causing the hatching of Aedes eggs. It was the desire of the author to determine what factors affect egg hatching in nature and to attempt to elucidate these factors by experimentation in the laboratory.

(a) Observations on hatching

It has been noted that tree-holes generally contain larvae of only one instar indicating that the larvae emerged more or less simultaneously from their eggs. Whether this was due to the eggs hatching immediately on wetting, or to some other stimulating factor, needed to be determined by laboratory experimentation.

The eggs used in these experiments were those obtained from the laboratory colony and kept for ten months on moist celucotton pads in sealed stender dishes. It was obvious from these experiments that in the case of Aedes varipalpus alternate wetting and drying of the eggs was not necessary to condition the eggs for hatching.

Eggs were submerged in distilled water and no larvae emerged. A piece of oak bark was added to distilled water. In two hours the bark was removed and the water added to eggs. No immediate emergence occurred, but after 24 hours 50 percent of the eggs hatched. As the bark had been removed after two hours no increase in concentration of solutes had occurred. A microscopic examination of the water revealed that it was teeming with bacteria. The possibility that bacteria might exercise a stimulating force on the eggs was obvious.

A suspension was made of dead brewers' yeast, which contains all the requisites for larval mosquito nourishment, and this suspension was added to eggs. The same phenomenon occurred as in the preceding case. Hatching did not occur until an incubation period of close to 24 hours had passed, and during this time the suspension became heavily contaminated with bacteria.

- (b) Attempt to elucidate experimentally the factors which stimulate hatching
 In the early experiments eggs were taken from stender dishes and used without sterilization. In later work it became obvious that sterilization of the eggs was necessary. The disinfectant employed was one of those commonly used in the disinfection of insect eggs, namely of mercuric chloride 0.25 g., alcohol 250 cc., sodium chloride 6.5 g., and water 750 cc. To date 450 eggs have been sterilized and only 14 larvae have emerged as a result of the disinfection process, probably due to the chemical shock of the disinfectant. After sterilization each group of 10 eggs was stored in 5 cc. of sterile water until time to be used. Hatching has not occurred under these sterile conditions, except in those few cases referred to above.

(1) Possibility of bacterial metabolic products acting as the stimulating factor

- (a) Filtrations through neutral one percent acetic collodion membranes (after Krueger and Ritter) were made of the following egg-hatching cultures:
- 1) bacterial culture in a suspension of dead brewers' yeast (40 percent hatch in 20 minutes)
 - 2) bacterial culture in tree-hole water (20 percent hatch in 20 minutes)
 - 3) pure culture of bakers' yeast in beef broth (60 percent hatch in 20 minutes); and
 - 4) 24 hour culture of E. coli (60 percent hatch in 20 minutes). The filtrates were added to eggs and in no case did a hatch occur within one hour.

In the early experiments on filtrations, sterility of the filtrates broke down within 24 hours due to bacterial contaminants carried on the eggs. The results obtained within the first hour, however, were significant because of insufficient time for

(6)

bacterial increase in the filtrates.

Later experiments in which sterilized eggs were used gave no hatch in sterile filtrates of Escherichia coli cultures within four days, while the original culture gave 100 percent hatch within 24 hours.

(b) Dialysis, using cellophane bags which allow diffusion of solutions but withhold bacteria.

This experiment was designed to determine if hatching was possible when bacterial cultures were in close association with eggs, yet actual contact of the eggs with the bacteria was not possible. The cellophane bag containing a culture was suspended in the sterile medium containing eggs. Only the metabolic products and small molecular weight substances from the culture could freely diffuse into the sterile medium containing the eggs, as the bacteria were confined in the bag.

Using a 24 hour culture of Escherichia coli in the dialysis bag a hatch of 20 percent in 45 minutes and 80 percent in 24 hours was obtained; however, when the dialysate medium containing the hatched eggs was aseptically removed and added to other sterile eggs, no hatch occurred (discounting a disinfectant shock hatch of 20 percent or less between one and 24 hours, which occurred on three occasions).

This experiment has been repeated six times with the same results on each occasion. In no case has the sterile dialysate medium on addition to eggs given a hatch such as occurs when the culture is present.

In another experiment a 24 hour culture of Escherichia coli was allowed to dialyze into sterile water for 24 hours. At the end of this period the bag was removed and immersed in a tube containing sterile eggs. Eggs were also added to the first tube containing the products of 24 hours of dialysis. In the tube no longer containing the culture no hatch occurred. In the tube to which the bag was added a 70 percent hatch occurred in 24 hours.

(2) Need for living bacteria

An experiment testing the need for living bacteria to produce a hatching of eggs was made by heating a 24 hour culture of Escherichia coli to 65 degrees Centigrade for 10 minutes. This temperature is sufficient to kill all the bacteria. When the dead suspension was added to eggs no hatch ensued, although checks using living broth cultures of E. coli gave 60 to 80 percent hatch.

Conclusions

From these experiments it may be seen that bacteria exert a stimulating influence on the dormant eggs of Aedes variipalpus.

Living bacteria appear to be necessary to stimulate hatching.

Actual contact with the eggs by the bacteria does not seem to be a necessity, yet the metabolic products of the bacteria in the media are not the stimulating factor.

The nature of the stimulating factor can only be determined by further experimental work.

Submitted by William C. Reeves
Research Assistant in Entomology
April 24, 1940.

AMICARELLA known to me to be the person described in and whose name subscribed to the within instrument, and he acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

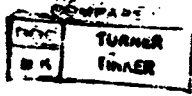
Louise A. Rubino, Notary Public

(Notarial Seal) In and for said County of Alameda, State of California.

LOUISE A. RUBINO, NOTARY PUBLIC ALAMEDA CO., C.L. Eureka

Recorded at Request of Vendee at 2 min past 4 P.M. NOV 23 1940

MM 64182 1.00 6 Folios



W.L. Mitchener
COUNTY RECORDER

Copied Dec. 13, 1940 Noyes Alexander

NOTICE OF SALE OF STOCK IN TRADE

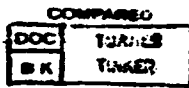
NOTICE IS HEREBY GIVEN: THAT I, MABLE ADKINS, whose address and place of business is No. 802 & 804 -16th Street, City of Oakland, Alameda County, State of California, owner of the stock of goods, to-wit: Stock of Groceries, liquors and fixtures now in the Store Building and known as the ADKINS GROCERY, in the City of Oakland, County of Alameda, State of California. now at the said place of business, intends and is about to sell the said stock of goods at private sale to JOHN DEZZANI, whose address is 4137 Whittle Street, Oakland, California, and that the purchase price of the said stock in trade is to be paid on the 6th day of December 1940, at the hour of 10 A.M. at the office of W.L. MITCHENER 612-14th, Street, Oakland, California.

Dated at Oakland, this 28th, day of November, 1940.

Mable Adkins (Seal)

Recorded at Request of Vendee at 13 min past 4 P.M. NOV 28 1940

MM 64183 1.00 3 Folios



W.L. Mitchener
COUNTY RECORDER

Copied Dec. 13, 1940 Noyes Alexander

THIS INDENTURE, made this 15th day of November, 1940, A.D. between F. Stenzel Farms, a corporation; James P. Buckley and Rose M. Buckley, his wife; Norah Sullivan, a widow, Frank Faria and Velma Faria, his wife; Manuel Faria and Olinda L. Faria, his wife, M.R. Lawrence and Mary A. Lawrence, his wife; Maria A. Braga and Antone J. Braga, her husband; Thomas H. Wheadon and Margaret K. Wheadon, his wife; John H. Prevette and Mable F. Prevette, his wife; Anthony A. Lewis, a single man; Mary Costa, a widow, Minnie R. Cordeiro; Amador Amores and Ana Amores, his wife; Catharine E. Foley; J.H. Gansberger and Margaret T. Gansberger, his wife; Laura W. Gansberger, a widow; Bay E. Gianetta; Kate Mitchell, a widow, and Clara Herrscher, the parties of the first part, and the Alameda County Mosquito Abatement District, the party of the second part:

WITNESSETH, that the said parties of the first part, for and in consideration of the benefits resulting to said parties therefrom and for other valuable considerations, the receipt of which is hereby acknowledged, and the benefits to accrue to the said parties of the first part thereby, do hereby grant and convey to the said party of the second part, an easement and right-of-way to construct, operate and maintain a drain ditch and appurtenances in, on, through and/or under the following described properties, together with the right of ingress thereto and egress therefrom at all times for the purpose of inspecting, repairing and maintaining the same, to have and to hold by the party of the second part forever:

A strip of land twenty (20) feet in width, the northerly and westerly boundary line of said strip of land, easement and right of way being particularly described as follows:

Beginning at the point of intersection of the northeasterly line of the right of way of the South Pacific Coast Railroad (Southern Pacific Railroad) with a direct line drawn from a point on the center line of said Railroad Right of Way and distant thereon northwesterly 10.4 feet from the center line of a trestle designated by said Railroad as culvert number 17.35, to the most northerly corner of Lot K, as delineated and so designated on that certain Map entitled, "MAP OF THE VEGETABLE LANDS BELONGING TO THE ESTATE OF WILLIAM ROBERTS, A BANKRUPT, FRANK A. LEACH TRUSTEE. Eden Township, Alameda Co., Cal." etc., and filed in the office of the County Recorder of Alameda County, California, October 9, 1906, in Map Book No. 21, at page 64, thereof; said point of beginning being southwesterly 1446 feet more or less from the point of intersection of said northeasterly right-of-way line with the north line of Lot 11 Section 11 Township 3, South, Range 3 West, N.D.B & K., as said Lot 11 is so designated on that certain Map entitled "SALE MAP NO. 10 OF SALT MARSH AND TIDE LANDS situate in the County of Alameda, State of California" etc., and filed in the office of the County Recorder of Alameda County, California June 9, 1888 in Map Book No. 17, at page 30, thereof, and running thence easterly along said direct line drawn to the most northerly corner of said Lot K, to said most northerly corner of said Lot K; thence southeasterly along the northeasterly boundary line of said Lot K, to the most easterly corner thereof; thence southeasterly in a direct line to a point on the southerly boundary line of that certain piece or parcel of land conveyed to Peter Olsen by deed dated November 23, 1857 and recorded in Liber "G" of Deeds at page 255 thereof, Alameda County Records, and distant thereon 100 feet easterly from the southwest corner of said lands of Peter Olsen; thence easterly along the southerly boundary line of said lands of Peter Olsen, to the southeast corner thereof, said southeast corner being also the southwest corner of that certain piece or parcel of land conveyed to Jane A. Allen and Hannah A. Allen, by deed dated September 15, 1882, and recorded in Liber 1592 of Deeds at page 63 thereof, Alameda County Records; thence continuing easterly along the southerly boundary line of said lands of Allen to the southeast corner thereof, said southeast corner being on the westerly boundary line of the tract shown on that certain map entitled, "MAP OF THE VEGETABLE LANDS BELONGING TO THE ESTATE OF WILLIAM ROBERTS, A BANKRUPT, FRANK A. LEACH TRUSTEE. Eden Township, Alameda Co., Cal." etc.

3991
P. 199

etc., and filed November 2, 1891, in the office of the County Recorder of Alameda County, California in Map Book No. 12 at page 29 thereof; thence continuing easterly along a line drawn parallel to the southerly boundary line of lots 9 and 8 as said lots 9 and 8 are delineated and so designated on said Map of the Duncan Cameron Tract to a point in said lot 8 on the westerly boundary line of that certain piece or parcel of land conveyed to Geneva Pascoe by deed dated May 31, 1929 and recorded in Volume 2116 of Official Records at page 384 thereof, Alameda County Records; thence northeasterly along a direct line to a point on the easterly boundary line of said lands formerly owned by Geneva Pascoe and distant thereon 350 feet southerly from the northeast corner thereof; thence northerly along the easterly boundary line of said lands formerly owned by Geneva Pascoe and continuing northerly along the direct extension thereof, to a point 147 feet northerly from the point of intersection with the southerly boundary line of that certain piece or parcel of land conveyed to John Woods dated June 27, 1857, and recorded in Liber "F" of Deeds at page 506 thereof, Alameda County Records; thence northeasterly a distance of 274.6 feet along a direct line to a point on a line drawn parallel to, and distant 379 feet northerly

(measured at right angles) from the southerly boundary line of said lands formerly owned by John Wood; thence

easterly along said line so drawn parallel to the southern boundary line of said lands formerly owned by JOHN WOOD (said line passing 5 feet south of a well enclosed in a 5' x 5' pump house) a distance of 533.7 feet; thence southeasterly along a direct line drawn to the intersection of the northerly line of West Avenue 150 or County Road No. 2831 with the

westerly line of Washington Avenue or County Road No. 725, a distance of 2870 feet; thence easterly 230.8 feet, more or less to a point on the westerly line of Washington Avenue, or County Road No. 725, distant thereon 10 feet northerly from its point of intersection with the direct extension westerly of the center line of concrete culvert under Washington Avenue or County Road No. 725, and lying 178.8 feet, more or less northerly of the center line of West Avenue 150 or County Road No. 2831, said culvert being designated as Number 7.60

The aforesaid parties of the first part are the owners of record as of the date of this deed of property upon which the hereinbefore described easement and right of way is located and which it traverses.

And the said parties of the first part do hereby give and convey unto the party of the second part, the right, privilege and easement to enter in and upon that certain real property located adjacent to the hereinabove described easement and right of way and do any and all acts necessary for purposes of constructing, maintaining and operating said drain ditch and appurtenances, in, through and under said easement and right of way.

It is hereby further agreed and understood that the parties of the first part will not hold the party of the second part responsible, or in any way liable for any damages caused in the course of constructing, maintaining and operating said drain ditch and appurtenances thereto, or for water at any time draining therefrom, and will in no event request and/or require the party of the second part to erect and/or construct and/or maintain, and/or operate, any improvement and/or any object whatsoever in any manner, shape or form, by virtue of the work herein authorized, and/or for any reason whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

P. Stenzel Farms, Incorporated, by Mary Stenzel Its President and R. Stenzel, Its Secretary.

Salt water is to be kept out by placing an automatic shut off culvert.

(Corporate Seal)
P. STENZEL FARMS, CALIFORNIA INCORPORATED FEB. 19, 1926

STATE OF CALIFORNIA)

COUNTY OF ALAMEDA) SS. On this 27th day of November in the year One Thousand Nine Hundred and forty, before me, WM. MATHEWS a Notary Public in and for the County of Alameda, State of California, residing therein, duly commissioned and sworn, personally appeared MARY STENZEL known to me to be the President and R. Stenzel known to me to be the Secretary of the Corporation that executed the within instrument and the officers who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Wm. Mathews, Notary Public

(Notarial Seal) In and for said County of Alameda, State of California.

WM. MATHEWS, NOTARY PUBLIC ALAMEDA COUNTY, SAN LEANDRO, CALIFORNIA. Eureka

My commission expires Sept. 27, 1943.

James P. Buckley, Sig. witness Geo. A. Janssen Catherine E. Foley sig. witness Geo. A. Janssen
Rose A. Buckley, sig. witness Geo. A. Janssen J. H. Gansberger, sig. witness Geo. A. Janssen
Norah Sullivan Sig. witness Geo. A. Janssen Margaret T. Gansberger, sig. witness Geo. A. Janssen
Frank Faria Sig. witness Geo. A. Janssen Laura J. Gansberger, sig. witness Geo. A. Janssen
Valma Faria sig. witness Geo. A. Janssen Bay E. Bianetta sig. witness Geo. A. Janssen
Olinda L. Faria sig. wit. Geo. A. Janssen Kate Mitchell, sig. witness Geo. A. Janssen
Manuel Faria sig witness Geo. A. Janssen Clara Herrscher, by Edward E. Herrscher her attorney
Mary A. Lawrence sig witness Geo. A. Janssen in fact.
M.R. Lawrence sig witness Geo. A. Janssen Maria A. Braga witness Geo. A. Janssen
Antone J. Braga: Antone Braga witness by Geo. A. Janssen, Antone Braga witness by Edward E. T. Gonsalves.
Thomas E. Whendon sig witness Geo. A. Janssen Margaret E. Whendon sig witness Geo. A. Janssen
John H. Prevette sig witness Geo. A. Janssen Mable F. Prevette sig witness Geo. A. Janssen
Anthony A. Lewis sig witness Geo. A. Janssen Mary Costa sig witness Geo. A. Janssen
Minnie R. Cordeiro sig witness Geo. A. Janssen Amador Amores sig witness Geo. A. Janssen
Ana Amores sig witness Geo. A. Janssen.

The undersigned, Alameda Homes Company, a corporation, hereby certifies that it is the owner of all the lands delineated and embodied within the blue lines upon the herein embodied final map entitled "Tract 819, Eden Township, Alameda County, California" consisting of three (3) sheets, numbered Sheet No. 1, Sheet No. 2 and Sheet No. 3 respectively, this certificate being on Sheet No. 1 thereof; that it has caused said map to be prepared for record and consents to the preparation and recordation of said map; that said map particularly sets forth and describes the lots intended for sale by number and their precise length and width; that said map particularly sets forth and describes all parcels of ground reserved for public purposes by boundaries, courses and extent; that all said parcels of ground so reserved for public purposes are intended for the uses and purposes of public highways and are designated as follows: West Avenue 150, West Avenue 152, Fleming Street, Norton Street, Endicott Street, Crosby Street, Swerisan Street, Alexandria Street, Grenda Street, Kesterson Street, Beatrice Street and Swenson Court.

And the undersigned, Alameda Homes Company, a corporation, hereby dedicates to the public forever, the right to construct and maintain a storm sewer or drainage ditches and sanitary sewers upon, in or under those strips of land shown upon said map and marked "Drainage Easement" and "Sanitary Sewer Easement" thereon and embraced within the blue lines upon said map; and the right to enter upon said strips of land for the purpose of constructing, maintaining, reconstructing or repairing said storm sewer or sanitary sewer sewers with their appurtenances and drainage ditches. This dedication is subject to Easement of Alameda County Mosquito Abatement District, a public agency.

ALAMEDA HOMES COMPANY,
a Corporation

James Whiteside
President

By *Mary Louise Whiteside*
Secretary

TRACT 819

EDEN TOWNSHIP

ALAMEDA COUNTY, CALIFORNIA

IN UNINCORPORATED TERRITORY IN THE COUNTY OF ALAMEDA

L. CEDRIC MACABEE CIVIL ENGINEER

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } s.s.

I, G.E. Wade, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Alameda, State of California, do hereby certify that the herein embodied map entitled "Tract 819 Eden Township, Alameda County, California", consisting of three (3) sheets, numbered Sheet No. 1, Sheet No. 2 and Sheet No. 3 respectively, certify that a bond in the sum of \$650.00 with sufficient surety as is required by law was duly executed and filed with said Board, the terms of which were made to inure to the benefit of the County of Alameda, State of California, and conditional upon the payment of all state, county, municipal and local taxes and special assessments collected as taxes which at the time said map is recorded are a lien against said property or any part thereof, but not yet payable, and was duly approved by the said Board in the said amount and surety thereon.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of JULY 1947

G. E. Wade
County Clerk and Ex-officio Clerk,
County of Alameda, State of California

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } s.s.

I, G.E. Wade, County Clerk and Ex-officio Clerk of the Board of Supervisors of the County of Alameda, State of California, do hereby certify that the herein embodied map entitled "Tract No. 819, Eden Township, Alameda County, California", consisting of three (3) sheets, numbered Sheet No. 1, Sheet No. 2 and Sheet No. 3 respectively, this certificate being on Sheet No. 1 thereof, was presented to said Board of Supervisors as provided by law, at a regular meeting thereof held on the 1st day of JULY 1947, and that said Board of Supervisors did thereupon, by Resolution No. 4553, duly passed and adopted at said meeting, approve said map and on behalf of the public accepted all parcels of ground and rejected all strips marked "Drainage and Sanitary Sewer Easements"; as offered for dedication to public use in conformity with the terms of the offer of dedication.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of JULY 1947

G. E. Wade
County Clerk and ex-officio Clerk of the Board of Supervisors, County of Alameda, State of California

I hereby certify that the subdivision shown hereon is made from a true and complete survey made under my direction in April 1947; that the monuments will be of the nature and in the locations shown on the map, and that said monuments will be set on or before July 1, 1948.

Tract 819, Eden Township, Alameda County, California is a re-subdivision of lots 3, 4 and 5 as said lots are shown on the map of the Duncan Cameron Tract, San Lorenzo, Alameda County, California, filed November 2, 1891 in Book 12 of Maps, at page 23 in the office of the County Recorder of Alameda County and is a subdivision into lots of a portion of that certain parcel of land described in the deed from John Henry Gansberger et al, dated April 27th, 1938 and recorded April 30th, 1938 in Book 3637 of Official Records at Page 60 and by decree dated October 8, 1941 and recorded October 8, 1941 in Book 4140 of Official Records of Alameda County at Page 128

L. Cedric Macabee
Registered Civil Engineer in the
State of California. Certificate No. 5510

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } s.s.

On this 30th day of June 1947, before me, F. R. Sharp, a Notary Public in and for said County of Alameda, State of California, residing therein, duly commissioned and sworn, personally appeared James A. Whiteside known to me to be the President and Mary Louise Whiteside, known to me to be the Secretary of Alameda Homes Company, the corporation that executed the above certificate, on behalf of Alameda Homes Company, a corporation, and they acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal
F. R. Sharp
Notary Public in and for said County and State

My commission expires April 20, 1949

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } s.s.

I, Wallace B. Boggs, County Surveyor of the County of Alameda, State of California, do certify that I have examined the herein embodied map entitled "Tract No. 819, Eden Township, Alameda County, California" consisting of three (3) sheets, numbered Sheet No. 1, Sheet No. 2 and Sheet No. 3 respectively, this certificate being on Sheet No. 1 thereof; that the subdivision as shown upon said map is substantially the same as said subdivision appeared on the tentative map and any approved alterations thereof; that all provisions of Chapters 128 and 668 of the Statutes of 1943 of the State of California and of any local ordinance applicable at the time of approval of the tentative map have been complied with and I am satisfied that said map is technically correct.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of JULY, 1947.

Wallace B. Boggs
County Surveyor of Alameda County,
State of California

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } s.s.

I, Thomas W. Fitzsimmons, County Recorder of the County of Alameda, State of California, do hereby certify that I have examined the herein embodied final map entitled "Tract No. 819, Eden Township, Alameda County, California", consisting of three (3) sheets numbered Sheet No. 1, Sheet No. 2 and Sheet No. 3 respectively, this certificate being upon Sheet No. 1 thereof; and evidence presented by the subdivider as per letter of title made by Alameda East Bay Title Insurance Company, relative to consent to the recordation thereof; and after such examination, I deem that the map complies in all respects with the provisions of Chapters 128 and 668 Statutes of 1943, known as "Subdivision Map Act", and subdivision regulations appearing of record, in my office adopted pursuant thereto, and I hereby accept said map for recordation.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of July 1947

Thomas W. Fitzsimmons
County Recorder in and for the County of Alameda,
State of California

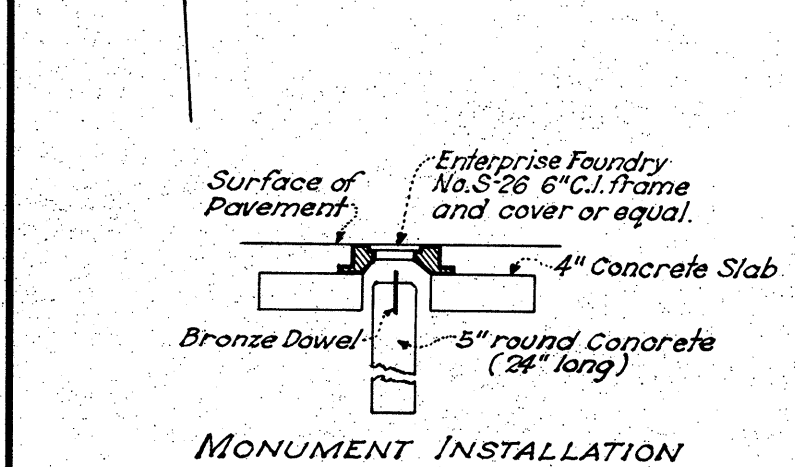
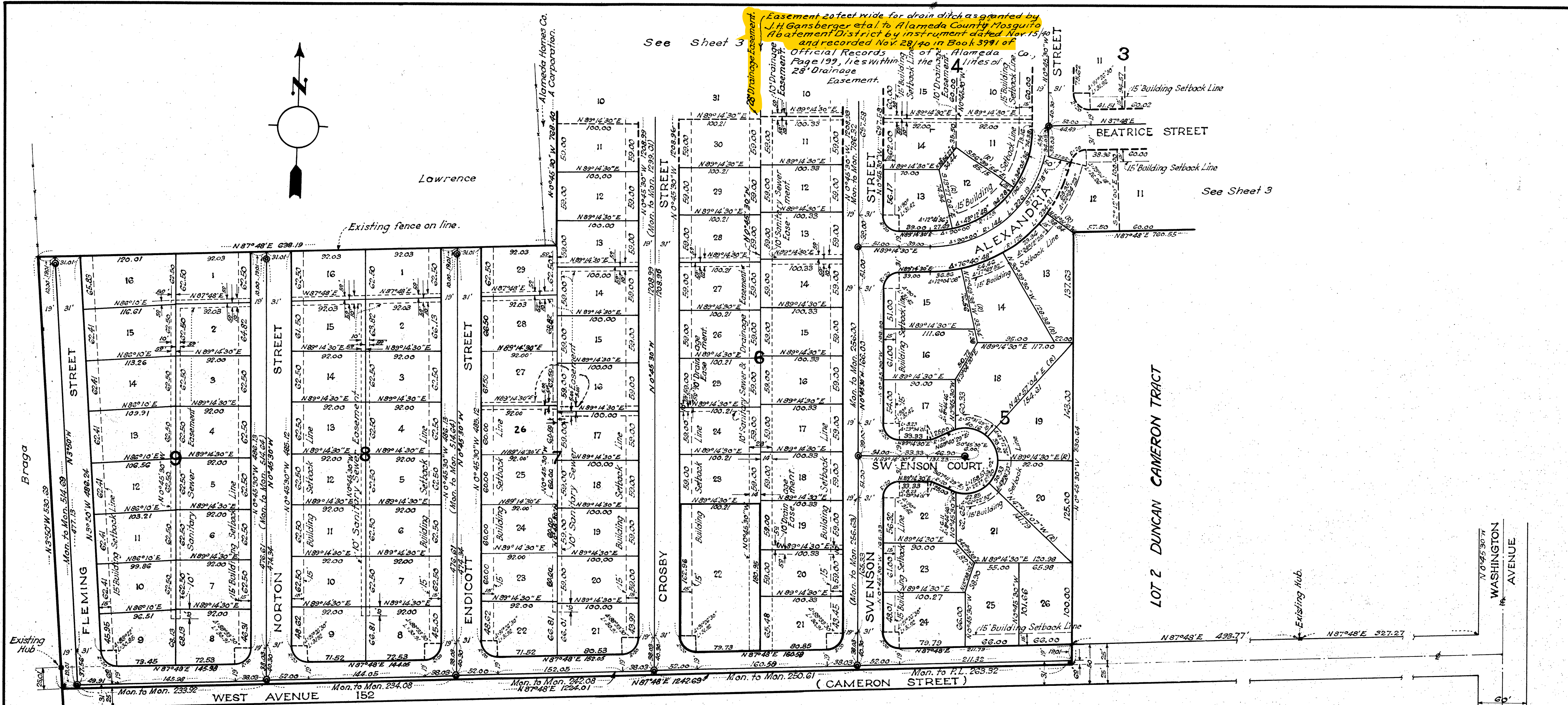
By *T. C. Shalloway*
Deputy County Recorder

Filed at the request of Alameda County-East Bay Title Insurance Co.
2 P. M. on the 3 day of July, 1947, in the office of the County Recorder of the County of Alameda, State of California.

Thomas W. Fitzsimmons
County Recorder in and for
the County of Alameda,
State of California

By *P. C. Libman*
Deputy County Recorder

Sheet 1 of 3 Sheets



TRACT 819

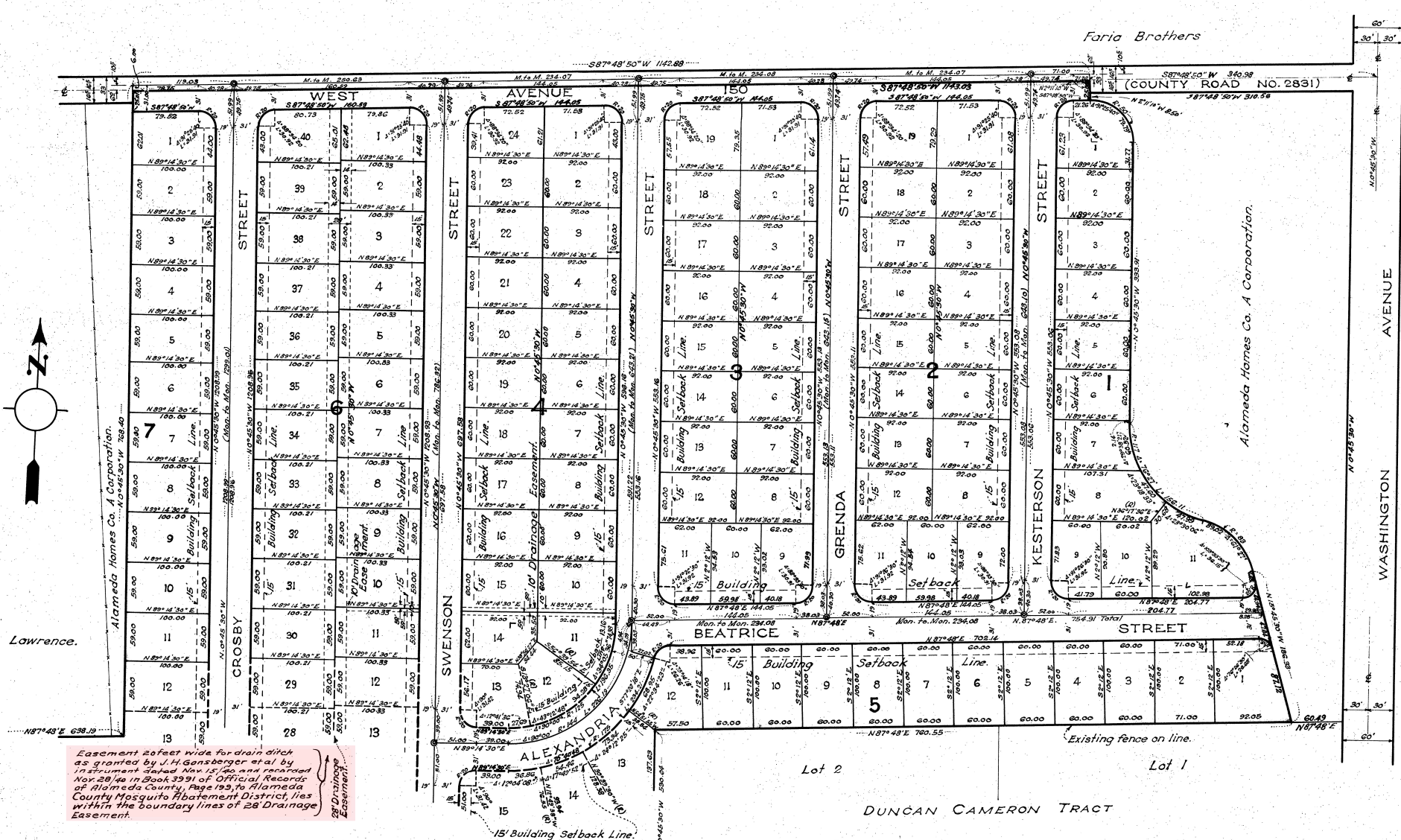
EDEN TOWNSHIP,
ALAMEDA COUNTY, CALIFORNIA
IN UNINCORPORATED TERRITORY IN THE COUNTY OF ALAMEDA

SCALE 1" = 80' APRIL, 1947
L. CEDRIC MACABEE CIVIL ENGINEER

Basis of Bearings: The basis of bearings is taken from the Duncan Cameron Tract using West Avenue 152 as N.87°48'E.

Sheet 2 of 3 Sheets

819
②



Easement 20feet wide for drain ditch as granted by J.H. Gonsberger et al by instrument dated Nov 15, 1900 and recorded Nov 29, 1900 in Book 33991 of Official Records of Alameda County, Page 193, to Alameda County Mosquito Abatement District, lies within the boundary lines of 28 Drainage Easement.

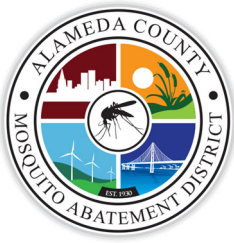
See Sheet 2

TRACT 819

EDEN TOWNSHIP,
ALAMEDA COUNTY, CALIFORNIA
IN UNINCORPORATED TERRITORY IN THE COUNTY OF ALAMEDA

SCALE 1" = 80' APRIL, 1947
L. CEDRIC MACABEE CIVIL ENGINEER

Sheet 3 of 3 Sheets



23187 Connecticut Street
Hayward, CA 94545

T: (510) 783-7744
F: (510) 783-3903

acmad@mosquitoes.org

2022: Proposed Policy Changes:

Update Accounting Associate to Financial & HR Specialist found in the following four sections

- Appendix-1
- 216.2
- 301.1.2
- 309.8.2

Board of Trustees

President

Subru Bhat

Union City

Vice-President

Victor Aguilar

San Leandro

Secretary

Cathy Roache

County at Large

Tyler Savage

Alameda

Preston Jordan

Albany

P. Robert Beatty

Berkeley

Shawn Kumagai

Dublin

George Young

Fremont

Courtney Welch

Emeryville

Elisa Márquez

Hayward

Steven Cox

Livermore

Jan O. Washburn

Oakland

Eric Hentschke

Newark

Hope Salzer

Piedmont

Julie Testa

Pleasanton

Ryan Clausnitzer

General Manager

Update the following section to follow practice

301.5.5 Employees are expected to arrive at work at their regularly scheduled reporting time as outlined in policy section 702.3.

(a) If an unforeseen delay results in arriving at work 15 minutes ~~or less~~ past the regularly scheduled reporting time, the employee is expected to contact their supervisor and either make that time up at the end of the work shift, or request time off.

~~(b) If an unforeseen delay results in arriving at work more than 15 minutes past the regular reporting time, the period of absence is to be charged to the employee's accrued vacation balance or compensatory time off.~~

Add clarification language on leave accruals:

303.1.3 On July 1st of each calendar year, the District will provide full-time employees one annual floating holiday with no rollover nor cash-out option upon separation.

303.16 Administrative Leave

303.16.1 Exempt employees will be given 40 hours of administrative leave annually on July 1 with no rollover nor cash-out option upon separation.

**APPENDIX 100-1
CONFLICT OF INTEREST CODE, DESIGNATED POSITIONS
AND DISCLOSURE STATEMENTS**

Designated Position. The positions listed below include those persons who are deemed to make, or participate in the making of, decisions that may foreseeably have a material effect on any financial interest. The persons holding the designated positions listed shall disclose interests and investments in accordance with the corresponding disclosure categories, which are defined below.

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Board of Trustees	1, 2, 3 & 4
General Manager	1, 2, 3 & 4
Financial & HR Specialist Accounting Associate/Office Administrator	1, 2, 3 & 4
Field Operations Supervisor	1, 2, 3 & 4
Lab Director	1, 2, 3 & 4
Mechanic Specialist	1, 2, 3 & 4
Regulatory & Public Affairs Director	1, 2, 3 & 4
IT Director	1, 2, 3 & 4
*Consultants	

Disclosure Categories

1. A designated official or employee assigned to Category 1 is required to disclose direct or indirect investments in any business entity that may be affected materially by any decision made or participated in by the designated official or employee by virtue of his/her position.
2. A designated official or employee assigned to Category 2 is required to disclose interests in real property, which is located in whole or in part either within the boundaries of the District, or within two miles of the boundaries of the District, that may be affected materially by any decision made or participated in by the designated official or employee by virtue of his/her position.
3. A designated official or employee assigned to Category 3 is required to disclose any source of income that may be affected materially by any decision made or participated in by the designated official or employee by virtue of his/her position.
4. A designated official or employee assigned to Category 4 is required to disclose any business entity in which the designated official or employee is a director, officer, partner, Trustee, employee, or holds any position of management that may be affected

- 214.2 Access to Electronically Stored Accounting Data. It is the policy of the District to utilize passwords to restrict access to accounting software and data. Only duly authorized accounting personnel with data input responsibilities will be assigned passwords that allow access to the system.
- 214.3 Storage of Backup Files. It is the policy of the District to maintain back-up copies of electronic data files. Access to back-up files shall be limited to individuals authorized by management.
- 214.4 General Office Security. During normal business hours, all visitors are required to check in at the front counter. After hours, a key and security passcode are required for access to the District's office. Keys are issued only to employees (and janitorial services).

Section 215. Financial Transactions

- 215.1 Warrant Authorization Signers. Warrant Requests require two signatures from the following group: Board Members and the General Manager or their designee.
- 215.2 Electronic Funds Transfers. The General Manager is authorized to transfer funds between reserve accounts, the general fund, and any vendors where electronic payments are a more efficient process. The General Manager will get pre-approval via the warrant authorization process in the previous section.
- 215.3 Cash Receipts. When miscellaneous checks come in the mail, staff will prepare a deposit form and mail to the general fund with the check. The District keeps a copy of the check for records. All revenue shall be entered in the ledger.
- 215.4 Bank and Cash Account Reconciliations. Reserve accounts and VCJPA statements shall be reconciled once a year at the end of the year. The general fund cash general ledger detail is reconciled as soon as it is received. The Payroll imprest account is reconciled monthly.

Section 216. Liabilities and Assets

- 216.1 Pension Liability. The District's retirement fund shall be at least 80% funded.
- 216.2 Capital Assets. The ~~Financial & HR Specialist Accounting Associate~~ maintains a capital depreciation schedule. Items valued over \$5000 are placed on the depreciation schedule. Disposal or sale of capital assets on this schedule must have Board approval.

CHAPTER 300. SALARIES AND WORKING CONDITIONS OF EMPLOYEES

Section 301. Salaries

301.1 Compensation Plan

301.1.1 The District has developed a compensation plan that is intended to achieve and support the following goals and objectives:

- (a) The plan enables the District to recruit and retain highly qualified employees;
- (b) The plan provides equitable salaries within a structure where positions are paid in appropriate relationship to each other in the organization and comparable agencies;
- (c) The plan recognizes employee performance and motivates employees to improve their level of performance on the job; and
- (d) The plan is flexible in administration.

301.1.2 Salaries, benefits, and working conditions are subject to the meet and confer process with recognized employee bargaining units. In establishing a framework for review of compensation, the District takes into account compensation in place in Alameda County as well as adjacent mosquito abatement districts, unless otherwise modified through the bargaining process.

301.1.3 The compensation of the General Manager shall be considered independently of other District positions.

301.2 Salary Steps

301.2.1 Entry-level field personnel shall be hired at the position of Assistant Mosquito Control Technician or Assistant Vector Scientist for a minimum of six months and until certification as a Vector Control Technician is received, at which time they shall advance to the position of Mosquito Control Technician or Associate Vector Scientist. The salary for the position of Assistant Mosquito Control Technician and Assistant Vector Scientist is approximately 5% below step 1 of Mosquito Control Technician and Associate Vector Scientist respectively.

301.2.2 The positions of Mosquito Control Technician, Associate Vector Scientist, ~~Accounting Associate~~ Financial & HR Specialist, Public Outreach Coordinator, Lab Director, and Field Operations Supervisor

301.4.6 Compensation for holidays will not change when an employee is assigned to an alternate work schedule. Employees normally receive eight hours of holiday pay when assigned to a standard 40 hour per week work schedule. Under the alternate work schedule option, an employee will continue to receive eight hours of holiday pay. If the holiday falls on a day when the employee is scheduled to work more than eight hours, the employee may use their accrued compensatory time off time or vacation time to make up the difference. If the holiday falls on a day when the employee is not scheduled to work, the eight hours will be added to the employee's accrued time off.

301.5 Working Hours

301.5.1 Established hours of District operation are between 7 a.m. and 5:30 p.m., Monday through Friday. Reporting times, defined as the time when employees are expected to be present and ready to start work, may vary based on the specific job requirements. The supervisor will establish the reporting times for each group of employees.

301.5.2 Employees must be present at their job during the "core hours" of 8 a.m. to 11 a.m. and 1:30 p.m. to 3:30 p.m., unless their supervisor and/or the General Manager modifies those hours. For employees approved to use an alternate work schedule, the employee and the employee's supervisor will establish the work hours for the employee based on established guidelines and as determined by the supervisor and General Manager.

301.5.3 Each employee is provided a 30-minute unpaid meal period on any workday the employee works longer than six hours.

301.5.4 Employees are entitled to take one 10-minute rest period for every four hours of work. Rest periods may not be combined with the 30-minute meal period or be used to arrive late to work or leave work early.

301.5.5 Employees are expected to arrive at work at their regularly scheduled reporting time as outlined in section 702.3.

(a) If an unforeseen delay results in arriving at work 15 minutes ~~or less~~ past the ~~regularly scheduled~~regularly scheduled reporting time, the employee is expected to contact their supervisor and either make that time up ~~at the end of the work shift or request time off~~.

~~(b) If an unforeseen delay results in arriving at work more than 15 minutes past the regular reporting time, the period of absence is to be charged to the employee's accrued vacation balance or compensatory time off.~~

301.6 Overtime

employee or others. The General Manager will inform the applicant or employee of their decision as to reasonable accommodation(s) in writing.

- (g) Periodic evaluation of the accommodation will be conducted and the continuance of the accommodation is not guaranteed. An accommodation may be modified or ended at any time with notice.

Section 303. Leaves

303.1 Holidays

303.1.1 The District shall provide full-time employees time off with pay for the following recognized holidays:

- (a) January 1st, known as New Year Day;
- (b) The third Monday in January, known as “Dr. Martin Luther King Jr. Day”;
- (c) February 12th, known as “Lincoln’s Birthday”;
- (d) The third Monday in February, known as “President’s Day”;
- (e) The last Monday in May, known as “Memorial Day”;
- (f) July 4th, known as “Independence Day”;
- (g) The first Monday in September, known as “Labor Day”;
- (h) September 9th, known as “Admission Day”;
- (i) The second Monday in October, known as “Indigenous Peoples’ Day”;
- (j) November 11th, known as “Veterans Day”;
- (k) Thanksgiving and the day after Thanksgiving;
- (l) December 24th, known as “Christmas Eve”;
- (m) December 25th, known as “Christmas”; and
- (n) Other or alternate holidays agreed upon between the District and employee bargaining groups as documented in the Employees’ Association Memorandum of Understanding.

303.1.2 In the event that any of the holidays provided fall on Sunday, the Monday following will be observed, and in the event any of the holidays provided fall on a Saturday, the Friday preceding will be observed.

303.1.3 On July 1st of each calendar year, the District will provide full-time employees one annual floating holiday with no rollover nor cash-out option upon separation.

303.1.4 A day off with pay for full-time employees under this Section shall be recognized as eight (8) hours.

303.14 Leave Without Pay

303.14.1 A leave of absence without pay may be granted by the Board of Trustees upon the request of a District employee and recommendation of the General Manager, but such leave will not be for longer than six months.

303.14.2 Unless otherwise specifically provided in the policies in this Chapter, or set forth in provisions of the Employee's Memorandum of Understanding, the General Manager is directed NOT to pay the health benefits of employees at any time that they are on leave without pay from the District.

303.15 Definition of Immediate Family

303.15.1 The definition of "Immediate Family" shall be consistently applied to all leave policies set forth in this Chapter. The District purposefully elects a broad and consistent definition, which may, in some circumstances, be beyond what is required by law and regulation, to ensure efficient and consistent administration of leave policies.

303.15.2 For purposes of leave administration in this Chapter, "Immediate Family" is defined as an employee's: Spouse (including a lawfully married same-sex spouse), state registered domestic partner, child, (including a biological, adopted, or foster child, legal ward, or a child to whom the employee stands in *loco parentis*) child of registered domestic partner, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather, parent-in-law, grandparent, and grandchild.

303.16 Administrative Leave

303.16.1 Exempt employees will be given 40 hours of administrative leave annually on July 1 with no rollover nor cash-out option upon separation.

Section 304. Probation and Performance Management

304.1 Probationary Period

304.1.1 The probationary period is regarded as a part of the selection process for regular employees and is utilized for the purpose of determining the employee's ability to perform satisfactorily the essential job duties, with or without reasonable accommodations, prescribed for the position, and determining the employee's ability to work with other employees. All probationary employees are considered to be "at-will." Temporary, part-time, and seasonal employees are at-will employees

- 309.7.2 As part of telecommuting responsibilities, the telecommuter must ensure that safety and ergonomic standards are met in their workspace. Although the workspace does not have to be a separate room, it must have adequate lighting, ventilation, and furniture that is ergonomically comfortable and safe to use.
- 309.7.3 Telecommuters must have a method for expediently receiving and responding to communications (phone calls, messages, mail, etc.) from other staff, supervisors, and when applicable, clients and/or the public.
- 309.7.4 Telecommuter remains solely liable for injuries to third persons and/or members of employee's family on employee's premises.
- 309.7.5 Telecommuter will take all reasonable precautions necessary to secure District information and equipment in their workspace in order to prevent unauthorized access to any District system or information. Data and information used by telecommuters must be treated with the same caution that confidential material is given in the District office.

309.8 Request for a Telecommuting Schedule

- 309.8.1 Employees who would like routine and/or situational telework must submit an email request to their supervisor and General Manager, or their designee, for approval, if not already assigned telework due to a local/state/national emergency.
- 309.8.2 All telework (whether routine, situational, or management) must be added to the District calendar before the workday has begun. The employee's supervisor and/or the ~~Accounting Associate~~ Financial & HR Specialist will provide access to the District calendar.

**ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT
POLICY MANUAL
EFFECTIVE 11/10/21**

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- Chapter 100. THE BOARD OF TRUSTEES POLICIES
- Chapter 200. FINANCIAL
- Chapter 300. SALARIES AND WORKING CONDITIONS OF EMPLOYEES
- Chapter 400. OPERATIONS
- Chapter 500. HIRING AND EQUAL EMPLOYMENT OPPORTUNITY
- Chapter 600. HARASSMENT, DISCRIMINATION, AND RETALIATION
DISCIPLINARY PROCEDURES
- Chapter 700. GRIEVANCE AND DISCIPLINARY PROCEDURES
- Chapter 800. MANAGEMENT, RELEASE AND DESTRUCTION OF OFFICIAL RECORDS

POLICIES SET FORTH IN THIS HANDBOOK REFLECT THE REQUIREMENTS OF CURRENT EMPLOYMENT LAWS. THESE LAWS AND THE ASSOCIATED REGULATORY REQUIREMENTS ARE SUBJECT TO CHANGE. CHANGES IN LAW MAY NOT BE REFLECTED IN THE STAFF POLICIES BUT WILL BE IN FULL EFFECT. IF THERE IS A CONFLICT BETWEEN THE STAFF POLICY AND THE LEGAL REQUIREMENTS, THE LEGAL REQUIREMENTS SHALL CONTROL.

**CHAPTER 100. THE BOARD OF TRUSTEES
ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT**

Section 100. Definitions

- 100.1 **District** means the Alameda County Mosquito Abatement District.
- 100.2 **Mosquito** means any insect of the family Culicidae (excluding the subfamilies Dixinae and Chaoborinae) capable of transmitting human disease or causing human annoyance.
- 100.3 **Jurisdiction** means within the boundaries of the District or in proximity close enough so that mosquitoes produced outside of the District may affect people within the District.
- 100.4 **Board member** and **Trustee** are references used interchangeably within these Policies. Both terms mean individual members of the Alameda County Mosquito Abatement District Board of Trustees.

Section 101. Enabling Legislation

- 101.1 This District was formed under the Mosquito Act, California Government Code Title 3, Division 2, Part 2, Chapter 8, Section 25842.5 and sections 2000-2093, inclusive, of the California Health and Safety Code, and therefore the rules and regulations of this Code shall be the rules by which this District operates. Minutes of 02-24-65.

Section 102. Code of Ethics

- 102.1 The Board of Trustees of the Alameda County Mosquito Abatement District is committed to providing excellence in legislative leadership that results in providing the highest quality services to its constituents and complies with state and federal laws. Consistent with this commitment, this Code of Ethics sets forth expectations regarding behavior between and among members of the Board of Trustees and District staff.
- 102.2 The dignity, style, values, and opinions of each Trustee shall be respected.
- 102.3 Responsiveness and attentive listening in communication are encouraged.
- 102.4 The needs of the District's constituents should be the priority of the Board of Trustees.
- 102.5 The primary responsibilities of the Board of Trustees are noted in Section 103.2. Routine matters concerning the operational aspects of the District are to be

delegated to the General Manager and the professional staff members of the District.

102.5.1 Board members should follow the guidelines set forth below relative to interactions with District staff:

- (a) Board members should develop a working relationship with the General Manager wherein current issues, concerns, and District projects can be discussed comfortably and openly.
- (b) Board members should contact the General Manager before approaching District staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
- (c) If approached by District personnel concerning a specific District policy, Board members should direct inquiries to the General Manager.
- (d) Issues related to safety and concerns for safety or hazards should be reported to the General Manager. Emergency situations should be dealt with immediately by seeking appropriate assistance.
- (e) Clarification on policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming should be referred directly to the General Manager or legal counsel.

102.6 Trustees should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged.

102.7 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but should do so in a respectful manner. Once the Board of Trustees takes action, Trustees should commit to supporting said action and not create barriers to the implementation of said action.

102.8 When responding to constituent requests and concerns, Board members should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

- (a) Complaints from residents and property owners of the District should be referred directly to the General Manager.

- 102.9 Board members should function as a part of the whole, in accordance with the Brown Act. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.
- 102.10 The Board of Trustees is responsible for monitoring the District's progress in attaining goals and objectives, while fulfilling its mission.

Section 103. Code of Conduct

- 103.1 This Code of Conduct shall govern the conduct of the Board of Trustees of the District.
- 103.1.1 The purpose of this Code of Conduct is to:
- (a) Protect the integrity of the District Board of Trustees and sustain the confidence of the people of the District by articulating specific standards and guidelines to assure that those entrusted with the public authority will avoid conduct that undermines respect for the District.
 - (b) Provide a comprehensive statement of pertinent laws and regulations, considerations, and obligations governing the conduct of the Board members to provide a transparent framework and enhance the public trust in the District.
 - (c) Enhance the understanding of laws and principles that create the obligations of Board members.
- 103.1.2 Pursuant to section 2022(d) of the State Health and Safety Code, "It is the intent of the Legislature that persons appointed to boards of trustees have experience, training, and education in fields that will assist in the governance of the districts"; and section (e) "...The trustees shall represent the interests of the public as a whole and not solely the interests of the board of supervisors or the city council that appointed them."
- 103.1.3 The public served by the District need and deserve an agency whose commitment to pursuing public interest outweighs any competing personal or political considerations.
- 103.1.4 Board members are expected to exercise discretion and judgment to adhere to the spirit of this Code of Conduct. It is essential to recognize that an act is not ethical simply because it is legal, and conduct is not proper simply because it is permissible. Board members should be willing to do more than the law requires. Strict compliance is not necessarily enough, and attempts to evade or circumvent ethics, laws, and rules are improper.

103.1.5 All actions, decisions, and votes should be made on their merits, objectively and without party, regional, or ideological partnership.

103.1.6 Confidential information, particularly investigative reports from the General Manager, District Counsel, and personnel matters, shall not be disseminated to any party except as specifically authorized.

103.2 Board Roles and Responsibilities

103.2.1 The Board has duties distinct from those of management. The Board oversees and provides counsel and direction to management and should not be involved in the day-to-day affairs, function, or activities of the District.

103.2.2 The role of the Board shall principally be to:

- (a) Set District policy;
- b) To review, approve, and oversee the budget and financial reports;
- (c) Hire the General Manager and evaluate their performance; and
- (d) Retain legal counsel as necessary.

103.2.3 The Board is responsible for policy-level direction and controls that:

- (a) Ensures that the District is able to fulfill its statutory obligations;
- (b) Ensures the financial stability of the District;
- (c) Supports collaboration and building communications “bridges” between communities, regions, and districts; and
- (d) Values constructive employer-employee relationships.

103.2.4 Board members do not have individual power or authority, and it is improper for any Board member to exercise such authority. The power and decision-making authority resides with the full Board.

103.2.5 Board members shall not be involved in employee matters (i.e., hiring, firing, discipline, etc.) or other personnel action unless required by provision within the “Policy Handbook” or advice by District counsel.

103.3 Board Member Norms

103.3.1 Board members shall understand the authoritative limits and responsibilities allowed to them and the Board under the provisions of the State Health and Safety Code and conduct themselves accordingly.

- 103.3.2 Proper parliamentary conduct is expected during Board meetings. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules (e.g., Robert's Rules of Order).
- (a) If a Board member believes order is not being maintained or procedures are not adequate, then they should raise a point of order – not requiring a second – to the President. If the ruling of the President is not satisfactory to the Board member, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.
 - (b) Any Board member desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.
 - (c) Any Trustee, including the President, may make or second a motion. A motion shall be brought and considered as follows:
 - (1) A Trustee makes a motion; another Trustee seconds the motion; and the President states the motion.
 - (2) Once the motion as been stated by the President, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the President will call for the vote. The motion must be made, seconded, and approved by a majority vote of the Board to pass.
 - (3) Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular Board meeting on any subject that lies within the jurisdiction of the Board of Trustees shall be as follows: Three (3) minutes may be allotted to each speaker. Speaking times may be adjusted at the discretion of the Board President.
 - (4) No oral presentation shall include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by any other reference, which tends to identify.
- 103.3.3 Board members shall treat each other and District staff at all times and in all situations professionally, with respect and courtesy.
- 103.3.4 Board members shall not publicly engage in personal attacks on one another, District staff, or the District.

- 103.3.5 Any concerns regarding an employee's performance shall be communicated in writing to the General Manager. Any concerns regarding the General Manager's performance shall be communicated in writing to the President. Any concerns regarding a Board officer's performance shall be communicated, in writing, to the affected officer and/or the President. Nothing in this Section shall affect the right of the Board to evaluate Board officers.
- 103.3.6 The President of the Board may call for an action of Board censure against any Board member who fails to comply with any provision of this Section.

Section 104. Required Board Training

- 104.1 Ethics Training (AB 1234 Compliance)
- 104.1.1 All Trustees and the General Manager of the District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of appointment to the Board of Trustees and at least once every two years thereafter.
- 104.1.2 This policy shall also apply to all staff members that the Board of Trustees designates, and to members of all committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.
- 104.1.3 Ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission.
- 104.1.4 District staff shall provide the Board of Trustees with information on available training that meets the requirements of this policy at least once every year.
- 104.1.5 If a Trustee attends ethics training not directly provided by the District, the Trustee shall provide proof of participation to the District after completing the training. Applicable costs for attending the training will be reimbursed by the District.
- 104.1.6 District staff shall maintain records indicating both the dates that Trustees completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after Trustees receive the training, and are public records subject to disclosure under the California Public Records Act.

104.2 Sexual Harassment and Abusive Conduct Prevention and Response Training (AB 1825 Compliance)

- 104.2.1 All members of the Board of Trustees and supervisors of the Alameda County Mosquito Abatement District shall receive two hours of training in sexual harassment and abusive conduct prevention and response (AB 1825) within six months of appointment to the Board of Trustees and at least once every two years thereafter.
- 104.2.2 This policy shall apply to Trustees, the General Manager, and any other staff member that meets the definition of a “supervisor” as set forth under Government Code section 12926(r) (“Supervisor” means any individual having the authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend that action, if, in connection with the foregoing, the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment).
- 104.2.3 All sexual harassment and abusive conduct prevention and response training shall be provided by entities whose curriculum has been approved by the California Attorney General.
- 104.2.4 District staff shall provide the Board of Trustees with information on available training that meets the requirements of this policy at least once every year.
- 104.2.5 If a Trustee attends sexual harassment and abusive conduct prevention and response training not directly provided by the District, the Trustee shall provide proof of participation to the District after completing the training. Applicable costs for attending the training will be reimbursed by the District.
- 104.2.6 District staff shall maintain records indicating both the dates that staff and Board members completed the sexual harassment prevention and response training and the name of the entity that provided the training. These records shall be maintained for at least five years after Trustees receive the training, and are public records subject to disclosure under the California Public Records Act.

Section 105. Board Meetings

- 105.1 Regular meetings of the Board of Trustees shall be held on the second Wednesday of each month, at the District Headquarters, unless otherwise posted. The public sessions of meetings begin at 5:00 p.m., unless otherwise

posted. Board members should inform the General Manager as soon as possible if they are unable to attend a set meeting date.

- 105.1.1 The General Manager shall mail or email a notice of the meeting, including a copy of the agenda together with his/her notice of meeting on the Friday preceding the regular meeting, and shall give the Board members thirty days' notice of matters pending involving a policy change or adoption of any new policy deviating from that of the County or cities within the District.
- 105.2 Special meetings of the Board of Trustees may be called by the Board President or by a majority of the Board.
 - 105.2.1 All Trustees shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least 24 hours prior to the meeting.
- 105.3 Emergency Meetings. In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Trustees may hold an emergency special meeting without complying with the 24-hour notice required in 105.2.1, above. An emergency situation means a crippling disaster, which severely impairs public health, safety, or both, as determined by a majority of the Board.
- 105.4 Each year the Board, at its January meeting, or if a vacancy occurs, shall elect a President, Vice President, and Secretary for the calendar year.
- 105.5 Attendance – Officers of the Board (President, Vice President and Secretary) with three consecutive unexcused absences from Board meetings will be subject to removal from the Board position by a majority vote of the Board members present.
- 105.7 In lieu of actual costs, the members of the Board shall receive an allowance not to exceed \$100 dollars per month per member for expenses incurred in attending meetings of the Board.
- 105.8 The General Manager's monthly report regarding the prior month shall be presented at the Board meeting.
- 105.9 The District's Biennial Report shall be made on a calendar year basis.

Section 106. Conflict of Interest

- 106.1 State laws are in place to control actions by a Board member, which may result in a conflict of interest. The purpose of such laws and regulations is to ensure that all actions by the Board are taken in the public interest. State conflict law is complex; consultation with legal counsel is encouraged.

- 106.2 At any point a Board member believes there is a potential for a conflict of interest between actions he or she may take as a Trustee of the District and his/her personal interest, they is encouraged to consult with the Attorney for the District, a City Attorney for City Council representatives on the Board, or private legal counsel for advice.
- 106.3 While not inclusive, a general summary of Conflict of Interest rules is provided below.
- (a) In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before the official; Government Code section 1090 prohibits a public official from having a financial interest in government contracts.
 - (b) The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official positions to influence a governmental decision in which they know, or have reason to know, that they have a financial interest.
 - (c) The public official has a financial interest if “it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from the effect on the public generally...” on a financial interest of the official or a member of the official’s immediate family.
 - (d) Determining whether a Board member has a financial interest is very complicated and fact specific. Financial interests include interests in leases worth \$1,000 or more, and gifts of \$250 or more provided to or received within one year of the decision, or as determined by the Political Reform Act.
 - (e) A Board member must take the following steps after he or she has determined that a conflict of interest exists under the Political Reform Act:
 - (1) Publicly identify the financial interest. This must be done in enough detail for the public to understand the financial interest that creates the conflict of interest.
 - (2) Recuse his or herself from both the discussion and the vote on the matter. The Board member must recuse him or herself from all proceedings related to the matter.
 - (3) Leave the room until the matter has been completed. The matter is considered complete when there is no further discussion, vote or any other action.

Exception: If the matter is on the consent calendar, the Board member does not have to leave the room.

- (f) The Fair Political Practices Commission (FPPC) has published lengthy regulations and opinions on conflicts of interest that are useful in determining whether a particular financial interest or decision could give rise to disqualification based on a potential conflict of interest. The FPPC also puts out informational pamphlets to assist public officials in determining what types of situations may give rise to prohibited conflicts of interest.
- (g) Government Code section 1090 is similar to the Political Reform Act, but applies only to contracts in which a public official has a financial interest. The financial interests covered by section 1090 are different from those in the Political Reform Act. Having an interest in a contract may preclude the Board member from entering into the contract at all. In addition, the penalties for violating section 1090 are severe. If a Board member believes that he or she may have any financial interest in a contract that will be before the Board, the member should immediately seek advice from the District's attorney or the member's personal attorney.
- (h) There are a number of other restrictions placed on Board actions, such as prohibitions on secrecy and discrimination as well as assurance that all District funds are spent for public purposes.
- (i) Violations of these restrictions may result in personal liability for individual Board members.

Section 107. Awards

- 107.1 Awards to the employees and Trustees for five, ten, twenty and thirty years of service will be as follows: pewter belt buckle (5 year), bronze belt buckle (10 year), silver pin (20 year), and gold pin (30 year). All are to be engraved with the District logo.
- 107.2 Presentation of awards to employees or Trustees will occur at a regular staff or Trustee meeting.
- 107.3 Trustees will be awarded a gavel/plaque following their Presidency.

Section 108. State Requirements for Reporting

- 108.1 Designated positions within the District, including members of the Board of Trustees, that are authorized to make, or participate in the making of, decisions that may foreseeably have a material effect on any personal financial interest, are required to report those interests to the Fair Political Practices Commission in accordance with the terms of Title 2 California Code of Regulations, Section 18730. Appendix 100-1 sets forth the District positions so designated, and documents the required disclosure categories.

- 108.1.1 Designated employees shall file their statements with the Alameda County Board of Supervisors as stated in Government Code section 87500(j). Statements for all designated employees will be retained by the agency.
- 108.2 Pursuant to the Political Reform Act and its regulations, all designated employees shall file statements of economic interests with the Clerk of the Alameda County Board of Supervisors, which shall be the filing officer. The Alameda County Board of Supervisors shall be the code reviewing body.

Section 109. Board Committees

- 109.1 The Board may, by resolution, create such standing or ad hoc committees as it determines are necessary or useful for the conduct of District business. The Board President shall, at the start of their term, appoint the following standing committee:
- 109.2 Finance Committee. There shall be a Board Standing Committee on Finances. The Finance Committee members shall serve terms that are coterminous with that of the Board President. The duties of the Finance Committee are:
- (a) To review the annual budget and make recommendations to the Board;
 - (b) To review the annual audit and recommend any changes in policy as necessary;
 - (c) To review long-term capital needs and make recommendations for designating reserves and allocation of the OPEB Trust to the Board; and
 - (d) To annually select a Chair from among its members that will report out to the full Board at a posted meeting.
- 109.3 Personnel Committee. There shall be an ad hoc Board Committee on Personnel. The Personnel Committee members shall include the Board President as Chair who will appoint members to serve through the duration of the specific duties defined below. The duties of the Personnel Committee are:
- (a) To meet as needed if personnel issues rise to the level of an appeal to the Board; to make recommendations to the full Board regarding the adjustment of an appeal; and
 - (b) To serve as the Salary MOU Negotiating Committee as needed.
- 109.4 Policy Committee. There shall be an ad hoc Board Committee on Policy. The Policy Committee members shall be appointed as needed at a posted meeting to

serve through the duration of the policy review process. The duties of the Policy Committee are:

- (a) To review District policies for compliance with current regulatory requirements, existing agreements, and relevance in supporting the goals of the District;
- (b) To make and/or approve policy amendments for submission to the full Board for approval and ratification; and

To select a Chair from among its members that will report out to the full Board at a posted meeting.109.5 General Manager Evaluation Committee. There shall be an ad hoc Board Committee to review the performance of the General Manager as needed. The Committee members shall be the past President, current President (chair), and current Vice-President to be appointed at a posted meeting to serve through the duration of the specific duties defined below. The duties of the General Manager Evaluation Committee, with the assistance of a human resource professional if requested, are:

- (a) To set performance expectations, goals and measures for the General Manager;
- (b) To review the performance of the General Manager in June of each year;
- (c) To recommend compensation changes and contract adjustments for the General Manager to the full Board based on the General Manager's performance over the review period; and
- (d) To coordinate and oversee the recruitment of a General Manager should a vacancy occur in that position.

109.6 Public Health Emergency Committee. There shall be an ad hoc Board Committee to address current public health threats as needed. The Public Health Committee members shall be appointed at a posted meeting to serve through the duration of the specific duties defined below. The duties of the Public Health Emergency Committee are:

- (a) To meet with the General Manager and/or staff to review District surveillance and treatment information pertaining to current or emerging public health threats and make recommendations to the Board, if necessary; and

To select a Chair from among its members that will report out to the full Board at a posted meeting.109.7 Nominating Committee – There shall be an ad hoc Board committee to nominate Board officers as needed. The Nominating Committee, with a designated Chair, shall be appointed at a posted meeting annually, or when a vacancy occurs, to nominate new officers based on seniority.

Nominations will also be taken from the floor. A candidate may decline the officer position.

- 109.8 Strategic Planning Committee. There shall be an ad hoc Board Committee to update the District's strategic plan as needed. The Strategic Planning Committee members shall be appointed to serve through the duration of the specific duties defined below. The duties of the Strategic Planning Committee are:
- (a) To meet with the General Manager and/or staff to review the mission, vision, values, and goals of the District and make recommendations to the full Board at a special meeting prior to the December posted meeting.
 - (b) To select a Chair from among its members that will report out to the full Board at a posted meeting.

Section 110. Open Meeting Laws ("The Brown Act")

- 110.1 The District conducts its business in compliance with the Ralph M. Brown Act, State Government Code section 54950. The intent of the Act is to ensure that deliberation and actions of local public agencies are conducted in the open and at public meetings. The law provides for misdemeanor penalties for members of a body who violate the Act (Cal. Gov. Code § 54959). In addition, violations are subject to civil action (Cal. Gov. Code § 54960). A current copy of the Act will be provided to all Board members when assuming office.
- 110.2 The Act applies to the Board and all committees and task forces that advise Board. Staff cannot promote actions that would violate the Act.
- 110.3 Actions cannot be taken unless there is a quorum. A quorum is defined as a majority of Trustees being present at a posted meeting, regardless of the number of vacant seats.

Section 111. Non-Discrimination/Anti-Harassment/Anti-Retaliation

- 111.1 State and federal laws prohibit, and the District has policies and procedures which prohibit, any form of illegal discrimination, harassment, or retaliation based upon an individual's protected status. Board members should be familiar with, and are expected to comply with the District's non-discrimination, harassment, and retaliation policies. Violations of such policies could result in Board members being personally liable through legal action

Section 112. Policy Review

- 112.1 Board Policy Review. At least every four years, the Board, or a designated Board committee, shall review District policies.

APPENDIX 100-1
CONFLICT OF INTEREST CODE, DESIGNATED POSITIONS
AND DISCLOSURE STATEMENTS

Designated Position. The positions listed below include those persons who are deemed to make, or participate in the making of, decisions that may foreseeably have a material effect on any financial interest. The persons holding the designated positions listed shall disclose interests and investments in accordance with the corresponding disclosure categories, which are defined below.

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Board of Trustees	1, 2, 3 & 4
General Manager	1, 2, 3 & 4
Accounting Associate/Office Administrator	1, 2, 3 & 4
Field Operations Supervisor	1, 2, 3 & 4
Lab Director	1, 2, 3 & 4
Mechanic Specialist	1, 2, 3 & 4
Regulatory & Public Affairs Director	1, 2, 3 & 4
IT Director	1, 2, 3 & 4
*Consultants	

Disclosure Categories

1. A designated official or employee assigned to Category 1 is required to disclose direct or indirect investments in any business entity that may be affected materially by any decision made or participated in by the designated official or employee by virtue of his/her position.
2. A designated official or employee assigned to Category 2 is required to disclose interests in real property, which is located in whole or in part either within the boundaries of the District, or within two miles of the boundaries of the District, that may be affected materially by any decision made or participated in by the designated official or employee by virtue of his/her position.
3. A designated official or employee assigned to Category 3 is required to disclose any source of income that may be affected materially by any decision made or participated in by the designated official or employee by virtue of his/her position.
4. A designated official or employee assigned to Category 4 is required to disclose any business entity in which the designated official or employee is a director, officer, partner, Trustee, employee, or holds any position of management that may be affected

materially by any decision made or participated in by the designated official or employee by virtue of his/her position.

*Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation.

The General Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

CHAPTER 200. FINANCIAL

Section 201. Expenditures

By resolution of the Board of Trustees, the Board established the following policy to more efficiently review and approve District expenditures.

- 201.1 The District budget will be reviewed, approved, and modified as necessary by the Board, consistent with existing District policies, procedures, and state law.
- 201.2 The Board authorizes the General Manager to issue warrants that are consistent with the objectives of the budget.
- 201.3 The General Manager shall act as Purchasing Agent unless the Board of Trustees designates another employee. The General Manager may delegate purchasing authority to other personnel in accordance with work functions and operational feasibility.
- 201.4 Any designated Purchasing Agent, within the intent and limits of the District budget, can purchase all materials, supplies, equipment, furnishings, and other property for the District. No purchase of property by any person other than the General Manager or their designated Purchasing Agent shall be binding upon the District or constitute a lawful charge against any District funds.

Section 202. Bidding Policies

- 202.1 Less than \$5,000. Bidding is not required when the item or service to be purchased is less than \$4,999 in value.
- 202.2 \$5,000 to \$15,000. Informal bidding shall be required when the item or service to be purchased costs between \$5,000 and \$15,000. Such bidding may be accomplished by written request for bids sent to selected bidders; by telephone survey of prices; by electronic requests for bids or surveys of prices; or by such other efforts directed towards obtaining a minimum of three bids. The Purchasing Agent shall award the bid to the lowest responsible bidder, unless the Purchasing Agent determines that the public interest requires a different action. The Board will receive a report of all purchases in this cost range. The Board of Trustees authorizes the Purchasing Agent to purchase items described by this policy, provided they do not exceed \$15,000 and do not exceed the District's approved budget amount for the item or service in consideration.
- 202.3 Above \$15,000. When the cost of the item or service to be purchased exceeds \$15,000, formal bidding shall be required. Such bidding process shall require that a notice be posted at the District office at least ten (10) days prior to the bid opening and that formal requests for bids be solicited either by newspaper

publication, trade journal publication, use of a bid service, or other reasonable solicitation. Solicited sealed bids shall be reviewed by the Board and awarded to the lowest responsible bidder based on the Purchasing Agent's analysis and recommendation, unless the Board makes a determination that it would be in the public's best interest to do otherwise. All bids will be retained as part of the District's official record per District record retention policy. See Appendix 800-1.

202.4 Bidding is Not Required for the following:

- (a) When an emergency situation exists – Designation of an emergency shall be determined General Manager with the consent of the Board President or available Board officer;
- (b) When requiring the services of specialized professionals, such as scientists, engineers, attorneys, or accountants;
- (c) When the item or service can only be obtained from one vendor; or
- (d) When the public interest may otherwise require that bidding be dispensed with, provided that the facts constituting the basis for the exception are documented by the Board or General Manager as appropriate. Documentation for exceptions shall be retained as part of the District's official records for at least two years.

Any warrant issued under this Section 202.4 shall indicate on the warrant list the specific exemption relied upon.

202.5 The General Manager shall first review all bids received to determine if they are responsive to the bid request. The General Manager is authorized to waive minor deviations and irregularities in the bids.

202.6 The General Manager shall also have the authority to inspect and test products for quality and fitness described or identified in any bid to determine its appropriateness, and further, may investigate the character and reputation of any bidder to determine responsibility and capability. The General Manager's analysis of these factors shall be used in the determination and recommendation of the lowest responsible bidder.

202.7 The District contract shall be awarded to the lowest responsible bidder, except as otherwise provided above. When feasible, preference may be given to Alameda County vendors. If two or more bids are substantially identical, the District may accept any such bid. In its sole discretion, the District may reject any and all bids received, and it may re-advertise for additional bids, have District staff perform such work, or negotiate with the lowest bidder.

Section 203. Contracts

- 203.1 The General Manager is hereby authorized to sign and enter into contracts on the District's behalf when the dollar value of the contract is \$25,000 or less.
- 203.2 The Board authorizes the General Manager to enter into contracts that are consistent with the objectives of the budget upon receiving approval from the Board.

Section 204. Warrants

- 204.1 The Board shall review warrants at least monthly to ensure expenditures are within the limitations of the budget, and to raise questions, when appropriate, about any of the listed expenditures.
- 204.2 The Board hereby authorizes the withdrawal of funds from the general fund upon a warrant signed by one member of the Board and the General Manager, or his/her designee.
- 204.3. In an emergency situation where there is not sufficient time to secure prior authorization from the Board, the Board hereby authorizes the General Manager emergency powers to withdraw funds up to \$5000, bypassing the dual signature requirement, as noted in Section 204.2 from the District's transfer bank only. If emergency funds are withdrawn, the Board shall be notified immediately, or as reasonably possible, and the issue shall be placed on the next Board agenda for discussion.

Section 205. Meeting Stipends

- 205.1 Consistent with Health and Safety Code section 2030, the members of the Board of Trustees may receive their actual and necessary traveling and incidental expenses incurred while on official business. In lieu of paying for actual expenses, the Board of Trustees may by resolution provide for the allowance and payment to each Trustee a sum not to exceed one hundred dollars (\$100) per month for expenses incurred while on official business. A Trustee may waive the payments permitted by this subdivision. Such compensation is in addition to any reimbursement for meals, lodging, travel and expenses consistent with this policy. (Health & Safety Code § 2051.)
- 205.2 Meetings and Service Subject Monthly In Lieu of Allowance. To be entitled to the monthly In Lieu Allowance under this policy, the official business in question must constitute one of the following:
 - (a) A meeting of the District Board of Trustees within the meaning of Government Code section 54952.2(a);

- (b) A meeting of a District committee within the meaning of Government Code section 54952(b);
- (c) An advisory body meeting within the meaning of Government Code section 54952(b);
- (d) A conference within the meaning of Government Code section 54952.2(c)(2);
- (e) A meeting of any multi-jurisdictional governmental body on which the General Manager serves as the District's designated representative; or
- (f) Any meeting attended or service provided on a given day at the formal request of the District Board of Trustees and for which the District Board of Trustees approves payment of In Lieu of Allowance stipend.

Section 206. Travel and Payment of Expenses While on Official Business

206.1 Travel and Payment of Expenses While on Official Business will be approved if:

- (a) There is a substantial benefit to the residents of Alameda County
- (b) It includes discussion of the community's concerns with local, regional, state, and federal officials;
- (c) There is participation in local, regional, state, and national organizations whose activities affect the District;
- (d) Educational seminars are attended designed to improve officials' skill and information levels; and
- (e) Public service, team building, or leadership is promoted with service to ACMAD.

Section 207. ACMAD Expense Policy

The following policy governs expenditures of District funds and reimbursement of expenses:

207.1 Authorized Expenses. District funds, equipment, supplies (including letterhead), titles, and staff time must only be used for authorized District business. The following types of expenses generally constitute authorized expenses, as long as the other requirements of this policy are met:

- (a) Expenses associated with communicating with representatives of regional, state, and national government on District adopted policy positions;

- (b) Expenses associated with attending educational seminars designed to improve officials' skill and information levels;
- (c) Expenses associated with participating in regional, state and national organizations whose activities affect the District's interests;
- (d) Expenses associated with attending District events;
- (e) Expenses associated with meetings, such as those listed above for which a meeting stipend is expressly authorized under this policy, or
- (f) Expenses associated with legislative and other District-related local, regional, state, and federal agency business, conducted over meals, where each meal expenditure must also comply with the limits and reporting requirements of local, regional, state, and federal law.

207.2 Any expenditures not included in the budget require approval by the District Board of Trustees.

207.3 Examples of personal expenses that the District will not reimburse include, but are not limited to:

- (a) The personal portion of any trip;
- (b) Political or charitable contributions or events;
- (c) Family expenses, including partner's expenses when accompanying official on District-related business, as well as children- or pet-related expenses;
- (d) Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage, and/or golf related expenses), or other cultural events;
- (e) Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
- (f) Personal losses incurred while on District business.

Any questions regarding the propriety of a particular type of expense should be resolved by the purchasing agent before the expense is incurred.

207.4 Expense Report Content and Submission Deadline. Expense reports must document that each expense claimed has met the requirements of the policy. For example, if the meeting is with a legislator, the local agency official should explain whose meals were purchased, what issues were discussed and how those relate to the District's adopted legislative positions and priorities. Trustees and employees must submit their expense reports within 30 days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant

receipts, in addition to any credit card receipts, are also part of the required documentation. Inability to provide such documentation in a timely fashion may result in the expense being borne by the individual.

- 207.5 Reports to Governing Board. At the following District Board meeting, each official shall provide a brief oral or written report on meetings or functions attended at District expense. If multiple District representatives attended, a joint report may be provided.
- 207.6 Compliance with Laws. District officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act.
- 207.7 Violation of this Policy. Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: (1) loss of reimbursement privileges, (2) demand for restitution to the District, (3) the District's reporting the expenses as Trustee or employee income to state and federal tax authorities, and (4) prosecution for misuse of public resources.

Section 208. Cost Control

To conserve District resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines.

- 208.1 Transportation. District personnel are expected to use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct and time-efficient route. In the event that a more expensive transportation mode or route is used, the cost borne by the District will be limited to the cost of the most economical, direct, efficient, and reasonable mode of transportation. District personnel are encouraged to use public transit when available and feasible and to carpool/ride share when several people are traveling to the same event by automobile. Automobile mileage is reimbursable at Internal Revenue Service prevailing rates in effect. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. Parking, tolls, and other similar expenses relating to travel by auto are reimbursable if necessarily incurred in connection with a meeting or function authorized under this policy.
- 208.2 Lodging. Lodging costs will be reimbursed or paid for by the District when travel on official District business reasonably requires an overnight stay. If such lodging is in connection with a conference, lodging costs should not exceed any group rate published by the conference sponsor for the meeting in question. In any event, lodging expenses should be moderate, taking into account community standards and prevailing lodging costs for the area.

- 208.3 Meals. Meal expenses and associated gratuities should be moderate, taking into account community standards and the prevailing restaurant costs of the area. A helpful source of guidance is Internal Revenue Service per diem rates for meals and incidental expenses, which include adjustments for higher cost locations. Alcohol/personal bar bills are not an appropriate use of District resources and will not be reimbursed.
- 208.4 Telephone/Fax/Mobile. Individuals will be reimbursed for actual telephone and fax expenses incurred on District business. Telephone bills should identify which calls were made on District business.
- 208.5 Airport Parking. Long-term parking should be used for travel exceeding 24 hours.
- 208.6 Cash Advance Policy. From time to time, it may be necessary for a District representative to request a cash advance to cover anticipated expenses while traveling or doing business on the District's behalf. Such request for an advance should be submitted to the General Manager at least 14 days prior to the need for the advance with the following information:
- (a) The purpose of the expenditure(s);
 - (b) The benefits of such expenditure to the residents of District;
 - (c) The anticipated amount of the expenditure(s) (for example, actual or expected hotel rates, meal costs, and transportation expenses); and
 - (d) The dates of the expenditure(s).
- Any unused advance must be returned to the District treasury within two business days of the official's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.
- 208.7 Credit Card Use Policy. The District does not issue credit cards to individual Trustees, but does have credit cards for selected District expenses. Trustees may use the District's credit card for such purposes as airline tickets and hotel reservations by following the same procedures as for cash advances. Receipts documenting expenses incurred on the District credit card and compliance with this policy must be submitted within five business days of use. District credit cards may not be used for personal expenses, even if the Trustee or employee subsequently reimburses the District. Purchasing agents have a credit card. Employees can purchase items approved in the budget. Receipts are given to the Office Assistant or Administrator. The receipts are reconciled to the statements and then recorded to the general ledger. Disbursement goes through the warrant process noted above.
- 208.8 In the event circumstances should arise appearing to warrant deviation from these policies, the General Manager shall secure the approval of the Board before making any changes.

Section 209. Conference Policy

- 209.1 Out of State National Mosquito Control Conference. The General Manager or their delegate, trustees, and limited staff may be permitted to attend.
- 209.2 Mosquito and Vector Control Association of California (MVCAC) Conference - Outside of the Bay Area. The General Manager may require certain staff to attend.. Any additional staff may request approval, and this approval will be based on workload and conference involvement.
- 209.3 MVCAC - Within the Bay Area. The General Manager may select any number of District personnel to attend such sessions as he or she may designate from which, in their opinion, the employees and the District would derive the most benefit.
- 209.4 MVCAC Seminars and Workshops. Trustees are encouraged to represent the District at MVCAC seminars, workshops, committee meetings and regional meetings. Approved cost for registration, travel, lodging, and meal will be reimbursed.

Section 210. Loss or Damage to Personal Property

The District will not be responsible for loss or damage to personal items when the loss or damage incurred was not work-related. Each occurrence of loss or damage to the employee's personal property will be reviewed by the Board on a case-by-case basis.

Section 211. Policy for Disposition of Fixed Assets

- 211.1 Fixed assets of \$5,000 or greater current value are considered Capital Assets, have an expected useful life of three years or greater, and must have Board approval before disposal. Disposal of other fixed assets must be approved by the General Manager.
- 211.2 Disposition of fixed assets may be initiated by a Purchasing Agent. A disposal form must be completed by the initiator and approved by the General Manager and Board, consistent with District policy, before the item is disposed of, salvaged or sold. Money received through the disposition of fixed assets shall be deposited in the Repair and Replace Fund.

Section 212. Policy on Petty Cash

The District shall maintain a petty cash fund of \$500 to be used for incidental District expenditures. All reimbursements to employees must be approved by the General Manager, and the transaction documented by pre-numbered voucher with attached receipt of purchase and signed employee request for reimbursement form. The fund

disbursements shall be reviewed by the Board.

Section 213. Fraud Policy

- 213.1 Designated positions as defined in appendix 100-1 are responsible for the detection and prevention of fraud, misappropriations, and other irregularities. "Fraud" is defined as the intentional, false representation, or concealment of a material fact for the purpose of inducing another to act upon it to their injury. Those defined as a designated position will be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported to the General Manager or alternatively, to the Finance Committee, who coordinates all investigations.
- 213.2 **Actions Constituting Fraud.** The terms "fraud," "embezzlement," "misappropriation," and other fiscal irregularities refer to, but are not limited to:
- (a) Any dishonest or fraudulent act;
 - (b) Forgery or alteration of any document or account belonging to the District;
 - (c) Forgery or alteration of a check, bank draft, or any other financial document;
 - (d) Misappropriation of funds, securities, supplies, equipment, or other assets;
 - (e) Impropriety in the handling or reporting of money or financial transactions;
 - (f) Disclosing confidential and proprietary information to outside parties;
 - (g) Accepting or seeking anything of material value from contractors, vendors, or persons providing goods or services to the District;
 - (h) Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment; or
 - (i) Any similar or related irregularity.
- 213.3 **Investigation Responsibilities.** The District Finance Committee has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. The Finance Committee may utilize whatever internal and/or external resources it considers necessary in conducting an investigation. If an investigation substantiates that fraudulent activities have occurred, the Finance Committee will issue reports to the appropriate personnel, and if appropriate, the District Board of Trustees. Decisions to prosecute or refer the investigation results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final dispositions of the case.

- 213.4 Confidentiality. The Finance Committee will treat all information received confidentially. Any employee who suspects dishonest or fraudulent activity will notify the General Manager or the Finance Committee immediately, and should not attempt to personally conduct investigations or interviews related to the suspected fraudulent act. (See Reporting Procedures in Section 213.6, below.) Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected, but subsequently found innocent of wrongful conduct and to protect the District from potential civil liability.
- 213.5 Investigation Authority. Members of the District Finance Committee will have free and unrestricted access to all District records and premises and authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises, without the prior knowledge or consent of any individual who may use or have custody or any such items or facilities, when it is within the scope of the Committee's investigations.
- 213.6 Reporting Procedures. Care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.

An employee who discovers or suspects fraudulent activity will contact the General Manager or the Finance Committee immediately. Alternatively, the employee may use the Employee Risk Management Authority (ERMA), a part of the VCJPA self-insurance group coverage. Call Employee Reporting Line at 1-877-651-3924 to make an anonymous report. This line is monitored 24 hours a day.

The employee or other complainant may remain anonymous to the extent that the law will allow. All inquiries concerning the activity under investigation from the suspected individual(s), their legal counsel, or any other inquirer should be directed to the Finance Committee or District legal counsel. No information concerning the status of an investigation will be given out. The proper response to any inquiry is, "I am not at liberty to discuss this matter."

The individual making the report should be counseled to not contact the suspected individual in an effort to determine facts or demand restitution and to not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the District legal counsel or the Finance Committee.

Section 214. Security

- 214.1 Accounting Security. Petty cash is stored in a locked file cabinet. The General Manager or designee will be the only employee(s) with keys to the petty cash cabinet.

- 214.2 Access to Electronically Stored Accounting Data. It is the policy of the District to utilize passwords to restrict access to accounting software and data. Only duly authorized accounting personnel with data input responsibilities will be assigned passwords that allow access to the system.
- 214.3 Storage of Backup Files. It is the policy of the District to maintain back-up copies of electronic data files. Access to back-up files shall be limited to individuals authorized by management.
- 214.4 General Office Security. During normal business hours, all visitors are required to check in at the front counter. After hours, a key and security passcode are required for access to the District's office. Keys are issued only to employees (and janitorial services).

Section 215. Financial Transactions

- 215.1 Warrant Authorization Signers. Warrant Requests require two signatures from the following group: Board Members and the General Manager or their designee.
- 215.2 Electronic Funds Transfers. The General Manager is authorized to transfer funds between reserve accounts, the general fund, and any vendors where electronic payments are a more efficient process. The General Manager will get pre-approval via the warrant authorization process in the previous section.
- 215.3 Cash Receipts. When miscellaneous checks come in the mail, staff will prepare a deposit form and mail to the general fund with the check. The District keeps a copy of the check for records. All revenue shall be entered in the ledger.
- 215.4 Bank and Cash Account Reconciliations. Reserve accounts and VCJPA statements shall be reconciled once a year at the end of the year. The general fund cash general ledger detail is reconciled as soon as it is received. The Payroll imprest account is reconciled monthly.

Section 216. Liabilities and Assets

- 216.1 Pension Liability. The District's retirement fund shall be at least 80% funded.
- 216.2 Capital Assets. The Accounting Associate maintains a capital depreciation schedule. Items valued over \$5000 are placed on the depreciation schedule. Disposal or sale of capital assets on this schedule must have Board approval.

Section 217. Payroll and Benefits

- 217.1 The District uses a third party administrator (TPA) for payroll. Payroll is paid bi-monthly. The TPA prepares 941 and DE6 forms. The TPA delivers payroll

checks to the District. Employees have the option to have direct deposit handled by the TPA.

- 217.2 Payroll will be recorded to the general ledger twice a month. Payroll is paid out of a separate imprest bank account. Employees enter time into the District database. The reports are reviewed monthly by the management staff.
- 217.3 Administrative/Finance Manager prepares a payroll spreadsheet that is approved and signed by the General Manager. This report is support for the transfer of funds from the County cash account to the payroll account.

Section 218. District Fund Policy

218.1 Policy Statement

218.1.1 The District recognizes the importance of adopting policies for financial reserves and reserve funds that adhere to Government Accounting Standards Board (GASB) guidelines and professional standards/best practices such as those identified by, but not limited to Government Finance Officers Association (GFOA). Written, adopted financial policies regarding designated reserves are a critical element of sound short- and long-term fiscal management. The designation of funds for long-term financial goals is an important element of prudent fiscal management.

218.2 Fund Policy

218.2.1 This policy follows the guidelines set in the Governmental Accounting Standards Board (“GASB”) Statement No. 54, regarding Fund Balance Reporting and Governmental Fund Type Definitions.

218.2.2 In order to achieve the objectives of this policy, the Board of Trustees shall adhere to the guidelines as set forth herein.

218.2.3 Funds may be established from time to time by the Board of Trustees as an important component of sound financial management to meet both short- and long-term financial objectives, and to ensure prudent financial management practices.

218.2.4 Classification of Funds. Funds may be designated by the Board of Trustees as “restricted” or “non-restricted.” These classifications are defined under GASB 54 as follows:

- (a) Restricted Funds shall be segregated and limited in use to specific and designated purposes as defined and established by the Board of Trustees. According to GASB 54, Restricted Funds are those that are constrained to specific purposes by the constitution,

external resource providers (such as grantors, bondholders, and higher levels of government), or through enabling legislation. Examples of Restricted Funds, but not limited to, are pension stabilization and Other Post-Employment Benefits (OPEB).

- (b) Non-restricted Funds may be classified as “Committed” or “Assigned.” These funds do not require the physical segregation of funds, but may be segregated if desirable.
- (c) Committed Funds are defined by GASB 54 as those that are constrained to specific purposes by a formal action of the agency’s highest-level decision-making authority (the District’s Board of Trustees). Committed Funds cannot be used for any other purpose, unless the District takes the same highest-level action to remove or change the constraint. The District’s Committed funds include the Public Health Emergency, Repair and Replace, Operating Reserve, and Capital Reserve funds.
- (d) Assigned Funds are defined as those that are intended for a specific purpose, but do not meet the criteria to be classified as Restricted or Committed. Intent can be expressed by the Board of Trustees or by an official or body to which the Board of Trustees delegates the authority. The District currently has no Assigned Funds.

218.2.5 Investment earnings from Restricted and Non-Restricted Funds shall be credited to the District General Fund, unless otherwise stated herein.

218.2.6 Approval by the District’s Board of Trustees shall be required prior to the expenditure of Restricted or Committed Funds. Approval shall be determined by action at a public meeting of the Board.

218.2.7 The Board of Trustees shall maintain a written Fund Policy.

218.2.8 The Board of Trustees shall annually review the District Policy at a public meeting in order to determine appropriate changes, additions, and/or deletions.

218.3. Funds

218.3.1 The Board of Trustees hereby establishes and **commits** the following funds:

- (a) Public Health Emergency Fund. Appendix 200-1.
- (b) Repair and Replace Fund. Appendix 200-2.

(c) Operating Reserve Fund. Appendix 200-3.

(d) Capital Reserve Fund. Appendix 200-4.

218.3.2 The Board of Trustees hereby establishes and **restricts** the following funds:

(a) Pension Stabilization Fund. Appendix 200-5.

(b) Other Post-Employment Benefits (OPEB) Fund Appendix 200-6

218.4. Target Fund Levels

218.4.1 The Board of Trustees shall establish a stated target fund level for each designated fund.

218.5 Annual Evaluation

218.5.1 The General Manager shall perform a review and analysis of each designated fund for presentation to the Board of Trustees at a public meeting upon the occurrence of the following:

(a) Upon consideration by the Board of Trustees of the annual budget;

(b) Upon any significant change to and/or expenditure(s) from a designated fund; or

(c) Upon determination that a fund balance is less than the established target fund level for a designated fund.

APPENDIX 200-1

ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT PUBLIC HEALTH EMERGENCY FUND

Purpose of Fund:

The purpose of the Public Health Emergency Fund is to mitigate the financial impact of unusually high levels of vector-borne disease activity or prevent a future threat to public health from a newly detected invasive mosquito species.

Policy:

In order to achieve the objectives of this policy the Board of Trustees shall adhere to the following guidelines:

1. This fund shall be known as the “Public Health Emergency Fund.”
2. The Public Health Emergency Fund shall be designated as a Committed Fund.
3. These funds will be used to replenish operating cash flow in the General Fund should circumstances cause the District to incur greater than normal expenses to prevent or manage an imminent threat to public health from vectors and vector-borne disease.
4. Expenditure of Public Health Emergency Funds must be authorized by the Board of Trustees at a publicly noticed meeting.
5. Expenditures from this designated fund that are subsequently recovered, either partially or fully, from State sources, shall be utilized solely for the purpose of refunding the Public Health Emergency Fund.
6. Investment earnings from the Public Health Emergency Fund may be credited to the District’s General Fund.
7. The Public Health Emergency Fund may be invested in financial institutions and instruments that maintain the highest level of liquidity, such as checking, savings, and interest earning savings accounts.
8. Annual replenishment will vary, depending upon other designation requirements and current year expense requirements.
9. This policy shall be reviewed on an annual basis for long-term adequacy and use restriction.

Target Fund Level:

The target balance of this fund is based on an estimate of likely operational needs should the most likely public health threat scenario become reality. This target balance will be reviewed annually and adjusted as needed to remain current. However, it is recognized that having a minimum fund balance of \$500,000 would be prudent.

APPENDIX 200-2

ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT REPAIR AND REPLACE FUND

Purpose of Fund:

The purpose of the Repair and Replace Fund is to set aside sufficient financial resources to ensure timely replacement and upgrade of the District's vehicles, mobile equipment, laboratory equipment, operational equipment, administrative equipment, and facilities.

Policy:

In order to achieve the objectives of this policy the Board of Trustees shall adhere to the following guidelines:

1. This fund shall be known as the "Repair and Replace Fund."
2. The Repair and Replace Fund shall be designated as a Committed Fund.
3. These funds will be used to pay for capital assets according to the District budget and purchasing policies.
4. Each year, funds can be transferred from the Repair and Replace Fund to the General Fund to cover the cost of capital purchases designated and approved during the annual budgeting process.
5. Funds transferred from the Repair and Replace Fund shall be expended solely for the purpose of replacement, repair, and upgrade of existing District vehicles and equipment, or for renovations or replacement of District facilities.
6. The Repair and Replace Fund may be invested in financial institutions and instruments that maintain the highest level of liquidity, such as checking, savings, and reserve accounts.
7. Investment earnings from the Capital Improvement Fund may be credited to the District's General Fund.
8. Annual replenishment will vary, depending upon other designation requirements and current year expense requirements.
9. This policy shall be reviewed on an annual basis for long-term adequacy and use restriction.

Target Fund Level:

The target balance for this fund is determined by the District's capital asset replacement program and the total cumulative depreciation for the District's capital assets as stated in the District's Basic Financial Statements prepared by the auditor each year. This target

will be reviewed annually and adjusted as needed with the additions, deletions, or replacements of capital assets. A more thorough review shall be completed every 5 years to update the escalation rates, the discount rate, net present value, and overall cash flow required to extend the replacement plan another 5 years. This fund shall be funded in order of preference in 3 or 4-year installments, a lump sum payment, or pay as you go.

APPENDIX 200-3

ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT OPERATING RESERVE FUND

Purpose of Fund:

This fund would act as a rate stabilizer, covering unforeseen losses in revenue caused by drastic reductions in property taxes. This fund will preserve the District's credit worthiness, ensure adequate financial resources are available for timely payment of District obligations, and provide liquidity throughout the fiscal year.

Policy:

In order to achieve the objectives of this policy the Board of Trustees shall adhere to the following guidelines:

1. The fund shall be known as the "Operating Reserve Fund."
2. The Operating Reserve shall be designated as a Committed reserve fund.
3. Each year, funds can be transferred from the General Fund to the Operating Reserve Fund to ensure the target fund balance is met.
4. Funds transferred from the Operating Reserve Fund shall be expended solely for the purpose covering unforeseen losses in revenue caused by drastic reductions in property taxes.
5. Investment earnings from the Operating Reserve Fund may be credited to the District's General Fund.
6. Annual replenishment will vary, depending upon other designation requirements and current year expense requirements.
7. This policy shall be reviewed on an annual basis for long-term adequacy and use restrictions.

Target Fund Level:

The target fund level for the Operating Reserve Fund is to maintain a minimum equal to 60% of discretionary General Fund revenues, as of July 1st of each fiscal year. If underfunded, 25% of excess revenues will be deposited into the Operation Reserve Fund. This target fund level was established based upon the following general guidelines:

1. The District shall maintain a balance in the Operating Reserve Fund equal to approximately 60% of budgeted expenditures for the fiscal year.
2. For the purpose of this policy, budgeted expenditures shall include all expenditures associated with the following:

- (a) Salaries and Employee Benefits; and
- (b) Services and Supplies.

APPENDIX 200-4

ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT CAPITAL RESERVE FUND

Purpose of Fund:

The purpose of the Capital Reserve Fund is to set aside money for large projects rather than withdrawing those funds from the general fund account. Projects may include future capital assets that are ineligible for repair and replace funding such as flooring and painting, or adding new capital assets that are not listed in the capital asset replacement program.

Policy:

In order to achieve the objectives of this policy the Board of Trustees shall adhere to the following guidelines:

1. This fund shall be known as the "Capital Reserve Fund."
2. The Capital Reserve Fund shall be designated as a Committed Fund.
3. These funds will be used to finance large projects that may be identified in the strategic plan.
4. Each year, funds can be transferred from the General Fund to Capital Reserve Fund to ensure the target fund balance is met.
5. Funds transferred from the Operating Capital Reserve shall be expended solely on capital projects that have been identified in the strategic plan
6. This policy shall be reviewed on an annual basis for long-term adequacy and use restriction.

Target Fund Level:

The target balance of this fund is based on large future capital project needs. This target balance will be reviewed annually and adjusted as needed to remain current. If under-funded, 25% of excess revenues will be deposited into the Capital Reserve Fund.

APPENDIX 200-5

ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT PENSION STABILIZATION FUND

Purpose of Fund:

The purpose of the Pension Stabilization Fund is to ensure that increasing pension costs are offset by investments in interest-earning accounts.

Policy:

In order to achieve the objectives of this policy the Board of Trustees shall adhere to the following guidelines:

1. This fund shall be known as the "Pension Stabilization Fund."
2. The Pension Stabilization Fund shall be designated as a Restricted Fund.
3. These funds will be used to offset increases in pension costs from unfunded liabilities.
4. The Pension Stabilization Fund will be invested in financial institutions that restrict the funds for only pension-related expenses.
5. This policy shall be reviewed on an annual basis for long-term adequacy and use restriction.

Target Fund Level:

The target balance of this fund is based on the annual CalPERS actuarial report of unfunded liability. This target balance will consider funds in CalPERS combined with the amount in PARS to not exceed 100% of liabilities. If under-funded, 25% of excess revenues will be deposited into the PARS 115 Trust.

Withdrawal:

Withdrawals may be considered in the event of:

- Pension costs affecting operational costs;
- If the growth of pension contribution rates (in dollars) is greater than the growth in property tax revenue;
- Paying off specific pension liabilities that will result in interest savings greater than interest earnings on the Trust Fund;
- Economic conditions or fiscal demands arise, e.g. non-discretionary expenditures exceeding revenues.

APPENDIX 200-6

ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT OTHER POST-EMPLOYEE BENEFITS (OPEB) FUND

Purpose of Fund:

The purpose of the Other Post-Employee Benefits (OPEB) Fund is to ensure that agreed-upon health, dental, and vision benefits to retired employees will be fulfilled.

Policy:

In order to achieve the objectives of this policy the Board of Trustees shall adhere to the following guidelines:

1. This fund shall be known as the "Other Post-Employee Benefits (OPEB) Fund."
2. The Other Post-Employee Benefits (OPEB) Fund shall be designated as a Restricted Fund.
3. These funds will be used to annually replenish expenses occurred in the General Fund used to provide health, dental, and vision benefits to qualified retired employees along with fund management.
4. The Other Post-Employee Benefits (OPEB) Fund will be invested in financial institutions that restrict the funds for only OPEB-related expenses.
5. This policy shall be reviewed on an annual basis for long-term adequacy and use restriction.

Target Fund Level:

It is the intent of the District to fully fund the OPEB. The funded status of the OPEB will be assessed based upon the most recent actuarial valuation. Should the plan drop below 90% funded, the District shall consider making an annual contribution equal to at least 50% of the annual determined contribution (ADC) as defined by the most recent actuarial valuation (or whatever percentage the District deems appropriate) from excess revenues. Additionally, the District will review this policy at a minimum biennially, coincident with preparation of the actuarial valuation, to determine if changes to this policy are necessary to ensure adequate resources are being accumulated to fund OPEB benefits.

Withdrawal:

Annual withdrawals are calculated after the close of the fiscal year by adding the prior year's retiree health care, dental, and vision costs along with retiree reimbursements and US Bank and PFM administrative fees.

CHAPTER 300. SALARIES AND WORKING CONDITIONS OF EMPLOYEES

Section 301. Salaries

301.1 Compensation Plan

301.1.1 The District has developed a compensation plan that is intended to achieve and support the following goals and objectives:

- (a) The plan enables the District to recruit and retain highly qualified employees;
- (b) The plan provides equitable salaries within a structure where positions are paid in appropriate relationship to each other in the organization and comparable agencies;
- (c) The plan recognizes employee performance and motivates employees to improve their level of performance on the job; and
- (d) The plan is flexible in administration.

301.1.2 Salaries, benefits, and working conditions are subject to the meet and confer process with recognized employee bargaining units. In establishing a framework for review of compensation, the District takes into account compensation in place in Alameda County as well as adjacent mosquito abatement districts, unless otherwise modified through the bargaining process.

301.1.3 The compensation of the General Manager shall be considered independently of other District positions.

301.2 Salary Steps

301.2.1 Entry-level field personnel shall be hired at the position of Assistant Mosquito Control Technician or Assistant Vector Scientist for a minimum of six months and until certification as a Vector Control Technician is received, at which time they shall advance to the position of Mosquito Control Technician or Associate Vector Scientist. The salary for the position of Assistant Mosquito Control Technician and Assistant Vector Scientist is approximately 5% below step 1 of Mosquito Control Technician and Associate Vector Scientist respectively.

301.2.2 The positions of Mosquito Control Technician, Associate Vector Scientist, Accounting Associate, Public Outreach Coordinator, Lab Director, and Field Operations Supervisor consist of a series of salary

ranges, each containing five steps. Each step is approximately 5% above the preceding step in that range.

- 301.2.3 The positions of IT Director, Regulatory & Public Affairs Director, and Mechanical Specialist consist of a series of salary ranges, each containing five steps. Each step is approximately 2.5% above the preceding step in that range.
- 301.2.4 For each salary range, the first step is considered the entrance rate and the top step the maximum. Possible exceptions, for example, are that the General Manager finds merit, the candidate possesses exceptional skills or qualifications that would be highly beneficial to the District, or due to the difficult nature of the recruitment, few qualified candidates were available, and it is necessary to hire at an advanced step in order to obtain a person to fill the vacancy. Ordinarily, new employees would start at the minimum rate and progress to the second step after six months of satisfactory service. The third step is achieved after an additional six months of satisfactory service. Each remaining step is reached after one year of satisfactory service at the preceding step, except the Mosquito Control Technician and Associate Vector Scientist Positions step 5 which may qualify to apply for the Vector Biologist and Vector Scientist positions after six months.
- 301.2.5 The position of Vector Biologist consists of two steps and Vector Scientist consists of three steps. Each step is approximately 5% above the salary range of the previous step and can be achieved after one year of satisfactory service or if, for example, that the General Manager finds merit, the candidate possesses exceptional skills or qualifications that would be highly beneficial to the District, or due to the difficult nature of the recruitment, few qualified candidates were available, and it is necessary to hire at an advanced step in order to obtain a person to fill the vacancy.
- 301.2.6 If an employee is promoted or changes position in the District service to another position in a higher salary schedule, the salary shall be the amount provided in the schedule step for the new position, which is at least one step higher than the amount received in the former position, but may not exceed the salary schedule. Such salary will be pro-rated from the effective date of promotion to the end of the subject pay period. The date of promotion or advancement will be the new anniversary date established for the employee for purposes of evaluation and advancement in the salary range.
- 301.2.7 The Board may provide for longevity pay as agreed upon in the Employees' Association Memorandum of Understanding.

301.3. Workweek and Pay Days

- 301.3.1 The standard workweek is defined as any consecutive seven-day period beginning at 12:00 a.m. of any Sunday and ending at 11:59 p.m. the following Saturday.
- 301.3.2 Established paydays for the District are the 15th and last working day of the month. Wages earned between the 1st and 15th days, inclusive of any calendar month, must be paid no later than the 26th day of the month during which the labor was performed, and wages earned between the 16th and the last day of the month must be paid by the 10th day of the following month.

301.4. Alternate Workweek

- 301.4.1 The General Manager may approve an alternate work schedule (including a 9/80 schedule, a 4/10 schedule, or some other alternate schedule based on a 40-hour workweek) for individual employees based on staffing needs, the employee's performance, and the nature of the position. An alternate work schedule for an employee may be implemented at the sole discretion of the General Manager and may be thereafter modified or eliminated as needed at any time by the General Manager.
- 301.4.2 Employees approved to work an alternate 9/80 work schedule will work nine (9) hours for four fixed days in each workweek and eight (8) hours the remaining day of one workweek. The employee will be off work on the remaining day in the other workweek. As such, during the two-week work period, the employee will work a total of 44 hours one calendar week and 36 hours the other calendar week, with the hours worked split between two workweeks as defined in Section 301.4.3, below.
- 301.4.3 The Fair Labor Standards Act (FLSA) workweek for employees on the 9/80 work schedule will begin and end four hours into the day of the week the employee is normally scheduled to have a day off. Using this method, an employee will work a total of 40 hours during each scheduled workweek. Overtime and compensation time apply to non-exempt employees for hours worked beyond 40 in any established workweek.
- 301.4.4 The employee will be eligible to request an alternate work schedule, subject to the recommendation of their supervisor and the approval of the General Manager.
- 301.4.5 The employee will continue accruing vacation and sick leave hours at the same rate as before being assigned to an alternate work schedule. An employee who is using vacation or sick leave will be charged the number of hours used.

301.4.6 Compensation for holidays will not change when an employee is assigned to an alternate work schedule. Employees normally receive eight hours of holiday pay when assigned to a standard 40 hour per week work schedule. Under the alternate work schedule option, an employee will continue to receive eight hours of holiday pay. If the holiday falls on a day when the employee is scheduled to work more than eight hours, the employee may use their accrued compensatory time off time or vacation time to make up the difference. If the holiday falls on a day when the employee is not scheduled to work, the eight hours will be added to the employee's accrued time off.

301.5 Working Hours

301.5.1 Established hours of District operation are between 7 a.m. and 5:30 p.m., Monday through Friday. Reporting times, defined as the time when employees are expected to be present and ready to start work, may vary based on the specific job requirements. The supervisor will establish the reporting times for each group of employees.

301.5.2 Employees must be present at their job during the "core hours" of 8 a.m. to 11 a.m. and 1:30 p.m. to 3:30 p.m., unless their supervisor and/or the General Manager modifies those hours. For employees approved to use an alternate work schedule, the employee and the employee's supervisor will establish the work hours for the employee based on established guidelines and as determined by the supervisor and General Manager.

301.5.3 Each employee is provided a 30-minute unpaid meal period on any workday the employee works longer than six hours.

301.5.4 Employees are entitled to take one 10-minute rest period-for every four hours of work. Rest periods may not be combined with the 30-minute meal period or be used to arrive late to work or leave work early.

301.5.5 Employees are expected to arrive at work at their regularly scheduled reporting time.

(a) If an unforeseen delay results in arriving at work 15 minutes or less past the regularly-scheduled reporting time, the employee is expected to make that time up at the end of the work shift.

(b) If an unforeseen delay results in arriving at work more than 15 minutes past the regular reporting time, the period of absence is to be charged to the employee's accrued vacation balance or compensatory time off.

301.6 Overtime

301.6.1 "Overtime work" for a non-exempt employee is hours worked over 40 hours in any one workweek. For the purpose of calculating overtime, holidays are considered work hours. Vacation and sick hours taken during the workweek will not be credited towards overtime hours.

Overtime must be for definite work performance that was ordered and approved by the supervisor or General Manager. The General Manager or authorized designee may authorize overtime work during Saturdays, Sundays, or holidays for any or all personnel.

301.6.2 Overtime work shall be compensated at the rate of one and one-half times the base hourly rate for each hour worked in excess of 40 hours in a workweek and two hours for each hour worked on a holiday that is recognized by the District. Overtime may be paid in cash, or accrued as compensatory time off (CTO) as set forth in Section 301.7, below.

301.7 Compensatory Time Off (CTO)

301.7.1 Compensatory time off (CTO) may be granted to those non-exempt employees who work overtime as provided in Section 301.6 above, and with whom the District has a prior agreement or understanding that the employee will accept CTO in lieu of cash payment for overtime.

301.7.2 Compensatory time off is earned at the overtime rate (one and one-half hour for each hour worked in excess of 40 hours in a workweek and two hours for each hour worked on a holiday that is recognized by the District).

301.7.3 Employees are encouraged to use their accrued CTO, and the District will make every effort to grant reasonable requests for the use of CTO when sufficient advance notice is given and the workplace is not unduly disrupted.

301.7.4 The maximum number of CTO hours that an employee may accrue is 240. Any employee who has reached this maximum will not work any additional overtime until the employee's accrued compensatory time has fallen below the maximum allowed, unless the employee receives advance written authorization and receives payment in cash for any such additional overtime.

301.7.5 The District reserves the right at any time to pay an employee in cash for any or all accrued compensatory time and/or to require the employee to use accumulated CTO.

301.7.6 Employees who separate from District service for any reason shall be paid for accrued and unused CTO.

301.8 Uniform Allowance

301.8.1 The District shall grant designated employees a sufficient number of uniforms to maintain an adequate supply for the changes necessary to keep the uniforms clean and in good condition. The District will also provide for a laundry service. The color and type of uniform will be determined by the General Manager with the cooperation of the employees.

(a) The uniforms will include the District's insignia placed on the shirts and jackets selected.

(b) The District shall also furnish each employee with name patches, to be placed on the front of the shirt or jacket so as to be visible at all times. This clothing will be worn during working hours unless specifically exempted by the General Manager. Uniforms will not be modified without permission from the General Manager.

301.8.2 The District, in order to reduce injuries to workers, will provide an allowance not to exceed the limits set by the Board of Trustees to purchase safety boots that meet Cal/OSHA standards for toe and penetration protection. Safety shoes are to be above ankle height. Employees are to be reimbursed up to the allowance set by the Board upon presenting a receipt of purchase to the District. Employees may have the option of purchasing safety boots at an approved supplier that will bill the District.

All employees of the District working outside of the office are required to wear approved safety boots or other approved footwear. Safety boots are not required for attending meetings, public education events, or continuing education training.

301.9 Professional Development

301.9.1 It is the policy of the District to encourage participation by all employees in continuing education. The General Manager is authorized to reimburse employees for job-related education and training.

301.9.2 General Manager approval is required for any educational or training course work for which an employee will be seeking reimbursement. Approval must be granted before the course begins.

301.9.3 Reimbursement for approved job-related education and training will be processed following successful completion of the course or training, upon presentation of documentation of successful completion, and submission of all associated receipts.

- 301.9.4 Training should be scheduled so that it is not disruptive to the employee's normal job duties.

302. Health and Welfare Benefits

302.1 Health, Dental, and Vision Benefits

302.1.1 As defined in plan documents, health insurance is available to full-time employees of the District as well as eligible members of the employee's family. Dental benefits are available to full-time employees after six months of satisfactory service. The District reserves the right to select and contract with health, dental, and vision insurance providers and to change providers and plans. Impacts associated with changes in health, dental, and vision insurance coverage or carriers will be negotiated with affected employee bargaining groups.

302.1.2 District contributions to health, dental, and vision insurance premiums are negotiated as a part of the bargaining process and are documented in the relevant Memoranda of Understanding and/or Compensation Agreements. Health plan summaries and specific plan information are available from the General Manager or designee.

302.2 Group Term Life Insurance. Full-time regular employees are provided, at District cost, group term life insurance coverage. The General Manager or designee can provide additional information, plan documents, and literature regarding this benefit.

302.3 Unemployment Insurance. Unemployment insurance provides compensation payable to individuals unemployed through no fault of their own and who are actively seeking employment and are available and able to work. The District will adhere to California Employment Development Department (EDD) unemployment insurance requirements for claim responses. The decision to provide an individual with unemployment insurance is solely at the discretion of the EDD. The General Manager or designee can provide additional information regarding this benefit.

302.4 Consolidated Omnibus Budget Reconciliation Act (COBRA)

302.4.1 Employees and dependents who lose group health coverage due to termination of employment or other "qualifying events" (i.e., death of employee, divorce, or separation) may continue health and dental coverage on a self-pay basis under the COBRA option for eighteen (18) months or the limits specified by law.

302.4.2 Upon an employee's termination of employment, the District will issue a Notice of Right to Elect COBRA Continuation Coverage for health care coverage. To continue health care coverage under COBRA, the

employee will fill out and sign forms provided by the District. The terminating employee must pay the full cost of coverage, plus the allowable administrative fee, by the deadlines set forth in the Notice.

302.5 Retirement Plan

302.5.1 Classic PERS Members. The District offers a retirement benefit package to all eligible full-time employees through the California Public Employment Retirement System (CalPERS). Full-time employees hired prior to January 1, 2013 and Classic PERS members will be covered under the 2% @ age 55 formula in CalPERS.

New PERS Members. The District offers a retirement benefit package to all full-time employees hired on or after January 1, 2013. New PERS members will be covered under the 2% @ age 62 formula in CalPERS.

302.5.2 In accordance with California Public Employees' Pension Reform Act of 2013 (CalPEPRA), as lawfully applicable, New PERS Members will contribute 50% of the cost of the CalPERS contribution rate. Service credit will be credited in accordance with CalPERS plan guidelines. More information on the retirement program can be obtained by contacting the General Manager or designee.

302.6 Social Security. Employees are not covered under the full federal Social Security program. The District participates in the federal Medicare portion of Social Security for all employees. The employee and the District contribute the mandatory amount into Medicare.

302.7 Workers' Compensation

302.7.1 Employees who are injured on the job, no matter how minor, must report the incident immediately to their supervisor. Failure to follow District procedures may affect eligibility to receive Workers' Compensation benefits.

302.7.2 If an employee has an illness or injury that is either caused by their job, or incurred within the course and scope of their employment, the employee may be entitled to medical care and leave (i.e., time away from the job based on health care provider's orders). These benefits are administered by the District's workers' compensation carrier.

302.7.3 Following the required three-day waiting period, the employee may be entitled to partial wage continuation during time he or she is off work due to a work-related illness or injury. This partial wage continuation will be in the form of temporary disability payments through the District's workers' compensation carrier.

302.7.4 The injured employee will be allowed to integrate any accrued and unused sick leave, vacation, and compensatory time off with the workers' compensation temporary disability payment to retain the full regular rate of pay. After the employee has exhausted available accrued leave the sole source of income will be the temporary disability payments through the workers' compensation carrier. Workers Compensation will run concurrently with Family Care Leave.

302.7.5 The District will not allow any form of retaliation against individuals who file a workers' compensation claim.

302.8 Reasonable Accommodation. In compliance with federal and state laws, the District provides reasonable accommodation for employees who are unable to perform the essential duties of their jobs due to illness or injury.

- (a) An employee may request an accommodation when an illness or injury limits the employee's ability to perform the essential duties of his or her job. An employee seeking a reasonable accommodation to perform the essential job functions of their job should make such a request, preferably in writing, to the General Manager. The request must identify (a) the job-related functions at issue and (b) the desired accommodation(s).
- (b) The District will consider the request for an accommodation consistent with federal and state laws including, but not limited to, the Americans with Disabilities Act.
- (c) Following receipt of a request for accommodation, the General Manager may require additional information, such as reasonable documentation of the existence of a disability.
- (d) The District may require an employee to undergo a fitness for duty examination at the District's expense to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation. The District may also require that a District-approved health care provider conduct the examination.
- (e) After receipt of reasonable documentation of a disability and/or a fitness for duty report, the General Manager will arrange for an interactive discussion, in person or via telephone conference call, with the employee and their representative(s), if any. The purpose of the discussion is to work in good faith to consider fully all feasible, potential, and reasonable accommodations.
- (f) Following the conclusion of the interactive discussion, the General Manager will determine whether reasonable accommodation(s) can be made and the type of accommodation(s) that will be offered. The District may not provide accommodation(s) that would pose an undue hardship upon District finances or operations or that would endanger the health or safety of the

employee or others. The General Manager will inform the applicant or employee of their decision as to reasonable accommodation(s) in writing.

- (g) Periodic evaluation of the accommodation will be conducted and the continuance of the accommodation is not guaranteed. An accommodation may be modified or ended at any time with notice.

Section 303. Leaves

303.1 Holidays

- 303.1.1 The District shall provide full-time employees time off with pay for the following recognized holidays:
 - (a) January 1st, known as New Year Day;
 - (b) The third Monday in January, known as “Dr. Martin Luther King Jr. Day”;
 - (c) February 12th, known as “Lincoln’s Birthday”;
 - (d) The third Monday in February, known as “President’s Day”;
 - (e) The last Monday in May, known as “Memorial Day”;
 - (f) July 4th, known as “Independence Day”;
 - (g) The first Monday in September, known as “Labor Day”;
 - (h) September 9th, known as “Admission Day”;
 - (i) The second Monday in October, known as “Indigenous Peoples’ Day”;
 - (j) November 11th, known as “Veterans Day”;
 - (k) Thanksgiving and the day after Thanksgiving;
 - (l) December 24th, known as “Christmas Eve”;
 - (m) December 25th, known as “Christmas”; and
 - (n) Other or alternate holidays agreed upon between the District and employee bargaining groups as documented in the Employees’ Association Memorandum of Understanding.
- 303.1.2 In the event that any of the holidays provided fall on Sunday, the Monday following will be observed, and in the event any of the holidays provided fall on a Saturday, the Friday preceding will be observed.
- 303.1.3 On July 1st of each calendar year, the District will provide full-time employees one annual floating holiday with no rollover.
- 303.1.4 A day off with pay for full-time employees under this Section shall be recognized as eight (8) hours.

303.2 Vacation Leave

303.2.1 Accrual of vacation leave under the District's vacation plan will be administered as stated below, unless modified by Employees' Association Memorandum of Understanding. The General Manager may increase the rate of accrual for the purposes of recruitment and as a reward for consistent outstanding performance for any employee who is at the top step of the employee's classification wage range.

<u>Years of Employment</u>	<u>Days Vacation Accrued/Month</u>
Beginning of 1 st year through end of 3 rd year	1 day/month = 12 days/year
Beginning of 4 th year through end of 7 th year	1 1/4 days/month = 15 days/year
Beginning of 8 th year through end of 12 th year	1 2/3 day/month = 20 days/year
Beginning of 13 th year and after	2 1/12 days/month = 25 days/year

303.2.2 The General Manager may determine that the best interest of the District will be served by delaying all or part of the vacation leave.

303.2.3 An employee who has reached the maximum vacation accrual level of two years' allowance will cease accruing vacation until sufficient vacation is taken that the accrual balance is less than the stated maximum, unless otherwise approved by the General Manager.

303.2.4 Vacation credit shall begin on the first day of employment.

303.2.5 Employees who separate from District service for any reason will be paid for accrued and unused vacation.

303.3 Sick Leave

303.3.1 Paid sick leave provides time off without loss of pay for reasons, and under the conditions, specified in this policy, as may be modified by MOU or applicable law. The District's Sick Leave Policy conforms to Healthy Families Act of 2014 (CA Paid Sick Leave). Every employee should use sick leave with respect for the intent of the policy and the impact on fellow employees. All employees are responsible for the proper administration of the sick leave provision.

303.3.2 Accrual of paid sick leave is set forth below and may be amended or modified by specific provisions in relevant Memoranda of Understanding and/or adopted Compensation Resolutions.

(a) Regular Full-time Employees: Sick leave with pay will accrue to regular full-time employees at the rate of one work day for each calendar month of service or according to current Memoranda of Understanding and/or Compensation Agreements. Sick leave credits will accrue only while an employee is in paid status with the District.

- (b) Part-time and Seasonal Employees: After working a minimum of 30 calendar days for the District, three days (24 hours) of paid sick leave will accrue to part-time, seasonal, and temporary employees. The accrual will be capped at three days or 24 hours.

303.3.3 Approved Sick Leave may be granted to all full-time employees for the following reasons:

- (a) For the diagnosis, care, or treatment of an existing health condition or preventive health care for the employee or a member of the employee's immediate family.
- (b) Enforced quarantine of the employee in accordance with community health regulations.
- (c) To allow a victim of domestic violence and/or a victim of sexual assault to obtain relief or attempt to obtain relief to help ensure their health, safety, or welfare or that of his or her children.
- (d) To allow a victim of domestic violence and/or a victim of sexual assault to seek medical attention, to obtain services from a domestic violence program or psychological counseling, or to participate in safety planning.
- (e) Complication or disability resulting from or contributed to any pregnancy, termination of pregnancy, or recovery therefrom.

303.3.4 Employees are permitted to take up to half of their accrued sick leave to care for a family member (also known as, "Kin Care"). Family member for purposes of Kin Care includes an employee's child, parent or guardian, spouse or registered domestic partner, grandchild, grandparent, and sibling. Employees have the right to designate what type of sick leave they are taking.

303.3.5 After meeting the eligibility and waiting period requirements set forth in this policy, accrued Sick Leave can be taken by eligible part-time, seasonal, and temporary employees for the following reasons:

- (a) The diagnosis, care, or treatment of a health condition or for preventive care of the employee or a member of the employee's immediate family.
- (b) For specified purposes when an employee is a victim of domestic violence, sexual assault, or stalking.
- (c) Sick Leave under this Section can only be taken for an absence from a previously scheduled work shift.

303.3.6 Supervisory personnel are charged with the responsibility for reviewing and evaluating sick leave usage.

(a) Sick leave misuse or abuse is generally defined as use of sick leave for reasons other than are set forth in this policy. Potential indicators of abuse are:

(1) A pattern of sick leave use involving days adjacent to scheduled days off and holidays.

(2) Refusal or inability to provide medical substantiation when requested.

(3) Frequent absences with vague or questionable substantiation.

(4) Frequent or recurring exhaustion of sick leave soon after it is earned (unless for substantiated medical reasons).

(5) Other evidence of employee activity that is inconsistent with the legitimate use of sick leave, such as usage higher than the District average for the previous calendar year (deduct serious illness or injury) and two or more indicators above.

(b) When it is determined by investigation that sufficient evidence exists to demonstrate that an employee has abused or is abusing or misusing the sick leave privilege, the General Manager may cause such disciplinary action to occur as deemed appropriate to deter future misuse. If it is found that the claim for sick leave was fraudulent, the claim for sick leave will not be paid. Sick leave taken under Sections 303.3.4 and 303.3.5, above, will not be considered in determining abuse or misuse of the sick leave privilege.

303.3.7 Except for sick leave taken under Sections 303.3.4 and 303.3.5, above, the District may require a health care provider's certificate for absences due to illness when the employee has been put on notice of being suspected of misuse of sick leave and that future absences will require a health care provider's certificate. The health care provider's certificate will be requested at the earliest possible time and prior to the employee's return to work, whenever possible. The request for a health care provider's certification will adhere to 303.3.7 (b).

(a) Fitness for Duty Exam - Any employee may be required by the General Manager to submit to an examination by a licensed health care provider or psychologist at any time, subject to sufficient cause existing, by the District at its expense in order to determine

the state of the employee's health and fitness to perform assigned tasks.

- (b) Privacy laws restrict employers from requesting certain medical or health information. Therefore, if asking for a health care provider's certification or other verification of absence due to illness, the District may ask when the employee is anticipated to return to work, with or without restrictions, but cannot ask for a diagnosis or prognosis.

303.3.8 Paid sick leave provides time off without loss of pay for qualifying reasons. It is a non-vested benefit that carries no cash value. Except as may be provided as Accrual Incentives or Retiree Service Credit in designed Memoranda of Understanding or Compensation Resolutions, there is no provision for a payout of accrued and unused sick leave upon separation from District employment.

If a part time, seasonal, or temporary employee separates and returns within one (1) year of separation, unused sick leave hours will be restored to the employee. If the employee returns after one (1) year of the previous separation, the sick leave hours will not be restored to the employee.

303.4 Voting Time Off

303.4.1 In the event an employee does not have sufficient time outside of working hours to vote in an election, the employee may take a limited amount of time off without loss of pay to vote.

303.4.2 Voting time off should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. An employee will be allowed a maximum of two (2) hours of voting leave on Election Day.

303.4.3 Employees should notify their supervisor of the need for time off to vote at least three (3) working days prior to Election Day.

303.5 Military Leave

303.5.1 Military leave will be granted in accordance with state and federal law. An employee requesting leave for this purpose shall promptly provide the General Manager a copy of the military orders specifying the dates, site, and purpose of the activity or mission. Within the limits of such orders, the District may determine when the leave is to be taken and may modify the employee's work schedule to accommodate the request for leave.

In an emergency situation, if orders are not available at the time of the ordered leave, oral notice should be given as soon as possible, with a copy of the military orders to be provided to the District as soon as it is available.

- 303.5.2 Employees ordered into active federal military duty as a member of the National Guard or Naval Militia will be granted military leave for a period not to exceed five (5) years, unless there is an authorized exemption. Authorized exemptions to the five-year limit include: initial enlistments lasting longer than five years, periodic National Guard and Reserve training duty, and involuntary active duty extensions and recalls.
- 303.5.3 Employees ordered to temporary active duty, or for training, will be granted military leave for a period not to exceed 180 calendar days, including time spent traveling to and from such duty.
- 303.5.4 Employees will receive District pay while on military leave as outlined by law.
- 303.5.5 The District will continue to pay the District's portion of the cost of Health Insurance for an employee while he or she is on any military leave to the same extent it would if the employee were working, regardless of pay status in accordance with the law.
- 303.5.6 Employees on temporary military leave and who have at least one year of service with the District or at least one year of combined military/District employment service, continue to accrue the same vacation, sick leave, and holiday benefits for up to a maximum of 180 days. This provision also applies to employees who are members of the National Guard.
 - (a) Employees on active military leave are not entitled to accrue sick leave or vacation during the period of Military Leave.
 - (b) Employees who are members of the National Guard and are on active military leave accrue vacation and holiday benefits, but not sick leave, for the first 30 days of active service.
- 303.5.7 An employee returning from active duty after serving in time of war or national emergency must seek reemployment within six months after completing military service, but not later than six months after the end of the war or national emergency. Reemployment rights do not extend to an employee who fails to return to their position within 12 months after the first date on which he or she could terminate active military service.

(a) An employee on military leave for reasons other than war or national emergency must return to work or seek reemployment as set forth below:

(1) An employee whose military leave lasted from 1 to 30 days must report to the District by the beginning of the first full regularly scheduled work day on the first full calendar day following the completion of the period of service.

(2) An employee whose military service lasted from 31 to 180 days must submit a reemployment application (verbally or in writing) with the District no later than 14 days after the completion of the period of service.

(3) An employee whose military leave lasted more than 180 days must submit a reemployment application (verbally or in writing) with the District no later than 90 days after the completion of the period of service.

(b) An employee who fails to report to work or submit a reemployment application as set forth in this Section may be deemed to be on Unauthorized Leave from the District.

303.6 Family and Medical Care Leave. In accordance with the California Family Rights Act (CFRA), an eligible employee may be granted a leave of absence up to a period of twelve weeks of family and medical leave during a twelve month period for a qualifying event, or 25 workweeks for a covered military service member.

303.7 Pregnancy Disability Leave

303.7.1 The District will provide up to four months, or seventeen and one-third (17 1/3) weeks of Pregnancy Disability Leave to eligible employees as required by state law. Pregnancy Disability Leave is without pay.

303.7.2 An employee who has been advised by her health care provider that she is disabled due to pregnancy or a pregnancy-related condition, and who has provided timely notice of this determination to the District, is entitled to Pregnancy Disability Leave. There is no minimum service requirement for eligibility.

303.7.3 Pregnancy Disability Leave is available when a woman is disabled by her pregnancy, childbirth, or a related medical condition. The reasons for leave include:

(a) time off needed for prenatal care;

(b) severe morning sickness;

- (c) doctor-ordered bed rest; and/or
- (d) childbirth, recovery from childbirth, and any related medical condition.

A woman does not have to be completely incapacitated or confined to her bed to qualify as being disabled by pregnancy. However, as a general rule, a woman must be, in the opinion of her health care provider, unable to perform one or more essential functions of her job without undue risk to herself or to other persons, or without undue risk to successful completion of her pregnancy.

- 303.7.4 The duration of Pregnancy Disability Leave is limited to four months (17 1/3 weeks) during the period the employee is disabled by pregnancy or a pregnancy-related condition.
- 303.7.5 Pregnancy Disability Leave may be accounted for in increments of no greater than one hour or the increment utilized to account for use of other forms of leave (if the same is less than one hour).
- 303.7.6 An employee disabled by pregnancy is eligible for intermittent or reduced schedule leave if recommended by her treating health care provider.
 - (a) If intermittent leave is medically advisable, it may be necessary to temporarily transfer the employee to an available alternative position with an equivalent rate of pay and benefits.
 - (b) The employee must be qualified for the available alternative position.
 - (c) The equivalent position must better accommodate recurring periods of leave than the employee's regular job.
 - (d) If there is no available alternative position, the District may consider altering the employee's existing position on a temporary basis to accommodate intermittent leave or reduced schedule.
- 303.7.7 The District will consider temporary reasonable accommodations that are determined to be medically advisable by the employee's health care provider and reasonable by the District. Temporary accommodations may include:
 - (a) Additional leave after the employee has exhausted her right to four months of Pregnancy Disability Leave;

- (b) Transfer to a less strenuous or hazardous position if the employee's health care provider states that it is medically advisable, and the employee is qualified for the position;
- (c) Creation of a temporary light-duty assignment, or modification of current job on a temporary basis;
- (d) Modifying the work schedule on a temporary basis; and/or
- (e) Allowing more frequent restroom breaks.

303.7.8 An employee seeking a temporary accommodation in conjunction with pregnancy or a pregnancy-related condition shall provide notice of the need for such an accommodation in advance of the needed accommodation, unless such notice is not possible.

- (a) The request for accommodation must include Medical Certification that documents the specific limitations the health care provider has set forth for the employee, as well as the anticipated duration of those limitations.
- (b) The District will engage in an interactive process with an employee seeking a temporary accommodation in conjunction with pregnancy or a pregnancy-related condition to identify, discuss, evaluate, and implement accommodations that are consistent with the recommendations of the health care provider.

303.7.9 Employees on approved Pregnancy Disability Leave will be required to exhaust accumulated leave balances before being placed on unpaid leave.

303.7.10 The District will continue to pay the District's portion of the cost of "Health Insurance" for an employee while she is on an approved Pregnancy Disability Leave to the same extent it would if the employee were working, regardless of pay status, for a maximum of four (4) months.

- (a) "Health Insurance" is defined as medical, vision, and dental insurance. The employee must continue to pay their employee contribution to Health Insurance either through payroll deduction while using leave balances or by direct payment to the District while on unpaid leave.
- (b) Coverage on a particular plan may be dropped if the employee is more than 30 days late in making a premium payment. However, the employee shall receive a notice at least 15 days before

coverage is to cease, advising that she will be dropped if the premium payment is not paid by a certain date.

- (c) Contribution amounts for all employees are subject to change if rate changes by the provider occur while the employee is on leave.
- (d) The total combined duration of District contribution toward Health Insurance available during unpaid leaves due to any combination of pregnancy disability, the employee's serious health condition, and family care purposes will not exceed twenty-nine and one-third (29.33) weeks in a twelve (12) month period.

303.7.11 Leave available under the California Family Rights Act will not run concurrently with Pregnancy Disability Leave.

303.7.12 When possible, employees are to provide at least thirty (30) days' advance notice of the need for Pregnancy Disability Leave, the need for a temporary reasonable accommodation, or transfer in conjunction with pregnancy, if the need is foreseeable. If such notice is not possible due to a change in circumstances, medical emergency, or other good cause, the employee is required to provide notice as soon as practical.

303.7.13 Medical certification will be required to support the need for Pregnancy Disability Leave or other reasonable accommodation in conjunction with pregnancy or a pregnancy-related condition.

- (a) Medical certification is to be provided by the employee's health care provider and must include:
 - (1) the date on which the employee became disabled due to pregnancy;
 - (2) the anticipated duration of the period of disability; and
 - (3) an explanatory statement that, due to the disability, the employee is unable to work at all, or is unable to perform any 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.

303.7.14 An employee returning from Pregnancy Disability Leave or temporary accommodation shall be reinstated to the same position she held prior to taking leave or undertaking a temporary accommodation in conjunction with pregnancy or a pregnancy-related condition, except as provided below.

- (a) The employee may not be reinstated to the exact same position if the employee would not have been employed for reasons unrelated to the leave, such as a layoff.
- (b) If the exact same position is not available, the employee will be reinstated to a comparable position. A comparable position is one that is virtually identical to the employee's previously held position, including wages, benefits, working conditions, and shift.

303.7.15 Lactation.

In accordance with California Labor Code section 1030, the District shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time, if possible, shall run concurrently with the employee's regular break time.

In accordance with California Labor Code section 1031, the District will make all reasonable efforts to provide the employee with the use of a room or other location, other than the restroom, in close proximity to the employee's work area, for the employee to express milk in private.

303.8 Bereavement Leave

- 303.8.1 A leave of absence with pay because of death in the immediate family of a person in the District employ, as defined in Section 303.15, below, may be granted by the General Manager for a period not to exceed three days.
- 303.8.2 For out-of-state funerals, the Board authorizes an additional day (for a total of four days).
- 303.8.3 Entitlement to a leave of absence under this Section shall be in addition to any sick leave, emergency leave, or any other leave to which the employee may be entitled.

303.9 Jury Duty

- 303.9.1 The District will grant time off in conjunction with service on a jury in response to a subpoena pursuant to the requirements of the Federal Jury System Improvement Act of 1978 and California Labor Code section 230. Compensation during authorized jury will be provided pursuant to the terms of this policy, as may be modified by relevant Memoranda of Understanding, or approved Compensation Agreements. Proof of jury duty must be provided to District.
- 303.9.2 In the event an employee is called for jury duty, no deduction from salary will be made for the absence while serving as a juror or in

answering the call for jury duty; provided, however, that the employee shall endorse payments from the Courts for jury duty to the District.

303.9.3 Employees may retain any reimbursement for mileage issued by the Courts in conjunction with jury service.

303.9.4 Employees called to jury duty must report to work before or return to work following their service whenever practical.

(a) If an employee does not have to report to the jury room/court for full days in the midst of their service, he or she is expected to report to work whenever practical.

(b) An employee's failure to report to work may be considered to be an absence without leave and could be subject to disciplinary action.

(c) Employees who must report for jury duty on their regular days off will not be eligible for jury duty pay. Such service is considered to be a civic duty and not compensable by the District.

303.9.5 In the event an employee is subpoenaed to appear as a witness in a trial related to District business, no deduction from salary will be made for the absence while serving as a witness or in answering the subpoena; provided, however, that the employee shall endorse all payments, if any, for witness duty to the District.

303.10 School Activities Leave

303.10.1 Parents, guardians, grandparents, or individuals serving as parents with custody of minor children are entitled to take up to forty (40) hours of time off work each year to attend school-related activities for the following reasons:

(a) when a student has been suspended and the parent, guardian, or grandparent is required to appear at the school pursuant to the school's request; and/or

(b) to attend designated Child-Related activities. Child-Related activities include: attending school functions, activities and programs; finding, enrolling or reenrolling a child in a school or with a licensed child care provider; and addressing a child care or school emergency, including closure or unexpected unavailability of the school (excluding planned holidays) or a natural disaster.

303.10.2 Except for the need to address a childcare provider or school emergency, the use of School Activities Leave is limited to eight hours per month.

- 303.10.3 The District may require proof of an employee's participation in these activities.
- 303.10.4 The employee must provide reasonable advance notice to his or her supervisor before taking any time off under this policy.
- 303.10.5 Employees must use accrued paid time off for the absence. If the employee does not have any accrued paid time off, the absence will be unpaid. However, exempt employees will be paid their full salary for any week in which they perform any work for the District that is interrupted by the need for time off under this policy.

303.11 Time Off for Crime Victims

- 303.11.1 Employees who have been victims of serious or violent felonies, as specified under California law, or felonies relating to theft or embezzlement, may take time off work to attend judicial proceedings related to the crime.
- 303.11.2 Employees also may take time off if an immediate family member has been a victim of such a crime, and the employee needs to attend judicial proceedings related to the crime.
- 303.11.3 Employees must give their supervisor a copy of the court notice given to the victim of each scheduled proceeding before taking time off, unless advance notice to the District of the need for time off is not feasible. When advance notice is not feasible, the employee must provide the District with documentation evidencing the judicial proceeding, within a reasonable time after the absence. The documentation may be from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim.
- 303.11.4 Employees will be paid under this section only to the extent they have accrued vacation or compensatory time off available.

303.12 Catastrophic Leave

- 303.12.1 A leave of absence with pay for up to five days annually may be granted in the case of a catastrophic event (such as earthquake, flood, or fire) that directly impacts the employee or a member of the employee's immediate family as defined in Section 303.15, below. Employees must request and receive approval from the General Manager to receive paid Catastrophic Leave. Catastrophic Leave will be in addition to any other entitled sick, vacation, or other leave benefit.

303.13 Medical Leave Donation Program

- 303.13.1 Any District employee who accrues vacation credit may voluntarily donate those credits to any other District employee if the recipient employee experiences a catastrophic illness or injury and has exhausted all accrued leave credits (i.e., sick leave, vacation, compensatory time off, due to illness or injury, including pregnancy and maternity leave).
- 303.13.2 Employees may donate a maximum of forty (40) hours of vacation per fiscal year in increments of eight hours in support of fellow employees who experience a catastrophic illness or injury. Unused donated time will be returned proportionally to the donors.
- 303.13.3 Donated time will be “banked”, using the value of each hour of donated time as the basis for credit.
- 303.13.4 An employee may request a grant of donated time under the program when he/she has a catastrophic illness or injury and has exhausted all accrued paid leave benefits. Grants may be requested when the employee must care for a member of their immediate family under the same conditions. The request must include documentation of the catastrophic illness or injury, the limitations of that condition, and the anticipated duration of the condition.
- 303.13.5 A request for donated time under this program may be submitted by the legal representative or an employee’s immediate family member with the employee’s authorization. The request must include documentation of the catastrophic illness or injury, the limitations of that condition, and the anticipated duration of the condition.
- 303.13.6 Grants of donated time will be approved by the General Manager, with consideration being given to the amount of available donated time and the demonstrated need of the employee. In no event will a grant of donated time be approved for an employee who has a history or record of sick leave abuse or failure to use accrued leave benefits responsibly.
- 303.13.7 Grants will be awarded as hours from the leave bank. Donated vacation credit may not exceed continuance of the employee’s regular rate of compensation.
- 303.13.8 While an employee is on catastrophic leave using donated time, the employee shall not accrue any vacation or sick leave.
- 303.13.9 Donations are subject to applicable tax laws. Recipient employees will be responsible for any applicable state and federal income taxes on the donated time. There is no tax liability to donors.

303.14 Leave Without Pay

303.14.1 A leave of absence without pay may be granted by the Board of Trustees upon the request of a District employee and recommendation of the General Manager, but such leave will not be for longer than six months.

303.14.2 Unless otherwise specifically provided in the policies in this Chapter, or set forth in provisions of the Employee's Memorandum of Understanding, the General Manager is directed NOT to pay the health benefits of employees at any time that they are on leave without pay from the District.

303.15 Definition of Immediate Family

303.15.1 The definition of "Immediate Family" shall be consistently applied to all leave policies set forth in this Chapter. The District purposefully elects a broad and consistent definition, which may, in some circumstances, be beyond what is required by law and regulation, to ensure efficient and consistent administration of leave policies.

303.15.2 For purposes of leave administration in this Chapter, "Immediate Family" is defined as an employee's: Spouse (including a lawfully married same-sex spouse), state registered domestic partner, child, (including a biological, adopted, or foster child, legal ward, or a child to whom the employee stands in *loco parentis*) child of registered domestic partner, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather, parent-in-law, grandparent, and grandchild.

303.16 Administrative Leave

303.16.1 Exempt employees will be given 40 hours of administrative leave annually on July 1 with no rollover.

Section 304. Probation and Performance Management

304.1 Probationary Period

304.1.1 The probationary period is regarded as a part of the selection process for regular employees and is utilized for the purpose of determining the employee's ability to perform satisfactorily the essential job duties, with or without reasonable accommodations, prescribed for the position, and determining the employee's ability to work with other employees. All probationary employees are considered to be "at-will." Temporary, part-time, and seasonal employees are at-will employees

and are not subject to a probationary period. The probationary period policy does not apply to at-will management employees.

- 304.1.2 All initial and promotional appointments shall be tentative and subject to a probationary period of actual District service in the new position. The probationary period does not include time served under any temporary or provisional appointment. The lengths of the initial and promotional probationary periods will be six (6) months for all full-time employees.
- 304.1.3 The probationary period of an individual employee may be extended by the General Manager prior to the expiration of probation, upon the request of the supervisor and approved by the General Manager, for a period not to exceed an additional six (6) months.
- (a) Probation may be extended if there has been insufficient opportunity to evaluate fully the employee's ability to perform the duties prescribed for the regular position. Such an extension must be approved by the General Manager, and the employee will be notified in writing of the extension of the probationary period.
 - (b) If the number of leaves of absences (paid or unpaid) totals thirty (30) or more days, it will automatically extend the probationary period the equivalent amount of time the employee was absent from work.
- 304.1.4 A supervisor may determine that a probationary employee should not pass probation at any time during the employee's probationary period or extension thereof. When the supervisor makes such a determination, he/she will notify the General Manager in writing. Upon approval of the General Manager, the supervisor shall terminate employment of the probationary employee by written notice prior to the expiration of probation.
- 304.1.5 Probationary employees serve in an at-will capacity. Any release from probation will not be for cause, but rather because the employee failed to meet the standards of the class/position. The employee has no right of appeal of failure to pass probation.
- 304.1.6 An employee who fails to pass probation following a promotional appointment and held regular status in their former classification shall be reinstated to their former position or to a vacant position in the same classification.
- 304.1.7 If an employee is promoted during a probationary period, the employee will serve the probationary period in the new position. If the employee does not pass the probationary period of the promotion,

there are no specific employee rights to return to their previous job because regular status was not obtained.

304.2 Performance Evaluations

- 304.2.1 The performance management system at the District is designed to motivate, recognize, and reward employees' efforts and achievements. The District strives to create a work environment in which employees are recognized and rewarded for their contributions and where employees understand, contribute, and help meet the District's overall goals.
- 304.2.2 Goal-oriented performance objectives should be established and clearly communicated for each employee. Both performance and behavioral objectives may be established. It is important that employees understand the District's expectations.
- 304.2.3 The District encourages individual feedback to employees on a regular basis. The District's performance management system is designed so that each regular full-time employee will be evaluated at least annually, and quarterly while the employee is on probation.
- 304.2.4 Employees will be eligible for consideration of a salary step increase in conjunction with the annual evaluation. The first increase will be considered with the evaluation at the employee's six-month anniversary.
- 304.2.5 All employee evaluations will be prepared in written form and signed by the employee's supervisor. The General Manager's supervisor is the Board of Trustees or its chosen representatives.
- 304.2.6 For each evaluation, there will be a performance evaluation review meeting between the employee and the employee's supervisor, during which the written evaluation will be presented and discussed.
 - (a) Upon completion of the performance evaluation review meeting, the employee will sign the evaluation to show that the interview was completed.
 - (b) The employee will have the opportunity to provide written comments regarding the evaluation within seven calendar days of the interview.
 - (c) The General Manager will review the performance evaluation and employee comments. The General Manager will sign the performance evaluation to indicate that the process was completed. Copies of the completed performance evaluation and

the employee's comments will be provided to the employee. The original copy will be kept in the employee's personnel file.

- 304.2.7 An employee evaluation that is less than satisfactory requires preparation of a performance improvement plan to be signed by the employee and a follow-up evaluation to be completed within six months.
- 304.2.8 The performance evaluation is not subject to the grievance process set forth in Chapter 700 of this Policy Manual.

Section 305. Job Abandonment

- 305.1 Attendance and punctuality that is observant of scheduled hours on a regular basis are essential functions of all classification. A constructive resignation occurs and is effective when an employee has been absent from duty for three (3) or more consecutive working days without authorized leave. The District may consider that a constructive resignation has occurred due to the absence, or that the absence provides a reasonable basis for believing that the employee has abandoned the job.

At minimum, one phone call in an attempt to speak with the employee will occur. A voice message may be left for the employee.

After being absent for three consecutive working days, a written notice will be sent via U.S.P.S. Priority Mail to the employee. If known, an e-mail may also be sent to the employee's personal e-mail address. The employee will be given written notice, at employee's address of record, of the circumstances of the job abandonment, and an opportunity to provide an explanation for employee's unauthorized absence. The employee will be provided five (5) calendar days to respond, in writing, why employee's employment with the District should not be terminated due to job abandonment, or can arrange for an appointment with the General Manager or designee before final action is taken to explain the unauthorized absence and failure of timely notification. The decision of the General Manager is final.

Section 306. Drug Free Workplace

- 306.1 The District is committed to providing a work environment that is safe, healthy, and free of any adverse effects caused by alcohol or controlled substances. The District is concerned about employees or other persons working, contracting, or volunteering with the District being under the influence of alcohol, drugs, and/or controlled substances at work or while on District premises. The purpose of this policy is to promote a drug and alcohol-free workplace and to eliminate substance abuse and its effects in the workplace.

- 306.2 A District employee is prohibited from working or being subject to call-in if impaired by alcohol or any controlled substance.
- 306.3 An employee must notify their supervisor before beginning work when taking medications or drugs that could interfere with the safe and effective performance of duties or operation of District equipment. If there is a question regarding an employee's ability to perform assigned duties safely and effectively while using prescribed medications, the District may require medical clearance.
- 306.4 Compliance with this policy is a condition of District employment. Disciplinary action will be taken against those who violate this policy.
- 306.5 In order to promote a safe, productive, and efficient workplace, the District has the right to search and inspect all District property, including but not limited to lockers, storage areas, furniture, District vehicles, and other places under the common or joint control of the District and employees, without prior notice. No employee has any expectation of privacy in any District building, property, or communications system. No personal property items, such as personal cell phones or other personal electronic devices, purses, backpacks, briefcases, etc., will be searched under this policy.
- 306.6 Except as provided otherwise in a Memorandum of Understanding, the District has discretion to test a current employee for alcohol or drugs following any work-related accident or any violation of safety precautions or standards.

Section 307. Workplace Violence

The goal of the District is to provide every employee a safe work environment. To this end, it is the District's policy that violence, or the threat of violence, in the workplace will not be tolerated in any form. It is inappropriate to use violence or threats of violence for any reason or to in any way interfere with providing a safe workplace. Violence, or the threat of violence, against or by any employee of the District or any other person is unacceptable.

- 307.1 Should a non-employee or District Trustee on District property demonstrate or threaten violent behavior, the District will call law enforcement and he/she may be subject to criminal prosecution. Should an employee demonstrate or threaten violent behavior, he/she may be subject to disciplinary action up to and including termination.
- 307.2 The following actions are considered violent acts, but not limited:
- (a) striking, punching, slapping, or assaulting another person;
 - (b) fighting or challenging another person to a fight;
 - (c) grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise;
 - (d) engaging in dangerous, threatening, or unwanted horseplay;

- (e) Threat with the use of a gun, knife, or other weapon of any kind on District property, including parking lots, other interior and exterior premises, District vehicles, or while engaged in activities for the District in other locations;
 - (f) verbal assaults that are statements that would place a reasonable person in fear of harm for the safety of himself/herself or others and that serve no legitimate workplace purpose; and/or
 - (g) threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- 307.3 Any employee or Trustee who is a victim of any violent threatening or harassing conduct, any employee or Trustee witness to such conduct, or any employee or Trustee receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, will immediately report the incident to their supervisor or other appropriate person in the chain of command. The General Manager must be notified.
- 307.4 No one acting in good faith who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment by the District.
- 307.5 Any employee reported to be a perpetrator will be provided due process before the District takes disciplinary action.
- 307.6 Anyone who fears for the safety of persons at the scene of the violent act should call law enforcement immediately.

Section 308. Exit Interviews

- 308.1 The General Manager, or immediate supervisor, will meet with each employee at the end of their employment at the District.

Section 309. Remote Working (Telework)

- 309.1 It is the policy of ACMAD to provide a telecommuting program as an alternative to the traditional work location. The program is designed to achieve increased productivity and to use of staff work time effectively, to promote efficient use of resources, and to allow for flexibility during family and local/state/national emergencies.
- 309.1.1 Telework refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

309.1.2 There are three types of telework.

- a) Routine telework in which telework occurs one day a week as part of an ongoing, regular schedule.
- b) Situational telework that is approved by the General Manager, or their designee, on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing, and regular telework schedule. Situational telework should only be used infrequently for cases such as doctors' appointments, road hazards, inclement weather, sick family members, or emergencies. Situational telework may also be occasionally used to promote staff and resource efficiency, particularly for offsite meetings or for appointments where telework would increase staff efficiency. Situational telework is allowed at a maximum of five (5) days a month unless an emergency arises.
- c) Management telework in which the General Manager, or their designee, notifies staff that they are working off site for the day(s) or portion thereof.

309.1.3 Telecommuting is not an employee right but may be offered by the District based upon business needs. If at any time the General Manager, or their designee, determines the work schedules and/or workweek periods offered must be changed, affected employees will be notified of the change at least one week in advance.

309.2 Telecommuting Eligibility

309.2.1 Eligibility to participate in the telecommuting program is subject at all times to the needs of the District and may be modified as those needs dictate.

309.2.2 This policy will be applicable to employees who meet specific work standards and who have current projects and job duties that are appropriate for telecommuting. Meeting one or more of the eligibility requirement does not guarantee approval of telecommuting. The General Manager, or their designee, holds the final determination of whether an employee's position is appropriate for telecommuting and if the employee meets the specific work standards. Minimum work standard eligibility requirements include, but are not limited to:

- a) prior annual job performance evaluation and/or job performance that demonstrates employee ability to work independently;
- b) employee is self-motivated and demonstrates high dependability;
- c) job duties and requirements allow the employee to be away from the District's worksite for a period of time during the work week;

- d) telecommuting does not impede other employees from performing their job duties or diminish the operations of the District.
- e) telecommuting does not reduce service to internal or external customers; and/or
- f) supervisor is able to manage the employee remotely.

309.3 Participation Guidelines

309.3.1 The duties, obligations, responsibilities, and conditions of a District employee are not changed by telecommuting. Employee's wage, retirement, benefits, and insurance coverage remain unchanged.

309.3.2 The telecommuting employee remains obligated to comply with all District policies, practices, and instructions. Violations may result in preclusion from telecommuting and/or disciplinary action, up to and including termination of employment. The District's worker's compensation liability for job-related accidents will continue to apply during the employee's telecommuting work hours.

309.3.3 Work hours, overtime compensation, and vacation schedules will conform to District policies and practices, Fair Labor Standards Act (FLSA), and to any other terms agreed upon by employee supervisor, except that, those terms may not violate the laws/provisions stated above. Hours of work can be arranged with the supervisor.

3.9.4 Job Performance

309.4.1 Employee will work at a designated location during hours agreed upon. Arrangements for flexible work schedules are subject to supervisor's approval.

309.4.2 Expectations must be pre-established between telecommuters and supervisors regarding work assignment(s), productivity level, and productivity measurements to be used when employee is telecommuting. Timeliness, quality, and quantity of work must be maintained.

309.4.3 Attendance and punctuality that is observant of scheduled hours on a regular basis is an essential function of each classification and must be maintained during telecommuting, unless otherwise approved in advance.

309.4.4 Employee agrees not to engage in employment activities other than District assignments during telecommuting hours.

3.9.5 Office Equipment

- 309.5.1 The District will provide equipment similar to that used by employee(s) on a regular basis to accomplish their daily duties, as determined by the General Manager. Office supplies needed by the telecommuter will be provided by the District. All supply requests must be pre-approved by the General Manager, or their designee. The District retains ownership of all equipment and/or licenses provided.
- 309.5.2 Use of District equipment and supplies is limited to authorized persons for purposes relating to District business. The employee is responsible for ensuring that equipment is used properly. The District will provide for maintenance and repairs to District equipment.
- 309.5.3 When an employee uses their own equipment for telecommuting, the employee is responsible for maintenance and repair of their equipment. The District is not liable for damage to the employee's real property.
- 309.5.4 The District is not responsible for the payment of utilities (heat, electricity, etc.) or home maintenance costs.
- 309.5.5 In the event of delay in repair or replacement of equipment or any other circumstance under which it would be ineffective for the employee to telecommute, the employee will return to the District workplace.

309.6 Taking District Vehicles Home

- 309.6.1 If an employee is approved by the General Manager, or their designee, to take a District vehicle home as an effective use of staff work time, to promote efficient use of resources, or to allow for flexibility during family and local/state/national emergencies, the vehicle must be driven directly home and parked off-street. (see section 404).
- 309.6.2 If crossing any toll roads while driving home, those costs must be incurred by the employee by registering the District vehicle with the appropriate agency.

309.7 Remote Work Location

- 309.7.1 Employee must designate a workspace at home or another location that is maintained in a safe condition and free from hazards. Telecommuter will be responsible for completing a workspace safety review with approval from the General Manager, or their designee, that will include a photo of the workspace. Any accident occurring while telecommuting must be brought to the immediate attention of the supervisor.

- 309.7.2 As part of telecommuting responsibilities, the telecommuter must ensure that safety and ergonomic standards are met in their workspace. Although the workspace does not have to be a separate room, it must have adequate lighting, ventilation, and furniture that is ergonomically comfortable and safe to use.
- 309.7.3 Telecommuters must have a method for expediently receiving and responding to communications (phone calls, messages, mail, etc.) from other staff, supervisors, and when applicable, clients and/or the public.
- 309.7.4 Telecommuter remains solely liable for injuries to third persons and/or members of employee's family on employee's premises.
- 309.7.5 Telecommuter will take all reasonable precautions necessary to secure District information and equipment in their workspace in order to prevent unauthorized access to any District system or information. Data and information used by telecommuters must be treated with the same caution that confidential material is given in the District office.

309.8 Request for a Telecommuting Schedule

- 309.8.1 Employees who would like routine and/or situational telework must submit an email request to their supervisor and General Manager, or their designee, for approval, if not already assigned telework due to a local/state/national emergency.
- 309.8.2 All telework (whether routine, situational, or management) must be added to the District calendar before the workday has begun. The employee's supervisor and/or the Accounting Associate will provide access to the District calendar.

Chapter 400. OPERATIONS

Section 401. District Policy General

The following goals and guidelines have been adopted by the Board of Trustees of the District to be used by management in the formulation and implementation of District programs:

- (a) The District shall carry on a mosquito control program to provide an acceptable level of comfort and to protect the public from mosquito-borne disease.
- (b) The mosquito control program shall be consistent with prevailing land-use planning, comply with the California Environmental Quality Act of 1970 (adopted February 28, 1973), and be appropriately integrated with environmental management plans.
- (c) The mosquito control program shall emphasize environmental management techniques that reinforce already operating forces of natural control. Control agents and/or methodologies shall be selected on the basis of human and environmental safety and efficiency.
- (d) The mosquito control program treatment zones will be evaluated and adjusted every decade following the results of the census.

401.1 Other Pertinent Legislation and Cooperative Agreements impacting the Operations of the District:

- (a) California Department of Agriculture Pesticide Worker Regulation;
- (b) Cooperative Agreement, State Department of Public Health; and/or
- (c) Occupational Safety and Health Act.

401.2 Source Reduction Policy

401.2.1 It shall be the overall goal of the District to provide for the public's health and comfort by carrying on a program of mosquito source abatement that is responsive to the public, cost effective, compatible with the natural environment, and consistent with prevailing land-use planning or zoning.

401.2.2 The primary objective of the District shall be the progressive elimination and/or management of mosquito breeding sources. This shall be accomplished through District review of local government planning processes, by educational means, by public projects

accomplished by the District or in cooperation with regulatory agencies, by legal abatement procedures, or by other means.

- 401.2.3 When it is determined by the District that a mosquito source will require a continuing program of maintenance and/or water management, the District objective shall be to educate landowners and land managers to fully accept the responsibility for managing the mosquito source in a manner that will reduce mosquito production to a level determined to be satisfactory to the District.

401.3 Legal Abatement Procedures

- 401.3.1 Under the following circumstances, the District shall initiate legal procedures to abate a mosquito source, and/or gain repayment of the costs of temporary control incurred by the District:

- (a) A landowner, corporation, public agency, etc., has not made a reasonable effort to abate, or cooperate in the abatement of, a mosquito source as recommended by the District.
- (b) A landowner, corporation, public agency, etc., has not made a reasonable effort to take the responsibility for maintenance and management of a long-term mosquito source.
- (c) During the interim period before a source is eliminated, or before a mosquito control management program can be implemented by the landowner or land manager, the District shall, within the limits of its resources and legal authority, make physical modification, introduce biological controls, and/or apply approved pesticides to provide temporary control in order to maintain a satisfactory level of public health and comfort.

The District shall initiate legal action to abate the source or to gain repayment of costs incurred by the District when the conditions specified above prevail.

Section 402. Injury and Illness Prevention Program

- 402.1 Policy Statement. The District will institute and administer a comprehensive and continuous occupational Injury and Illness Prevention Plan (IIPP) for all employees. The health and safety of the individual employee, whether in the field, shop, or office, takes precedence over all other concerns. Management's goal is to prevent accidents, to reduce personal injury and occupational illness, and to comply with all safety and health standards.

- 402.2 Program Administration. Overall responsibility for the development, implementation, and monitoring of the IIPP shall be vested with the General

Manager. Day-to-day responsibility for the IIPP shall be assigned to the (IIPP Administrator) as designated by the General Manager. Duties of the IIPP Administrator include, but are not limited to:

- (a) Ensuring that all supervisors are trained in workplace safety and are familiar with the safety and health hazards to which employees under their immediate direction may be exposed as well as applicable laws, regulations, and the District's safety rules and policies;
- (b) Ensuring that employees are trained in accordance with this program;
- (c) Inspecting, recognizing, and evaluating workplace hazards, including repetitive stress, on a continuing basis;
- (d) Developing methods for abating workplace hazards;
- (e) Ensuring that workplace hazards are abated in a timely and effective manner;
- (f) Maintaining current certification in CPR and first aid training; and
- (g) Maintaining the District's Safety Binders, which include safety information on equipment and materials used at the District. A copy of the Safety Binder will be located in the Tech room for employee use.

402.3 Employee Compliance

402.3.1 All employees are responsible for carrying out the IIPP in their work areas. A copy of the IIPP shall be available from the IIPP Administrator or the General Manager, who shall be able to answer employee questions about the program.

402.3.2 Employees who follow safe and healthful work practices will have this fact recognized and documented on their performance reviews.

402.3.3 Employees who are unaware of correct safety and health procedures will be trained or retrained by the IIPP Administrator and/or their supervisor and this training will be documented in the IIPP Training Log.

402.3.4 Willful violations of safe work practices may result in disciplinary action in accordance with District policies set forth in Chapter 700.

402.4 Communication

402.4.1 Matters concerning occupational safety and health will be communicated to employees by means of written documentation, staff meetings, formal and informal training, and posting.

- 402.4.2 Communication from employees to the IIPP Administrator about unsafe or unhealthy conditions is encouraged and may be verbal or written, as the employee chooses. The employee may use the Unsafe Condition Form and remain anonymous.
- 402.4.3 No employee shall be retaliated against for reporting hazards or potential hazards or for making suggestions related to safety.
- 402.4.4 The results of the investigation of any employee safety suggestion or report of hazard will be distributed to all employees affected by the hazard or posted on appropriate bulletin boards.

402.5 Inspections

- 402.5.1 The IIPP Administrator will conduct monthly inspections to identify unsafe work conditions and practices. The monthly inspection will also include all safety items such as fire extinguishers, eye wash stations, fire/smoke alarms, and wash facilities.
- 402.5.2 Employees are required to inspect equipment and the work site for unsafe conditions before beginning work each day.
- 402.5.3 The IIPP Administrator is also required to inspect new substances, processes, procedures, or equipment introduced into the workplace for occupational safety and work hazards.

402.6 Accident and Incident Investigation

- 402.6.1 All work-related accidents shall be investigated by the District immediately. Reported minor accidents and near misses shall be investigated as well as serious incidents. A “near miss” is an incident which, although not serious in itself, could have resulted in serious injury or significant property damage.
- 402.6.2 The investigation must obtain all the facts surrounding the occurrence including, but not limited to: what caused the situation to occur; who was involved; was/were the employee(s) qualified to perform the functions involved in the accident or near miss; were they properly trained; were proper operating procedures followed, and if not, why not; where else this or a similar situation might exist, and how it can be corrected. A written report of the investigation shall be prepared and submitted to the General Manager.
- 402.6.3 The accident and incident investigator (IIPP Administrator or person designated by the General Manager) must determine which aspects of the operation or process require additional attention to eliminate the cause of the accident or near miss.

402.6.4 Actions already taken to reduce or eliminate the exposures being investigated should be noted, along with those remaining to be addressed. Any interim or temporary precautions should also be noted. Any pending corrective action and reason for delaying its implementation shall be identified.

402.6.5 Corrective action shall be identified in terms of how it will prevent a recurrence of the accident or near miss in the future.

402.7 Correction of Unsafe or Unhealthful Conditions

402.7.1 Whenever an unsafe or unhealthful condition, practice, or procedure is observed, discovered, or reported, the IIPP Administrator will take appropriate corrective measures in a timely manner based upon the severity of the hazard. Employees will be informed of the hazard, and interim protective measures will be taken until the hazard is corrected.

402.7.2 Employees may not enter an imminent hazard area without appropriate protective equipment, training, and prior specific approval given by the IIPP Administrator.

402.8 Training

402.8.1 The IIPP Administrator or designee shall assure that the supervisors receive training on recognizing the safety and health hazards to which employees under their immediate direction may be exposed.

402.8.2 Supervisors are responsible for seeing that those under their direction receive training on general workplace safety and specific instructions regarding hazards unique to any job assignment.

402.8.3 This safety training will be provided:

(a) To all employees and those given new job assignments for which training was not previously received;

(b) Whenever new substances, processes, procedures, or equipment introduced to the workplace present a new hazard; and/or

(c) Whenever the employer is made aware of a new or previously recognized hazard.

402.8.4 When supervisory staff are unable to provide the required training themselves, they shall request that the training be given by others or designees.

402.8.5 A specific list of training requirements for employee instruction is contained in the California Code of Regulations, Title 8, Section 1510, "Safety Instructions for Employees."

402.9 Record Keeping

402.9.1 The IIPP Administrator or designee shall keep records of inspections, including the name of the person(s) conducting the inspection, the unsafe conditions and work practices identified, and action taken to correct those identified unsafe conditions and work practices. The records shall be maintained for three years.

402.9.2 The IIPP Administrator or designee shall also keep documentation of safety and health training attended by each employee, including employee name or other identifier, training dates, type(s) of training, and training providers in the IIPP folder. This documentation shall be maintained for three years. Training history may also be included in employees' personnel files with employees' signed acknowledgments.

402.9.3 The IIPP Administrator or designee shall keep records of all employees' safety and health-related certifications, including specifically certifications for pesticide application, first aid, and cardiopulmonary resuscitation. The IIPP Administrator or designee shall advise employees of the expected expiration of certifications in a timely manner so that certifications can be kept current. The IIPP Administrator or designee shall notify the General Manager immediately of the expiration of any employee's required certification.

402.9.4 The General Manager shall ensure that all required employee certifications are maintained.

402.10 Hazard Communication Program

402.10.1 The District has developed a Hazard Communication Program to enhance our employees' health and safety.

402.10.2 As a District we shall provide information about hazardous chemicals and the control of hazards via our comprehensive Hazard Communication Program, which includes container labeling, Safety Data Sheets (SDS), and training.

402.10.3 It is the policy of the District that no container of hazardous substances will be released for use until the following label information is verified:

(a) Containers are clearly labeled as to the contents;

(b) Appropriate hazard warnings are noted; and

(c) The name and address of the manufacturer are listed.

402.10.4 The responsibility for labeling containers is assigned to the IIPP Administrator. All secondary hazardous material containers will be labeled.

402.10.5 Employees are responsible for ensuring that all secondary hazardous material containers are labeled with either an extra copy of the original manufacturer's label or with a generic label blocking the original while clearly identifying the contents, including safety hazard information.

402.11 Safety Data Sheets (SDS)

402.11.1 Copies of the Safety Data Sheets (SDS) for all hazardous substances to which employees of this District may be exposed will be kept in the Technician Room, and the IIPP Administrator will be responsible for obtaining and maintaining the SDS information for the District.

402.11.2 The IIPP Administrator shall review incoming SDS for new and significant health/safety information. Any new information shall be provided to the affected employees.

402.11.3 SDS will be reviewed for completeness by the IIPP Administrator. If an SDS is missing or obviously incomplete, a new SDS shall be requested from the manufacturer. Cal/OSHA shall be notified if a complete SDS is not received.

402.11.4 SDS shall be available to all employees in their work area for review. If SDS are not available or new hazardous substance(s) in use do not have SDS, contact the IIPP Administrator.

402.11.5 Employees are to attend a health and safety orientation set up by the IIPP Administrator prior to starting work to receive information and training on the following:

(a) An overview of the requirements contained in the Hazard Communication Program, including their rights under the regulation;

(b) Operations in their work area where hazardous substances are present;

(c) Location and availability of the written Hazard Communication Program;

(d) Physical and health effects of the hazardous substances;

- (e) Methods and observation techniques used to determine the presence or release of hazardous substances in the work area;
- (f) How to lessen or prevent exposure to these hazardous substances;
- (g) Steps the District has taken to lessen or prevent exposure to these substances;
- (h) Emergency and first aid procedures to follow if employees are exposed to these substances; and
- (i) How to read labels and review SDS to obtain appropriate hazard information.

402.11.6 When new hazardous substances are introduced, the IIPP Administrator will review the above items as they are related to the new material in a safety meeting.

402.12 Hazardous Non-Routine Tasks

402.12.1 Periodically, employees are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee will be given information by the IIPP Administrator or person in charge of the project about hazards to which they may be exposed during such an activity. This information will include:

- (a) Specific hazards;
- (b) Protective/safety measures which must be utilized; and
- (c) Measures the District has taken to lessen the hazards.

402.13 Outside Contractors. To ensure that outside contractors work safely at our District, it is the responsibility of the IIPP Administrator to provide contractors the following information:

- (a) Hazardous substances to which they may be exposed while on the job site; and
- (b) Precautions the contractor's employees may take to lessen the possibility of exposure by usage of appropriate protective measures.

402.14 Plan Questions. Questions about this plan should be directed to the IIPP Administrator. The plan will be monitored by the IIPP Administrator to ensure that the policies are carried out and that the plan is effective.

402.15 ACMAD Safety Committee

402.15.1 The Safety Committee is to be made up of the General Manager, the IIPP Administrator, and two other employees representing the lab and field operations. The two other employees will serve on the committee for a one-year period (calendar year). Employees are to be rotated through the Safety Committee so that they might benefit from an increased awareness of safety at the District. At any time, a supervisor may attend a meeting. The Safety Committee is to meet at least quarterly.

The standing charges for the Safety Committee include:

- (a) Review all unsafe conditions reports to insure appropriate action has been taken. File reports with the IIPP Administrator.
- (b) Review all accident reports to make sure that such accidents are avoided in the future. Make recommendations for corrective action.
- (c) Review current safety record to determine trends.
- (d) Review new equipment to develop procedures for safe operation.
- (e) Review any new working procedures to modify as necessary to be safe.

Section 403. Computer, E-Mail, and Voice Mail Policy

403.1 The District's computer, network, electronic data, e-mail, internet access, voice mail, facsimile, and telephone systems ("information systems") are business tools made available to District employees in order to enhance efficiency in job performance, and are provided for the transmission of District business and information. These systems are to be used for District business only and not for personal purposes.

403.2 Personal telephone calls and/or e-mail during business hours, both incoming and outgoing, shall be confined to those which are absolutely necessary, and should be kept to a minimum.

403.3 The District owns the rights to all data and files in any computer, network, or other information system used in the District and to all data and files sent or received using any District system or using the District's access to any computer network, to the extent that such rights are not superseded by applicable laws relating to intellectual property. The District also reserves the right to monitor electronic mail messages and their content, as well as any and all use by employees of the internet and of computer equipment used to create, view, or access e-mail and internet content. Employees must be aware that the electronic mail messages sent and received using District equipment or District-provided internet access,

including web-based messaging systems used with such systems or access, are not private and are subject to viewing, downloading, inspection, release, and archiving by District officials at all times. The District has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with District policies and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or the General Manager or Board President.

403.4 The District's information systems may not be used in any way that may be disruptive, offensive to others, or harmful to morale.

403.5 Use of Social Media

403.5.1 Social media sites may be used by the District as an additional means of conveying District information to its residents, constituents, and community members and maximizing the promotion of District programs and services.

403.5.2 The intended purpose of establishing social media pages for the District's use is to establish an interactive communication platform with local residents and to disseminate information from the District and about the District. This policy is also intended to mitigate associated risks from use of social media technology where possible.

403.5.3 The District has an overriding interest and expectation in protecting the integrity of information posted on its social media pages and deciding what is "said" on behalf of the District. This policy applies wholly to the District and all District Trustees, employees, or officials who use social media sites and/or technology on behalf of the District. Further, the District's social media presence is intended to serve only as a limited public forum.

403.5.4 All official District presences on social media sites are considered an extension of the District's information networks and are governed by District policies, including e-mail, internet usage, and use of electronic media policies. In addition, the District's presence on social media sites is also subject to the District's policies on harassment, discrimination, political activity, and customer relations.

403.5.5 Employees representing the District via social media sites must conduct themselves at all times as representatives of the District. Employees who fail to conduct themselves in an appropriate manner shall be subject to appropriate disciplinary actions.

403.5.6 Content posted on social media sites may be considered public records subject to disclosure under California's Public Records Act ("PRA" – Government Code §§ 6250, et. seq.). Any content

maintained on any approved District social media site that is related to District business, including a list of subscribers, posted communication, and communication submitted for posting as well as any deleted content may be a public record subject to disclosure. All such content must be retained pursuant to the PRA and the District's retention policy. PRA requests for the production of posts or deleted content on an approved District social media site shall be referred to the General-Manager for review and response.

- 403.5.7 Parental consent must be obtained before posting images of minors on District social media platforms.

Section 404. Policy for District Vehicle Use

- 404.1 The General Manager may grant temporary use of a District vehicle to an employee for use after regular District work hours when it proves to be more efficient in the completion of District work.
- 404.2 No employee will be granted temporary use of a District vehicle under this policy who has not provided the District with proof of: (1) valid automobile insurance with coverage that meets current state minimums, and (2) a current DMV printout which documents that the employee has a valid California Driver's license, and an acceptable driving record.
- 404.3 At no time shall the General Manager grant use of a District vehicle to anyone other than a District employee or Trustee, and at no time shall the vehicle be used for any other purpose than District business.

Section 405. Policy for Use of District Unmanned Aircraft Systems (UAS)

UAS Purpose and Scope

- 405.1 The purpose of an UAS for the District is to augment the existing mosquito monitoring and control program. Images collected using the UAS that contain personally identifiable information (PII) will not be retained. At no time shall District UAS be used for any purpose other than District business.
- 405.2 Each UAS mission must comply with federal, state, and local UAS regulations and adhere to restrictions made by air traffic control services that monitor the airspace of the operation.

405.3 UAS missions may be conducted only after the landowner or property manager has provided prior and verifiable permission for the operation or when legal authority for the operation is provided.

UAS Operations

405.4 Only District employees that hold a valid remote pilot license, which is issued by the US Federal Aviation Administration (FAA), and a properly trained pilot is permitted to operate a UAS.

405.5 Appropriate personal protective equipment must be used during all operations that involve UAS including safety glasses during UAS takeoff and landing.

405.6 The pilot in command (PIC) may fly the UAS only if satisfied that the flight can be made safely. The PIC should conduct a preflight inspection to include specific UAS and control station systems checks and to ensure that the UAS is in a condition for safe operation. The PIC should conduct a pre-mission survey of the flight area to evaluate local geography and identify hazards. The PIC will always seek to minimize the risk of injury, property damage, and intrusion of privacy when planning and conducting operations with UAS.

405.7 The elevation above ground level (AGL) that the UAS is flown should be minimized preferably less than 100 feet AGL.

405.8 All incidents of UAS loss of control and collisions (person, animal, or structure) must be reported verbally to the supervisor of the PIC as soon as it is safe, and a written summary of the incident provided to the supervisor of the PIC within one (1) working day of the incident.

405.9 The PIC shall report to FAA as required any operation that results in serious injury or property damage.

UAS Data Management

405.12 A maintenance record book must be maintained for each UAS. A flight log book that records all UAS operations should be made by the PIC for each operation and retained for at least three (3) years after an operation (per ACMAD policy §800).

405.13 The PIC is responsible for destroying all photographs or videos (originals and copies) that are made using the UAS within seven (7) working days from the conclusion of each UAS operation if they contain PII. PII includes, but is not limited to, images of non-District staff or non-District vehicle license plate.

405.14 The PIC is responsible to make sure that no photograph or video (originals and copies) that are made using the UAS are shared with anyone outside the District without the written permission of the General Manager of the District. Data collected by the UAS, including photographs and or videos shall be used only by the District in accordance with its stated mission and objectives.

CHAPTER 500. HIRING AND EQUAL EMPLOYMENT OPPORTUNITY POLICIES

501. Hiring

- 501.1 All District recruitments shall be conducted on a merit-based, competitive basis. There is not an established minimum number of days set for an open recruitment; the number of days a recruitment is open will depend upon an analysis of the current labor market for that job class.
- 501.2 The job announcement and other advertisement materials will state the application process and timeline. An applicant's failure to provide a completed application by the filing deadline or failure to follow instructions may disqualify the applicant from further consideration.
- 501.3 Staff assigned by the District will review all application materials and determine those applicants who present qualifications that most closely match the requirements of the position and who should be further considered for employment. After such review, applicants will be notified of their status and/or next steps in the selection process.
- 501.4 Applicants may be required to participate in a variety of selection processes that may include, but are not limited to, an interview panel and/or written examination, physical ability or skills testing, or any combination of valid and job-related assessments designed to evaluate an applicant's possession of the knowledge, skills and abilities relevant to the position. Performance in the selection processes will identify those applicants qualified to proceed further in the hiring process.
- 501.5 Applicant screening will include a review and confirmation of the applicant's employment history, education, professional credentials and/or certification, and criminal records (after the applicant is determined to be qualified for the position). If applicable to the position, the applicant's driving record and credit record may also be reviewed. Appropriate authorization from the candidate will be obtained before the background checks are initiated.
- 501.6 The General Manager or designee will be responsible for verifying references. An offer of employment shall not be made until the reference checking is completed.
- 501.7 Only the General Manager is authorized to approve an offer of employment to a candidate. The initial verbal offer of employment may be made on a contingent basis based on successful completion

of further steps of the screening process. Contingencies may include a post offer of employment medical exam and/or drug testing. Candidates failing to meet the requirements of the contingent offer are subject to a withdrawal of the offer of employment.

- 501.8 The employee's first day of work is considered the employee's anniversary date for purposes of service start date and benefits determination. An employee's anniversary date may change if the employee becomes permanent from a temporary or seasonal classification. Employee performance evaluations and step increases fall on the anniversary day unless the employee's classification changed or he/she took a leave of absence that required bridging two periods of uninterrupted employment.

502. Equal Employment Opportunity

- 502.1 It is the District's policy to provide equal employment opportunity to all applicants and employees in accordance with applicable equal opportunity laws, directives and regulations of federal, state, and local governing bodies and agencies thereof. The District will base all of its employment decisions on job-related standards and its commitment to equal employment opportunity, and will employ, retain, train, promote, terminate, and otherwise treat any and all employees and job applicants on the basis of merit, qualifications, and competence.
- 502.2 The District does not discriminate against its employees or applicants on the basis of race, religion (including all aspects of religious belief, such as grooming practices and religious dress), color, gender, gender identity (including transgender), gender expression, pregnancy, and breastfeeding, sexual orientation (including heterosexuality, homosexuality, bisexuality, or sex stereotype), national origin, ancestry, marital status, age (40 or over), medical condition, genetic characteristics or information, physical or mental disability, military or veteran status, or any other category protected by law.
- 502.3 Non-Discrimination/Equal Opportunity applies in all areas of District operations, including recruitment, hiring, promotion, compensation, benefits, work assignments, performance evaluation, disciplinary actions, layoffs, and employee development, along with District educational, social, and recreational programs.
- 502.4 Employees, applicants, unpaid interns, volunteers, officers, officials, or contractors who believe they have experienced any form of employment discrimination are encouraged to report this immediately using the complaint procedure provided in Section 604 of these

personnel rules or by contacting the U.S. Equal Employment Opportunity Commission or the California Department of Fair Employment and Housing.

503. Reasonable Accommodation as Part of the Recruitment Process

An otherwise qualified candidate for employment who needs a reasonable accommodation to participate in a selection process should make such a request, preferably in writing, to the General Manager. The request must identify: (a) the presence of a disability as set forth in the California Fair Employment and Housing Act and/or the Americans with Disabilities Act, (b) the element(s) of the selection process for which an accommodation is requested, and (c) the requested accommodation.

CHAPTER 600. HARASSMENT, DISCRIMINATION, AND RETALIATION

Section 601. Policy

- 601.1 The District prohibits any form of discrimination, harassment, or retaliation on the basis of membership in one or more protected classifications as defined in Section 601.2, below, as may be amended by state and federal law. District employees have a grave responsibility for maintaining high standards of honesty, integrity, impartiality, and conduct to assure proper performance of the District's business and the maintenance of confidence of the people it serves.
- 601.2 Protected classes include race, religion, color, sex (including gender, gender identity, gender expression, pregnancy, and breastfeeding), sexual orientation (including heterosexuality, homosexuality, bisexuality, transgender, or sex stereotype), national origin, ancestry, marital status, age (40 or over), medical condition, genetic characteristics or information, physical or mental disability, military or veteran status, or any other classification protected by law.
- 601.3 The District, elected or appointed officials, officers, employees, interns, volunteers, or contractors are prohibited from harassing or discriminating against applicants, officers, officials, employees, interns, volunteers, or contractors because of: (1) an individual's membership in a protected class; (2) the perception that an individual is a member of a protected class; or (3) the individual associates with a person who has or is perceived to be a member of a protected class.
- 601.4 This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and training.
- 601.5 Disciplinary action or other appropriate sanctions up to and including termination will be instituted for prohibited behavior.
- 601.6 Any form of retaliation against a person for filing a complaint or participating in the complaint resolution process is prohibited. Individuals found to be retaliating in violation of this policy will be subject to appropriate sanction or disciplinary action up to and including termination.

Section 602. Definitions

- 602.1 Harassment is unwelcome conduct based on a member of a protected class that unreasonably interferes with an employee's job performance or creates an intimidating, hostile, or offensive work environment. Behavior that constitutes harassment may include, but is not limited to:

- (a) Unwanted sexual advances, requests for sexual favors, and other acts where submission is made a term or condition of employment or where submission to or rejection of the conduct is used as the basis for employment decisions.
- (b) Behavior that interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment, including but not limited to:
 - (1) Speech, such as epithets, derogatory comments or slurs, on the basis of a protected class. This might include inappropriate comments on appearance including dress or physical features, dress consistent with gender identification, or race-oriented stories and jokes.
 - (2) Physical acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes pinching, grabbing, patting, propositioning, or leering.
 - (3) Visual acts, such as displaying derogatory posters or cartoons, or sending emails, pictures, or drawings, which are derogatory or sexually explicit.

602.2 Discrimination is treatment in favor of or against an applicant or employee based on membership in a protected class. Discrimination in employment applies to all aspects of employment, including hiring, firing, compensation, transfer, promotion, or layoff, recruitment and testing, training and apprenticeship programs, fringe benefits, pay, retirement plans, and disability leave as well as other terms and conditions of employment.

602.3 Retaliation is any adverse conduct taken because an applicant, employee, or contractor has reported harassment or discrimination or has participated in the complaint and investigation process described herein and is prohibited. "Adverse conduct" includes but is not limited to: taking sides because an individual has reported harassment or discrimination, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment or discrimination, real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination, or taking negative employment action.

Section 603. Policy Dissemination

603.1 All employees, volunteers, interns, contractors, or other District officials, shall be informed of the District's harassment and discrimination policy and complaint process prior to their need to know, and on a regular biennial basis. Also, said policy and complaint process shall be readily available to the Board of Trustees, all employees, and members of the general public utilizing the District's facilities

and services. All employees of the District shall receive training on harassment, discrimination, and retaliation prevention in the workplace.

- 603.2 All new employees, volunteers, interns, or other District officials, shall be given a copy of the harassment, discrimination, and retaliation policy and complaint process.
- 603.3 Employees promoted into supervisory positions shall be given another copy of the District's harassment and discrimination policy as well as training on the supervisor's role in preventing harassment and discrimination in the workplace as required by law.

Section 604. Complaint Process

- 604.1 An employee, job applicant, or contractor who believes he or she is a victim of harassment, retaliation, or discrimination may make a complaint verbally or in writing with an incumbent in any of the following District positions without fear of reprisal. It is not necessary to follow the chain of command:
 - (a) Immediate supervisor;
 - (b) Any supervisor; or
 - (c) General Manager or designee.

If the complaint of harassment or discrimination is the result of direct action or inaction on the part of the General Manager, the complaint should be filed directly with the President of the Board.

- 604.2 Any supervisor who receives a complaint of harassment or discrimination shall notify the General Manager or designee immediately.

Section 605. Complaint Response Process

- 605.1 Upon receipt of notification of a harassment or discrimination complaint, the General Manager or designee shall:
 - (a) Authorize and supervise the timely investigation of the complaint and/or investigate the complaint. The investigation may include interviews with:
 - (a) the complainant; (b) the alleged accused; and (c) other persons who have relevant knowledge concerning the allegations in the complaint.
 - (b) Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, discrimination, or retaliation giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.

- (c) Report the findings as to whether harassment or discrimination occurred to appropriate persons, including the complainant, the alleged violator, and the direct supervisor of the alleged violator as appropriate. Limitations on information released are set forth under Section 606, below.
- (d) If the allegations are sustained, take appropriate immediate remedial action, including imposition of discipline at a level appropriate to the circumstances, and sufficiently severe to ensure that the behavior does not continue. If discipline is imposed, the level of discipline will not be communicated to the complainant.

605.2 The person initiating the complaint has the right to be accompanied by an advocate(s) when discussing alleged incidents or participating in investigatory interviews. Said person shall be advised of this right prior to the commencement of such discussions.

605.3 The District takes a proactive approach to potential policy violations and will conduct an investigation of its employees, supervisors, managers, or Board members if it becomes aware that harassment, discrimination, or retaliation may be occurring regardless of whether the recipient or third party reports a potential violation.

605.4 The District encourages all covered individuals to report, as soon as possible, any conduct that is believed to violate this Policy.

605.6 Option to report to outside administrative agencies: An individual has the option to report harassment, discrimination, or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book, or employees can check the posters that are located on employer bulletin boards for office locations and telephone numbers.

Section 606. Confidentiality

606.1 Every possible effort will be made to ensure the confidentiality of complaints made under this Policy. Complete confidentiality cannot be guaranteed, however, due to the need to fully investigate and the duty to take effective remedial action. As a result, confidentiality will be maintained to the extent possible.

606.2 An individual who is interviewed during the course of an investigation is requested to keep the interview confidential to maintain the integrity of the investigation.

606.3 The District will not disclose or release a completed investigation report except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

Section 607. Disciplinary Procedures and Sanction

607.1 If conduct in violation of this Policy is found to have occurred, the District shall take prompt and effective remedial action against the individual found to have committed the harassment, or discrimination, or retaliation. The remedial action will be commensurate with the severity of the offense.

607.2 Action taken to remedy a harassment, discrimination, or retaliation situation shall be done in a manner so as to protect employees from future occurrences of harassment, discrimination, or retaliation. A confidential, written record of the District's investigation and action shall be maintained by the General Manager.

607.3 The District shall take all reasonable steps to protect the complainant from retaliation and further harassment, discrimination, or retaliation.

Chapter 700. GRIEVANCE AND DISCIPLINARY PROCEDURES

Section 701. Grievance Procedures

701.1 The purpose of this grievance procedure is to promote communication and improve employer-employee relations by establishing a procedure for further consideration of alleged violations of District policies or specific provisions of the Employee Association's Memorandum of Understanding and District policies that impact working conditions. Specifically excluded from the scope of grievances are:

- (a) Harassment/discrimination/retaliation complaints that allege violations of equal employment opportunity laws or employment discrimination, which shall be processed under the District's anti-harassment/discrimination complaint procedure.
- (b) The Board's decision to proceed with a reduction in force.
- (c) Disciplinary actions, whether or not appealable.
- (d) Performance evaluation or a performance improvement plan.

The District's objective is to encourage settlement of disputes as near as possible to the point of origin, and as informally as possible.

701.2 Definitions – As used in this Chapter, the following definitions shall apply:

- (a) A "grievance" is a formal written allegation by an employee who believes they have been adversely affected by an alleged violation of District policies or specific provisions of the Employee Association's Memorandum of Understanding and District policies that impact working conditions.
- (b) A "grievant" is any employee adversely affected by an alleged violation of the specific provisions of the Employee Association's Memorandum of Understanding and District policies that impact working conditions, or is the Employee Association if grieving its rights on behalf of represented employees under any of the above.
- (c) A "day" is any day in which the District offices are open for business.

701.3 General Provisions

701.3.1 All documents dealing with the processing of a grievance shall be filed separately from the personnel files of the participants.

701.3.2 Failure of the grievant to adhere to the time deadlines set forth in this policy shall mean that the grievant is satisfied with the previous

decision and waives the right to further appeal. Failure of the District to adhere to the time deadlines at any level shall mean that the grievance is automatically appealed to the next level, if any.

- 701.3.3 The grievant and the District may extend any time deadline by mutual agreement.
- 701.3.4 Every effort will be made to schedule meetings for the processing of grievances at times that will not interfere with the regular workday of the participants. If any grievance meeting or hearing must be scheduled during the workday, any employee required by either party to participate as a witness or grievant in such meeting or hearing shall be released from regular duties for a reasonable amount of time without loss of pay.
- 701.3.5 Either party to the grievance may be represented at any step of the grievance procedure by an individual or organization of that party's choice.
- 701.3.6 Until final disposition of a grievance, the grievant shall comply with the directions of the General Manager.
- 701.3.7 No party to a grievance shall take any reprisals against the other party to the grievance because the party participated in an orderly manner in the grievance procedure.
- 701.3.8 Grievances of a similar or like nature may be joined as a single grievance by the District. The final decision in such cases shall be binding upon all parties to the consolidated grievance.

701.4 Procedure

Grievances will be processed in accordance with the following procedures:

- (a) Level I – Informal Resolution. Any employee or an individual or organization of that party's choice who believes they have a grievance shall present the grievance orally or in writing to the General Manager within ten (10) business days after the grievant knew, or reasonably should have known, of the circumstances which form the basis for the grievance. An e-mail will serve as a written submittal. The General Manager may meet with the employee and both shall make a bona fide effort to clarify the matter promptly and informally in a good faith effort to resolve the matter.
- (b) Level II – Formal Written Grievance.
 - 1. If the grievance is not settled within ten (10) business days of written or oral presentation to the General Manager as set forth in Level I of this procedure, and the grievant wishes to pursue the matter, the grievant

shall present the grievance in writing on the appropriate form to the General Manager within ten (10) business days after the oral decision by the General Manager. The written information shall include:

- (A) A description of the specific grounds of the grievance, including names, dates, and places necessary for a complete understanding of the grievance;
- (B) A listing of the specific rule, regulation or provision which is alleged to have been violated;
- (C) A listing of the reasons why the General Manager's proposed Level I resolution of the problem is unacceptable to the grievant; and
- (D) A listing of the specific actions requested of the District which will remedy the grievance.

- 2. The General Manager shall review the Written Appeal and shall communicate their decision on the Formal Written Grievance to the grievant in writing within ten (10) business days after receiving the grievance.
- 3. Within the above time limits, either party may request a personal conference.

(c) Level III – Appeal to President of the District Board of Trustees

- 1. If the grievant is not satisfied within the decision at Level II, the grievant may, within ten (10) business days of the receipt of the decision at Level II, appeal the decision to the Board President on the appropriate form. This statement shall include a copy of the original grievance and appeal along with a clear, concise statement of the specific basis for the appeal.
- 2. The Board President shall review all of the submitted documentation and communicate their decision to the grievant within ten (10) business days of their review.
- 3. The decision of the Board President shall be final and binding.

Section 702. Employee Disciplinary Procedures

- 702.1 Disciplinary actions are intended to give employees advance notice, whenever possible, of problems with their conduct or performance in order to provide them an opportunity for improvement or correction.

702.2 Disciplinary Action Defined

- 702.2.1 As used in this Chapter, "Disciplinary Action" shall mean oral reprimand, written reprimand, suspension without pay, reduction in base rate of pay, demotion, and termination.
- 702.2.2 The procedures set forth in this Chapter shall not apply to at-will employees, which includes probationary employees or to any employee hired on a temporary basis, and any other employee with an at-will employment contract.
- 702.2.3 The provisions of this Chapter shall not apply to reductions in force, and/or in pay which are part of a general plan to reduce or adjust salaries and wages.
- 702.2.4 The procedures set forth in this Chapter shall not preclude an employee from entering into a written agreement with the District to settle a pending disciplinary matter, and further shall not preclude an employee from waiving any of the provisions provided for in this Chapter, as part of that written settlement agreement.

702.3 Causes for Disciplinary Action

- 702.3.1 Rules outlining impermissible conduct of employees are necessary for the orderly operation of any business and for the benefit and protection of the rights and safety of all employees.
- 702.3.2 Examples of impermissible or unacceptable conduct that may lead to disciplinary action are identified below. The following list contains examples of conduct that may lead to imposing disciplinary action, and this list should not be considered exhaustive:
- (a) Fraud in securing appointment;
 - (b) Inexcusable neglect of duty;
 - (c) Insubordination by refusal or willful failure to obey any lawful and reasonable order or directive made or given by any supervisor or the General Manager;
 - (d) Dishonesty by any misuse or misappropriation or attempted misuse or misappropriation of District funds or District property, by the rendering of any false statement or report to the District or General Manager, or by the willful omission to report information or to disclose facts which the duties of the position require to be reported or disclosed;

- (e) Reporting to work under the influence of alcohol, restricted substances or drugs, or buying, selling, or using same on District property or at a worksite. Employees taking prescription or over-the-counter medication, which may affect their ability to perform must advise the General Manager so that they can evaluate whether the employee will be able to safely work;
- (f) Failure to competently perform the duties of the position;
- (g) Unexcused absences, tardiness, or persistent absenteeism;
- (h) Discourteous treatment of the public or other employees;
- (i) Violation of District safety rules or other failure to perform work in a safe manner;
- (j) Misuse of District property;
- (k) Violation of any of the provisions of the District's rules, policies, and regulations;
- (l) Refusal to take or subscribe to any oath or affirmation which is required by law in connection with their employment;
- (m) Discrimination, harassment, retaliation as defined by law and in violation of District policy;
- (n) Initiating a physical altercation during work hours or on a worksite;
- (o) Carrying and/or using firearms or any other weapon while on duty or on District property;
- (p) Failure to maintain required licenses and/or certifications; and/or
- (q) Conviction of a felony or of a misdemeanor which is in conflict with the position held.

702.4 Written Notice of Intended Disciplinary Action (NOI)

702.4.1 The General Manager may take disciplinary action against an employee for one or more of the causes specified in this Chapter.

Prior to suspension without pay, reduction in base rate of pay, demotion, or termination being taken, a Written Notice of Intended Disciplinary Action (NOI) will be served on the employee and shall include:

- (a) State the purpose of the Notice of Intent.

- (b) State the proposed discipline.
- (c) The date that the proposed action will be effective.
- (d) State the rules, regulations, collective bargains agreement provisions and statutes that have been violated.
- (e) State the factual bases for findings of violations of rules, regulations, collective bargaining agreement provisions and statutes.
- (f) Include copies of all materials alleged to support the action.
- (g) A statement advising the employee of their right to respond in writing or verbally to the proposed action.
- (h) Advise the employee that if they do not provide a written response and/or request a pre-discipline (Skelly) conference by a certain date, then their failure will constitute a waiver of the right to respond to the proposed discipline.
- (i) Advise the employee that they have a right to be represented by a representative of their choice at the Skelly conference.

702.4.2 The NOI will be provided to the employee either in person or by mail.

The NOI may be personally served by the General Manager or their designee. If the NOI is personally served, the employee will sign and date the NOI to acknowledge receipt. If the employee refuses to sign the NOI, the individual serving the NOI will document the time and date of service, and will document that the employee refused to sign the NOI.

The NOI may be mailed to the employee at their last known address by U.S.P.S. Priority Mail. The tracking notice reflecting the date and time of delivery to the last know address, will be attached to NOI and serve as acknowledgment of receipt.

The NOI will be placed in the employee's personnel file.

702.5 Employee Response

Employees shall have the right to respond in to the General Manager and have the response considered prior to the discipline being imposed. Such a response must be submitted in writing to the General Manager within five (5) business days after receipt of the NOI. Failure to submit a response within such period constitutes a waiver of the right to respond; however, a failure to respond shall not affect the employee's right to appeal the disciplinary action.

702.5.1 Written Response

Employees shall have the right to respond in writing to the ~~District~~ General Manager and have the response considered prior to the discipline being imposed. An e-mail may serve as a written response.

702.5.1 Pre-Discipline Skelly Conference

An employee requesting a pre-discipline Skelly conference must provide a written request within five business days. An email may serve as a written request.

If the employee timely requests a *Skelly* conference, the *Skelly* officer will conduct an informal meeting with the employee. Generally, the General Manager or designee will serve as the *Skelly* officer. During the informal meeting, the employee shall have the opportunity to rebut the charges against him or her and present any mitigating circumstances. Any meeting pursuant to this policy is not an evidentiary hearing. The *Skelly* officer and the employee each have the right to audio-record the *Skelly* conference. The *Skelly* officer shall consider the response, if any, of the employee in determining the propriety and nature of disciplinary action.

The employee's failure to attend the conference, or to deliver a written response by the date specified in the NOI, is a waiver of the right to respond, and the intended disciplinary action will be imposed on the date specified in the NOI.

702.6. Written Notice of Decision (NOD)

After the *Skelly* conference and/or timely receipt of the employee's written response, the *Skelly* officer will either:

1. Take no disciplinary action;
2. Modify the intended discipline; or
3. Impose the intended disciplinary action.

In any case, the *Skelly* officer will provide the employee with a Notice of Decision (NOD) that contains the following:

1. The level of discipline, if any, to be imposed and the effective date of the discipline;
2. The specific charges upon which the discipline is based;
3. A summary of the facts that show that the elements of each charge at issue in the intended discipline;
4. A copy of all materials upon which the discipline is based; and
5. A reference to the employees appeal right and deadline to appeal.

Employees who do not wish to appeal but who wish to make a statement regarding the

NOD may have a written response entered into their personnel file.

An employee's decision to appeal a NOD will not stay the implementation of the action described in the NOD.

702.7 Delivery of Notice of Decision (NOD)

The NOD will be sent by U.S.P.S. Priority mail or will be delivered to the employee in person. If the notice is not deliverable because the employee has moved without notifying the District or the employee refuses to accept delivery, the effective date of discipline will be the date the post office or delivery service attempted delivery.

The NOD will be placed in the employee's personnel file even if the employee refuses to sign the NOD.

702.8 Right of Appeal

- 702.8.1 An employee who has been suspended without pay, terminated, demoted, or has had a disciplinary reduction in base rate of pay has the right to appeal the disciplinary action to the District Board of Trustees.

A request for such an appeal must be filed in writing with the General Manager within ten (10) business days from the date of receipt of NOD. Failure to file an appeal within the specified time period constitutes a waiver of the right of appeal. An email may serve as a written request.

- 702.8.2 **Costs of Hearing**
The cost of the court reporter shall be borne equally by the parties. The costs of the hearing transcript, if jointly requested, shall also be borne equally by the parties. If only one party requests hearing transcripts, the full cost will be borne by the requesting party. All other expenses incurred by either party in the preparation or presentation of its case are to be borne solely by the party incurring the expense. For purposes of this section, the parties shall be considered as the District and the representative, or if an employee is representing himself/herself, the District and the employee.
- 702.8.3 The procedure for the Board of Trustees appeal hearing may be found in Appendix 700-1.

CHAPTER 800. MANAGEMENT, RELEASE AND, DESTRUCTION OF OFFICIAL RECORDS

Section 800. Records Management

The purpose of this policy is to provide guidance and direction to staff regarding the maintenance, release, and disposal of District records, including: identifying, maintaining, safeguarding, and releasing official records pursuant to the Public Records Act; ensuring proper retention and disposal of official records in the normal course of business; and ensuring compliance with legal and regulatory requirements.

- 800.1 Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to the District.
- 800.2 The General Manager is authorized by the Board of Trustees to interpret and implement this policy and to cause to be destroyed or retained any or all such records, papers and documents that meet the policies governing the retention and disposal of records, specified below.
- 800.3 Pursuant to the provisions of California Government Code sections 34090 and 60200 through 60203, California Health and Safety Code section 2043, and the guidelines prepared by the State Controller's office and the Controller's Advisory Committee for Special Districts, the following policies will govern the retention, release, and destruction of records of the District.
- 800.4 This policy supersedes any prior records retention policy. For purposes of this policy, "record" means any "writing" as defined under the Public Records Act at Government Code section 6252(g) that is a "public record" as defined at section 6252(e). According to Government Code section 6254, nothing in the Public Records Act shall be construed to require the District to disclose exempt records including: personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Section 801: Retention and Destruction

- 801.0 Except as otherwise provided by this policy and federal and state law, the District shall maintain records for at least the applicable retention period in accordance with the attached Records Retention Schedule (Appendix A), as the same may be amended by the Board. The District may destroy or dispose of any record after the expiration of the applicable retention period in the Records Retention Schedule.

For records not listed in Appendix A, the District shall follow the retention schedule in the California Secretary of State Local Government Records Management Guidelines (Feb. 2006).

- 801.1 Preservation in Electronic Format. The District, at any time, may destroy or dispose of any paper record that is not expressly required by law to be preserved in original paper format if the following conditions relating to electronic storage of records are complied with:
- (a) The record is photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, or reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document;
 - (b) The device used to reproduce the record on film, optical disk, or any other medium is one that accurately reproduces the original record in all details and that does not permit additions, deletions, or changes to the original document images; and,
 - (c) The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium are placed in conveniently accessible files and provision is made for preserving, examining, and using the files.
- 801.2 The District may destroy or dispose of any duplicate record at any time if the original is maintained on file. The District may destroy or dispose of the following records at any time without maintaining the original or a copy: preliminary and rough drafts, notes, and working papers prepared or received by an employee or accumulated in the preparation or review of a report, analysis, study or other record; interdepartmental and intra-agency messages, notes, and memoranda; and, any record that does not contain information relating to the conduct of the District's business or that otherwise is not a public record.
- 801.3 All documents beyond the current fiscal year are recorded in the Archive Database, filed, and boxed up. The database consists of the following information:
- (a) Box Number;
 - (b) Contents;
 - (c) Proper Date of Contents;
 - (d) Department; and
 - (e) Date of Destruction, if any.
- 801.4 A master listing of all archive box contents is kept up to date and located in a binder in the Administrative Assistant's office. The boxes are placed in the Archive Storage area and are kept numerically by department.

- 801.5 Process of Destruction and Disposal. Records not containing information of a confidential or proprietary nature may be disposed of or destroyed by means of recycling, waste removal service, shredding, or other reasonable method of disposal or destruction. Records containing confidential or proprietary information must be shredded or otherwise permanently destroyed. Records recorded on electronic or magnetic media may be erased and the media reused or discarded. For records to be destroyed or disposed of pursuant to the Records Retention Schedule, the District will prepare or have prepared a certificate or log describing the proposed documents to be destroyed/disposed of and submit that certificate or log to the District legal counsel and the Board. The District may proceed to destroy or dispose of the records upon receiving the consent in writing of the District legal counsel and approval by the Board.
- 801.6 Once a file is to be destroyed, the date of destruction is recorded. The documents are then shredded and removed for disposal. The archive master listing is then updated and reprinted with the updated information.
- 801.07 Pending Public Records Act Request. For any record that is subject to destruction or disposal and is the subject of a pending request made pursuant to the Public Records Act, and whether the District maintains that the record is exempt from disclosure, the District shall not destroy or dispose of the record until the request has been granted or two years have elapsed since the District provided written notice to the requester that the request has been denied.

Section 802. Public Record Requests

- 802.1 "Public records" include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any State or local agency regardless of physical form or characteristics.
- 802.1.1 "Writing" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created regardless of the manner in which the record has been stored.
(GC 6252{g})
- 802.2 Any person who wishes to receive or inspect a public record of the District must present their request to the General Manager's Office on the District's designated Public Information Request Form. This form is available in electronic format on the District's website and in paper form in the District Documents file. The request may be submitted in person, or by mail, fax, or email. The requestor must identify the requested records by providing a detailed description and the approximate

date of the records. In order to respond to the request, the District must have contact information for the requestor.

- 802.3 A determination will be made by the General Manager whether the requested record is a public document within ten (10) days after receipt of a request for a public record. The General Manager will then notify the person making the request of that determination and the reasons therefore. In unusual circumstances, the time limit for a determination may be extended by written notice of the General Manager setting forth the reasons for the extension and the estimated date and time when the records will be made available. This extension will not exceed an additional fourteen (14) days.
- 802.4 Public records authorized for release by the General Manager will be made promptly available upon payment of a fee covering the direct cost of duplication, or a statutory fee, if applicable. An exact copy will be provided unless it is impracticable to do so. Computer data will be provided in a form determined by the District.
- 802.5 Any reasonably segregable portion of a record will be made available for inspection after deletion of the portions that are exempted by law. On-site review of records may only be undertaken in a designated area, one file at a time.
- (a) No purses, briefcases, bags, binders, or other items will be allowed in the record review area that would allow concealment of removed records. No record may be removed from the office.
 - (b) The requestor will be allowed to have one paper pad and writing utensil with him/her when reviewing records.
 - (c) Records shall not be marked, highlighted, creased, folded, or otherwise defaced in any way.
 - (d) Records shall remain in their original order and grouping, whether loose, stapled, or bound.
 - (e) The requester may obtain a copy of a specific identifiable public record, which is subject to disclosure.
 - (f) A reproduction charge will be assessed prior to production of the requested records based upon the amount of material requested and the District's current fee schedule.
- 802.6 To avoid the risk that any information could be sent to an individual or entity other than is authorized by the release, the requested the information will not be distributed or returned via facsimile.

Section 803. Health Insurance Portability and Accountability Act (HIPAA)

Protected health information (PHI) of District customers or employees that is gathered in conjunction with service requests and/or pre-employment physical examinations, required drug testing, medical leaves of absence, fitness for duty examinations, workers' compensation claims, or any other job-related purposes will be maintained in confidential files, separate and apart from customer service or employee personnel files. Such information will be released on a strict need-to-know basis, in conformance with requirements of the Health Insurance Portability and Accountability Act (HIPAA).

APPENDIX 700-1
Board of Trustees Appeal Hearing Procedures

A. Ground for Requesting an Appeal Hearing

The following appeal procedures only apply to the District's civil service employees who are subject to the following disciplinary actions:

1. Suspensions without pay;
2. Demotions;
3. Reductions in pay; or
4. Termination of employment.

B. Appeal Committee

The Board shall appoint a three-member committee of Trustees to hear the appeal. One of the Appeal Committee members will serve as a Hearing Coordinator. The hearing will be held within sixty (60) business days after receipt thereof, unless extended by mutual agreement of the parties. The Hearing Coordinator will create and maintain the official record of the appeal process and hearing. The Appeal Committee may elect to contract with an independent hearing officer to conduct the hearing or to serve as a hearing coordinator.

C. Case Management Conference

Prior to the conduct of the appeal hearing, a confidential case management conference shall be held. No witness or potential witness may participate in the case management conference call.

If the appellant is representing themselves, failure of the appellant to appear/participate in the case management conference shall be deemed a withdrawal of their appeal. If the appellant is represented, failure of representative and the employee to appear/participate in the case management conference shall be deemed a withdrawal of the employee's appeal.

The case management conference shall be scheduled at the earliest reasonable opportunity, and no later than ten (10) days after the filing of an appeal. The case management conference may be scheduled beyond ten (10) days by mutual agreement of the parties. All or part of the case management conference may be conducted by telephone or other electronic means if each participant in the conference has an opportunity to participate in and to hear the entire proceeding while it is taking place. The following persons shall participate in the conference:

1. Appellant
2. Representative of the appellant
3. Hearing Coordinator
4. District's counsel, if applicable
5. Hearing Officer, if applicable

All parties must be prepared to discuss the following matters:

1. The nature of the appeal.
2. The estimated number of witnesses.
3. The estimated length and schedule of the hearing.
4. The facts and issues that are in dispute.
5. The facts and issues that are uncontested and may be subject to stipulation.
6. Any anticipated problems or unusual concerns regarding the hearing, including any existing or anticipated evidentiary disputes.
7. Development of joint exhibit binders.
8. Dates for the hearing.

The participants may also discuss any other matters as shall promote the orderly and prompt conduct of the hearing. Following the case management conference, the Hearing Coordinator will memorialize and send to all parties a memorandum confirming the outcome of the conference, including any agreements made concerning the conduct of the upcoming hearing. The Hearing Coordinator will then promptly assign a hearing date for the appeal.

D. Pre-Hearing Preparation

1. Witnesses

Both parties shall provide to the Hearing Coordinator by the date required their lists of witnesses, contact information, appearance order, and anticipated time needed to exam each witness.

A draft of the witnesses' appear date and time to appear will be provided to both parties prior to the Notices to Appear being issued.

2. Proof of Service and Notice to Appear

A Proof of Service and Notice to Appear will be issued to each witness either in person, by U.S.P.S., or e-mail.

The Notice to Appear will inform the witness of the date, time, and location to appear.

E. The Appeal Hearing

The Appeal Committee or Hearing Officer, hereafter, the Appeal Committee shall conduct an evidentiary hearing.

1. Burden of Proof

The burden of proof shall be on the District. The Appeal Committee shall use the "preponderance of evidence" standard. The District shall first present its evidence. Each party shall then have the right to present evidence in rebuttal.

2. Evidence

Hearings shall not be conducted according to the technical rules of evidence for formal court proceedings, except as hereinafter provided.

Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to relying in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objections in civil actions.

Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a material finding unless it would be admissible over objection(s) in civil actions.

Oral evidence shall be taken only on oath or affirmation.

The rule of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing. The Appeal Committee has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.

3. Confidential Hearing

The appeal hearing is a confidential personnel matter and is a closed meeting to the public. The hearing is closed to witnesses during the time they are not testifying. However, the appellant shall have the right to have one representative, even if the representative is also a witness. The employee may request in writing that the hearing be open to the general public or may make such a request during the case management conference.

4. Professionalism

Persons appearing before the Appeal Committee shall conduct themselves in a professional and respectful manner. In instances of inappropriate behavior or misconduct, the Appeal Committee may issue warnings and, finally, an opportunity for a last chance. If the offending person violates the Appeal Board's last chance order, the Appeal Committee may vote to impose sanctions, including without limitation exclusion of certain evidence, and/or dismissal of the appeal (if the offending party is the appellant) or sustaining the appeal (if the offending party is a District representative).

5. Report of Hearing

Hearings shall be recorded by a certified court reporter or recorder of legal and sufficient means to produce an official record (minutes) of the hearing. These minutes shall include, but are not limited to:

1. Start and end dates of the hearing, including any caucuses.
2. The identity and time witnesses are called.
3. The logging of all exhibits.

6. Findings and Decisions

The Appeal Committee, being governed by a preponderance of evidence, may recommend to the Board of Trustees to affirm, revoke, or modify the existing

disciplinary action. The opinion rendered by the Appeal Committee shall be advisory only and not binding on the Board. Upon receipt of an advisory opinion, the Board shall render a final decision. The decision of the Board shall be final and binding. The President of the Board of Trustees or their designee will provide, under a Proof of Service, a written report to the employee and the employee's representative, if applicable, of their findings and final decision.

The Board of Trustees' final decision will be filed in the official appeal-hearing file.

APPENDIX 800-1

RECORD SERIES TITLE AND CONTENTS	Retention Timeline (yrs)	COMMENTS
Board of Trustees/Committee		
Agendas	CU+2	Regular and special meeting agendas, including certificates of posting, original summaries, original communications and action agendas for Board and committees
Agenda Packets (Master, Subject Files)	CU+2	Documentation received, created, and/or submitted to Board
Minutes	P	Official minutes and hearing proceedings of board or committees
Board of Trustee Member Record	T+2	Meetings, appointments, certificates
Correspondence	CU+2	
Legal Advertising	CU+4	Includes public notices, legal publications
Notices, Meetings	CU+2	Cancellation of meetings
Resolutions	P	Board actions, including Final Engineers' Reports, Benefit Assessment, and Tax reports
Oaths of Office	T+6	Board members
Statement of Economic Interest FPPC Form 700 Board member	T+7	Fair Political Practices Commission (FPPC) filings
Tapes, Audio/Video	CU+.25	When used for minute preparation and may have historical value.
Administration		
Audit - Annual Financial Report	CL+2	Independent auditor analysis
Audit - Reports	A+4	Internal and/or external
Audit - Reviews, Internal/External Periodic	CU	Daily, weekly, Monthly, Quarterly or other summary, review, evaluation, log list, statistics, exception report
Employee Investigations, Background, Disciplinary	CL+2	Documents not in personnel file
HR – Benefit Plan Claims	P	May include dental, disability, education, health, life and vision including dependent care and Employee Assistance
HR - Employee Handbook	S+2	General employee information including benefit plans, policy/personnel manual
HR – Employee Programs	CL+2	Includes WAP and Recognition
HR – Employee Records, Hiring, Promotion, Demotion, Benefits Records, Selection for Training, Transfer, Lay-Off, Termination, EDD Claims	T+5	Includes current and terminated/former employees' records: application, personnel, membership, or employment referral records. These records are confidential subject to certain conditions for disclosure. Consult the District General Counsel. Includes records pertaining to "attendance". If subject to pending complaint, retain until litigation resolved including time for any possible appeal.
HR – Motor Vehicle Pulls (DMV)	CL+7	

RECORD SERIES TITLE AND CONTENTS	Retention Timeline (yrs)	COMMENTS
HR – Negotiation	P	Contracts, Memoranda of Understanding (MOUs), Agreements
HR – PERS, Social Security, SSI	P	
HR – Recruitment, Job Announcements/Ads, Applications, Job Descriptions, Test Papers	CL+2	These records are confidential subject to certain conditions for disclosure. Please consult the District General Counsel's office. *If pending subject to pending complaint, retain until litigation resolved including time for a possible appeal
HR - Statement of Economic Interest FPPC Form 700 non-Board member	T+5	Fair Political Practices Commission (FPPC) Filings
Insurance/Coverage	P	Additional Covered Party Endorsements, Certificates of Coverage, Claims Audits, Coverage Opinions, Endorsements, Excess and Reinsurance Contracts, Insurance Bonds/Fidelity Bonds, Insurance Policies, Memoranda of Coverage, Underwriting Files
Policies and Procedures	S+5	Policies, directives rendered by Board not assigned a resolution or ordinance number
Public Information - Brochures, Publications, Newsletters Bulletins	S+2	
Public Information - Media relations	CU+2	Includes cable, newspaper, radio, message boards, presentations, publications, newsletters, press releases
Finance		
Accounts Payable, Accounts Receivable	CU+7	Invoices, check copies, revenue documents, supporting documents
Accounting - Vendor files	CL+2	Applications: Utility connections, disconnects, registers, service
Bank Reconciliation	A+5	Statements, summaries for receipts, disbursements & reconciliation
Budget: Adopted Proposed	P CU+2	Presented to Board
Budget, Budget Adjustments, Journal Entries	A+2	Including account transfers
General Ledger	P	
Payroll - Adjustments	A+4	Auditing purposes
Payroll-Earning Records, PERS Employee Deduction Reports, Wage Rate Tables, Additions to & Deductions from Wages Paid	CL+4	
Payroll – Employee Time Sheets	A+6	
Accounts Payable, Accounts Receivable	CU+7	Invoices, check copies, revenue documents, supporting documents
Accounting - Vendor files	CL+2	Applications: Utility connections, disconnects, registers, service
Bank Reconciliation	A+5	Statements, summaries for receipts, disbursements & reconciliation

RECORD SERIES TITLE AND CONTENTS	Retention Timeline (yrs)	COMMENTS
Budget: Adopted Proposed	P CU+2	Presented to Board
Budget, Budget Adjustments, Journal Entries	A+2	Including account transfers
General Ledger	P	
Payroll - Adjustments	A+4	Auditing purposes
Payroll-Earning Records, PERS Employee Deduction Reports, Wage Rate Tables, Additions to & Deductions from Wages Paid	CL+4	
Payroll – Employee Time Sheets	A+6	
Payroll - PERS Employee Deduction Report	T+4	
Payroll - Register	P	
Purchasing-Bids/RFQ/RFP-Successful Unsuccessful	A+5 CU+2	Requests for Qualifications; Requests for Proposals regarding goods and services
Purchasing- Purchase Agreements	T+2	
Financial Reports – Actuarial Studies	P	
Financial Reports - Audits	P	
Financial Reports – Deferred Compensation	T+5	Records of employee contributions and payments
Financial Reports – Federal and State Tax	A+4	Forms 1096, 1099, W-4, and W-2
Financial Reports – State Controller	P	
Financial Reports – Travel Expense	CU+2	
General Files		
Accreditation Reports	P	
All Other Governing Documents	P	Including Roster of Public Agency Filing
Associations	CL+2	Active while membership is current
General Correspondence (non-legal issues)	CU+2	Working documentation; If not attached to agreement or project file
Correspondence / Agencies	CU+2	If not attached to agreement or project file
Survey Response Files	CU+2	Surveys, responses, with other agencies requesting statistical data
General Operations		
Maintenance and Operations	CU+2	Service requests, invoices, supporting documentation; buildings, equipment, field engineering, public facilities including work orders and graffiti removal
Technicians/Lab Staff Field Records	CL+2	Daily/weekly reports, photographs, and serial images

RECORD SERIES TITLE AND CONTENTS	Retention Timeline (yrs)	COMMENTS
Legal		
Attorney Correspondence	P	
General Correspondence	3	
Legal Opinions	P	
Litigations Files	CL+7	
Risk Management		
Accident Reports	CL+2	Unless litigated
Accident Reports - District Assets	CL+7	Reports and related records
Bonds, Insurance Policies (including Worker's Compensation)	P	Property, liability, indemnity, certificates
Claims, Damage	CL+5	
Claims Involving Medicare Set Asides	10	10 ears from date of final resolution
Claims for Which Provisions for Future Medical Have Been Agreed Upon (Related to Medicare)	6	Have 6 years from date of final resolution
Incident Reports	CL+7	Theft, arson, vandalism, property damage or similar occurrence excluding fire/law enforcement
Risk Management Reports and Audits (including Annual Summaries of Occupational Injuries and Illness)	CL+5	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies
Workers' Compensation Claim Files, Log, Reports and incident Reports	CL+7	
Safety Records/Hazardous Material/Training		
Material Data Safety Sheet	*	Material safety data sheets must be kept for those chemicals currently in use that are affected by the Hazard Communication Standard in accordance with 29 CFR
Disposal and Treatment of Hazardous Substances Hazardous Waste Manifests	P	
Training Records - Non-Safety	CU+2	
Training Records - Safety	CU+5	
Professional Services		
Contracts and Agreements Excluding Capital Improvement	T+5	Includes leases, equipment, services or supplies
Engineering Capital Improvement Projects	CL+10	Supporting documents including bidders list, specifications, reports, plans, work orders, schedules, etc.
MUNICIPAL FACILITY/Capital Improvements Construction	P	Building and as-built plans and drawings; building permits, certificates of occupancy/final inspection
Record of real property title (e.g. Deeds, Easements, Liens, Leases, Purchase, and Sale Agreements)	P	

RECORD SERIES TITLE AND CONTENTS	Retention Timeline (yrs)	COMMENTS
Related Correspondence, Parcel/Subdivision Maps any Records Affecting Lot Line Adjustments Licenses	P	
Inventory (Fixed Asset, Capital Asset, including Vehicles)		
Related Correspondence, Manuals, Service Maintenance Information, Warranties, Invoices/Receipts, Purchase Agreements	T+2	
Inventory	A+4	Reflects purchase date, cost
Surplus Property: - Auction - Disposal	A+2 A+4	
Vehicle Ownership and Title	Life	Title transfers when vehicle sold
Records Management		
Records Management Disposition Certification Log	P	Documentation of final disposition or records
Records Retention Schedules	S+4	

RETENTION CODES: AR = Annual Review A = Audit CL = Closed/Completed E = Expiration
P = Permanent S = Superseded T = Termination CU = Current Year * See Comments for Descriptors

Alameda County Mosquito Abatement Dist.
Check Register
 For the Period From Sep 1, 2022 to Sep 15, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount
3304	9/14/22	Adapco	3,407.79
3305	9/14/22	Airgas	1,007.85
3306	9/14/22	AT&T	91.09
3307	9/14/22	Automatic Fire Inc	590.87
3308	9/14/22	Cintas	682.76
3309	9/14/22	Coverall North America, Inc.	495.00
3310	9/14/22	Industrial Park Landscape Maintenance	243.00
3311	9/14/22	Mar-Len Supply, Inc.	814.13
3312	9/14/22	NBC Supply Corp	797.40
3313	9/14/22	PC Professional	210.00
3314	9/14/22	PFM Asset Management LLC	1,640.97
3315	9/14/22	SCI Consulting Group	23,706.71
3316	9/14/22	U.S Bank Corporate Payment System	22,283.52
3317	9/14/22	Veseris	10,358.03
3318	9/14/22	Voya Institutional Trust Company	181.43
ACH	9/14/22	Alameda County Mosquito Abatement Dist (Payroll)	92,311.11
ACH	9/14/22	CalPERS Retirement	16,173.79
ACH	9/14/22	CalPERS 457	2,699.42
Total Expenditures - September 15, 2022			177,694.87

Alameda County Mosquito Abatement Dist.

Check Register

For the Period From Sep 16, 2022 to Sep 30, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount
3319	9/28/22	Airgas	277.76
3320	9/28/22	Bay Alarm	1,603.42
3321	9/28/22	Campbell, Cornelius	190.00
3322	9/28/22	CCCMA Occupational Clinic	140.00
3323	9/28/22	Cintas	604.79
3324	9/28/22	Clarke	6,382.75
3325	9/28/22	Delta Dental	4,679.81
3326	9/28/22	Demsey, Filliger,& Associates, Inc.	3,000.00
3327	9/28/22	Guaranteed Auto Service	2,276.93
3328	9/28/22	Hayward Water System	572.71
3329	9/28/22	Hentschke, Eric Armin	100.00
3330	9/28/22	PG&E	26.28
3331	9/28/22	Pitney Bowes	95.69
3332	9/28/22	Techniclean	289.77
3333	9/28/22	Testa, Julie	100.00
3334	9/28/22	Verizon	497.71
3335	9/28/22	Visalia Times Delta	2,499.99
3336	9/28/22	Voya Institutional Trust Company	181.43
3337	9/28/22	VSP	571.98
3338	9/28/22	WEX Bank	5,845.88
3339	9/28/22	Young, George	100.00
ACH	9/28/22	Alameda County Mosquito Abatement Dist (Payroll)	91,281.79
ACH	9/28/22	Aguilar, Victor	100.00
ACH	9/28/22	Beatty, Robert .P	100.00
ACH	9/28/22	Bhat, Subrahmanya Y	100.00
ACH	9/28/22	CalPERS Health	38,775.33
ACH	9/28/22	CalPERS Retirement	16,173.79
ACH	9/28/22	CalPERS 457	2,699.42
ACH	9/28/22	Cox, Steven	100.00
ACH	9/28/22	Jordan, Preston	100.00
ACH	9/28/22	Kumagai, Shawn	100.00
ACH	9/28/22	Marquez, Elisa	100.00
ACH	9/28/22	Roache, Cathy J Pinkerton.	100.00
ACH	9/28/22	Salzer, Hope	100.00
ACH	9/28/22	Savage, Tyler	100.00
Total Expenditures - September 30, 2022			179,967.23

Alameda County Mosquito Abatement District
Income Statement
September 30, 2022. (3 of 12 mth, 25%)

REVENUES	Actual 2020/21	Actual 2021/22	Current Month	Year to Date 2022/23	Budget 2022/23	Actual vs Budget
Total Revenue	\$ 5,150,753.15	\$ 5,386,808.18	\$ 128,494.81	\$ 390,757.56	\$ 4,900,658.00	8%

EXPENDITURES	Actual 2020/21	Actual 2021/22 ¹	Current Month ²	Year to Date 2022/23	Budget 2022/23	Actual vs Budget
Salaries	\$ 2,029,103.97	\$ 2,129,077.24	\$ 199,533.90	\$ 603,949.26	\$2,371,703	25%
CalPERS Retirement	\$ 423,110.21	\$ 471,085.19	\$ 18,951.94	\$ 360,079.67	\$534,559	67%
Medicare & Social Security	\$ 27,866.82	\$ 30,025.60	\$ 3,216.34	\$ 10,053.02	\$38,763	26%
Fringe Benefits	\$ 502,898.39	\$ 484,487.10	\$ 44,027.12	\$ 176,069.67	\$564,969	31%
Total Salaries, Retirement, & Benefits	\$ 2,982,979.39	\$ 3,114,675.13	\$ 265,527.29	\$ 1,150,152	\$3,509,994	33%
Clothing and personal supplies (purchased)	\$ 4,859.20	\$ 7,881.80	\$ 585.01	\$ 1,586.05	\$9,000	18%
Laundry service and supplies (rented)	\$ 9,124.98	\$ 10,417.41	\$ 999.82	\$ 2,455.28	\$13,000	19%
Utilities	\$ 15,421.56	\$ 18,134.35	\$ 598.99	\$ 1,979.29	\$21,700	9%
Communications-IT	\$ 71,771.02	\$ 74,950.03	\$ 5,376.73	\$ 14,714.69	\$107,400	14%
Maintenance: structures & improvements	\$ 20,261.51	\$ 26,671.36	\$ 266.11	\$ 617.57	\$30,000	2%
Maintenance of equipment	\$ 22,290.34	\$ 25,354.56	\$ 5,265.04	\$ 14,835.07	\$30,000	49%
Transportation, travel, training, & board	\$ 74,653.03	\$ 120,418.29	\$ 10,658.76	\$ 31,076.43	\$119,840	26%
Professional services	\$ 91,622.03	\$ 97,726.00	\$ 28,487.68	\$ 30,602.93	\$152,200	20%
Memberships, dues, & subscriptions	\$ 22,906.45	\$ 25,103.23	\$ 313.94	\$ 11,313.94	\$37,000	31%
Insurance - (VCJPA, UAS)	\$ 141,650.37	\$ 160,932.64	\$ -	\$ 176,982.00	\$179,436	99%
Community education	\$ 26,317.23	\$ 26,225.45	\$ 3,948.01	\$ 6,661.91	\$55,000	12%
Operations	\$ 223,362.22	\$ 182,575.57	\$ 21,866.30	\$ 30,307.39	\$227,500	13%
Household expenses	\$ 15,882.05	\$ 25,388.02	\$ 2,443.43	\$ 4,293.07	\$19,950	22%
Office expenses	\$ 9,747.67	\$ 7,002.84	\$ 177.98	\$ 1,077.93	\$12,000	9%
Laboratory supplies	\$ 64,135.55	\$ 82,354.03	\$ 10,945.00	\$ 34,946.09	\$132,500	26%
Small tools and instruments	\$ 2,189.34	\$ 1,963.31	\$ -	\$ 40.56	\$3,000	1%
Total Staff Budget	\$ 816,194.55	\$ 893,098.89	\$ 91,932.80	\$ 363,490.20	\$1,149,526	32%
Total Operating Expenditures	\$ 3,799,173.94	\$ 4,007,774.02	\$ 357,662.10	\$ 1,513,641.82	\$4,659,520	32%

1 - As of June 30, 2021. Unaudited.

2 - Total Operating Expenditures in current month may not match the check register due to accounts receivable and petty cash transactions.

**Alameda County Mosquito Abatement District
Investment, Reserves, and Cash Balance Report
September 30, 2022. (3 of 12 mth, 25%)**

Account #	Investment Accounts	Beginning Balance	Deposits	Withdrawals	Earnings ¹	Ending Balance
1004	LAIF	\$ 1,730,406.42	\$ -	\$ (356,000.00)	\$ -	\$ 1,374,406.42
1005	OPEB Fund	\$ 4,539,598.88	-	-	\$ (320,846.83)	\$ 4,218,752.05
1006	VCJPA Member Contingency	\$ 351,141.00	-	-	-	\$ 351,141.00
1008	CAMP: Repair and Replace ^{2 3}	\$ 2,647,008.20	\$ 425.69	\$ (23,406.69)	\$ 5,636.70	\$ 2,629,663.90
1009	CAMP: Public Health Emergency Fund ³	\$ 425.52	-	\$ (425.69)	\$ 0.17	-
1010	CAMP: Operating Reserve	\$ 1,955,923.71	-	-	\$ 4,201.66	\$ 1,960,125.37
1011	CAMP: Capital Reserve Fund	\$ 370,936.25	-	-	\$ 796.84	\$ 371,733.09
1012	PARS: Pension Stabilization ⁴	\$ 2,123,230.54	-	-	\$ (51,731.96)	\$ 2,071,498.58
1013	California CLASS: Public Health Emergency Fund	\$ 528,830.66	-	-	\$ 1,133.50	\$ 529,964.16
Total		\$ 14,247,501.18	\$ 425.69	\$ (379,832.38)	\$ (360,809.92)	\$ 12,977,320.41

Account #	Cash Accounts	Beginning Balance	Withdrawals	Activity	Ending Balance
1001	Bank of America (Payroll Account) *	\$ 65,061.74	-	-	\$ 157,286.12
1002	Bank of The West (Transfer Account) *	\$ 523,403.52	-	-	\$ 371,595.93
1003	County Account	\$ 655,601.70	\$ -	\$ 128,494.81	\$ 784,096.51
1013	Petty Cash	\$ 364.11	\$ -	\$ -	\$ 364.11
Total		\$ 1,244,431.07	\$ -	\$ 128,494.81	\$ 1,313,342.67

1 - Earnings are booked as unrealized gains/losses. These earnings would not be recognized as "realized" gains/losses until the accounts are liquidated.

2 - \$23,406.69 transferred from CAMP: Repair and Replace to Bank of the West to purchase the new microscope.

3 - \$425.69 transferred from CAMP: Public Health Emergency Fund to CAMP: Repair and Replace. The CAMP: Public Health Emergency Fund was closed on September 7, 2022.

4 - PARS - Pension Stabilization balance is as of August 31, 2022.

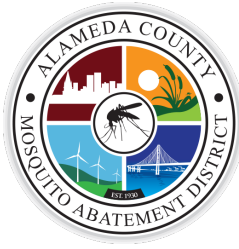
Alameda County Mosquito Abatement
Balance Sheet Comparison
September

ASSETS

	9/30/2022	9/30/2021	9/30/2020
Current Assets			
Bank of America payroll	\$ 155,852.73	\$ 97,937.43	\$ 106,936.22
Bank of the West	440,563.93	346,991.32	302,928.30
County	784,096.51	738,012.59	707,864.07
Cash with LAIF	1,374,406.42	2,431,540.40	1,559,170.85
VCJPA- Member Contingency	351,141.00	373,765.00	375,883.00
CAMP - Repair and Replace	2,629,663.90	1,355,441.05	1,040,202.35
CAMP - Public Health Emergency	-	526,288.40	525,824.96
CAMP - Operating Reserve	1,960,125.37	1,944,580.40	1,942,868.06
CAMP - Capital Reserve Fund	371,733.09	30,001.05	59,062.77
PARS	2,071,498.58	1,835,670.11	1,684,194.87
California CLASS: Public Health Emergency Fund	529,964.16	-	-
Accounts Receivable	-	13,414.82	-
Petty cash	364.11	321.04	460.87
	10,669,409.80	9,693,963.61	8,305,396.32
Property and Equipment			
Acc Dep - equipment	(1,594,225.00)	(1,594,225.00)	(1,479,068.00)
Acc Dep - stru & improv	(2,604,632.00)	(2,604,632.00)	(2,485,267.00)
Equipment	1,824,515.66	1,769,859.00	1,751,859.00
Structure/improvement	4,799,729.70	4,799,729.70	4,760,618.00
Land	61,406.00	61,406.00	61,406.00
	2,486,794.36	2,432,137.70	2,609,548.00
Other Assets			
Net OPEB Asset	1,225,311.00	2,522,763.00	1,823,556.00
	1,225,311.00	2,522,763.00	1,823,556.00
	\$ 14,381,515.16	\$ 14,648,864.31	\$ 12,738,500.32

LIABILITIES AND CAPITAL

Current Liabilities			
Accounts payable	\$ 99,846.27	\$ 121,419.60	\$ 129,739.41
Acc payroll/vacation	201,023.94	208,228.89	200,290.26
Def inflow - 75	1,046,869.00	1,254,695.00	931,786.00
Def inflow pen defer GASB 68	208,602.00	208,602.00	289,664.00
Defer outflow pen cont GASB 68	(936,411.00)	(936,411.00)	(1,056,534.00)
Net pension liability GASB 68	3,603,091.00	3,603,091.00	3,277,554.00
	4,223,021.21	4,459,625.49	3,772,499.67
Total Current Liabilities	\$ 4,223,021.21	\$ 4,459,625.49	\$ 3,772,499.67
Capital			
Designated fund balances	3,362,131.25	4,451,757.25	4,440,057.25
Investment in general fixed as	7,871,707.15	6,677,881.96	5,296,151.61
Net Income	(1,075,344.45)	(940,400.39)	(770,208.21)
	10,158,493.95	10,189,238.82	8,966,000.65
Total Capital	10,158,493.95	10,189,238.82	8,966,000.65
	\$ 14,381,515.16	\$ 14,648,864.31	\$ 12,738,500.32



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A. OPERATIONS REPORT

In September, operations staff conducted another suite of tidal marsh treatments for larval *Aedes dorsalis* after a high tide event induced eggs of this species to hatch. Tidal marsh treatments were conducted both by hand and with the A-1 Super Duty mist blower. Based on previous years data and the onset of seasonal weather and temperature shift, this might have been the last treatment for this species this year. Regardless, a significant high tide event at the end of October will be monitored closely. Based on lab adult mosquito trapping data, service request data, post-treatment inspections, and field observations, this year's tidal marsh program has been highly effective.

Operations staff also continued extensively inspecting and treating for larvae of *Culex tarsalis*, *Culex pipiens*, and *Culex erythrothorax* our three main potential vectors of West Nile virus (WNV). Though no WNV has been detected in Alameda County this year, operations staff will continue efforts towards these species until the season has fully shifted and adults sequester out of the environment over the fall and winter months.

Requests for service from the public received by the district during September tied a ten-year low for the month. Of the 60 requests received, 25 were requests for mosquito fish for ornamental ponds, unmaintained swimming pools and livestock watering troughs. Of the 25 requests to "report a mosquito problem" received, many were attributable to backyard sources such as containers holding water. Operations did notice a slight uptick in requests attributable to *Culex pipiens*. This species will readily enter dwellings and bite at dusk. Cooler temperatures and rainfall events typically exasperate this habit as this mosquito seeks warmth, shelter, and a blood-meal inside buildings. Of the 16 requests to "report standing water," several were due to standing water left after the rainfall event that occurred during the month. Six requests were to "report a dead bird" which led to those birds testing negative for WNV by the ACMAD lab. Of the six requests "for an insect ID", several of these identified the insect in question to be subterranean termites as this species consistently undertakes flights en-mass after the season's first few rainfall events.

September also saw the end of this year's annual aerial unmaintained pool survey project. The last of the pools whose owners had not responded to notices sent out by the district were inspected and treated as needed. The shift to mailing notices to the owners of pools flagged as unmaintained from the aerial survey began five years ago. These notices allow owners to "clear" their pools by sending in photos of a clean maintained pool or to confirm mosquito fish are still present from prior stocking. Prior to the mailing of notices process which began in 2018, operations staff were given photos of all the pools identified as unmaintained and needed to inspect each one individually. This often involved leaving notices at residents with repeated attempts to access these pools, often numbering three to five hundred in total-- a very resource consuming process. This season, 426 pools were identified as unmaintained via the fly-over (see *figure 1*). Of those, 317 were resolved via the notice mailing part by the ACMAD office staff. This left 109 to be inspected in person by operations staff, many at the request of notice recipients for advice, treatment, or for mosquito fish. This process has cut down on field time and freed up operation staff time to focus on other mosquito sources.

Field Operations Supervisor
Joseph Huston

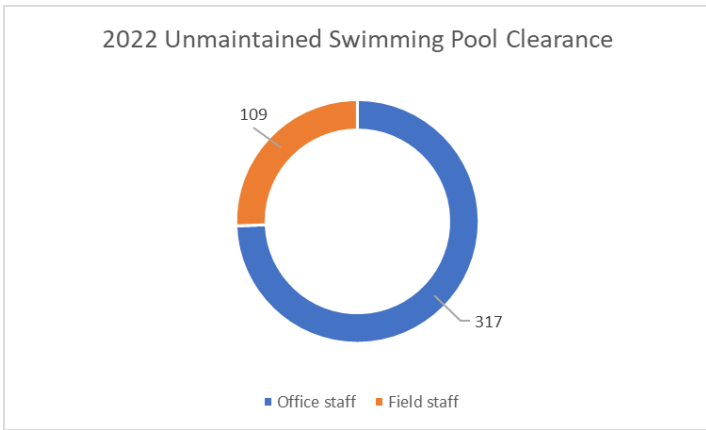
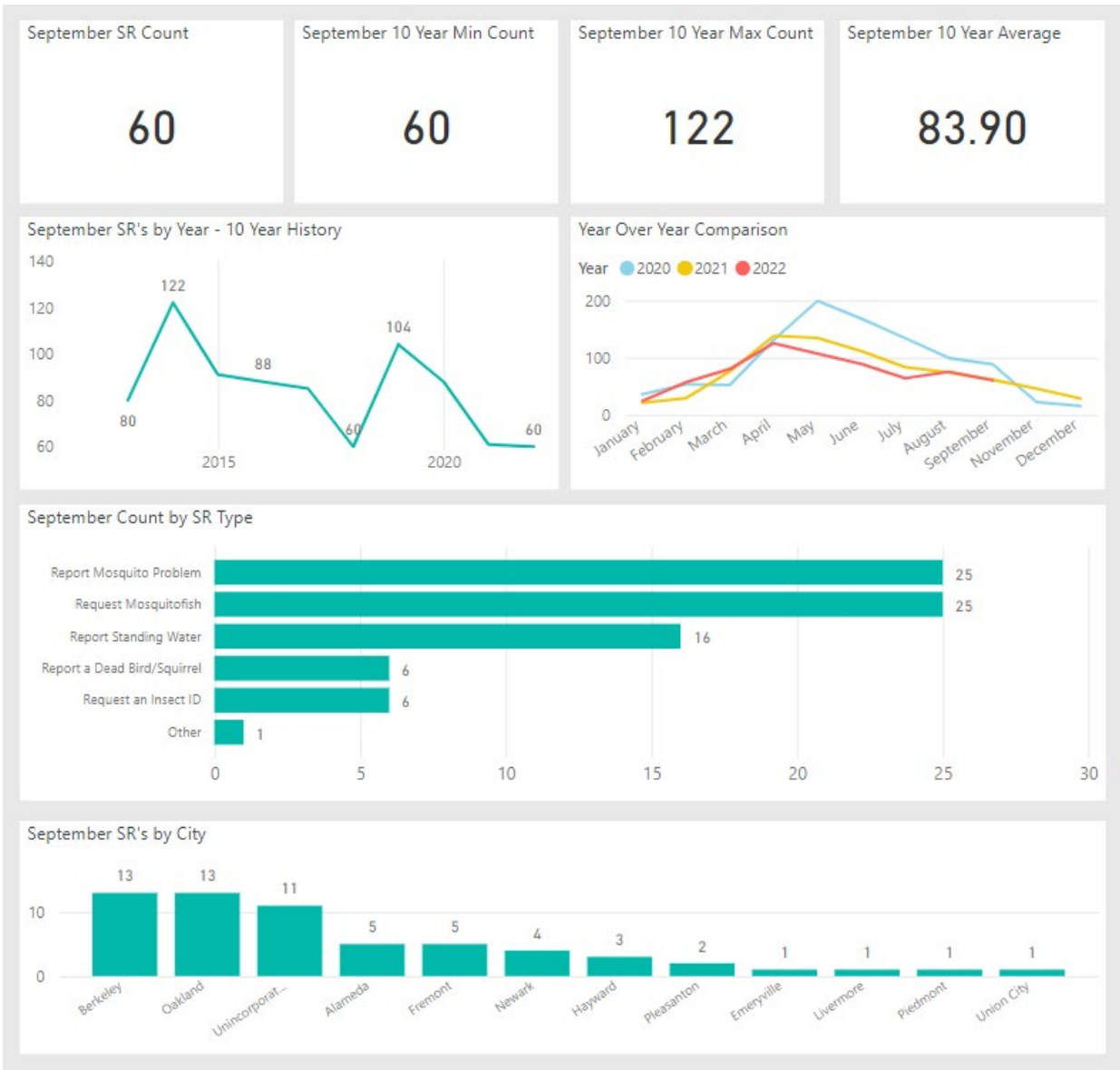
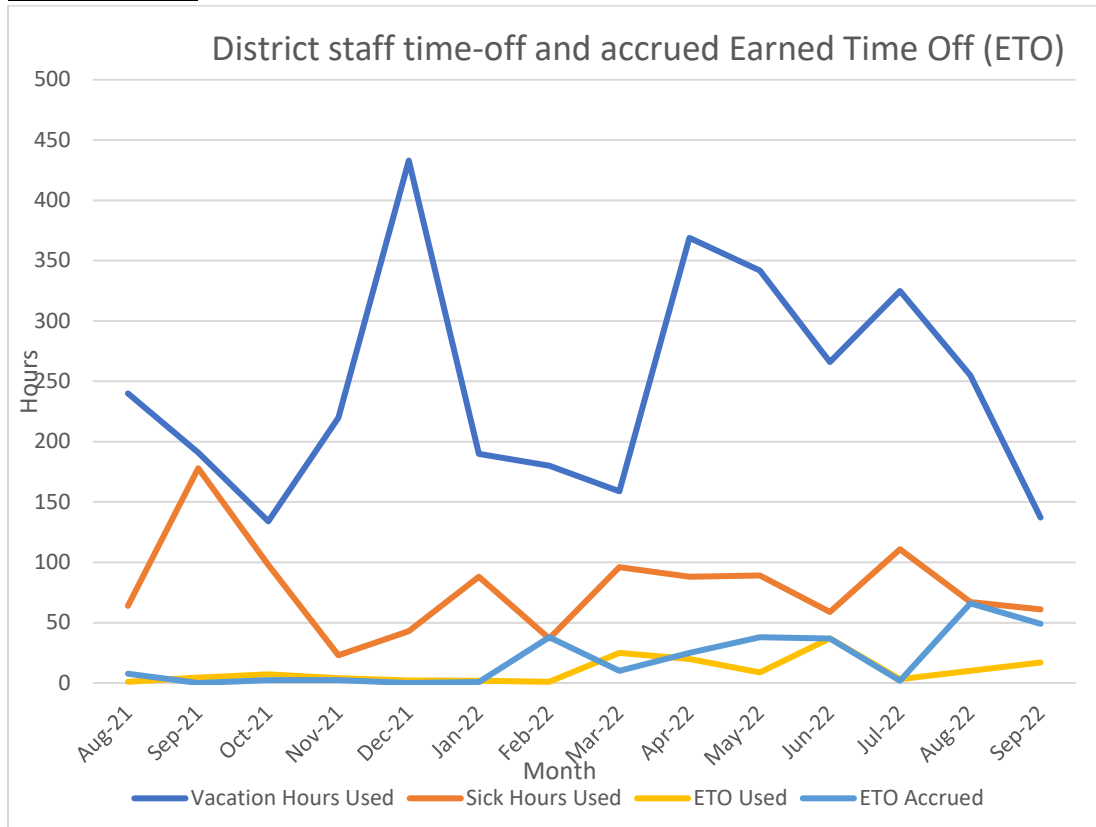


Figure 1

Service Requests September 2022

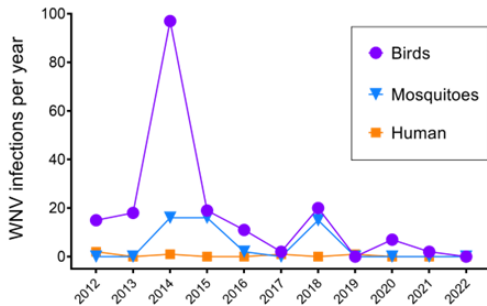


Activity Report

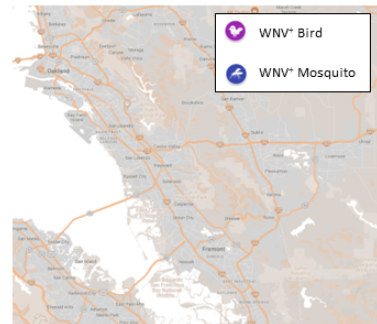


WNV Activity

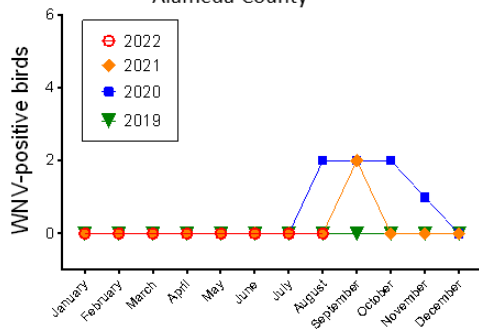
WNV infections detected in Alameda County 2012 – 2022



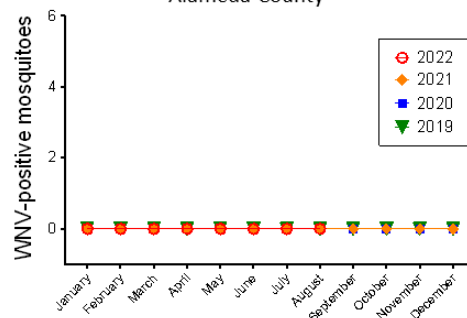
Locations of WNV-infected mosquitoes and birds in Alameda County during 2022



WNV-infected birds collected in Alameda County



WNV-infected mosquitoes collected in Alameda County



B. LAB

Summary

- *Arboviruses*. 90 collections of mosquitoes were tested for the presence of West Nile virus (WNV), Saint Louis encephalitis virus (SLEV) and Western equine encephalitis virus (WEEV) during September and none were found to be infected with those viruses. WNV was not detected in birds during September 2022. Saint Louis encephalitis virus (SLEV) and Western equine encephalitis virus (WEEV) were not detected in Alameda County during the prior 5 years.
- *Native mosquitoes*. A total of 362 CO₂-baited encephalitis virus survey (EVS) traps were placed during September, catching 7,667 adult female mosquitoes (22.3 mosquitoes per trap night). Three New Jersey Light Traps (NJ Light Traps) captured 30 adult mosquitoes during the same period.
- Sentinel chicken flocks are in Livermore and Newark. None of the chickens show signs of WNV, SLEV, or WEEV infection.
- Invasive *Aedes* mosquitoes were not detected in Alameda County during 2022.

Arbovirus Monitoring

- WNV was not detected in birds or mosquitoes during September. WNV was last detected in birds collected in Alameda County during September 2021 (WNV Activity figure, above).
- This month, 90 collections of mosquitoes (*i.e.*, pools) were tested for the presence of WNV, SELV and WEEV using quantitative RT-PCR in the ACMAD lab. WNV was last detected in mosquitoes during 2018 (WNV Activity figure, above). SLEV and WEEV have not been detected in the County for over a decade.
- Sentinel chicken flocks in Livermore and Newark have not shown signs of infection with WNV, SLEV or WEEV (*i.e.*, they had not seroconverted).

Native Mosquito Abundance

- The following three species are the principal transmitters of WNV, SLEV and WEEV in California: *Culex pipiens* (occurs predominantly in urban settings), *Culex tarsalis* (associated with marsh and peri-urban areas), and *Culex erythrothorax* (occurs exclusively in marsh but adults can disperse into nearby communities).
- 344 CO₂-baited EVS traps were placed during June. A total of 7,667 adult female mosquitoes were collected, which was 2.3-fold fewer than the prior month (Figure 2). Adult mosquito abundance during 2022 was similar to the prior two years (Figure 2). Peaks in abundance of *Culex erythrothorax* and *Culex tarsalis* that were observed during the prior month have returned to levels that are typical for the season (Figure 3 and Figure 4). With increased international travel, we are receiving more travel-related cases of dengue and malaria compared to prior years. We do not currently have species of mosquito in Alameda County that can transmit dengue (*e.g.* *Aedes aegypti*). However, *Anopheles freeborni* (the western malaria mosquito) can transmit the *Plasmodium* parasite that causes malaria, and low quantities of this species are routinely detected in Alameda County (Figure 3) near creeks or storm water canals (Figure 5A). Fortunately, this species has a low preference for biting people (less than 1.0 % of blood meal samples from mosquitoes collected in the Sacramento Valley of California contained human blood ()). As of yet, malaria cases have not occurred where *Anopheles freeborni* have been detected.
- Two WNV vector species (*Culex tarsalis* and *Culex erythrothorax*) were more abundant in the south western bayside region of the county (Figure 5A). Mosquito abundance in the northern part of the county (Figure 5B) was low and comprised predominantly of *Culiseta spp.* and *Culex pipiens*, as is typical for the region. Higher abundance of *Culex erythrothorax* was observed in the midwestern region of the county where there is extensive marsh habitat that support the growth of that species (Figure 5C). Low mosquito abundance was observed in the eastern region of the county (Figure 5D). The higher abundance of *Aedes vexans* that was observed at Del Valle Regional Park during the prior two months was substantially lower, by 33-fold, this month (Figure 5D). Eighteen of the EVS traps did not collect any mosquitoes (Figure 5A, upper right insert). The three NJ Light Trap sites captured a total of 30 adult female mosquitoes during the month (Figure 6).

LAB FIGURES

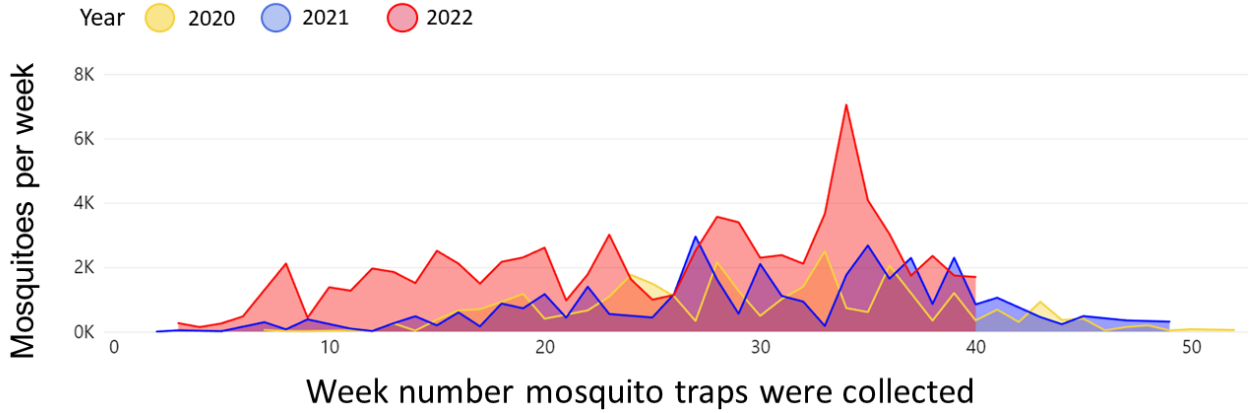


Figure 2. Mosquitoes captured in EVS CO₂ traps from 2020 – 2022. A total of 7,667 adult female mosquitoes were captured in EVS CO₂ traps during the month and identified to species. Week 24 was excluded from the graph because the high anomalous abundance during 2021 skewed the y-axis.

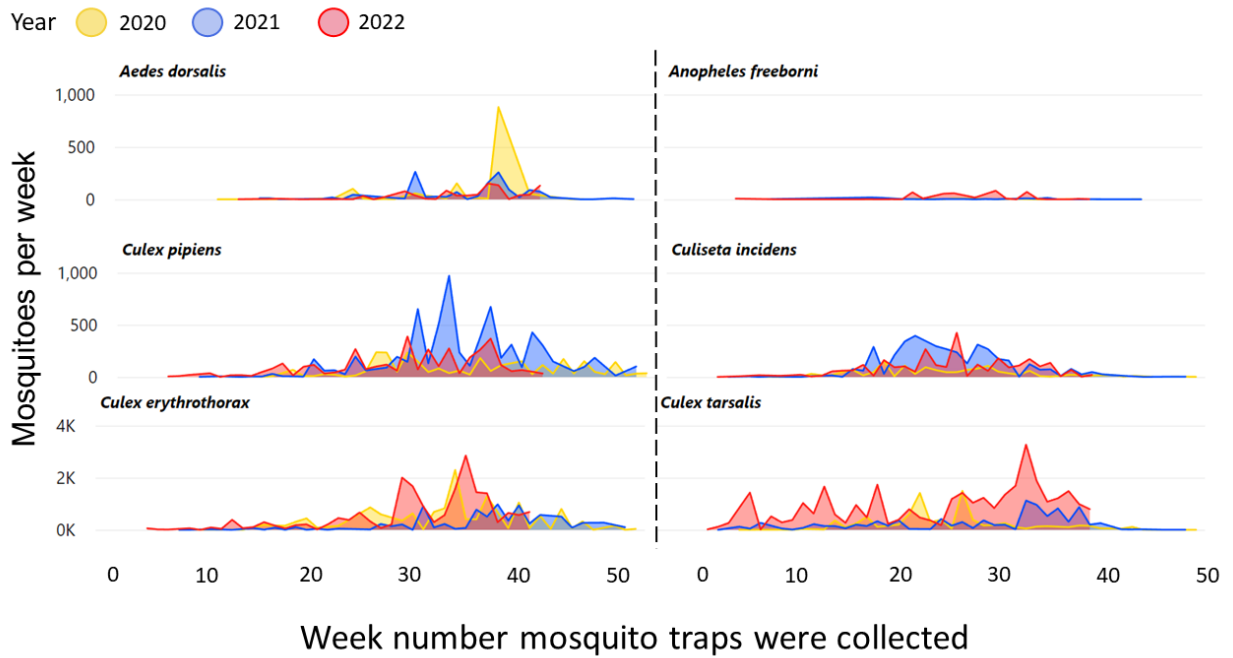


Figure 3. Weekly abundance of important mosquito species during 2020, 2021 and 2022. Note that the values on the y-axis differ by row.

September 2022 – EVS CO₂ Trap

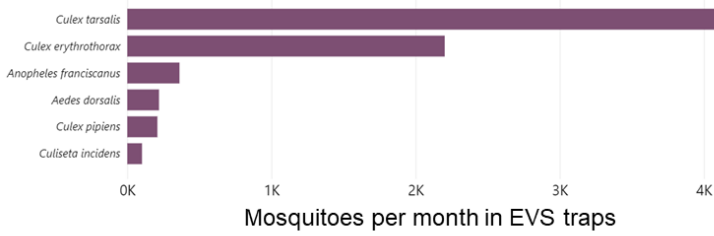
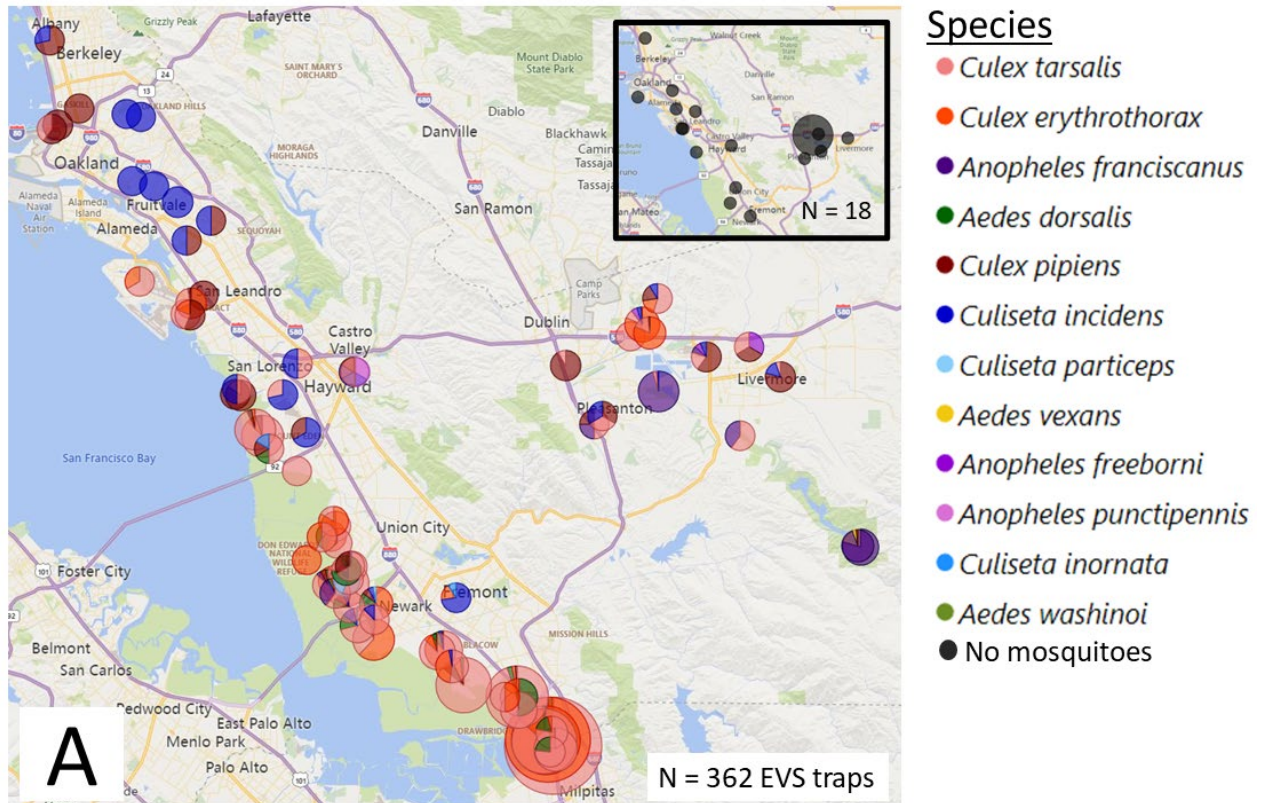


Figure 4. The most abundant species of mosquito captured using EVS CO₂ traps. Larger squares and rectangles indicate higher abundance of that species.



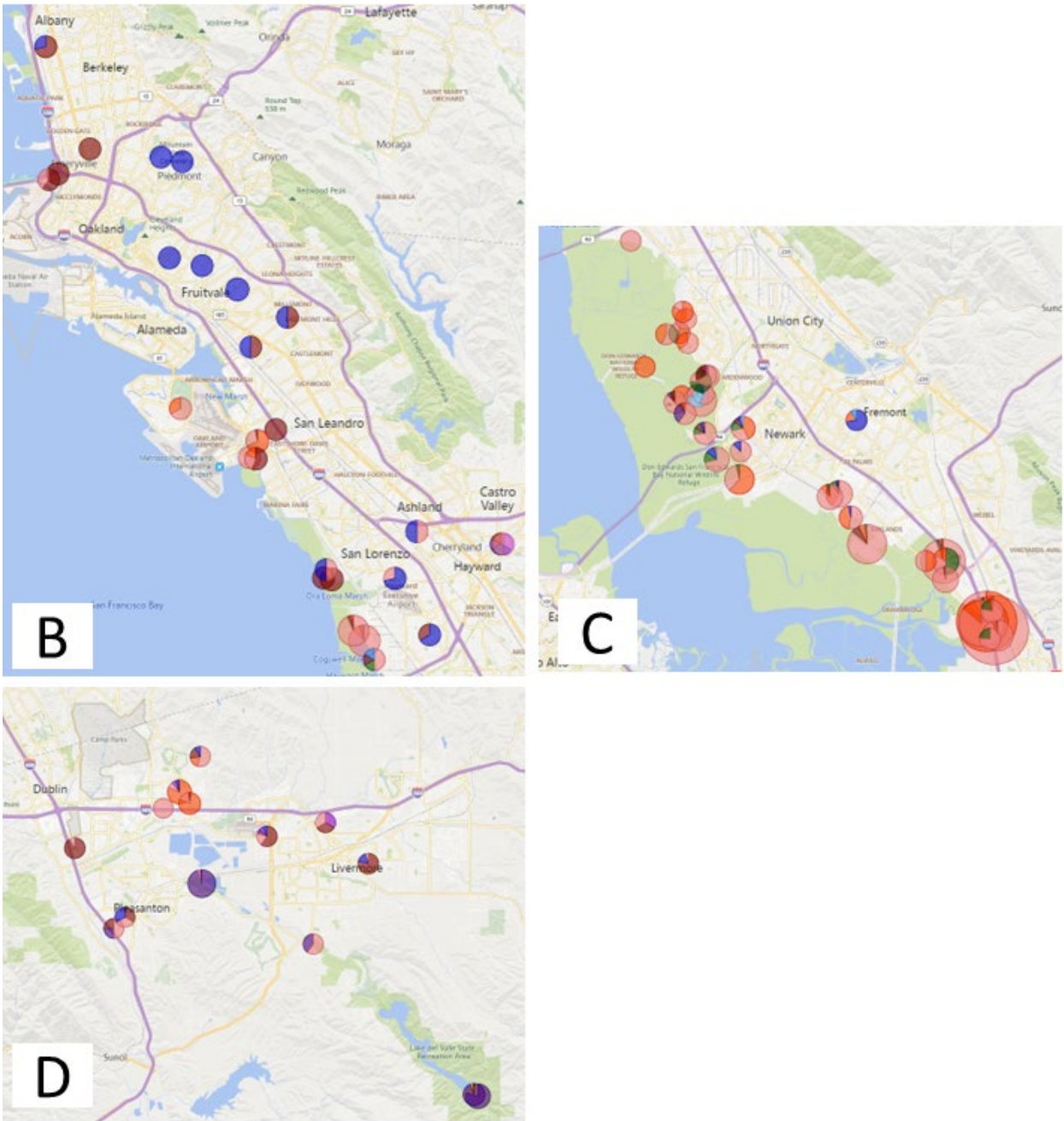


Figure 5. Mosquito abundance by trap site evaluated using EVS CO₂ traps. Pie charts over trap sites indicate the distribution of mosquito species collected at the trap site. The size of each pie chart indicates the relative number of mosquitoes at each site during the month. (A) Alameda County (the insert shows traps that were placed but did not collect mosquitoes), (B) the northern region of the county, (C) the southern region, and (D) the eastern region.

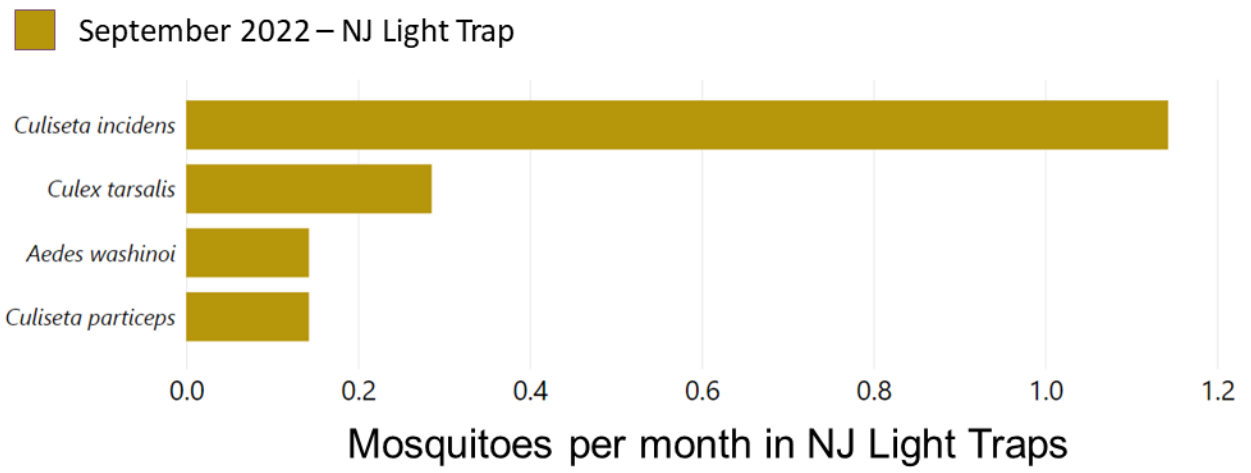


Figure 6. The most abundant species of mosquito captured in NJLT. A total of 30 mosquitoes were captured in NJ Light Traps.

Analysis and report by Eric Haas-Stapleton, PhD, Laboratory Director

C. PUBLIC EDUCATION



September Events and Presentations

 **Event**

Solano Stroll in Albany September 11



Upcoming Events and Presentations

- Don Edwards 50th Anniversary Fremont
- Diwali Festival of Light Celebration Fremont
- Science of Halloween with Quest Science Center in Livermore

School Program

- Sent information to schools near mosquito heavy areas in Alameda, Hayward, Livermore, Union City. Waiting to set dates for in-classroom presentations.

East Oakland Targeted Outreach

- Additional Facebook ads in East Oakland zip codes.

Google Analytics



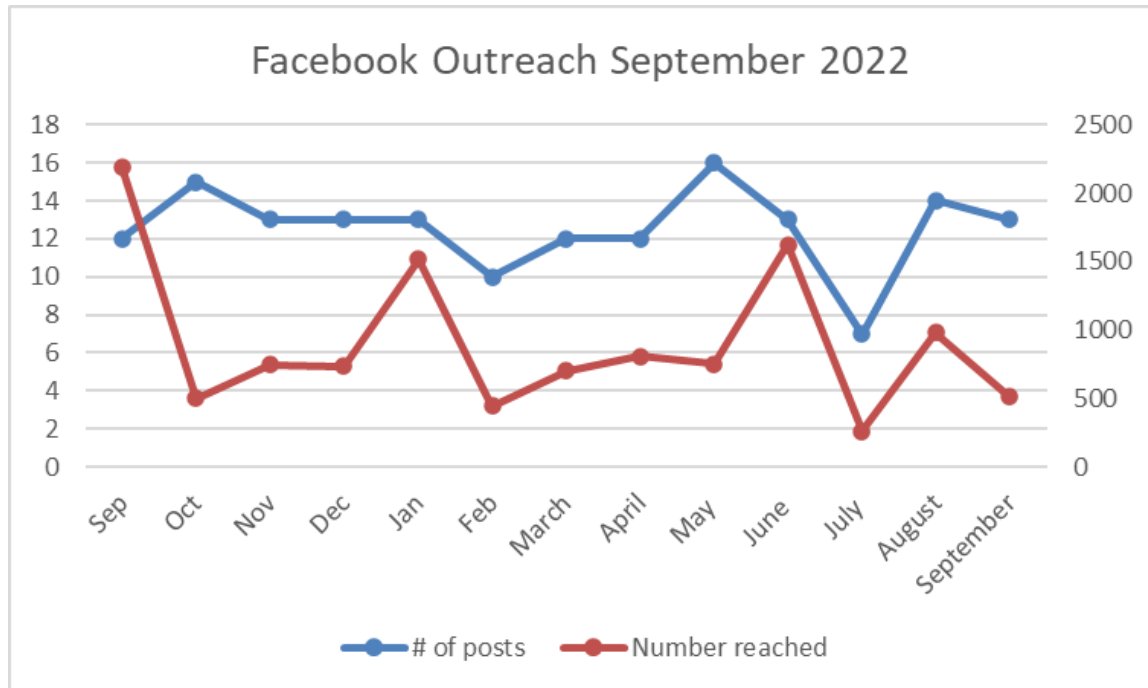
Figure 1: September website users 2022

Note, September 1st and September 30th had above average activity from one location, which denotes bot activity, so those dates are not a part of the graph.



Figure 2: September 2-year website comparison

Facebook




September Data: Posts 14 Reach – 513 Followers – 377 (13 added)

Solano Stroll



Albany, 2022

Top September Facebook Post: We had a great time at the Solano Stroll in Albany this past weekend. We enjoyed asking residents to estimate the number of mosquito eggs on a piece of tape and passing out our mosquitofish carabiners.

 **Alameda County Mosquito Abatement District**
Published by RL Ads · May 31 ·

Alameda County Mosquito Abatement District works for you! We provide free services to prevent and address mosquito issues in Alameda County. Learn more at our website, www.mosquitoes.org



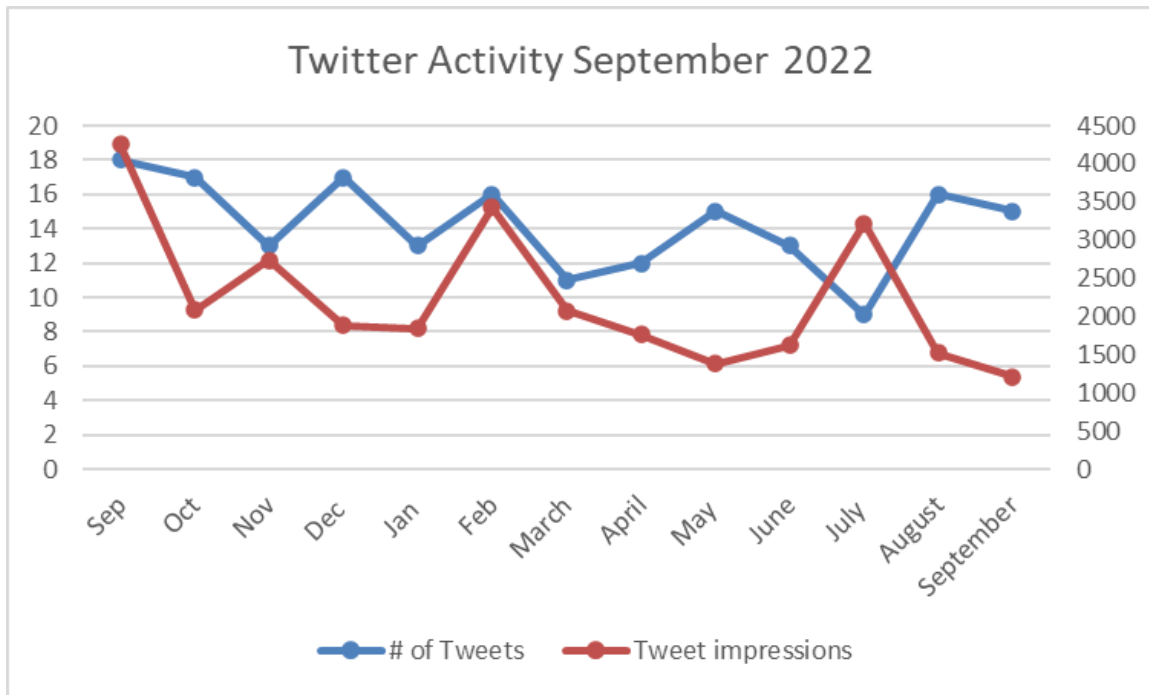
MOSQUITOES.ORG
Alameda County Mosquito Abatement District [Learn more](#)

Facebook Ad: In June we started a Facebook ad campaign through LocalIQ. To date the ad above has received 182,890 impressions.



Video Ad In August we launched a video ad on Facebook. Above is a screenshot from the video. It was seen by 7,965 people in September.

Twitter



September Data: Posts – 15 Impressions – 1,211 Followers – 792 (7 added)

WNV & Birds

- Many birds in California get WNV from mosquitoes and can die.
- People can't get WNV from birds. (People get WNV from mosquitoes.)
- Reporting and testing dead birds is one way to track where WNV is active in California.

To report a dead bird, call:

1-877-WNV-BIRD
(1-877-968-2473)

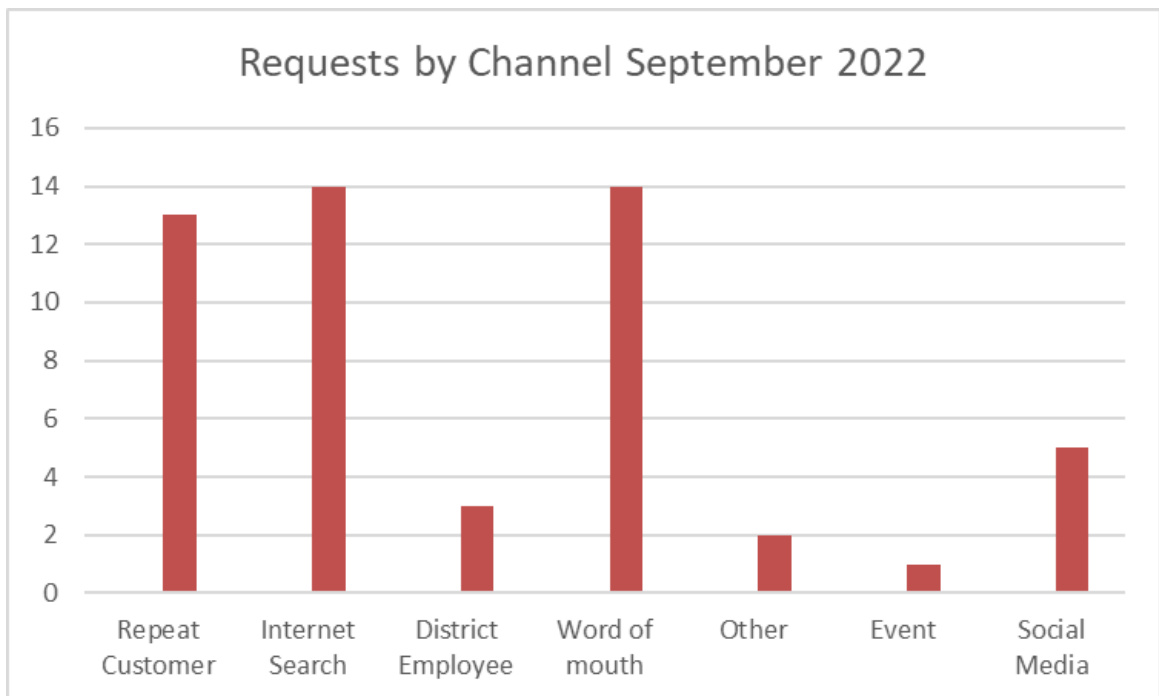
or visit:

westnile.ca.gov

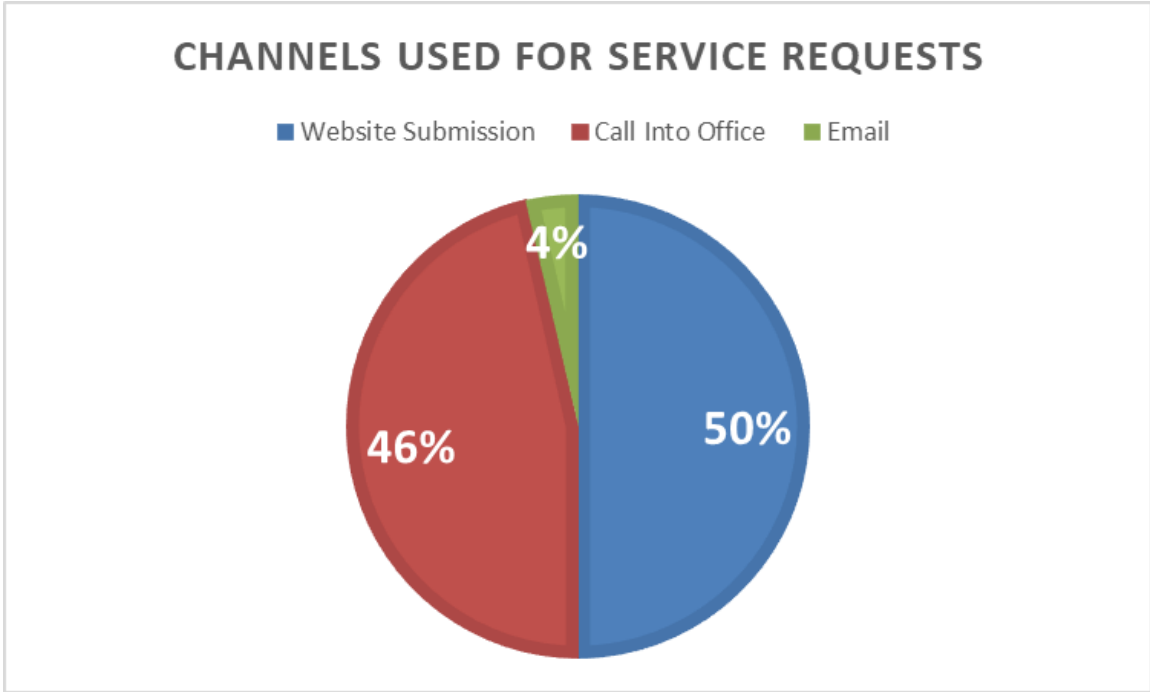


Top September Twitter Post: Help @CAPublicHealth track West Nile virus (WNV) in California by reporting dead birds. Tracking birds that die from WNV is one way CDPH monitors where WNV is active in California. Call or report a dead bird online today! <https://westnile.ca.gov>

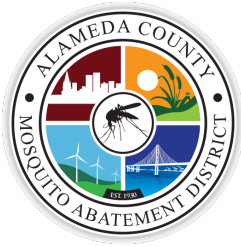
Service Request Referral Summary for September



Channels Used by Residents to Request Service



53 requests in total: 26 calls, 28 website requests, 2 emails



23187 Connecticut Street
Hayward, CA 94545

T: (510) 783-7744
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acmad@mosquitoes.org

Staff Anniversary Recognitions:

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Hayward

Steven Cox

Livermore

Jan O. Washburn

Oakland

Eric Hentschke

Newark

Hope Salzer

Piedmont

Julie Testa

Pleasanton

Ryan Clausnitzer

General Manager

Background:

ACMAD is pleased to recognize and thank the following employees on their anniversaries in September/October.

Employee	Job Title	Years of Service	Anniversary Date
Sarah Lawton	Vector Biologist	7	September 14th
Ben Rusmisl	Vector Biologist	7	September 28th

California Arbovirus Surveillance Bulletin #26

Week 39 Friday, September 30, 2022



WEEKLY UPDATE

Humans

West Nile virus

A total of 15 cases of West Nile virus (WNV) illness were reported this week from 8 counties: Fresno (1), Kern (1), Kings (2), Los Angeles (4), Madera (1), Merced (3), Orange (1), and Stanislaus (2). In 2022, a total of 81 cases have been reported from 16 counties. Of the 81 cases, 60 (74%) had neuroinvasive illness and 7 (9%) were fatal. The median age of the cases was 62 years and 50 (62%) were male. The dates of symptom onset ranged from April 11 to September 20. In addition to the 81 WNV cases, 9 asymptomatic WNV-positive blood donors have been reported from 4 counties: Fresno (3), Kern (1), Los Angeles (4), and San Joaquin (1). At this time last year, 62 WNV cases had been reported from 17 counties.

St. Louis encephalitis virus

A single (1) human case of St. Louis encephalitis virus (SLEV) was reported this week from Tulare County. In 2022, 6 SLEV human cases have been reported from 4 counties: Fresno (1), Kern (1), Stanislaus (1), and Tulare (3). At this time last year, 1 SLEV case had been reported from one county.

Dead Birds

A total of 12 WNV positive dead birds were reported this week from 5 counties: Los Angeles (3), Riverside (1), Sacramento (2), San Bernardino (1), and Santa Clara (5). In 2022, 166 WNV positive dead birds have been reported from 22 counties. At this time last year, 198 WNV positive dead birds had been reported from 19 counties.

Mosquito Pools

West Nile virus

A total of 108 WNV positive mosquito pools were reported this week from 11 counties: Fresno (7), Kern (4), Los Angeles (30), Madera (1), Riverside (4), Sacramento (2), San Bernardino (4), San Joaquin (20), Shasta (1), Stanislaus (5), and Tulare (30). In 2022, 2,925 WNV positive mosquito pools have been reported from 25 counties. At this time last year, 2,191 WNV positive pools had been reported from 25 counties.

St. Louis encephalitis virus

A total of 15 SLEV positive mosquito pools were reported this week from 5 counties Fresno (5), Kern (2), Madera (6), Riverside (1), and Tulare (1). In 2022, 131 SLEV positive mosquito pools from 9 counties have been reported: Fresno (11), Imperial (5), Kern (6), Kings (27), Los Angeles (1), Madera (15), Riverside (54), San Joaquin (1), and Tulare (11). At this time last year, 36 SLEV positive pools had been reported from 8 counties.

Sentinel Chickens

A total of 4 WNV positive chickens were reported this week from 3 counties: Butte (1), Los Angeles (1) and Tehama (2). In 2022, 123 WNV positive chickens have been reported from 13 counties. At this time last year, 79 WNV positive chickens had been reported from 9 counties.

California Arbovirus Surveillance Bulletin #26

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2021 & 2022 YTD West Nile Virus Comparisons		
	2021	2022
Total No. Dead Bird Reports	4,500	4,138
No. Positive Counties	33	31
No. Human Cases	62	81
No. Positive Dead Birds / No. Tested	198 / 1,420	166 / 1,125
No. Positive Mosquito Pools / No. Tested	2,191 / 33,726	2,925 / 34,191
No. Seroconversions / No. Tested	79 / 4,924	123 / 4,384

YTD WNV Activity by Element and County, 2022					
County	Humans	Horses	Dead Birds	Mosquito Pools	Sentinel Chickens
Butte	3		2	39	27
Colusa					3
Contra Costa			1	2	5
Fresno	14		2	291	
Imperial				1	
Kern	10	3		97	
Kings	5			105	
Lake			2	7	3
Los Angeles	12		37	441	14
Madera	2		2	127	
Merced	6		1	20	16
Napa				1	
Nevada		1	1		
Orange	4		1	31	
Placer			5	88	
Riverside			3	116	
Sacramento		1	37	40	6
San Bernardino			7	79	
San Joaquin	3	1	1	197	
San Luis Obispo		1			
Santa Clara			22	21	
Shasta			1	39	1
Solano	2		9	12	
Sonoma	1				
Stanislaus	8			65	
Sutter			4	31	16
Tehama	2	1			6
Tulare	5	3	2	999	10
Ventura			1		
Yolo	3		24	64	3
Yuba	1		1	12	13
Totals	81	11	166	2,925	123

California Arbovirus Surveillance Bulletin #26

Week 39 Friday, September 30, 2022

TESTING SUMMARIES

		WNV	SLEV	WEEV
Human Cases	Week	15	1	0
	YTD	81	6	0

Positive / Total Tested							
		WNV	SLEV	WEEV	CHIK	DENV	ZIKA

Dead Birds	Week	12 / 22
	YTD	166 / 1,125

Chicken Sera	Week	4 / 180	0 / 180	0 / 180
	YTD	123 / 4,384	0 / 4,384	0 / 4,384

Mosquito Pools	Week	108 / 1,390	15 / 1,392	0 / 1,391	0 / 0	0 / 0	0 / 0
	YTD	2,925 / 34,191	131 / 30,785	0 / 29,325	0 / 351	0 / 351	0 / 351

POSITIVES

Dead Birds

County	Agency	City	Zip Code	Species	Date Reported	Virus
Los Angeles	Greater Los Angeles Co VCD - SFS	Long Beach	90808	American Crow	9/20/2022	WNV
Los Angeles	Greater Los Angeles Co VCD - SFS	Long Beach	90808	Unknown - Crow or Raven	9/23/2022	WNV
Los Angeles	Greater Los Angeles Co VCD - SFS	Los Angeles	90011	Unknown - Crow or Raven	9/23/2022	WNV
Riverside	Northwest Mosquito VCD	Riverside	92506	House Finch	9/15/2022	WNV
Sacramento	Sacramento-Yolo MVCD	Carmichael	95608	American Crow	9/19/2022	WNV
Sacramento	Sacramento-Yolo MVCD	North Highlands	95660	American Crow	9/21/2022	WNV
San Bernardino	West Valley MVCD	Ontario	91762	American Crow	9/26/2022	WNV
Santa Clara	Santa Clara Co VCD	Los Altos	94024	American Crow	9/22/2022	WNV
Santa Clara	Santa Clara Co VCD	Mountain View	94040	American Crow	9/23/2022	WNV
Santa Clara	Santa Clara Co VCD	San Jose	95129	American Crow	9/28/2022	WNV
Santa Clara	Santa Clara Co VCD	Santa Clara	95050	American Crow	9/21/2022	WNV
Santa Clara	Santa Clara Co VCD	Sunnyvale	94086	American Crow	9/26/2022	WNV

Mosquito Pools

County	Site code	Pool #	Species	City	# in Pool	Trap type	Collected	Virus
Fresno	CNSL 1070	647	Cx. quinquefasciatus	Fresno	50	GRVD	9/21/2022	WNV
Fresno	CNSL 1957	652	Cx. quinquefasciatus	Fresno	50	GRVD	9/21/2022	SLEV
Fresno	CNSL 6166	658	Cx. quinquefasciatus	Laton	35	GRVD	9/22/2022	WNV
Fresno	CNSL 6166	658	Cx. quinquefasciatus	Laton	35	GRVD	9/22/2022	SLEV
Fresno	CNSL 6323	646	Cx. tarsalis	Riverdale	48	CO2	9/20/2022	WNV
Fresno	CNSL 6365	656	Cx. quinquefasciatus	Laton	27	GRVD	9/22/2022	WNV
Fresno	FRNO 219	946	Cx. quinquefasciatus	Fresno	50	GRVD	9/21/2022	WNV

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TEST PROTOCOLS

Humans:

Specimens are tested by local laboratories with an IgM or IgG immunofluorescent assay (IFA) and/or an IgM enzyme immunoassay (EIA). Specimens with inconclusive results are forwarded to the California Department of Public Health Viral and Rickettsial Disease Laboratory (VRDL) for further testing with a plaque reduction neutralization test (PRNT).

Dead Birds

Oral swab samples collected from bird carcasses are tested at the UC Davis Arbovirus Research and Training laboratory (DART) or at a local agency for West Nile virus by RT-qPCR.

Sentinel Chickens:

Dried blood spot samples from sentinel chickens are tested at the California Department of Public Health Vector-Borne Disease Laboratory for IgG antibodies to West Nile, St. Louis encephalitis, and western equine encephalomyelitis viruses by an EIA. Positive samples are confirmed by IFA, western-blot, or PRNT.

Mosquito Pools:

Mosquito pools are tested at DART or at a local agency for West Nile, western equine encephalomyelitis, and St. Louis encephalitis viral RNA using a multiplex RT-qPCR. Invasive *Aedes* mosquitoes (*Ae. aegypti* and *Ae. albopictus*) are also tested at DART for chikungunya, dengue, and Zika viral RNA by a separate RT-qPCR.

Website Information: For updated information on WNV in California, please visit the California WNV website, <https://westnile.ca.gov>, or the California Vector-Borne Disease Surveillance System website, <https://maps.vectorsurv.org>.

Prepared by the Vector-Borne Disease Section (Infectious Diseases Branch), California Department of Public Health, 850 Marina Bay Parkway, Richmond, CA 94804. Questions concerning this bulletin should be addressed to Hannah Romo: Hannah.romo@cdph.ca.gov

Complaints of small flies in Pleasanton push city leaders to find source of problem

Main focus is to first identify type of fly, then locate their breeding grounds, officials say

by **Christian Trujano** / Pleasanton Weekly

Uploaded: Mon, Aug 29, 2022, 5:20 pm

If you've walked down Main Street in Pleasanton over the last week, you might have noticed swarms of small flies rapidly spreading around downtown businesses and neighborhoods.

Flies tend to be a routine part of every summer as the extreme heat offers better reproductive conditions, but what many residents on Nextdoor have recently complained about is what seems to be an even higher number of these flies downtown compared to previous years.

Some have even said they're seeing these high numbers of flies even though they have no trash around the house.

"There have been numerous comments and complaints from the community about flies in downtown and throughout the city," Councilmember Julie Testa told the Weekly. "The city has been diligent in managing trash to mitigate that as a source."

City Manager Gerry Beaudin said that the city is also working with Alameda County Vector Control Services District to understand if there are any additional contributing factors to the increase of flies this year and, if so, how it can be addressed.

As the city and county continue to look for any other direct reason for the increase in flies, Erika Castillo, regulatory and public affairs director at the Alameda County Mosquito Abatement District, told the Weekly that finding out the species of the fly will be critical in getting rid of them.

"There's a lot of different types of flies and they all breed in different habitats," Castillo said. "Once we know that, then you can kind of figure out the biology and the history of that species and that can narrow down what you're targeting to try and control their breeding."

She said the best thing residents could do while the county works on identifying the flies is work on eliminating any possible sources where flies could breed or gather, whether it's trash or compost.

"Depending on what type of fly it is, you want to look and see where they're breeding and try and get control of that," Castillo said.

She said that once the type of fly has been determined, the city could work with either private pest control or vector control services to work on containing and treating the problem -- but in the end it comes down to finding the breeding source and getting rid of that.

Residents and businesses can contact vector control directly for more information or to submit a request for service at <https://acvcسد.org/request-service/> or call 510-567-6800.