

BOARD POLICIES and PROCEDURES

Adopted by the Board of Directors on January 15, 2020

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Board Policies and Procedures

Policy 101 – Board Basis of Authority

PURPOSE

This policy defines the Board of Directors' basis of authority.

POLICY STATEMENT

The Ross Valley Sanitary District Board of Directors act only at regular, regularly adjourned, or special meetings, as provided by state law to govern operations of the Ross Valley Sanitary District, a wastewater collection system that serves the communities of Fairfax, Larkspur, Greenbrae, Ross, Kentfield, San Anselmo, Kent Woodlands, and Sleepy Hollow.

The Board is the District's legislative body, and functions as the District's policymaking body. Individual Directors have no power to act for the District, or for the Board of Directors, or to direct District staff, except as authorized by a quorum of the Board of Directors. Individual Directors do not represent any fractional segment or region of the community, but are part of the body that represents and acts for the District as a whole.

Since Directors are elected officials, no Director may delegate his/her authority to act as a Director.

Reference: Policy originally adopted by the Board on February 17, 2016



Board Policies and Procedures

Policy 102 – Public Meeting Conduct and Rules of Order

PURPOSE

This policy provides clarity regarding the Board's rules of order and conduct during its public meetings. The policy recommends best practices for encouraging open and public dialogue on matters within the District's jurisdiction.

POLICY STATEMENT

The Board encourages members of the public to participate in its public meetings. In order to provide a safe and effective environment for the public to participate the following procedures have been established.

PROCEDURES

Meeting Operations

All meetings of the Board of Directors are conducted by the President of the Board. Action/discussion then takes place on agenda items one by one, in the order they appear, unless modified or removed by board action. With few exceptions, only items on the agenda will be acted on by the Board. The Board may hear public comment on any item within its jurisdiction during a general public comment period. If the Board wishes to take action on any such item, the matter may be placed on a future Board agenda.

Agenda Items

The Board handles agenda items pursuant to Rosenberg's Rules of Order and the Brown Act. This typically involves a staff report, technical questions by board members, public comment, board discussion, and a vote where appropriate.

Public Comment

Public comments are encouraged by the District in accordance with Government Code Section 549543.3 and Resolution 10-1378.

Any person may submit comments on any agenda item or other item of interest to the public that is within the subject matter jurisdiction of the Board, either orally or in writing. Oral comments by members of the public are limited in time to three minutes per individual. The Board President has the discretion to limit the time for public comments as necessary.

Members of the public may submit written comments on any agenda item. These comments should be directed to the Clerk of the Board.

When the President announces that public comment has begun, interested commenters should form a line at the podium. It is helpful for the record if the commenter gives his or her name, address, and



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affiliation, if any, but commenters are not required to give that information.

Commenters should address the entire Board. Questions from the public to staff or counsel shall be directed to the President. Commenters should not present the same or substantially the same information, and members of groups are encouraged to designate a spokesperson. Commenters waiting to speak are expected to conduct themselves respectfully and civilly. Members of the public who interrupt other commenters or Board members during discussion may be asked to leave.

Comments on a particular agenda item should be raised during the public comment section of that agenda item. Commenters who wish to comment on an item within the subject matter jurisdiction of the Board that is not on the agenda may do so only during the open public discussion section of the meeting. The Board may not deliberate or act on an item discussed in the open public discussion section.

Reference: Resolution 10-1378

Policy originally adopted by the Board on January 25, 2017



Board Policies and Procedures

Policy 103 – Board Norms and Values

PURPOSE

This policy ensures that the Board represents the ratepayers of the Ross Valley Sanitary District with proper and effective governance practices while working with the public, each other, and District staff. As such, the following Board Norms and Values guide the Board.

POLICY STATEMENT

Norms and Values of Board Membership – As a part of normal practice, Board members:

- Identify and respect the needs of the District's constituents.
- Respect the dignity, style, values and opinions of each Director.
- Practice responsiveness and attentive listening to public, staff, and others on the Board.
- Commit to emphasizing positive forms of interaction and communication.
- Are open to the opinions of others.
- Commit to being supportive of the process that results in Board action.

Board members understand that differing viewpoints are healthy in the decision-making process. Individuals have the right to respectfully disagree with ideas and opinions, while working together during the process that results in Board action.

Reference: Policy originally adopted by the Board on October 26, 2016



Board Policies and Procedures

Policy 104 – Board Positions

PURPOSE

This policy establishes the positions of the Board and frequency of appointment.

POLICY STATEMENT

Every fiscal year the Board votes to assign its members to the following positions, committees and outside organizations of which RVSD is a member.

Positions on the Board

- President (1)
- Secretary (1)
- Treasurer (1)

Positions on Board Committees

- Regular Finance Committee (2)
- Ad Hoc HR Committee (2)
- Ad Hoc Business Plan Committee (2)
- Ad Hoc Education and Outreach Committee (2)
- Ad Hoc Facilities Committee (2)

Positions outside the District

- CMSA Commissioners (2)
- CMSA Commissioner Alternates (2)
- RVSD Representative to the NBWA (1)
- RVSD Representative to the NBWA Alternate (1)
- RVSD Representative to CSRMA (1)
- RVSD Representative to CSRMA Alternate (1)

PROCEDURES

In June of each year the Board Clerk will bring an item to the Board to discuss the following fiscal years positions. The Board will vote in a member for each position listed above by nominating the member and that nomination being seconded. New Board positions will begin in July.

The Board can remove a member from their position at any time by vote. A member can also resign from their position if they feel they are unable to perform the duties of the position.



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Policy 105 – Setting the Date of the Board’s Regular Monthly Meeting

PURPOSE

This policy establishes the most effective and productive schedule for the regular monthly meetings of the District’s Board.

POLICY STATEMENT

The Board of Director’s regular meeting will be held on the third Wednesday of the month. A second meeting of the month may be scheduled at the discretion of the Board if it is determined to be necessary.

PROCEDURE

In December, the Board Clerk will bring an item before the Board proposing the meeting calendar for the following year.

Reference: Resolution No. 12-1453



Board Policies and Procedures

Policy 106 – Teleconferencing

PURPOSE

This policy establishes the board's policy on allowing board members to participate in board meetings by teleconference.

POLICY STATEMENT

No Board Member may participate in a board meeting by telephone or video unless the District is in compliance with the Brown Act's provisions regarding teleconferencing.

Under the Brown Act, a "teleconference" is a "meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both." (Govt. Code section 54953(b)(4)).

Legislative bodies may use teleconferencing under the following conditions: (1) the legislative body must post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body; (2) each teleconference location shall be identified in the agenda, and each teleconference location shall be accessible to the public; (3) during the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the agency; and (4) the agenda must provide an opportunity for members of the public to address the legislative body directly at each teleconference location.

AB 2449 Provisions

Under Assembly Bill 2449 the Board may hold teleconference meetings without complying with paragraph (3) of subdivision (b) of the Brown Act if, during the teleconference meeting, at least a quorum of the members of the Board participates in person from a singular physical location clearly identified on the agenda and that location is open to the public and the Board complies with all of the following:

- (A) They provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address them:
 - (i) A two-way audiovisual platform.
 - (ii) A two-way telephonic service and a live webcasting of the meeting.
- (B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the Board will also give notice of the means by which members of the public may access the meeting and offer public comment.
- (C) The agenda will identify and include an opportunity for all persons to attend and address the Board directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

Additionally, A member of the Board may participate in the meeting remotely if all the following



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requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the Board at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. This is allowed for two meetings per calendar year.

(ii) The member requests the Board allow them to participate in the meeting remotely due to emergency circumstances and the Board takes action to approve the request. The Board can request a general description of the circumstances relating to their need to appear remotely at the given meeting. The following requirements apply:

(I) A member shall make a request to participate remotely at a meeting, as soon as possible. The member will make a separate request for each meeting in which they seek to participate remotely.

(II) The Board may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the Board may take action at the beginning of the meeting.

(B) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

A Board member is not allowed to participate in meetings solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings within a calendar year.

Reference: Policy originally adopted by the Board on May 18, 2016



Board Policies and Procedures

Policy 107 – Board Members’ Attendance at Meetings

PURPOSE

This policy defines guidelines and expectations regarding Board Members' attendance of Board meetings.

POLICY STATEMENT

Board members are expected to attend all Board meetings and should make every effort to do so. Absence from three consecutive meetings or absence from more than one- third of all meetings in one calendar year shall constitute abandonment of office and the office shall be deemed vacant. To be deemed to have attended a Board meeting, a Board member must have been present for at least three-fourths of the time duration of the meeting. In the event of an absence, the Board member will notify the President of the Board in advance of the meeting.

Until a quorum is present, there can be no meeting of the Board of Directors. The presence of a minimum of three (3) Board members is required to constitute a quorum.

Reference: Resolution No. 1255



Board Policies and Procedures

Policy 108 – Filling Board Vacancies

PURPOSE

This policy dictates how Board vacancies are filled.

POLICY STATEMENT

The Board has two approaches they can consider when filling vacancies.

PROCEDURES

1. Emergency Appointment

1. If immediate appointment is deemed to be necessary by the Board, the Board of Directors will consider, discuss, and vote on an agenda item regarding an emergency appointment to the Board of Directors, at an open public meeting.

2. Public Solicitation for Candidates

1. A press release will be issued notifying the public of the vacancy and setting out the selection process.
2. A Notice of Vacancy will be prepared setting out basic information about the District, the term of the Vacancy, the date by which the application must be received, who to contact regarding obtaining the application form, the selection process, etc.
 - The Notice of Vacancy will be sent to the Marin County Board of Supervisors, City Councils within the District and other governmental bodies as deemed appropriate.
 - The Notice of Vacancy will be sent to various organizations that might be interested in the activities of the District, i.e. League of Women Voters, Marin Conservation League, Marin Builders Exchange.
3. An application form will be prepared on which the candidate shall put background information regarding his/her activities and experience. This form shall contain space in which the candidate can indicate why he/she wishes to become a member of the Board of Directors.
4. A pamphlet shall be prepared giving information on the District such as history and size, purpose and functions, budget information, sources of revenue, names of Board members, etc. To the pamphlet should be attached the District's Sanitary Code and Board Policies.
5. Interviews will be held with the candidates at an open Board meeting, either regular or special. Prior to commencing the interviews, the Board President shall read a statement noting that it



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is illegal for the Board of Directors to interview candidates in closed session and requesting that candidates voluntarily leave the room while each other candidate is being interviewed.

A standard set of questions will be prepared prior to the meeting. Each candidate will be asked the standard set. Individual Board members are permitted to ask additional questions of each candidate as deemed appropriate.

6. The Board will vote in public to determine the winning candidate.

Reference: Policy originally adopted by the Board on May 6, 1997



Board Policies and Procedures

Policy 109 – Board Compensation

PURPOSE

This policy sets forth the Board member activities that are compensated pursuant to Ordinance No. 80.

POLICY STATEMENT

Board members are compensated at \$314/day, up to six days per month. Consistent with Ordinance 80 and applicable provisions of the Health and Safety Code, the District compensates its Board members at this rate for attendance at Regular and Special Board meetings and Standing Committee meetings.

The following activities are also eligible for compensation at the above referenced rate, along with associated costs, upon pre-approval of the Board and submission of applicable documentation:

- Attendance at Ad Hoc Committee Meetings if approved by the Board when the Committee is formed or at annual appointment of members.
- Service on other boards/associations such as North Bay Watershed Association (NBWA) to which a Board member has been appointed by the Board.
- Trainings, conferences, seminars, webinars, facility tours, and other meetings or events where District interests are related. Travel costs will be provided only for activities taking place more than thirty (30) miles from the District office.

Board members may decline compensation for any and all of the above activities.

Board members are not compensated for service on the CMSA Board or CMSA Board appointments.

Board members are not eligible for reimbursement of travel, meal or lodging expenses for any meeting or event within thirty (30) miles of the District office.

Board members are not compensated for medical, health, dental, vision or other insurance by the District.

Board members do not receive pension benefits from the District.

Reference: Ordinance No. 80



Board Policies and Procedures

Policy 110 – Communications

PURPOSE

This policy establishes the proper procedures regarding communication with and by Board members.

POLICY STATEMENT

Brown Act Considerations

Pursuant to the California law known as the Brown Act, all meeting of public bodies shall be open and public. The Brown Act prohibits serial meetings that are conducted through direct communications, intermediaries, or technological devices such as email, for the purpose of developing a collective concurrence as to action to be taken. The District email system may be used to distribute information, schedule meetings and communicate on an individual basis between staff and members of the legislative body. However, members of the Board may not deliberate issues of concern to the District through the use of email or poll each other concerning District business. Likewise, District staff may not poll members of the legislative body concerning issues. Meeting notices may be sent via email, but these exchanges do not substitute Brown Act meeting notice requirements.

Primary Communication

Routine communication between the District Office and Board members shall be by e-mail or by other agreed and effective means. In general, it is expected that Board members shall communicate with the District via email when outside the District office. Board members should refrain from using any communication method that may result in a serial meeting. For example, Board members should refrain from using the “reply all” function to respond to emails sent to the Board and should not use email to develop a consensus on any issue.

Provision for Communications

The District may provide appropriate and necessary equipment and/or services to allow for reasonable communications with the District by Board members. The District provides each Board member their own “@rvsd.org” email address. If Board members wish to use email to communicate on Board and District issues or conduct District business, they must do so only through this “@rvsd.org” address, and not through personal email addresses.

Tone and Content of Communications

Regardless of the format, Board members’ communications should reflect the highest degree of professionalism and respect, consistent with their role as representatives of the District and Board. As discussed in further detail below, Board members are barred by law from disclosing information discussed in closed session Board meetings (except under certain limited circumstances). Board members must not disclose or forward privileged information provided by the District’s counsel or consultants, received in the course of privileged settlement negotiations, or otherwise exempt by law from public disclosure. As to other sensitive topics (for example, staffing issues, political differences, or personal



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disagreements), Board members are expected to conduct themselves with discretion and professionalism appropriate to their office.

Non-Interference with Staff

Board members will refrain from making requests directly to District employees to undertake analysis, perform work assignments or change the priority of work assignments.

Speaking for the District

Board members may not take positions on behalf of the District without the express prior permission and direction of the District and its Board. When Directors are asked for the District's position on an issue, the response should reflect the position of the Board as a whole. A Director may clarify his/her position on an issue if requested to do so. However, any action by the Board of Directors is an action by the whole, and it is then the "District's position" on the matter. The official spokesperson for the District is the President of the Board or their designee. As circumstances warrant, the designee may be (but is not limited to) the General Manager or other personnel whom the President of the Board identifies as an appropriate spokesperson for the District.

Confidential Information

Board members are restricted by law from disclosure of information, the content, context or substance of any discussion regarding any subject matter of, and which took place in, closed session or that which qualifies as confidential information to a person not authorized to receive it, that; (a) is protected from disclosure under the attorney/client or other evidentiary privilege, or (b) not required to be disclosed under the California Public Records Act. In addition to any other penalty or remedy provided by law, Directors may be subject to disciplinary action or censure by the Board who may decide by majority vote at a noticed meeting of such violation, whether a hearing conducted by the Board deems the violation to be official misconduct, which may require Board members provide testimony before a criminal grand jury. If convicted under Section 3060 of the Government Code, such a violation would be cause for removal from office.

Email Usage

Board members will use their "@rvsd.org" email account to distribute information among Board members, employees, business contacts and the public and to conduct any other District or Board business. Board members are responsible for checking their incoming email frequently, reading its contents and responding in a timely manner. All email messages received at or sent through the District server system, including emails sent and received by Board members' "@rvsd.org" email addresses, are property of the District and are not private.

Email messages may constitute "public records" and accordingly, unless exempt under the provisions of



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the California Public Records Act, may be subject to disclosure in response to a public records request. Emails may also be subpoenaed as evidence in litigation. The District reserves the right to access and disclose all messages sent over its computer network and email system for any lawful purpose.

Messages transmitted over the District email system should be those involved in District business activities for the accomplishment of business-related tasks or any communication directly related to District business, administration or practices. The District email system should be not be used for personal correspondence.

Directors are responsible for the content of all text, audio, or images that they place or send over the District computer network. Messages with fraudulent, harassing, abusive, obscene, vulgar, profane, offensive, or sexually suggestive content are prohibited. Messages with derogatory or inflammatory remarks related to a person's membership in any protected class are prohibited, and email users are not permitted to attempt to obscure the origin of any message.

PROCEDURES

Correspondence To and From Directors

Directors who wish to have correspondence written to residents, businesses or other entities regarding District matters will do so through the General Manager and/or Board President. They (per decision made by the entire Board of Directors) are charged with transmitting the District's position on matters to the residents, businesses or other entities for the District. To the extent that Directors communicate with staff, other Board members, consultants or members of the public individually, those communications should be consistent with the principles outlined in this Communications Policy.

Responding to Public Communications

When Directors receive a complaint or inquiry from the public regarding the District's services and/or staff, the Director can acknowledge the complaint/inquiry without making any promise or comment as to what will happen on behalf of the District. The Director will forward the message to the General Manager or the President of the Board for review with the Manager. Directors are encouraged to engage the public on matters of District interest and concern but cannot guarantee an outcome or result before the Board has acted.

Working with District Staff and Consultants

The primary path of communication from Board Members to staff is through the General Manager. The General Manager will direct staff, the District's counsel, and/or consultants. Directors should seek to develop and foster a working relationship with the General Manager wherein issues, concerns, grievances and District programs and projects can be discussed openly and comfortably. The General Manager may occasionally delegate the communication directly to a Board member or staff member for particular issues.



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While communication between Board Members and staff is primarily handled through the General Manager, Board Members may approach staff directly for simple informational requests, and as a courtesy will make the General Manager aware of such requests. If Board members are contacted by staff who are not formally designated for Board communications, the Board member should refer the employee to the appropriate staff supervisor or General Manager. Professionalism, courtesy and a businesslike approach to such communications is expected at all times.

Reference: Policy originally adopted by the Board on February 17, 2016



Board Policies and Procedures

Policy 111 – Mandatory Training

PURPOSE

This policy establishes the mandatory trainings that the Board is required to attend.

POLICY STATEMENT

The Ross Valley Sanitary District, in compliance with Assembly Bill 1234 (AB 1234) and best practices in local government, requires elected Board members to regularly refresh their knowledge of public service ethics laws and principles as well as harassment prevention. This is accomplished by attending trainings, either virtual or in person, on ethics principles and laws and harassment prevention, every two years.

The ethics training must cover general ethics principles relating to public service and ethics laws including:

- Laws relating to personal financial gain by public officials (including bribery and conflict of interest laws);
- Laws relating to office-holder perks, including gifts and travel restrictions, personal and political use of public resources and prohibitions against gifts of public funds;
- Governmental transparency laws, including financial disclosure requirements and open government laws (the Brown Act and Public Records Act);
- Law relating to fair processes, including fair contracting requirements, common law bias requirements and due process.

The harassment prevention training must include practical examples of harassment, discrimination, and retaliation, as well as information about preventing abusive conduct and harassment based on sexual orientation, gender identity, and gender expression.

Newly elected Board members must receive ethics and harassment prevention training within one year of starting their service to the District.

Brown Act Compliance

In the event that the District provides AB 1234 Ethics training as a group session for Board members, the training meeting must be open to the public and properly noticed in accordance with the Brown Act.

AB 1234 training that is offered at conference sessions is subject to the conference session exception to the Brown Act. The conference must be open to the public and attendees must be mindful of restrictions on discussing items with colleagues.

PROCEDURES

Board members must receive ethics and harassment prevention training every two years. To the extent feasible, each training should be completed within 24 months of the prior training.



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The District will provide Board members with a list of options for satisfying the training requirement at least once a year. The Attorney General's guidelines require that the ethics law portion be given by attorneys licensed to practice law in California and knowledgeable about California's ethics laws. The District is not required to provide the training, but may choose to do so.

When Board members receive the training, they will be provided with certificates of attendance. They must provide copies of certification of attendance to the District's Board Clerk, who serves as the custodian of records. These documents must be maintained as public records according to the adopted retention policy.

Reference: Ethics training requirements adopted by the Board on August 26, 2015

Harassment prevention training requirements adopted by the Board on January 25, 2017



Board Policies and Procedures

Policy 112 – Board Development, Training, and Education

PURPOSE

This policy provides clarity for Board members regarding opportunities for Board development, training and education.

POLICY STATEMENT

New Board Member Orientation

The District will provide new Board members orientation. This orientation will provide new Board members important information, allowing them to become as effective as possible, as soon as possible. The District will conduct new Board member orientation no later than the second Board meeting in September after every regular election cycle. In some cases, this training may include sitting Board members as well as new Board members to review best practices.

In-house training for the Board and individual Board members

Best practices for Board leadership includes regular training and review of highest standards for Board work. Various training events are often sponsored by the California Special District Association and other industry specific training opportunities, and Board members are encouraged to take advantage of these trainings. Every Board member is also encouraged to achieve Special District Leadership Foundation (SDLF) recognition in Special District Governance. The SDLF is a foundation that partners with the California Special District Association to provide quality Board training, including:

- Governance foundations
- Setting direction/community leadership
- Board's role in human resources, in finance, and in fiscal accountability

Board members may also wish to subscribe to GoodBoardWork.com, a weekly best board practice online based training.

PROCEDURE

For industry specific conferences the entire Board is eligible to attend, the District will bring an item to the Board for consideration of attendance. If approved, the Board will work directly with the Board Clerk to get registered and for any applicable travel arrangements.

Reference: Policy originally adopted by the Board on October 26, 2016



Board Policies and Procedures

Policy 113 – Associations and Memberships

PURPOSE

This policy provides clarity regarding the Board's associations locally and outside the District.

POLICY STATEMENT

The District holds membership in and attends meetings of associations which have applicability to the functions of the District and looks upon such memberships as an opportunity for in-service training. Specifically, the District maintains membership in the California Special Districts Association (CSDA), the California Association of Sanitation Agencies (CASA), and the North Bay Watershed Association (NBWA).

At the Regular Board meeting in June of each year, the Board shall appoint representatives to associations and memberships for the upcoming fiscal year according to Policy 104 – Board Positions. Representatives who vote or hold a formal position while representing the District recognize that they are representing the opinions of the Board as a whole.

When Board members attend meetings of their own interest, which are ancillary to District business, and not specifically representative of the Board, members are cautioned that they are not authorized to officially represent the Board. Such meetings are not considered eligible for compensation per District Board Compensation policy. However, the Board may at times specifically assign its members to such meetings if it serves the District's business.

Reference: Policy originally adopted by the Board on October 26, 2016



Board Policies and Procedures

Policy 114 – Appointment to Joint Powers Authority Commission

PURPOSE

This policy provides clarity regarding the role of Board members who are appointed Commissioners to the Joint Powers Authority (Central Marin Sanitation Agency).

POLICY STATEMENT

As a member agency of the CMSA Joint Powers Authority, the District's Board nominates two Board members to represent the RVSD Board by holding the office of CMSA Commissioner and attending meetings and/or other CMSA-hosted events.

RVSD recognizes its role in the CMSA JPA as one of its most critical local government relationships. The two agencies are closely inter-related in terms of operations, regulatory compliance, capital asset management, financial planning, and a common public service mission. As stated in the 2016 RVSD Strategic Plan, the Board's goal in working with CMSA is to "Engage in collaborative partnerships with the JPA partners to maximize the quality and efficiency of the wastewater utility services in central Marin." The RVSD-appointed Commissioners will carry out their work in a manner reflective of this goal.

In carrying out their duties as CMSA Commissioners, the appointed Commissioners:

1. Strive to represent RVSD in a manner that balances the interests of RVSD's customers with the broader community interests of the overall CMSA JPA service area.
2. Work with the General Manager to keep the full RVSD Board informed in a timely manner on important pending actions by the CMSA Board, which would foreseeably have a material impact on RVSD.
3. Consult and seek consensus direction from the RVSD Board in advance of CMSA Board action on these important items.

Reference: Policy originally adopted by the Board on October 26, 2016



Board Policies and Procedures

Policy 115 – Placing Items on the Agenda

PURPOSE

This policy provides clarity and guidance regarding placing items for consideration on the agenda of the Board of Directors for discussion/direction and action. The General Manager is considered the organizer and manager of the Board of Directors' meeting agenda.

POLICY STATEMENT

Board members may request that the General Manager or Board President place items for discussion/direction or action on future Board meeting agendas.

PROCEDURES

Requests must be made at least one month prior to the distribution of the Board packet to allow time for staff to provide supporting background on the item. Board members may request during the "Verbal Report by Board Members and Requests for Future Items" item during the regular Board meeting that the District consider placing a matter on a future agenda. When a majority (three) of Board members request an item be placed on the agenda, staff will add the item to the next meeting's agenda.

A best practice, prior to requesting an item be placed on the agenda, is to write a short email or memo to the General Manager and/or Board President explaining the item and giving the reason why it is a matter that the full Board should consider.

If the item cannot be placed on an agenda in a timely manner, the Board President or the General Manager will provide an explanation to the requesting Board member.

As needed, District Counsel may place items on the agenda.

Reference: Policy originally adopted by the Board on October 26, 2016



Board Policies and Procedures

Policy 116 – Adopting Positions on State Legislation

PURPOSE

This policy provides clarity and guidance regarding the District taking positions on State legislation.

POLICY STATEMENT

Any District position on State legislation must be approved by the Board at a Board meeting, except as noted herein. If the General Manager and the Board President together determine that there is insufficient time for the Board to approve a position on State legislation due to the urgency of a request, the Board President is authorized to author and sign a letter on behalf of the Board that is consistent with established policy principles adopted by the Board as part of an adopted Strategic Plan or Business Plan. A copy of said letter will be included for informational purposes in the agenda packet for the next Board meeting.

PROCEDURES

When either a trade association such as California Special Districts Association or California Association of Sanitary Agencies, or a Board member, staff member or District counsel, request that the District take a position on State legislation, the General Manager shall place consideration of such a position onto a Board meeting agenda for consideration by the Board with appropriate supporting documentation.

Reference: Policy originally adopted by the Board on January 15, 2020



Board Policies and Procedures

Policy 117 – General Manager Performance Evaluation

PURPOSE

This policy establishes the District's annual evaluation of the General Manager.

POLICY STATEMENT

The Ross Valley Sanitary District provides employment for the General Manager through an employment agreement. Through such agreement, the District employs the General Manager to perform functions and duties under the direction of the District Board Of Directors ("Board") and as set forth in the General Manager's written job description.

The agreement notes that performance evaluations are an important way for the Board and its General Manager to ensure effective communications about expectations and performance.

To assure that the General Manager receives feedback, the Board will conduct a performance evaluation at least once each year, typically starting in September. However, for the purpose of midcourse corrections, performance evaluations may occur quarterly or several times each calendar year. As part of the evaluation process, the Board may consider merit-based increases and market-based compensation or benefits adjustments.

PROCEDURES

1. On at least an annual basis, the Board shall choose two Board members (the "review committee") to coordinate the review process. At this time, the General Manager will be asked to prepare a summary document outlining particular accomplishments over the previous period.
2. Legal Counsel prepares a Board questionnaire and transmits it to the Board.
3. Legal Counsel collects and compiles Board member questionnaires and delivers them to the review committee, and the General Manager submits his or her self-review to the committee.
4. The review committee assesses the materials, including but not limited to the General Manager's self-review and performance goals and objectives, and prepares a document outlining a summary of the last period's accomplishments, and further, using the data from the questionnaire, determines the average ranking of the General Manager's performance.
5. The review committee, with assistance from District staff or Counsel, performs a salary survey of comparable agencies and positions.
6. The review committee creates a formal recommendation for the Board's consideration, which may include adjustments to compensation or benefits. The formal recommendation will consider the results of the performance evaluation and salary survey. The formal recommendation is presented



Board Policies and Procedures

to the board for its consideration during a closed session, without the presence of the general manager.

7. The Board members are instructed to prepare any comments they may have and to send via e-mail their comments to the review committee in an allotted period of time following the closed session, and the review committee prepares a final report that is representative of the Board's review of the General Manager, incorporating other Board member comments.
8. The final report is presented to the General Manager in closed session for discussion.
9. In open session, the Board considers and votes on any modifications to the employment agreement.
10. Within 60 days of presentation of the final report to the General Manager in closed session, the General Manager shall prepare written performance goals and objectives for the following for review and approval by the review committee.

Reference: Policy originally adopted by the Board on February 17, 2016



Board Policies and Procedures

Policy 118 – Clerk of the Board

PURPOSE

This policy provides clarity regarding the role of the Clerk of the Board in relationship with the Board of Directors.

POLICY STATEMENT

The Clerk of the Board is a permanent employee of the District (Health & Safety Code Section 13853.b) who is generally responsible for attending public meetings of the Board, and for maintaining a record of all proceedings as required by law. If the Clerk of the Board cannot attend a meeting, the General Manager may arrange for someone in attendance to properly record the Board's proceedings.

The Clerk of the Board prepares the agenda and notices the Board's meetings in compliance with the Brown Act. The Clerk calls the roll at Board meetings, operates the public comment time clock, takes minutes, and records actions and motions.

The Clerk of the Board is typically responsible for acquiring the signatures for legal documents and affixing the District Seal as required. The Clerk maintains minutes and records of Board related documents.

The Clerk of the Board is typically responsible for the publication of legal notices, and the certification and filing of documents.

The Clerk of the Board may receive and answer all Board correspondence as directed by the President or his/her designee. The Clerk may act as the Board's point of contact for transactional actions related to the public election of the Board, compliance with Conflict of Interest code, and other coordinated efforts with the County of Marin.

The General Manager may assign an alternate staff person to fulfill the duties of the Board Clerk on the occasions that the Clerk of the Board is absent.

Reference: Policy originally adopted by the Board on January 25, 2017



Appendix

RESOLUTION NO. 10-1378

A RESOLUTION OF SANITARY DISTRICT NO. 1 OF MARIN COUNTY AMENDING AND RESTATING RULES OF DECORUM AT MEETINGS OF THE DISTRICT'S BOARD OF DIRECTORS

WHEREAS, Sanitary District No. 1 of Marin County ("District") is a duly-organized sanitary district existing under Health and Safety Code section 6400 and a legislative body in accordance with Government Code section 54952; and

WHEREAS, Government Code section 54954.3(b) provides that the District's Board of Directors ("Board") may adopt reasonable regulations to ensure that members of the public have the opportunity to directly address the Board on any item of interest to the public; and

WHEREAS, on September 18, 2009, by Resolution No. 09-1339, the District established rules of decorum at Board meetings to ensure that members of the public have an opportunity to address the Board ("Rules of Decorum"); and

WHEREAS, the District desires to amend and restate the Rules of Decorum and to supersede Resolution No. 09-1339 by adoption of this Resolution No. 10-1378

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Sanitary District No. 1 of Marin County that the following Rules of Decorum shall be in effect at all District Board meetings:

(a) By Board Members

During District Board meetings, the Board members must preserve order and decorum, and a Board member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Board nor disturb any member while speaking or refuse to obey the orders of the Board or Board President.

(b) By the Public

(1) Members of the public are provided an opportunity to address the Board during Board meetings on items scheduled on the meeting agenda ("Agenda Comments") and items within the subject matter jurisdiction of the District that are not otherwise scheduled on the meeting agenda ("Public Comments"). Any person desiring to speak at a Board meeting shall first make his/her presence known to the Board President and upon being recognized by the Board President may speak for a period of up to 3 minutes. Prior to opening the comment period on any item on the agenda, the presiding officer, with the consent of a majority of the Board, may extend the 3 minute time limit due to the nature and/or complexity of the item to be considered or, may authorize a shortened time limit for speakers in order to allow equal access for all those

desiring to address the Board. Oral comments by members of the public at Board meetings shall be made in accordance with the following:

(2) General Procedures for Public and Agenda Comments

- (i) When called upon, the speaker should come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented.
- (ii) All remarks should be addressed to the Board as a whole, not to individual members thereof.
- (iii) Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.

(3) Protocol During Public Comments

- (i) Board Deliberations Prohibited. In compliance with the Brown Act, the Board may not deliberate or vote on any matter raised during Public Comments. The Board President, however, may request the General Manager to provide additional information on a matter of general interest to the full Board or the public at large.
- (ii) Board Interaction with Public. If a Board member believes that a material misstatement of fact has been made by a person during Public Comments, the Board member may ask the General Manager or General Counsel to correct or otherwise clarify the matter or the Board member may provide a direct response at that time. If an immediate response is not possible, correction or clarification will be provided at the next regular Board meeting.
- (iii) Comments in Writing Encouraged. Members of the public may, and are encouraged to, submit comments in writing to the Board relating to any items of District business, whether on the meeting agenda or otherwise. Such written comments will be distributed to members of the Board and considered and acted upon, or not acted upon, as the Board in its judgment may deem appropriate.

(4) Protocol During Agenda Comments

- (i) Germane Comments. No person will be permitted during an agenda discussion and/or hearing to speak about matters or present evidence which is not germane to the matter being

considered. A determination of relevance will be made by the Board President, but may be appealed to the full Board.

- (ii) Written Communications. Written communication and petitions concerning the subject matter of the agenda discussion and/or hearing will be noted, read aloud, or summarized by the Board President. A reading in full will take place if requested by any member of the Board.

(5) A speaker shall not present the same or substantially same items or arguments to the Board repeatedly or be repetitious or dilatory in presenting their oral comments. If a matter has been presented orally before the Board, whether the Board has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person any further. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of persons desires to address the Board on the same subject matter, those persons are encouraged to designate a spokesperson to address the Board. Nothing in the foregoing precludes submission of comments to the Board in writing for such action or non-action as the Board, in its discretion, may deem appropriate.

(6) Any person present at a Board meeting who willfully disturbs the peace of such meeting by making any loud and/or unusual noise, or by offensive conduct, or by threatening, quarreling, challenging to fight, fighting, or interrupting the proceedings of such Board, or refusing to keep quiet when ordered to do so by the Board President, or who refuses to keep quiet and be seated when the allotted time to speak has expired or when another person has been recognized and is speaking, may be removed from the Board meeting as directed by the Board or the Board President.

(7) Any such member of the public described above who is removed from a Board meeting for committing any one or more of the above-described acts shall be required to exit the property on which the meeting is being held, including any adjacent or abutting parking lots, and such person shall not be allowed to return to said District property for a period of not less than one (1) hour after the adjournment of the Board meeting at which the misconduct referred to above occurred. Additionally, the Board or Board President may bar said person from future meetings for a specifically designated period of time not to exceed 45 days and/or the Board or Board President may seek to cause such person to be arrested or refer the matter to the local law enforcement agency of jurisdiction, as appropriate.

(c) Non-Exclusive Rules

These rules are not exclusive and do not limit the inherent power and general legal authority of the Board, or of its presiding officer, to govern the conduct of Board meetings as may be considered appropriate from time to time or in

particular circumstances for purposes of orderly and effective conduct of the affairs of the District.

BE IT FURTHER RESOLVED that this Resolution No. 10-1378 supersedes Resolution No. 09-1339 in its entirety.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of Sanitary District No. 1 of Marin County on May 19, 2010, by the following vote:

AYES: Guasco, Johnson, Sullivan, Vanni
NOES: None
ABSTAIN: None
ABSENT: None



Patrick Guasco
President of the Board

ATTEST:



Marcia Johnson
Secretary of the Board

RESOLUTION NO. 12-1453
A RESOLUTION BY THE BOARD OF DIRECTORS OF
SANITARY DISTRICT NO. 1 OF MARIN COUNTY
SETTING THE DATE(S) OF ITS REGULAR MONTHLY MEETINGS

WHEREAS, pursuant to the California Health and Safety Code section 6488, the Sanitary District No. 1 of Marin County ("District") shall hold meetings, either in the day or night, as may be convenient; and

WHEREAS, the District conducts public business at the regular and special meetings of the elected Board of Directors; and

WHEREAS, the District Board of Director's regular meetings are currently held once a month on the second to last Wednesday of the month; and

WHEREAS, the District desires to establish the most effective and productive schedule for its regular monthly meetings; and

WHEREAS, at an open public meeting held September 19, 2012 the District Board of Directors discussed and reviewed the frequency and the dates of its regular monthly meetings; and


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Sanitary District No. 1 of Marin County that:

SECTION 1. The District's Regular meeting will be held on the third Wednesday of the month. A second meeting of the month may be scheduled at the discretion of the Board if it is determined to be necessary.


SECTION 2. This Resolution shall be published once in the Marin Independent Journal, a newspaper of general circulation published in the District.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the Board of Directors of Sanitary District No. 1 of Marin County at a meeting thereof on the 26th day of September, 2012, by the following vote:

AYES:	Egger, Guasco, Meigs, Sullivan, Sylla
NOES:	None
ABSENT:	None
ABSTAIN:	None


FRANK EGGER
President of the Board

ATTEST:


PAMELA MEIGS
Secretary of the Board

RESOLUTION NO. 1255

A RESOLUTION OF SANITARY DISTRICT NO. 1 OF MARIN COUNTY ADOPTING AN ATTENDANCE POLICY FOR BOARD MEMBERS AT BOARD MEETINGS

WHEREAS, Members of the Board are expected to attend all meetings to ensure effective meetings and decisions; and

WHEREAS, the Board inquired into adopting an attendance policy for Board members' attendance at meetings; and

WHEREAS, the Board desires to adopt an attendance policy.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Sanitary District No. 1 of Marin County hereby adopts the attendance policy attached hereto as Exhibit "A."

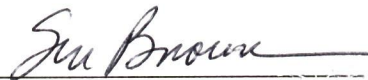
PASSED, APPROVED AND ADOPTED by the Board of Directors of Sanitary District No. 1 of Marin County at a regular meeting held this 3rd day of October 2006, by the following vote:

AYES: BURKE, GUASCO, OLIVA, VANNI, BROWN

NOES: NONE

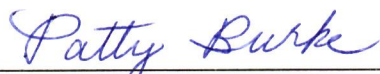
ABSTAIN: NONE

ABSENT: NONE



SUE BROWN
President of the Board

ATTEST:



PATTY BURKE
Secretary of the Board

SANITARY DISTRICT NO. 1 OF MARIN COUNTY

DISTRICT BOARD MEETING ATTENDANCE POLICY FOR BOARD MEMBERS

Board members are expected to attend all Board meetings and shall make every effort to do so. Absence from three consecutive meetings or absence from more than one-third of all meetings in one calendar year shall constitute abandonment of office and the office shall be deemed vacant. In order to be deemed to have been in attendance at a Board meeting, a Board member must have been present for at least three-fourths of the time duration of the meeting. In the event of an absence, the Board member shall notify the President of the Board in advance of the meeting.

EXHIBIT A

ORDINANCE No. 80

AN ORDINANCE ADJUSTING COMPENSATION FOR THE BOARD OF DIRECTORS OF SANITARY DISTRICT NO. 1 OF MARIN COUNTY

WHEREAS, on July 5, 2000, the California Legislature enacted Senate Bill 1559 (Chapter 86, Statutes of 2000); and

WHEREAS, this bill amended Section 6489 of the California Health and Safety Code, authorizing sanitary district Boards to, by ordinance, increase Board member compensation in an amount greater than the current maximum of one hundred dollars (\$100) per day by an additional five percent (5%) for each calendar year following the operative date of the last adjustment; and

WHEREAS, the last adjustment for the Board of Directors of Sanitary District No. 1 of Marin County ("District") was in 2001 through Ordinance No. 50; and

WHEREAS, Ordinance No. 50 provided that Board member compensation would be increased to \$150 per day beginning in April 2001, and increased by five percent annually thereafter in accordance with Water Code section 20202; and

WHEREAS, current Board member compensation is currently \$314 per day; and

WHEREAS, the Board of Directors of the District wishes to repeal Ordinance No. 50 in order to end the annual five percent increases in Board member compensation and maintain Board member compensation at \$314 per day indefinitely, with annual reviews of such compensation every July to determine its accordance with the District Compensation Policy.

NOW, THEREFORE, the Board of Directors of Sanitary District No. 1 of Marin County does ordain as follows:

SECTION 1: DIRECTOR COMPENSATION

- a. Starting on April 6, 2017, and continuing until this Ordinance is modified, repealed or amended, the compensation for the Board of Directors of the District is hereby three hundred and fourteen dollars (\$314), which is less than that allowable under the California Health and Safety, and Water Code.
- b. The amount of Directors' compensation (\$314) is for each day's service rendered as a member by request of the Board, not exceeding a total of six (6) days in any calendar month, together with any expenses incident thereto.
- c. District Directors that perform duties as a District-appointed representative or Commissioner at another agency will not receive differential compensation from Sanitary District No. 1.

Attachment A

- d. The Board of Directors of the District shall review their compensation each July to determine whether it should be increased in accordance with the District Compensation Policy.
- e. Ordinance No. 50 is hereby repealed.

SECTION 2: EFFECTIVE DATE

- a. Upon adoption, this Ordinance shall be entered in the minutes of the Board of Directors of the District, shall be published once in a newspaper in general circulation within the District, and shall take effect on April 6, 2017.

PASSED AND ADOPTED this 19th day of July 2017, by the following vote:

AYES: Boorstein, Baffrey, Kelly, Meigs, Sylla

NOES: None


ABSENT: None

ABSTAIN: None



Mary Sylla
President of the Board

Attest:



Michael Boorstein
Secretary of the Board

RESOLUTION NO. 16-1514
A RESOLUTION OF THE BOARD OF DIRECTORS OF SANITARY DISTRICT NO. 1
OF MARIN COUNTY AMENDING ITS CONFLICT OF INTEREST CODE

WHEREAS, Government Code section 87300 requires every public agency to adopt and promulgate a Conflict of Interest Code;

WHEREAS, amendments to the Political Reform Act, Government Code sections 81000, et seq., have in the past and foreseeably will in the future require conforming amendments to be made in Conflict of Interest Codes adopted and promulgated pursuant to its provisions;

WHEREAS, the Fair Political Practices Commission has adopted a regulation 2 Cal. Code of Regulations, Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission pursuant to the Administrative Procedure Act, Government Code sections 11370, et seq.;

WHEREAS, in 1990 Government Code section 87306.5 was added to the Political Reform Act requiring every local agency who has adopted a Conflict of Interest Code to review their code every two years, by either amending their code if necessary, or reporting to their respective code reviewing body that no amendment is necessary;

WHEREAS, on August 22, 2012, by adopting Resolution No. 1450, the Board of Directors of Sanitary District No. 1 (District) last amended its Conflict of Interest Code regarding the filing location of the statements of Economic Interest (Form 700) for the District's designated employees per notification from the County of Marin Elections Department;

WHEREAS, the District Board of Directors has reviewed its Conflict of Interest Code adopted August 22, 2012 as amended to keep the Code in conformity with the Political Reform Act; and

WHEREAS, recent organizational changes in the District now require that the list of Designated Employees be updated to reflect the current staffing structure in the District. Specifically, the position of Maintenance Superintendent has been removed and the position of Engineer has been added. Furthermore, the position of "Business Manager" is now the "Business and Administrative Services Manager," the position of "Chief of Operations" is now the "Operations and Maintenance Manager," and the position of "District Engineer" is now the "Infrastructure Assets Manager."

WHEREAS, it is in the District's best interests to amend the existing Conflict of Interest Code to make these changes in the list of Designated Employees.

NOW, THEREFORE, THE BOARD OF DIRECTORS hereby resolves and orders as follows:

1. Designated Employees. The positions listed on Appendix A are the Designated Employees for purposes of this Code. Individuals holding these positions are deemed to make or participate in the making of decisions that may foreseeably have a material effect on a financial interest. If one person holds more than one designated position, he or she shall file a Statement of Economic Interest (FPPC Form 700, "Disclosure Statement") based on the most extensive disclosures required of the positions held;

2. Amendments to Designated Positions List. The position of Maintenance Superintendent is hereby removed from the Designated Positions List. The position of Engineer is hereby added to the Designated Positions List. The position of Business Manager has been renamed to Business and Administrative Services Manager. The position of Chief of Operations has been renamed to Operations and Maintenance Manager. The position of District Engineer has been renamed to Infrastructure Assets Manager;

3. New Filing Requirements. All Designated Employees shall continue to file disclosure statements based on the most extensive disclosures required of the positions held. Any Designated Employee who has not previously filed under the Disclosure Categories applicable to their new title shall file an Assuming Office Statement under Government Code section 83702(b);

4. Submission to the Marin County Board of Supervisors. The District shall submit its amended Conflict of Interest Code to the Marin County Board of Supervisors within 90 days of approving this Resolution, pursuant to the 2016 Biennial Notice requirements;

PASSED AND ADOPTED on October 26, 2016, by the following roll call vote:

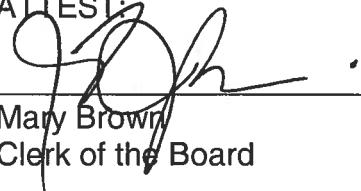
AYES: *Sylla, Battney, Meigs, Kelly*

NOES: *None*

ABSENT: *Boorstein*



Mary Sylla
President, Board of Directors

ATTEST:


Mary Brown
Clerk of the Board

APPENDIX A

SANITARY DISTRICT NO. 1 OF MARIN COUNTY

CONFLICT OF INTEREST CODE LIST OF DESIGNATED POSITIONS

<u>JOB TITLE</u>	<u>DISCLOSURE CATEGORY</u>
Members of the Board of Directors	1 through 4
General Manager	1 through 4
Business and Administrative Services Manager	1 through 4
Inspection Superintendent	1 through 4
Infrastructure Assets Manager	1 through 4
Operations and Maintenance Manager	1 through 4
Engineer	1 through 4
District Counsel	1 through 4

Employees or officials appointed, promoted or transferred to designated positions shall file an initial statement within thirty (30) days after date of employment.

All persons elected, appointed, promoted, or transferred to designated positions shall file an initial statement not less than ten (10) days before assuming office, unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed thirty (30) days thereafter.

APPENDIX B

GENERAL PROVISIONS

When an employee or official designated in Appendix A is required to disclose investments and sources of income, he or she shall disclose business within the District, plans to do business in the District or business done in the District within the past two years. In addition to other activities, a business entity is doing business within the District if it owns real property within the District. When a designated employee is required to disclose interests in real property, he or she shall disclose real property which is located, in whole or in part, within the boundaries of the District.

Designated Employees and officials shall disclose their financial interests using Form 700 pursuant to the appropriate disclosure category as indicated in Appendix A.

- Category 1: Investments in business entities of which the designated employee or official or his or her spouse owns, directly, indirectly or beneficially, less than ten percent (10%) interest in the business entity.
- Category 2: Investments in business entities of which the designated employee or official or his or her spouse owns, directly, indirectly or beneficially, ten percent (10%) or more interest in the business entity.
- Category 3: Interests in real property located, in whole or in part, the boundaries of the District.
- Category 4: Personal income, gifts and business positions.